

**OCTOBER 29, 2015 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY REVEREND KEN NETTLING, FAITH LUTHERAN CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. PROCLAMATION**
- VI. REVISIONS TO THE AGENDA**
- VII. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)
- VIII. PLANNING AND ZONING CONSENT AGENDA**
- IX. PLANNING AND ZONING NON-CONSENT AGENDA**
- X. MAYOR'S AGENDA**
- XI. NON-PLANNING CONSENT AGENDA**
- XII. PUBLIC HEARING AGENDA**
- XIII. STANDING COMMITTEES' AGENDA**
- XIV. ADMINISTRATOR'S AGENDA**
- XV. COMMISSIONERS' AGENDA**
- XVI. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XVII. PUBLIC ANNOUNCEMENTS**
- XVIII. ADJOURN**

SERGEANT-AT-ARMS: CAPTAIN GEORGE SIMS

V. PROCLAMATION

1. PROCLAMATION: JUNIPER GARDENS CHILDREN'S PROJECT DAY

SYNOPSIS: A proclamation proclaiming Saturday, November 7, 2015, as Juniper Gardens Children's Project Day. **(15177)**

VI. REVISIONS TO THE AGENDA

XI. NON-PLANNING CONSENT AGENDA

REMOVE ITEM

ITEM NO. 2 – 15187.... PLAT: LEGENDS AUTO PLAZA SECOND PLAT

Synopsis: At the request of the developer, remove the Legends Auto Plaza Second Plat located at North 98th Street & Parallel Parkway, being developed by Schlitterbahn Water Parks and Resorts.

ADD ITEM

ITEM NO. 7 - 15204....APPOINTMENT TO BOARDS AND COMMISSIONS

Synopsis: Appointment of Deidra Tolon to the Alcohol & Drug Fund Advisory Committee, 10/29/15 – 5/30/17, submitted by Commissioner Philbrook.

XIII. STANDING COMMITTEES' AGENDA

ADD ITEM

ITEM NO. 2 – 15168....GRANT: BODY-WORN CAMERAS

Synopsis: Action requested on a \$352,500 grant from the Federal Department of Justice for the Body-Worn Camera Policy and Implementation Program, submitted by Jenny Myers.

*On October 26, 2015, this item was presented to the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, for discussion only. Action needs to be taken on the grant by November 4, 2015.*

PLANNING AND ZONING

VIII. PLANNING AND ZONING CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2015-48 - ANTHONY NOVICH**

SYNOPSIS: Special Use Permit for a horse at 8731 Swartz Road, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR DENIAL) (15178)**

2. **#SP-2015-53 - EDMOND F. MUMMERT**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-32) for ten (10) cats and one (1) dog at 4001 Booth Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR FIVE (5) YEARS) (15179)**

3. **#SP-2015-54 - MARIA VILLEGAS WITH SOCCER NATION**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-32) for a youth athletic training facility at 520 South 55th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR FIVE (5) YEARS) (15180)**

4. **#SP-2015-55 - ALISTAIR TUTTON WITH VOX THEATRE, LLC**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-32) for a youth athletic training facility at 520 South 55th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR FIVE (5) YEARS) (15181)**

5. **#SP-2015-57 - CASA AGAVE**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-49) for live entertainment in conjunction with existing restaurant at 1340 Village West Parkway, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR FIVE (5) YEARS) (15182)**

6. **#SP-2015-58 - CINDY BURTON**

SYNOPSIS: Special Use Permit for ten (10) chickens at 816 South 72nd Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (15147)**

7. **#SP-2015-59 - SARAH PURTEE WITH HIGH HEEL SWEETS**

SYNOPSIS: Home Occupation Special Use Permit for a bakery at 12516 Farrow Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (15149)**

8. **#SP-2015-60 - CURTIS PETERSON WITH POLSINELLI**

SYNOPSIS: Renewal of a Special Use Permit for an existing skilled nursing and assisted living facility (change of ownership only) at 8900 Parallel Parkway, submitted by Robin H. Richardson, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL) (15183)

9. **#SP-2015-61 - MICHAEL A. RHODES/COMMERCIAL LANDSCAPERS**

SYNOPSIS: Home Occupation Special Use Permit for a commercial landscaping business at 10702 Donahoo Road, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS) (15184)**

B. MISCELLANEOUS - ORDINANCE (Final action on previously approved item)

1. **ORDINANCE: VACATE UTILITY EASEMENTS**

SYNOPSIS: An ordinance vacating utility easements (#U/E-2015-8) at 1405 North 98th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774
(15185)

IX. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATION

1. **SP-2015-56 - CLAUDINE BARNETT**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-37) to keep three (3) horses at 3814 Leavenworth Road, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR TWO (2) YEARS – 7/2 VOTE) (15186)**

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR OCTOBER 29, 2015

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2014.

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

REGULAR SESSION

X. MAYOR'S AGENDA

No items of business

XI. NON-PLANNING CONSENT AGENDA

1. PLAT: ELDRIDGE CUSTOM HOMES

SYNOPSIS: Plat of Eldridge Custom Homes located at 47th Terrace & County Line Road and being developed by Cary W. Eldridge, submitted by Brent Thompson, County Surveyor, and William Heatherman, County Engineer. **(15189)**

2. PLAT: LEGENDS AUTO PLAZA SECOND PLAT

SYNOPSIS: Plat of Legends Auto Plaza Second Plat located at North 98th Street & Parallel Parkway and being developed by Schlitterbahn Water Parks and Resorts, submitted by Brent Thompson, County Surveyor, and William Heatherman, County Engineer. **(15187)**

3. PLAT: MELROSE MANOR

SYNOPSIS: Plat of Melrose Manor located at 1002 County Line Road and being developed by Ellen R. Melrose, submitted by Brent Thompson, County Surveyor, and William Heatherman, County Engineer. **(15188)**

4. APPOINTMENT/REAPPOINTMENT: BOARDS & COMMISSIONS

SYNOPSIS: Appointment/Reappointment to Boards and Commissions:

Appointment of Melissa Bynum to the KCATA, 10/29/15 – 6/1/19, submitted by Mayor Holland

Reappointment of Barbara Jolley to the SSMID Board, 10/29/15 – 5/30/19, submitted by Commissioner Markley **(15193)**

5. WEEKLY BUSINESS MATERIAL

SYNOPSIS: Weekly business material dated October 15 and 22, 2015.

6. MINUTES

SYNOPSIS: Minutes from regular session of September 24, 2015.

XII. PUBLIC HEARING AGENDA

No items of business

XIII. STANDING COMMITTEES' AGENDA

1. **REQUEST: CDBG REALLOCATION AND GRANT APPLICATION PROCESS**

SYNOPSIS: Request approval of the 2016 application for CDBG funding and approve a timeline to implement the CDBG grant application process for allocated dollars from 2015 and 2016, submitted by Wilba Miller, Community Development Director. **(15164)**

*This item was scheduled to appear before the **Administration and Human Services Standing Committee**, co-chaired by Commissioner Bynum, on October 26, 2015. It was requested, and approved by the Mayor, to fast track this item to the October 29, 2015 full commission meeting.*

XIV. ADMINISTRATOR'S AGENDA

No items of business

XV. COMMISSIONERS' AGENDA

No items of business

XVI. LAND BANK BOARD OF TRUSTEES' AGENDA

No items of business

XVII. PUBLIC ANNOUNCEMENTS

XVIII. ADJOURN



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

- WHEREAS,** American values are at their best when meeting challenges through service to others; and
- WHEREAS,** leaders in the neighborhoods of Northeast Kansas City, Kansas in the 1960's were seeking greater opportunities for residents and greater access to intellectual resources to help pursue their goals; and
- WHEREAS,** research, service, and teaching comprise the central mission of the University of Kansas; and
- WHEREAS,** leaders from the University of Kansas and Northeast Kansas City reached out to one another in troubled political times and formed a unique collaboration that opened a Center located in the Juniper Gardens Housing Project - Community Center that eventually expanded into local Church basements, the Turner House Preschool, and the KCK Schools, dedicated to the discovery of new approaches to teaching, parenting, and caregiving; and translating them to services for area children and families; and
- WHEREAS,** the Juniper Gardens Children's Project (JGCP) remains located in the community - still dedicated to the advancement of educational opportunity, academic achievement, and social well-being, continuing its mission uninterrupted till today; and
- WHEREAS,** JGCP was a founding partner with Project EAGLE Community Programs, the Family Conservancy, and the KCK District in development of the Children's Campus of Kansas City, a 10-year effort now serving hundreds of area children and families in outstanding facilities using evidence-based practice; and
- WHEREAS,** the JGCP has become a leading model of a new higher education discipline commonly referred to nationally as Community-Engaged or Community-Participatory Research; and
- WHEREAS,** the JGCP has been a local economic asset by renting space from local owners (3rd Street Church of God, Physicians, and El Centro), and by hiring/training local residents who acquired better skills and who went on to higher paying jobs, while many who stayed, have had lengthy careers employed at JGCP/University of Kansas, and
- WHEREAS,** many current and past leaders - residents of Kansas City, KS, grew up experiencing our early preschool programs, improved instruction in the KCK Schools, better ways of teaching, and caring for children with disabilities and preventing behavior problems; and
- WHEREAS,** many of these leaders were advised in their higher educational experiences at the University of Kansas by JGCP-based faculty, completing their master's and doctoral degrees mentored individuals who became Teachers, School Principals, Program Directors, Superintendents, Higher Education Faculty, City Commissioners, and even Mayors. Hundreds of others became leaders and faculty members in other cities, School Districts, and Universities in the U.S., and in other countries -Australia, Canada, Greece, Israel, Korea, Mexico, among others; and
- WHEREAS,** accumulating research findings at JGCP led to the founding of the Kansas Center for Autism Research and Training (KCART) at the University of Kansas with facilities at JGCP, the Medical Center, and the Edwards Campus (<http://kcart.ku.edu/>); and
- WHEREAS,** research conducted in Kansas City, KS and reported in scientific journals continues to impact state and national practices and policies, for example, state-wide child seatbelt restraint policies, improving school performance with peer tutoring, curricula for preschool language and literacy, better approaches to treating disabilities under the Individuals with Disabilities Act, and nationally, impetus of President Obama's efforts to bridge the word gap, an original discovery reported by researchers at the JGCP (<https://www.youtube.com/watch?v=gu5P5NbGxEY>); and
- WHEREAS,** the research conducted and lessons learned in this effort have been disseminated to others locally and around the world, and have become central elements in the practice of education, special education, early intervention, and early childhood education.

NOW, THEREFORE,

I, Mark R. Holland, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim, Saturday, November 7, 2015 as:

"Juniper Gardens Children's Project Day"

in Wyandotte County/Kansas City, Kansas and congratulate and thank them for 50 years of service. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County / Kansas City, Kansas.

MARK R. HOLLAND, MAYOR/CEO



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

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

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

NOTICE OF PENDING APPOINTMENT

DATE: October 29, 2015

BOARD POSITION: Alcohol & Drug Fund Advisory Committee

INCUMBENT REPLACED: Eric McTye (Resigned)

TERM EXPIRATION DATE: December 18, 2017

APPOINTING COMMISSIONER: Commissioner Philbrook

REVIEW DATE: October 29, 2015

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Deidra Tolon

ADDRESS: _____

CELL NUMBER AND EMAIL ADDRESS: _____

TERM OF OFFICE: October 29, 2015 to May 30, 2017

SIGNATURE OF APPOINTING COMMISSION MEMBER

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



Staff Request for Commission Action

Tracking No. 15168

Full Commission Meeting Date: 10/29/2015

Committee: Public Works & Safety

Date of Standing Committee Action: 10/26/15

Full Commission Date: 10/29/15

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
10/29/2015	Jennifer Myers, Senior Attorney	x5084	jmyers@wycokck.org	Legal

Item Description:

Body-worn cameras grant.

Action Requested:

For Action

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Body Camera Award Package



Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

September 21, 2015

The Honorable Mark Holland
Unified Government of Wyandotte County/Kansas City
701 North 7th Street, Room G-2
Kansas City, KS 66101-3065

Dear Mayor Holland:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 15 Body-Worn Camera Policy and Implementation Program: Implementation of New BWC Program for Mid-Sized Agencies in the amount of \$352,500 for Unified Government of Wyandotte County/Kansas City.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Gerardo Velazquez, Program Manager at (202) 353-8645; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script, reading "Denise O'Donnell".

Denise O'Donnell
Director

Enclosures



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs

Department of Justice

810 7th Street, NW
Washington, DC 20531

Tel: (202) 307-0690

TTY: (202) 307-2027

E-mail: askOCR@usdoj.gov

Website: www.ojp.usdoj.gov/ocr

September 21, 2015

The Honorable Mark Holland
Unified Government of Wyandotte County/Kansas City
701 North 7th Street, Room G-2
Kansas City, KS 66101-3065

Dear Mayor Holland:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at <http://ojp.gov/about/ocr/vawafaqs.htm>.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOSubmission@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

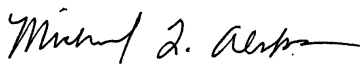
If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

 Department of Justice Office of Justice Programs Bureau of Justice Assistance	Cooperative Agreement	PAGE 1 OF 8																
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Unified Government of Wyandotte County/Kansas City 701 North 7th Street, Room G-2 Kansas City, KS 66101-3065	4. AWARD NUMBER: 2015-DE-BX-K032																	
	5. PROJECT PERIOD: FROM 10/01/2015 TO 09/30/2017 BUDGET PERIOD: FROM 10/01/2015 TO 09/30/2017																	
	6. AWARD DATE 09/21/2015	7. ACTION Initial																
	8. SUPPLEMENT NUMBER 00																	
2a. GRANTEE IRS/VENDOR NO. 481194075	9. PREVIOUS AWARD AMOUNT \$ 0																	
2b. GRANTEE DUNS NO. 030693592	10. AMOUNT OF THIS AWARD \$ 352,500																	
3. PROJECT TITLE Kansas City, Kansas Police Department Body Worn Cameras Pilot	11. TOTAL AWARD \$ 352,500																	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).																		
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY15(BJA - Body-worn Cameras) 42 USC 3756(a)(1); 42 USC 3715 note																		
14 . CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.738 - Edward Byrne Memorial Justice Assistance Grant Program																		
15. METHOD OF PAYMENT GPRS																		
AGENCY APPROVAL GRANTEE ACCEPTANCE																		
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Denise O'Donnell Director	18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Mark Holland Mayor																	
17. SIGNATURE OF APPROVING OFFICIAL 	19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE																
AGENCY USE ONLY																		
20. ACCOUNTING CLASSIFICATION CODES <table><tr><td>FISCAL YEAR</td><td>FUND CODE</td><td>BUD. ACT.</td><td>DIV. REG.</td><td>OFC.</td><td>SUB.</td><td>POMS</td><td>AMOUNT</td></tr><tr><td>X</td><td>B</td><td>DE</td><td>80</td><td>00</td><td>00</td><td></td><td>352500</td></tr></table>	FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. REG.	OFC.	SUB.	POMS	AMOUNT	X	B	DE	80	00	00		352500	21. PDEUGT1589	
FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. REG.	OFC.	SUB.	POMS	AMOUNT											
X	B	DE	80	00	00		352500											



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 2 OF 8

PROJECT NUMBER 2015-DE-BX-K032

AWARD DATE 09/21/2015

SPECIAL CONDITIONS

1. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform Requirements, which were first adopted by DOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal awards to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. The recipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide").
3. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302) that is approved by the Office for Civil Rights is a violation of the Standard Assurances executed by the recipient, and may result in suspension of funding until such time as the recipient is in compliance, or termination of the award.
4. The recipient understands and agrees that OJP may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.
5. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
6. The recipient and any subrecipients must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has -- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by - mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530 e-mail: oig.hotline@usdoj.gov hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881 Additional information is available from the DOJ OIG website at www.usdoj.gov/oig



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 3 OF 8

PROJECT NUMBER 2015-DE-BX-K032

AWARD DATE 09/21/2015

SPECIAL CONDITIONS

7. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient --

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized to make subawards or contracts under this award --

a. it represents that --

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

8. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

9. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 4 OF 8

PROJECT NUMBER 2015-DE-BX-K032

AWARD DATE 09/21/2015

SPECIAL CONDITIONS

10. The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm> (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
11. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
12. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").
13. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>.
14. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.
15. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
16. The recipient understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
17. A recipient that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).
18. The recipient must collect, maintain, and provide to OJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 5 OF 8

PROJECT NUMBER 2015-DE-BX-K032

AWARD DATE 09/21/2015

SPECIAL CONDITIONS

19. The award recipient agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Office of Justice Programs.
20. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
21. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
22. All procurement (contract) transactions under this award must be conducted in a manner that is consistent with applicable Federal and State law, and with Federal procurement standards specified in regulations governing Federal awards to non-Federal entities. Procurement (contract) transactions should be competitively awarded unless circumstances preclude competition. Noncompetitive (e.g., sole source) procurements by the award recipient in excess of the Simplified Acquisition Threshold (currently \$150,000) set out in the Federal Acquisition Regulation must receive prior approval from the awarding agency, and must otherwise comply with rules governing such procurements found in the current edition of the OJP Financial Guide.
23. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.
24. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
25. Award recipients must verify Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.
26. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 6 OF 8

PROJECT NUMBER 2015-DE-BX-K032

AWARD DATE 09/21/2015

SPECIAL CONDITIONS

27. The recipient acknowledges that the Office of Justice Programs (OJP) reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward; and (2) any rights of copyright to which a recipient or subrecipient purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under an award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient, if applicable) to ensure that this condition is included in any subaward under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

28. Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service: "This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.
29. All program authority and responsibility inherent in the Federal stewardship role shall remain with the Bureau of Justice Assistance (BJA). BJA will work in conjunction with the recipient to routinely review and refine the work plan so that the program's goals and objectives can be effectively accomplished. BJA will monitor the project on a continual basis by maintaining ongoing contact with the recipient and will provide input to the program's direction, in consultation with the recipient, as needed.
30. Recipient understands and agrees that it must submit quarterly Federal Financial Reports (SF-425) and semi-annual performance reports through GMS (<https://grants.ojp.usdoj.gov>), and that it must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website (www.bjaperformancetools.org). For more detailed information on reporting and other requirements, refer to BJA's website. Failure to submit required reports by established deadlines may result in the freezing of grant funds and High Risk designation.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 7 OF 8

PROJECT NUMBER 2015-DE-BX-K032

AWARD DATE 09/21/2015

SPECIAL CONDITIONS

31. Within 45 calendar days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded under this award, and the total cost of which exceeds \$20,000 in award funds, the recipient must provide the program manager with the following information and itemized costs:

- 1) name of event;
- 2) event dates;
- 3) location of event;
- 4) number of federal attendees;
- 5) number of non-federal attendees;
- 6) costs of event space, including rooms for break-out sessions;
- 7) costs of audio visual services;
- 8) other equipment costs (e.g., computer fees, telephone fees);
- 9) costs of printing and distribution;
- 10) costs of meals provided during the event;
- 11) costs of refreshments provided during the event;
- 12) costs of event planner;
- 13) costs of event facilitators; and
- 14) any other costs associated with the event.

The recipient must also itemize and report any of the following attendee (including participants, presenters, speakers) costs that are paid or reimbursed with cooperative agreement funds:

- 1) meals and incidental expenses (M&IE portion of per diem);
- 2) lodging;
- 3) transportation to/from event location (e.g., common carrier, Privately Owned Vehicle (POV)); and,
- 4) local transportation (e.g., rental car, POV) at event location.

Note that if any item is paid for with registration fees, or any other non-award funding, then that portion of the expense does not need to be reported.

Further instructions regarding the submission of this data, and how to determine costs, are available in the OJP Financial Guide Conference Cost Chapter.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 8 OF 8

PROJECT NUMBER 2015-DE-BX-K032

AWARD DATE 09/21/2015

SPECIAL CONDITIONS

32. The recipient is authorized to obligate, expend, or draw down funds in an amount not to exceed 10% of this award for the sole purpose of developing a Body-Worn Camera (BWC) policy. The BWC policy must be submitted no later than 180 days of award acceptance, unless an extension for good cause shown has been granted by BJA. The recipient is not authorized to incur any additional obligations, make any additional expenditures, or draw down any additional funds until BJA has approved the recipient's completed BWC policy and has issued a Grant Adjustment Notice (GAN) removing this condition.
33. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.
34. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
35. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2015-DE-BX-K032 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the OJP Financial Guide provides guidance on allowable printing and publication activities.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Categorical Exclusion for Unified Government of Wyandotte County/Kansas City

Awards under this program will be used to plan or implement a body worn camera program. None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction.
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species.
- (3) A renovation which will change the basic prior use of a facility or significantly change its size.
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment.
- (5) Implementation of a program involving the use of chemicals.

Additionally, the proposed action is neither a phase nor a segment of a project which when reviewed in its entirety would not meet the criteria for a categorical exclusion. Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

 Department of Justice Office of Justice Programs Bureau of Justice Assistance	GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY Cooperative Agreement	
	PROJECT NUMBER 2015-DE-BX-K032	PAGE 1 OF 1
This project is supported under FY15(BJA - Body-worn Cameras) 42 USC 3756(a)(1); 42 USC 3715 note		
1. STAFF CONTACT (Name & telephone number) Gerardo Velazquez (202) 353-8645	2. PROJECT DIRECTOR (Name, address & telephone number) Rodney Smith Major Rodney Smith, Executive Officer 701 NORTH 7TH STEET SUITE 330 KANSAS CITY, KS 66101 (913) 573-6014	
3a. TITLE OF THE PROGRAM BJA FY 15 Body-Worn Camera Policy and Implementation Program: Implementation of New BWC Program for Mid-Sized Agencies		3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)
4. TITLE OF PROJECT Kansas City, Kansas Police Department Body Worn Cameras Pilot		
5. NAME & ADDRESS OF GRANTEE Unified Government of Wyandotte County/Kansas City 701 North 7th Street, Room G-2 Kansas City, KS 66101-3065	6. NAME & ADRESS OF SUBGRANTEE	
7. PROGRAM PERIOD FROM: 10/01/2015 TO: 09/30/2017	8. BUDGET PERIOD FROM: 10/01/2015 TO: 09/30/2017	
9. AMOUNT OF AWARD \$ 352,500	10. DATE OF AWARD 09/21/2015	
11. SECOND YEAR'S BUDGET	12. SECOND YEAR'S BUDGET AMOUNT	
13. THIRD YEAR'S BUDGET PERIOD	14. THIRD YEAR'S BUDGET AMOUNT	
15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse) The Body Worn Camera Pilot Implementation program (BWC PIP) provides funding to limited units of local government and federally recognized Indian tribes that perform law enforcement functions, as determined by the department of the interior, and any department, agency, or instrumentality of the foregoing that performs criminal justice functions (including combinations of the preceding). The Body-Worn Camera Pilot Implementation Program (BWC PIP), funded under a statutory set-aside for technology purposes (42 U.S.C. § 3756(a)(1)), will support the implementation of body-worn camera programs in law enforcement agencies across the country. The intent of the program is help agencies develop, implement or enhance, and evaluate a BWC program as one tool in a law enforcement agency's comprehensive problem solving approach to enhance officer interactions with the public and build community trust. Elements of such an approach include: Implementation of a BWC program developed in a planned and phased approach; Collaboration that leverages partnerships with cross-agency criminal justice stakeholders including prosecutors and advocacy organizations;		

Implementation of appropriate privacy policies; Implementation of operational procedures and tracking mechanisms; Training of officers, administrators, and associated agencies requiring access to digital multimedia evidence (DME); Adoption of practices and deployment of BWC programs appropriately addressing operational requirements.

CA/NCF



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 29, 2015
Re: Petition #SP-2015-48 (150265)

GENERAL INFORMATION

Applicant:
Anthony Novich

Status of Applicant:
Owner
8731 Swartz Road
Kansas City, KS 66111

Requested Action:
Special Use Permit to keep one (1)
horse

Date of Application:
July 31, 2015

Purpose:
To keep one (1) horse on property

Property Location:
8731 Swartz Road

Existing Zoning:
R Rural Residence District



Existing Surrounding Zoning:	North:	A-G Agriculture District
	South:	A-G Agriculture District
	East:	R Rural Residential District
	West:	R Rural Residential District

Existing Uses:	North:	Vacant land and single family
	South:	Single family residence
	East:	Vacant land and single family residence
	West:	Vacant land

Total Tract Size: 1.71 acres

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

Major Street Plan: The City-Wide Master Plan designates Swartz Road as a collector street.

Advertisement: The Wyandotte Echo – August 20, 2015
Letters to Property Owner – August 20, 2015, September 15, 2015 and October 22, 2015

Public Hearings: September 14, 2015, October 12, 2015 and October 29, 2015

Public Opposition: No one appeared either for or against this application at the September 14, 2015 and October 29, 2015 City Planning Commission meetings.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Anthony Novich, wants to keep one (1) horse on his property.

City Ordinance Requirements: 27- 592 through 27- 606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is both low-density residential and agricultural in nature.

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

The proposed use is not inherently compatible with the residential nature of the surrounding properties, but is compatible with the agriculturally-zoned properties. Rural-Density Residential—this property's Master Plan designation—allows

agriculture, passive parks and open space, and large-lot single-family detached residences. The proposed use fits well into this designation.

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

The removal of restrictions will not detrimentally affect nearby property if the horse's waste is properly disposed of and the ground cover is maintained.

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

The property is not vacant.

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

Special use permits are not addressed in the Master Plan.

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

The proposed use will not result in an increase of vehicular traffic to where it exceeds capacity.

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

Generally, the proposal is only for the benefit of the applicant. The proposed use will not permanently injure the appropriate use, visual quality, or marketability of adjoining property, although horses can create significant odor and attract vermin.

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

Noise, vibration, dust, or illumination will not create problems for nearby properties.

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

The proposed use will likely not pollute the air. A foreseen issue is surface water runoff polluted with animal waste due to overgrazed and trampled land, which can cause public health issues downstream. Additionally, if the horse waste is not properly disposed of in a timely manner, neighbors will be negatively affected by the odor.

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

Staff does not believe this will be an issue.

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

This project may negatively impact public health due to overgrazed land, leading to increased surface water runoff polluted with animal waste. There is minimal gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner.

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

The proposed use will not result in overcrowding of land.

PREVIOUS ACTIONS

This application was held over at the September 14, 2015 City Planning Commission meeting as the applicant was not present.

NEIGHBORHOOD MEETING

A neighborhood meeting is not required.

KEY ISSUES

Accessory structures
Structure for horse
Storage of horse's food
Overgrazing and ground protection
Disposal of horse's waste
Storage of horse's food

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 9 to 0 to recommend **denial** of Special Use Permit Application #SP-2015-48.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission as the applicant did not appear at either meeting nor has he addressed the staff questions and comments. Staff also has tried to reach the applicant by phone without success.

Below are the comments sent to the applicant:

Urban Planning and Land Use Comments:

1. Any approval would be for two (2) years.
2. How many structures are on your property? What are the dimensions of each structure, including the horse's stall? Please provide pictures of the horse's stall.
3. When was each building constructed?
4. What detailed steps will be taken to improve and ensure future adequate ground cover? Please provide pictures of the ground cover.
5. What detailed measures are in place to control the smell from the horse's waste?
6. How often will the horse's waste be disposed of and in what way?
7. How often is the horse fed and given fresh water?
8. Do you store a trailer for the horse on your property, and if so, where do you store this trailer on your property?
9. How many square feet are enclosed within the fenced area?

Animal Control Comments:

If #SP-2015-48 is approved by the Board of Commissioners, an animal control permit must be obtained through the Animal Control office.

Conservation District Comments:

There are two major soil types identified: Ladoga silt loam, 3 to 8 percent slopes, and Armster Clay loam, 3 to 8 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.

This site is not well suited to a horse operation. The fenced-in area is too small for the horse. The vegetation cover is mostly weeds with very poor grass growth. The animal waste needs to be controlled. Weeds are not a good erosion control for the soil nor the waste produced. Animal waste may cause health issues with the runoff into the road ditch and carried on down to the pond below. This can contaminate the drainage way and pond downstream. All waste needs to be disposed of in a proper manner that protects the community from contamination.

We would not recommend this site for a horse stable. Horses need a large field for exercising and grazing. Pastures need to be free of trees with good grass cover. For winter lots and in wet times, horses may damage vegetation. In the spring these areas need to be reseeded and allowed to get well established.

There is not enough area for maintaining a good grass cover while supporting a horse.

Public Works Comments:

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

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition #SP-2015-48 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 14, 2015 City Planning Commission Minutes
October 12, 2015 City Planning Commission Minutes
Zoning Map
Aerial Map
Vicinity Map
Applicant's Pictures
Staff's Site Visit Pictures

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 14, 2015	October 29, 2015
Special Use	Held Over October 12, 2015 Denial	

STAFF CONTACT: **Rob Richardson, AICP**
rrichardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition #SP-2015-48, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2015-48 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

SEPTEMBER 14, 2015 CITY PLANNING COMMISSION MINUTES:

150265 SPECIAL USE PERMIT APPLICATION #SP-2015-48 – ANTHONY NOVICH -

SYNOPSIS: Special Use Permit for a horse at 8731 Swartz Road

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 14, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 20, 2015;
7. The Notices to property owners dated August 20, 2015.

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

NOTE: This application was called twice (once in order and then at the end of the meeting) in accordance with the Planning Commission Bylaws.

No one appeared in support to this application.

No one appeared in opposition to this application.

Planning Director Richardson stated that this application is recommended for approval and will have another hearing before the Board of Commissioners.

On motion by Mr. Carson, seconded by Mr. Gonzalez, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2015-48:**

Carson	Aye
Connelly	Not Present
DeWitt	Aye
Ernst	Aye
Escobar	Aye
Gonzalez	Aye
Huey	Not Present
Hurrelbrink	Chairman
Pauley	Aye
Schwartzman	Aye

Walker **Aye**
Motion to recommend APPROVAL Passed: 8 to 0

Planning Director Richardson stated that he made an error as Special Use Permit #SP-2015-48 had been recommended for denial.

On motion by Mr. Ernst, seconded by Mr. Escobar, the Planning Commission voted unanimously to reconsider the previous motion for approval.

Planning Director Richardson stated that the staff would recommend that this application be held over for one (1) month.

On motion by Mr. Gonzalez, seconded by Mrs. Walker, the Planning Commission voted as follows to **HOLD OVER Special Use Permit Application #SP-2015-48:**

Carson	Aye
Connelly	Not Present
DeWitt	Aye
Ernst	No
Escobar	Aye
Gonzalez	Aye
Huey	Not Present
Hurrelbrink	Chairman
Pauley	Aye
Schwartzman	No
Walker	Aye
Motion to HOLD OVER Passed:	

OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:

150265 SPECIAL USE PERMIT APPLICATION #SP-2015-48 – ANTHONY NOVICH - SYNOPSIS: Special Use Permit for a horse at 8731 Swartz Road

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 12, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 20, 2015;
7. The Notices to property owners dated August 20, 2015 and September 15, 2015.

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

No one appeared in support to this application. Recording Secretary Parker stated that she was unsuccessful in contacting the applicant by phone today to ensure he would be present at the meeting this evening.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends denial of this application since the applicant has failed to appear twice at the meetings.

