

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

PLANNING & ZONING AND
REGULAR SESSION
THURSDAY, AUGUST 31, 2017

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, August 31, 2017, with eleven members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell and Melissa Sieben, Assistant County Administrators; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Rob Richardson, Director of Planning; Janet Parker, Administrative Assistant, Planning; Jamie Hickey, Planner; Zach Flanders, Planner; Chris Slaughter, Land Bank Manager; Joe Stephens, Director of Economic Development; Shaya Patrick, Engineering; and Captain John Grosko, Sergeant-At-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Holland.

INVOCATION was given by Reverend Bryan W. Mann, Bethel Seventh Day Adventist Church.

Mayor Holland said before we get started we have two announcements. My first announcement is to wish my wife Julie Solomon a Happy 21st Wedding Anniversary tonight. I invited her to come tonight so that we could spend the evening together, but she decided that wouldn't count as a date so she's at a little league baseball game with our son and I'm here. So Saturday night we'll get our dinner, but anyway Happy Anniversary.

Also, our Administrator has an announcement.

ADMINISTRATOR'S AGENDA**ITEM NO. 1 – 171288...INDIAN SPRINGS MEETING PROCESS**

Synopsis: There will be a public meeting for input regarding the future development of the former Indian Springs Mall site September 19, from 5:30 – 8:00 PM. The meeting will take place at the USD 500 Community Building, located at 59th and Parallel (2010 N. 59th Street).

Doug Bach, County Administrator, said we wanted to announce tonight that we finalized our date for our first community meeting regarding the former Indian Springs Mall area. We're inviting members of the public to come and offer input as we look at about different development opportunities we'll have for that site. That meeting will be September 19 from 5:30 to 8:30 PM. It will be at the community building where USD 500 is. We appreciate you letting us use that building located at 59th & Parallel and to get the word out about this because we've heard from a lot of people that area around Indian Springs, the midtown site, is one that is a community asset that we hear from people from Bonner Springs, Edwardsville come in to all the eastern parts of the city. We're going to send out a postcard notice to people telling them about this activity so if people want to come to it, that'll also note other things we have there about how we may broadcast that meeting as we finalize how we'll make that happen.

We'll also have a survey if people just want to go online and fill out information from that perspective and offer their input to us.

Mayor Holland said and it is serendipitous tonight that we have Superintendent Lane and members of the school board here. We can thank you personally for making your space available for this community meeting. Thank you.

Action: For information only

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MAYOR'S AGENDA

Item No. 1 – 171251...RECOGNITION: NEW STANLEY ELEMENTARY STREET SWEEPER CONTEST WINNERS

Synopsis: Recognition of the New Stanley Elementary Street Sweeper Contest winners, by Jeff Miles, Vice President, Key Equipment & Supply Company, submitted by Tim Nick, Public Works.

Mayor Holland said we have Key Equipment here. Key Equipment had an opportunity for the kids to make the design on the street sweeper and I'll let the folks from Key Equipment, Jeff Miles, to make the presentation.

Jeff Miles, Key Equipment, said, Mayor, did you tell your wife that a street sweeper was going to be here tonight. **Mayor Holland** said that might have sealed the deal. She might have come. **Mr. Miles** said seriously thank you for this opportunity. I'm going to try to be short to give these three young men sitting back there to get the recognition that they deserve. I'm going to give you a little bit of background on how we ended up here tonight and give these three gentlemen a plaque.

I first would like to explain a little background to what brought me here. My name is Jeff Miles. I'm the Vice President of Key Equipment and Supply Co. We're a key of Kansas City, Kansas company that's been in business since 1987 in Kansas City and 1963 in St. Louis. We cover four states. We cover the state of Kansas, Missouri, Illinois, and Oklahoma from two locations. I can proudly say one of those locations, as I mentioned, is here in Kansas City, Kansas and it will make sense to you here in a minute of why. I was born and raised in Argentine, Kansas. My mom owned a business in Argentine for 39 years and raised me on the streets of Strong Avenue and Stanley playground. I continue to live in Wyandotte County and I'm proud of our community. I want to take this opportunity to thank everyone here tonight, all previous Commission members, all Mayor's; the doors that's been opened for some of us KCK businesses. That door that was opened a long time ago for the Kansas Speedway opened a door for our company to design a street sweeper that is now used at every NASCAR track around the country so anytime you see that on TV that comes right here from KCK so I'm proud of that.

Our company has worked with many municipalities on theme sweepers. In each situation we've donated our time and cost to cover the designs and the wraps. At the UG we currently have cleaning machines of a Kansas Speedway sweeper, at T-Bones, Sporting Kansas City, United States Soccer Association, that's another new one; I'm proud of that one, and now an environmentally themed street sweeper. Not that you can expect, you can imagine calling Sporting Kansas City and asking them, hey, I got this great idea. I want to wrap a street sweeper with your branding all over it. You learn very quickly to speak quickly on that phone call and sell your idea that it is showing off how proud we are of all of our local tourism, but on this particular one we wanted to do it a different direction. The goal for us was to change the perception of the job being done out in the public. Instead of a dirty, giving dirty looks to a street sweeper, a slow street sweeper that drives around town; people seem to give them thumbs up and a smile and saying thank you for at least coming to our community. As an example, the Kansas City Royals themed machine we did for the city of Kansas City, Missouri was one of their biggest social media hits in their city's history, a street sweeper and of course winning the World Series that same year didn't hurt either. I think it was the street sweeper myself.

When the UG ordered two replacement sweepers I suggested a different approach on one of the machines that we were delivering to the UG team. I wanted to use this opportunity to help educate our youth on the importance of clean streets, storm systems, clean creeks, lakes, rivers and ultimately our oceans. I asked for permission to choose a school and as you can probably guess I picked Stanley Elementary where I went as well as my mother. The staff at New Stanley was very receptive to the idea. Principal Most and Principal Robertson and a whole team of New Stanley was very helpful and excited for this project. We came in and gave an hour class on the importance of street sweeping, preventing litter, and challenged the 60 fifth graders to come up with a design that included a slogan of a new sweeper. The designs that came up were outstanding. It was a big challenge for us because they were all great. The top six designs were sent to the team at the UG and they made the final decision. I'm happy to say a combination of two designs and slogans were chosen. The machines were wrapped and unveiled with the help of the Mayor and Commissioner Markley to the children at New Stanley and their families that were in attendance. Tonight, we're here to show recognition to these three children, their families and New Stanley for supporting this cool project. In no particular order, I'd like to present appreciation plaques to these three guys; Julian Bush, Alex Rincon, and Diego Dessens.

We also took the liberty to make two additional plaques out of our appreciation for this opportunity. One we are presenting to the Unified Government of Wyandotte County, and then second, in appreciation to New Stanley.

Action: Presentation.

Mayor Holland asked how much does one of these street sweepers cost. **Mr. Miles** said about \$220,000. **Mayor Holland** said I would like to point out that my grandfather and father also went to Stanley Elementary, it was not new yet. Congratulations and thank you to our friends at the school district as well for being here tonight.

Mayor Holland said we now have our Planning and Zoning meeting before us and I'll turn it over to the Clerk to announce the remainder of the meeting. Everyone is welcome to stay for the remainder of our meeting. If you chose not to, that's fine; we just ask you to leave quietly while we proceed with our meeting. Thank you.

Bridgette Cobbins, UG Clerk, read the statement and stated a protest petition has been filed regarding Item B-2 on the agenda.

Ms. Cobbins asked if any members of the Commission wished to disclose contact with proponents or opponents on any item on the Planning and Zoning Agenda. **Commissioner Bynum** said I've had contact with opponents and proponents of Item B2-Special Use Permit #SP-2017-36. **Commissioner Philbrook** said I've had contact on Special Use Permit #SP-2017-31 with proponents, #SP-2017-36 pro and con and in between, and on #PR-2017-33 pro. **Commissioner Johnson** said I've had contact with proponents of #SP-2017-36. **Commissioner Kane** said I've had contact both pro and con for #SP-2017-36. **Commissioner Murguia** said I've had contact pro and con for #SP-2017-36. **Commissioner Markley** said I've had contact pro and con for #SP-2017-36. **Commissioner Walker** said well I've had contact with proponents of #SP-2017-36. I don't recall any opponents reaching out. **Commissioner McKiernan** said I've had contact with proponents and opponents of #SP-2017-36. **Commissioner Walters** said I've had contact with proponents and opponents of #SP-2017-36.

Commissioner Townsend said I'm going to err on the side of caution and I vaguely recall speaking not directly to a proponent, the proponent, someone who asked for information about it and making a recommendation that they would call one of the associations in District One Leavenworth Road. I'm going to err on the side of caution, its proponent only. **Mayor Holland** said I have had contact with proponents of #SP-2017-24 and #SP-2017-33.

Ms. Cobbins read the items on the Planning and Zoning Consent Agenda.

Mayor Holland said before I ask for removals I'm going to start with County Administrator Bach and then I'll ask for others who would like to remove an item. **County Administrator Bach** said I'd like to set-aside Special Permit Application No. 2, Special Use Permit #SP-2017-36. It has a valid protest petition filed on it. **Mayor Holland** said I would like to invite anyone in the audience, any Commissioner, or staff member who would like to remove an item to step forward to the microphone at this time to have an item removed from the Consent Agenda. Any item not removed from the Consent Agenda will be voted on by a single vote. **Brian Hill with MKEC Engineering, Overland Park, KS** said I would like to set-aside Item C1 #PR-2017-24.

Action: **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the Consent Agenda, excluding the set-asides.** Roll call was taken and there were ten "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

PLANNING AND ZONING CONSENT AGENDA

CHANGE OF ZONE APPLICATION

ITEM NO. 1 – 171254...CHANGE OF ZONE APPLICATION #3145 - ROBERT WESSEL

Synopsis: Change of Zone from R-1 Single Family District to CP-1 Planned Limited Business District for an employee parking lot in conjunction with a doctor's office at 8932 State Avenue, submitted by Robert H. Richardson, Director of Planning. The representative, Robert Wessel on behalf of the owners, PSB Investments, LLC, has submitted a change of zone to build a parking lot addition on a portion of 8932 State Avenue for a medical office building at 8940 State

Avenue. The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application #3145, subject to:

Urban Planning and Land Use Comments

1. Subject to approval, a \$50.00 rezoning ordinance publication fee shall be submitted to the Urban Planning and Land Use Department immediately following the Board of Commissioners meeting.
2. Only decorative lighting may be used on the façade of the office building.
 - a. Any site or building lighting shall have 90 cutoff fixtures.

Applicant Response: Lighting is not proposed.
3. The ends of parking stalls shall be curbed and landscaped islands installed.

Applicant Response: The entire proposed parking lot is to be curbed.
4. The CP-1 Planned Limited Business District landscaping requirement is one tree for every 7,000 square feet of site area. The Commercial Design Guidelines requires that landscape exceed the district requirement by at least 75 percent.

Based on the site area, .75 acre (32,831 square feet), 8 (8.20) trees are required based on the guidelines. Please submit a landscape plan that meets this requirement. Please show required screening as well. (See #7 below)

Applicant Response: In order to meet the screening for the proposed parking lot, we have added 13 – 6’ foot evergreen trees along the north and east line of the proposed parking lot. We are providing 6 – 2” deciduous hardwood trees along State Avenue.

5. Landscaping shall be irrigated.

Applicant Response: Irrigated landscaping will be provided in islands and around the parking lot exterior.
6. All shade trees shall be at least 2” caliper when planted. All evergreen trees shall be at least 6’ in height when planted.

Applicant Response: Acknowledged.
7. The northern landscape screen will be installed with the north building.

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations):
 - 1) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Action: **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve Change of Zone #3145, subject to the stipulations.**
 Roll call was taken and there were ten "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 171256...SPECIAL USE PERMIT APPLICATION #SP-2017-31 – JOE MCLAUGHLIN WITH BHC RHODES

Synopsis: Special use permit for the temporary use of land for a security office trailer at 8130 Kaw Drive, submitted by Robin H. Richardson, Director of Planning. The applicant is seeking approval for the use of a temporary trailer as a security office for the site at 8130 Kaw Drive. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2017-31, subject to:

Urban Planning and Land Use Comments

- 1. Could you provide photographs and diagrams of the structure?
 Applicant Response: The trailer has not been ordered yet, but will be comparable to the diagrams below and will be bracketed to the ground similarly to the third picture.



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2. How long are you planning to utilize this trailer on the site? Are there plans to build a permanent structure for this use?

Applicant Response: The trailer will be utilized for a term of 5 years and there are no plans to build a permanent structure at this time.

3. Please explain and provide any relevant documentation regarding your use of the land?

Applicant Response: The trailer is going to be used as temporary office space and will provide a way for the occupants to ensure security of the site by allowing them to occupy the site.

4. Please provide a site plan with building, sewer and floodplain elevations.

Applicant Response: Based on the site contours the elevation of the proposed temporary structure is out of the floodplain. FEMA maps show the property being in Flood Zone AE

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with a base flood elevation of 766'. The elevation of the temporary structure is at an elevation of roughly 773.5' which is 7.5' above BFE.

