

**JANUARY 25, 2018 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 ARTRELL HARRIS, ROSWELL CHURCH OF CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, JANUARY 25, 2018 AGENDA**
- VI. 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.)
- VII. PLANNING AND ZONING CONSENT AGENDA**
- VIII. PLANNING AND ZONING NON-CONSENT AGENDA**
- IX. MAYOR'S AGENDA**
- X. REGULAR CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. ADMINISTRATOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

SERGEANT-AT-ARMS: MAJOR WILLIAM HOWARD

PLANNING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. **#3156 - JOHN FRESHNOCK WITH WSKF ARCHITECTS**

Synopsis: Change of Zone from CP-O Planned Non-Retail Business District to C-3 Commercial District for offices, warehouse of parts and appliances, appliance repair, carpentry shop and materials storage, minor auto repair/maintenance and night storage of vehicles inside the building at 1300 Meadowlark Lane, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 1850

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2017-62 - ALMA MENDOZA WITH ARM & HAMMER CONTRACTING, LLC**

Synopsis: Special Use Permit for an auto detail shop at 741 Washington Boulevard, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 1852

2. **#SP-2017-67 - ADRIAN AND LYNNETTE JASPER**

Synopsis: Special Use Permit for a restaurant and drinking establishment with live entertainment in the West State Plaza at 7540 Armstrong Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 1853

3. **#SP-2018-2 - ANNE AND ROY BAUGH**

Synopsis: Home Occupation Special Use Permit for an AIRBNB at 1615 North 86th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 1854

4. **#SP-2018-3 - NGA D. LE**

Synopsis: Special Use Permit for an AIRBNB/VRBO at 4721 Canaan Lake Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR DENIAL)**

Tracking #: 1855

5. #SP-2018-4 - JULIA IFTICENE

Synopsis: Home Occupation Special Use Permit for a day care at 10524 Augusta Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 1856

6. #SP-2018-5 - ROBERT C. RICE

Synopsis: Home Occupation Special Use Permit for an AIRBNB at 3011 West 44th Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 1857

7. #SP-2018-7 - TREBOR ROSS

Synopsis: Special Use Permit for 4 cows, 4 goats and 50 chickens at 1700 South 38th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 1858

8. #SP-2018-8 - WIL ANDERSON WITH BHC RHODES FOR RUFIN WOODLANDS LLC

Synopsis: Special Use Permit for the Temporary Use of Land to park UPS semi-truck trailers in the parking lot at 9700 Leavenworth Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR DENIAL)**

Tracking #: 1859

9. #SP-2018-9 - KATHLEEN LYNCH AND CRISTEN RYMAN

Synopsis: Home Occupation Special Use Permit for an AIRBNB at 2824 North 99th Terrace, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 1860

10. #SP-2018-10 - JOHN FRESHNOCK WITH WSKF ARCHITECTS

Synopsis: Special Use Permit for offices, warehouse of parts and appliances, appliance repair, carpentry shop and materials storage, minor auto repair/maintenance, and night storage of vehicles inside the building at 1300 Meadowlark Lane, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR**

APPROVAL FOR 2 YEARS)

Tracking #: 1851

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

TAX STATUS REPORT *BOARD OF COMMISSIONERS AGENDA FOR JANUARY 25, 2018*

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2013.

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 AGENDA

IX. MAYOR'S AGENDA

X. REGULAR CONSENT AGENDA

1. PLAT: NEW BETHEL CHURCH

Synopsis: Plat of New Bethel Church, located at 7th St. Trfy. & New Jersey Dr., being developed by The New Bethel Church, submitted by Brent Thompson, Director of Engineering/County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 1863

2. NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Ashley M. Searcy, Landmarks Commission, 1/25/18 to 3/31/20, submitted by Commissioner Johnson

Jim Jarsulic, Library Board, 1/25/18 to 3/31/20, submitted by Commissioner Markley

Judy Anderson, Library Board, 1/25/18 to 3/31/22, submitted by Commissioner Walters

Bob Frey, Housing Authority Advisory Board, 1/25/18 to 3/31/22, submitted by Commissioner Walters

Greg Ottinger, Self-Supported Municipal Improvement Board, 1/25/18 to 3/31/22, submitted by Commissioner Walters

Bob Hughes, Self-Supported Municipal Improvement Board, 1/25/18 to 3/31/22, submitted by Commissioner Philbrook

Terry Brockman, Law Enforcement Advisory Board, 1/25/18 to 6/30/20, submitted by Sheriff Ash

Tracking #: 1861

3. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated January 11 and 18, 2018.

Tracking #: 1862

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

XIV. COMMISSIONERS' AGENDA

1. **TRAVEL REQUEST: COMMISSIONER JOHNSON**

Synopsis: Request to travel to Dallas, TX, to attend the Public-Private Partnership Conference & Expo, submitted by Commissioner Johnson.