On motion by Dr. Serda, seconded by Mr. Schwartzman, the Planning Commission voted as follows to **recommend DENIAL of Special Use Permit Application #SP-2015-48:**

Carson	Not Present (out of the room)
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Aye

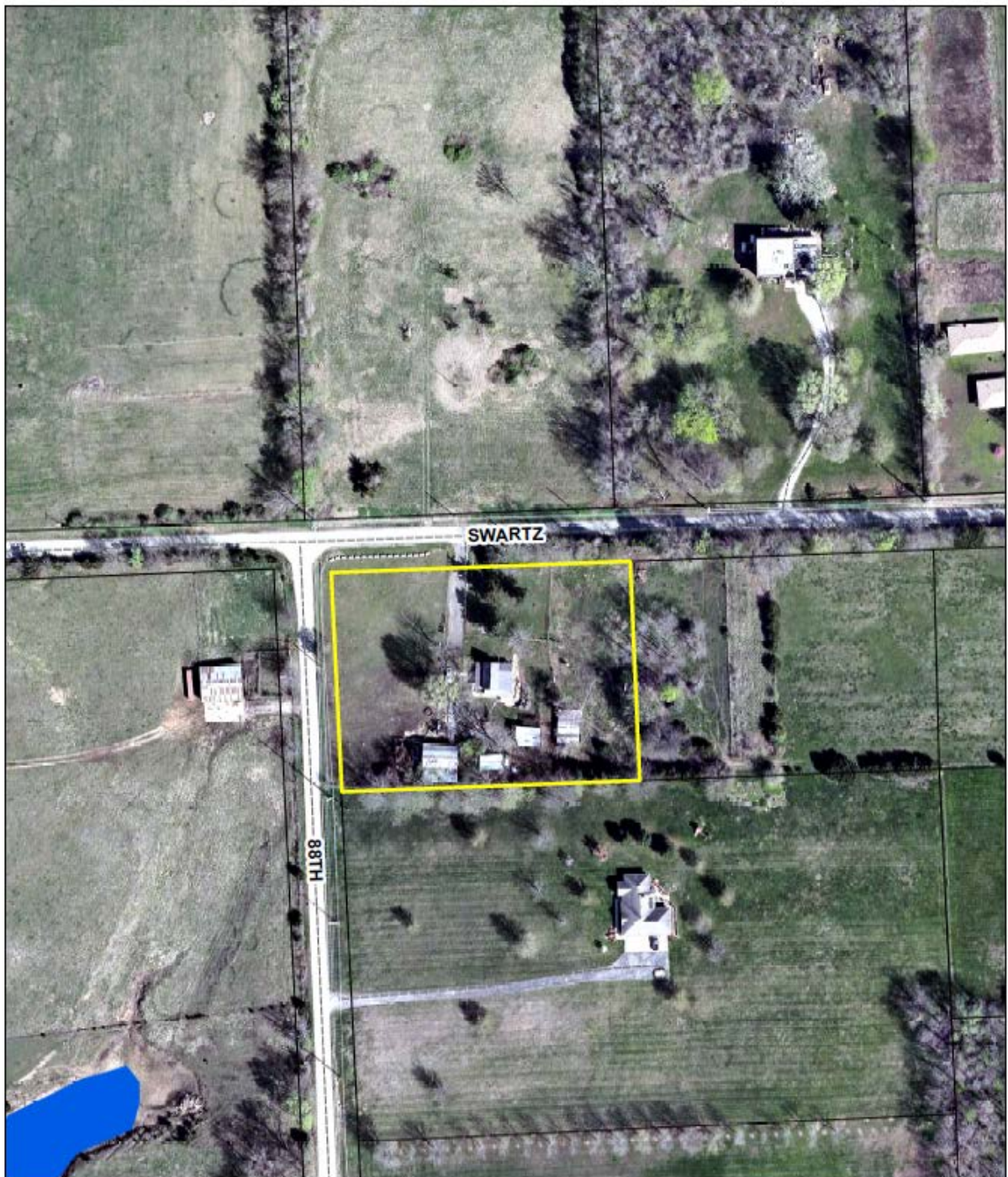
Motion to recommend DENIAL Passed: 8 to 0





8731 Swartz Road





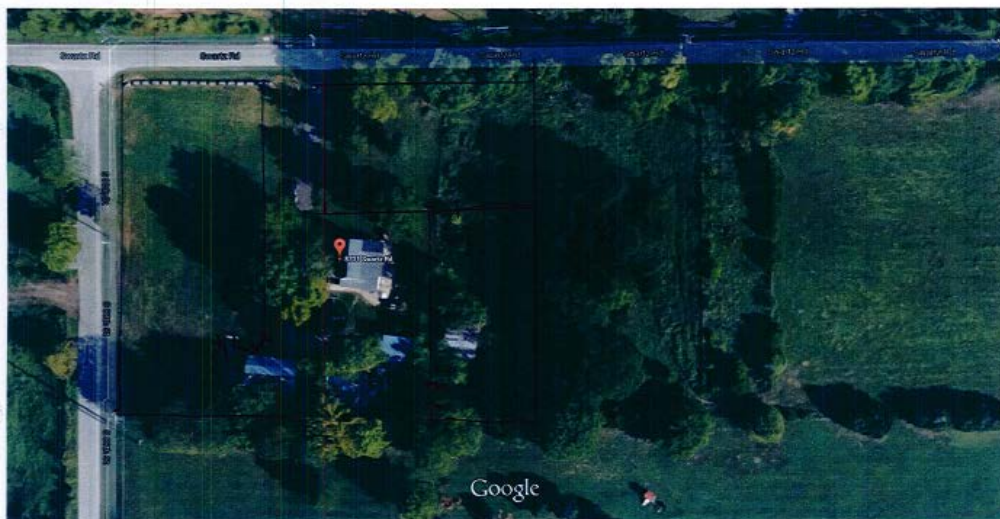
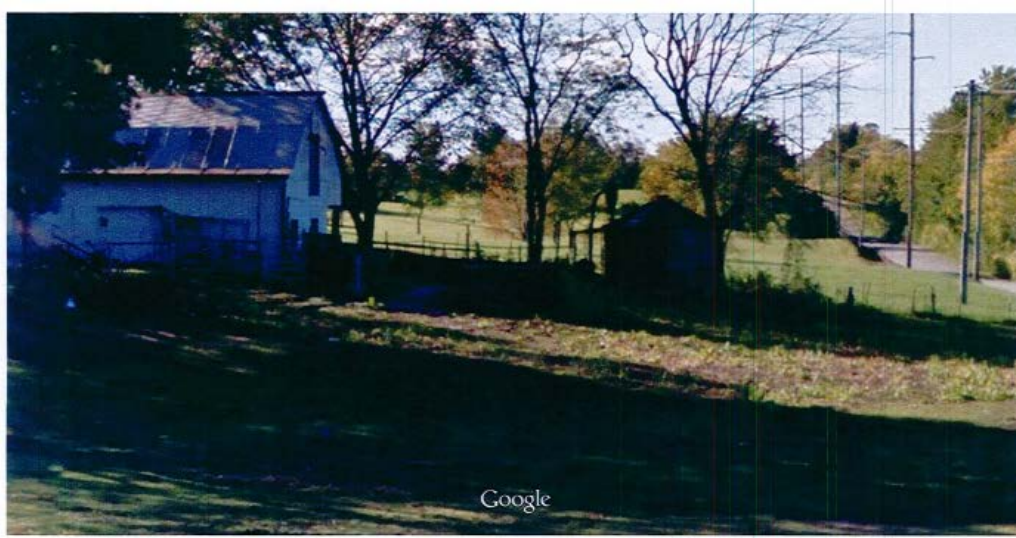
8731 Swartz Road



NOT TO SCALE

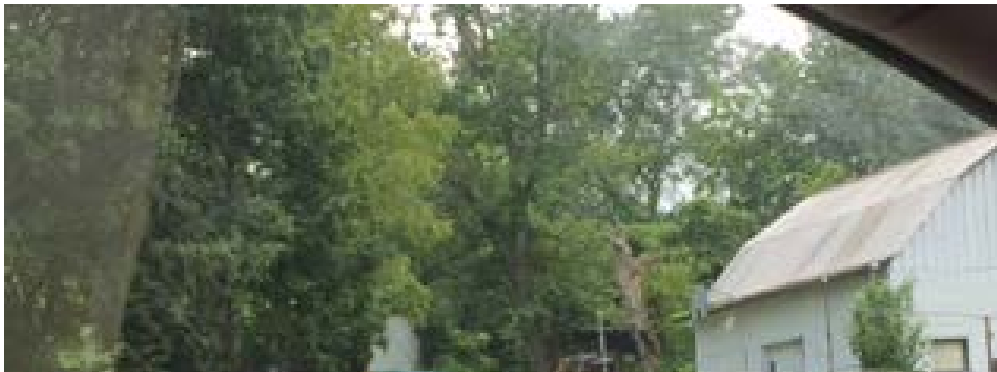
Applicant's Pictures:





Staff's Site Visit Pictures:







Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 29, 2015
Re: Petition #SP-2015-53 (130266)

GENERAL INFORMATION

Applicant:

Edmond F. Mummert

Status of Applicant:

Owner
4001 Booth Street
Kansas City, Kansas 66103

Requested Action:

Renewal of Special Use Permit

Date of Application:

August 27, 2015

Purpose:

To continue to keep ten (10) cats and one (1) dog on property

Property Location:

4001 Booth Street

Existing Zoning:

R-1(B) Single Family District



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

The restriction of the number of animals in a single family home is for the welfare of both residents and animals. Removal of the restrictions has the potential to create a nuisance, through both noise and odor, for nearby properties.

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

The applicant resides on the property in question.

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

The Master Plan does not address special use permits.

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

The proposed use is not foreseen to increase traffic beyond current levels.

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

The proposal would only be considered a convenience to the applicant. Large numbers of animals can create nuisances for neighbors through noise, odors, and vermin. During Mr. Mummert's original special use permit application in 2013 (#SP-2013-42) odor complaints were submitted in a letter from one of his neighbors. No one attended the applicant's original neighborhood meeting, nor appeared in opposition at the public hearing at the City Planning Commission on August 12, 2013. Since his original application, staff is unaware of any of these particular issues, but we believe the public hearing will be the best gauge of this proposal's impact on neighbors currently.

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

Large numbers of animals can, at times, create noise that may be considered a nuisance to nearby properties.

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

If not disposed of in a timely and proper manner, animal waste has the potential to pollute air and/or land through surface water runoff.

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

The proposed use is not foreseen to cause any harm to the natural environment if animals' waste is properly disposed of in a timely manner.

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

The welfare of the community is a concern for staff. It could be argued that, if approved, this case will create a precedent stating this number of animals in this small of a home and property is appropriate, which may lead to the propagation of high density animal collecting.

If denied, the applicant would have the hardship of losing several animals and finding new homes for the animals.

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

According to the Unified Government appraisal information, this home has 1,000 square feet of living space. This equates to an animal density of one (1) every 90 square feet (1,000 square feet/11 cats and dogs). This density increases when the residents are included in the calculation. This property may be overcrowded.

PREVIOUS ACTIONS

A special use permit (#SP-2013-42) was approved by the Board of Commissioners by a 5 to 4 vote on September 26, 2013 to keep ten (10) cats and one (1) dog on this property. The original staff report noted the applicable ordinance; since that time, the ordinance has been revised. A special use permit is still required. The relevant ordinance text is set out below:

Ordinance

Ordinance Section 7-212 states:

It shall be unlawful for any person in charge of a residence to keep or to allow to be kept more than three dogs or three cats over 120 days of age or any combination of such animals exceeding six in number, unless one or more of the following conditions are met:

- (1) The residence is licensed as a commercial animal establishment in accordance with K.S.A. 47-1701 and meets local criteria set forth by the unified government.
- (2) If the individual in charge of the residence is not engaged in the commercial sale of dogs and has a current permit issued by the unified government board of commissioners.

- (3) Animals in residences that are owned by a Kansas licensed animal shelter, pound, or rescue, and are being fostered under the supervision of a Kansas licensed animal shelter, pound, or rescue, and the residence is registered with the state department of agriculture, those animals shall be exempt from being counted toward the pet limit, provided the number of foster dogs does not exceed more than five adult dogs over six months of age.

This case is in violation of this ordinance and the only way for the applicant to keep this many animals is by complying with the local criteria, which is obtaining this special use permit.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on September 27, 2015 from 1:00 p.m. to 2:00 p.m. According to the applicant, no one was in attendance.

KEY ISSUES

Lot size and residence size
Animal waste removal
Vaccinations and permits

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 9 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-53, subject to:

Urban Planning and Land Use Comments:

1. Are all animals current on all vaccinations?

Applicant's Response: Yes (see attached animals' medical records).

2. Are all animals inside the residence at all times, or do some go outside at times?

Applicant's Response: Yes and no.

3. What detailed steps are taken to ensure timely and proper animal waste removal?

Applicant's Response: I am retired, so I have litter boxes, six of them, and I keep them clean at all times, and I dispose of the waste through the trash disposal Deffenbaugh.

4. The previous application was approved by the Board of Commissioners with the stipulation that no further cats would be added, despite any cats succumbing or disappearing, until the applicant was in compliance with the ordinance.

Applicant's Response: Okay.

Applicant's Additional Statement: These animals are being cared for. I have proof of all their vaccinations and all their other ailments. I spend about five thousand dollars a year on them, including their special foods from the vets.

P.S. I welcome anybody to come and look at our home anytime.

Animal Control Comments:

Animal Control finds no issues with this petition. If #SP-2015-53 is approved by the Board of Commissioners, an animal control permit must be obtained through the Animal Control office.

Conservation District Comments:

There is one major soil type in the plat area: Ladoga silt loam, 8 to 15 percent slopes. This soil type is considered highly erodible when the surface is denuded of a protective cover. Ten cats sound like an unusually high number of cats to have in one house. Special ventilation may be needed for cat and human health issues. Our major concern would be that the animal waste is disposed of in a manner that is safe to the public. Water quality is an issue if waste is not disposed of in a safe manner. It would be easy to contaminate the surrounding area.

Staff Conclusion:

Staff recommends approval for a special use permit to keep ten (10) cats and one (1) dog on the property in question, subject to:

1. Approval for five (5) years
2. Obtainment of an Animal Control Permit for ten (10) cats and one (1) dog
3. Cats cannot be replaced as they expire, until the applicant is in compliance with the Code.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2015-53** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 12, 2015 City Planning Commission Minutes
Zoning Map
Aerial Map
Vicinity Map
Neighborhood Meeting Documents (Minutes, Sign-in Sheet, Affidavit)
Animals' Medical Records

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	October 12, 2015	October 29, 2015
Special Use	Approval	

STAFF CONTACT: **Rob Richardson, AICP**
rrichardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2015-53** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2015-53**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:

130266 SPECIAL USE PERMIT APPLICATION #SP-2015-53 – EDMOND F.

MUMMERT – SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-42) for ten (10) cats and one (1) dog at 4001 Booth Street

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

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 12, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notices to property owners; and,
7. The publications in The Echo for the special use permits.

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

Chairman Huey asked if any member of the public, staff or Commission wished to remove an item from the Consent Agenda.

Mr. Mario Escobar, 1438 South 28th Street, Kansas City, Kansas requested that that #PR-2015-9 be removed from the Consent Agenda. Ms. Debra Wolfe requested that Special Use Permit #SP-2015-56 be removed from the Consent Agenda.

On motion by Mr. Carson, seconded by Mr. Schwartzman, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
DeWitt	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Pauley	Aye
Schwartzman	Aye
Serda	Aye
Wing	Aye

Motion to APPROVE Passed: 9 to 0

Subject to:

Urban Planning and Land Use Comments:

- 1. Are all animals current on all vaccinations?**

Applicant's Response: Yes (see attached animals' medical records).

2. Are all animals inside the residence at all times, or do some go outside at times?

Applicant's Response: Yes and no.

3. What detailed steps are taken to ensure timely and proper animal waste removal?

Applicant's Response: I am retired, so I have litter boxes, six of them, and I keep them clean at all times, and I dispose of the waste through the trash disposal Deffenbaugh.

4. The previous application was approved by the Board of Commissioners with the stipulation that no further cats would be added, despite any cats succumbing or disappearing, until the applicant was in compliance with the ordinance.

Applicant's Response: Okay.

Applicant's Additional Statement: These animals are being cared for. I have proof of all their vaccinations and all their other ailments. I spend about five thousand dollars a year on them, including their special foods from the vets.

P.S. I welcome anybody to come and look at our home anytime.

Animal Control Comments:

Animal Control finds no issues with this petition. If #SP-2015-53 is approved by the Board of Commissioners, an animal control permit must be obtained through the Animal Control office.

Conservation District Comments:

There is one major soil type in the plat area: Ladoga silt loam, 8 to 15 percent slopes. This soil type is considered highly erodible when the surface is denuded of a protective cover. Ten cats sound like an unusually high number of cats to have in one house. Special ventilation may be needed for cat and human health issues. Our major concern would be that the animal waste is disposed of in a manner that is safe to the public. Water quality is an issue if waste is not disposed of in a safe manner. It would be easy to contaminate the surrounding area.

Staff Conclusion:

Staff recommends approval for a special use permit to keep ten (10) cats and one (1) dog on the property in question, subject to:

1. Approval for five (5) years
2. Obtainment of an Animal Control Permit for ten (10) cats and one (1) dog
3. Cats cannot be replaced as they expire, until the applicant is in compliance with the Code.



**4001 Booth St.
#SP-2015-53**



NOT TO SCALE



**4001 Booth St.
#SP-2015-53**



NOT TO SCALE



**4001 Booth St.
#SP-2015-53**



NOT TO SCALE

SAMPLE MINUTES:

Application Number: SP 15 402-004

Date and Location: 9/27/15

Meeting called to order at: 1:00 PM

Names of people in attendance: NONE

Introductions:

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

Questions and answers (include the following):

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

Meeting adjourned at: 2:00 PM

Minutes taken by: Edmond

I Hand delivered this to
the Houses within 200'.

Date: 9/24/15

Name Edmond F. Mummert
Address 4001 Booth
City/State/Zip KANSAS CITY KS 66103

SUBJECT: Neighborhood Meeting

I/We have filed an application with the Department of Urban Planning and Land Use #15402-0049 The purpose of this:

(please use all that applies)

- > change of zone
- > special use permit
- > preliminary plan review

is for a SPECIAL PERMIT #SP-15402-0049

at the following address: _____

I/We are having a neighborhood meeting on SUNDAY, 27 at 1:00 p.m. at the following address 4001 Booth KCK 66103

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact me at the address/phone number listed below.

Sincerely,

Edmond F. Mummert
Name and Contact Information

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF Wyandotte

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

1. That I am the petitioner for Petition # SP-15402-0049
2. That I conducted a neighborhood meeting on Sunday, 27-2015
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28th day of Sept, 2015.

My commission expires 23rd of March, 2019.



Laquita Jones
Notary Public

RAINBOW PET HOSPITAL
4459 RAINBOW BLVD
KANSAS CITY, KS 66103
913-831-2824

Form ID: 80602320

Ref #: 887

Hospital

Sale

I.

36103

XXXXXXXXXXXX1351

DISCOVER

Entry Method: Swiped

Total:

\$

188.94

Taking Care Of Furkids Since 1959



5/21/15

16:08:30

sha Mummert

iv #: 887

Appr Code: 82152R

5th St.

City, KS 66103

prvd: Online

Batch#: 888176

Printed: 05-21-15 at 4:09p

Date: 05-21-15

Account: 5926

Invoice: 288904

Customer Copy

or	Qty	Description	Net Price
MC GEE	1	Hill's g/d K9 8.5 lb*	27.44
SOX	24	Hill's k/d Fel Ocean Tuna Stew 2.9 oz*	29.69
05-21-15 TOUGH GUY	1	Wellness Examination	21.00
05-21-15	1	FVRCP Ultra	24.00
05-21-15	1	Rabies Feline 1 Year	15.00
05-21-15	1	Felv Vac Recombinant	21.80
05-21-15	1	Heartworm Test Fel AB IH	27.00
05-21-15	1	Revolution Fel 5-15 lb Single	18.00
Total charges, this invoice...			183.93
*Tax...			5.01
Total, this invoice...			188.94
Your old balance...			0.00
Total payment(s) received...			188.94
05-21-15 Discover payment			188.94
Your new balance...			0.00

Patient	Total charges
TOUGH GUY	126.80
SOX	29.69
MC GEE	27.44

Reminders for: TOUGH GUY (Weight: 12.4 lbs - 6y)		Last done
05-20-16	Heartworm Test	05-21-15
05-20-16	Rabies Feline 1 Year Vac	05-21-15
05-20-16	Felv Vac	05-21-15
05-20-16	FVRCP-C Ultra	05-21-15
06-20-15	Revolution Fel 5-15 lb Indivd	05-21-15
Reminders for: SOX (Weight: 8.9 lbs - 10y)		Last done

Reminders for: SOX (Weight: 8.9 lbs - 10y)		Last done
05-07-16	FVRCP-C Ultra	05-08-15
05-07-16	Heartworm Test Fel Antibody I	05-08-15
05-07-16	Rabies Feline 1 Year Vac	05-08-15
05-07-16	Stool sample - check for worms	05-08-15
05-07-16	Felv Vac	05-08-15
11-09-15	Total Health 10139999-UC	
06-20-15	Revolution Fel 5-15 lb 6 mo +	11-18-14

Reminders for: MC GEE (Weight: 79.9 lbs - 8y)		Last done
02-10-16	DHPPB-L Ultra	02-10-15
02-10-16	Lyme Vac	02-10-15
02-10-16	Rabies Canine 1 Year Vac	02-10-15
02-10-16	Heartworm/Ehr./Lyme/Anap. Test	02-10-15
02-10-16	Stool sample - check for worms	02-14-14
01-21-16	Urine Protein-Creat Ratio Idex	01-21-15
01-21-16	Urinalysis With Sedimentation	01-21-15
11-18-15	Heartgard Chew 51-100 1 year	11-18-14