5. The trailer must be skirted.
6. Approval is for two years.

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations):
 - 1) The A/E shall coordinate with Wyandotte County Health Department regarding the proposed temporary holding tank and show applicable information on plans, calculations, and specifications for review and approval by the Health Department.
 - 2) The proposed temporary holding tank shall be a state certified septic tank, and shall be installed underground in accordance with the manufacturer's recommendations and the Wyandotte County Health Department approval.
 - 3) The proposed temporary holding tank shall be equipped with audible and visual alarms with high water floats, and indicated on plans and specifications for Health Department approval.
 - 4) All electrical wiring for the temporary holding tank shall be done by a licensed and insured electrician.
 - 5) Obtain an on-site wastewater permit from Wyandotte County Health Department, and provide a copy to Planning Engineering prior to construction permit acquisition.
 - 6) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.
 - 7) The proposed septic holding tank shall be temporary for two years. At the end of two years or when a permanent building structure is constructed, whichever occurs first, a public sanitary sewer main extension and service line connection shall be constructed to serve this property.

- 8) The future/public sanitary sewer main extension will require a separate public improvement plan set that meets UG standards and criteria, and shall be reviewed and approved by the UG.
 - 9) The future/public sanitary sewer main extension may require an easement across the adjacent property. A signed, executed, and recorded copy of the sanitary sewer easement shall be provided with the sewer main extension plans.
 - 10) When the future/public sanitary sewer system is installed, the proposed temporary holding tank shall be removed/abandoned per UG and KDHE specifications and requirements.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Business License Comments

Our office finds no record of any business associated with this address. If this location is to be occupied by a business enterprise, they will need to file and maintain the annual occupation tax application with this office. In addition, since this permit would be for a security trailer, any third party security company that would be providing service to the associated business would need to file with our office as a security company. If security would be provided by employees of the occupying business, security company license would not be applicable.

Action: Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2017-31 for two years, subject to the stipulations. Roll call was taken and there were ten "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 2 – 171282...SPECIAL USE PERMIT #SP-2017-36 – FREDERICK AVERY

Synopsis: Special use permit for a youth residential facility at 6561 Leavenworth Road, submitted by Robin H. Richardson, Director of Planning. The applicant is requesting approval of a special use permit to operate a youth residential facility at 6261 Leavenworth Road. The building was previously licensed as a nursing home from 1967 until 2014. The proposed facility

would be licensed with the state of Kansas to work with 35 or more children between 5 and 17 years of age. The applicant states that the facility has the capacity to house 70 youth. The facility would be staffed by an office manager, food service personnel, maintenance and grounds personnel, youth support personnel, and case managers. See the attached business plan for more information about the operation of the proposed facility. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2017-36 with the applicant meeting with the Leavenworth Road Association prior to the July 27, 2017 Board of Commissioners meeting to see if they have any further concerns and the first year would be for a maximum of 50 children. After one year they could seek an amendment for additional children, subject to:

Urban Planning and Land Use Comments

1. How many children/youth will reside at the property? The business plan states 35+ and also states that there is capacity for 70 youth.

Applicant Response: Our capacity is 70 children in the facility.

Staff Response: The City Planning Commission and Board of Commissioners will set a maximum number of children that may reside at the facility as a stipulation of the special use permit.

Planning Commission Recommendation: Commission recommended 50 children maximum.

2. How many staff members will be on-site during different times of the day/night?

Applicant Response: There will be three shifts, 10 people on the first and second shift and 7 on the third shift.

3. Are there any plans to use the adjacent property to the east in conjunction with the youth residential facility?

Applicant Response: Yes, it will serve as our staff house.

4. What types of recreation and common spaces are available on-site? Is there outdoor space for children to play?

Applicant Response: Yes, there is a facility garden and gazebo; also we plan on designating a play area.

5. Please provide an updated floor plan that is specific to the proposed use.

Staff Response: See attached floor plan.

6. How do you plan to provide transportation? Will there be vans stored on site?

Applicant Response: We will have three company vehicles, a 12 passenger van and two sedans.

7. Any future expansion will require an amendment to the existing special use permit by going back through the special use permit process.

Applicant Response: At the moment there is no plan of expansion. That may change as the need for the service changes.

Public Works Comments: None

Mayor Holland said this was pulled because there is a valid protest petition on it so that pulls it off of the Consent Agenda. I'm going to ask our attorney to explain the voting on this item.

Ken Moore, Chief Legal Counsel, said Mayor, since there is a valid protest petition, it will now take nine votes to approve as its submitted or with any modifications. Anything that approves this application requires nine votes. To deny the application, since that is contrary with what the Planning Commission recommended, it would take eight votes. To send it back to the Planning Commission for additional information or questions would take six votes.

Mayor Holland said to send it back it would take six votes. To deny it, it would take eight votes. To approve it, it would take nine votes. Is that correct? If the applicant is here, I'd invite the applicant to please come forward and make presentation.

Edward Scott asked just to be clear is there a particular time boundary on this? **Mayor Holland** said we'd ask you to state your name and address for the record and then you can make presentation. Less is more, but you are the applicant and so if you think five to eight minutes would be good, if you needed more time, you could ask Commission for more time than that. In a public hearing people who have comment are limited to three minutes and then after the public hearing you can take notes while people are talking and if you would like to make a summative comment after the public hearing in response to some of the comments, you're welcome to do that as well.

Mr. Scott said we will give introductions and addresses and then I will begin. Fred Avery, 7803 W. 61st Terr., Beverly Avery, 2618 N. 51st St., Edward Scott, 2008 Brooklyn Avenue.

Edward Scott, 2008 Brooklyn Avenue, said essentially what we're going to do for you today is we're going to give you a little bit of background on Avery's Village and then we'll talk about a high level overview of the organizational operations, programming and so forth. We'll be presenting a little bit of data and then we'll move into hearing concerns and answering questions.

Beverly Avery, 2618 N. 51st St., said I've been doing daycare since 1993. I've been licensed with the state. In 2007, I took a MAPP Class and became a foster parent where I'm still a foster parent. I've been married for 24 years. I've got seven children and seven grandchildren. This came about because I am a foster parent and I don't have enough room in my house and when I would do day respite some of the kids they asked if they could stay. I don't have enough room for them so I asked my son if he would help me to open up a youth center for the kids so we can try and help as many kids as we can and that's why we're here now.

Fred Avery, 7803 W. 61st Terr., said she called me in so I'm acting as her Vice President to help her sustain ability in the business aspect of it. This has been her dream for a while. She's been a foster parent, like she said, since 2007 so right around 10 years now so what we're doing is just trying to expand what she's doing. She's been trained. We have people in the crowd who were one of her first kids in her daycare since 1993. What we're just doing is trying to make a positive impact. What we'll do is we'll kick it off with some stats and let you guys know. According to Department of Children and Family Services and AdoptUsKids.org there are probably about 7,000 in need. At least 7,000 kids are currently in custody of the state of Kansas. Right now there are about 900 kids waiting on the adoption list. There is a serious need out there and in Wyandotte County there's not a place. There are also about 1,400 homeless youth in the Kansas City, Kansas School District alone. As we think about it and we really look at what we have to support the youth, there's nothing but houses right now. For example, my mom is a foster parent. There are not a lot of places for kids to go. I'll let Ed take it from here and go into the next part.

Mr. Scott said I am a consultant to the project, to Avery's Village. My background is clinical/mental health and organizational development. I actually have a Master's Degree in clinical social work from the University of Pennsylvania and additional graduate education from Rockhurst University in organizational development and leadership. Avery's Village, quite simply, is an organization that was started to meet a need. The purpose and mission boils down to creating a safe, stable and supportive residential or living environment for young people. You've been given the numbers, the 7,000 in custody, the 900 that are wait listed, and the 1,400 that are homeless that will be the estimated in this area.

We're looking to create a home life environment to replace, if only for a short period of time, the homes that these young people were removed from. The demographic of youth that we're serving will be between the ages of 6 and 17. The classification of Avery's Village, for those of you that aren't familiar, there are various classification levels to youth residential centers as actually, technically WRC-2 which means that it's the lowest level. The colloquial term, it would be for a large group home, even if we don't study that language anymore, but the idea is that we create a space for young people to live safe and uniquely designed to make it feel less like an institution which often times is a concern.

In terms of the staffing and supervision the state very heavily regulates the way that youth serving organizations run particularly youth residential centers. In terms of the state, our supervision standard is actually above that of the state. We're looking for 1 to 7 ratio.

Staffing, you've met the leadership here. We have numerous years of experience in child care, experience in finance, a consulting team that consists of numerous individuals, volunteers from the community including myself with extensive background in program design and intervention in youth and youth empowerment in leadership, an organizational culture. Our staffing will include also clinical mental health professionals to provide support of services to youth. Although we are not a treatment agency, we want to make sure that the social, emotional and behavioral needs of our youth are being met. We'll also have direct residential support staff to provide the day-to-day support services to the young people supervised by our residential support supervisors. Ideally, these will be people with Master's Degrees in some form of human services profession, some mental health background, and extensive experience in working with young people who have some pretty troubling or challenging backgrounds.

Safety is paramount in operating a youth residential center. The facility in question is actually perfectly designed for it because of its location, the fact that it has enclosed recreational areas as well as open recreational areas that will be enclosed externally by fencing. The fact that it has enough spacing to support 50 young people comfortably, the fact that it has an industrial sized kitchen to allow for us to feed them adequately, adequate seating space, enough for us to place studying rooms, enough for us to place recreational areas inside the physical facility. All of that being monitored regularly by cameras, by specialized doors, and monitors on windows, it's a pretty extensively outfitted building that's continually under renovation and updates.

Mr. Avery said I just want to chime in on security as well. We'll have a security system within the facility that monitors each time a window is open or any sort of activity towards the windows whatsoever. We're also going to have the window locks on them as well. They only let them go up a certain length so the community wouldn't have to worry about children hopping out of the windows and different things like that and all that's approved through the Fire Marshall as well so we've already looked at that information.

The next thing I want to talk about was the number of employees. We'll be bringing 25 jobs at minimum, 25 jobs to the community. I did a little research. I'm a numbers guy. I looked at the unemployment rate in Wyandotte County. I noticed it was about 5.7% versus 4.2% for the state of Kansas. Also one good thing about us, I noticed that the 2017 federal poverty level was about \$12,060 and with that being said, none of our employees will fall below the poverty line. Anybody that works for Avery's Village that works a minimum of 20 hours a week will be above the poverty line so we'll be helping to increase that stat as well. According to the Census Bureau, Wyandotte County has 21.8% below poverty line level. I just wanted to hit that economics part of it as well.

Mr. Scott said the programming and community engagement, so programming and community engagement, we also had numerous meetings with community partners and constituents and together both for concerns and to give the opportunity for individuals to voice their concerns so that we can clarify any of those. We have numerous community members that are looking to engage and support our operation. The idea is that Avery's Village becomes a space for adults and young people to establish healthy relationships. One of the programs that we're actually

looking at to facilitate this is a mentorship program partner. The idea is that we'll find community partners that are willing to come in. We have folks with churches, we have YMCA partners, and we've looked at people who have community centers. A variety of folks with services and skills that are needed by the young people so that way we can make sure that they develop skills to become productive citizens later on.

As a side from the mentorship program we've developed a list or scuffled programming related to personal hygiene and personal care, health and wellness, and then of course because we're a home for children recreational programming which include the arts, music. We have people who are prepared to teach dance. We're filling up with opportunities to keep the youth positively engaged and to keep them from also becoming, which is a concern that was voiced, sort of a nuisance to the community. The facility is outfitted in order to make sure that the youth are consistently organized inside our supervised residential center.

Finally, Mr. Avery has already touched on it, our inspections and regulations. Everything that involves young people is regulated by somebody. We've gone through all of the processes up to this point to make sure that we've secured every approval and hopefully we'll be receiving this one today. In turn, we just want to be mindful as we ask questions and be reminded that we're here because we're trying to meet a need. We're here because we're trying to meet a need and we have a location that we know, we know, is prepared to do that.

Mr. Avery said that concludes our presentation.

Mayor Holland said thank you very much. I'd invited you to have a seat there at the front and again, you're welcome to take notes during the public hearing and you will have an opportunity to make a summative comment at the end of the presentation.

Mayor Holland opened the public hearing.

The following appeared in support of:

Christopher Miller, 606 N. 82nd St., KCK, said I am a volunteer here with Avery's Village. I have a background in the mental health field, a bachelor's in business with an emphasis in sociology. I'm currently in a graduates program to be a licensed practical counselor. I am

heavily in support of this project not just because I'm one of the volunteers, but because I'm very, very impressed by the program these guys have come up with. The mentor program is something very unique. It's not something that other facilities have. They would like to create a home away from home environment and try to step away from the institutionalizing kids and stepping away from just being labeled as a facility. They're not just putting up another facility right there, these guys are presenting a brand new home.