Tracking #: 1845

XV. LAND BANK BOARD OF TRUSTEES' AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN



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: January 25, 2018
Re: Change of Zone #3156 and #SP-2018-10

GENERAL INFORMATION

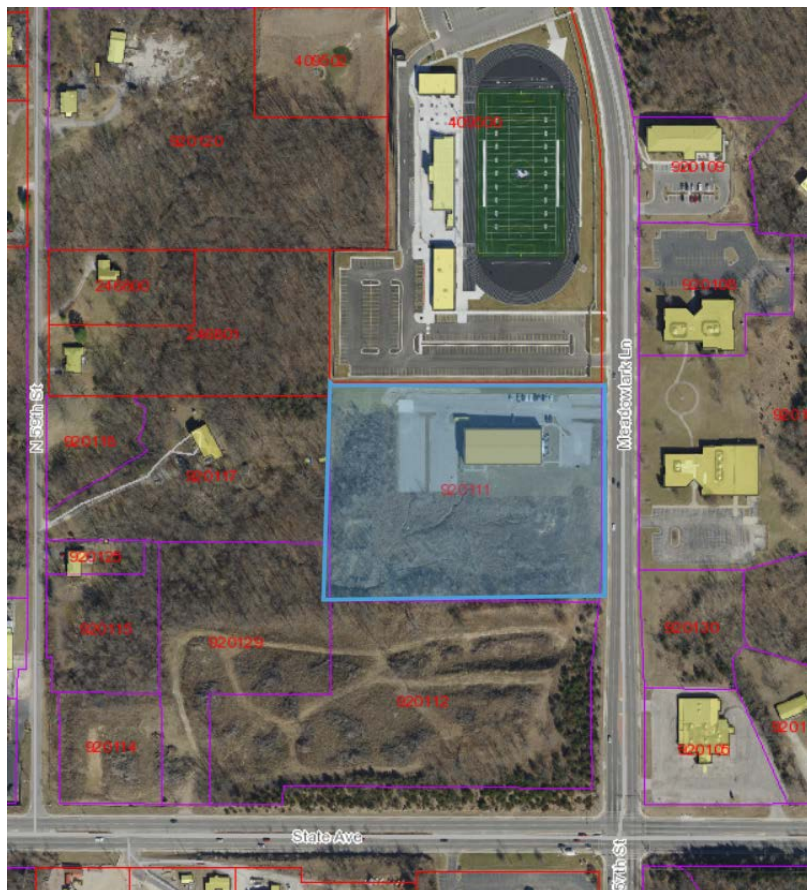
Applicant:
John Freshnock

Status of Applicant:
Representative
WSKF Architects, INC.
756 Minnesota Avenue
Kansas City, Kansas

Requested Action:
Change of Zone from CP-0
Planned Non-Retail Business
District to CP-3 Planned
General Commercial District
and Special Use Permit for
automotive related uses

Date of Application:
November 27, 2017

Purpose:
To obtain approval for a
change of zone to CP-3 to use



the property for a variety of commercial purposes, including automotive related uses.

Property Location: 1300 Meadowlark Lane

Existing Zoning: CP-0 Planned Non-Retail Business District

Surrounding Zoning:	North:	RP-1 Planned Single Family District
	South:	RP-5 Planned Apartment District
	East:	CP-0 Planned Non-Retail Business District
	West:	RP-5 Planned Apartment District

Existing Uses:	North:	Schlagle High School
	South:	Undeveloped
	East:	Commercial
	West:	Single family homes

Total Tract Size: 7.03 acres

Master Plan Designation: The City-Wide Master Plan designates this property for public/semi-public use.

Major Street Plan: Meadowlark Lane is a designated Class B Thoroughfare.

Advertisement: The Wyandotte Echo – December 14, 2017
Letters to Property Owners – December 14, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: No one appeared in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Mr. Freshnock is seeking a rezoning to CP-3 for the site to be used by the Housing Authority for the following uses: administrative offices, warehouse of parts and appliances, appliance repair, carpentry shop, materials storage, minor auto repair and maintenance, interior vehicle loading and unloading, and night storage of fleet vehicles inside the building. The automotive related uses are subject to the Special Use Permit for which the applicant is also seeking approval.

City Ordinance Requirements: Article XXII Sections 27-1001 – 27-1419 and Article XXI Sections 27-501 - 27-1000

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

This area is a mix of residential, office, and educational uses.

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

Though this area does have a fair amount of commercial uses, this would be the most intense commercial operation in the area. If the operation is conducted exclusively indoors, it may 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?*

This is not foreseen to be an issue.

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

This property is not currently occupied, but has more recently been used as a church and basketball practice space.

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

This use is not necessary for the public, though having the building occupied is a positive thing for the community.

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

The proposed uses will likely increase traffic to the site, however, staff feels there is enough available parking to facilitate this demand.

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

This change would be in conformance with the Master Plan.

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

This is not foreseen to be an issue.