Next appointment for MC GEE		Qty
06-10-15	At: 7:00a With: Noreen C. Overeem, DVM	

~~~We now have Laser Therapy available~~~

Whether your pet is rehabilitating from trauma, injury, healing from wounds or simply aging, the Companion Therapy Laser has been shown to provide relief and healing. Ask us about it today or call (913) 831-2034 and we will be glad to help you!

RAINBOW PET HOSPITAL  
6500 RAINBOW BLVD  
KANAS CITY KS 66103  
913-831-2034

Term ID: 00602328 Ref #: 423

## Hospital

# INVOICE

Sale

103

\*\*\*\*\*1391

DISCOVER Entry Method: Swiped

Total: \$ 133.09

Taking Care Of Furkids Since 1959

01/13/15 14:29:46

a Mummert

Inv #: 423 Appr Code: 01396R

St.

Apprvd: Online Batch#: 000068

KS 66103

Printed: 01-13-15 at 2:30p

Date: 01-13-15

Account: 5926

Invoice: 285344

| Customer Copy                  |         | Qty | Description                       | Net Price |
|--------------------------------|---------|-----|-----------------------------------|-----------|
|                                |         | 24  | Hill's c/d Fel Seafood 5.5 oz*    | 37.99     |
|                                |         | 1   | Hill's c/d Fel 17.6 lb*           | 52.19     |
| 01-13-15                       | PATCHES | 1   | Weight Update                     | 0.00      |
| 01-13-15                       |         | 1   | Examination Recheck No Charge     | 0.00      |
| 01-13-15                       |         | 1   | Laser Therapy Session Single Site | 35.00     |
| Total charges, this invoice... |         |     |                                   | 125.18    |
| *Tax...                        |         |     |                                   | 7.91      |
| Total, this invoice...         |         |     |                                   | 133.09    |
| Your old balance...            |         |     |                                   | 0.00      |
| Total payment(s) received...   |         |     |                                   | 133.09    |
| 01-13-15 Discover payment      |         |     |                                   | 133.09    |
| Your new balance...            |         |     |                                   | 0.00      |

| Patient | Total charges |
|---------|---------------|
| PATCHES | 35.00         |
| AUTO    | 90.18         |

| Reminders for: PATCHES (Weight: 5.9 lbs - 3y) |                                | Last done |
|-----------------------------------------------|--------------------------------|-----------|
| 12-09-15                                      | FVRCP-C Ultra                  | 12-09-14  |
| 12-09-15                                      | Heartworm Test                 | 12-09-14  |
| 12-09-15                                      | Rabies Feline 1 Year Vac       | 12-09-14  |
| 12-09-15                                      | Stool sample - check for worms | 11-08-13  |
| 12-09-15                                      | Felv Vac                       | 12-09-14  |
| 02-04-15                                      | Total Health 10139999-UC       |           |

| Reminders for: AUTO (Weight: 12.2 lbs - 10y) |                          | Last done |
|----------------------------------------------|--------------------------|-----------|
| 05-23-15                                     | Heartworm Test           | 05-23-14  |
| 05-23-15                                     | Rabies Feline 1 Year Vac | 05-23-14  |
| 05-23-15                                     | FVRCP-C                  | 05-23-14  |

| Reminders for: AUTO (Weight: 12.2 lbs - 10y) |                                | Last done |
|----------------------------------------------|--------------------------------|-----------|
| 05-23-15                                     | Stool sample - check for worms | 05-23-14  |
| 05-23-15                                     | Felv Vac                       | 05-23-14  |

| Next appointment for PATCHES |                                         | Qty |
|------------------------------|-----------------------------------------|-----|
| 01-14-15                     | At: 10:20a With: Noreen C. Overeem, DVM |     |

SEASIDE PET HOSPITAL  
4468 RAINBOW BLVD  
KANSAS CITY KS 66103  
913-831-2834

Term ID: 00602320

Ref #: 602

**Hospital**

Sale

103

XXXXXXXXXXXX1391

DISCOVER Entry Method: Swiped

Total: \$ 59.70

Taking Care Of Furkids Since 1959

03/19/15 09:51:49 : Mummert  
Inv #: 602 Appr Code: 01989R St.  
Approved: Online Batch#: 000123 KS 66103

Printed: 03-19-15 at 9:52a  
Date: 03-19-15  
Account: 5926  
Invoice: 287070

Customer Copy

| Qty                            | Description                         | Net Price |
|--------------------------------|-------------------------------------|-----------|
| 24                             | Hill's c/d Fel Chicken Stew 2.9 oz* | 27.89     |
| EE 12                          | Hill's g/d K9 13 oz*                | 26.99     |
| Total charges, this invoice... |                                     | 54.88     |
| *Tax...                        |                                     | 4.82      |
| Total, this invoice...         |                                     | 59.70     |
| Your old balance...            |                                     | 0.00      |
| Total payment(s) received...   |                                     | 59.70     |
| 03-19-15 Discover payment      |                                     | 59.70     |
| Your new balance...            |                                     | 0.00      |

| Patient | Total charges |
|---------|---------------|
| MC GEE  | 26.99         |
| AUTO    | 27.89         |

| Reminders for: MC GEE (Weight: 79.9 lbs - 7y) |                                | Last done |
|-----------------------------------------------|--------------------------------|-----------|
| 02-10-16                                      | DHPPB-L Ultra                  | 02-10-15  |
| 02-10-16                                      | Lyme Vac                       | 02-10-15  |
| 02-10-16                                      | Rabies Canine 1 Year Vac       | 02-10-15  |
| 02-10-16                                      | Stool sample - check for worms | 02-14-14  |
| 02-10-16                                      | Heartworm/Ehr./Lyme/Anap. Test | 02-10-15  |
| 01-21-16                                      | Urine Protein-Creat Ratio Idex | 01-21-15  |
| 01-21-16                                      | Urinalysis With Sedimentation  | 01-21-15  |
| 11-18-15                                      | Heartgard Chew 51-100 1 year   | 11-18-14  |
| 12-27-14                                      | Revolution K9 40-85 lb 6 mo +  | 05-27-14  |

| Reminders for: AUTO (Weight: 12.2 lbs - 10y) |                          | Last done |
|----------------------------------------------|--------------------------|-----------|
| 05-23-15                                     | FVRCP-C                  | 05-23-14  |
| 05-23-15                                     | Heartworm Test           | 05-23-14  |
| 05-23-15                                     | Rabies Feline 1 Year Vac | 05-23-14  |

|                                                     |                                |           |
|-----------------------------------------------------|--------------------------------|-----------|
| Reminders for: <b>AUTO</b> (Weight: 12.2 lbs - 10y) |                                | Last done |
| 05-23-15                                            | Stool sample - check for worms | 05-23-14  |
| 05-23-15                                            | Felv Vac                       | 05-23-14  |
| 03-18-15                                            | urinalysis                     |           |

|                                    |                                                      |     |
|------------------------------------|------------------------------------------------------|-----|
| Next appointment for <b>MC GEE</b> |                                                      | Qty |
| 06-11-15                           | <b>At:</b> 7:00a <b>With:</b> Noreen C. Overeem, DVM |     |

---

We now have Companion Therapy Laser!  
 If your pet is feeling pain, has inflammation or a wound, the Companion Therapy Laser is a sterile, pain-free, surgery-free, drug-free treatment.  
 The Companion Therapy Laser is used to treat a variety of injuries, wounds, fractures, neurological conditions, numerous dermatological problems and pain.  
 Whether your pet is rehabilitating from trauma or injury, healing from wounds, or simply aging, the Companion Therapy Laser has been shown to provide relief and speed healing.  
 Ask us about it today, or call (913) 831-2034 and we will be glad to help you!

RAINBOW PET HOSPITAL  
4400 RAINBOW BLVD  
KANSAS CITY KS 66103  
913-831-2034

Term ID: 00602320 Ref #: 388 **Hospital**

# INVOICE

Sale 3103

XXXXXXXXXXXX1391

DISCOVER Entry Method: Swiped

Total: \$ 130.61

Taking Care Of Furkids Since 1959

03/09/15 10:13:25 na Mummert  
Inv #: 388 Appr Code: 00905R 1 St.  
Apprvd: Online Batch#: 000115 y, KS 66103

Printed: 03-09-15 at 10:14a  
Date: 03-09-15  
Account: 5926  
Invoice: 286774

| Customer Copy                  |     | Qty                  | Description                          | Net Price |
|--------------------------------|-----|----------------------|--------------------------------------|-----------|
|                                | 70  | 24                   | Hill's c/d Fel Chicken Stew 2.9 oz*  | 27.89     |
|                                |     | 1                    | Hill's c/d Fel Stress Chicken 13 lb* | 52.19     |
| 03-09-15                       | SOX | 60                   | RenAvast Feline & Sm Canine          | 43.50     |
| Total charges, this invoice... |     |                      |                                      | 123.58    |
| *Tax...                        |     |                      |                                      | 7.03      |
| Total, this invoice...         |     |                      |                                      | 130.61    |
| Your old balance...            |     |                      |                                      | 0.00      |
| Total payment(s) received...   |     |                      |                                      | 130.61    |
| 03-09-15 Discover payment      |     |                      |                                      | 130.61    |
| Your new balance...            |     |                      |                                      | 0.00      |
| <b>Patient</b>                 |     | <b>Total charges</b> |                                      |           |
| SOX                            |     | 43.50                |                                      |           |
| AUTO                           |     | 80.08                |                                      |           |

| Reminders for: SOX (Weight: 7.2 lbs - 9y)    |                                | Last done |
|----------------------------------------------|--------------------------------|-----------|
| 06-20-15                                     | Revolution Fel 5-15 lb 6 mo +  | 11-18-14  |
| 05-02-15                                     | Heartworm Test                 | 05-02-14  |
| 05-02-15                                     | Rabies Feline 1 Year Vac       | 05-02-14  |
| 05-02-15                                     | Stool sample - check for worms | 05-02-14  |
| 05-02-15                                     | Felv Vac                       | 05-02-14  |
| 05-02-15                                     | FVRCP-C                        | 05-02-14  |
| Reminders for: AUTO (Weight: 12.2 lbs - 10y) |                                | Last done |
| 05-23-15                                     | FVRCP-C                        | 05-23-14  |
| 05-23-15                                     | Heartworm Test                 | 05-23-14  |
| 05-23-15                                     | Rabies Feline 1 Year Vac       | 05-23-14  |
| 05-23-15                                     | Stool sample - check for worms | 05-23-14  |
| 05-23-15                                     | Felv Vac                       | 05-23-14  |

| Reminders for: AUTO (Weight: 12.2 lbs - 10y) | Last done |
|----------------------------------------------|-----------|
| 03-18-15 urinalysis                          |           |

We now have Companion Therapy Laser!  
If your pet is feeling pain, has inflammation, or a wound, the Companion Therapy Laser is a sterile, pain-free, surgery-free, drug-free treatment. The Companion Therapy Laser is used to treat a variety of injuries, wounds, fractures, neurological conditions, numerous dermatological problems, and pain. Whether your pet is rehabilitating from trauma or injury, healing from wounds, or simply aging, the Companion Therapy Laser has been shown to provide relief and speed healing.  
Ask us about it today, or call (913) 831-2034 and we will be glad to help you!

RAINBOW PET HOSPITAL  
4450 RAINBOW BLVD  
KANSAS CITY KS 66103  
913-831-2034

Term ID: 00602320 Ref #: 146

**spital**

# INVOICE

Sale

XXXXXXXXXXXX1391

DISCOVER Entry Method: Swiped

Total: \$ 117.80

Taking Care Of Furkids Since 1959

09/18/15 15:58:19  
Inv #: 146 Appr Code: 01823R  
Apprvd: Online Batch#: 000271 36103

Printed: 09-18-15 at 3:59p  
Date: 09-18-15  
Account: 5926  
Invoice: 292309

| Qty                            | Description                    | Net Price |
|--------------------------------|--------------------------------|-----------|
| 1                              | Wellness Examination           | 21.00     |
| 1                              | FVRCP Ultra                    | 24.00     |
| 1                              | Rabies Feline Purevax R 1 Year | 24.00     |
| 1                              | Felv Vac Recombinant           | 21.80     |
| 1                              | Heartworm Test Fel AB IH       | 27.00     |
| 1                              | Weight Update                  | 0.00      |
| Total charges, this invoice... |                                | 117.80    |
| Your old balance...            |                                | 0.00      |
| Total payment(s) received...   |                                | 117.80    |
| 09-18-15 Discover payment      |                                | 117.80    |
| Your new balance...            |                                | 0.00      |

| Patient | Total charges |
|---------|---------------|
| MICKEY  | 117.80        |

| Reminders for: MICKEY (Weight: 12.3 lbs - 7y) | Last done |
|-----------------------------------------------|-----------|
| 09-17-16 FVRCP-C Ultra                        | 09-18-15  |
| 09-17-16 Heartworm Test                       | 09-18-15  |
| 09-17-16 Felv Vac                             | 09-18-15  |
| 09-17-16 Rabies Feline Purevax R 1 Year       | 09-18-15  |
| 09-26-15 Rabies Feline 1 Year Vac             | 09-26-14  |
| 09-26-15 Stool sample - check for worms       | 09-26-14  |

---We now have Laser Therapy available---

Whether your pet is rehabilitating from trauma, injury, healing from wounds or simply aging, the Companion Therapy Laser has been shown to provide relief and healing. Ask us about it today or call (913) 831-2034 and we will be glad to help you!

RAINBOW PET HOSPITAL  
 9568 RAINBOW BLVD  
 KANSAS CITY KS 66103  
 313-831-2834

Form ID: 00602320 Ref #: 824

# INVOICE

Sale **Hospital**

XXXXXXXXXX1391 3103

SCOVER Entry Method: Swiped

total: \$ 252.57

Taking Care Of Furkids Since 1959

12/09/14 12:06:19

/ H: 824 Appr Code: 00934 sha Mummert

Prvd: Online Batch#: 0010th St.  
 City, KS 66103

Printed: 12-09-14 at 12:07p

Date: 12-09-14

Account: 5926

Invoice: 284478

Customer Copy

| For      | Qty | Description              | Net Price |
|----------|-----|--------------------------|-----------|
| PATCHES  | 1   | Weight Update            | 0.00      |
|          | 1   | Wellness Examination     | 21.00     |
| 12-09-14 | 1   | FVRCP Ultra              | 24.00     |
| 12-09-14 | 1   | Heartworm Test Fel AB IH | 27.00     |
| 12-09-14 | 1   | Rabies Feline 1 Year     | 15.00     |
| 12-09-14 | 1   | Hill's c/d Fel 17.6 lb*  | 52.19     |
| 12-09-14 | 1   | Weight Update            | 0.00      |
| 12-09-14 | 1   | Wellness Examination     | 21.00     |
| 12-09-14 | 1   | FVRCP Ultra              | 24.00     |
| 12-09-14 | 1   | Felv Vac Recombinant     | 21.80     |
| 12-09-14 | 1   | Heartworm Test Fel AB IH | 27.00     |
| 12-09-14 | 1   | Rabies Feline 1 Year     | 15.00     |

Total charges, this invoice... 247.99

\*Tax... 4.58

Total, this invoice... 252.57

Your old balance... 0.00

Total payment(s) received... 252.57

12-09-14 Discover payment 252.57

Your new balance... 0.00

| Patient      | Total charges |
|--------------|---------------|
| WILD ONE 858 | 108.80        |
| SPOT 856     | 52.19         |
| PATCHES      | 87.00         |

| Reminders for: WILD ONE 858 (Weight: 10.0 lbs - 2y) | Last done |
|-----------------------------------------------------|-----------|
| 12-09-15 Heartworm Test                             | 12-09-14  |
| 12-09-15 Rabies Feline 1 Year Vac                   | 12-09-14  |
| 12-09-15 Felv Vac                                   | 12-09-14  |

| Reminders for: <b>WILD ONE 858</b> (Weight: 10.0 lbs - 2y) |                                | Last done |
|------------------------------------------------------------|--------------------------------|-----------|
| 12-09-15                                                   | FVRCP-C Ultra                  | 12-09-14  |
| Reminders for: <b>SPOT 856</b> (Weight: 8.9 lbs - 2y)      |                                | Last done |
| 12-23-14                                                   | Heartworm Test                 | 12-23-13  |
| 12-23-14                                                   | Rabies Feline 1 Year Vac       | 12-23-13  |
| 12-23-14                                                   | Felv Vac                       | 12-23-13  |
| 12-23-14                                                   | Fvrcp-c- Calici                | 12-23-13  |
| Reminders for: <b>PATCHES</b> (Weight: 5.8 lbs - 3y)       |                                | Last done |
| 12-09-15                                                   | Heartworm Test                 | 12-09-14  |
| 12-09-15                                                   | Rabies Feline 1 Year Vac       | 12-09-14  |
| 12-09-15                                                   | FVRCP-C Ultra                  | 12-09-14  |
| 11-08-14                                                   | Stool sample - check for worms | 11-08-13  |
| 11-08-14                                                   | Felv Vac                       | 11-08-13  |



## Urban Planning and Land Use

701 North 7<sup>th</sup> Street, Room 423  
Kansas City, Kansas 66101  
Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

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

**To:** Unified Government Board of Commissioners  
**From:** City Staff  
**Date:** October 29, 2015  
**Re:** Petition #SP-2015-54 (130180)

### GENERAL INFORMATION

**Applicant:**  
Maria L. Villegas

**Status of Applicant:**  
Applicant  
Soccer Nation  
10913 Northridge Drive  
Kansas City, Kansas 66109

**Requested Action:**  
Renewal of Special Use Permit for an  
indoor soccer facility

**Date of Application:**  
August 27, 2015

**Purpose:**  
To continue operation of an indoor  
soccer facility

**Property Location:**  
520 South 55<sup>th</sup> Street

**Existing Zoning:**  
M-3 Heavy Industrial District



**Existing Surrounding Zoning:** **North:** M-3 Heavy Industrial District  
**South:** M-3 Heavy Industrial District  
**East:** M-3 Heavy Industrial District, CP-1 Planned Limited Business District, and MP-2 Planned General Industrial District  
**West:** M-3 Heavy Industrial District

**Existing Uses:** **North:** Industrial uses  
**South:** Industrial uses  
**East:** Industrial uses and U.S. Bank  
**West:** Industrial uses

**Total Tract Size:** 3 acres

**Master Plan Designation:** The City-Wide Master Plan designates this property as Employment.

**Major Street Plan:** The City-Wide Master Plan designates Turner Diagonal as limited access and 55<sup>th</sup> Street as a minor arterial.

**Advertisement:** The Wyandotte Echo – September 17, 2015  
Letters to Property Owner – September 15, 2015 and October 22, 2015

**Public Hearings:** October 12, 2015 and October 29, 2015

**Public Opposition:** No one appeared in opposition at the October 12, 2015 City Planning Commission meeting.

---

## PROPOSAL

---

Detailed Outline of Requested Action: The applicant, Maria Villegas, wants to continue operation of an indoor soccer facility. The applicant requests a special use permit renewal for five (5) years.

City Ordinance Requirements: 27-592 through 27-606

---

## FACTORS TO BE CONSIDERED

---

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

The neighborhood is predominantly industrial in nature.

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

The zoning of the surrounding properties is listed above. With proper management, the proposal will be compatible with nearby properties.

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

At the projected level of business, the proposed use is not expected to detrimentally affect nearby properties. The public hearing will be the best gauge of the proposal's impact on the neighbors.

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

The property is currently being used as an indoor soccer facility. The applicant is applying for a renewal of the original special use permit (#SP-2013-32).

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

The Master Plan does not address special use permits.

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

The streets in this area were designed to accommodate industrial uses that produce more and heavier traffic than the proposed indoor soccer facility.

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

The proposal would be considered a convenience to the public because it will continue to provide a recreational service.

Staff does not foresee the proposal injuring adjoining properties.

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

Soccer is a vocal game; there is a possibility that noise from a game or practice could be heard if the facility's doors are open. Staff believes this issue will be neutralized by both the large size of the property, as well as the surrounding properties' industrial uses.

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

This proposal will not pollute the air, land, or water.

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

This proposal will not damage or destroy an irreplaceable natural resource.

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

This proposal will not have an adverse impact on the points listed above.

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

As this area was designed for industrial uses, the proposed, less intense use would fit in this area without overcrowding the land.

---

## **PREVIOUS ACTIONS**

---

A special use permit (#SP-2013-32) was approved for two (2) years by the Board of Commissioners on May 30, 2013. The key issues during the applicant's original application were (1) proposed parking on an unimproved surface and (2) the justification of the number of parking spots.

---

## **NEIGHBORHOOD MEETING**

---

The applicant held a neighborhood meeting on September 24, 2015 from 4:00 p.m. to 4:35 p.m. The only attendees were Maria Villegas, owner of Soccer Nation, Raul Villegas, Manager of Soccer Nation, and Luis Padilla, Marketing Director for Soccer Nation. According to the applicant, no one else was in attendance.

---

## **KEY ISSUES**

---

Signage

---

## **PLANNING COMMISSION RECOMMENDATION**

---

The Planning Commission voted 9 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-54, subject to:

**Urban Planning and Land Use Comments:**

- 1. Have any parking issues arisen since the original special use permit (#SP-2013-32)?**

*Applicant's Response:* No issues have arisen since the beginning of the original special use permit was issued.

2. Please submit confirmation of a current shared parking agreement with Eagle Investors at 450 South 55<sup>th</sup> Street.

*Applicant's Response:* See attached.

3. Are any signs (permanent or temporary) posted on the property? If so, please state the sign type.

*Applicant's Response:* We have a wall sign. Picture included.

**Public Works:**

No Comments

**Business License Comments:**

Soccer Nation has maintained current occupation tax for the facility and concessions, as required.

**Staff Conclusion:**

Staff recommends approval subject to the following:

1. Approval for five (5) years
2. Removal of wall sign (see attached) within thirty (30) days of approval to validate special use permit
  - o To keep the wall sign, applicant must apply for a sign permit by November 28, 2015 with the Urban Planning and Land Use Department.

---

**STAFF COMMENTS AND SUGGESTIONS**

---

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

---

**STAFF RECOMMENDATION**

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2015-54 subject to all comments and suggestions outlined in this staff report.

---

## ATTACHMENTS

---

October 12, 2015 City Planning Commission Minutes  
Zoning Map  
Aerial Map  
Vicinity Map  
Shared Parking Agreement  
Picture of Existing Wall Sign  
Neighborhood Meeting Documents (Sign-in Sheet, Minutes, and Affidavit)

---

## REVIEW OF INFORMATION AND SCHEDULE

---

| Action         | Planning Commission | Unified Government Commission |
|----------------|---------------------|-------------------------------|
| Public Hearing | October 12, 2015    | October 29, 2015              |
| Special Use    | Approval            |                               |

---

**STAFF CONTACT:**        **Rob Richardson, AICP**  
                                     [rrichardson@wycokck.org](mailto:rrichardson@wycokck.org)

---

---

## MOTIONS

---

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2015-54** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2015-54**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:

**130180 SPECIAL USE PERMIT APPLICATION #SP-2015-54 – MARIA VILLEGAS WITH SOCCER NATION – SYNOPSIS:** Renewal of a Special Use Permit (#SP-2013-32) for a youth athletic training facility at 520 South 55<sup>th</sup> Street

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

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 12, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notices to property owners; and,
7. The publications in The Echo for the special use permits.

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

Chairman Huey asked if any member of the public, staff or Commission wished to remove an item from the Consent Agenda.

Mr. Mario Escobar, 1438 South 28<sup>th</sup> Street, Kansas City, Kansas requested that that #PR-2015-9 be removed from the Consent Agenda. Ms. Debra Wolfe requested that Special Use Permit #SP-2015-56 be removed from the Consent Agenda.

On motion by Mr. Carson, seconded by Mr. Schwartzman, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

|                                         |                 |
|-----------------------------------------|-----------------|
| <b>Carson</b>                           | <b>Aye</b>      |
| <b>Connelly</b>                         | <b>Aye</b>      |
| <b>DeWitt</b>                           | <b>Aye</b>      |
| <b>Ernst</b>                            | <b>Aye</b>      |
| <b>Gonzalez</b>                         | <b>Aye</b>      |
| <b>Huey</b>                             | <b>Chairman</b> |
| <b>Pauley</b>                           | <b>Aye</b>      |
| <b>Schwartzman</b>                      | <b>Aye</b>      |
| <b>Serda</b>                            | <b>Aye</b>      |
| <b>Wing</b>                             | <b>Aye</b>      |
| <b>Motion to APPROVE Passed: 9 to 0</b> |                 |
| <b>Subject to:</b>                      |                 |

**Urban Planning and Land Use Comments:**

1. Have any parking issues arisen since the original special use permit (#SP-2013-32)?

***Applicant’s Response:*** No issues have arisen since the beginning of the original special use permit was issued.

2. Please submit confirmation of a current shared parking agreement with Eagle Investors at 450 South 55<sup>th</sup> Street.

*Applicant's Response:* See attached.

3. Are any signs (permanent or temporary) posted on the property? If so, please state the sign type.

*Applicant's Response:* We have a wall sign. Picture included.

**Public Works:**

No Comments

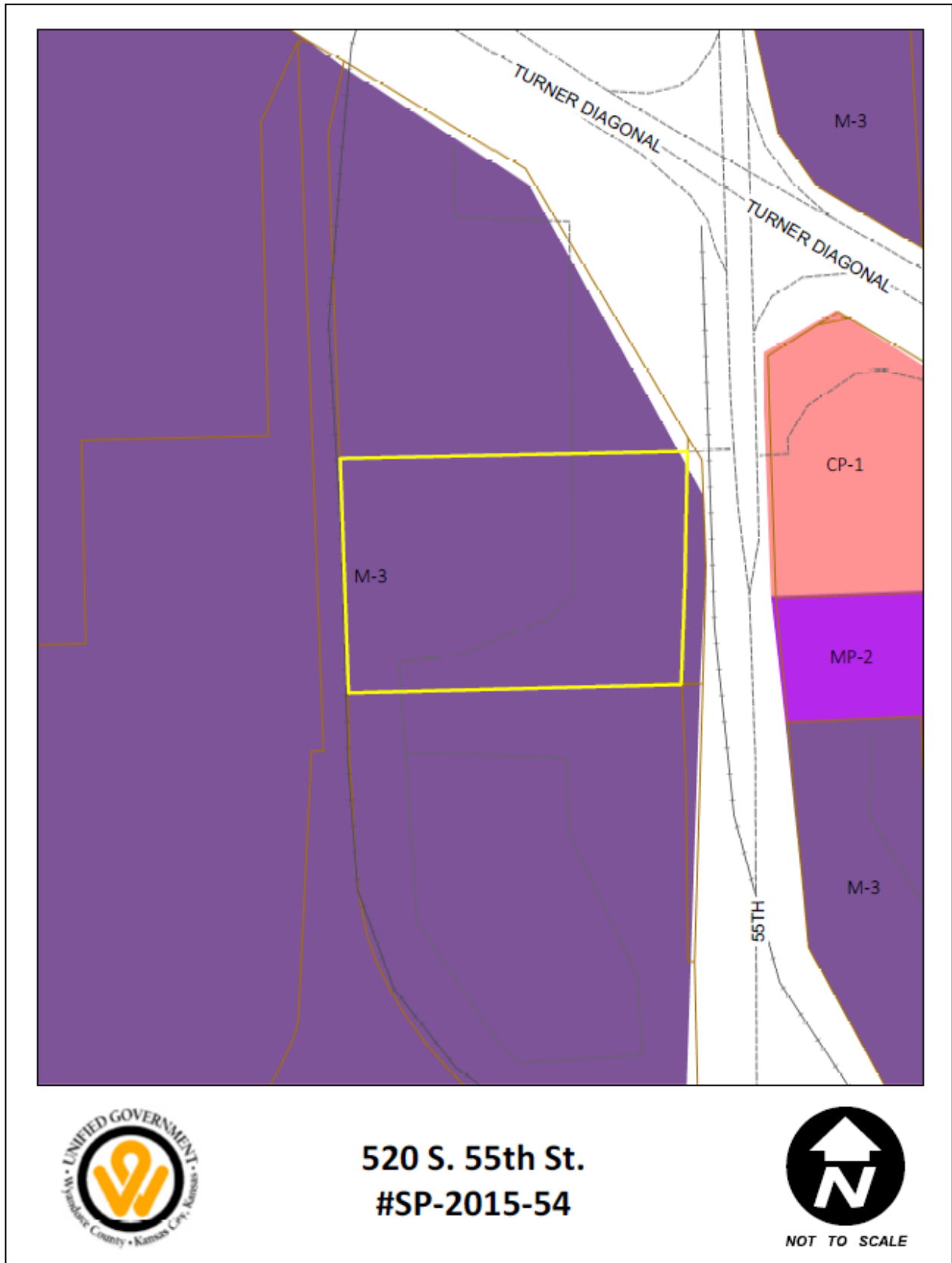
**Business License Comments:**

Soccer Nation has maintained current occupation tax for the facility and concessions, as required.

**Staff Conclusion:**

Staff recommends approval subject to the following:

1. Approval for five (5) years
2. Removal of wall sign (see attached) within thirty (30) days of approval to validate special use permit
  - o To keep the wall sign, applicant must apply for a sign permit by November 28, 2015 with the Urban Planning and Land Use Department.





**520 S. 55th St.  
#SP-2015-54**



**NOT TO SCALE**



**520 S. 55th St.  
#SP-2015-54**



**NOT TO SCALE**

the shared parking agreement will be between

Lessor

Brandon Meritt

Jakobe properties LLC

*Brandon Meritt*

450 s. 55th st

Kansas city Kansas 66016

Lessee

Soccer Nation Kc LLC

*Maria L Villegas*

520 S. 55th st

Kansas city ks 66106

days and hours for shared parking will be

Monday thru sunday

3:00 pm to 2:00 AM

no extra cost for shared parking

soccer nation will be responsible for maintance for parking.



Neighborhood Meeting

Soccer Nation

520 S 55<sup>th</sup> Street

Kansas City, KS 66106

Thursday 24<sup>th</sup> of September, 2015

Sign In:

Maria L Villegas  
R U  
S

Application Number: SP-2015-54

September 25, 2015

520 S. 55<sup>th</sup> Street

Kansas City, KS 66106

Names of People in attendance:

Maria L. Villegas Owner Soccer nation

Raul Villegas Manager Soccer Nation

Luis Padilla Marketing director Soccer Nation

Presentation:

No one else showed up.

Meeting adjourned at: 4:35pm

Minutes taken by: Maria L. Villegas

**AFFIDAVIT - NEIGHBORHOOD MEETING**

STATE OF Kans )  
 ) SS:  
COUNTY OF Wy. )

Comes now Maria L. Villegas, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2015-54
2. That I conducted a neighborhood meeting on 9/24/2015 at 4pm
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Maria L. Villegas 09-25-15  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25<sup>th</sup> day of Sept., 2015

My commission expires 8. of 23, 2017

BARBARA F. LEE  
Notary Public-State of Kansas  
My Appt. Expires 8/23/17

Barbara F. Lee



## Urban Planning and Land Use

701 North 7<sup>th</sup> Street, Room 423  
Kansas City, Kansas 66101  
Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

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

**To:** Unified Government Board of Commissioners  
**From:** City Staff  
**Date:** October 29, 2015  
**Re:** Petition #SP-2015-55 (090217)

### GENERAL INFORMATION

**Applicant:**  
Alistair Tutton

**Status of Applicant:**  
Owner  
1405 Southwest Boulevard  
Kansas City, Kansas 66103

**Requested Action:**  
Renewal of Special Use Permit for an event center

**Date of Application:**  
August 28, 2015

**Purpose:**  
To continue operation of an event center with live entertainment

**Property Location:**  
1405 Southwest Boulevard

**Existing Zoning:**  
C-3 Commercial District



1405 Southwest Blvd.  
#SP-2015-55



**Existing Surrounding Zoning:** **North:** C-3 Commercial District  
**South:** R-2(B) Two Family District and M-2 General Industrial District  
**East:** C-3 Commercial District  
**West:** C-3 Commercial District

**Existing Uses:** **North:** Park and playground  
**South:** Small lot single family residence  
**East:** Office building and Interstate 35  
**West:** Catering business

**Total Tract Size:** .15 acre

**Master Plan Designation:** The City-Wide Master Plan designates this property as Business Park.

**Major Street Plan:** The City-Wide Master Plan designates Southwest Boulevard as minor arterial.

**Advertisement:** The Wyandotte Echo – September 17, 2015  
Letters to Property Owner – September 15, 2015 and October 22, 2015

**Public Hearings:** October 12, 2015 and October 29, 2015

**Public Opposition:** One (1) person appeared in opposition at the 2009 public hearing and seventeen (17) persons appeared in support. No one appeared in opposition at the September 13, 2010 City Planning Commission meeting. Staff is unaware of any recent public opposition since the special use permit renewal in 2010. No one appeared in opposition at the October 12, 2015 City Planning Commission meeting.

---

## PROPOSAL

---

Detailed Outline of Requested Action: The applicant, Alistair Tutton, seeks renewal of a special use permit to continue operation of a commercial photography studio and an event space for private parties. Common events are wedding receptions and corporate events. The applicant requests a ten (10) year renewal after having a five (5) year special use permit previously.

City Ordinance Requirements: 27-592 through 27-606

---

## FACTORS TO BE CONSIDERED

---

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

The character of the neighborhood is comprised of commercial businesses along Southwest Boulevard. Directly across the street is a park/playground owned by the church adjacent to the park.

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

While the surrounding zoning—C-3 Commercial District—is compatible, the uses of nearby properties, such as the park/playground, church, and office building, may not be compatible.

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

The removal of the restrictions from the property should not detrimentally affect nearby property, specifically along Southwest Boulevard, as they are commercial businesses. This type of event hall may produce large volumes of trash and increase the traffic and activity surrounding the residential neighborhoods.

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

The property is not vacant. A commercial photography studio is operating on the property.

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

Special use permits are not addressed in the Master Plan.

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

The proposed use will result in an increase of traffic, although the proposed use is not a peak hour traffic generator. Off-street parking is an existing issue and has been discussed in past staff reports.

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

The proposed use is only necessary for those who will use the proposed event space. The proposed use may affect the marketability of the adjoining property, specifically the single family neighborhood to the north.

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

The noise, trash, and potential vandalism normally associated with uses of this kind may create problems for nearby property, particularly the single family residences and neighborhood on the back side of the park/playground. Interstate 35 is in close proximity to the proposed use.

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

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

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

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

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

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual land owner is minimal, as the property owner can continue to operate a commercial photography studio without a special use permit.

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

The proposed use will result in overcrowding on the site, as there is not an adequate number of on-site, off-street parking for the proposed use. A parking agreement(s) must be secured with the surrounding property owners.

---

## **PREVIOUS ACTIONS**

---

The original special use permit was approved for one (1) year on July 30, 2009. The applicant sought renewal and thus special use permit (#SP-2010-38) was approved by the Board of Commissioners for five (5) years on September 30, 2010.

---

## **NEIGHBORHOOD MEETING**

---

The applicant held a neighborhood meeting on September 28, 2015 from 5:00 p.m. to 5:30 p.m. According to the applicant, no one was in attendance.

---

## **KEY ISSUES**

---

Obtainment of Live Entertainment License  
Caterers' Occupation Taxes

---

## **PLANNING COMMISSION RECOMMENDATION**

---

The Planning Commission voted 9 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-55, subject to:

### Urban Planning and Land Use Comments:

The original 2009 application was approved with the following stipulations:

### Urban Planning and Land Use Comments:

1. The parking plan that was submitted during the application submittal shows on-street parking. On-street parking cannot be counted towards your overall parking count. They have applied for a variance.

UPDATE: The appeal was approved on August 3, 2010, subject to:

1. All shared parking agreements are recorded with the Register of Deeds. (This has been fulfilled).
  2. Copies of the recorded agreements are submitted to planning staff. (This has been fulfilled).
  3. If ownership of any of the properties where parking is being shared changes, the applicant shall notify planning staff and either gets a parking agreement with the new owner or find another area to park.
  4. All surfaces improved for parking and striped.
- 
2. A parking agreement is required between the property owner at 1405 Southwest Boulevard and the property owner of the proposed parking lot. A copy of the parking agreement shall be returned to the Urban Planning and Land Use Department after the agreement has been notarized and filed with the Register of Deeds. The applicant has signed and notarized copies of parking agreements between various property owners. The applicant is in the process of filing them with the Register of Deeds.
  3. What are your proposed hours of operation? The applicant indicated that the proposed hours of operations for event rentals will be 5:00 – 10:00 p.m. Sunday through Thursday and 5:00 – 11:00 p.m. Friday through Saturday. The building will be open from 9:00 a.m. – 5:00 p.m. daily for deliveries and business associated with the photography studio.
  4. What is the anticipated maximum occupancy load in the building? The applicant stated that the maximum occupancy is 220 seated and less than 300 for a standing function. Mr. Tutton anticipates 150-220 guests for most events.
  5. As indicated on the application, food and alcohol will be brought in from licensed caterers. There are no loading zones in front of 1405 Southwest Boulevard. Where will these vehicles unload their deliveries? Mr. Tutton confirmed that vehicles will unload inside the building via the garage door off Southwest Boulevard. He also stated that deliveries can unload from the rear via the alley; however the alley is unimproved and very narrow.
  6. If approved, it should only be approved for one (1) year to assess the neighborhood impact.
  7. Staff has received numerous emails from surrounding property owners. They have expressed their support for the petition. Please see the attached emails from adjacent property owners.

8. Although this applicant has much community support, our experience is that owners have no control of patrons once they leave the premises. No matter good the owner may be, they have no control of on-street vandalism, litter, and other crimes associated with this type of use.
9. Security must be provided for all events on-site and in the north parking area adjacent to the residences if it will be used.

The 2010 application was approved with the following stipulations:

(See Applicant's Response to Draft Staff Report Below):

1. Wendy Wilson, Rosedale Development Association, has indicated that there have been no issues with this operation the last year.
2. Have any of the parking agreements changed? Please submit letters from the owners stating that the parking agreements are still in place.

**STAFF RESPONSE:** Attached are three (3) parking agreements (KDOT, RDA, and Sol's Glass Company, Inc.) As stated in stipulation number 3 of the Board of Zoning Appeals, the staff should be notified of any changes in the parking agreements. Apparently, the agreement with Olympic Graphics is no longer in place. If there are any changes in the next approval period, please notify staff and also indicate what arrangements have been made for a replacement parking agreement.

1. Please submit a digital picture of the outside of the building.