Something that I was reading when I was researching about this is DCF doesn't actually keep the statistics for how many children actually spend the night right downtown in KVC with the caseworkers. They don't have to keep the statistics on that. If you google that, it talks about, it's not an uncommon thing. They have toys, they blankets, they have the things for the kids to actually spend the night inside of the case management building. That's not a home. That statistic alone tells me that there is a need that needs to be met. If we shoot that down, we definitely are taking away that one home that's able to be the drop in the bucket, taking 50 kids away from spending the night right down the street from here and they don't have to spend the night in any type of case management and that's not the only case management we have here in this area. We have CornerStones of Care, KVC, St. Francis, we've got plenty of case management so who knows how many kids are spending the night inside of these places. Let's open up and allow that one home to meet that need.

Terrace Avery, 5319 Foxridge Dr., said I am second year medical student at the University Of Kansas School Of Medicine which is located here in Wyandotte County. I am in full support of Avery's residential facility. As a future healthcare physician I see the need of healthcare and that starts at the residential level as where you live your social determinates of health basically tell me what kind of person you're going to be based on where you live. Are you going to be a healthy person, you have to be a certain age; it all comes off of the environment you were raised in. It does have something to do with genetics as we learn in school, but a lot of it has to do with your day-to-day life; what foods you eat, what kind of care you receive. I feel like Avery's residential facility would be the kind of place to take these kids who have unfortunate situation to be able to get them into places. I spoke with many of my classmates and students a year ahead of me and a year behind me and they are excited to speak and interact with the children that will be living at Avery's residential facility. The school itself has been very supplemental in the

Wyandotte County area. We have JayDoc Health Clinic and Bullock Health Clinic and we're going out and seeing children at the school, seeing people underserved, people that don't have insurance making sure they get quality healthcare. We can try to do things where we take physicians out to Avery's residential facility where we can do like school screenings, other things like that to make sure that kids are able to go to school and able to participate in sports. That's all I have for today.

Dion Witten, 2419 N. 73rd St., said I am a lifelong resident of Wyandotte County. I was gone for about four years. I recently moved back a couple weeks ago. I'm currently an instructor at FL Schlagle High School. My background is I have a Masters in Conflict Management and Dispute Resolution. I lived in Wichita for five years. While I was down there I worked at a YRC-2 Facility. I was a supervisor. My wife actually ran YRC-2 Girls Home. We did foster ourselves. We moved back to Kansas City, Kansas with the intent to make a positive change in the community in which I grew up and I reside in. I was actually kind of surprised at the fact that there was opposition to Mr. Avery's residential facility from the standpoint that these kids live in this community, they reside in this community. At the end of the day we're going to deal with them. Now we are either going to deal with them on the good side or the bad side and how we treat them now is really going to dictate our interactions with them in the future. One of the things that impressed me about Fred when I first met him was the organizational structure. When I was in Wichita my father was a Commissioner under Sam Brownback for the JJA. My stepmother ran a group home. My aunt has a group home in Wichita. I supervise four houses.

One thing I see in the YRC-2 and the DCF community is a lot of people use kids as a hustle, as a means to an end which is unfortunate. My interaction with Mr. Avery, the organizational structure, the background, it supports positivity and it supports success in his venture. Everything including the location, the people that they have in place, I don't see any reason why we shouldn't move forward with this. I'm a lifelong person. My life is dedicated towards helping kids. Right now at Schlagle I teach professional life skills to a selected group of at-risk kids as well as coach youth football. I have full intention of continuing to do that and helping Mr. Avery in whatever capacity that is. I hope that you guys vote in favor of this.

Mayor Holland said I do offer at public hearings because not everyone cares to speak at the microphone, but maybe came to show their support. I'll do this for the same for folks who are not in support. If you came in support tonight and you would just like to stand to show your support, if you would please stand at this time.

The following appeared in opposition:

Tim McGill said I have a home at 6310 Leavenworth Rd. and I flip homes for my occupation and I'm also a plumber. As a plumber I work for the Associated Youth Home. I'm a little bit familiar with the youth home that Wyandotte County has currently. First off, what I really want to say is since I flip homes and I'm trying to make the community better, building homes up, I'm finding out that this project is going to cost me about \$20,000 because I'm going to have to disclose in a real estate transaction that this property is just a stone throw away from my house. My real estate agent tells me that I can expect a \$20,000 difference in the price of what I'm working on and now what I'm going to get in return so that has me very concerned. Here's somebody that's going to make some money in the community and then it's going to affect everybody else in the community because their home values are going to drop. If you're planning on retiring, if you're planning on moving, if you're planning on—whatever you're planning on just know that there is a possibility that you too are going to have a \$20,000 drop. As I know this project it was told to me that it was going to be a foster home. I have no problem with foster kids, foster kids would be fine, but these are not foster kids. These are kids that have been in trouble and you look at the facility, if you've seen the facility, you have to know that it's not designed, even though they say it is, it's not designed for security, it has large pane glass windows. Knowing the youth association the way I do, they're talking about having these kids secured in these buildings, but they're also talking about having a patio unit, a gazebo. There is no security for these kids that some of them, not all of them, but some of them, if it wasn't for their age they'd probably be locked up. We're possibly releasing these kids in the neighborhood, 50 of these kids, in the neighborhood. Right now we already have problems in the neighborhood; we got a huge building down there that houses the high-rise. Police Department and Fire Department, Police Department are always down there.

Louetta Braswell, 5202 Parkview, said I'm also the Director of the Leavenworth Road Association, that's at 6100 Leavenworth Rd., so I'm representing myself as an individual and the Leavenworth Road Association. Our concern is directly with 50 kids, are they really going to get the care that they would get elsewhere if they were in a single home with three or four foster kids. As you know Leavenworth Road Association has nothing against kids. We have programs directed directly to our kids. We have a program that we offer the kids their chance to do their community service to pay for their computers. We have a free fishing derby. We have a summer youth program where they get on-the-job training and they are paid while they work so they can then get a better job when they become of age because they start at 14 to 18 in our program.

We just started a new program that I call Triangle that we got a grant and what our plans are is a lot of parents work so they don't have time to really make it to these parent/teacher meetings. We will serve light refreshments so the parent can meet with the teacher and the teacher can meet with the parent and the triangle is the kid is up here on top so the parent and teachers are both working together for that child. In July we also have what we call Team Work. We have kids come from a lot of different states and do work with our community.

The other thing that kind of concerns me is I can remember being here before this Commission when the casinos were here. I also remember a time when Phil Ruffin wanted to open Woodlands and this same Commission said they didn't have a good business plan to present to them. We've talked with them and the business plan that they tell us changes almost each meeting. We did a tour of the building. They said the schedule and they had it printed out in this very nice manual, operating manual, and it listed the boys from 2 to 4:30 would be able to go out in the community with supervisors. I said, what about girls, they neglected to even put that in their operating manuals. Our concern is are they really going to operate for the kids or are they going to operate for the dollar signs. I'm going to lose my voice now so we have other LRA members that would like to speak.

Denise Davis, 3314 N. 53rd St., said for the last 12 years I've been a member of LRA and a Neighborhood Watch President for North Welborn. The proposed Avery's Village at 6261 Leavenworth Road is a mile and a half from my home. My first concern is quality of life and care for our most vulnerable children in foster care. It hurts my heart to think of them being

warehoused in a 1965 facility that was built as a senior care home. Space requirements for the aging is a lot different than what would be provided for kids 5 to 17 years old.

My second concern, frustration and pet peeve frankly, is the amount of unpaid taxes of some Kansas City, Kansas property owners. Avery's being one of them. As of Tuesday, August 29, 2017, they own four properties in Kansas City, Kansas. 103 Rowland is an empty lot. They owe \$202.25 taxes that have not been paid since 2007, 10 years. Lot is unkempt and needs mowing. I just went by there today. 1041 Rowland is a house. They owe \$544.83. The taxes haven't been paid on that since 2010. 2726 Kimball empty lot. They owe \$157.51. The taxes haven't been paid since 2011 and lot is unkempt and needs mowing. The home of the residents and foster/daycare taxes are up to date at 2618 N. 51st. Since Avery's are behind on current property taxes totaling \$904.59 dating back to 2007, what assurances do we have of them being able to cover an annual tax bill of \$26,313 for this proposed site. Based on Avery's track record I feel that it would become another of their properties that remain unkempt and taxes unpaid.

Stan Bartley, KCK, also Co-Chairman of the Cernech Area Neighborhood Group Association, said there were two petitions that were filed; one by the Avery's and one by the Cernech Area Neighborhood in conjunction with the Leavenworth Road Association. I just want to go over the petition numbers that were submitted. Of those two petitions filed, one from the Avery's, one from the Leavenworth Road Association, that was signed from the citizens that were directly impacted within areas of this facility. I will first review Avery's petition containing 171 signatures. Nine of the signatures were unreadable or had no address attached to the signature. Six of the signatures only had phone numbers attached to them of which only two of them could be reached to confirm validity. Of the two that were contacted by phone, one of them denied ever signing the petition and the other said they did not know and never have heard about Avery's Village or the proposed facility at 63rd & Leavenworth Rd. Ten of the signatures had an address listed for an apartment building. Of the petition we presented anyone who rented at the time could not be included in the final counting of the signatures. Twenty of the signatures were under 1.5 miles from the proposed facility. This statistic was used—we had Leavenworth Road members that also lived within this 1.5 mile radius and their signatures were removed from our list because it was not within the 200 ft. requirement of notification of impact as set forth by the Planning and Zoning Commission. Of these 20 signatures there are not any signatures within

that 200 ft. impact area that Avery's had presented. Why would the Avery's not focus on contacting and communicating with the community directly associated with the impacted area? One hundred of their signatures were within a mile and a half to five miles away from this facility and would appear that the majority of the residents that signed the Avery petition were quite a distance from the proposed facility. Would it not be better for Avery's to locate the youth center in an area that is obviously much more welcoming, nurturing, supportive and in favor of this type of facility than an area which appears to be quite the opposite. The Avery's have obviously not wanted to become an integral part of the existing community at 63rd & Leavenworth Rd. Twenty-one of those signatures were outside of the KCK area, mostly from KCMO and one from the state of Georgia. One of the signatures they presented was also a duplicate.

To the other petition that we submitted within the impact facility—we just wish relief on this issue from the Commission.

Kathy Litke, 6233 Leavenworth Rd., said right next to the property. From my perspective there seems to be little interaction between the local property owners and the petitioners. At our last meeting here they specified that they would be having face-to-face encounters with the nearby property owners and I have not been at this point been contacted by them at all. There seems to be a lack of respect for us as the property owners nearby. That's what I perceive it to be. Education is a strong deterrent to negativity. Eighty-eight percent of people have a negative response to the mention of foster children. They tend to think of juvenile delinquents. I would like to know is this a CINC Child In Need of Care Facility or for juvenile offenders or for both. That's one question I have that could have been simply answered if they would have had their face-to-face with me. As for the surrounding properties, is there a plan to have a fence put—with 50 to 70 children a fence is a good idea because along the street the younger children, they could get into traffic, toys could accidentally roll down the hill because there is a steep hill there and otherwise cause accidents or a child go running after it, it would just be a good safeguard. The outline fence of the property for the children to let them know the room that they have available to play. I'm not saying that just because it is a facility for foster kids that it needs a fence, I'm saying it needs a fence because there are 50 to 70 children on a busy street and intersection and it is hard to keep an eye on them at all times.

The part about future expansion not being in the plans as of now, but may change as the need for service changes has me wondering. Would the petitioners need to file another permit? Where would they expand on this property and still have outdoor space for 70 or more children? I feel that if the petitioners have not and do not want to do as recommended by the Board of Commissioners at the last meeting and have a face-to-face contact with local property owners and residents to clear up any concerns or questions in this petition should be denied in full. This is not based on not wanting to help children in need, but based on the lack of cooperation by the petitioners. You start building a good neighborhood when you yourself decide that you will be a good neighbor.

Duane Beth, 2937 N. 64th St., KCK, said I take a special interest in this because being I spent 30 years on the Police Department here and dealt with group homes, dealt with crime, dealt with all kinds of difficulties in that area. One of my expertise actually was in CPTED which means Crime Prevention Through Environmental Design where I actually not only was certified to implement it, but to also teach it. This facility does not conducive to a youth facility. It was designed as a nursing home, which the zoning commission says it's a similar use. A nursing home with people that are non-ambulatory is not anywhere remotely similar to a group home with 50 energetic kids.

With that being said this is not a non-profit organization, this is a for-profit facility. They only make money if it's full. If they foster kids out as they pass through or transition through this facility, they don't make money, they make money by housing as many kids in there as they can. My question is what is the real motivation of opening a facility with that big of group. It's hard to defend since my family and I have owned property in that area since 1956 before the nursing home was built. Obviously, that wasn't really a good special use permit either because the surrounding area is mostly rental property now around the nursing home. There has to be some kind of impact there because the other areas are not. We fought really hard in our neighborhood to keep it a single-family residence which actually that's what it's zoned at now for the nursing home. That's why they need the special use permit.

The property value negative impact at best is going to be neutral. There are some studies that show it's an impact as much as 44%. The area does not fit in, the bussing area, the kids that go there, the middle school, high school ages kids will walk to school. I went down 63rd St.

today, there was 20 kids walking from Coronado, four abreast in the middle lane and I had to drive on the wrong side of the road because they wouldn't move. There are no sidewalks. I don't know whose fault that is. It's not mine. I have pictures if you want to see. No sidewalks. 63rd & Rowland there's a cross there. You can't walk down the side of the road there without walking in the pavement.

Donna Hoyt, President of the Cernech Area Neighborhood Association, said I'm going to follow-up on Stan and talk about the petition against this facility. We had less than a week to canvass our area and get out to our neighbors and talk to them about what this facility was going to be. The majority of the people that we spoke to within that 200 ft. radius had no clue, had not received any communication. We had one person who attended their meeting and maybe three who had received any type of notification or knew what was going on. We ended up collecting in less than a week 109 signatures against this facility. Our community, this is not what we want in our backyard, and we are asking you as a Commissioner to put this back as a vote to the Planning and Zoning.

Brad Isnard, 3329 N. 70th St., said I applaud the Avery's for their support of children in need. We need more people that are willing to take in kids in need. I'm not disputing the need of children. I'm not questioning the Avery's character or their motives. I question the qualifications and frankly their ability to do what so few other groups are able to do. I'm holding a listing from the state of Kansas of residential group homes in the state. It's 13 pages long and includes 63 group homes. The average capacity is 13. You take out one large outlier in Wichita and it drops to 11. The Avery's are asking for a capacity of 70. Only four of these houses more than 20 and only one house more than 40. There's a reason large for-profit group homes like this proposal don't exist. It's because even large non-profit groups can't keep them operating. Their unsustainable and unmanageable, don't understand how they could possibly be profitable. There's simply too many questions and too many ways for this to go wrong. What happens when money inevitably runs short? They can't control the money coming in, can't control what the state pays, they can't control how many kids they have in their care at the moment. The only things they can control, they only control expenses would be to cut they're staffing or to cut amenities or the level of care. How will these kids be getting to school as Duane has said. I can tell you there is

no plan because I sat down with the Executive Director over transportation for the district yesterday and no one from Avery's group has ever reached out to them to talk about plans. Do they understand that the only children who would qualify for district transportation at that location are elementary aged kids? That means middle school and high school kids will be walking down 63rd St., middle schoolers will be crossing Parallel every morning.

I know this is the first step. I know there's a long ways to go for them to get their state licensure, but this is our chance to put this on hold asking some questions and get a better understanding about the capabilities and resources in this group. There's two things I know. One, just because I buy a building doesn't mean I can run a business and two, kids are not inventory in a warehouse to be profited from. If this is to be approved we must absolutely be sure this is the right decision because if this goes bad, we're all going to share in the responsibility for it.

Rick Shaehan, 9320 Georgia, Kansas City, KS, said I do tax and accounting. I'm also the owner of Animal Crackers up here with my wife and a member of the Leavenworth Road Association. I spend every day, all day, helping people put together business plans and trying to understand how to be profitable so they can pay taxes which isn't usually the situation they want, but they want to be profitable. Using the information that was in the business plan, the number of people, what I could find on how the state pays this is a no win situation. I've got spreadsheets for you if you want. I used the average foster care paid which is about \$640 per month. You get less if the child has less needs; if you have a special needs child, you can get a little bit more. I used a national food average of \$157 a month per child. I know kids eat a lot more than that. I used a pay rate of only \$10 an hour and I know that KVC and others in the area pay \$14 an hour. I factored in the food rate, one management person, one caseworker and their one to 1 to 7 ratio of employees staffed 24 hours a day because they have to have somebody with those kids all day long. A kitchen and maintenance person, payroll taxes, worker's comp, insurance, \$100 a month on repairs, \$1,500 a month on utilities; I know these are very low numbers and property taxes of \$2,200. The best I can come up with is that if they don't borrow any funds, if they are 100% occupied starting day one, they don't provide any clothing, no medical care, even basic hygiene supplies, they do no repairs, there's no security, and no laundry expenses and they pay \$10 an hour; they will lose roughly a half million dollars a year. If they

pay \$7.25 an hour, minimum wage, they will lose roughly \$300,000 a year. I will admit my numbers come from the state of Kansas and from the resources I could find over the last week, but I don't see anybody paying any taxes in a for-profit situation for them.

Bill Murray, 6325 Sloan, said I just wanted say that no one here in opposition of this facility is against foster children, against foster home, we all care about the children, but we just don't feel that this is a fit place for them to live. I drive by that area every day and it was a nursing home at least 30 to 35 years. I've got some pictures here that reflects how the retaining walls are starting to collapse. It's just gotten kind of rundown. I'm not sure if that's why the nursing home actually closed because of the building, but they've been out of there, it's been sitting for two, maybe three years empty, and I just don't think that's conducive of a place for children, especially teenagers to be living. The Leavenworth Road Association has been really supportive of Kaw Valley throughout the years because that's another children homeless down further down closer by the Missouri River, where every year we have been sponsoring them for Christmas presents and gifts and parties and things. It's like were not against supporting the youth. We're all for that. We think this is just the wrong place for this to be and the facility is inadequate. There's really nothing there or even a play area. There is a small center court that really—I don't think it's adequate to house however many children that they've got going on there. I do have some pictures here that I accidentally scribbled on that shows some of the structural problems. You'll have to ignore my chicken scratch.

Gayle Beth, 2937 N. 64th St., said I keep hearing this referred to as a facility. Children don't belong in a facility. They belong in homes where it's a nurturing situation with parents, not with healthcare workers to take care of them. I would hope that the Commission would look at the people that live in the area. The number of people that took they're time to come here to oppose this and realize that we are the ones that are living in this neighborhood, we are stable in this neighborhood and we'd like to keep it that way so I would hope that you would at least respect our desires and support us in what we want.

Emily Beth, 6336 Roswell, said I just want to point out that at 35th & Wood the Blue Door Group Home had 100 calls for service since February, February, that's a short amount of time. What are we looking at with this?

Mayor Holland said as I did with those who are in favor, I would ask for those who came and are in opposition who would like to stand to show their opposition, to be please do so at this time.

Mayor Holland closed the public hearing. The applicant will have an opportunity to make some summative comments if you would like to respond to the comments made.

Mr. Scott said I took the time to listen and the concerns were brought up in four main areas, kids, facility, operations, and community so I'm going to start with kids first because that's what this is about. I'm sure we can all agree. The concern that I have is I hear comments like our community, this is not what we want in our backyard and that somehow lines up against comments like children belong in homes. We agree that's what we're trying to provide. To provide a point of clarification our number is 50, not 70, not 130, it's 50. I want to make sure that we also understand because there was a question that came up about whether or not this would truly be the best place for our youth to be and we must understand that this is the only place that our youth can be once it is created. There's this idea of throwing out narratives of juvenile delinquents running around and terrorizing communities and we're not talking about that. We're talking about youth who have been removed from their homes because their original homes were not safe and we're looking to provide safety. Their original homes were not supportive and we're looking to provide that support. Their original homes were not stable and the question of qualifications and credentials came out. I can tell you as a master social worker specializing in both school based practice and child welfare that we are prepared to be adequately supportive and provide a stable environment. We're here to talk about kids, providing a home for kids which leads us to the actual home itself, the facility. The facility has been inspected. It has been reviewed by every constituency up until this point that is needed in order for us to open doors, all of them.

I want to also be clear because there was a question raised around taxes that Avery's Village fact statement owns one property and that's the property that we're here to discuss today. Avery's Village, the organization, owns one children's home, one property, and that's what we're reviewing today. Let's be clear, we're not the only ones who reviewed it. We've spoken with KVC, one of our dominant community partners; we've had them walk through as well as the LRA. KVC is waiting for the doors to open. Literally waiting, what is your timeline? When can we begin to provide you students?

I also want to go to this question of operations because there are lots of nuance operations going up, people throwing out information about financial models. The only person who's seen the financial models are Mr. Avery. One of the things that we have to keep in mind, and I can also speak to this because I do have a Master's Degree from Rockhurst University in business, scale is everything. We're not talking about opening up day one and dropping 50 kids in a facility that is recently renovated, let's be clear, recently renovated, day one, we're talking about scale. Maybe we start with 10, maybe we start with 15 and our staff grows with scale, it grows over time to 50. There's a lot of disparities and discrepancies out there that I want to make sure that we clarify because at the end of the day this is about kids in need. We're moving to answer that need.

I just find it to be interesting. I'm thinking about this idea that the community has not been contacted. I remember standing up at an LRA meeting. I also remember having LRA members in my boardroom. The community has been contacted. We've created ample space for questions to be answered. I'm glad that they were represented today. I'm glad that through some of their statements we're able to provide a bit of clarification. There is no issue with our business model as was mentioned by a proponent of our organization. There is no issue with the operations of our facility in terms of programming and the level of support and quality care that we can provide to young people. There is no issue with the actual facility itself as verified by all of the necessary constituencies and authorized agencies that are responsible for certifying us. The only issue at hand is 7,000 young people in service, in the state of Kansas, and we're trying to support as many of them as we possibly can. Let's remember that.

Commissioner Walker said I think it must be clear to everyone in this room that we're not talking about the state of Kansas; we're talking about Wyandotte County. From the numbers

I've been given we probably need 10 or 12 of these kinds of facilities. I forget how many the number was that were presented of homeless students in USD 500, which did not include the other three districts. I'm not opposed to the need of it. I guess looking through what's been presented, hearing your presentation, also listening to the gentlemen that at least appears to have some ability at business planning; I don't think you've convinced me about your sustainability. I have no question about your good intentions. I certainly don't have any—not to be tripe, but you have not tonight or in these documents shown me the money. How are you going to sustain yourself? I don't see any dollars. I don't see any big contributor saying we're guaranteeing you \$1M for this to operate. I realize the state is going to pay you a certain amount of money per child and you referenced you've got these generalized community partners. It's hard for me to ask a neighborhood to accept this when—I don't even think you can get the financial resources to do the job. That's the opinion I'm left with. It's not unalterable, but I don't see any business model in here. Is it confidential, top secret, the donors want to be anonymous or what because you can't sustain this thing economically, how are you going to make it work? I guess you can address that or that can be my statement. I'm sure other Commissioners are going to ask you questions. You don't have anything in here that convinces me you can do the financial end of this deal. I'm not addressing whether you can provide the care, the nurturing, the various other aspects of this. I've asked the question. Show me the money. Where's the money?

Mr. Avery said that's something that I didn't bring tonight. I didn't expect that we were going to disclose our financials. I had no idea on that, but I can tell you we have a \$2M operating budget. I've ran all the numbers. I can send it to you guys immediately after we step out of this presentation tonight. My background is in finance. I'm actually a Financial Planner at Morgan Stanley so I have extensive background in finance as well. I've ran all the models and I have all of those numbers. I didn't know we were going to have to disclose all of the financials at the meeting, but we do have all those numbers. We have all the different models showing the 24 hours of workers. That's how I was able to let you guys know that nobody would be below the poverty line that works with Avery's Village. This will be a \$2M operation. The funding number that he gave was actually inaccurate. That number is actually higher. We will get \$115 a day per child. So far we funded everything privately to get to this point. I have someone coming out to look at that retaining wall next week. We're getting our sep tank test done. The

financials are there, we have the money to move this project forward. I would like to assure all of you of that. If you guys give us the opportunity, we're asking for a temporary permit. We have the financials. Give us a chance to show you guys and two years later you guys can come back, you'll see. We have the money to get this project off to the next point. We've already changed all the HVAC system. We've done a lot of work on that building already. The buildings been updated. It's been updated interior only at this point. We do plan on moving to the exterior, but that's in the next 30 or 45 days. We are planning on making changes and we do have the finance to support it. That was on me. I didn't know that we had to disclose all of the financials before the meeting. I can assure you that we can get this project off the ground, we're almost there. The president of KVC was walking through our facility last night. We're this close to getting there. We just need you guys to give us a chance to prove to everyone that we can make this happen and we want to be a good community partner and do so.

Commissioner Philbrook said first off I'll tell you I'm very much a proponent of children being cared for and we definitely don't have enough homes in Wyandotte County and we just ship them off all over the state. That sucks, don't like it. Having said that, I also care that the facilities that we have be maintained appropriately. Somebody already mentioned that the Blue Door has been closed down. That means somebody's paying attention at the state level. So they've been closed down now that's all I know, I don't know why, anything else, but I do know that. There are certain factors that we can consider and there are certain things that are out of our purview. We have our factors all listed for us on what we can entertain and what we can't. Having said that, I do have a couple of questions for you. How do you intend to get the kids to and from school because this walking thing is a concern of mine as well, if somebody would like to step forward and answer that?