2. If there are no significant objections by the neighbors or businesses, the staff recommends approval for five (5) years.

**Current Comments:**

1. Please provide documentation of current and notarized shared parking agreements with surrounding property owners.

*Applicant's Response:* See attached. Applicant submitted current shared parking agreements with Rosedale Development Association, Inc. and DAB Holdings, LLC, Midtown Signs.

2. What are the days and hours of operation?

*Applicant's Response:* Sunday through Thursday 5:00 p.m. – 10:00 p.m., Friday through Saturday 5:00 p.m. – 11:00 p.m. The building will be open from 9:00 a.m. – 5:00 p.m. daily for deliveries and business associated with the photography studio.

3. How often do live entertainment events take place?

*Applicant's Response:* Live entertainment events take place typically every weekend, ranging from 1 – 3 total events each week. For the year, we are close to 75 events.

## **Public Works Comments:**

No Comments

## **Business License Comments:**

Vox has maintained current occupation tax for the event venue as required, however there is no annual live entertainment license. There is no alcohol license for the venue, but if any of the events held at the venue combine catered alcohol and any type of live entertainment (Band, DJ, Instrumentalists, etc.), then a live entertainment license is required. If there are alcohol catered events at the venue, any alcohol caterer does also need to have current occupation tax filing with our office.

## **Staff Conclusion:**

Staff recommends approval of #SP-2015-55 subject to the following:

1. Obtainment of alcohol license and live entertainment license from the Business License Department
2. All new shared parking agreements are recorded with the Register of Deeds.
3. Copies of the new recorded shared parking agreements are submitted to planning staff.
4. If ownership of any of the properties where parking is being shared changes, the applicant shall notify planning staff and either gets a parking agreement with the new owner or find another area to park.
5. Approval for ten (10) years.

---

## **STAFF COMMENTS AND SUGGESTIONS**

---

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

---

## **STAFF RECOMMENDATION**

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2015-55 subject to all comments and suggestions outlined in this staff report.

---

## **ATTACHMENTS**

---

October 12, 2015 City Planning Commission Minutes  
Zoning Map  
Aerial Map  
Vicinity Map  
Applicant's Statements from Application  
Shared Parking Agreements  
Neighborhood Meeting Documents (Sign-in Sheet, Minutes, Affidavit)

---

## REVIEW OF INFORMATION AND SCHEDULE

---

| Action         | Planning Commission | Unified Government Commission |
|----------------|---------------------|-------------------------------|
| Public Hearing | October 12, 2015    | October 29, 2015              |
| Special Use    | Approval            |                               |

---

**STAFF CONTACT:**        **Rob Richardson, AICP**  
                                     [rrichardson@wycokck.org](mailto:rrichardson@wycokck.org)

---

## MOTIONS

---

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2015-55** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**OR**

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2015-55**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

### **OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:**

**090217 SPECIAL USE PERMIT APPLICATION #SP-2015-55 – ALISTAIR TUTTON WITH VOX THEATRE, LLC – SYNOPSIS:** Renewal of a Special Use Permit (#SP-2010-38) for an event center at 1405 Southwest Boulevard

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

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 12, 2015;

5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notices to property owners; and,
7. The publications in The Echo for the special use permits.

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

Chairman Huey asked if any member of the public, staff or Commission wished to remove an item from the Consent Agenda.

Mr. Mario Escobar, 1438 South 28<sup>th</sup> Street, Kansas City, Kansas requested that that #PR-2015-9 be removed from the Consent Agenda. Ms. Debra Wolfe requested that Special Use Permit #SP-2015-56 be removed from the Consent Agenda.

On motion by Mr. Carson, seconded by Mr. Schwartzman, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

|                    |                 |
|--------------------|-----------------|
| <b>Carson</b>      | <b>Aye</b>      |
| <b>Connelly</b>    | <b>Aye</b>      |
| <b>DeWitt</b>      | <b>Aye</b>      |
| <b>Ernst</b>       | <b>Aye</b>      |
| <b>Gonzalez</b>    | <b>Aye</b>      |
| <b>Huey</b>        | <b>Chairman</b> |
| <b>Pauley</b>      | <b>Aye</b>      |
| <b>Schwartzman</b> | <b>Aye</b>      |
| <b>Serda</b>       | <b>Aye</b>      |
| <b>Wing</b>        | <b>Aye</b>      |

**Motion to APPROVE Passed: 9 to 0**

**Subject to:**

#### **Urban Planning and Land Use Comments:**

The original 2009 application was approved with the following stipulations:

#### **Urban Planning and Land Use Comments:**

1. The parking plan that was submitted during the application submittal shows on-street parking. On-street parking cannot be counted towards your overall parking count. They have applied for a variance.

**UPDATE:** The appeal was approved on August 3, 2010, subject to:

1. All shared parking agreements are recorded with the Register of Deeds. (This has been fulfilled).
2. Copies of the recorded agreements are submitted to planning staff. (This has been fulfilled).
3. If ownership of any of the properties where parking is being shared changes, the applicant shall notify planning staff and either gets a parking agreement with the new owner or find another area to park.

4. All surfaces improved for parking and striped.
2. A parking agreement is required between the property owner at 1405 Southwest Boulevard and the property owner of the proposed parking lot. A copy of the parking agreement shall be returned to the Urban Planning and Land Use Department after the agreement has been notarized and filed with the Register of Deeds. The applicant has signed and notarized copies of parking agreements between various property owners. The applicant is in the process of filing them with the Register of Deeds.
3. What are your proposed hours of operation? The applicant indicated that the proposed hours of operations for event rentals will be 5:00 – 10:00 p.m. Sunday through Thursday and 5:00 – 11:00 p.m. Friday through Saturday. The building will be open from 9:00 a.m. – 5:00 p.m. daily for deliveries and business associated with the photography studio.
4. What is the anticipated maximum occupancy load in the building? The applicant stated that the maximum occupancy is 220 seated and less than 300 for a standing function. Mr. Tutton anticipates 150-220 guests for most events.
5. As indicated on the application, food and alcohol will be brought in from licensed caterers. There are no loading zones in front of 1405 Southwest Boulevard. Where will these vehicles unload their deliveries? Mr. Tutton confirmed that vehicles will unload inside the building via the garage door off Southwest Boulevard. He also stated that deliveries can unload from the rear via the alley; however the alley is unimproved and very narrow.
6. If approved, it should only be approved for one (1) year to assess the neighborhood impact.
7. Staff has received numerous emails from surrounding property owners. They have expressed their support for the petition. Please see the attached emails from adjacent property owners.
8. Although this applicant has much community support, our experience is that owners have no control of patrons once they leave the premises. No matter good the owner may be, they have no control of on-street vandalism, litter, and other crimes associated with this type of use.
9. Security must be provided for all events on-site and in the north parking area adjacent to the residences if it will be used.

The 2010 application was approved with the following stipulations:

(See Applicant's Response to Draft Staff Report Below):

1. Wendy Wilson, Rosedale Development Association, has indicated that there have been no issues with this operation the last year.
2. Have any of the parking agreements changed? Please submit letters from the owners stating that the parking agreements are still in place.

**STAFF RESPONSE:** Attached are three (3) parking agreements (KDOT, RDA, and Sol's Glass Company, Inc.) As stated in stipulation number 3 of the Board of Zoning Appeals, the staff should be notified of any changes in the parking agreements. Apparently, the agreement with Olympic Graphics is no longer in place. If there are any changes in the next approval period, please notify staff

and also indicate what arrangements have been made for a replacement parking agreement.

1. Please submit a digital picture of the outside of the building.
2. If there are no significant objections by the neighbors or businesses, the staff recommends approval for five (5) years.

**Current Comments:**

1. Please provide documentation of current and notarized shared parking agreements with surrounding property owners.

*Applicant's Response:* See attached. Applicant submitted current shared parking agreements with Rosedale Development Association, Inc. and DAB Holdings, LLC, Midtown Signs.

2. What are the days and hours of operation?

*Applicant's Response:* Sunday through Thursday 5:00 p.m. – 10:00 p.m., Friday through Saturday 5:00 p.m. – 11:00 p.m. The building will be open from 9:00 a.m. – 5:00 p.m. daily for deliveries and business associated with the photography studio.

3. How often do live entertainment events take place?

*Applicant's Response:* Live entertainment events take place typically every weekend, ranging from 1 – 3 total events each week. For the year, we are close to 75 events.

**Public Works Comments:**

No Comments

**Business License Comments:**

Vox has maintained current occupation tax for the event venue as required, however there is no annual live entertainment license. There is no alcohol license for the venue, but if any of the events held at the venue combine catered alcohol and any type of live entertainment (Band, DJ, Instrumentalists, etc.), then a live entertainment license is required. If there are alcohol catered events at the venue, any alcohol caterer does also need to have current occupation tax filing with our office.

**Staff Conclusion:**

Staff recommends approval of #SP-2015-55 subject to the following:

1. Obtainment of alcohol license and live entertainment license from the Business License Department

2. All new shared parking agreements are recorded with the Register of Deeds.
3. Copies of the new recorded shared parking agreements are submitted to planning staff.
4. If ownership of any of the properties where parking is being shared changes, the applicant shall notify planning staff and either gets a parking agreement with the new owner or find another area to park.
5. Approval for ten (10) years.



**1405 Southwest Blvd.**  
**#SP-2015-55**



NOT TO SCALE

## **APPENDIX B**

### **Describe the Present Use and Condition of the Property:**

The space is currently used as a commercial photography studio and an event space for private parties. It is comprised of an approximately 3700 square foot open space with a two story ceiling (approximately 20' in height). It has a small kitchenette immediately adjacent to the studio and approximately 800 square foot mezzanine level where the office spaces are located.

There are ADA accessible men's and women's restrooms, secure storage by the entrance and storage space behind the stage. There are four modes of egress immediately accessible from the main space comprised of a front door, a rear door, patio door and a mechanical garage door at the front of the building.

The building was recently refurbished with new finishes. The building was initially constructed as movie theatre in 1920. The space was renovated forty years ago to level the floor.

### **What is the Proposed Use of the Applicant Property:**

The proposed use of the property is to continue as an event space for private parties. These private parties are primarily events such as wedding receptions and corporate hospitality parties but also have included events such as dance recitals and live bands. The events are not accessible by the general public. They would be staffed by members of staff of the event company. Any food and alcohol served is delivered and served by licensed caterers. Food is not prepared on-site during these events. During events the exterior of the building is monitored by off-duty Kansas City, Kansas police officers.

The mezzanine and storage spaces would be specifically off-limits during these events. This would not affect the three modes of egress from the space.

### **State why, in your Opinion, the Requested Action(s) is Justified:**

There is a significant market for eclectic spaces for wedding receptions and corporate parties in Kansas City that is not served by businesses in Kansas City, KS. With its great transit links, open interior, and unique aesthetics the Vox Theatre is a perfect location for such events.

It will continue to be a great source of tax revenue for the Unified Government, it has created local jobs and it brings people into a rarely visited section of Rosedale. While it is true that there is an enormous amount of traffic passing the building there are very few people that stop in that section of Rosedale. With the event space new growth is already being realized with Deco Catering relocating next door to the Vox Theatre. The Vox Theatre and Deco Catering have worked together on approximately 50% of the

EARLY



**1405 Southwest Blvd.  
#SP-2015-55**



events held at the Vox Theatre. The Vox Theatre has also helped bring revenue to the Rainbow Mennonite Church, a non-profit organization, with some events using both the church and the Vox Theatre.

The Vox Theatre has also become involved in the Rosedale Neighborhood by supporting local businesses, donating to local fundraisers and participating in the Rosedale Development Association (RDA) programs. The owner of the Vox Theatre serves on the board for RDA. The Vox Theatre also participates in the RDA Summer Youth Program.

The Rosedale Theatre was built in 1922 and was renamed the Vox Theatre in the '40's. It was then converted into a manufacturing business in the '60's. By returning it to an entertainment venue this has helped to revitalize the historic urban fabric of Rosedale.

Type of document: \_\_\_\_\_

Grantor: \_\_\_\_\_

Grantee: \_\_\_\_\_

Legal Description: \_\_\_\_\_

#### Shared Parking Agreement

This agreement is to be effective for a period of five years, starting September 1<sup>st</sup> 2015, by and between Rosedale Development Association, Inc. and Alistair Tutton of Alistair Tutton Properties, LLC. Either party may terminate this agreement with a 30 day notice to the other party.

1. Rosedale Development Association, Inc. located at 1403/1401 Southwest Boulevard, Kansas City, KS 66103, agrees to provide Alistair Tutton, Properties, LLC the owner of the Vox Theatre located at 1405 Southwest Boulevard, Kansas City, KS 66103, with the right to use 22 parking spaces as shown on Exhibit A to this Agreement on property located at 1403/1401 Southwest Boulevard, Kansas City, KS 66103. Alistair Tutton Properties, LLC has the right to the parking spaces Sunday through Thursday 4p.m.-11p.m. and Friday and Saturday 4p.m.-12a.m.
  - 1.1 Rosedale Development Association, Inc.  
Assessor Parcel # is 137325.  
Legal Description: Lot 1 Block 14, Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.
  - 1.2 Alistair Tutton Properties, LLC, Vox Theatre  
Assessor Parcel # is 137215.  
Legal Description: Lot 2, Block 14 Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.
2. The parking spaces referred to in this Agreement have been determined to conform to current Unified Government standards for parking spaces, and the parties agree to maintain the parking spaces to meet those standards.
3. This Agreement shall be kept on file in the Unified Government's Department of Urban Planning & Land Use in Permit File No. SP-2010-38 (090217)
4. Alistair Tutton Properties, LLC, will assume any and all responsibility for any destruction, illegal activities or any required cleanup.
5. Alistair Tutton Properties, LLC, will assume any and all responsibility for any costs incurred by Rosedale Development Association, Inc. necessitated by this agreement.
6. Alistair Tutton Properties, LLC, will assume full responsibility for any and all possible actions that might be brought against Rosedale Development Association, Inc. due to this agreement.

Date: 9/14/2015 By: Heidi Holliday  
Heidi Holliday, Rosedale Development Association, Inc.

Date: 9/16/2015 By: AT  
Alistair Tutton, Alistair Tutton Properties, LLC

Type of document: \_\_\_\_\_

Grantor: \_\_\_\_\_

Grantee: \_\_\_\_\_

Legal Description: \_\_\_\_\_

#### Shared Parking Agreement

This agreement is to be effective for a period of five years, starting September 1<sup>st</sup> 2015, by and between Dennis Baughman of DAB Holdings, LLC, and Alistair Tutton of Alistair Tutton Properties, LLC. Either party may terminate this agreement with a 30 day notice to the other party.

DAB Holdings, LLC, owner of Midtown Signs, LLC located at 2416 South 8<sup>th</sup> Street, Kansas City, KS 66103, agrees to provide Alistair Tutton, Properties, LLC the owner of the Vox Theatre located at 1405 Southwest Boulevard, Kansas City, KS 66103, with the right to use 41 parking spaces as shown on Exhibit A to this Agreement on property located at 2416 South 8<sup>th</sup> Street, Kansas City, KS 66103.

DAB Holdings, LLC, Midtown Signs  
Assessor Parcel # is 137222.

Legal Description: All Lot 9 and south 1/2 of Lot 8., Block 14 Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.

Alistair Tutton Properties, LLC, Vox Theatre  
Assessor Parcel # is 137215.

Legal Description: Lot 2, Block 14 Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.

The parties understand that the primary and first use of the parking places in and around DAB Holdings, LLC shall be for the operation of the Midwest Signs, LLC business. The right to park in those spaces shall be given to Tutton Properties LLC, in the off hours of Midwest Signs, Co. whose normal business hours are generally from 7:00 a.m. till 4:30 p.m. Monday through Friday. At no time shall access be blocked to DAB Holdings, LLC & a clear path must be maintained to the overhead and entrance doors.

Any requirement to conform to Unified Government standards for parking spaces, necessitated by this agreement will be the responsibility of Tutton Properties LLC. Any alteration to be made to the property in question, can only be made with the written permission of DAB Holdings, LLC or it's representative.

Alistair Tutton Properties, LLC, will assume any and all responsibility for any destruction, illegal activities or any required cleanup.

Alistair Tutton Properties, LLC, will assume any and all responsibility for any costs incurred by DAB Holdings, LLC necessitated by this agreement.

Alistair Tutton Properties, LLC, will assume full responsibility for any and all possible actions that might be brought against DAB Holdings, LLC due to this agreement.

Date: 9-17-15

By:   
Dennis Baughman, Midtown Signs

Date: 9-28-15

By:   
Alistair Tutton, Vox Theatre

SIGN-IN SHEET  
Special Events Permit Neighborhood Meeting  
September 28th, 2015

| <u>Name</u>         | <u>Address</u>       |                              |
|---------------------|----------------------|------------------------------|
| 1.) Allison Steen   | 140 S Southwest Blvd | KC, KS 64103<br>913-530-4595 |
| 2.) Alistair Tutton | 140 S Southwest Blvd | KC, KS 64103<br>816-500-4402 |
| 3.) _____           | _____                |                              |
| 4.) _____           | _____                |                              |
| 5.) _____           | _____                |                              |

Application Number: #SP-2015-55

Date and Location: 1401 Southwest Boulevard, Kansas City, KS 66103 9/28/2015

Meeting called to order at 5:00pm

Names of people in attendance: Allison Steen and Alistair Tutton.

No one else was in attendance.

Meeting adjourned at 5:30pm.

Minutes taken by: Allison Steen

**AFFIDAVIT – NEIGHBORHOOD MEETING**

STATE OF KANSAS )  
 ) SS:  
COUNTY OF DOUGLAS )

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

1. That I am the petitioner for Petition # SP-2015-55
2. That I conducted a neighborhood meeting on September 28<sup>th</sup>, 2015
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

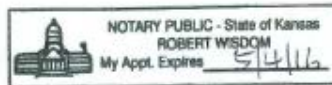
Further affiant saith not.

  
\_\_\_\_\_  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 30<sup>th</sup> day of  
SEPTEMBER, 20015.

My commission expires 4 of MAY, 20016.

  
\_\_\_\_\_  
Notary Public





## Urban Planning and Land Use

701 North 7<sup>th</sup> Street, Room 423  
Kansas City, Kansas 66101  
Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

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

**To:** Unified Government Board of Commissioners  
**From:** City Staff  
**Date:** October 29, 2015  
**Re:** Petition #SP-2015-57 (130303)

### GENERAL INFORMATION

**Applicant:**  
Jose Pablo Lopez

**Status of Applicant:**  
Applicant  
Casa Agave  
1340 Village West Parkway  
Kansas City, Kansas 66111

**Requested Action:**  
Renewal of a special use permit in  
conjunction with Casa Agave  
restaurant

**Date of Application:**  
August 28, 2015

**Purpose:**  
To continue to have live entertainment  
in conjunction with Casa Agave  
restaurant

**Property Location:**  
1340 Village West Parkway



**Existing Zoning:** CP-2 Planned Business District

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

**Existing Uses:** **North:** The Hampton Inn  
**South:** Russell Stover Candies  
**East:** Famous Dave's Barbecue  
**West:** Kansas Speedway

**Total Tract Size:** 2.19 acres

**Master Plan Designation:** The City-Wide Master Plan designates this property as area for Planned Regional Commercial development.

**Major Street Plan:** The City-Wide Master Plan designates Village West Parkway was a minor arterial.

**Advertisement:** The Wyandotte Echo – September 17, 2015  
Letters to Property Owner – September 15, 2015 and October 22, 2015

**Public Hearings:** October 12, 2015 and October 29, 2015

**Public Opposition:** No one appeared in opposition at the October 12, 2015 City Planning Commission meeting.

---

## PROPOSAL

---

Detailed Outline of Requested Action: The applicant is requesting a renewal of original special use permit (#SP-2013-49) to allow live music at Casa Agave. The music would, at times, take place outside on the restaurant's patio.

City Ordinance Requirements: 27-592 through 27-606

---

## FACTORS TO BE CONSIDERED

---

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

This proposal is found within the Village West commercial area. It is surrounded by commercial businesses, including retail stores, restaurants, and hotels. This area is entertainment-focused.

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

If properly operated, the continuation of live entertainment would be compatible with nearby properties.

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

The property is zoned for a restaurant. If properly supervised, operated, and planned, live entertainment would not detrimentally affect nearby property.

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

The tenant space is currently occupied by the applicant.

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

The use of a restaurant in this area is in compliance with the Master Plan. The accessory use of live performances is not within the scope of the Master Plan.

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

This proposal will not create traffic issues to the point that the street network exceeds capacity.

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

This use is not a necessary convenience to the public, but will provide an additional entertainment option for the public. Generally, the proposal is only for the convenience to the owners of the restaurant, but the proposed use will not create any issues related to the points listed above.

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

Staff does not foresee this to be an issue.

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

This is not applicable.

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

This is not applicable.

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

This proposal would provide an additional entertainment option for the public. If this petition is denied, the restaurant could still operate, but may not be as profitable.

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

Staff does not foresee this to be an issue.

---

## **PREVIOUS ACTIONS**

---

The applicant originally applied for a special use permit in 2013 (#SP-2013-49). It was approved for two (2) years by the Board of Commissioners on September 26, 2013.

---

## **NEIGHBORHOOD MEETING**

---

The applicant held a neighborhood meeting on September 10, 2105 from 5:00 p.m. to 5:37 p.m. Both owners, the attorney for Case Agave, and Marsheila Runnels from the Hampton Inn attended. Ms. Runnels asked about the hours for live entertainment. Phone numbers and contact information were exchanged between Ms. Runnels and Jose Pablo, the owner of Case Agave, in case any issues arise. Ms. Runnels stated that there had not been any problems in 2015 with the live entertainment, but mentioned a problem in 2014. This issue was promptly addressed in 2014.

---

## **KEY ISSUES**

---

None

---

## **PLANNING COMMISSION RECOMMENDATION**

---

The Planning Commission voted 9 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-57, subject to:

**Urban Planning and Land Use Comments:**

- 1. What days of the week will live entertainment events take place?**

***Applicant's Response:*** Live entertainment will take place on weekends – Fridays, Saturdays, and Sundays. Outdoor entertainment will be seasonal and will only take place in the spring through the fall.

**2. What time will the proposed events begin and end?**

***Applicant's Response:*** Live entertainment will begin at 9:00 p.m. and end at 1:00 a.m.

**3. Please provide details of your current security plan.**

***Applicant's Response:*** Our current security plan is the utilization of two off-duty Kansas City, Kansas police officers, which is what we have done during the course of the prior special use permit.

***Applicant's Additional Comment:*** Your e-mail under date of September 5, 2015 makes reference to an illegal advertising sign placed in the right-of-way. That sign has been removed. The zoning sign was placed on the property prior to September 22, 2015 and does remain on site as of this date.

**Public Works Comments:**

No Comments

**Business License Comments:**

Casa Agave has maintained current occupation tax and annual entertainment license, as required.

**Staff Conclusion:**

This plan is similar to past entertainment cases in the area. Staff believes this management style will continue to be successful. Staff recommends approval of #SP-2015-57 subject to the following:

1. Hours of live entertainment will be from 9:00 p.m. to 1:00 a.m.
2. Approval for five (5) years.
3. No off-site signage.

---

**STAFF COMMENTS AND SUGGESTIONS**

---

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

---

## STAFF RECOMMENDATION

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2015-57** subject to all comments and suggestions outlined in this staff report.

---

## ATTACHMENTS

---

October 12, 2015 City Planning Commission Minutes  
Zoning Map  
Aerial Map  
Vicinity Map  
Neighborhood Meeting Documents (Minutes, Sign-In Sheet, Affidavit)

---

## REVIEW OF INFORMATION AND SCHEDULE

---

| Action         | Planning Commission | Unified Government Commission |
|----------------|---------------------|-------------------------------|
| Public Hearing | October 12, 2015    | October 29, 2015              |
| Special Use    | Approval            |                               |

---

**STAFF CONTACT:**            **Rob Richardson, AICP**  
                                         [rrichardson@wycokck.org](mailto:rrichardson@wycokck.org)

---

## MOTIONS

---

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2015-57** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**OR**

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2015-57**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## **OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:**

### **130303 SPECIAL USE PERMIT APPLICATION #SP-2015-57 – CASA AGAVE–**

**SYNOPSIS:** Renewal of a Special Use Permit (#SP-2013-49) for live entertainment at 1340 Village West Parkway

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

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 12, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notices to property owners; and,
7. The publications in The Echo for the special use permits.

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

Chairman Huey asked if any member of the public, staff or Commission wished to remove an item from the Consent Agenda.

Mr. Mario Escobar, 1438 South 28<sup>th</sup> Street, Kansas City, Kansas requested that that #PR-2015-9 be removed from the Consent Agenda. Ms. Debra Wolfe requested that Special Use Permit #SP-2015-56 be removed from the Consent Agenda.

On motion by Mr. Carson, seconded by Mr. Schwartzman, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

|                    |                 |
|--------------------|-----------------|
| <b>Carson</b>      | <b>Aye</b>      |
| <b>Connelly</b>    | <b>Aye</b>      |
| <b>DeWitt</b>      | <b>Aye</b>      |
| <b>Ernst</b>       | <b>Aye</b>      |
| <b>Gonzalez</b>    | <b>Aye</b>      |
| <b>Huey</b>        | <b>Chairman</b> |
| <b>Pauley</b>      | <b>Aye</b>      |
| <b>Schwartzman</b> | <b>Aye</b>      |
| <b>Serda</b>       | <b>Aye</b>      |
| <b>Wing</b>        | <b>Aye</b>      |

**Motion to APPROVE Passed: 9 to 0**

**Subject to:**

### **Urban Planning and Land Use Comments:**

- 1. What days of the week will live entertainment events take place?**

***Applicant's Response:*** Live entertainment will take place on weekends – Fridays, Saturdays, and Sundays. Outdoor entertainment will be seasonal and will only take place in the spring through the fall.

**2. What time will the proposed events begin and end?**

***Applicant's Response:*** Live entertainment will begin at 9:00 p.m. and end at 1:00 a.m.

**3. Please provide details of your current security plan.**

***Applicant's Response:*** Our current security plan is the utilization of two off-duty Kansas City, Kansas police officers, which is what we have done during the course of the prior special use permit.

***Applicant's Additional Comment:*** Your e-mail under date of September 5, 2015 makes reference to an illegal advertising sign placed in the right-of-way. That sign has been removed. The zoning sign was placed on the property prior to September 22, 2015 and does remain on site as of this date.

**Public Works Comments:**

No Comments

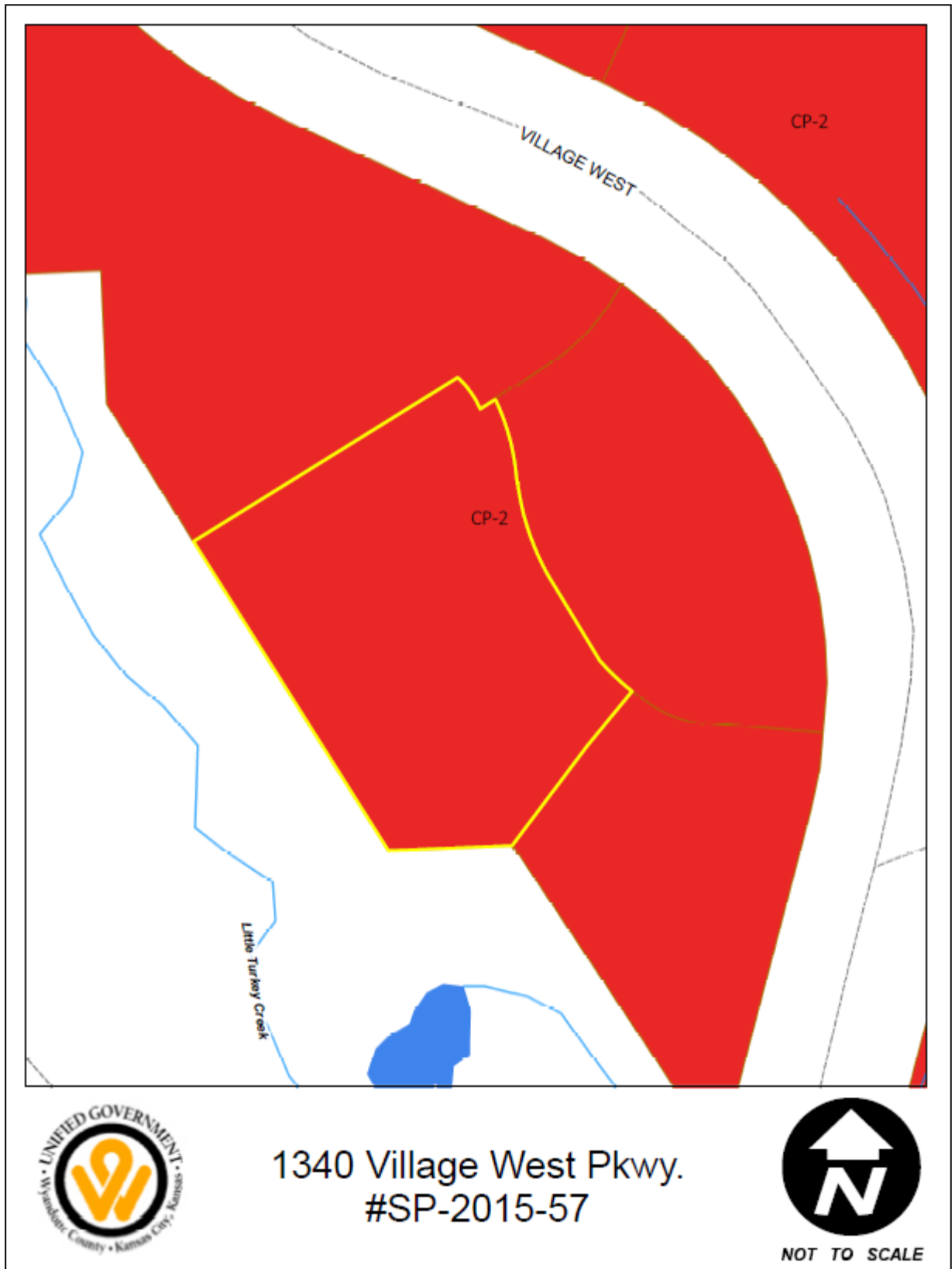
**Business License Comments:**

Casa Agave has maintained current occupation tax and annual entertainment license, as required.

**Staff Conclusion:**

This plan is similar to past entertainment cases in the area. Staff believes this management style will continue to be successful. Staff recommends approval of #SP-2015-57 subject to the following:

1. Hours of live entertainment will be from 9:00 p.m. to 1:00 a.m.
2. Approval for five (5) years.
3. No off-site signage.





1340 Village West Pkwy.  
#SP-2015-57



NOT TO SCALE



1340 Village West Pkwy.  
#SP-2015-57



NOT TO SCALE

## MINUTES

Meeting held: Thursday, September 24, 2015

Neighborhood Meeting pursuant to September 10, 2015 letter from Jose Pablo Lopez was held at Casa Agave on September 24, 2015 at 5:00 p.m.

Present at the Meeting were Jose Pablo Lopez, Owner, Maria Elena Lopez, Co-Owner, William W. Hutton, Attorney for Casa Agave, and Marsheila Runnels from the Hampton Inn.

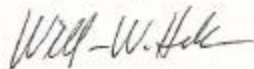
After introductions Marsheila asked what the hours would be for the live entertainment special use permit. She was advised that the live entertainment would only be on the week-ends, Friday, Saturday, and Sunday, and that music outdoors would end no later than 1:00 a.m. Phone numbers and contact information were exchanged between Marsheila and Jose Pablo, in case there would be any issues that would arise. Ms Runnels said on behalf of Hampton Inn that there had been no problems with the summer of 2015 with any of the live entertainment. She did indicate there had been a problem in 2014, but that issue had been addressed.

Ms Runnels was advised that the Planning Commission Meeting was scheduled for October 12, 2015, and if she wished to appear on behalf of Hampton Inn she certainly could. She was advised by counsel that copies of the Minutes and her statement would be forwarded to the Planning Department for its review.

The parties discussed the possibility of discount for the musicians playing at Casa Agave at the Hampton Inn. There were no other discussions or objections to the Special Use Permit for live entertainment. No other parties appeared.

Then Meeting was adjourned at 5:37 p.m.

Respectfully submitted,



WILLIAM W. HUTTON  
Attorney on behalf of  
Casa Agave Restaurant

| Sing In-SHEET                     |
|-----------------------------------|
| Commissioner Hal Walker           |
|                                   |
| Comimissioner Jim Walker          |
|                                   |
| CBK Properties II LLC             |
|                                   |
| Cutchall Properties II LLC        |
|                                   |
| Preston David                     |
|                                   |
|                                   |
| Ressull Stonvercandies INC.       |
|                                   |
| CM7 Hotels Village W. #1 LLC      |
| Hampton Inn <i>Waverly Runnel</i> |
|                                   |
| MCI Kansas Investment, LLC        |
|                                   |
|                                   |

**AFFIDAVIT – NEIGHBORHOOD MEETING**

STATE OF Kansas )  
COUNTY OF Wyandotte ) SS:

Comes now Jose Pablo Lopez, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2015-57
2. That I conducted a neighborhood meeting on September 24, 2015.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.



[Signature]  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24<sup>th</sup> day of September, 20 15

My commission expires 15 of December, 20 18

[Signature]  
Notary Public



**Existing Surrounding Zoning:** **North:** R-1 Single Family District  
**South:** RP-M Planned Mobile Home Park District  
**East:** R-1 Single Family District  
**West:** RP-M Planned Mobile Home Park District

**Existing Uses:** **North:** Single family homes  
**South:** Mobile homes  
**East:** Single family homes  
**West:** Mobile homes

**Total Tract Size:** 3.99 acres

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

**Major Street Plan:** The City-Wide Master Plan classifies South 72<sup>nd</sup> Street as a local street.

**Advertisement:** The Wyandotte Echo – September 17, 2015  
Letters to Property Owner – September 15, 2015 and October 22, 2015

**Public Hearings:** October 12, 2015 and October 29, 2015

**Public Opposition:** No one appeared in opposition at the October 12, 2015 City Planning Commission meeting.

---

## PROPOSAL

---

Detailed Outline of Requested Action: The applicant, Cindy Burton wants to keep ten (10) chickens on 3.99 acres at 816 South 72<sup>nd</sup> Street.

City Ordinance Requirements: 27-592 through 27-606

---

## FACTORS TO BE CONSIDERED

---

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

The neighborhood is single family to the north and east, across 72<sup>nd</sup> Street and mobile homes to the south and west.

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

The zoning of nearby properties and their uses are set out above. Due to the size of the property, the proposed use is relatively compatible with the properties nearby.

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

The removal of the restrictions, given the property is 3.99 acres should not detrimentally affect nearby property.

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

The property is not vacant.

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

Special use permits are not addressed in the Master Plan.

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

The proposed use will not result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public, but given the parcel is 3.99 acres, the use should not injure the visual quality or marketability of adjoining property.

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

Noise and dust that is normally associated with the keeping of livestock, in this case chickens should not create problems for nearby property because of the size of the property.

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

If waste is not picked up regularly and disposed of properly, the proposed use could pollute the water or land due to its proximity to Mill Creek.

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

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

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

The relative gain to the public health, safety, and welfare is minimal as compared to the hardship imposed on the individual landowner. If this application is denied, the applicant will be forced to find an alternate location to keep the chickens.

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

The keeping of ten (10) chickens should not result in overcrowding of land, but if the chickens are given room to roam may cause problems for property owners to the north.

---

## **PREVIOUS ACTIONS**

---

None

---

## **NEIGHBORHOOD MEETING**

---

The applicant did not conduct a neighborhood meeting. A meeting is not required for this specific type of special use permit (keeping of livestock).

---

## **KEY ISSUES**

---

Location of coop

---

## **PLANNING COMMISSION RECOMMENDATION**

---

The Planning Commission voted 9 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-58, subject to:

**Urban Planning and Land Use Comments:**

1. Per Sec. 7-170(a-b)
  - a. It shall be unlawful for any person to keep or maintain any livestock or fowl or any pen for the same within the city in areas not zoned agricultural without first obtaining a permit to do so from the office of director of animal control.
  - b. Application for the permit shall be made to the office of director of animal control on forms furnished by the office. Such application shall state the name of the person so desiring to keep such animals or fowl and maintain pens therefore within the city, the location of the premises where the same are to be kept and maintained, the kind of animals and fowl to be kept and maintained, and any other information that the office may desire. Such application shall be signed by the applicant and shall bear the date that the application is

made. No permit will be granted unless the request conforms to the zoning ordinances of the city. The initial permit fee and annual renewal fee shall be set by the count administrator.

*Applicant Response: Acknowledged.*

2. Because the chickens will be in the coop, will they move around the property or stay in a single location at all times?

*Applicant Response: The coop will stay in a single location.*

3. What are the estimated dimensions of the area that the chickens will take up on the property?

*Applicant Response: The area is 30' x 30' that the chickens will take up on the property.*

4. Please provide a drawing/image relating to where the chickens will be kept in relation to the home on the property, neighboring homes, property line and other structures.

*Applicant Response: See attached photos.*

5. Please submit a plan for how the chickens will be kept in addition to a plan to deal with waste from the chickens.

*Applicant Response: The chicken waste will be used for compost and fertilizer the garden.*

6. Please address issues of feed and diet for the chickens, how will they be fed?