Mr. Scott said one of the things that I did not mention—thank you for your question Dr. Philbrook. One of the things that I did not state earlier is that in addition to studying child welfare I'm a School Based Practice Specialist. I actually work for the Kansas City, Missouri Public School District but I also know law across the board. When we talk about things like transportation for students and the continuity of educational services and the continuity of educational services, the McKinney-Vento Act requires that school districts provide

transportation for youth, which is how you end up youth in caps going from the doors of their homes to schools or buses in the cases of large groups. We also know about Avery's Village specifically is that a part of our financial model and design or operational design is that we're preparing to purchase a vehicle to transport youth that don't necessarily follow under the purview of provisions of McKinney-Vento. We've also contacted, while we have not specifically contacted transportation, we have contacted the Kansas City, Kansas Public School District and they've communicated being fully prepared to make sure that our youth are provided services inside school as well as being transported safely to and from school from the Avery's Village facility.

Mr. Avery said I have a letter from the school district as well.

Commissioner Philbrook said that is one of my concerns and yes, I wish we had the sidewalks. I apologize for that issue. Even if we did have the sidewalks, and I would still not want these kids having to walk to school because they're under your care and there's a lot of them and we need to be able to take care of them and see where they are. **Mr. Avery** said I agree. **Commissioner Philbrook** said because they don't have mom and dad to check on them, they have you. I know that's not my responsibility, but I care about that.

The issues around, some physical issues, which are also not in purview, but I still want to know; is that when you start talking about safe places for the kids to play. I know you have the center area and I know you have plans to keep the older kids away from the younger kids, you have all that planned out, but what about the fence around the property so you can create some outdoor activity, is that in the plan? **Mr. Avery** said I want to talk about the recreational. We actually had a partnership with the KC Blue Dogs as well. I sent you guys that letter. They're ready to work as a partner with us to let us use their gym as a recreational facility for the kids as well.

Mr. Scott said the organization, Avery's Village, as a part of our safety protocol is going to be enclosing that outside area, but in addition to the outside area that will be creating the enclosure there's also a pre-fabricated enclosure that's already built into the building by design and that's aside from the internal recreational areas that we will also have.

Commissioner Philbrook said is not necessarily a question, it's kind of a statement saying that I have talked to some other folks that work with foster homes and both KVC folks and some homeless people—deal with homeless and also Wyandotte, Inc. and they have expressed to me that we're in dire need of this sort of facility and hope that you can be able to do this, but they are the first to say they don't know because none of us can tell and I know I'm not God, I can't tell the future about how successful you're going to be. I will tell you that is probably going to be between you and God how successful you're going to be.

The other thing is that I do also realize that we have to rely on other people that have jobs like for the state to do their job or our police to do our job, for the community to keep reminding us if you're not doing your job. Those neighbors, they need to feel free to complain if there's stuff going on that they don't think is right so those things can be answered.

I'm really disappointed in the lack of communication and I'm not blaming anybody on this. I'm telling you I'm really concerned about the lack of communication between the two groups. I'm not saying either side didn't reach out. I'm not, because I was there during one of them, and there were a lot of good questions and answers, but still more questions to be answered. Right now that's where I'm coming from and I'm still contemplating on this and thinking about it and I want to hear what a couple of the other commissioners have to say.

Commissioner Johnson said do you know how many youth residential facilities there are in Wyandotte County right now? I heard someone mention AYS, Associated Youth Services. Are there others or is that the only youth residential facility in Wyandotte County? **Mr. Scott** said I actually contacted Associated Youth Services and they said they are no long doing it. I contacted them directly. **Commissioner Johnson** said so just KVC. **Mr. Scott** said it's just KVC at the moment. KVC doesn't have youth residential center. Right now Blue Door is gone so there is nobody taking the kids. Zero. **Commissioner Johnson** said zero for 14,000 homeless youth in Wyandotte County. Who ultimately determines the number of youth that will stay at this resident? Who will make that determination? **Mr. Avery** said DCF. When DCF does their walkthrough. They're the ones that's regulating, the Department of Children Family Services. They do all the regulations. When they do their walkthrough our building they'll be the ones that determine the exact number. **Commissioner Johnson** said I heard the word scale. How long do you think it will take? The assumption was that it was obvious we won't have 50

day one, how long do you think it will take to get to scale or to the maximum capacity, which I understand is 50. **Mr. Avery** said the reality is month one they could—we could, assuming this goes through we would be able to do 50. We want to say you know what, let's get our staff get acclimated with everything; let's not bring in 50 kids day one. Our plan was to do maybe about 10 to 15 youth month one and gradually go up, maybe a couple youth every month from there. We're not just going to come in and do 50 youth.

Mr. Scott said the one thing that I don't want to miss in response to the question is the reason why you can't give a real timeline is because when you talk about organizational culture and the fact that Avery's Village is uniquely trying to create a home like environment. That requires for us not only to monitor the number of beds that we have in place and the number of youth that we're bringing in. It also requires for us to monitor staff young person interaction. What are the organizational dynamics looking like and when are we able to bring in youth. There is an entire screening process that comes into play when a referral agency sends a child to a place like Avery's Village and that allows for us to maintain a healthy home like environment. That scaling upward is dependent on a peripheral of factors from the financial model to the number of youth that are available that meet the criteria for our particular YRC2, whether or not our staff is prepared to support additional youth.

Commissioner Johnson said I'm glad to hear that you all have prepared some numbers and I'm very interested in seeing those only because I like to look at numbers for some crazy reason. I'm assuming that within those numbers there are assumptions that you are going to start year one with so many youth and then by year two there will be so many youth in there, by year three there will be so many. **Mr. Avery** said absolutely. Within the first year we do—towards the end of the year we do plan on hitting that 50 mark. The reality is that there is enough kids to easily hit the 50 mark. We just want to gradually grow our number of youth that we have in our facility. **Commissioner Johnson** said DCF will determine how many number of youth? **Mr. Avery** said absolutely. **Commissioner Johnson** asked will all of those youth be from Wyandotte County or will they be from all over the state, but where will they be coming from? **Mr. Scott** said technical answer, they could come hypothetically from anywhere; practical answer, based off of the partnerships that we form they'll likely be coming from Wyandotte County. **Commissioner Johnson** asked do you have a sense of what the average age might be.

Mr. Scott said we'll be serving youth. No average age. We know that we'll be serving youth between the ages of 6 and 17. **Commissioner Johnson** asked how long do you think the average stay will be and how is that determined? **Mr. Scott** said that's a tougher question as well. The average may be around 60 days, but we can't give an exact date based on it all varies. **Mr. Scott** said it depends on the circumstances of the youth. If you're talking about a young person awaiting adoption, that depends on their case manager from their referral agency that was assigned them a home that it is willing to adopt. If you're talking about a youth that is experiencing homelessness, that depends largely on whether or not we're able to assess, well we will assess them but, whether or not we'll able to sustain them being here or if we're able to find them a lower level of care. We could be trying to transition them into independent living or based off of the issues they present, they might end up needing to go to a higher level of care. It really depends on each individual young person's needs.

Commissioner Johnson said I will just make a quick summative comment. I think it's unfortunate with as many youth as we have in our community that it's come to this. I think there's a lot at stake with regards to the youth of our community. There's no doubt that there are a lot of challenges facing our youth and I think that overall everyone has stated in some form or fashion that we are concerned about our youth. The fact that we've come to this intersection of thoughts and philosophies and ideas, it's interesting because at the end of the day the youth are not here really to speak themselves. Just doing a little bit of precursor preparation I understand that the YRCs are very challenged just because of the very nature of the work that you all do. It's a very challenging environment, but I will say we need as many proponents and particularly—I keep looking at this 1,400 number of youth. We certainly need as many proponents that are willing to day-by-day engage our youth. At the same time I hear the voices of the neighbors that are there as well. I would be a proponent of continued dialogue to see if we can get some of these questions answered. The concerns addressed in a way that will help us to try to find some common ground because we have too much at stake to lose. Our youth, we are seeing them being murdered, the incarceration numbers are way too high for our community. We need people and agencies and organizations and families that are going to be willing to engage them and intercept them particularly at the younger ages so that we can prevent loss of life later on. I would be a proponent of continued dialogue on this matter.

Commissioner Bynum said I have a couple of questions that are actually for staff, a couple of clarifying statements and then a couple of comments. Mr. Richardson, starting with you; the existing zoning is R-1, how is that even possible? **Rob Richardson, Director of Planning**, said this facility was developed in the county and I believe that's probably county zoning that came over with it. **Commissioner Bynum** said R-1 even as a nursing home? It was never an R-1. **Mr. Richardson** said I'm not an expert in the old county zoning so. **Commissioner Bynum** said second question, with regard to what was put forward from the Planning and Zoning, I didn't see any timeframe associated with this recommendation from the Planning Board. **Mr. Richardson** said it's an initial special use permit so that would be two years. **Commissioner Bynum** said automatically two years. **Mr. Richardson** said that's the maximum. **Commissioner Bynum** said alright. Thanks on those. I want to clarify and, Mayor, you've been engaged in this I think at a deeper level than I have, but I've been engaged with it to a degree. 1,400 kids in KCK schools and McKinney-Vento is not the same thing as children who need foster care. Would you say that's correct? **Mayor Holland** said that's right. **Commissioner Bynum** said just to clarify that. **Mayor Holland** said we had 1,400 children four years ago who were homeless in District 500 under McKinney-Vento. We've actually had success with some partners doing wraparound services to reduce that number to 800. We've had about 40% reduction in the number of McKinney-Vento kids. That doesn't include necessarily kids who are eligible for foster care. There is some overlap between McKinney-Vento and foster, but you can have foster that are not McKinney-Vento and vice versa. There are a number of kids; there are too many kids in our community who are in need of this.

Commissioner Bynum said I just really needed to get that clarified. For me, it's kind of the first two factors to be considered when we look at the report from Planning and Zoning and the work of the Planning Board that moved it forward to us. I'm going to say before I make these two comments that my inclination is to ask this board to send this item back to the Planning and Zoning Board in the hopes that something could be brokered there. Before I make a motion to that affect, I will point out that Item 1 speaks to the character of the neighborhood and it says the building is located adjacent to a predominantly single-family neighborhood so to me that sets this building apart, particularly with its proposed future use by this action. The second item says zoning and uses of properties nearby and the proposed uses expected compatibility. I would disagree with the finding of what's in our report. I think the difference between a nursing home

and a youth residential facility starts with what I call length of stay. When this building was a nursing home the length of stay was more than likely for the rest of my life. This is much different. We heard a potential of up to 60 days for the length of stay and I think that changes, I think that is a big difference. For me when I look at that factor to be considered those are two completely different things.

We heard one of the gentlemen speaking in opposition state very clearly that it was his understanding that these are not foster kids, these are kids that have been in trouble. That to me is a question that we don't really have an answer to. I'd like clarification. That is one reason that I would be a proponent of sending this back to Planning and Zoning for more information and more discussion. Lastly, we heard a figure of 100 calls for service to another location that is a youth foster home in this community that keeps about half the number of kids proposed at this building. That facility is also in a predominately residential area and that is deeply, deeply disturbing to me. I would like actual clarification from our law enforcement community that that's a fact and with that I am making a motion that this be returned back to Planning and Zoning for more discussion, more understanding and more clarification around the first and second factors to be considered in this report.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to send Special Use Permit #SP-2017-36, back to Planning and Zoning Commission for more discussion, more understanding and more clarification around the first and second factors to be considered in the report.**

Commissioner Philbrook said but I also want to say beyond the second real quick, is that I want these groups, our community and the folks that are going to do this hard work to be able to work as a community. I want you guys to get together and I want to see some smiles and handshakes at the end of this somehow. We really need these kinds of facilities and that's just an expectation I have for my community and I know they can do it.

Mayor Holland asked, Commissioner, did you want to hear from the applicant about the children being in foster care vis-a-vis juvenile offenders. **Commissioner Bynum** asked are you

asking me. **Mayor Holland** said do you want that answer today or do you want that answer to go back to Planning and Zoning? **Commissioner Bynum** said I would like it clarified through the Planning and Zoning process. I would like it in writing so I can see it. I need someone who is in a position of authority about what that is to tell us. **Mayor Holland** said okay, so you're not asking the applicant. **Commissioner Bynum** said correct.

Commissioner Murguia said, Mr. Avery, this letter that you got from the school district, is this the letter? Did you submit this or did someone else submit this? **Mr. Avery** said I submitted it. **Commissioner Murguia** said there is a little bit of inconsistency. The school district says your letter indicates that the center will provide residential services for up to 60 children and youth. **Mr. Avery** said that was initially and then we when it went to Planning and Zoning and we brought it down. **Commissioner Murguia** said to 50. **Mr. Avery** said yes. **Commissioner Murguia** said and that happens. I just echo some of the concerns that my fellow commissioners have had. I think the idea is great. Obviously, you've proven there is an incredible demand for a product like this. What concerns me is your capacity.