*Applicant Response: The chickens are fed layers blend feed and black sunflower seeds, plus vegetables from the garden.*

7. Due to the fact that Mill Creek bisects the property, how do you intend on keeping animal waste from running into the creek?

*Applicant Response: The creek is far enough way to not matter. I rake the pen weekly and keep my coop clean.*

#### **Public Works Comments:**

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

- 1) None

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

- 1) None

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

1) None

### Staff Conclusion:

The applicant has worked with staff to answer their questions. The coop and 900 square foot area is located west of the house, but north of the creek as not to pose a significant issue for water contamination of Mill Creek. Staff recommends approval of this petition subject to:

- (1) This special use permit shall be valid for two (2) years.
- (2) This special use permit is for ten (10) chickens.
- (3) Roosters are not permitted by Code.
- (4) The pen shall be raked and cleaned weekly and waste shall be properly recycled and used as compost or disposed of in compliance with the Health Department's regulations.

---

## STAFF COMMENTS AND SUGGESTIONS

---

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

---

## STAFF RECOMMENDATION

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2015-58 subject to all comments and suggestions outlined in this staff report.

---

## ATTACHMENTS

---

October 12, 2015 City Planning Commission Minutes  
Applicant Response Letter  
Aerial Photograph  
Photograph of chicken coop

---

## REVIEW OF INFORMATION AND SCHEDULE

---

| Action         | Planning Commission | Unified Government Commission |
|----------------|---------------------|-------------------------------|
| Public Hearing | October 12, 2015    | October 29, 2015              |
| Special Use    | Approval            |                               |

---

**STAFF CONTACT:**            **Byron Toy, AICP**

---

## MOTIONS

---

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2015-58** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2015-58**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:

### **150147 SPECIAL USE PERMIT APPLICATION #SP-2015-58 – CINDY BURTON -**

**SYNOPSIS:** Special Use Permit for ten (10) chickens at 816 South 72<sup>nd</sup> Street

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 12, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated September 17, 2015;
7. The Notices to property owners dated September 15, 2015.

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

Ms. Cindy Burton, 816 South 72<sup>nd</sup> Street, Kansas City, Kansas, applicant, appeared in support of this application. She stated that she has applied for a permit for ten (10) chickens on four (4) acres. The coop and pen is roughly 20' by 20' and is completely enclosed. She stated that she has spoken to her neighbors and they do not have any problems with the chickens. The children in the neighborhood come over and garden and play with them. She called previously about the chickens and was told no roosters but not that she needed a special use permit.

Planning Commissioner Schwartzman asked if these are free range chickens or penned. Ms. Burton stated that they are completely caged in with wire mesh over the top because the creek behind the house is full of beavers and badgers and there is a red fox that took off with two (2) of them.

No one appeared in opposition to this application.

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

On motion by Mr. Carson, seconded by Mr. Wing, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2015-58:**

|                    |                 |
|--------------------|-----------------|
| <b>Carson</b>      | <b>Aye</b>      |
| <b>Connelly</b>    | <b>Aye</b>      |
| <b>DeWitt</b>      | <b>Aye</b>      |
| <b>Ernst</b>       | <b>Aye</b>      |
| <b>Gonzalez</b>    | <b>Aye</b>      |
| <b>Huey</b>        | <b>Chairman</b> |
| <b>Pauley</b>      | <b>Aye</b>      |
| <b>Schwartzman</b> | <b>Aye</b>      |
| <b>Serda</b>       | <b>Aye</b>      |
| <b>Wing</b>        | <b>Aye</b>      |

**Motion to recommend APPROVAL Passed: 9 to 0**

**Subject to:**

**Urban Planning and Land Use Comments:**

**1. Per Sec. 7-170(a-b)**

- a. It shall be unlawful for any person to keep or maintain any livestock or fowl or any pen for the same within the city in areas not zoned agricultural without first obtaining a permit to do so from the office of director of animal control.
- b. Application for the permit shall be made to the office of director of animal control on forms furnished by the office. Such application shall state the name of the person so desiring to keep such animals or fowl and maintain pens therefore within the city, the location of the premises where the same are to be kept and maintained, the kind of animals and fowl to be kept and maintained, and any other information that the office may desire. Such application shall be signed by the applicant and shall bear the date that the application is made. No permit will be granted unless the request conforms to the zoning ordinances of the city. The initial permit fee and annual renewal fee shall be set by the count administrator.

***Applicant Response: Acknowledged.***

- 2. Because the chickens will be in the coop, will they move around the property or stay in a single location at all times?**

***Applicant Response: The coop will stay in a single location.***

3. What are the estimated dimensions of the area that the chickens will take up on the property?

***Applicant Response: The area is 30' x 30' that the chickens will take up on the property.***

4. Please provide a drawing/image relating to where the chickens will be kept in relation to the home on the property, neighboring homes, property line and other structures.

***Applicant Response: See attached photos.***

5. Please submit a plan for how the chickens will be kept in addition to a plan to deal with waste from the chickens.

***Applicant Response: The chicken waste will be used for compost and fertilizer the garden.***

6. Please address issues of feed and diet for the chickens, how will they be fed?

***Applicant Response: The chickens are fed layers blend feed and black sunflower seeds, plus vegetables from the garden.***

7. Due to the fact that Mill Creek bisects the property, how do you intend on keeping animal waste from running into the creek?

***Applicant Response: The creek is far enough way to not matter. I rake the pen weekly and keep my coop clean.***

**Public Works Comments:**

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

**Staff Conclusion:**

The applicant has worked with staff to answer their questions. The coop and 900 square foot area is located west of the house, but north of the creek as not to

**pose a significant issue for water contamination of Mill Creek. Staff recommends approval of this petition subject to:**

- (1) This special use permit shall be valid for two (2) years.**
- (2) This special use permit is for ten (10) chickens.**
- (3) Roosters are not permitted by Code.**
- (4) The pen shall be raked and cleaned weekly and waste shall be properly recycled and used as compost or disposed of in compliance with the Health Department's regulations.**

---

## STAFF COMMENTS AND SUGGESTIONS

---

### Urban Planning and Land Use Comments:

1. Per Sec. 7-170(a-b)
  - a. It shall be unlawful for any person to keep or maintain any livestock or fowl or any pen for the same within the city in areas not zoned agricultural without first obtaining a permit to do so from the office of director of animal control.
  - b. Application for the permit shall be made to the office of director of animal control on forms furnished by the office. Such application shall state the name of the person so desiring to keep such animals or fowl and maintain pens therefore within the city, the location of the premises where the same are to be kept and maintained, the kind of animals and fowl to be kept and maintained, and any other information that the office may desire. Such application shall be

#SP-2015-58

October 12, 2015

4

---

signed by the applicant and shall bear the date that the application is made. No permit will be granted unless the request conforms with the zoning ordinances of the city. The initial permit fee and annual renewal fee shall be set by the count administrator.

2. Because the chickens will be in the coop, will they move around the property or stay in a single location at all times? Single location
3. What are the estimated dimensions of the area that the chickens will take up on the property? 30' x 30'
4. Please provide a drawing/image relating to where the chickens will be kept in relation to the home on the property, neighboring homes, property line and other structures. See attached photos
5. Please submit a plan for how the chickens will be kept in addition to a plan to deal with waste from the chickens. the chicken waste is being used for compost and fertilizer for garden
6. Please address issues of feed and diet for the chickens, how will they be fed? The chickens are fed layers blend feed and Black sunflower seeds plus veggies from the garden
7. Due to the fact that Mill Creek bisects the property, how do you intend on keeping animal waste from running into the creek? The creek is far enough away to not matter. I rake the pen weekly. And keep my coop clean



Figure 1. Aerial photograph of 618 South 72<sup>nd</sup> Street (provided by UG Maps).



Figure 2. Photograph of chicken coop (provided by the applicant).



# Urban Planning and Land Use

701 North 7<sup>th</sup> Street, Room 423  
Kansas City, Kansas 66101  
Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

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

**To:** Unified Government Board of Commissioners  
**From:** City Staff  
**Date:** October 29, 2015  
**Re:** **Petition #SP 2015-59 (150149)**

---

## GENERAL INFORMATION

---

**Applicant:**  
Sarah Purtee

**Status of Applicant:**  
Owner  
12516 Farrow Avenue  
Kansas City, KS

**Requested Action:**  
Approve Home Occupation Special Use Permit

**Date of Application:**  
August 28, 2015

**Purpose:**  
To operate a bakery business at her residence

**Property Location:**  
12516 Farrow Avenue

**Existing Zoning:**  
R-1 Single Family District



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

**Existing Uses:** North: Vacant  
South: Large Lot Single Family houses  
East: Large Lot Single Family houses  
West: Large Lot Single Family houses

**Total Tract Size:** .21 acre

**Master Plan Designation:** The City-Wide Master Plan designates this property as Low Density Residential. The Prairie-Piper-Delaware Master Plan designates this property as suburban residential.

**Major Street Plan:** Farrow Avenue is a local street.

**Advertisement:** The Wyandotte Echo – September 17, 2015  
Letters to Property Owner – September 15, 2015 and October 22, 2015

**Public Hearings:** October 12, 2015 and October 29, 2015

**Public Opposition:** No one appeared in opposition at the October 12, 2015 City Planning Commission meeting.

---

## PROPOSAL

---

Detailed Outline of Requested Action: Mrs. Purtee is seeking to obtain a Special Use Permit to operate a small bakery business in her home.

City Ordinance Requirements: 27-1251 through 27-1270

---

## FACTORS TO BE CONSIDERED

---

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

The character of the neighborhood is suburban single-family residential in nature.

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

The zoning and use of the surrounding properties are set out above. Should the operation remain small in scale, it should not create a compatibility issue.

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

The removal of the restrictions is not foreseen to detrimentally affect nearby properties.

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

The property is the home of the applicant.

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

Special Use Permits are not addressed in the Master Plan.

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

The proposed use should not result in an increase of vehicular traffic to where it exceeds capacity.

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

The proposed use is not foreseen to permanently injure the use, visual quality or marketability of adjoining property.

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

Noise, vibration, dust, or illumination will not create problems for near-by properties.

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

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

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

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

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

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

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

The proposed use will not result in overcrowding of land.

---

## **PREVIOUS ACTIONS**

---

None

---

## KEY ISSUES

---

None.

---

## PLANNING COMMISSION RECOMMENDATION

---

The Planning Commission voted 9 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-59, subject to:

### Urban Planning and Land Use Comments:

1. No signs posted on the property.
2. No employees, other than members of the immediate family, residing on the property.
3. No more than two (2) clients at any one time.
4. Approval for two (2) years.

### Public Works Comments:

None

### Business Licensing Comments:

If approved, applicant will need to file the required occupation tax application for the business, with our office.

---

## STAFF COMMENTS AND SUGGESTIONS

---

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

---

## STAFF RECOMMENDATION

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2015-59 subject to all comments and suggestions outlined in this staff report.

---

## ATTACHMENTS

---

October 12, 2015 City Planning Commission Minutes  
Zoning Map  
Aerial Map  
Business Plan

---

## REVIEW OF INFORMATION AND SCHEDULE

---

|                |                     |                               |
|----------------|---------------------|-------------------------------|
| Action         | Planning Commission | Unified Government Commission |
| Public Hearing | October 12, 2015    | October 29, 2015              |
| Special Use    | Approval            |                               |

---

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

---

## MOTIONS

---

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2015-59** as meeting all the requirements of the City code and being in the interest of the public, health safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2015-59** as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:

**150147 SPECIAL USE PERMIT APPLICATION #SP-2015-59 – SARAH PURTEE WITH HIGH HEEL SWEETS - SYNOPSIS:** Home Occupation Special Use Permit for a bakery at 12516 Farrow Avenue

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 12, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated September 17, 2015;
7. The Notices to property owners dated September 15, 2015.

Ms. Parker asked if any member of the Planning Commission had any contact to disclose concerning this case. Planning Commissioner Carson stated that he has had contact with the applicant concerning the process.

Ms. Sarah Purtee with High Heel Sweets, 12516 Farrow Avenue, Kansas City, Kansas, applicant, appeared in support of this application. She stated that she wants a small-scale home bakery out of her home. She stated that she has spoken to all her neighbors and they have all had a lot of treats and are for the application. It will be very limited traffic into the neighborhood as 80% of her business is delivery and maybe one (1) pick-up a week.

Chairman Huey stated that in the staff report she stated that there would be no signage and no advertising at this point in time unless she needs it in the future. Ms. Purtee stated no there will not be any.

No one appeared in opposition to this application.

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

On motion by Mr. Carson, seconded by Dr. Serda, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2015-59:**

|                    |                 |
|--------------------|-----------------|
| <b>Carson</b>      | <b>Aye</b>      |
| <b>Connelly</b>    | <b>Aye</b>      |
| <b>DeWitt</b>      | <b>Aye</b>      |
| <b>Ernst</b>       | <b>Aye</b>      |
| <b>Gonzalez</b>    | <b>Aye</b>      |
| <b>Huey</b>        | <b>Chairman</b> |
| <b>Pauley</b>      | <b>Aye</b>      |
| <b>Schwartzman</b> | <b>Aye</b>      |
| <b>Serda</b>       | <b>Aye</b>      |
| <b>Wing</b>        | <b>Aye</b>      |

**Motion to recommend APPROVAL Passed: 9 to 0**

**Subject to:**

**Urban Planning and Land Use Comments:**

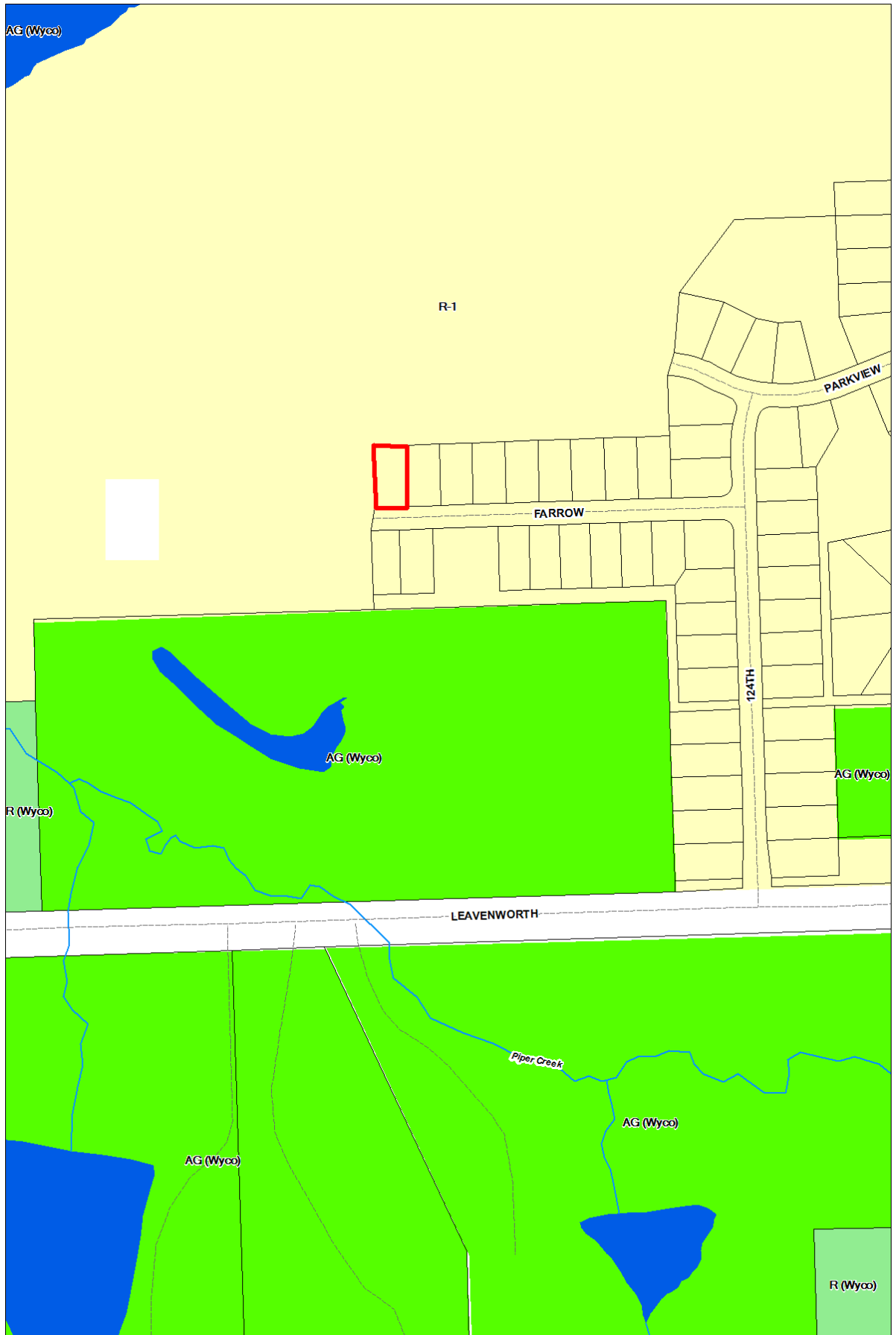
- 1. No signs posted on the property.**
- 2. No employees, other than members of the immediate family, residing on the property.**
- 3. No more than two (2) clients at any one time.**
- 4. Approval for two (2) years.**

**Public Works Comments:**

**None**

**Business Licensing Comments:**

**If approved, applicant will need to file the required occupation tax application for the business, with our office.**





# Description of Business

---

High Heel Sweets offers high quality baked goods with a personalized touch for each and every event. From celebrating a baby shower or wedding, to businesses sending gifts to clients, High Heel Sweets baked goods will put a smile on anyone's face.

## Company Ownership/Legal Entity

High Heel Sweets is a sole proprietorship operating out of a home residence.

Per the Department of Agriculture, no food permits are required as long as High Heel Sweets only sells non-potentially hazardous baked goods as defined by the FDA.

I am currently in the process of obtaining a Special Use land permit to operate from my home in Wyandotte County, Kansas City, KS.

## Location

High Heel Sweets is operating from my home in Kansas City, KS. The baked goods I offer are customized and made fresh to order. Customers will only be coming to my home if they choose to pick-up their order. Delivery is also available. I will take on 3-5 orders per week. Pick-up times will vary per customer.

## Interior

All of the baking is done in my home kitchen on the main floor of my home. Decorating and packaging is done in my kitchen and/or the kitchenette in the basement. Items are stored in boxes in the basement kitchenette area until they are picked up or delivered.

## Hours of Operation

High Heel Sweets is not open to the public, just for pick-ups or deliveries. Pick-up times will vary per customer, but will be scheduled as to not have more than 1 customer picking up at any given time.

## Products and Services

High Heel Sweets offers custom baked goods, made to order. Delivery is available upon request. Large cakes more than 2 tiers will require delivery.

During the holidays, I will offer Christmas cookie parties. I will travel to the customer's home, or dedicated location and I will teach a group of 5-12 people how to decorate cookies. I will provide the baked sugar cookies and icing/décor. Customers will each decorate 1-2 dozen cookies to take home with them.

## Suppliers

I purchase from my suppliers on an as needed basis. I keep a small supply of dry ingredients on hand, as well as bakery boxes and packaging. Suppliers include: BRP Box Shop, Icing Images, Webstaurant.com, Walmart, & Sam's.

## **Service**

Customers will fill out order forms on my website, then I will respond with any further questions and/or a price quote for the item(s) being ordered. The week the order is to be picked up or delivered, I will contact the customer to confirm pick-up or delivery time. A follow-up call/email/text will be sent to the customer the day after delivery/pick-up to ensure they were satisfied with the product.

## **Management**

This business will be successful for several reasons. I have a degree in Business Administration where I learned the basics to running a successful business. Also, I already have a very large customer base. I maintain good relationships with my customers, which almost always leads to repeat business.

## **Financial Management**

High Heel Sweets is financed from our personal funds. With only a small amount of start-up costs, and minimal costs to keep the business running from home, it should not be much of a financial burden.

## **Marketing**

Marketing for High Heel Sweets is currently being done by word-of-mouth and social media. Since I already have a substantial customer base, I have not needed to do any additional marketing. If individual orders slow down, I will start marketing more towards businesses looking for personalized gifts for clients.

## **Pricing**

Prices have been set based on cost to produce the goods, time to produce the goods, and cost of packaging.



# Urban Planning and Land Use

701 North 7<sup>th</sup> Street, Room 423  
Kansas City, Kansas 66101  
Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

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

**To:** Unified Government Board of Commissioners  
**From:** City Staff  
**Date:** October 29, 2015  
**Re:** Petition #SP-2015-60 (130247)

---

## GENERAL INFORMATION

---

**Applicant:**  
Curtis Peterson

**Status of Applicant:**  
Representative  
Polsinelli PC  
6201 College Boulevard, Suite 500  
Overland Park, KS 66211

**Requested Action:**  
Renew Special Use Permit – Change of  
Ownership

**Date of Application:**  
August 28, 2015

**Purpose:**  
To operate a 100 bed skilled nursing and  
assisted living facility

**Property Location:**  
8900 Parallel Parkway

**Existing Zoning:**  
R-1 Single Family District



**Existing Surrounding Zoning:** **North:** R-1 Single Family District  
**South:** CP-0 Planned Nonretail Business District  
**East:** R-1 Single Family District  
**West:** R-1 Single Family District

**Existing Uses:** **North:** Large lot single family home  
**South:** Providence Medical Center  
**East:** Church  
**West:** Vacant land

**Total Tract Size:** 8 acres

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

**Major Street Plan:** The City-Wide Master Plan classifies Parallel Parkway as a Class A Thoroughfare.

**Advertisement:** The Wyandotte Echo – September 17, 2015  
Letters to Property Owner – September 15, 2015 and October 22, 2015

**Public Hearings:** October 12, 2015 and October 29, 2015

**Public Opposition:** No one appeared in opposition at the October 12, 2015 City Planning Commission meeting.

---

## **PROPOSAL**

---

Detailed Outline of Requested Action: Curtis Petersen with Polsinelli PC, on behalf of the owner, MS Kansas City, LLC has filed for a special use permit to in order to sell the property to Welltower, Inc. that will operate the 100 bed skilled nursing and assisted living facility at 8900 Parallel Parkway.

City Ordinance Requirements: 27-592 through 27-606

---

## **FACTORS TO BE CONSIDERED**

---

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

The surrounding area is zoned for single family homes with the exception to the south, across Parallel Parkway, which is Providence Medical Center.

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

The zoning of properties nearby and their uses are set out above. The development has been designed well and is limited to seniors, and given its close proximity to Providence Medical Center; it is compatible with the area.

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

The property is currently zoned R-1 Single Family District. This use is appropriate for the area and seeing as the building is well designed; it should not have a detrimental affect on nearby property.

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

The property is not vacant. The building is currently being occupied by administrate staff.

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

Special use permits are not addressed in the Master Plan.

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

The site and street network are designed, so this will not be an issue.

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

As our population ages, facilities such as this are needed in our community and the development should not create any of the issues listed above.

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

With the current design, this is not foreseen to be an issue.

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

With the current design, this is not foreseen to be an issue.

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

With the current design, this is not foreseen to be an issue.

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

There is a relative gain to the safety and welfare for those who will use this facility, as they will be monitored by professional staff and due to its close proximity to Providence Medical Center can receive advanced medical care if necessary.

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

This is not foreseen to be an issue.

---

## **PREVIOUS ACTIONS**

---

On July 25, 2015, the Board of Commissioners approved an indefinite special use permit, #SP-2013-41 to MS Kansas City, LLC to operate a 100 bed skilled nursing and assisted living facility.

---

## **NEIGHBORHOOD MEETING**

---

The applicant held a neighborhood meeting on September 22, 2015. According to the applicant, two neighbors attended the meeting and had questions regarding their property and the current construction of the facility.

---

## **KEY ISSUES**

---

None

---

## **PLANNING COMMISSION RECOMMENDATION**

---

The Planning Commission voted 9 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-60, subject to:

**Urban Planning and Land Use Comments:**

- 1. This special use permit is simply being filed due to a change in ownership. Welltower, Inc. is purchasing the property and facility from MS Kansas City, LLC. Special use permits are non-transferrable, so this process is required.**

## Public Works Comments:

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

---

## **STAFF COMMENTS AND SUGGESTIONS**

---

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

---

## **STAFF RECOMMENDATION**

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2015-60** subject to all comments and suggestions outlined in this staff report.

---

## **ATTACHMENTS**

---

October 12, 2015 City Planning Commission Minutes  
Neighborhood Meeting Minutes  
Site Plan

---

## **REVIEW OF INFORMATION AND SCHEDULE**

---

| Action         | Planning Commission | Unified Government Commission |
|----------------|---------------------|-------------------------------|
| Public Hearing | October 12, 2015    | October 29, 2015              |
| Special Use    | Approval            |                               |

---

**STAFF CONTACT:**            **Byron Toy, AICP**

---

## **MOTIONS**

---

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2015-60** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;

2. \_\_\_\_\_; And

3. \_\_\_\_\_.

**OR**

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2015-60**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

**OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:**

**130247 SPECIAL USE PERMIT APPLICATION #SP-2015-60 – CURTIS PETERSON WITH POLSINELLI – SYNOPSIS:** Renewal of a Special Use Permit for an existing skilled nursing and assisted living facility (change of ownership) at 8900 Parallel Parkway

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

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 12, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notices to property owners; and,
7. The publications in The Echo for the special use permits.

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

Chairman Huey asked if any member of the public, staff or Commission wished to remove an item from the Consent Agenda.

Mr. Mario Escobar, 1438 South 28<sup>th</sup> Street, Kansas City, Kansas requested that that #PR-2015-9 be removed from the Consent Agenda. Ms. Debra Wolfe requested that Special Use Permit #SP-2015-56 be removed from the Consent Agenda.

On motion by Mr. Carson, seconded by Mr. Schwartzman, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

|                 |            |
|-----------------|------------|
| <b>Carson</b>   | <b>Aye</b> |
| <b>Connelly</b> | <b>Aye</b> |
| <b>DeWitt</b>   | <b>Aye</b> |

|             |          |
|-------------|----------|
| Ernst       | Aye      |
| Gonzalez    | Aye      |
| Huey        | Chairman |
| Pauley      | Aye      |
| Schwartzman | Aye      |
| Serda       | Aye      |
| Wing        | Aye      |

Motion to APPROVE Passed: 9 to 0

Subject to:

**Urban Planning and Land Use Comments:**

1. This special use permit is simply being filed due to a change in ownership. Welltower, Inc. is purchasing the property and facility from MS Kansas City, LLC. Special use permits are non-transferrable, so this process is required.

**Public Works Comments:**

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

**Neighborhood Meeting Minutes**

**Project: Health Care Reit, Inc. / Special Use Permit Application SP-2015-60**

**Date of Meeting: September 22, 2015**

**Location: Fraternal Order of Police, Lodge #4**

Meeting Called to Order: 6:15 p.m.

**Attendance:**

Todd Mosher, Development Consultant, R.A. Smith National, Inc.

Amy Grant, Polsinelli PC

Peggy Serviss

Gary Grable

Mr. Mosher and Ms. Grant began the meeting by introducing themselves and briefly explained that the existing special use permit is non-transferrable and is simply being filed due to a change in ownership in that Health Care Reit, Inc. is purchasing the property and facility from MS Kansas City, LLC.

Ms. Serviss and Mr. Grable had the following questions/concerns regarding the project:

1. Ms. Serviss stated that she had not received a copy of a compaction report for the area of her property where soil was moved from the project site. The developer provided a copy of the compaction report to Ms. Serviss on September 29, 2015, pursuant to her request and in accordance with the Temporary Construction and Grading Easement entered into between Ms. Serviss and MS.
2. Ms. Serviss stated that it was her understanding that the edges of the property would be cleaned up (trim, brush, etc.) once construction was complete. The developer is working with Ms. Serviss to better understand this request and has offered an on-site meeting with the developer's contractor to discuss further.
3. Ms. Serviss had a concern that property boundaries were not properly staked. The developer is in the process of obtaining a final boundary survey and will forward a copy of the survey Ms. Serviss when complete.
4. Ms. Serviss had a concern over placement of the sanitary sewer line. The developer provided a copy of the sanitary sewer as-built drawing that was previously submitted to UG Public Works Department to Ms. Serviss on September 29, 2015.
5. Ms. Serviss had a concern that pieces of concrete had been "dumped" on her property to the west. The developer's contractor confirmed to them yesterday that no concrete pieces were dumped on Ms. Serviss' property.
6. Ms. Serviss inquired as to Mainstreet's interest in buying Ms. Serviss' remaining property. Mainstreet has no current plans to develop a new or expanded facility in that location but will certainly keep Ms. Serviss' remaining property in mind for any future development plans in the area.

Meeting adjourned at: 7:00 p.m.

Minutes taken by: Amy Grant

46739730

51408354.1





## Urban Planning and Land Use

701 North 7<sup>th</sup> Street, Room 423  
Kansas City, Kansas 66101  
Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

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

**To:** Unified Government Board of Commissioners  
**From:** City Staff  
**Date:** October 29, 2015  
**Re:** **Petition SP-2015-61 (150278)**

---

### GENERAL INFORMATION

---

**Applicant:**  
Michael Rhodes

**Status of Applicant:**  
Applicant  
10702 Donahoo Road  
Kansas City, KS

**Requested Action:**  
A special use permit for a home occupation  
for a landscaping business

**Date of Application:**  
August 28, 2015

**Purpose:**  
To operate a landscape business out of a  
home

**Property Location:**  
10702 Donahoo Road

**Existing Zoning:**  
CP-1 Planned Limited Commercial District



**Existing Surrounding Zoning:** North: RP-1 Planned Single Family District  
South: AG Agricultural District  
East: AG Agricultural District  
West: RP-1 Planned Single Family District

**Existing Uses:** North: Single family residential  
South: Large lot residential  
East: Large lot residential  
West: Large lot residential

**Neighborhood Characteristics:** The neighborhood is low density residential in nature.

**Total Tract Size:** 7.61 acres

**Master Plan Designation:** The Prairie-Piper-Delaware Master Plan designates this property for planned commercial development.

**Major Street Plan:** North 55<sup>th</sup> Street is a local street

**Advertisement:** Property Owners Letters – September 15, 2015 and October 22, 2015  
Wyandotte Echo – September 17, 2015

**Public Hearings:** October 12, 2015 and October 29, 2015

**Public Opposition:** No one appeared in opposition at the October 12, 2015 City Planning Commission meeting.

---

## **PROPOSAL**

---

*Detailed Outline of Requested Action:* Mr. Rhodes is requesting approval of a special use permit for a home occupation to operate his landscaping business, Commercial Landscapers, out of his home. The property will have his house as well as an accessory building to house the landscaping equipment and materials, for which a variance for extra square footage is also being requested of the Board of Zoning Appeals on October 12, 2015.

City Ordinance Requirements: 27-1251 through 27-1270

---

## **FACTORS TO BE CONSIDERED**

---

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

The neighborhood is residential and agricultural in nature.

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

The zoning of nearby properties is set out above. If the business is operated properly at a small scale, it could be considered compatible with the area. But staff has substantial concerns about the business becoming larger than what is acceptable. Specifically, the number of employees, type of structure, equipment, stockpiles of materials and plants can change the character of this property to an industrial one in a short period of time. This would impact the business compatibility.

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

In its current configuration, the property is suited for this use. If the business is not properly operated at a small scale it could have a detrimental effect on nearby property.

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

The property has never been developed.

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

Special Use Permits are not discussed in the Master Plan.

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

Staff believes that the traffic impact of this project would be minor.

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

Since the structures to be built are residential in nature, this is not expected to be an issue.

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

So long as any equipment or materials are well screened, and large commercial trucks do not frequent the property, this should not be an issue.

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

This is not foreseen to be an issue.

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

This is not foreseen to be an issue.

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

The proposal is only a convenience to the applicant. There are other businesses in the area that provide the same type of service. The applicant is just providing another competitive option for that service. If denied, the applicant would have to find another location for the business.

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

Staff does not see this as an issue.

---

**PREVIOUS ACTIONS**

---

None

---

**NEIGHBORHOOD MEETING**

---

The applicant held a neighborhood meeting on September 22, 2015. Nine people were in attendance. No opposition was recorded.

---

**KEY ISSUES**

---

Long term plans for business  
Hours of operation  
Number of employees  
Employee parking  
Number of and type of vehicles on the property  
Vehicle repairs, location of equipment, bulk materials and other landscaping products

---

**PLANNING COMMISSION RECOMMENDATION**

---

The Planning Commission voted 9 to 0 to recommend **approval** of Special Use Permit Application #SP-2015-61, subject to:

**Urban Planning and Land Use Comments:**

- 1. What is the long-term plan for the business? Is the intention to perpetually keep the business at this location, or to move it to a commercially zoned property in the future?**

**Applicant Response: *Only the office operations of the business are located on site. Mr. Rhodes and his assistant are the only employees who regularly work at this location; business performed on site are office functions. No delivery of landscape material to the site as these are delivered to the project site. Plan is maintain these operations on site indefinitely.***

**2. Please indicate the hours of operation**

**Applicant Response: *Hours of operation are 8 a.m. to 5 p.m.***

**3. How many employees will work on site?**

**Applicant Response: *Employees are Mr. Rhodes and his assistant (2)***

**4. Where will those employees park on the site?**

**Applicant Response: *Mr. Rhodes and 1 employee will park either in the drive or in front of the accessory structure.***

**5. Please disclose the number of and type of vehicles that will be on the property, and where will those vehicles be located.**

**Applicant Response: *Vehicles on site will be Mr. Rhodes and his family's personal vehicles and his one employee's personal vehicle.***

**6. Please disclose the location of equipment, bulk materials and other landscaping products. This can be best illustrated in a site plan.**

***See site plan below***

**7. Submit a full site plan showing parking, outbuildings and material storage areas.**

***See site plan below.***

**Stipulations:**

- 1. No on-site signage**
- 2. Hours of operation may not extend past 7 pm**
- 3. No non-family member employees may reside on the premises**
- 4. No outside storage will be allowed**
- 5. Approval for two (2) years**

---

**STAFF COMMENTS AND SUGGESTIONS**

---

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

---

## STAFF RECOMMENDATION

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2015-61** subject to all comments and suggestions outlined in this staff report.

---

## ATTACHMENTS

---

October 12, 2015 City Planning Commission Minutes  
Zoning Map  
Aerial photo  
Site Plan

---

## REVIEW OF INFORMATION AND SCHEDULE

---

| Action         | Planning Commission | Unified Government Commission |
|----------------|---------------------|-------------------------------|
| Public Hearing | October 12, 2015    | October 29, 2015              |
| SUP            | Approval            |                               |

---

**STAFF CONTACT:**            **Jamie Ferris**            [jferris@wycokck.org](mailto:jferris@wycokck.org)

---

---

## MOTIONS

---

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2015-61** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**OR**

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2015-61**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## **OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:**

### **150278 SPECIAL USE PERMIT APPLICATION #SP-2015-61 – MICHAEL A. RHODES/COMMERCIAL LANDSCAPERS - SYNOPSIS:** Home Occupation Special Use Permit for a commercial landscaping business at 10702 Donahoo Road

Recording Secretary Parker stated that the following items should be included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 12, 2015;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated September 17, 2015;
7. The Notices to property owners dated September 15, 2015.

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

Mr. Ryan Denk, attorney representing the applicant, 10 East Cambridge Circle Drive, Kansas City, Kansas, appeared in support of this application. He stated that he discussed this application briefly during the hearing on the appeal. They are present with a recommendation of approval and would answer any questions.

Planning Commissioner DeWitt asked what would be the time period for this special use permit. Planning Director Richardson stated that the initial approval of a special use permit is always two (2) years.

Planning Commissioner Carson asked where the house and accessory building will be built in relationship to the corner. Mr. Michael Rhodes, 2920 Hutton Road, Kansas City, Kansas, applicant, appeared in support of this application. He stated that the house is a one-third the way to Donahoo and the accessory building is close to the green dot on the map. He further stated that the corner is being left open as he wanted the trees left there to give him privacy.

No one appeared in opposition to this application.

Planning Director Richardson stated that the staff recommends approval for two (2) years subject to the stipulations in the staff report.

On motion by Dr. Serda, seconded by Mr. Wing, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2015-61:**

|                 |            |
|-----------------|------------|
| <b>Carson</b>   | <b>Aye</b> |
| <b>Connelly</b> | <b>Aye</b> |
| <b>DeWitt</b>   | <b>Aye</b> |
| <b>Ernst</b>    | <b>Aye</b> |
| <b>Gonzalez</b> | <b>Aye</b> |

|             |            |
|-------------|------------|
| Huey        | Chairwoman |
| Pauley      | Aye        |
| Schwartzman | Aye        |
| Serda       | Aye        |
| Wing        | Aye        |

Motion to recommend APPROVAL Passed: 9 to 0

**Urban Planning and Land Use Comments:**

1. What is the long-term plan for the business? Is the intention to perpetually keep the business at this location, or to move it to a commercially zoned property in the future?

*Applicant Response: Only the office operations of the business are located on site. Mr. Rhodes and his assistant are the only employees who regularly work at this location; business performed on site are office functions. No delivery of landscape material to the site as these are delivered to the project site. Plan is maintain these operations on site indefinitely.*

2. Please indicate the hours of operation

*Applicant Response: Hours of operation are 8 a.m. to 5 p.m.*

3. How many employees will work on site?

*Applicant Response: Employees are Mr. Rhodes and his assistant (2)*

4. Where will those employees park on the site?

*Applicant Response: Mr. Rhodes and 1 employee will park either in the drive or in front of the accessory structure.*

5. Please disclose the number of and type of vehicles that will be on the property, and where will those vehicles be located.

*Applicant Response: Vehicles on site will be Mr. Rhodes and his family's personal vehicles and his one employee's personal vehicle.*

6. Please disclose the location of equipment, bulk materials and other landscaping products. This can be best illustrated in a site plan.

*See site plan below*

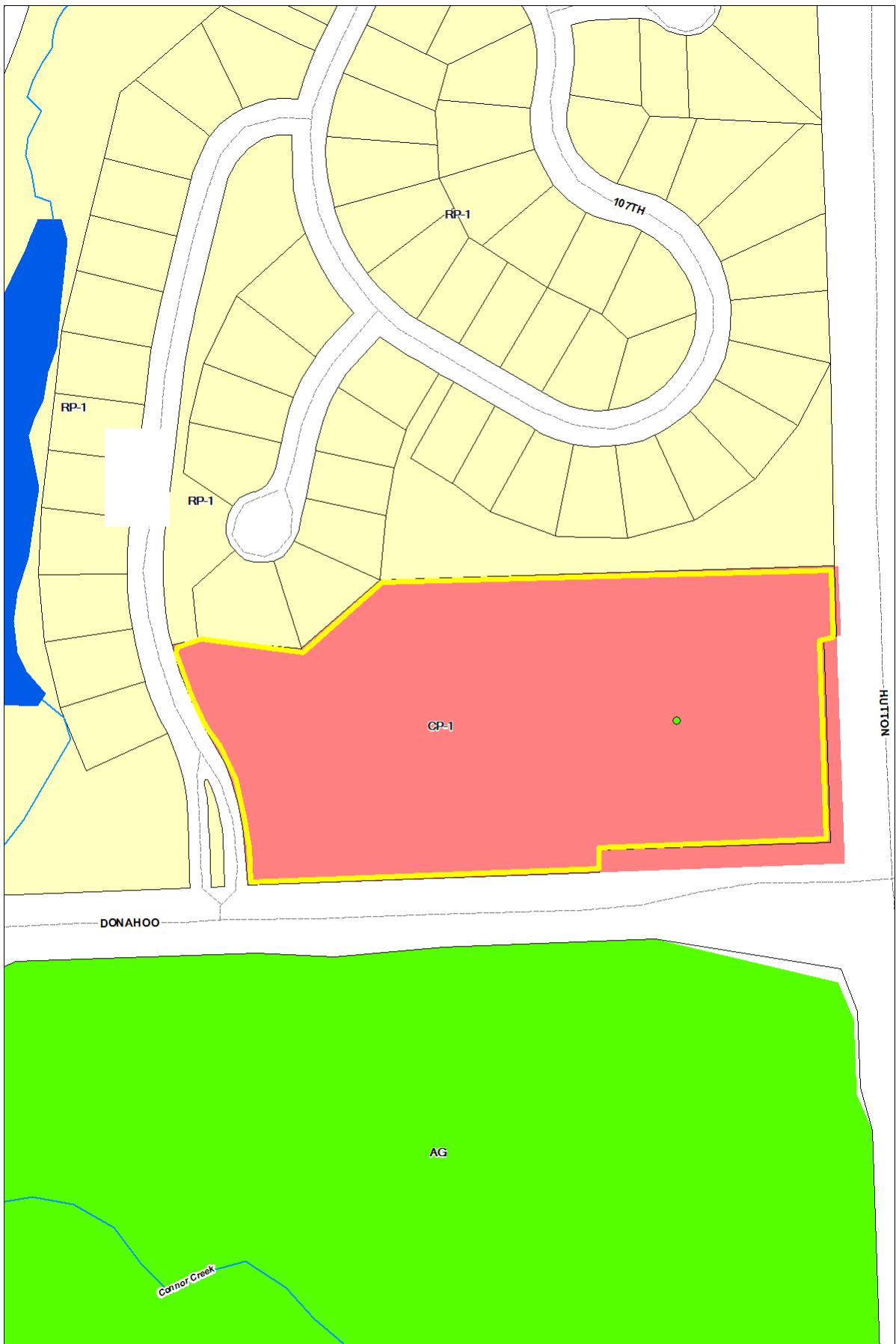
7. Submit a full site plan showing parking, outbuildings and material storage areas.

*See site plan below.*

**Stipulations:**

- 1. No on-site signage**
- 2. Hours of operation may not extend past 7 pm**
- 3. No non-family member employees may reside on the premises**
- 4. No outside storage will be allowed**
- 5. Approval for two (2) years**





**LEGEND**

- 1. CLS 50' Right-of-Way (dashed line)
- 2. Section Scale (dashed line)
- 3. Calculated Distance (solid line)
- 4. Measured Distance (solid line)
- 5. Down-Slope (solid line)
- 6. Meters (solid line)
- 7. Water Meter (solid line)
- 8. Bottom of Hill (solid line)
- 9. Top of Hill (solid line)
- 10. Easement Line (solid line)
- 11. Right-of-Way (solid line)
- 12. Section Boundary (solid line)
- 13. Section Direction (solid line)

**LOCATION MAP**

Map of the area showing the location of the subdivision within a larger region. The map includes a north arrow and a scale bar.

**Surveyor's Seal**

Professional seal of the surveyor, including the name and the state of the surveyor.

150111

(Published \_\_\_\_\_)

#U/E-2015-8

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE** vacating the following:

**Southwestern Bell Telephone Company Easement Vacation Description:**

This is to vacate a portion of the Southwestern Bell Telephone Company Easement, as it is described in Book 867 at Page 563 and recorded in the Wyandotte County, Kansas Recorder of Deeds office. That portion of the easement being vacated is more particularly described as follows: All that portion of the said Southwestern Bell Telephone Company Easement, lying within the boundaries of Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas recorded in Book 44 at Page 9, and all that portion lying within the boundaries of Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, a survey in Kansas City, Wyandotte County, Kansas recorded as Document No. 2015R-05937, all being in the Southwest Quarter of Section 1, Township 11 South, Range 23 East, in Kansas City, Wyandotte County, Kansas.

**Partial Waterline Easement Vacation Description:**

A partial vacation of a 15.00 foot wide Waterline Easement, lying 7.50 feet on both sides of the following described centerline and whose sidelines are lengthened or foreshortened to terminate at their respective property lines, heretofore established with Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, recorded in Book 44 at Page 9, and now lying within the boundaries of Tract B, Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937, in the Wyandotte County Recorder's Office, the centerline of which being more particularly described as follows: (Note: Held the North line of the Northeast Fractional Quarter of Section 1, Township 11 South, Range 23 East as having a bearing of North 88 degrees 00 minutes 23 seconds East – Matches the recorded plat of Schlitterbahn Vacation Village)

**Waterline Easement #1:**

COMMENCING at the Southwest corner of Tract B, Lot Line Adjustment survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 389.74 feet, to the POINT OF BEGINNING of said Waterline Easement #1, said point also being on a non-tangent curve; Thence

Northerly, departing the South line of said Tract B, and along a curve to the right, whose initial tangent bearing is North 19 degrees 35 minutes 06 seconds West, having a radius of 424.00 feet and through a central angle of 17 degrees 25 minutes 10 seconds, an arc length of 128.91 feet, to a point of tangency; Thence North 02 degrees 09 minutes 56 seconds West, a distance of 95.02 feet, to a point hereby designated as Point "A"; Thence continuing North 02 degrees 09 minutes 56 seconds West, a distance of 19.44 feet; Thence North 31 degrees 35 minutes 04 seconds East, a distance of 184.14 feet; Thence North 02 degrees 09 minutes 56 seconds West, a distance of 71.85 feet, to a point hereby designated to as Point "B"; Thence North 42 degrees 50 minutes 04 seconds East, a distance of 41.56 feet; Thence South 88 degrees 52 minutes 19 seconds East, a distance of 38.31 feet, to a point hereby designated as Point "C"; Thence continuing South 88 degrees 52 minutes 19 seconds East, a distance of 233.68 feet, to a point hereby designated as Point "D"; Thence continuing South 88 degrees 52 minutes 19 seconds East, a distance of 10.00 feet, to the POINT OF TERMINATION of said Waterline Easement #1.

AND ALSO:

Waterline Easement #2:

BEGINNING at the aforementioned Point "A"; Thence South 87 degrees 50 minutes 04 seconds West, a distance of 14.00 feet, to the POINT OF TERMINATION of said Waterline Easement #2.

AND ALSO:

Waterline Easement #3:

BEGINNING at the aforementioned Point "B"; Thence South 42 degrees 50 minutes 04 seconds West, a distance of 8.10 feet; Thence South 87 degrees 50 minutes 04 seconds West, a distance of 35.57 feet, to a point of curvature; Thence Westerly, along a curve to the right, having a radius of 532.00 feet and through a central angle of 14 degrees 49 minutes 30 seconds, an arc length of 137.65 feet, to a point of reverse curvature; Thence Westerly and Southwesterly, along a curve to the left, having a radius of 268.00 feet and through a central angle of 33 degrees 57 minutes 27 seconds, an arc length of 158.84 feet, to a point of tangency; Thence South 68 degrees 42 minutes 07 seconds West, a distance of 137.28 feet, to the POINT OF TERMINATION of said Waterline Easement #3.

AND ALSO:

Waterline Easement #4:

BEGINNING at the aforementioned Point "C"; Thence North 01 degrees 07 minutes 41 seconds East, a distance of 13.00 feet, to the POINT OF TERMINATION of said Waterline Easement #4.

AND ALSO:

Waterline Easement #5:

BEGINNING at the aforementioned Point "D"; Thence North 01 degrees 07 minutes 41 seconds East, a distance of 14.00 feet, to the POINT OF TERMINATION of said Waterline Easement #5. The hereon described Waterline Easements contain a total aggregate area of 19,635 square feet or 0.4508 acres, more or less.

**Partial Power Easement Vacation Description:**

A partial vacation of a 15.00 foot wide Power Easement, lying 7.50 feet on both sides of the following described centerline and whose sidelines are lengthened or foreshortened to terminate at their respective property lines, heretofore established with Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, recorded in Book 44 at Page 9, and now lying within the boundaries of Tract B, Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937, in the Wyandotte County Recorder's Office, the centerline of which being more particularly described as follows: (Note: Held the North line of the Northeast Fractional Quarter of Section 1, Township 11 South, Range 23 East as having a bearing of North 88 degrees 00 minutes 23 seconds East – Matches the recorded plat of Schlitterbahn Vacation Village)

Power Easement #1:

COMMENCING at the Southwest corner of Tract B, Lot Line Adjustment survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 338.01 feet, to the POINT OF BEGINNING of said Power Easement #1, said point also being on a non-tangent curve; Thence Northerly, departing the South line of said Tract B, and along a curve to the right, whose initial tangent bearing is North 27 degrees 15 minutes 57 seconds West, having a radius of 500.00 feet and through a central angle of 14 degrees 40 minutes 36 seconds, an arc length of 128.08 feet, to a point of tangency; Thence North 12 degrees 35 minutes 21 seconds West, a distance of 47.08 feet, to a point hereby designated as Point "A"; Thence North 77 degrees 24 minutes 39 seconds East, a distance of 3.15 feet; Thence North 24 degrees 16 minutes 51 seconds East, a distance of 108.73 feet, to a point of curvature; Thence Northeasterly along a curve to the right, having a radius of 500.00 feet and through a central angle of 13 degrees 43 minutes 04 seconds, an arc length of 119.71 feet, to a point of tangency; Thence North 37 degrees 59 minutes 53 seconds East, a distance of 152.81 feet; Thence North 61 degrees 52 minutes 47 seconds East, a distance of 24.19 feet; Thence South 88 degrees 52 minutes 19 seconds East, a distance of 307.62 feet, to the POINT OF TERMINATION of the centerline of said Power Easement #1.

AND ALSO:

**Power Easement #2:**

BEGINNING at aforementioned Point "A"; Thence South 77 degrees 24 minutes 39 seconds West, a distance of 310.92 feet, to a point of curvature; Thence Westerly, along a curve to the left, having a radius of 500.00 feet and through a central angle of 03 degrees 45 minutes 07 seconds, an arc length of 32.74 feet, to a point on the Westerly line of said Tract B, said point also being the POINT OF TERMINATION of the centerline of said Power Easement #2. The total aggregate area of the Power Easements being vacated is 18,413 square feet or 0.4227 acres, more or less.

**Partial Sanitary Sewer Easement Vacation Description:**

All that part of the Sanitary Sewer Easements, as it was established with Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, recorded in Book 44 at Page 9, and now lying within the boundaries of Tract B, Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937, in the Wyandotte County Recorder's Office and being more particularly described as follows: (Note: Held the North line of the Northeast Fractional Quarter of Section 1, Township 11 South, Range 23 East as having a bearing of North 88 degrees 00 minutes 23 seconds East – Matches the recorded plat of Schlitterbahn Vacation Village)

**Sanitary Sewer Easement #1:**

COMMENCING at the Southwest corner of Tract B, Lot Line Adjustment survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 295.52 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #1; Thence North 35 degrees 42 minutes 42 seconds West, departing the South line of said Tract B, a distance of 88.29 feet; Thence North 26 degrees 57 minutes 25 seconds East, a distance of 413.09 feet; Thence South 63 degrees 02 minutes 35 seconds East, a distance of 64.00 feet; Thence South 26 degrees 57 minutes 25 seconds West, a distance of 374.12 feet; Thence South 35 degrees 42 minutes 42 seconds East, a distance of 63.63 feet, to a point hereby designated as Point "A", said point also being on the South line of said Tract B; Thence South 66 degrees 53 minutes 22 seconds West, along the South line of said Tract B, a distance of 65.58 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #1, containing 30,052 square feet or 0.6899 acres, more or less.

AND ALSO:

**Sanitary Sewer Easement #2:**

COMMENCING at aforementioned Point "A"; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 554.90 feet, to the Southeast corner of said Tract B; Thence North 06 degrees 20 minutes 50 seconds West, along the East line of said Tract B, a distance of 53.59 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #2; Thence North 17 degrees 27

minutes 07 seconds West, departing the East line of said Tract B, a distance of 180.54 feet; Thence North 72 degrees 32 minutes 53 seconds East, a distance of 25.00 feet; Thence South 17 degrees 27 minutes 07 seconds East, a distance of 53.17 feet, to a point hereby designated as Point "B", said point also being on the East line of said Tract B; Thence South 06 degrees 20 minutes 50 seconds East, along the East line of said Tract B, a distance of 129.80 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #2, containing 2,921 square feet or 0.0670 acres, more or less.

AND ALSO:

**Sanitary Sewer Easement #3:**

COMMENCING at aforementioned Point "B"; Thence North 06 degrees 20 minutes 50 seconds West, along the East line of said Tract B, a distance of 125.04 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #3; Thence South 48 degrees 57 minutes 40 seconds West, departing the East line of said Tract B, a distance of 25.17 feet; Thence North 41 degrees 02 minutes 20 seconds West, a distance of 24.00 feet; Thence North 48 degrees 57 minutes 40 seconds East, a distance of 41.79 feet, to a point on the East line of said Tract B; Thence South 06 degrees 20 minutes 50 seconds East, along the East line of said Tract B, a distance of 29.19 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #3, containing 804 square feet or 0.0185 acres, more or less. The total aggregate area of the Sanitary Sewer Easements being vacated is 33,777 square feet or 0.7754 acres, more or less.

**Partial Utility Easement Vacation Description:**

A partial vacation of a 10.00 foot wide Utility Easement, lying 5.00 feet on both sides of the following described centerline and whose sidelines are lengthened or foreshortened to terminate at their respective property lines, heretofore established with Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, recorded in Book 44 at Page 9, and now lying within the boundaries of Tract B, Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937, in the Wyandotte County Recorder's Office, the centerline of which being more particularly described as follows: (Note: Held the North line of the Northeast Fractional Quarter of Section 1, Township 11 South, Range 23 East as having a bearing of North 88 degrees 00 minutes 23 seconds East – Matches the recorded plat of Schlitterbahn Vacation Village)

**Utility Easement #1:**

COMMENCING at the Southwest corner of Tract B, Lot Line Adjustment survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 397.76 feet, to the POINT OF BEGINNING of said Utility Easement #1, said point also being on a non-tangent curve; Thence Northerly, departing the South line of said Tract B, and along a curve to the right, whose initial

tangent bearing is North 19 degrees 31 minutes 01 seconds West, having a radius of 416.00 feet and through a central angle of 14 degrees 53 minutes 54 seconds, an arc length of 108.17 feet, to a point of tangency; Thence North 02 degrees 39 minutes 52 seconds West, a distance of 49.73 feet, to a point of curvature; Thence Northerly and Northeasterly, along a curve to the right, having a radius of 81.37 feet and through a central angle of 34 degrees 00 minutes 48 seconds, an arc length of 48.30 feet, to a point of tangency; Thence North 31 degrees 20 minutes 56 seconds East, a distance of 155.88 feet, to a point of curvature; Thence Northeasterly and Northerly, along a curve to the left, having a radius of 128.00 feet and through a central angle of 30 degrees 13 minutes 15 seconds, an arc length of 67.51 feet, to a point of tangency; Thence North 01 degrees 07 minutes 41 seconds East, a distance of 5.23 feet, to a point hereby designated as Point "A"; Thence continuing North 01 degrees 07 minutes 41 seconds East, a distance of 70.33 feet; Thence North 44 degrees 28 minutes 52 seconds East, a distance of 22.59 feet; Thence South 88 degrees 52 minutes 19 seconds East, a distance of 305.61 feet; Thence South 01 degrees 07 minutes 41 seconds West, a distance of 49.61 feet, to a point of curvature; Thence Southerly and Southeasterly, along a curve to the left, having a radius of 294.00 feet and through a central angle of 31 degrees 59 minutes 43 seconds, an arc length of 164.18 feet, to a point of tangency; Thence South 30 degrees 52 minutes 02 seconds East, a distance of 43.60 feet, to a point on the East line of said Tract B, said point also being the POINT OF TERMINATION of the centerline of said Utility Easement #1.

AND ALSO;

Utility Easement #2:

BEGINNING at aforementioned Point "A"; Thence South 68 degrees 42 minutes 08 seconds West, a distance of 584.46 feet, to a point on the Westerly line of said Tract B, said point also being the POINT OF TERMINATION of the centerline of said Utility Easement #2. The total aggregate area of the Utility Easements being vacated is 16,698 square feet or 0.3833 acres, more or less.

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

Section 1. That the following described utility easement in Kansas City, Kansas be and the same is hereby vacated:

**Southwestern Bell Telephone Company Easement Vacation Description:**

This is to vacate a portion of the Southwestern Bell Telephone Company Easement, as it is described in Book 867 at Page 563 and recorded in the Wyandotte County, Kansas Recorder of Deeds office. That portion of the easement being vacated is more particularly described as follows: All that portion of the said Southwestern Bell Telephone Company Easement, lying within the boundaries of Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas recorded in Book 44

at Page 9, and all that portion lying within the boundaries of Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, a survey in Kansas City, Wyandotte County, Kansas recorded as Document No. 2015R-05937, all being in the Southwest Quarter of Section 1, Township 11 South, Range 23 East, in Kansas City, Wyandotte County, Kansas.

**Partial Waterline Easement Vacation Description:**

A partial vacation of a 15.00 foot wide Waterline Easement, lying 7.50 feet on both sides of the following described centerline and whose sidelines are lengthened or foreshortened to terminate at their respective property lines, heretofore established with Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, recorded in Book 44 at Page 9, and now lying within the boundaries of Tract B, Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937, in the Wyandotte County Recorder's Office, the centerline of which being more particularly described as follows: (Note: Held the North line of the Northeast Fractional Quarter of Section 1, Township 11 South, Range 23 East as having a bearing of North 88 degrees 00 minutes 23 seconds East – Matches the recorded plat of Schlitterbahn Vacation Village)

**Waterline Easement #1:**

COMMENCING at the Southwest corner of Tract B, Lot Line Adjustment survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 389.74 feet, to the POINT OF BEGINNING of said Waterline Easement #1, said point also being on a non-tangent curve; Thence Northerly, departing the South line of said Tract B, and along a curve to the right, whose initial tangent bearing is North 19 degrees 35 minutes 06 seconds West, having a radius of 424.00 feet and through a central angle of 17 degrees 25 minutes 10 seconds, an arc length of 128.91 feet, to a point of tangency; Thence North 02 degrees 09 minutes 56 seconds West, a distance of 95.02 feet, to a point hereby designated as Point "A"; Thence continuing North 02 degrees 09 minutes 56 seconds West, a distance of 19.44 feet; Thence North 31 degrees 35 minutes 04 seconds East, a distance of 184.14 feet; Thence North 02 degrees 09 minutes 56 seconds West, a distance of 71.85 feet, to a point hereby designated to as Point "B"; Thence North 42 degrees 50 minutes 04 seconds East, a distance of 41.56 feet; Thence South 88 degrees 52 minutes 19 seconds East, a distance of 38.31 feet, to a point hereby designated as Point "C"; Thence continuing South 88 degrees 52 minutes 19 seconds East, a distance of 233.68 feet, to a point hereby designated as Point "D"; Thence continuing South 88 degrees 52 minutes 19 seconds East, a distance of 10.00 feet, to the POINT OF TERMINATION of said Waterline Easement #1.

AND ALSO:

Waterline Easement #2:

BEGINNING at the aforementioned Point "A"; Thence South 87 degrees 50 minutes 04 seconds West, a distance of 14.00 feet, to the POINT OF TERMINATION of said Waterline Easement #2.

AND ALSO:

Waterline Easement #3:

BEGINNING at the aforementioned Point "B"; Thence South 42 degrees 50 minutes 04 seconds West, a distance of 8.10 feet; Thence South 87 degrees 50 minutes 04 seconds West, a distance of 35.57 feet, to a point of curvature; Thence Westerly, along a curve to the right, having a radius of 532.00 feet and through a central angle of 14 degrees 49 minutes 30 seconds, an arc length of 137.65 feet, to a point of reverse curvature; Thence Westerly and Southwesterly, along a curve to the left, having a radius of 268.00 feet and through a central angle of 33 degrees 57 minutes 27 seconds, an arc length of 158.84 feet, to a point of tangency; Thence South 68 degrees 42 minutes 07 seconds West, a distance of 137.28 feet, to the POINT OF TERMINATION of said Waterline Easement #3.

AND ALSO:

Waterline Easement #4:

BEGINNING at the aforementioned Point "C"; Thence North 01 degrees 07 minutes 41 seconds East, a distance of 13.00 feet, to the POINT OF TERMINATION of said Waterline Easement #4.

AND ALSO:

Waterline Easement #5:

BEGINNING at the aforementioned Point "D"; Thence North 01 degrees 07 minutes 41 seconds East, a distance of 14.00 feet, to the POINT OF TERMINATION of said Waterline Easement #5. The hereon described Waterline Easements contain a total aggregate area of 19,635 square feet or 0.4508 acres, more or less.

**Partial Power Easement Vacation Description:**

A partial vacation of a 15.00 foot wide Power Easement, lying 7.50 feet on both sides of the following described centerline and whose sidelines are lengthened or foreshortened to terminate at their respective property lines, heretofore established with Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, recorded in Book 44 at Page 9, and now lying within the boundaries of Tract B, Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937, in the Wyandotte County Recorder's Office, the centerline of which being more particularly described as follows: (Note: Held the North line of the Northeast Fractional Quarter of Section 1, Township 11 South, Range 23

East as having a bearing of North 88 degrees 00 minutes 23 seconds East – Matches the recorded plat of Schlitterbahn Vacation Village)

**Power Easement #1:**

COMMENCING at the Southwest corner of Tract B, Lot Line Adjustment survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 338.01 feet, to the POINT OF BEGINNING of said Power Easement #1, said point also being on a non-tangent curve; Thence Northerly, departing the South line of said Tract B, and along a curve to the right, whose initial tangent bearing is North 27 degrees 15 minutes 57 seconds West, having a radius of 500.00 feet and through a central angle of 14 degrees 40 minutes 36 seconds, an arc length of 128.08 feet, to a point of tangency; Thence North 12 degrees 35 minutes 21 seconds West, a distance of 47.08 feet, to a point hereby designated as Point “A”; Thence North 77 degrees 24 minutes 39 seconds East, a distance of 3.15 feet; Thence North 24 degrees 16 minutes 51 seconds East, a distance of 108.73 feet, to a point of curvature; Thence Northeasterly along a curve to the right, having a radius of 500.00 feet and through a central angle of 13 degrees 43 minutes 04 seconds, an arc length of 119.71 feet, to a point of tangency; Thence North 37 degrees 59 minutes 53 seconds East, a distance of 152.81 feet; Thence North 61 degrees 52 minutes 47 seconds East, a distance of 24.19 feet; Thence South 88 degrees 52 minutes 19 seconds East, a distance of 307.62 feet, to the POINT OF TERMINATION of the centerline of said Power Easement #1.

AND ALSO:

**Power Easement #2:**

BEGINNING at aforementioned Point “A”; Thence South 77 degrees 24 minutes 39 seconds West, a distance of 310.92 feet, to a point of curvature; Thence Westerly, along a curve to the left, having a radius of 500.00 feet and through a central angle of 03 degrees 45 minutes 07 seconds, an arc length of 32.74 feet, to a point on the Westerly line of said Tract B, said point also being the POINT OF TERMINATION of the centerline of said Power Easement #2. The total aggregate area of the Power Easements being vacated is 18,413 square feet or 0.4227 acres, more or less.

**Partial Sanitary Sewer Easement Vacation Description:**

All that part of the Sanitary Sewer Easements, as it was established with Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, recorded in Book 44 at Page 9, and now lying within the boundaries of Tract B, Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937, in the Wyandotte County Recorder's Office and being more particularly described as follows: (Note: Held the North line of the Northeast Fractional Quarter of Section 1, Township 11 South, Range 23 East as

having a bearing of North 88 degrees 00 minutes 23 seconds East – Matches the recorded plat of Schlitterbahn Vacation Village)

Sanitary Sewer Easement #1:

COMMENCING at the Southwest corner of Tract B, Lot Line Adjustment survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 295.52 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #1; Thence North 35 degrees 42 minutes 42 seconds West, departing the South line of said Tract B, a distance of 88.29 feet; Thence North 26 degrees 57 minutes 25 seconds East, a distance of 413.09 feet; Thence South 63 degrees 02 minutes 35 seconds East, a distance of 64.00 feet; Thence South 26 degrees 57 minutes 25 seconds West, a distance of 374.12 feet; Thence South 35 degrees 42 minutes 42 seconds East, a distance of 63.63 feet, to a point hereby designated as Point “A”, said point also being on the South line of said Tract B; Thence South 66 degrees 53 minutes 22 seconds West, along the South line of said Tract B, a distance of 65.58 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #1, containing 30,052 square feet or 0.6899 acres, more or less.

AND ALSO:

Sanitary Sewer Easement #2:

COMMENCING at aforementioned Point “A”; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 554.90 feet, to the Southeast corner of said Tract B; Thence North 06 degrees 20 minutes 50 seconds West, along the East line of said Tract B, a distance of 53.59 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #2; Thence North 17 degrees 27 minutes 07 seconds West, departing the East line of said Tract B, a distance of 180.54 feet; Thence North 72 degrees 32 minutes 53 seconds East, a distance of 25.00 feet; Thence South 17 degrees 27 minutes 07 seconds East, a distance of 53.17 feet, to a point hereby designated as Point “B”, said point also being on the East line of said Tract B; Thence South 06 degrees 20 minutes 50 seconds East, along the East line of said Tract B, a distance of 129.80 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #2, containing 2,921 square feet or 0.0670 acres, more or less.

AND ALSO:

Sanitary Sewer Easement #3:

COMMENCING at aforementioned Point “B”; Thence North 06 degrees 20 minutes 50 seconds West, along the East line of said Tract B, a distance of 125.04 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #3; Thence South 48 degrees 57 minutes 40 seconds West, departing the East line of said Tract B, a distance of 25.17 feet; Thence North 41 degrees 02 minutes 20 seconds West, a distance of 24.00 feet; Thence North 48 degrees 57 minutes 40 seconds East, a

distance of 41.79 feet, to a point on the East line of said Tract B; Thence South 06 degrees 20 minutes 50 seconds East, along the East line of said Tract B, a distance of 29.19 feet, to the POINT OF BEGINNING of said Sanitary Sewer Easement #3, containing 804 square feet or 0.0185 acres, more or less. The total aggregate area of the Sanitary Sewer Easements being vacated is 33,777 square feet or 0.7754 acres, more or less.

**Partial Utility Easement Vacation Description:**

A partial vacation of a 10.00 foot wide Utility Easement, lying 5.00 feet on both sides of the following described centerline and whose sidelines are lengthened or foreshortened to terminate at their respective property lines, heretofore established with Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, recorded in Book 44 at Page 9, and now lying within the boundaries of Tract B, Lot Line Adjustment Survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937, in the Wyandotte County Recorder's Office, the centerline of which being more particularly described as follows: (Note: Held the North line of the Northeast Fractional Quarter of Section 1, Township 11 South, Range 23 East as having a bearing of North 88 degrees 00 minutes 23 seconds East – Matches the recorded plat of Schlitterbahn Vacation Village)

**Utility Easement #1:**

COMMENCING at the Southwest corner of Tract B, Lot Line Adjustment survey, Lots 1 & 2, Schlitterbahn Vacation Village, as recorded in Document Number 2015R-05937; Thence North 66 degrees 53 minutes 22 seconds East, along the South line of said Tract B, a distance of 397.76 feet, to the POINT OF BEGINNING of said Utility Easement #1, said point also being on a non-tangent curve; Thence Northerly, departing the South line of said Tract B, and along a curve to the right, whose initial tangent bearing is North 19 degrees 31 minutes 01 seconds West, having a radius of 416.00 feet and through a central angle of 14 degrees 53 minutes 54 seconds, an arc length of 108.17 feet, to a point of tangency; Thence North 02 degrees 39 minutes 52 seconds West, a distance of 49.73 feet, to a point of curvature; Thence Northerly and Northeasterly, along a curve to the right, having a radius of 81.37 feet and through a central angle of 34 degrees 00 minutes 48 seconds, an arc length of 48.30 feet, to a point of tangency; Thence North 31 degrees 20 minutes 56 seconds East, a distance of 155.88 feet, to a point of curvature; Thence Northeasterly and Northerly, along a curve to the left, having a radius of 128.00 feet and through a central angle of 30 degrees 13 minutes 15 seconds, an arc length of 67.51 feet, to a point of tangency; Thence North 01 degrees 07 minutes 41 seconds East, a distance of 5.23 feet, to a point hereby designated as Point "A"; Thence continuing North 01 degrees 07 minutes 41 seconds East, a distance of 70.33 feet; Thence North 44 degrees 28 minutes 52 seconds East, a distance of 22.59 feet; Thence South 88 degrees 52 minutes 19 seconds East, a distance of 305.61 feet; Thence South 01 degrees 07 minutes 41 seconds West, a distance of 49.61 feet, to a point of curvature; Thence Southerly and Southeasterly, along a curve to the left, having a radius of 294.00 feet and through a

central angle of 31 degrees 59 minutes 43 seconds, an arc length of 164.18 feet, to a point of tangency; Thence South 30 degrees 52 minutes 02 seconds East, a distance of 43.60 feet, to a point on the East line of said Tract B, said point also being the POINT OF TERMINATION of the centerline of said Utility Easement #1.

AND ALSO;

Utility Easement #2:

BEGINNING at aforementioned Point "A"; Thence South 68 degrees 42 minutes 08 seconds West, a distance of 584.46 feet, to a point on the Westerly line of said Tract B, said point also being the POINT OF TERMINATION of the centerline of said Utility Easement #2. The total aggregate area of the Utility Easements being vacated is 16,698 square feet or 0.3833 acres, more or less.

Section 2. The City of Kansas City, Kansas, reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing, installing, constructing or reconstructing any public utilities, such as sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication in the WYANDOTTE COUNTY ECHO.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2015.

UNIFIED GOVERNMENT OF WYANDOTTE  
COUNTY/KANSAS CITY, KANSAS

BY:

\_\_\_\_\_  
MARK HOLLAND  
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

\_\_\_\_\_  
UNIFIED GOVERNMENT CLERK



## Urban Planning and Land Use

701 North 7<sup>th</sup> Street, Room 423  
Kansas City, Kansas 66101  
Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

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

**To:** Unified Government Board of Commissioners  
**From:** City Staff  
**Date:** October 29, 2015  
**Re:** Petition #SP-2015-56 (110041)

### GENERAL INFORMATION

**Applicant:**  
Claudine Barnett

**Status of Applicant:**  
Owner  
3814 Leavenworth Road  
Kansas City, Kansas 66104

**Requested Action:**  
Renewal of Special Use Permit to  
house three (3) horses on property

**Date of Application:**  
August 28, 2015

**Purpose:**  
To continue to house three (3) horses  
on property

**Property Location:**  
3814 Leavenworth Road

**Existing Zoning:** R-1(B) Single  
Family District and C-1 Limited  
Business District



|                                     |               |                                                                                                          |
|-------------------------------------|---------------|----------------------------------------------------------------------------------------------------------|
| <b>Existing Surrounding Zoning:</b> | <b>North:</b> | R-1(B) Single Family District                                                                            |
|                                     | <b>South:</b> | R-1(B) Single Family District, C-1 Limited Business District, and CP-2 Planned General Business District |
|                                     | <b>East:</b>  | R-1(B) Single Family District and C-1 Limited Business District                                          |
|                                     | <b>West:</b>  | R-1(B) Single Family District                                                                            |

|                       |               |                                              |
|-----------------------|---------------|----------------------------------------------|
| <b>Existing Uses:</b> | <b>North:</b> | Single family residence                      |
|                       | <b>South:</b> | Convenience store                            |
|                       | <b>East:</b>  | Ricky's Pit BBQ and single family residences |
|                       | <b>West:</b>  | Single family residence                      |

**Total Tract Size:** 1.61 acres

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

**Major Street Plan:** The City-Wide Master Plan designates Leavenworth Road as a minor arterial.

**Advertisement:** The Wyandotte Echo – September 17, 2015  
Letters to Property Owner – September 15, 2015 and October 22, 2015

**Public Hearings:** October 12, 2015 and October 29, 2015

**Public Opposition:** One neighbor appeared in opposition at the October 12, 2015 City Planning Commission meeting; she is the same neighbor that appeared at the initial approval.

---

## PROPOSAL

---

Detailed Outline of Requested Action: The applicant, Claudine Barnett, seeks renewal of a special use permit to continue to keep three (3) horses on her property.

City Ordinance Requirements: 27-592 through 27-606

---

## FACTORS TO BE CONSIDERED

---

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

The character of the neighborhood is predominantly rural nature with large lot single family properties, with commercial properties interspersed throughout the area. The landscape is hilly and rocky.

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

The zoning and use of the surrounding properties are designated as rural/low-density residential. Horses may be compatible due to the large lots and subsequent separation between neighbors, but this property may not be suitable for a long term home for three (3) horses. Supplemental feed is necessary, as this property could only sustain light grazing.

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

Staff has not been made aware of any opposition at this time, but during the past renewal process (#SP-2013-37) two neighbors voiced concerns about waste, pests, and lack of peace. The public hearing will gauge the current applicability of the stated issues.

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

The applicant resides on this property.

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

The Master Plan does not address special use permits.

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

The proposed use will not result in an increase of vehicular traffic to where it exceeds capacity.

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

Generally, the proposal is only for the benefit of the applicant. The proposed use will not permanently injure the appropriate use, visual quality, or marketability of adjoining property with proper accommodations and maintenance. Horses can create significant odor and attract vermin if appropriate care and waste removal is not provided by the property owner/caretaker.

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

Noise, vibration, dust, or illumination will not create problems for nearby property.

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

The proposed use will likely not pollute the air. A foreseen issue is surface water runoff polluted with animal waste due to overgrazed and trampled land, which can cause public health issues downstream. Additionally, if the horse waste is not properly disposed of in a timely manner, neighbors will be negatively affected by the odor.

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

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

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

This project may negatively impact public health due to overgrazed land leading to increased surface water runoff polluted with animal waste. There is minimal gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner.

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

The proposed use will not result in overcrowding on the land if proper accommodations are made for the horses.

---

**PREVIOUS ACTIONS**

---

The applicant was initially approved for a special use permit on March 3, 2011 by the Board of Commissioners. Ms. Barnett sought renewal in 2013 (#SP-2013-37) and was approved for two (2) years on July 11, 2013 by the Board of Commissioners.

---

**NEIGHBORHOOD MEETING**

---

A neighborhood meeting is not required.

---

**KEY ISSUES**

---

Structure for horses  
Overgrazing and ground protection  
Animal waste removal  
Storage of horses' food  
Property maintenance

---

## PLANNING COMMISSION RECOMMENDATION

---

The Planning Commission voted 7 to 2 to recommend **approval** of Special Use Permit Application #SP-2015-56, subject to:

### Urban Planning and Land Use Comments:

#### Case History:

When Ms. Barnett applied to house three (3) horses on her property in 2011 she stated her expertise in horse care and indicated that she would maintain the animals and property well as to avoid any nuisance or hardship on both the horses and neighbors. No one was in opposition in 2011.