I'm also concerned about an entity like yours operating as a for-profit versus a not-for-profit. **Mr. Avery** said that's another thing that we have to clear up. **Commissioner Murguia** said that's alright, just let me finish. It sounds like you're coming back anyway. I am concerned about a for-profit entity regulating a facility that cares for children. I know that there are—you should do a Google search at the number of facilities that were for-profit that have had difficulties with meeting the state guidelines and the care for children that is required. I will just tell you, these kids from what I've heard you say tonight, are high-risk kids. Some of them might have made some bad choices, some of them might just be in a bad situation, but either/or those kinds of kids need a lot of attention. I'm concerned about the lack of attention to the details of the structure of the organization might fall over onto maybe the lack of attention to detail with the care of the children. I'm not saying this is a bad idea so don't get frustrated. I saw you hang your head. You shouldn't hang your head. You should be very proud of yourself that you're stepping up to fix a terrible situation that we have here with the number of homeless kids and kids that are in bad situations. It's our job though to make sure that when we make those kind of decisions that it's in the best interest of the children. We have to make sure that there's a lot of attention to detail and that everything has been thought out and the agency

running an operation like this has the capacity to actually deliver that quality service. Your presentation was good though.

Commissioner McKiernan said I may repeat a couple of questions that you've been asked before because I was writing and making some notes. I have several questions I don't necessarily need answered tonight, but I would like to have answered. One of my first questions is, does DCF have recommendations for the number of children total who would be housed in a facility like this because I run across figures that say four to 12 and you've got 50, originally 70. Does DCF have guidelines on that? My second question that I would like to see an answer to eventually would be, what are the qualifications going to be for your staff? Sir, I've heard you're qualifications, but what are going to be the qualifications of those staff who are on-site 24 hours a day. You list out here you're going to have 10 people on your first and second shift and seven on the third shift. That's a total of 27. I would assume that would be in addition to any administrative team that might be in that facility. What will the qualifications be for those people who are going to interact with the children on a daily and hourly basis? You said that the average age is about 6 to 17 years old when they arrive at the facility and the average length of stay will be about 60 days. I would love to know who is your referral source. Who would refer children to this facility and then from your facility where are they going to go. If the average length of stay is only 60 days, what resources are in place to have a destination secured when those children leave that facility? Are there currently any other youth foster homes in Kansas City, Kansas and that is actually something I'd like to hear your answer tonight?

Mr. Scott said I actually can answer all of these questions for you tonight if you would like. In terms of does DCF have a recommended number? The general answer to that question is no, there is not a recommended number. It is largely based off of a capacity of the building. Because we know the number of units that we have in play and we know the allocations of space, we know that we can comfortably house 50 young people. What they do regulate; however, are the ages in terms of how the youth that can be in the same room at the same time, the genders that can share an occupied space, the groupings in terms of age, as well as the difference in age between our oldest youth and our staff. That addresses the question of the number I hope.

In terms of what are the qualifications of the staff, that's also something that's actually state regulated and audited usually on an annual basis? We know that for all of our direct staff they generally have to have at least a high school diploma and we're calling and the state also calls for them to have a minimum list of training. We're talking CPR, mandate reporting, we'll be adding trauma informed care, we're doing medication and administration, the series of training that they'll be responsible for going through in order to make contact and then of course, background checks.

In terms of all of our supervisory and clinical staff, we're talking about college educations. Clinical staff members that we have medical profession, clinical staff members are licensed by states. That means all of our therapists will be licensed by the state of Kansas depending on whether or not they're counselors or social workers. Then the residential staff would need to have a comparable background.

Commissioner McKiernan said you're licensed staff are above and beyond the 27 who will be on site? **Mr. Scott** said I'm sorry. **Commissioner McKiernan** said you make the distinction between staff and then licensed staff. **Mr. Scott** said yes, yes. **Commissioner McKiernan** said so in addition to the 27 that are going to be on your three shifts, you're going to have additional licensed staff or within that 27 you'll have some who are licensed and some are not. **Mr. Scott** said it's 27 at minimum. That's based off of the 1 to 6 ratio that were shooting for around the clock care for our young people. That actually doesn't factor in also employing the licensed counselors, the clinical case managers which usually are licensed. State doesn't require for a clinical case manager to be licensed, but the best practice is for you to have a licensed Master Social Worker as your clinical case manager. For your residential directors you still have to add on to that your food services staff. There are a few additional leadership positions that won't take it up astronomically, but that will be added on again based off of the scale and the needs of the young people.

In terms of the length of stay; 60 days was thrown out as an approximate because that's usually the number that's referenced when we start talking about higher levels of care, but in theory to reference the point that was made earlier about it being a nursing home, we could have a young person who if they come in at say 7 or 8, and isn't able to find another placement for

whatever reason could age out of care in our facility. It could for some young people be a forever home so that addresses that question.

Where will the kids go after; that's largely dependent upon need. The phrase that was used was "do these kids have problems" yes, yes, they have a problem, they don't have a place to live. That's kind of a big deal. The idea is that we make sure that we impose that beyond the state minimum and state regulated standards that are prepared to meet all of those needs, to address all of those problems, and to find sustainable solutions. Where do they go after? If a kid needs a higher level of care, then we send them to a higher level of care, maybe it's a PRFT, which is a Psychiatric Residential Treatment Facility, PRTF excuse me, maybe it's a Secured Care Facility, that would be the place that you send youth that actually have these histories of juvenile delinquency so that type of kid that everyone is afraid of being in their community wouldn't even be placed in our agency because of our licensing status. If they age out of care, the Clinical Case Managers on staff will be responsible for transitioning them into independent living, which means perhaps finding them a supported independent living program that teaches them even more about being an adult who operates all the time in the community or maybe because we've done such a darn good job because our model is appropriate and meets the needs of our young people, they're able to go and walk into life prepared and equipped to be contributing citizens, that's what happens.

Commissioner McKiernan said for those who aren't, have you already made the connections with those facilities and organizations that would be the destinations for the children? **Mr. Scott** said yes. The way that Social Services works is that you have referral agencies and you have placement agencies. Because we both send and receive kids we operate in both capacities being dominantly a placement agency. That means that the youth who will be sent to us they will know meet our needs on the basis of the fact that we're the lowest level of care. All the kids that will be referred to us, the people who are sending them to us, the Case Managers that are sending them to us will know they can fit here. If they can't, they will have Case Managers from referral agencies that will help provide alternative placement because that's how they got to us in the first place. In addition to that, saying the President of one of the KVC sites there was not high proverbially, like literally we just had a conversation with KVC which is a higher level of care if they need to go there, we've already formed those relationships. **Commissioner McKiernan** said I'll speak to that. You said that the person from KVC is highly

supportive. I would suggest that it would be to your benefit if you had some letter of support or some testimonial support from that person to this Commission to actually demonstrate. **Mr. Avery** said we have a letter of support from KVC right here. **Commissioner McKiernan** said once again, that's not evidence that I've previously seen. **Mr. Avery** said we submitted at the Planning and Zoning meeting as well. **Mr. Scott** said we're receiving unanimous approval.

Commissioner McKiernan said is there another facility like yours currently operating in Kansas City, Kansas? **Mr. Scott** said to date, no. **Commissioner McKiernan** said why not? **Mr. Scott** said the reference that's commonly used is Blue Door. While I cannot speak to the nuances of Blue Door situation simply because I don't work for Blue Door, what I can say is that it probably has to do with the fact that these types of organizations are heavily regulated. When we start talking about the concern, globally about an organization like ours not operating effectively; if it doesn't operate effectively, there are multiple ways in which it will be shutdown. It will be shutdown either through community protest, through state oversight and auditing or the referral agencies will stop placement which will financially strangle the operation.

Commissioner McKiernan said for the Planning Staff, I'd like to somehow find a history of organizations similar to this that have existed in Kansas City, Kansas and they're no longer in existence why, what reasons for them no longer be in existence. Will you have any other sources of financial revenue support other than state support for the children? **Mr. Avery** said the majority of the revenue will come from the state. The way it breaks down is we'll be a self-contractor of a contractor. The state pays the KVC, the St. Francis, and then the St. Francis trickle down to us and we'll act as the sub-contractor to the St. Francis and KVC's of the world. **Mr. Scott** said I also want to make sure that I add that the organization is currently, let's be clear, currently structured as a for-profit operation. There's been a lot of pushback against that but, you don't make money, since we're talking about the status of our operations and economics, you don't make money off of just having kids, you make money off of having a good agency, a good organization, a organization that meets the needs of kids, that's how you get people to refer and that's what we're anchoring ourselves as being high quality. **Commissioner McKiernan** said I still have not been convinced that this financial model is—I'm through with my questions. **Mr. Avery** said I want to touch on the current use as well.

Commissioner Bynum said I only wanted to comment that I've scrolled through everything in the packet and I don't see a letter of support here from KVC. If it was submitted, just make sure we have it. If it was presented during Planning and Zoning it didn't make its way into our packet. **Mr. Avery** said I believe there were some technology issues or something during that meeting. **Commissioner Bynum** said that's all I needed.

Commissioner Philbrook said just one more clarification. I know you mentioned that you're going to use volunteers and that sort of thing. Will you be very clear in how those volunteers are going to be used and for what?

Mayor Holland said we have exhausted the questions from the Commission. Thank you all for your presentation. We have a motion and a second to send it back to Planning and Zoning.

Mr. Richardson said if this is sent back to the Planning Commission, the date of that meeting will be October 9.

Mayor Holland said October 9th is the Planning and Zoning meeting to which this would be sent. I accept that as part of the motion and the second.

Roll call was taken and there were ten "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 3 – 171257...SPECIAL USE PERMIT #SP-2017-46 – BRIAN ARBELAEZ WITH NORTHLAND IMAGING LLC

Synopsis: Special use permit for a mobile MRI unit at 9201 Parallel Parkway, submitted by Robin H. Richardson, Director of Planning. The applicant is seeking approval for the use of a temporary trailer MRI unit. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2017-46, subject to:

Urban Planning and Land Use Comments

1. How long are you planning to utilize this trailer on the site?

Applicant Response: 12 months

Planning Commission Approval: 2 years

Public Works Comments: None

Action: Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2017-46 for two years, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 4 – 171276...SPECIAL USE PERMIT #SP-2017-47 DARYL EVERS

Synopsis: Special use permit to relocate existing liquor store in the same shopping center (Northwood Shopping Center) at 2862 West 47th Avenue, submitted by Robin H. Richardson, Director of Planning. The applicant filed this special use permit application to relocate an existing liquor store from one tenant space to another within an existing shopping mall. The existing business has been at the current location since May, 2014. A different liquor store was located at the same location prior to the existing business. This application has been submitted in conjunction with a zoning variance (Petition #2255) for a zoning variance to the spacing requirements between a liquor store and a church and school. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2017-47, subject to:

Subject to:

Urban Planning and Land Use Comments

1. Approval is for two years

Public Works Comments: None

Action: Commissioner Walker made a motion, seconded by Commissioner McKiernan, for approval of Special Use Permit #SP-2017-47 for two years, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 5 – 171278...SPECIAL USE PERMIT #SP-2017-49 – KIMBERLY WISENER

Synopsis: Special use permit for a bed and breakfast at 3228 and 3230 Hutton Road, submitted by Robin H. Richardson, Director of Planning. The applicant is seeking a special use permit in order to operate a bed and breakfast out of the four bedroom home. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2017-49, subject to: Urban Planning and Land Use Comments

1. How do you plan to advertise your business?
 Applicant Response: Internet, word of mouth, partnerships/relationships with local businesses, and sign in front.
 Staff Response: No signage will be allowed on the property
2. In your estimation, how many nights do you anticipate to be booked each year?
 Applicant Response: 175+ nights
3. The application states that 16 guests can be accommodated, is that individual guests or assuming some are families traveling together? Will unrelated guests be sharing bathrooms?
 Applicant Response: 16 individual guests, no unrelated sharing of bathrooms
4. Aerial images show that there are two homes on the property, please describe the configuration of bedrooms and bathrooms and number of guests for each house and for each bedroom/bathroom.
 Applicant Response: The west house has 3 bedrooms and 2 bathrooms (1 on-suite) that will sleep 6 adults with 2 living spaces and a kitchen. The east house has 3 bedrooms and 2 bathrooms (1 on-suite) that will sleep 8 adults with a grand living room/kitchen addition to a second living room with a sleeper sofa that will sleep 2 additional adults.
5. What time will check in and check out be?
 Applicant Response: We are flexible but anticipate check-in early evening and check-out mid-morning.
6. Will you be hiring outside help for housekeeping, cooking, yard maintenance, etc.?
 Applicant Response: No, but maybe in the future.
7. Will meals be provided to the guests?
 Applicant Response: Yes
8. Will guests be allowed to bring pets?

Applicant Response: To be determined on an individual basis, most likely not.

9. Please provide a more detailed overview of your daily operations

Applicant Response: This will be a typical B&B... we will be providing lodging and breakfast. We do have a relaxing environment that our guest may want to explore such as our miniature farm, fishing hole, fire pit, etc. When guest are on the premises we will manage the activity and be available if any issues may arise. When we do not have guest we will be maintaining the property by completing indoor cleaning from laundry to detailed dusting etc. and outdoor yard work never ends such as pruning, mowing, and tending to our livestock.

10. The driveway approach must be paved
11. Parking areas must be paved and landscaped

If approved the following will apply:

1. No signage will be permitted
2. No on-street parking will be permitted
3. Owners must maintain residence in the home
4. Approval for two years initially
5. All proper building permits must be obtained for any work to be done to the house
6. A Business License must be obtained.
7. The driveway approach must be paved prior to opening to guests
8. Parking areas must be paved and landscaped prior to opening to guests
9. Public Works requirements (below) must be met prior to opening to guests

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations):
 - 1) Provide complete final site engineering and construction level drawings prepared by a Professional Engineer (PE) registered in the state of Kansas. The site plan and construction drawings shall include dimensions, construction notes, details, and final engineering design.
 - 2) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.

- 3) Provide a concrete driveway approach within Hutton Road right-of-way, in accordance with UG standards and criteria.
 - 4) The existing driveway is gravel and should be at least chip and sealed.
 - 5) On a site plan, show the existing septic tank and lateral field locations. Provide a PE sealed sanitary sewer memo addressing the existing tank size and if the existing system can handle additional wastewater flows or indicate applicable improvements.
 - 6) Obtain approval from Wyandotte County Health Department regarding the existing and/or proposed septic system.
 - 7) Provide an erosion control plan in accordance with UG criteria including erosion control notes, construction sequence; indicate when BMP's are to be placed and when they are to be removed, and reference applicable UG standard details.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Action: Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2017-49 for two years, subject to the stipulations. Roll call was taken and there were ten "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

PLAN REVIEW APPLICATIONS

ITEM NO. 1 – 171279...PLAN REVIEW APPLICATION #PR-2017-24 – BRIAN HILL WITH MKEC ENGINEERING

Synopsis: Preliminary and Final Plan Review for a new school building (Welborn Elementary) at 5200 Leavenworth Road, submitted by Robin H. Richardson, Director of Planning. The applicant on behalf of Kansas City Kansas Public Schools wants to demolish Welborn Elementary School and build a new 42,204 square foot elementary school on the same grounds located at 5200 Leavenworth Road. The Planning Commission voted 9 to 0 to recommend approval of Plan Review Application #PR-2017-24, subject to:

Urban Planning and Land Use Comments:

1. As part of the site plan, please include a site data table, listing the zoning regulations for setbacks, parking, landscaping, etc. and how the proposed development complies with each requirement.

Applicant Response: Information has been added to the cover sheet and sheet Ocs1. The information is listed in a table named site plan data, R-1 zoning requirements.

2. Staff has concerns about the lack of building articulation with the proposed concrete tilt-up panels. It should be noted that there are different material styles being used on the building with thin brick paneling and precast concrete panels. With the large, expansive sections of wall, especially on the east and west facades, staff does not want this building to appear overly dominant at the pedestrian scale. How do you intend on breaking up the façade through recesses, articulations and incorporating different building materials?

Applicant Response: As noted, the building will be constructed of precast concrete wall panels. This material is not inherently adept to create offsets in vertical plane. However, the architect has worked diligently to provide a good deal of articulation throughout the exterior facades. The main elevation to the public is the south façade, which contains elements of red brick, dark exposed aggregate, light sandblasted texture, dark brick, glass, and metal sunshades. Additionally, there is a sculptural element facing the street. Wall planes are pushed in and out significantly here to provide changes in scale and building massing. The east and west facades are primarily the classroom wings. As with any typical school building there are areas where classrooms are grouped together in five to six units. These classroom wings contain a unifying architectural language that, while not prone to major changes in height or plane, does provide articulation through the use of material changes, color changes, and a breakdown of scale around openings. There are approximately eight different finish materials proposed. It is the architect's professional opinion that the school design contains the appropriate amount of articulation, and in the absence of any arbitrary quantities assigned for such elements, is fitting for the application.

3. There are 88 parking spaces proposed. How many members are employed at the school? Additionally, the parking requirement for an assembly area is one space for every four seats, so please identify your assembly area with a floor plan and calculate the parking for such use.

Applicant Response: The school is anticipated to have around 50 staff. Parking will more than adequately provide for staff and visitors. The parking provided is consistent with Frank Rushton Elementary, a similar school recently built in KCK. In addition, the hard play will accommodate an additional 38 cars for overflow events. It is our understanding that there are no UG parking code requirements for schools. The parking provided is more than adequate for the building and site uses. The gym is the assembly space and is designed for 573 people. The parking provided meets nearly 90% of the 1:4 assembly space suggestions.

4. The fence that is proposed around the perimeter of the property, what is the proposed material? Fence details have not been provided. In previous applications, KCKPS has erected wrought-iron fences around the perimeter with masonry columns every 32' on center and vinyl coated, black chain link fence within the soft play area.

Applicant Response: The 6' tall black vinyl-coated chain link fence will be provided for the play area, as well as to secure the back of the building.

5. The trash enclosure shall be constructed from the same building materials as the school. The gate shall be closed at all times, except when in service.

Applicant Response: Comment acknowledged. Trash enclosure will be the same materials as the building, and gate will be closed at all time, except when in service.

6. All wall mounted lighting shall be decorative. Wall pack lighting is not permitted.

Applicant Response: Wall pack lighting is only utilized for security purposes (i.e. security camera viewing purposes) around perimeter of building that is not visible from the street. All wall packs are full cutoff fixtures.

7. All lighting, whether mounted on the wall or installed in the parking lot, shall have 90 degree cutoff fixtures.

Applicant Response: All exterior light fixtures will have full cutoff (90 degree) shielding. Refer to light fixture schedule's description on photometric plan E02, 'Full Cutoff' is listed as a requirement under every exterior fixture description.

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

Applicant Response: Comment acknowledged. All items will be screened, see landscape plan, sheet L01.

9. The landscape plan must be revised to include a legend indicating the quantity, size and species of the proposed trees and shrubs.

Applicant Response: The information has been added to landscape plan, sheet L01.

10. The district requirement for trees is one tree per 7,000 square feet of site area. The site is 6.31 acres, so 39 trees are required to be planted. The total does not include trees that are required to be planted in the parking lot islands.

Applicant Response: The information has been added to landscape plan, sheet L01. 39 trees are shown on the landscape sheet to meet UG minimum requirements.

11. All trees shall be at least 2" caliper when planted. Shrubs that are exterior to the site shall be 5 gallons when planted and those that are interior to the site; adjacent to the building shall be 3 gallons when planted.

Applicant Response: Comment acknowledged. The information has been added to landscape plan, sheet L01.

12. All landscaping shall be irrigated.

Applicant Response: All areas to be irrigated. The information has been added to landscape plan, sheet L01. See note 31 & 32.

13. Value engineering modifications that impact this approval may require additional approvals prior to authorizing construction.

Applicant Response: Comment acknowledged.

14. Attached and detached signs must receive a sign permit prior to being installed. Staff will perform the review when a sign permit application is filed.

Applicant Response: Comment acknowledged.

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations):
 - 1) Provide PACP sewer inspection report for the existing sanitary sewer service line and indicate any required improvements on construction plans prior to construction permit acquisition.

- 2) Provide sidewalk that meets ADA requirements, north of the school property, connecting to Farrow Avenue. Further coordination with the UG may be required. The sidewalk and all associated details shall be indicated on construction plans prior to construction permit acquisition.
 - 3) Provide a copy of the signed, executed, and recorded sanitary sewer easement document prior to construction permit acquisition.
 - 4) Construction plans shall meet UG standards and criteria and shall be reviewed and approved prior to construction permit acquisition.
 - 5) Based on the current traffic study indicating that a traffic signal is not warranted, the school district shall provide appropriately trained crossing guard(s) for the proposed pedestrian crossing across Leavenworth Road. Further coordination with the UG may be needed.
 - 6) After the proposed Leavenworth Road improvements are constructed by the UG, and after the school is constructed and in operation, the school district shall provide traffic counts, pedestrian counts, queue observations, etc. with an updated traffic study regarding school pedestrian crossing, traffic signal warrants, turn lane warrants, etc. If the traffic study indicates that a traffic signal is warranted at the vehicle drive entrance & North 52nd Street with Leavenworth Road, the UG will install a traffic signal as discussed with the school district.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None
- The applicant has worked with staff to resolve a majority of engineering issues; however, there remain a few issues that will be rectified during building permitting at DRC.

Brian Hill, MKEC Engineering, said we would like to modify one of the stipulations from the Planning Commission. After further discussion with staff, Public Works stipulation B2, we would like to modify that stipulation to vacate existing right-of-way north of the school to Farrow Avenue.

Mayor Holland asked is staff in agreement to this. **Robin Richardson, Director of Planning**, said yes sir.

Mayor Holland said I'm going to need to open up a public hearing for this item. If anyone would like to speak in favor of this proposal that is before us now, will you please come forward and speak at this time. No one came forward.

No one appeared in opposition.

Mayor Holland closed the public hearing.

Mayor Holland said we would need to add two votes, is that correct? It now takes eight votes to approve.

Action: **Commissioner Johnson made a motion, seconded by Commissioner McKiernan, to approve Plan Review Petition #PR-2017-24 subject to the stipulations.** Roll call was taken and there were ten "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

Mayor Holland said I'd like to point out this is the beginning of the work that the school district is doing, a \$235M Bond issue to improve our schools. This is the Welborn School that is being rebuilt and if I'm correct, C3 will be the new Gloria Willis Middle School. Is that correct? It's a great honor for a great member of our community. Thank you very much. That concludes those items.

ITEM NO. 2 – 171280...PLAN REVIEW APPLICATION #PR-2017-31 – RON SHAFFER

Synopsis: Preliminary and final plan review for an office renovation with second floor living unit a 3120 Strong Avenue, submitted by Robin H. Richardson, Director of Planning. The applicant has applied for a preliminary and final development plan to renovate an existing office building on Strong Avenue and add a private dwelling unit to the building. The renovation includes improvements to the building such as adding a ramp to access to the building. The renovation adds a partial second floor to the building for the dwelling unit and expands the footprint of the building. The Planning Commission voted 9 to 0 to recommend approval of Plan Review Application #PR-2017-31, subject to:

Urban Planning and Land Use Comments

None

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations):
 - 1) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Action: Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve Plan Review Petition #PR-2017-31 subject to the stipulations. Roll call was taken and there were ten "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 3 – 171281...PLAN REVIEW PETITION #PR-2017-33 - BRIAN HILL WITH MKEC ENGINEERING, INC.

Synopsis: Preliminary Plan Review for a new school (old Coronado Middle School) at 1735 North 64th Terrace, submitted by Robin H. Richardson, Director of Planning. The applicant on behalf of Kansas City Kansas Public Schools wants to demolish Coronado Middle School and build a new 82,142 square foot middle school on the same grounds located at 1735 North 64th Terrace. The Planning Commission voted 8 to 0 to recommend approval of Plan Review Application #PR-2017-33, subject to:

Urban Planning and Land Use

- 1. While the preliminary plat shows the existing conditions, the preliminary plat must also show the proposed development, per Sec. 27-215(e)(8). Revise the preliminary plat to include a second sheet.

Applicant Response: The information proposed development has been added to a second sheet. The information will be included in the PDP resubmittal.

2. As part of the site plan, please include a site data table, listing the zoning regulations for setbacks, parking, landscaping, etc. and how the proposed development complies with each requirement.

Applicant Response: The site plan table has been added to the cover sheet listing the required information, see sheet 0CS1.

3. There are 118 parking spaces proposed. How many staff members are employed at the school? Additionally, the parking requirement for an assembly area is one space for every four seats, so please identify your assembly area with a floor plan and calculate the parking for such use.

Applicant Response: The calculated assembly area in the school seats 470. $470 \text{ seats} / 4 \text{ seats} = 117.5 \text{ seats}$. 118 seats are provided. See attachment.

4. The fence that is proposed around the perimeter of the property, what is the proposed material? Fence details have not been provided.

Applicant Response: The proposed fence shall be galvanized chain link to match existing.

5. The trash enclosure shall be constructed from the same building materials as the school. The gate shall be closed at all times, except when in service.

Applicant Response: The trash enclosure shall be constructed to provide the same appearance as the materials on the school, with a gate system to remain closed when not in service.

6. All wall mounted lighting shall be decorative. Wall pack lighting is not permitted.

Applicant Response: Wall pack lighting is only utilized for security purposes (i.e. security camera viewing purposes) around perimeter of building is not visible from the street. All wall packs are full cutoff fixtures.

7. All lighting, whether mounted on the wall or installed in the parking lot shall have 90 degree cutoff fixtures.

Applicant Response: All exterior light fixtures will have full cutoff (90 degree) shielding. Refer to light fixture schedule's description on photometric plan E02, 'Full Cutoff' is listed as a requirement under every exterior fixture description.

8. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally screen wall. All utilities mounted on the wall shall be painted to match

the building. All rooftop mechanical equipment shall be screened from public view on all sides by a parapet.

Applicant Response: Comment acknowledged. All items will be screened, see landscape plan, sheet L01.

9. All trees shall be at least 2" caliper when planted. Shrubs that are exterior to the site shall be 5 gallons when planted and those that are interior to the site; adjacent to the building shall be 3 gallons when planted.

Applicant Response: Comment acknowledged. The information has been added to landscape plan, sheet L01.

10. All parking lot islands shall be curbed and landscaped. Please revise the landscape plan to include trees in the three islands that do not have trees in them.

Applicant Response: Trees provided. See landscape plan, sheet L01.