During the renewal process in 2013, staff received two letters of opposition and one of support from neighbors. Those in opposition expressed concerns over the upkeep of the yard, the disposal of horse waste, the attraction of vermin, and Animal Control concerns. Ms. Barnett indicated that she was looking into renting a dumpster from Deffenbaugh to dispose of the horses' waste.

Staff has not been made aware of any current code violations or neighborhood concerns.

#### Staff Comments and Questions:

1. Please provide current photographs of the property, illustrating the ground cover, proper property maintenance, and the horses' stall.

*Applicant's Response:* The barn structure has not changed. I spoke with Taylor Plummer on Friday (9-25-2015) and was told that the previous year's pictures will suffice.

2. How many structures are on your property? What are the dimensions of each structure, including the horses' stall?

*Applicant's Response:* There are 3 structures on my property: my house is 918 square feet; the lean-to barn is 60 x 12 feet with 3 stalls that are 12 x 10 feet. The stalls are open allowing for free roaming of the horses, but can have gates put on them if we need to contain one of them. The last structure is an old metal 12 x 12 shed.

3. What steps will be taken to ensure adequate ground cover?

*Applicant's Response:* I have been in contact with the conservation office to seek advice on ground cover maintenance and what can be done to correct ground erosion.

**4. What measures are in place to control the smell from the horse's waste?**

***Applicant's Response:*** I use garden lime which helps neutralize odors in the stalls and the dry lot pen.

**5. How often will the horse's waste be disposed of and in what way?**

***Applicant's Response:*** The waste from the horse has been being picked up by the people who have gardens. There also is a gentleman who comes by and picks up my waste barrel to dispose of the waste.

**6. Was a dumpster acquired to dispose of the horses' waste? If so, where is the dumpster located on the property?**

***Applicant's Response:*** No dumpster was required because I have been using the composting method again.

**Animal Control Comments:**

Animal Control finds no issues with this petition. If #SP-2015-56 is approved by the Board of Commissioners, an animal control permit must be obtained through the Animal Control office.

**Conservation District Comments:**

There are two major soil types that were identified: Knox silt loam, 12 to 18 percent slopes and Knox silt loam, 7 to 12 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover. This is not a good site to house three horses. The building is down in a valley very close to the stream. There is a lot of fast water from streets and homes upstream that flows through the site. The area is covered with a lot of trees so grass cover is very poor. The horses have destroyed what little green grass was there as well as the leaf litter. They have compacted the area so little water will infiltrate the area. Due to the lack of ground cover and increase compaction there will be more runoff. This combination will cause contaminated water flow into the stream. There is no buffer between the stream and the pastured area. This removes any natural filtering which might occur. Waste products will pollute the stream and can cause contamination of drinking water. Horses need about two acres of good grass to support them. With three horses there needs to be at least 5 acres of good grass to support a healthy herd. This site needs protection of the stream before it is approved. It should not be approved until such time as changes are made. The same problems were noted in January 2011 and May 2013. There has been no change in the situation. The Conservation District would be happy to provide assistance to the landowner in improving the situation.

## Staff Conclusion:

Staff recommends approval of #SP-2015-56 subject to the following:

1. Approval for five (5) years
2. Consultation with the Conservation District to ensure adequate ground cover
3. Regular cleanup of horses' waste
4. Composting of horses' waste must take place a sufficient distance away from the creek
5. The staff will note support this application in the future if the groundcover is not established and the property is not maintained as the other properties in the neighborhood.

---

## STAFF COMMENTS AND SUGGESTIONS

---

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

---

## STAFF RECOMMENDATION

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition #SP-2015-56 subject to all comments and suggestions outlined in this staff report.

---

## ATTACHMENTS

---

October 22, 2015 City Planning Commission Minutes  
Zoning Map  
Aerial Map  
Vicinity Map  
Site Pictures (Previous Staff Report - #SP-2013-37)

---

## REVIEW OF INFORMATION AND SCHEDULE

---

| Action         | Planning Commission | Unified Government Commission |
|----------------|---------------------|-------------------------------|
| Public Hearing | October 12, 2015    | October 29, 2015              |
| Special Use    | Approval            |                               |

---

**STAFF CONTACT:**      **Rob Richardson, AICP**  
[rrichardson@wycokck.org](mailto:rrichardson@wycokck.org)

---

## MOTIONS

---

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2015-56 as meeting all the requirements of the City code and being in the interest of the

public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**OR**

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2015-56**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned

**OCTOBER 12, 2015 CITY PLANNING COMMISSION MINUTES:**

**110041 SPECIAL USE PERMIT APPLICATION #SP-2015-56 – CLAUDINE BARNETT**  
– **SYNOPSIS:** Renewal of a Special Use Permit (#SP-2013-37) to keep three (3) horses at 3814 Leavenworth Road

Ms. Claudine Barnett, 3814 Leavenworth Road, Kansas City, Kansas, applicant, appeared in support of this application. She stated that she wants to renew her special use permit to keep her three (3) horses on her property.

Ms. Debra Wolfe, 3920 Leavenworth Road, Kansas City, Kansas, appeared in opposition to this application. She stated that she lives two (2) houses from this property. This situation has been ongoing for six (6) years. The homes to the west of the applicant have all done repairs to their homes and made them look nicer in the last several months. In 2013 when the applicant was here she was told that the maintenance was to take care of the weeds, fencing and animals. When you are going down Leavenworth Road to the east towards the stop light you can see weeds and grass on her property but cannot tell if there is fencing along the front part. The home has been there for a long time and was a well-kept home and there were never any horses or animals until the applicant moved in. When her home needed to get repairs she had to do it or was told about it from someone. She has told Mr. Holloway, the new Director of Animal Control and he told her that the city ordinance says that horses are considered livestock. The property that the applicant lives on is zoned for residential homes only. Livestock are to be kept no closer than 50' from any building being houses or owned by human people. The animals should only be on the property with five (5) acres and no more than two (2) animals. The applicant has no more than one (1) acre of ground because the rest of them around there have the same amount of land. There has been an influx increase of the wrong kinds of animals coming out from the weeds and trees into their yards and these are not the kinds of animals that they want. With this permit in 2011, the applicant said that she had four (4) horses and that she had gone to school and had taken care of horses and learned what to do. When she came back two (2) years ago, she said that she had three (3) horses and someone on the

panel asked her what happened to the fourth horse and she said that she did not know. If she had all this training, she would know what happened to the fourth horse. Ms. Wolfe stated that she has spoken to other people that come by this area and they all feel that it should be cleaned up and made it to look more presentable like the rest of the homes in the area. The applicant has not complied with any of the things that she was told to do in the past so she does not see how she would take care of it now when she hasn't done it then.

Ms. Barnett stated that she has three (3) horses on the property. She had an older horse that was 25 or 26 that died of natural causes/old age. She further stated that she does not recall saying that she did not know what happened to the horse because she keeps good track of her animals. She knows about their health; she did attend college at K-State for agriculture and preventive medicine. She also comes from a farmer family and most of her work has been around farm animals. If you look at the picture of the property you will see the area behind the house is a heavily wooded area. There have been snakes this year and she cannot control what comes out of the woods because those are not her woods. There is a wooded area around her property and she has consulted with the Wyandotte County Conservation District because she wanted to clear out some of the younger trees so she can allow more light to get into the ground so she can reseed. Originally yes, you would need an acre per horse to graze but her horses are not grazing animals. She feeds them hay. She uses the large round bales and one is in the pen with them at all times and when it runs out it is replenished. They get sweet feed, salt (to help with their electrolytes) and they see the vet when they need to. The horses have been very healthy. Her vet passed away this year and she has to find another one. She is trying to maintain her property and if she had had problems Animal Control and Code Enforcement would have been after her. She has not had any problems with them. In 2013 after her permit was granted by the Board of Commissioners the next day Ms. Wolfe called Code Enforcement, Animal Control and the Police even though she had a permit. Ms. Barnett had to call the Police Department and ask them to tell her to stop harassing her because she had done everything she was supposed to do.

Planning Commissioner Serda stated that there are very detailed comments from the Conservation District in the staff report and asked how she would address them. Ms. Barnett stated that she did ask the Conservation District to come out to the property and they are giving her directions to help maintain the land better. There was concern about erosion and run-off into the creek but that is not a full running creek. It is runoff from when it rains (that is the only time that there is water in there.) The horse pen is 30' from the creek so there is vegetation for the water to run across so it does not infiltrate the creek.

Planning Commissioner Schwartzman asked how she waters her animals. Ms. Barnett stated that she has a 6' stock tank that is 2' deep and she has a hose. She keeps the water fresh and has a scrub brush that she cleans the tank with when the level gets too low and then refills it with fresh water.

Planning Commissioner Gonzalez stated that he applauds her for mentioning her education because that means a lot. In reading the Conservation comments it says that if you have three (3) horses, there should be five (5) acres of land and the fact in

January 2011 and May of 2013 she did not follow their recommendations. It is not as difficult for him to understand because the way that she feeds the animals, he thinks that it is important for her to work a little harder with the Conservation District and make the steps that they recommend. Ms. Barnett stated that she is working with them and they are going to provide her with more information for her to follow and she is trying to improve what they want her to do.

Planning Director Richardson stated that the staff recommends approval subject to the comments in the staff report and would add another stipulation about the diligence with which the property has been maintained and would state that this is the last time the staff will not support this application in the future if the groundcover is not established and the property is not maintained as the other properties in the neighborhood.

On motion by Dr. Serda, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVEAL of Special Use Permit Application #SP-2015-56:**

|                                         |                   |
|-----------------------------------------|-------------------|
| <b>Carson</b>                           | <b>Aye</b>        |
| <b>Connelly</b>                         | <b>Aye</b>        |
| <b>DeWitt</b>                           | <b>Aye</b>        |
| <b>Ernst</b>                            | <b>Aye</b>        |
| <b>Gonzalez</b>                         | <b>Aye</b>        |
| <b>Huey</b>                             | <b>Chairwoman</b> |
| <b>Pauley</b>                           | <b>No</b>         |
| <b>Schwartzman</b>                      | <b>Aye</b>        |
| <b>Serda</b>                            | <b>Aye</b>        |
| <b>Wing</b>                             | <b>No</b>         |
| <b>Motion to APPROVE Passed: 7 to 2</b> |                   |
| <b>Subject to:</b>                      |                   |

#### **Urban Planning and Land Use Comments:**

#### **Case History:**

When Ms. Barnett applied to house three (3) horses on her property in 2011 she stated her expertise in horse care and indicated that she would maintain the animals and property well as to avoid any nuisance or hardship on both the horses and neighbors. No one was in opposition in 2011.

During the renewal process in 2013, staff received two letters of opposition and one of support from neighbors. Those in opposition expressed concerns over the upkeep of the yard, the disposal of horse waste, the attraction of vermin, and Animal Control concerns. Ms. Barnett indicated that she was looking into renting a dumpster from Deffenbaugh to dispose of the horses' waste.

Staff has not been made aware of any current code violations or neighborhood concerns.

### **Staff Comments and Questions:**

1. Please provide current photographs of the property, illustrating the ground cover, proper property maintenance, and the horses' stall.

*Applicant's Response:* The barn structure has not changed. I spoke with Taylor Plummer on Friday (9-25-2015) and was told that the previous year's pictures will suffice.

2. How many structures are on your property? What are the dimensions of each structure, including the horses' stall?

*Applicant's Response:* There are 3 structures on my property: my house is 918 square feet; the lean-to barn is 60 x 12 feet with 3 stalls that are 12 x 10 feet. The stalls are open allowing for free roaming of the horses, but can have gates put on them if we need to contain one of them. The last structure is an old metal 12 x 12 shed.

3. What steps will be taken to ensure adequate ground cover?

*Applicant's Response:* I have been in contact with the conservation office to seek advice on ground cover maintenance and what can be done to correct ground erosion.

4. What measures are in place to control the smell from the horse's waste?

*Applicant's Response:* I use garden lime which helps neutralize odors in the stalls and the dry lot pen.

5. How often will the horse's waste be disposed of and in what way?

*Applicant's Response:* The waste from the horse has been being picked up by the people who have gardens. There also is a gentleman who comes by and picks up my waste barrel to dispose of the waste.

6. Was a dumpster acquired to dispose of the horses' waste? If so, where is the dumpster located on the property?

*Applicant's Response:* No dumpster was required because I have been using the composting method again.

### **Animal Control Comments:**

Animal Control finds no issues with this petition. If #SP-2015-56 is approved by the Board of Commissioners, an animal control permit must be obtained through the Animal Control office.

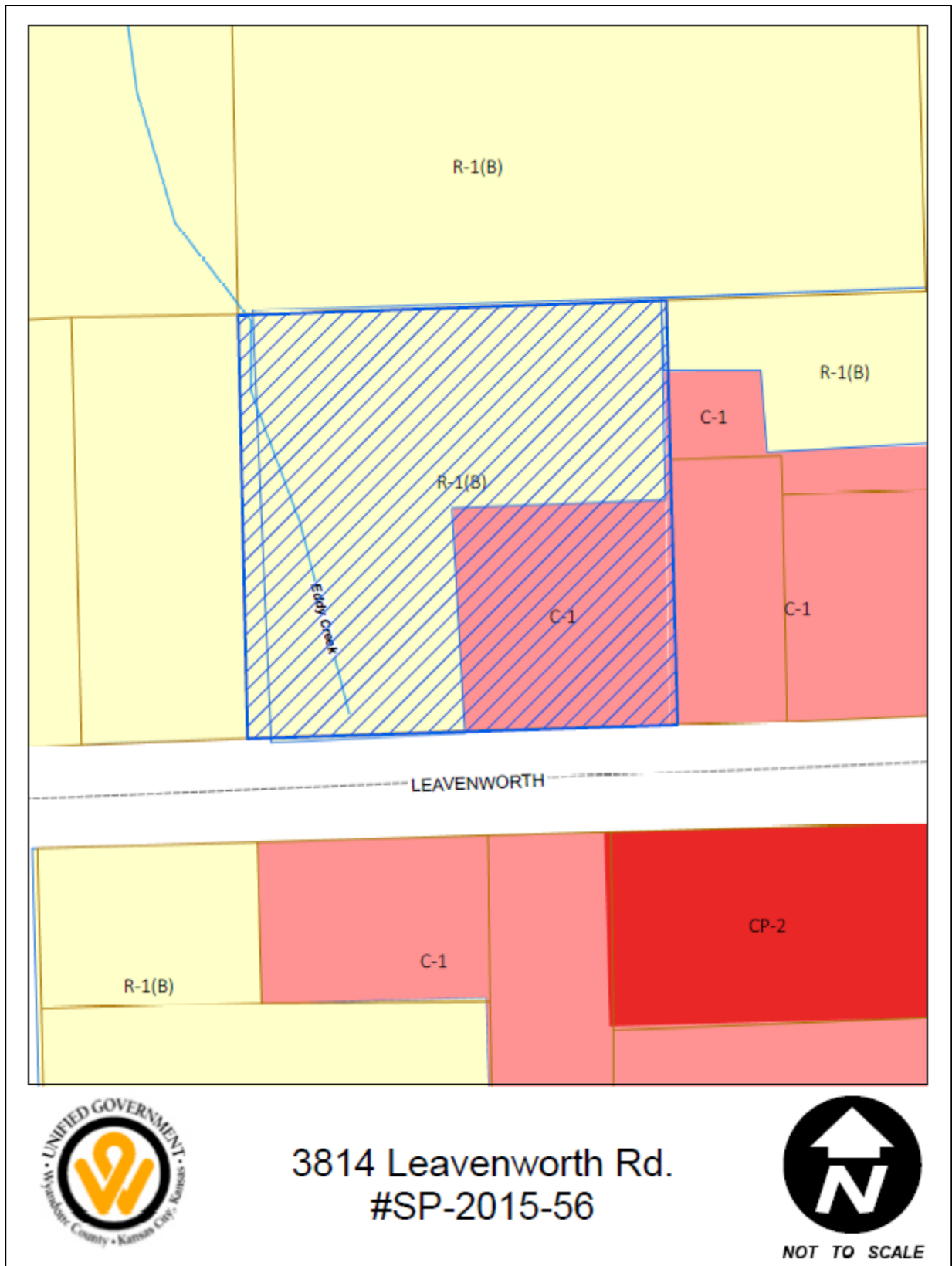
### **Conservation District Comments:**

There are two major soil types that were identified: Knox silt loam, 12 to 18 percent slopes and Knox silt loam, 7 to 12 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover. This is not a good site to house three horses. The building is down in a valley very close to the stream. There is a lot of fast water from streets and homes upstream that flows through the site. The area is covered with a lot of trees so grass cover is very poor. The horses have destroyed what little green grass was there as well as the leaf litter. They have compacted the area so little water will infiltrate the area. Due to the lack of ground cover and increase compaction there will be more runoff. This combination will cause contaminated water flow into the stream. There is no buffer between the stream and the pastured area. This removes any natural filtering which might occur. Waste products will pollute the stream and can cause contamination of drinking water. Horses need about two acres of good grass to support them. With three horses there needs to be at least 5 acres of good grass to support a healthy herd. This site needs protection of the stream before it is approved. It should not be approved until such time as changes are made. The same problems were noted in January 2011 and May 2013. There has been no change in the situation. The Conservation District would be happy to provide assistance to the landowner in improving the situation.

### **Staff Conclusion:**

Staff recommends approval of #SP-2015-56 subject to the following:

1. Approval for five (5) years
2. Consultation with the Conservation District to ensure adequate ground cover
3. Regular cleanup of horses' waste
4. Composting of horses' waste must take place a sufficient distance away from the creek
5. The staff will note support this application in the future if the groundcover is not established and the property is not maintained as the other properties in the neighborhood.





3814 Leavenworth Rd.  
#SP-2015-56



NOT TO SCALE



3814 Leavenworth Rd.  
#SP-2015-56



NOT TO SCALE





**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY  
& KANSAS CITY, KANSAS  
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7<sup>TH</sup> STREET, 66101

(913) 573-5400  
FAX (913) 573-5435

October 14<sup>th</sup>, 2015

Mrs. Bridgette D. Cobbins  
Unified Government Clerk  
East Building

FILED

OCT 20 2015

Re: Subdivision Plat Approval for

UNIFIED GOVERNMENT CLERK *dc*

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of ELDRIDGE CUSTOM HOMES located at 47<sup>TH</sup> Terrace & County Line Road and being developed by Cary W. Eldridge.

At this time, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copies for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, P.L.S.  
Unified Government  
County Surveyor

William J. Heatherman, P.E.  
County Engineer

Attachments





**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY  
& KANSAS CITY, KANSAS  
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7<sup>TH</sup> STREET, 66101

(913) 573-5400  
FAX (913) 573-5435

October 22, 2015

Mrs. Bridgette D. Cobbins  
Unified Government Clerk  
East Building

Re: Subdivision Plat Approval for

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of Legends Auto Plaza Second Plat located at North 98<sup>th</sup> Street & Parallel Parkway and being developed by Schlitterbahn Water Parks and Resorts.

At this time, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, R.L.S.  
County Surveyor

William J. Heatherman, P.E.  
County Engineer

Attachments

FILED  
OCT 23 2015  
TK  
UNIFIED GOVERNMENT CLERK







**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY  
& KANSAS CITY, KANSAS  
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400  
FAX (913) 573-5435

October 22, 2015

Mrs. Bridgette D. Cobbins  
Unified Government Clerk  
East Building

Re: Subdivision Plat Approval for

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of Melrose Manor located at 1002 County Line road and being developed by Ellen R. Melrose.

At this time, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, R.L.S.  
County Surveyor

William J. Heatherman, P.E.  
County Engineer

Attachments

FILED  
OCT 23 2015  
UNIFIED GOVERNMENT CLERK  
TK



15193



## CONSENT AGENDA ITEM NO.

FILED *TK*

OCT 23 2015

### County Administrator's Office

Douglas G. Bach, County Administrator

UNIFIED GOVERNMENT CLERK

701 North 7<sup>th</sup> St., Suite 945  
Kansas City, Kansas 66101-3064

Phone: (913) 573-5030

Fax: (913) 573-5540

### NOTICE OF PENDING APPOINTMENT

DATE: October 5, 2015

BOARD POSITION: KCATA

INCUMBENT REPLACED: VACANT

TERM EXPIRATION DATE: \_\_\_\_\_

APPOINTING COMMISSIONER: Mayor Mark Holland

REVIEW DATE: October 27, 2015

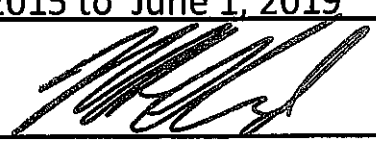
### REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Melissa Bynum

ADDRESS: \_\_\_\_\_

CELL NUMBER AND EMAIL ADDRESS: \_\_\_\_\_

TERM OF OFFICE: Oct. 29, 2015 to June 1, 2019

  
SIGNATURE OF APPOINTING COMMISSION MEMBER

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



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

FILED TK  
OCT 23 2015  
UNIFIED GOVERNMENT CLERK

701 North 7<sup>th</sup> St., Suite 945  
Kansas City, Kansas 66101-3064

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

**NOTICE OF PENDING APPOINTMENT**

DATE: October 13, 2015

BOARD POSITION: SSMID Board

INCUMBENT REPLACED: Barbara Jolley (Downtown Library)

TERM EXPIRATION DATE: July 31 2015

APPOINTING COMMISSIONER: Commissioner Markley

REVIEW DATE: October 27, 2015

**REQUEST FOR APPOINTMENT**

NAME OF NEW APPOINTMENT: Barbara Jolley

ADDRESS: \_\_\_\_\_

CELL NUMBER AND EMAIL ADDRESS: \_\_\_\_\_

TERM OF OFFICE: October 29, 2015 to May 30, 2019

Angela Markley  
SIGNATURE OF APPOINTING COMMISSION MEMBER

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



# Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

701 North 7th Street, Suite 323  
Kansas City, Kansas 66101-3064

Phone: 913-573-5260  
Fax: 913-573-5299  
<http://www.wycokck.org>

## Memorandum

**To:** Doug Bach  
County Administrator

**From:** Bridgette Cobbins  
UG Clerk

**Date:** October 15, 2015

**Re:** Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

cm

Attachment

## Weekly Business Material for October 15, 2015

### 1. COMMUNICATIONS:

Dennis Degner, Chief, Solid Waste Permits Section, to the following, regarding permit renewals for solid waste facilities:

Ingrid Setzler, BPU-Maywood, 300 N. 65<sup>th</sup> St., Permit #0533

Ingrid Setzler, BPU-Maywood, 300 N. 65<sup>th</sup> St., Permit #0413

Ingrid Setzler, BPU-Quindaro, 300 N. 65<sup>th</sup> St., Permit #0210

**Action:** Received and filed.

### 2. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received on October 14, 2015, for Project ID #5314 – 2015 Turkey Creek Tunnel Improvements.

**Action:** Received and filed.

### 3. COMMUNICATIONS:

Low Levin, Chief Financial Officer, regarding warrant cancellations:

| <u>WT. NO.</u> | <u>ISSUED</u> | <u>AMOUNT</u> | <u>FUND / VENDOR</u>                                                           |
|----------------|---------------|---------------|--------------------------------------------------------------------------------|
| 759600         | 2/20/2015     | \$ 13.22      | 790/Tax Collection Fund<br>160/County General Fund<br>V #0876Q<br>Past 45 days |
| 766967         | 5/29/2015     | \$ 71.00      | 276/SLETIF/Drug Tax                                                            |
| 768569         | 6/19/2015     | \$ 47.34      | V #37683<br>Past 45 days                                                       |
| 767149         | 5/29/2015     | \$ 25.41      | 790/Tax Collection Fund<br>V #1595Q<br>Lost Warrant                            |
| 746842         | 8/29/2014     | \$ 27.27      | 160/County General Fund<br>V #J1512<br>UG Employee refused payment             |
| 775294         | 9/25/2015     | \$ 313.50     | 160/County General Fund<br>V2666Q<br>Issued in error                           |
| 775527         | 10/2/2015     | \$ 100.00     | 110/City General Fund<br>V #14375<br>No longer on Planning<br>Commission       |

**Action:** Received and filed.

#### 4. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 13, 2015:

##### Section I - Appointments

| Name             | Department/Division | Eff. Date | Job Title         |
|------------------|---------------------|-----------|-------------------|
| Tony V. Her      | Court Admin         | 9/24/15   | Trial Court Clerk |
| Anh Linh T. Tran | Sheriff/Admin       | 10/8/15   | Clerk             |

##### Section III - Separations

| Name               | Department/Division | Eff. Date | Job Title             |
|--------------------|---------------------|-----------|-----------------------|
| Reba E. Cole       | Fire Communications | 10/3/15   | Fire Comm. Dispatcher |
| Thomas O. Matthews | Finance/Treasury    | 10/16/15  | Treasurer             |
| Taylor S. Plummer  | Urban Planning      | 10/2/15   | Intern                |

##### Section IV - Leave of Absence

| Name           | Department/Division | Leave Begin | Leave End |
|----------------|---------------------|-------------|-----------|
| Artis D. Smith | Parks/Rec           | 9/29/15     | 10/29/15  |

##### Section V - Increases per Memorandum of Understanding

| Name                  | Department/Division | Eff. Date | Job Title              |
|-----------------------|---------------------|-----------|------------------------|
| Kelsey L. Davis       | Sheriff/Juvenile    | 10/23/15  | Juv. Det. Officer      |
| Daniel R. Everhart    | Sheriff/Juvenile    | 10/24/15  | Juv. Det. Officer      |
| Brendan L. French     | Sheriff/Detention   | 11/11/15  | Deputy                 |
| Erika K. Gonzales     | Sheriff/Juvenile    | 6/18/15   | Juv. Det. Officer      |
| Florinda I Hale       | Sheriff/Juvenile    | 9/26/15   | Juv. Det. Officer      |
| Michael L. Moore      | Sheriff/Detention   | 11/11/15  | Deputy                 |
| Andrew C. O'Neal      | Sheriff/Detention   | 11/20/15  | Deputy                 |
| Shawn W. Ortego       | Fire Suppression    | 10/1/15   | Mstr. Firefighter/MICT |
| Kimberly M. Reid      | Sheriff/Detention   | 11/11/15  | Deputy                 |
| Michael D. Simmons    | Sheriff/Detention   | 11/6/15   | Deputy                 |
| Katherine M. Taylor   | Sheriff/Detention   | 11/11/15  | Deputy                 |
| Kurt A. Theno         | Fire Dept.          | 10/1/15   | Mstr Firefighter       |
| Joseph T. Warczakoski | Fire Suppression    | 10/1/15   | Mstr Firefighter       |
| Rodney K. Watson      | Sheriff/Juvenile    | 10/23/15  | Juv. Det. Officer      |

##### Section VII - Reclassification

| Name   | Department/Division | Eff. Date | Former Job Title | New Job Title         |
|--------|---------------------|-----------|------------------|-----------------------|
| Vacant | Comm. Corr/Adult    | 10/12/15  | Admin Supt Asst. | Admin Supt Specialist |

##### Section VIII - Other Requests

| Name            | Department/Division | Action Requested and Explanation                                |
|-----------------|---------------------|-----------------------------------------------------------------|
| Julia B. Holt   | DA's Office         | ACD code change effective 7/8/15                                |
| Kenneth J Moore | Legal Dept.         | Out of class pay effective 10/12/15                             |
| Shane Turner    | Police              | Amend PAC 10/8/15 to reflect ACD code change effective 10/15/15 |

**Action:** Received and filed. Copy previously forwarded to Payroll.

## **5. TRAVEL REQUESTS:**

Joe Connor, County Administrator's Office, travel to Seattle, WA, September 28 – 29, 2015, to attend ICMA Annual Conference, N/A.

Joe Connor, County Administrator's Office, travel to Oakland, CA, September 29 – October 2, 2015, to attend Code for America Summit, N/A.

Ryan Hurst, Transit/Transportation, travel to Kansas City, MO, October 21 – 23, 2015, to attend the Quad State APA Conference, Employee Training & Travel.

Jim McDaniel, Environmental Health, travel to Virginia Beach, VA, November 2 – 7, 2015, to attend the NOWRA Mega Conference: Uniting for Progress, General Fund.

Misty Brown Polo, Legal Department, travel to Las Vegas, NV, November 3 – 6, 2015, to attend 2015 National Clean Water Seminar, Sewer System Fund.

Terry Zeigler, Police/Chief's Office, travel to Plano, TX, June 19 – 23, 2016, to attend Prestigious Career as a Dynamic Speaker Workshop, SLETF.

**Action:** Approved by County Administrator's Office and received and filed.



# Unified Government Clerk's Office

Bridgette D. Cobbins

Unified Government Clerk

701 North 7th Street, Suite 323  
Kansas City, Kansas 66101-3064

Phone: 913-573-5260  
Fax: 913-573-5299  
<http://www.wycokck.org>

## Memorandum

**To:** Doug Bach  
County Administrator

**From:** Bridgette Cobbins  
UG Clerk

**Date:** October 22, 2015

**Re:** Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tpl

Attachment

## Weekly Business Material for October 22, 2015

### 1. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received on October 21, 2015, for Project B25820 – Crickett Wireless Amphitheater Project General Contractor.

**Action:** Received and filed. Copies previously forwarded to County Administrator, Emma Scovil, Legislative Auditor and Public Works.

### 2. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 15, 2015:

#### Section II - Transfers

| Name                | Department/Division | Eff. Date | Former Job Title     | New Job Title          |
|---------------------|---------------------|-----------|----------------------|------------------------|
| Olliea R. Jarrett   | Health/PHS          | 10/8/15   | Environ Health Spec  | Program Supervisor     |
| Brandon E. Jones    | Sheriff/Admin       | 10/8/15   | Sergeant             | Lieutenant             |
| Monica Ortiz        | Health/Admin        | 10/8/15   | Fiscal Supt Asst     | Fiscal Supt Specialist |
| Bradley L. Phillips | PW/WPC              | 10/8/15   | Sewer Maint Worker I | Sewer Maint Worker II  |

#### Section III - Separations

| Name              | Department/Division | Eff. Date | Job Title                 |
|-------------------|---------------------|-----------|---------------------------|
| Jordan T. Castro  | Police              | 10/13/15  | Trainee                   |
| Mahmood R. Kamyab | PW/WPC              | 10/21/15  | Wastewater System Manager |

**Action:** Received and filed. Copy previously forwarded to Payroll.

### 3. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 20, 2015:

#### Section I - Appointments

| Name                  | Department/Division | Eff. Date | Job Title     |
|-----------------------|---------------------|-----------|---------------|
| John J. Bryant        | District Court      | 10/5/15   | Judge Pro Tem |
| Christopher R. Cuevas | District Court      | 10/5/15   | Judge Pro Tem |
| Michelle A. Dudgeon   | Sheriff/Detention   | 10/22/15  | Programs Asst |
| Ralph E. Lopez        | Appraiser           | 10/15/15  | Appraiser     |
| Gary W. Nibert Jr.    | Sheriff/Admin       | 10/22/15  | Clerk         |
| John L. Strauss       | Appraiser           | 10/15/15  | RE Appraiser  |
| Zachary L. Tusinger   | Urban Planning      | 10/8/15   | Intern        |
| Adam P. Weigel        | Urban Planning      | 10/8/15   | Intern        |

## Section II - Transfers

| Name             | Department/Division | Eff. Date | Former Job Title | New Job Title          |
|------------------|---------------------|-----------|------------------|------------------------|
| Peter F. Reveles | Appraiser           | 10/8/15   | Fiscal Supt Asst | Appraiser/RE Appraiser |
| Tobi J. Wolf     | Police/Operations   | 10/8/15   | Patrol Officer   | Police Sergeant        |

## Section III - Separations

| Name          | Department/Division | Eff. Date | Job Title          |
|---------------|---------------------|-----------|--------------------|
| Sara A. Lopez | Police              | 10/20/15  | Master Patrolman I |
| Jane A Wilson | District Court      | 10/14/15  | Judge Pro Tem      |

## Section V - Increases per Memorandum of Understanding

| Name                   | Department/Division   | Eff. Date | Job Title                   |
|------------------------|-----------------------|-----------|-----------------------------|
| Kellee L. Ball         | Police                | 11/1/15   | Sr Master Patrolman         |
| Katelyn J. Bills       | Police                | 11/1/15   | Patrolman II                |
| Atilano Dominguez      | Police/Communications | 11/10/15  | Public Safety<br>Dispatcher |
| Jorge L. Flores        | Police                | 11/1/15   | Patrolman II                |
| Jonathan E. Juin       | Police                | 11/1/15   | Patrolman II                |
| Tommy D. Lee           | Police                | 11/1/15   | Sr Master Patrolman         |
| Garrett O. Mumphrey Jr | Police                | 11/1/15   | Patrolman II                |
| Curtis E. Murphy       | Police                | 11/1/15   | Sr Master Patrolman         |
| Patricia L. Joshua     | Police/Teleserve      | 11/17/15  | Office Asst III             |
| Richard H Peters Jr    | Police                | 11/1/15   | Sr Master Patrolman         |
| Nickolay T. Pleshka    | Police                | 11/1/15   | Patrolman II                |
| Carlos Rodriguez       | Police                | 11/1/15   | Sr Master Patrolman         |
| Logan M Smith          | Police                | 11/1/15   | Patrolman II                |
| John P. Stimach        | Police                | 11/1/15   | Patrolman II                |
| John P. Varriano       | Police                | 11/1/15   | Patrolman II                |
| John M. Whaley         | Police                | 11/1/15   | Sr Master Patrolman         |

#### **Section VIII - Other Requests**

| <b>Name</b>       | <b>Department/Division</b> | <b>Action Requested and Explanation</b>                             |
|-------------------|----------------------------|---------------------------------------------------------------------|
| Mark Grandstaff   | Transportation             | ACD code change effective 10/1/15                                   |
| Mahmood R. Kamyab | PW/WPC                     | Amend PAC 10/15/15 to reflect change in vacation effective 10/21/15 |
| Tina Smith        | Transportation             | ACD code change effective 10/1/15                                   |

**Action:** Received and filed. Copy previously forwarded to Payroll.

#### **4. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 22, 2015:**

##### **Section VIII - Other Requests**

| <b>Name</b>            | <b>Department/Division</b> | <b>Action Requested and Explanation</b>                                                      |
|------------------------|----------------------------|----------------------------------------------------------------------------------------------|
| Kristen Czugala        | PSBO                       | ACD code change effective 9/24/15                                                            |
| Mahmood Kamyab         | PW/WPC                     | Amend PAC 10/20/15 to reflect status E/F and bonus spec 11 and sick leave effective 10/21/15 |
| Megan McCall           | PSBO                       | ACD code change effective 9/24/15                                                            |
| Rebecca Rodriguez-Pena | PSBO                       | ACD code change effective 9/24/15                                                            |

**Action:** Received and filed. Copy previously forwarded to Payroll.

#### **5. CLAIMS FOR DAMAGES:**

Donald & Linda Lemon, DBA Lindon Properties, LLC, P O Box 12883, KCK, alleging the Fire Department caused damage to their property while fighting a fire on October 8, 2015.

Veronica Williams, 548 Avondale Lane, Raymore, MO, alleging damage to car while driving due to a rock hitting it.

**Action:** Received and filed. Copies previously forwarded to Legal Department.

#### **6. TRAVEL REQUESTS:**

James B. Bauer, Police/Operations/TFO-JTTF, travel to Boston, MA, November 1 – 6, 2015, to attend WMD Training Exercise, FBI.

Tyrone Garner, Police Department, travel to Washington, DC, July 15 – 21, 2016, to attend National Organization of Black Law Enforcement Executives (NOBLE) 40<sup>th</sup> Anniversary Training Conference & Exhibition.

**Action:** Approved by County Administrator's Office and received and filed.

## **7. SUMMARY ORDER:**

State of Kansas before the Kansas Department of Agriculture in the matter of City of Kansas City, Kansas, d/b/a Sunflower Hills Golf Course, Case No. 15FS11662, Inspection Nos. 77001280 and 77001298.

**Action:** Received and filed. Copy previously forwarded to Legal Department.

## **8. APPLICATIONS FOR DRINKING ESTABLISHMENT:**

Dave and Busters of Kansas, Inc./Theresa Cawthon DBA Dave and Busters, 1843 Village West Pkwy.

Cecilia Toscano DBA El Potero Bar and Grill, 4752 State Ave.

Jose Hernandez DBA Jalisco's, 5000 State Ave.

Vickie Lowe DBA Dad's Hole in the Wall, 1111 N. 50<sup>th</sup> Terr.

**Action:** Referred to License.



# Staff Request for Commission Action

Tracking No. 15164

**Full Commission Meeting Date:** 10/29/2015

**Committee:** Administration & Human Services

Date of Standing Committee Action: 10/26/15

Full Commission Date: 10/29/15

(If none, please explain):

**Publication Required:** No

| <u>Date:</u> | <u>Contact Name:</u>   | <u>Contact Phone:</u> | <u>Contact Email:</u> | <u>Department/Division:</u> |
|--------------|------------------------|-----------------------|-----------------------|-----------------------------|
| 10/23/2015   | Wilba Miller, Director | x5112                 | wmiller@wycokck.org   | Community Development       |

Item Description:

There is currently \$350,00 of unallocated CDBG funds available in the calendar year 2016 budget for bricks and mortar projects. In addition, there is another \$258,000 from the calendar year 2015 CDBG funds that were denied due to reasonableness of cost to complete the project under federal requirements. This brings the total of unallocated dollars as of September 18, 2015 to \$608,000. Staff has discussed options with the Administration and Human Services Standing Committee. Staff has completed an application to be used for soliciting projects and or services for using CDBG funds.

Action Requested:

The final version of the application is being presented for approval and fast tracking to the October 29, 2015 full commission meeting. Staff is also seeking approval to implement the process and timeline to seek new bricks and mortar projects for the allocated dollars from 2015 and 2016.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

2016 CDBG Application for CDBG Funding, Timeline for 2016 Application for CDBG Funding

Applicant's Name:

Project Name:

# 2016

## Application for CDBG Funding



Unified Government of Wyandotte County / Kansas City, KS

Community Development Department

701 North 7<sup>th</sup> Street #823

Kansas City, KS 66101

913.573.5100

[www.wycokck.org/commdev](http://www.wycokck.org/commdev)

The attached application is for Community Development Block Grant (CDBG) funds from the Unified Government of Wyandotte County/Kansas City Kansas.

The signed, original application must be provided to Community Development. No other forms or versions of this application will be accepted. Please answer all questions. Additional sheets may be attached if space is needed to complete a response (however do not answer questions by *only* providing attachments). Other attachments to support the project may also be included.

It is the responsibility of the applicant to review the application prior to submission to ensure it is complete and accurate. A project should be defined in terms of a single activity. An application may be rejected if incomplete, not signed by the proper authority, or does not clearly define the project.

Applications will be reviewed for eligibility. Funding is contingent upon the Unified Governments receipt and availability of federal grants.

## **Application Instructions:**

1. Each applicant must complete the **Applicant Information** (page 4). A copy of the agency's By-laws and/or Articles of Incorporation must be attached.