11. All landscaping shall be irrigated.

Applicant Response: All areas to be irrigated. The information has been added to landscape plan, sheet L01. See note 31 & 32.

12. Value engineering modifications that impact this approval may require additional approvals prior to authorizing construction.

Applicant Response: Comment Acknowledged.

13. Attached and detached signs must receive a sign permit prior to being installed. Staff will perform the review when a sign permit application is filed.

Applicant Response: Comment acknowledged.

Public Works

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None

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

- 1) N. 64th Terrace is classified as a collector street which requires sidewalks on both sides of the road. In lieu of a sidewalk along the west side of the road, crosswalks shall be shown on final plans and installed in accordance with a revised traffic study, MUTCD, ADA, and UG standards and criteria, and shall be reviewed and approved by UG.

- 2) Provide a revised traffic study to include an expanded scope area along N. 64th Terrace to address school/pedestrian traffic counts, safe route to school, and coordination with the UG. The traffic study shall be submitted prior to or with final development plans for review and approval by the UG.
 - 3) Provide a minimum of 3' green space buffer between the back of curb and proposed sidewalk along the east side of N. 64th Terrace. The sidewalk shall be a minimum of 5' width and can transition to a 6' wide sidewalk at the back of curb at each of the two proposed school entrances.
 - 4) In accordance with the above comment, provide an additional 12' of right-of-way for a total of 42' from the centerline of N. 64th Terrace to be dedicated on the final plat. The adjacent 20' Water One easement can be dedicated from the proposed right-of-way.
 - 5) The County Surveyor makes separate technical review of the plat and submits comments directly to the preparer of the plat. Provide preliminary and final plats in accordance with engineering and County Surveyor comments.
 - 6) Final development plans shall include final engineering, calculations, studies, and complete construction level drawings with construction notes and details, in accordance with UG standards and criteria and shall be reviewed and approved by UG.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

The applicant has worked with staff to resolve a majority of engineering issues; however, there remain a few issues that will be rectified during the final plan review.

Action: Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve Plan Review Petition #PR-2017-33 subject to the stipulations. Roll call was taken and there were ten "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

MISCELLANEOUS – ORDINANCES

ITEM NO. 1 – 040224...REZONING ORDINANCE #2792

Synopsis: An ordinance rezoning property at 929 and 923 South Coy, 922, 926, 928 and 930 South Pyle from R-2(B) Two Family and CP-3 Planned Commercial Districts to MP-2 Planned General Industrial District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-21-17**, “An ordinance rezoning property hereinafter described located at approximately 929 and 923 South Coy, 922, 926, 928, and 930 South Pyle in Kansas City, Kansas, by changing the same from its present zoning of R-2(B) Two Family and CP-3 Planned Commercial Districts to MP-2 Planned General Industrial District.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 2 – 16838...REZONING ORDINANCE #3121

Synopsis: An ordinance rezoning property at 2001-2015 North 5th Street from RP-5 Planned Apartment District to TND Traditional Neighborhood Design District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-22-17**, “An ordinance rezoning property hereinafter described located at approximately 2001-2015 North 5th Street in Kansas City, Kansas, by changing the same from its present zoning of RP-5 Planned Apartment District to TND Traditional Neighborhood Design District.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 3 – 16660...REZONING ORDINANCE #3112

Synopsis: An ordinance rezoning property at 2931 South 78th Street from R-1 Single Family District to A-G Agriculture District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-23-17**, “An ordinance rezoning property hereinafter described located at approximately 2931 South 78th Street in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 4 – 15219...REZONING ORDINANCE #3100

Synopsis: An ordinance rezoning property at 1205 North 90th Street from R-1 Single Family District to CP-O Planned Nonretail Business District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-24-17**, “An ordinance rezoning property hereinafter described located at approximately 1205 North 90th Street in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to CP-O Planned Nonretail Business District.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 5 – 171182...REZONING ORDINANCE #3138

Synopsis: An ordinance rezoning property at 925 South 89th Street from A-G Agriculture District to R-1 Single Family District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-25-17**, “An ordinance rezoning property hereinafter described located at approximately 925 South 89th Street in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to R-1 Single Family District.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and

there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 6 – 171111...REZONING ORDINANCE #3140

Synopsis: An ordinance rezoning property at 13300 Donahoo Road from A-G Agriculture District to R-1 Single Family District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-26-17**, “An ordinance rezoning property hereinafter described located at approximately 13300 Donahoo Road in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to R-1 Single Family District.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 7 – 16840...REZONING ORDINANCE #3126

Synopsis: An ordinance rezoning property at 1601 North 98th Street from A-G Agriculture and CP-O Planned Non-Retail Business Districts to CP-2 Planned General Business District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-27-17**, “An ordinance rezoning property hereinafter described located at approximately 1601 North 98th Street in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture and CP-O Planned Non-Retail Business Districts to CP-2 Planned General Business District.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 8 – 16661...REZONING ORDINANCE #3144

Synopsis: An ordinance rezoning property at 350 S. 59th Lane from R-M Mobile Home Park District to MP-2 Planned General Industrial District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-28-17**, “An ordinance rezoning property hereinafter described located at approximately 350 South 59th Lane in Kansas City, Kansas, by changing the same from its present zoning of R-M Mobile Home Park District to MP-2 Planned General Industrial District.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 9 – 16799...REZONING ORDINANCE #3120

Synopsis: An ordinance rezoning property at 1111 North 98th Street from CP-1 Planned Limited Business District to CP-2 Planned General Business District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-29-17**, “An ordinance rezoning property hereinafter described located at approximately 1111 North 98th Street in Kansas City, Kansas, by changing the same from its present zoning of CP-1 Planned Limited Business District to CP-2 Planned General Business District.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 10 – 040224...VACATING ORDINANCE #A-2004-9

Synopsis: An ordinance vacating an alley at approximately 929 South Coy and 920 South Pyle, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-30-17**, “An ordinance vacating the North/South alley lying between Lots 12 through 23 and Lots 35 through 46, Block 63, Armourdale

Blocks 61-63 and 70-72, a subdivision of land in Kansas City, Wyandotte County, Kansas, located at approximately 929 South Coy and 920 South Pyle, Kansas City, Kansas.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 11 – 150055...VACATING ORDINANCE #R/W-2015-5

Synopsis: An ordinance vacating right-of-way at approximately 1130 Ray Avenue, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-31-17**, “An ordinance vacating property located at approximately 1130 Ray Avenue, Kansas City, Kansas.” **Commissioner Johnson made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 12 – 171188...VACATING ORDINANCE #A-2017-5

Synopsis: An ordinance vacating an alley at approximately 17 South James Street, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-32-17**, “An ordinance vacating property located at approximately 17 South James Street, Kansas City, Kansas.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 13 – 171118...VACATING ORDINANCE #A-2017-2

Synopsis: An ordinance vacating an alley adjacent to 1110 Shawnee Avenue, between Custer Avenue and Shawnee Avenue, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-33-17**, “An ordinance vacating all of a 15 foot alley between Block 7, Lot 10 and Block 7 Lot 6 through 9, Pacific Place a subdivision in the City of Kansas City, Wyandotte County, Kansas, located at approximately 1110 Shawnee Avenue, Kansas City, Kansas.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 14 – 171189...VACATING ORDINANCE #S/A-2017-6

Synopsis: An ordinance vacating a street and alley right-of-way at approximately 1101 South 9th Street, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-34-17**, “An ordinance vacating property located at approximately 1101 South 9th Street, Kansas City, Kansas.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 15 – 171217...VACATING ORDINANCE #U/E-2017-9

Synopsis: An ordinance vacating a utility easement at approximately 5420 Leavenworth Road, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-35-17**, “An ordinance vacating property located at approximately 5420 Leavenworth Road.” **Commissioner Walker made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

REGULAR AGENDA

NON-PLANNING CONSENT AGENDA

Mayor Holland said we have a Non-Planning Consent Agenda. Any item that is not removed from the Consent Agenda will be voted on by a single vote. Anyone in the audience, a staff member, or a member of the Commission may remove any item from it for individual consideration. There were no set asides.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the Consent Agenda.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 1 – 171283...ORDINANCE: UG JUVENILE CENTER COMPLEX AND ATTENDANT PARKING AREA

Synopsis: An ordinance authorizing the Chief Counsel to commence legal proceedings to acquire property for the UG Juvenile Center Complex/Memorial Hall and attendant parking area project, CMIP #8690, submitted by Ryan Haga, Assistant Counsel. On July 6, 2017, the Commission unanimously adopted Resolution No. R-28-17 declaring the necessity and authorizing a survey of land for said project.

Action: **ORDINANCE NO. O-36-18,** “An ordinance condemning land for the construction, maintenance, operation, use and repair of Unified Government Juvenile Center complex and attendant parking area, CMIP 8690, and directing the Chief Counsel to institute eminent domain proceedings as provided by law to acquire the tract and parcel of land described in this ordinance.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 2 – 171253...NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

John McTaggart for UG Park Board, 8/31/17 to 3/31/18, submitted by Commissioner Jim Walters

Maria C. Ysaac for Law Enforcement Advisory Board, 8/31/17 to 3/31/18, submitted by Commissioner Philbrook

Linda Johnson for Wyandotte/Leavenworth Advisory Council on Aging, 8/31/17 to 3/31/18, submitted by Commissioner Philbrook

Tom Cooley for Golf Board, 8/31/17 to 3/31/18, submitted by Commissioner Walker

Louise Crabble for Drug & Alcohol Advisory Board, 9/17/17 to 3/31/18, submitted by Commissioner Walker

Loren Taylor for Landmarks Commission, 9/1/17 to 3/31/18, submitted by Commissioner Walker

Eric Gonzales for Planning Commission, 9/1/17 to 3/31/18, submitted by Commissioner Walker

Jeffery Sachen for UG Park Board, 8/31/17 to 3/31/18, submitted by Commissioner Walker

Carol Diehl for Law Enforcement Advisory Board, 8/31/17 to 3/31/18, submitted by Commissioner Walker

Action: Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve. Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 3 – MINUTES

Synopsis: Minutes from special sessions of July 24, 2017 (budget workshop), and regular session of July 27, 2017.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve. Roll call was taken on the motion and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

ITEM NO. 4 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated August 17 and 24, 2017.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to receive and file. Roll call was taken on the motion and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES' AGENDA

ITEM NO. 1 – 171284...GRANT: FY17 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

Synopsis: Request approval to apply for and accept the FY17 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$106,511, submitted by Laura Cromwell, Management Analyst, Public Safety Business Office. The grant period runs October 1, 2017 through September 30, 2020. No match is required. It was requested that this item be fast tracked to the August 31, 2017 full commission meeting.

Action: Commissioner Johnson made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

COMMISSIONERS' AGENDA

ITEM NO. 1 – 171255...TRAVEL REQUEST: COMMISSIONER PHILBROOK

Synopsis: Request to travel to New York, NY, to attend the Summit on Financial Leadership hosted by Governing, submitted by Commissioner Philbrook.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve. Roll call was taken and there were ten “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

Mayor Holland adjourned the meeting as the Board of Commissioners and reconvened as the Land Bank Board of Trustees.

Mayor Holland said all the items are on the Consent Agenda. Anyone in the audience, staff member or Commissioner is welcome to set an item set-aside. Anything not set-aside will be voted on by a single vote. There were no set-asides.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

ITEM NO. 1 – 171231...COMMUNICATION: LAND BANK BUSINESS

Synopsis: Request consideration of the following Land Bank items, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval. On August 14, 2017, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Transfers to Land Bank

1714 S. 15th St. from Board of County Commissioners
 1720 S. 15th St. from Board of County Commissioners
 (Properties are part of BPU project)
 2016 W. 36th Ave. from City of Kansas City, KS
 (Neighbor has applied for yard extension)

Applications

1415 N. 26th St. - Adrain Pinela, yard extension
 1042 Walker Ave. - Rising Star Baptist Church, yard extension
 339 N. 32nd St. - Robert May, yard extension
 2711 N. 9th St. - Judy Sanders, yard extension
 930 Reynolds Ave. - Isaias Noriega Rodriguez, yard extension
 2016 W. 36th Ave. - Donna Martin, yard extension
 1222 Pennsylvania Ave.- Camelia Arriaga, property acquisition
 1224 Pennsylvania Ave.- Camelia Arriaga, property acquisition
 819 S. Valley St. - Camelia Arriaga, property acquisition
 819 S. Valley St. - Camelia Arriaga, property acquisition
 2719 N. 9th St. - Judy Sanders, property acquisition

Donations to Land Bank

1329 Washington Ave. from Alexis Barragan
 2219 S. Ferree St. from Dennis Cloughley

August 31, 2017

WCLB Hold Area
Reference attachment for the 77 depicted properties

Action: **Commissioner Kane made a motion, seconded by Commissioner to Bynum, to approve.** Roll call was taken and there were ten “Ayes”, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia.

MAYOR HOLLAND
ADJOURNED THE MEETING AT 9:07 P.M.
August 31, 2017

Bridgette D. Cobbins
Unified Government Clerk

tk

August 31, 2017