2. The applicant will identify which one of the following sections best categorizes the project. Questions as to the appropriate sections should be referred to Community Development. Only one section will be completed per project.

### **Section A: Public Service Activities** (pages 7-10)

This section is for requests to provide public services for seniors, persons with disabilities, youth and children, battered and abused spouses, abused and neglected children, and other low-income people. Examples of eligible public service activities include legal services, transportation services, substance abuse services, employment training, fair housing, tenant/landlord counseling, child care, health and mental health services, tenant-based rental assistance, and security deposit assistance. Projects requesting funding for staffing costs of public service activities will be included in this section.

### **Section B: Public Facilities & Improvements** (pages 11-15)

This section is for requests by public or private nonprofit entities for construction, rehabilitation, or improvements to public facilities including land acquisition. Examples of such facilities include senior centers, centers for persons with disabilities, homeless facilities, youth centers, child care centers, health facilities, and facilities for abused and neglected children. Normal facility repair and maintenance is not eligible.

### **Section C: Renovation/Acquisition of Existing Housing** (pages 16-20)

This section is for the acquisition and/or rehabilitation of privately, bank owned or vacant homes, or buildings with two or more residential units, for providing permanent housing for low- and moderate-income households, including the elderly and persons with disabilities.

### **Section D: New Housing Construction** (pages 21-24)

This section is for the acquisition of land and/or construction of single-family or multifamily housing.

### **Section E: Economic Development** (pages 25-27)

This section is for economic development activities including: Acquiring, constructing, reconstructing, rehabilitating, or installing commercial or industrial buildings, structures, and other real property equipment and improvements, including railroad spurs or similar extensions. These are economic development projects undertaken by nonprofit entities and grantees. Assistance may include grants, loans, loan guarantees, and technical assistance.

3. Applicant shall provide all required signatures and dates on the **Certification** (page 28)
4. Applicant shall answer the Conflict of Interest Questionnaire and provide all required signatures and dates on the **Conflict of Interest Questionnaire** (page 29)
5. All nonprofit organizations are to include an audited financial statement with the application.
6. Submit the Application, Certification and requested documents to the Community Development Department, City Hall room 823. All applications must be received **by noon Friday, December 11, 2015.**

## **APPLICANT INFORMATION**

---

1) Applicant's name:

2) Applicant's mailing address:

3) Applicant's website:

4) Name of director/owner:

5) Name of contact person, title:

6) Contact information for contact person:

Phone:

E-Mail:

Fax:

7) Does the Applicant have Liability Insurance? Yes ☐ No ☐, If yes please attach certificate.

8) Is the Applicant Licensed and Bonded to do work in Kansas City, KS? Yes ☐ No ☐, If yes please attach certificates.

9) Does the Applicant have a current Letter of Good Standing from the State? Yes ☐ No ☐, If yes please attach letter.

10) Is the Applicant current on all applicable State and Local taxes? Yes ☐ No ☐

11) Please include current Organizational Chart

12) Please include resumes of key staff

13) If the applicant is a partnership or is incorporated, list the names of all partners or all board members and the Board President.

A. What is the term for a board member?

B. When do new board members join?

14. Mission or goals of the organization (**Attach a copy of By-Laws and/or Articles of Incorporation**):

15. Does the applicant define itself as a faith-based organization? Yes ☐ No ☐

16. History of the organization:

17. Prior experience with federal programs/grants, including a summary of the project(s) and timeliness of the project(s):

**18.** Super Circular 2 CFR 200 requires non-federal entities that expend \$750,000 or more in a year in federal awards shall have a single or program-specific audit conducted for that year in accordance with 2 CFR 200.

A) Is the applicant aware of this audit requirement? Yes ☐ No ☐.

B) If the applicant has met the audit threshold in the last three years, or will meet the threshold as a result of this program/activity, the applicant must attach or provide upon completion a copy of the audit results.

**THIS COMPLETES THE APPLICANT INFORMATION.**

PLEASE PROCEED TO ONE OF THE FOLLOWING SECTIONS FOR YOUR PROJECT:

- SECTION A: PUBLIC SERVICE ACTIVITIES (PAGE 7)
- SECTION B: PUBLIC FACILITIES & IMPROVEMENTS (PAGE 11)
- SECTION C: RENOVATION/ACQUISITION OF EXISTING HOUSING (PAGE 16)
- SECTION D: NEW HOUSING CONSTRUCTION (PAGE 21)
- SECTION E: ECONOMIC DEVELOPMENT (PAGE 25)

## SECTION A: **PUBLIC SERVICE ACTIVITIES**

---

1) Describe in detail your proposed program/activity.

2) What are the anticipated start and completion dates of the activity?

|              |
|--------------|
| --Start      |
| --Completion |

3) Check the box which most accurately describes the program/activity.

- ☐ New program/activity  
☐ Existing program/activity where the number of those served will not increase  
☐ Expansion of an existing program/activity where additional persons will be served  
☐ Other, please describe:

4) What is the specific goal or measurable outcome that will be achieved as a result of the program/activity?  
(i.e., Why is the program/activity being undertaken and how will it directly benefit the clientele served?)

5) How many individuals will be served in the 12-month period for which funding is being requested?

6) If this is an existing program/activity, how many individuals were served in the previous calendar year (January to December)?

(Please provide breakdown by ethnicity and race.)

| Ethnicity              | Race                                                                  |
|------------------------|-----------------------------------------------------------------------|
| Hispanic or Latino     | American Indian or Alaska Native                                      |
| Not Hispanic or Latino | Asian                                                                 |
|                        | Black or African American                                             |
|                        | Native Hawaiian or Other Pacific Islander                             |
|                        | White                                                                 |
|                        | American Indian or Alaska Native <b>AND</b> White                     |
|                        | Asian <b>AND</b> White                                                |
|                        | Black or African American <b>AND</b> White                            |
|                        | American Indian or Alaska Native <b>AND</b> Black or African American |
|                        | Other                                                                 |

7) Check the one box that most accurately describes the eligibility of the program/activity.

**Check only a, b or c.**

a) ☐ The program/activity will have income eligibility requirements to **primarily serve** low- and moderate-income beneficiaries. Check any income levels that apply.

☐ at or below 30% of the area median income (AMI)

☐ at or below 50% AMI

☐ at or below 60% AMI

☐ at or below 80% AMI

☐ over 80% AMI (Ineligible activity if most beneficiaries are over 80% AMI)

b) ☐ The program/activity will be open to **all** persons regardless of income. Is there a recognized boundary for the area served, such as census tracts, block groups, neighborhoods, street boundaries, etc.? ☐ Yes ☐ No

(If yes, please describe boundaries)

c) ☐ The program/activity will **primarily serve** one of the following groups. (Category selected must be consistent with the mission of the organization as evidenced by the By-Laws and/or Articles of Incorporation.) **Check only one box.**

☐ Low/Moderate Income Limited Clientele (i.e. Youth, Homeless) \_\_\_\_\_

☐ Low/Moderate Income Area Benefit \_\_\_\_\_

- 8) Will information on family size and income of the beneficiaries be obtained and verified by your organization? Yes ☐ No ☐
- 9) Will a fee be charged for services? Yes ☐ No ☐; if yes, attach a copy of the fee schedule.
- 10) Provide a cost breakdown of the program/activity.

| DESCRIPTION                                           | DOLLAR AMOUNT |
|-------------------------------------------------------|---------------|
|                                                       | \$            |
|                                                       | \$            |
|                                                       | \$            |
|                                                       | \$            |
|                                                       | \$            |
|                                                       | \$            |
| <b>TOTAL ESTIMATED COST FOR THIS PROGRAM/ACTIVITY</b> | \$            |

- 11) List and identify by name all funding sources for this program/activity.

| DESCRIPTION                                                 | DOLLAR AMOUNT |
|-------------------------------------------------------------|---------------|
|                                                             | \$            |
|                                                             | \$            |
|                                                             | \$            |
|                                                             | \$            |
|                                                             | \$            |
| <b>CDBG funding requested for this program/activity</b>     | \$            |
| <b>TOTAL OF ALL FUNDING SOURCES (Must equal #10 above.)</b> | \$            |

- 12) Are all other funds identified for this activity available and/or committed? Yes ☐ No ☐; if no, please identify which funds are not, and when they will be.

- 13) What will be the status of your program/activity if you do not receive CDBG funding, or if you do not receive the full amount requested?

- 14) Is funding available for cost overruns? Yes ☐ No ☐; if yes, please describe the source and how much is available. If no, how will cost overruns be handled?

15) Environmental Review Status:

Has an Environmental Review been conducted on the project or address (es)? Yes ☐ No ☐

If so what is the date \_\_\_\_\_ and provide a copy of the Environmental Review.

If not, an Environmental Review **must** be conducted prior to any choice limiting action i.e. the purchase of property, disrupting of soil or execution of an agreement.

A request for an Environmental Review can be made to the Community Development Department.

*\*Please be aware that additional information may be required to determine eligibility of any CDBG activity.*

**THIS COMPLETES SECTION A. Public Service Activities**  
GO TO THE CERTIFICATION ON PAGE 28.

## SECTION B: **PUBLIC FACILITIES & IMPROVEMENTS**

---

1) Describe in detail your proposed activity.

2) Is the facility owned by the applicant? Yes ☐ No ☐; if no, please provide the name and address of the owner and provide a copy of the lease agreement.

Owner's Name:

Address:

3) What is the specific goal or measurable outcome that will be achieved as a result of the activity? (i.e., Why is the activity being undertaken and how will it directly benefit the clientele served?)

4) How many individuals will be served by the activity in the 12-month period for which funding is being requested?

- 5) If this is an existing public facility or improvement, how many individuals were served in the previous calendar year (January to December)?

(Please provide breakdown by ethnicity and race.)

| Ethnicity              | Race                                                 |
|------------------------|------------------------------------------------------|
| Hispanic or Latino     | American Indian or Alaska Native                     |
| Not Hispanic or Latino | Asian                                                |
|                        | Black or African American                            |
|                        | Native Hawaiian or Other Pacific Islander            |
|                        | White                                                |
|                        | American Indian or Alaska Native <b>AND</b> White    |
|                        | Asian <b>AND</b> White                               |
|                        | Black or African American <b>AND</b> White           |
|                        | American Indian or Alaska Native <b>AND</b> Black or |
|                        | African American                                     |
|                        | Other                                                |

- 6) **All projects must include projected timelines as identified below. Projects that do not proceed or meet completion/expenditure timelines may be canceled with the remaining funding being reallocated by Community Development to other eligible programs, projects, or activities.**

Insert dates

--Receipt of all funding commitments identified for this project  
--Acquisition (if applicable)  
--Plans/specifications prepared  
--Solicitation of bids  
--Bid award  
--Start of construction  
--Completion date

- 7) Check the one box that most accurately describes the eligibility of the activity.

- ☐ New public facility or improvement  
☐ Existing facility or improvement where the number of beneficiaries will not increase  
☐ Expansion of a facility or improvement that will permit additional persons to be served  
☐ Other, please describe:

- 8) Check the one box that most accurately describes the eligibility of the program/activity.

**Check only a, b or c.**

- a) ☐ The program/activity will have income eligibility requirements to **primarily serve** low- and moderate-income beneficiaries. Check any income levels that apply.
- ☐ at or below 30% of the area median income (AMI)  
☐ at or below 50% AMI  
☐ at or below 60% AMI  
☐ at or below 80% AMI  
☐ over 80% AMI (Ineligible activity if most beneficiaries are over 80% AMI)

- b) ☐ The program/activity will be open to **all** persons regardless of income. Is there a recognized boundary for the area served, such as census tracts, block groups, neighborhoods, street boundaries, etc.? ☐ Yes ☐ No  
(If yes, please describe boundaries)

- c) ☐ The program/activity will **achieve** one of the **National Objectives**. (Category selected must be consistent with the mission of the organization as evidenced by the By-Laws and/or Articles of Incorporation.) **Check only one box.**

- ☐ Low/Moderate Income Area Benefit  
☐ Low/Moderate Income Limited Clientele  
☐ Low/Moderate Income Housing  
☐ Low /Moderate Income Jobs

- 9) Will information on family size and income of the beneficiaries be obtained and verified by your organization? Yes ☐ No ☐
- 10) Will a fee be charged for to use the facility/improvement? Yes ☐ No ☐; if yes, attach a copy of the fee schedule.
- 11) Provide a cost breakdown for the project. (Davis-Bacon wage rates will likely apply.)

| DESCRIPTION                                  | DOLLAR AMOUNT |
|----------------------------------------------|---------------|
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
| <b>TOTAL ESTIMATED COST OF THIS ACTIVITY</b> | \$            |

**Cost estimates and specifications must be prepared by qualified engineers/architects.**

Cost estimate supplied by:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

- 12) List and identify by name all funding sources for this program/activity.

| DESCRIPTION                                                | DOLLAR AMOUNT |
|------------------------------------------------------------|---------------|
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
| <b>CDBG funding requested for this program/activity</b>    | \$            |
| <b>TOTAL OF ALL FUNDING SOURCES (Must equal #11 above)</b> | \$            |

- 13) Are all other funds identified for this project available and/or committed? Yes ☐ No ☐; if no, please identify which funds are not and when they will be.

- 14) What will be the status of your project if you do not receive CDBG funding, or if you do not receive the full amount requested?

- 15) Is funding available for cost overruns? Yes ☐ No ☐; if yes, please describe the source and how much is available. If no, how will cost overruns be handled?

- 16) Are repair and replacement reserves included in the operating budget? Yes ☐ No ☐; if yes, how much is budgeted annually? If no, how will repairs and needed capital improvements be funded?

- 17) If the project involves acquisition or expansion of an existing public facility or improvement, is the property zoned properly? Yes ☐ No ☐

- 18) If the project involves a new or an expansion of an existing public facility or improvement, please include information on the operating budget and include all identified resources.

- 19) Environmental Review Status:

Has an Environmental Review been conducted on the project or address (es)? Yes ☐ No ☐

If so what is the date \_\_\_\_\_ and provide a copy of the Environmental Review.

If not, an Environmental Review **must** be conducted prior to any choice limiting action i.e. the purchase of property, disrupting of soil or execution of an agreement.

A request for an Environmental Review can be made to the Community Development Department.

*\*Please be aware that additional information may be required to determine eligibility of any CDBG activity.*

**THIS COMPLETES SECTION B. PUBLIC FACILITIES & IMPROVEMENTS**  
**GO TO THE CERTIFICATION ON PAGE 28.**

## SECTION C: RENOVATION/ACQUISITION OF EXISTING HOUSING

---

1) Property address:

2) Legal description of property:

3) Do you currently own the property? Yes ☐ No ☐; if you do not own the property, do you have an agreement to purchase? Yes ☐ No ☐; if yes, please attach a copy. If you do not own the property, list the name and address of the owner(s).

4) If there are any structures on the property, were they constructed prior to 1978? Yes ☐ No ☐; (Any recipient of CDBG funding must comply with federal regulation **24 CFR Part 35 Subpart J**, pertaining to lead hazard reduction on all residential properties constructed prior to January 1, 1978. After completion of any rehabilitation disturbing lead-based paint hazards, the work site must pass a clearance inspection in accordance with **24 CFR 35.1340**).

5) Assessed or appraised value of the property:

6) How many existing units are in the project?

7) How many units will be in the project upon completion?

8) Will there be temporary or permanent displacement during renovations? Yes ☐ No ☐; if yes, please describe.

9) How many units will be made exclusively to households within the following categories?

at or below 30% of the area median income (AMI)  
at or below 50% AMI  
at or below 60% AMI  
at or below 80% AMI  
above 80% AMI

- 10) **All projects must include projected timelines as identified below. Projects that do not proceed or meet completion/expenditure timelines may be canceled with the remaining funding being reallocated by Community Development to other eligible programs, projects, or activities.**

Insert dates

--Receipt of all funding commitments identified for this project  
--Acquisition (if applicable)  
--Risk Assessment (if applicable)  
--Plans/specifications prepared  
--Solicitation of bids  
--Bid award  
--Start of construction  
--Completion date

- 11) Describe the proposed renovations.

- 12) Attach a site plan and a floor plan of the property showing the existing units as well as the proposed changes.
- 13) Attach a 15-year operating income and expense projection for the project and rate of return on investment. List the different rents for the different income levels served.
- 14) Attach a separate sheet to include the following information for each unit. **This information will also be required upon project completion.**
- Unit number
  - Unit size (number of bedrooms)
  - Unit occupancy (vacant or occupied)
  - Household income in relation to median family income
  - Number of people in the household
  - Race and ethnicity of the head of household
  - Household characteristics (elderly, female-head of household, disability, etc.)
  - Total existing monthly rent (including utilities)
  - Proposed monthly rent (including utilities) after renovations
  - Identification of utilities included in rent and utilities to be paid by tenant
  - Type of rental assistance, if applicable (Housing Choice Voucher, other assistance, no assistance)

- 15) Provide a cost breakdown for this project. (Davis-Bacon wage rates may apply to CDBG projects with more than eight units.)

| DESCRIPTION                           | DOLLAR AMOUNT |
|---------------------------------------|---------------|
|                                       | \$            |
|                                       | \$            |
|                                       | \$            |
|                                       | \$            |
|                                       | \$            |
|                                       | \$            |
|                                       | \$            |
|                                       | \$            |
|                                       | \$            |
|                                       | \$            |
| TOTAL ESTIMATED COST OF THIS ACTIVITY | \$            |

**Cost estimates and specifications must be prepared by qualified engineers/architects.**

Cost estimate supplied by:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

---

- 16) List and identify by name all funding sources for this program/activity.

|                                                            | DESCRIPTION                                      | DOLLAR AMOUNT |
|------------------------------------------------------------|--------------------------------------------------|---------------|
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            |                                                  | \$            |
|                                                            | CDBG funding requested for this program/activity | \$            |
| <b>TOTAL OF ALL FUNDING SOURCES (Must equal #15 above)</b> |                                                  | \$            |

- 17) Are all other funds identified for this project available and/or committed? Yes ☐ No ☐; if no, please identify which funds are not and when they will be.

- 18) What will be the status of your project if you do not receive CDBG funding, or if you do not receive the full amount requested?

- 19) Is funding available for cost overruns? Yes ☐ No ☐; if yes, please describe the source and how much is available. If no, how will cost overruns be handled?

20) Environmental Review Status:

Has an Environmental Review been conducted on the project or address (es)? Yes ☐ No ☐

If so what is the date\_\_\_\_\_ and provide a copy of the Environmental Review.

If not, an Environmental Review **must** be conducted prior to any choice limiting action i.e. the purchase of property, disrupting of soil or execution of an agreement.

A request for an Environmental Review can be made to the Community Development Department.

*\*Please be aware that additional information may be required to determine eligibility of any CDBG activity.*

**THIS COMPLETES SECTION C. *RENOVATION/ACQUISITION OF EXISTING HOUSING***  
**GO TO THE CERTIFICATION ON PAGE 28.**

## SECTION D: **NEW HOUSING CONSTRUCTION**

---

1) Property address:

2) Legal description of property:

3) Do you currently own the property? Yes ☐ No ☐; if you do not own the property, do you have an agreement to purchase? Yes ☐ No ☐; if yes, please attach a copy. If you do not own the property, list the name and address of the owner(s).

4) Assessed or appraised value of the property:

5) How many units will be in the project upon completion?

6) How many units will be made exclusively to households within the following categories?

at or below 30% of the area median income (AMI)  
at or below 50% AMI  
at or below 60% AMI  
at or below 80% AMI  
above 80% AMI

**7) All projects must include projected timelines as identified below. Projects that do not proceed or meet completion/expenditure timelines may be canceled with the remaining funding being reallocated by Community Development to other eligible programs, projects, or activities.**

Insert dates

--Receipt of all funding commitments identified for this project  
--Acquisition (if applicable)  
--Plans/specifications prepared  
--Solicitation of bids  
--Bid award  
--Start of construction  
--Completion date

|  |
|--|
|  |
|--|

- This following information will be required upon project completion.**

- | DESCRIPTION | DOLLAR AMOUNT |
|-------------|---------------|
|-------------|---------------|

|                                              |    |
|----------------------------------------------|----|
|                                              | \$ |
|                                              | \$ |
|                                              | \$ |
|                                              | \$ |
|                                              | \$ |
|                                              | \$ |
|                                              | \$ |
|                                              | \$ |
| <b>TOTAL ESTIMATED COST OF THIS ACTIVITY</b> | \$ |

Page 22

Cost estimate supplied by:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

- 13) List and identify by name all funding sources for this program/activity.

| DESCRIPTION                                                | DOLLAR AMOUNT |
|------------------------------------------------------------|---------------|
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
|                                                            | \$            |
| <b>CDBG funding requested for this program/activity</b>    | \$            |
| <b>TOTAL OF ALL FUNDING SOURCES (Must equal #12 above)</b> | \$            |

- 14) Are all other funds identified for this project available and/or committed? Yes ☐ No ☐; if no, please identify which funds are not and when they will be.

- 15) What will be the status of your project if you do not receive CDBG funding, or if you do not receive the full amount requested?

- 16) Is funding available for cost overruns? Yes ☐ No ☐; if yes, please describe the source and how much is available. If no, how will cost overruns be handled?

- 17) Environmental Review Status:

Has an Environmental Review been conducted on the project or address (es)? Yes ☐ No ☐

If so what is the date \_\_\_\_\_ and provide a copy of the Environmental Review.

If not, an Environmental Review **must** be conducted prior to any choice limiting action i.e. the purchase of property, disrupting of soil or execution of an agreement.

A request for an Environmental Review can be made to the Community Development Department.

*\*Please be aware that additional information may be required to determine eligibility of any CDBG activity.*

**THIS COMPLETES SECTION D. NEW HOUSING CONSTRUCTION**  
**GO TO THE CERTIFICATION ON PAGE 28.**

## SECTION E: **ECONOMIC DEVELOPMENT**

---

1) Describe in detail your proposed activity.

2) Check the one box that most accurately describes the eligibility of the activity.

- ☐ Special economic development activity
- ☐ Economic development undertaken by a community based development organization
- ☐ Technical assistance to a business
- ☐ Microenterprise development
- ☐ Technical assistance to a business
- ☐ Commercial rehabilitation
- ☐ Public facilities and improvements
- ☐ Job training
- ☐ Other, please describe:

3) Check the one box that most accurately describes the objective.

- ☐ Economic activity that benefits a low or moderate income area (i.e. at least 51 percent of the occupants of the defined neighborhood have incomes at or below 80 percent of the median family income)
- ☐ Economic activity that benefits a microenterprise where the owner of the business has an income at or below 80 percent of the median family income
- ☐ Economic activity designed to create or retain permanent jobs, at least 51 percent of which will be made available to or held by persons whose income is at or below 80 percent of median family income.
- ☐ Economic development activity, such as commercial rehabilitation, which will aid in the prevent of elimination of slum or blighted
- ☐ Other, please describe:

4) What is the specific goal or measurable outcome that will be achieved as a result of the activity?

5) How many jobs will be created or maintained by the activity in the 12-month period for which funding is being requested?

6) Will information on family size and income of the beneficiaries be obtained and verified by your organization? Yes ☐ No ☐

**7) All projects must include projected timelines as identified below. Projects that do not proceed or meet completion/expenditure timelines may be canceled with the remaining funding being reallocated by Community Development to other eligible programs, projects, or activities.**

Insert dates

|                                                                  |
|------------------------------------------------------------------|
| --Receipt of all funding commitments identified for this project |
| --Acquisition (if applicable)                                    |
| --Plans/specifications prepared                                  |
| --Solicitation of bids                                           |
| --Bid award                                                      |
| --Start of construction                                          |
| --Completion date                                                |

8) Provide a cost breakdown for the project. (Davis-Bacon wage rates will likely apply.)

| DESCRIPTION                                  | DOLLAR AMOUNT |
|----------------------------------------------|---------------|
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
|                                              | \$            |
| <b>TOTAL ESTIMATED COST OF THIS ACTIVITY</b> | <b>\$</b>     |

9) List and identify by name all funding sources for this program/activity.

| DESCRIPTION                                               | DOLLAR AMOUNT |
|-----------------------------------------------------------|---------------|
|                                                           | \$            |
|                                                           | \$            |
|                                                           | \$            |
|                                                           | \$            |
|                                                           | \$            |
|                                                           | \$            |
| <b>CDBG funding requested for this program/activity</b>   | \$            |
| <b>TOTAL OF ALL FUNDING SOURCES (Must equal #8 above)</b> | \$            |

10) Are all other funds identified for this project available and/or committed? Yes ☐ No ☐; if no, please identify which funds are not and when they will be.

11) What will be the status of your project if you do not receive CDBG funding, or if you do not receive the full amount requested?

12) Is funding available for cost overruns? Yes ☐ No ☐; if yes, please describe the source and how much is available. If no, how will cost overruns be handled?

13) Environmental Review Status:

Has an Environmental Review been conducted on the project or address (es)? Yes ☐ No ☐

If so what is the date \_\_\_\_\_ and provide a copy of the Environmental Review.

If not, an Environmental Review **must** be conducted prior to any choice limiting action i.e. the purchase of property, disrupting of soil or execution of an agreement.

A request for an Environmental Review can be made to the Community Development Department.

*\*Please be aware that additional information may be required to determine eligibility of any CDBG activity.*

**THIS COMPLETES SECTION E. ECONOMIC DEVELOPMENT**

**GO TO THE CERTIFICATION ON PAGE 28.**

## ***CERTIFICATION***

---

**Warning:** If you knowingly make a false statement on this form, you may be subject to civil penalties under Section 1001 of Title 18 of United States Code. In addition, any person who knowingly and materially violates any required disclosures of information is subject to civil penalty not to exceed \$10,000 for each offense.

I certify that I have read and understand all the instructions related to this application and the information provided is true and correct.

\_\_\_\_\_/\_\_\_\_\_  
Signature of Director/Owner      Date

\_\_\_\_\_/\_\_\_\_\_  
Signature of Board President      Date

**Certification must be signed by any and all owners.**

\_\_\_\_\_/\_\_\_\_\_  
Signature of Owner      Date

\_\_\_\_\_/\_\_\_\_\_  
Signature of Owner      Date

\_\_\_\_\_/\_\_\_\_\_  
Signature of Owner      Date

\_\_\_\_\_/\_\_\_\_\_  
Signature of Owner      Date

\_\_\_\_\_/\_\_\_\_\_  
Signature of Owner      Date

\_\_\_\_\_/\_\_\_\_\_  
Signature of Owner      Date

### CONFLICT OF INTEREST QUESTIONNAIRE

Federal, State, and City law prohibits employees, consultants and public officials of the Unified Government from participation on behalf of the Unified Government in any transaction in which they have an apparent or actual financial interest. This questionnaire must be completed and submitted by each applicant for Community Development Block Grant (CDBG) funding. The purpose of this questionnaire is to determine if the applicant, its staff, program beneficiaries or any of the applicants Board of Directors would be in conflict of interest.

- A. Is there, any member(s) of the applicant's staff or any member (s) of the applicant's Board of Directors or governing body who currently is or has/have been within one year of the date of this application a Unified Government employee, consultant, or a member of the Unified Government Board of Commissioners?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes please list the name(s) below:

---

---

- B. Will the CDBG funds requested by the applicant be used to award a subcontractor to any individual(s) or business affiliated(s) who currently is or has/have been within one year of the date of this application a Unified Government employee, consultant, or a member of the Unified Government Board of Commissioners?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes please list the name(s) below:

---

---

- C. Is there, any member(s) of the applicant's staff or member(s) of the applicant's Board of Directors or other governing body who are business partners or family members of a Unified Government employee, consultant, or a member of the Unified Government Board of Commissioners?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes please list the name(s) below:

---

---

If you have answered "YES" to any of the above, the Community Development Department will review to determine whether a real or apparent conflict of interest exists.

Name of Organization: \_\_\_\_\_

Name of Applicant's Authorized Official: \_\_\_\_\_

Authorized Official's Title: \_\_\_\_\_

Signature of Authorized Official: \_\_\_\_\_ Date: \_\_\_\_\_

## **IMPORTANT**

- ✓ **Return original application to Community Development by ENTER DATE HERE.**
- ✓ **Applicants must provide a copy of the agency's By-laws and/or Articles of Incorporation.**
- ✓ **Applicants must provide a copy of the agency's current Board Roster.**
- ✓ **Nonprofit organizations must include an audited financial statement with their application.**
- ✓ **Please be aware that additional information may be required to determine eligibility of any CDBG activity.**

## Timeline - CDBG APPLICATION PROCESS

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| February, 2014  | Development of <b>UG Citizen, Community Organization &amp; Commissioner Funding Proposal Form by Finance Department/Prepared by the Budget Office</b> to be used for UG and CDBG application process. The form was used for 2014 and 2015 application process.                                                                                                                                                                                                                                                                                                         |
| June 25, 2015   | <p>CDBG Budget Committee made recommendations about the proposal process to the CDBG Committee of the Whole</p> <ul style="list-style-type: none"><li>• Suggested proposals for funding be limited to specific commission priority such as housing redevelopment in order to concentrate resources</li><li>• Suggested that all agencies apply during the proposal process, including agencies with annual funding (for all fund sources)</li></ul>                                                                                                                    |
| July 16, 2015   | Full Commission Budget Workshop – discussion from Commission regarding the application process including the application document, publicizing of proposal process, possible separation of UG and CDBG application process, targeting use of CDBG funds, etc.                                                                                                                                                                                                                                                                                                          |
| September, 2015 | CD staff began development of draft 2016 Application for CDBG Funding                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Sept. 18, 2015  | <b>CDBG funds available for reallocation include \$258,000 from ABC 26<sup>th</sup> Street project and \$350,000 from the Redevelopment Housing/Economic Development (Bricks &amp; Mortar) for a total of \$608,000</b>                                                                                                                                                                                                                                                                                                                                                |
| Sept. 28, 2015  | Discussion of the reallocation of CDBG funds for brick and mortar projects. Review of timelines for Highland Crest Redevelopment project, Argentine Betterment Corporation Project located at 1351 S. 26th Street, Redevelopment Housing/Economic Development Bricks and Mortar funds (previously named Argentine & Highland Crest Economic Development project) timeline for CDBG application process and presentation of example of 2016 application for CDBG funding. Standing Committee directed staff to finalize the 2016 Application for CDBG Funding. Standing |

Committee also developed timeline for implementation of grant application process.

Oct. 26, 2015      Administration and Human Services Standing Committee review of finalized 2016 Application for CDBG Funding. Staff are also requesting Committee approval to fast track RFA to Full Commission for approval on October 29, 2015. Staff is also requesting approval to implement the application process plan (see attached).

## **2016 CDBG APPLICATION PROCESS**

### **TIMELINE:**

Week of November 2, 2015

Issue request for 2016 Applications for CDBG Funding as described in marketing plan below

December 11, 2015

Deadline for application Submission

December 12, 2015 through January 6, 2015

Staff evaluates and ranks application submissions

January 19, 2016

Staff presents evaluations and recommendations for funding to Administration and Human Services Standing Committee

### **MARKETING PLAN:**

Advertise: The Echo, Call, KC Globe, Dos Mundos, KC Hispanic News

Online: Unified Government website, UG ENews, Wyandotte Daily News, Kansan

Notify: UG Commission and Administration

- Liveable Neighborhoods
- Wyandotte Economic Development Corporation
- Chamber of Commerce
- Black Chamber of Commerce
- Hispanic Chamber of Commerce
- United Way
- Housing Organizations including CHWC, Heartland Habitat for Humanity, Mt. Carmel Redevelopment, Northeast Economic Development Corporation
- Continuum of Care organizations
- Other organizations as suggested