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

a. *Water service*

Existing

b. *Sanitary sewer service*

Existing

c. *Storm water control*

Existing

d. *Police*

Police service is provided by Police District #441

e. *Fire*

Fire service is provided by District #4

f. *Schools*

Kansas City, Kansas USD 500

g. *Streets*

See item #6 above

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

The proposed use would likely increase the tax revenue for the site.

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

The proposed use is expected to meet applicable ordinance requirements.

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

It could be argued that increased economic activity would be a gain for the community.

13. 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.

All work is to occur within the building, if done so, noise, illumination, vibration, and dust should not be an issue.

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

If any fluid spills are contained and cleaned up quickly, the proposed use will not pollute the land or water.

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

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

16. 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. If this application is denied, the applicant will have to find an alternate location and apply for another special use permit.

17. 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.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 19, 2017; no one attended.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application #3156 and Special Use Permit Application #SP-2018-10, subject to:

Urban Planning and Land Use Comments:

The following stipulations shall apply:

- 1. Remove existing foam and plastic stone from original building**
- 2. Replace wainscot with real brick**

3. Paint metal panel above wainscot on existing building to match new building
4. Any signage must comply with the sign code and be permitted through the Urban Planning and Land Use Department.
5. Approval would be for two (2) years for the special use permit

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) The storm drainage study shall be PE sealed and shall evaluate the release rates for the proposed detention facility, all in accordance with UG standards and criteria.
 - 2) The plans shall indicate that the existing site conditions, including highly eroded areas, failed rip-rap locations, etc., will be addressed and brought into compliance with current UG standards and criteria.
 - 3) Final development plans shall include final engineering, calculations, studies, and complete construction level drawings with construction notes and details, in accordance with UG standards and criteria and shall be reviewed and approved by UG prior to being placed on the Planning Commission agenda.
- 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 concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of **Petition #3156** and **Petition #SP-2017-10** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Zoning Map
Aerial photo
Photo of structure at present
Proposed plans

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	January 8, 2018	January 25, 2018
Rezoning	Approval	
Special Use Permit	January 8, 2018	January 25, 2018
	Approval	

STAFF CONTACT: **Jamie Hickey**
 jhickey@wycokck.org

MOTIONS

Change of Zone:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**3156** 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 #**3156**, 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.

Special Use Permit:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-10** 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-2018-10**, 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.

JANUARY 8, 2018 CITY PLANNING COMMISSION MINUTES:

CHANGE OF ZONE APPLICATION #3156 – JOHN FRESHNOCK WITH WSKF ARCHITECTS – SYNOPSIS: Change of Zone from CP-O Planned Non-Retail Business District to C-3 Commercial District for offices, warehouse of parts and appliances, appliance repair, carpentry shop and materials storage, minor auto repair/maintenance and night storage of vehicles inside the building at 1300 Meadowlark Lane.

SPECIAL USE PERMIT APPLICATION #SP-2018-10 – JOHN FRESHNOCK WITH WSKF ARCHITECTS – SYNOPSIS: Special Use Permit for offices, warehouse of parts and appliances, appliance repair, carpentry shop and materials storage, minor auto repair/maintenance, and night storage of vehicles inside the building at 1300 Meadowlark Lane.

Detailed Outline of Requested Action: Mr. Freshnock is seeking a rezoning to CP-3 for the site to be used by the Housing Authority for the following uses: administrative offices, warehouse of parts and appliances, appliance repair, carpentry shop, materials storage, minor auto repair and maintenance, interior vehicle loading and unloading, and night storage of fleet vehicles inside the building. The automotive related uses are subject to the Special Use Permit for which the applicant is also seeking approval.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 December 14, 2017; and
7. The Notices to property owners dated December 14, 2017.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Chairman Huey recused herself from the hearing at 6:55 p.m. as she was aware of this application as she has a family member that works for the Housing Authority. Vice Chairman Carson assumed the chairmanship.

Present in Support:

- ❖ John Freshnock, WSKF Architects, representing the applicant, 756 Minnesota Avenue, Kansas City, Kansas 66101

Present in Opposition:

❖ No one appeared

Staff Recommendation Starts: 31.26 Planning Director Richardson stated that when the applicant talked about the failure of the stormwater system this original plan allowed the water to flow over land and not be piped to the detention basin. What happened over time was that the water changed the course so instead of coming in the detention basin it started flowing the other direction and off the property. They are going to re-pipe that and fix that situation. For the Commission's information that is one of the reasons that staff requests that water be piped to the detention basin and not flow over land because it does change directions and then there are unhappy neighbors. The staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts: 32.45

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application #3156 as follows:**

Carson	Chairman
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Not Present
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

Urban Planning and Land Use Comments:

The following stipulations shall apply:

- 1. Remove existing foam and plastic stone from original building**
- 2. Replace wainscot with real brick**
- 3. Paint metal panel above wainscot on existing building to match new building**
- 4. Any signage must comply with the sign code and be permitted through the Urban Planning and Land Use Department.**
- 5. Approval would be for two (2) years for the special use permit**

Public Works Comments:

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

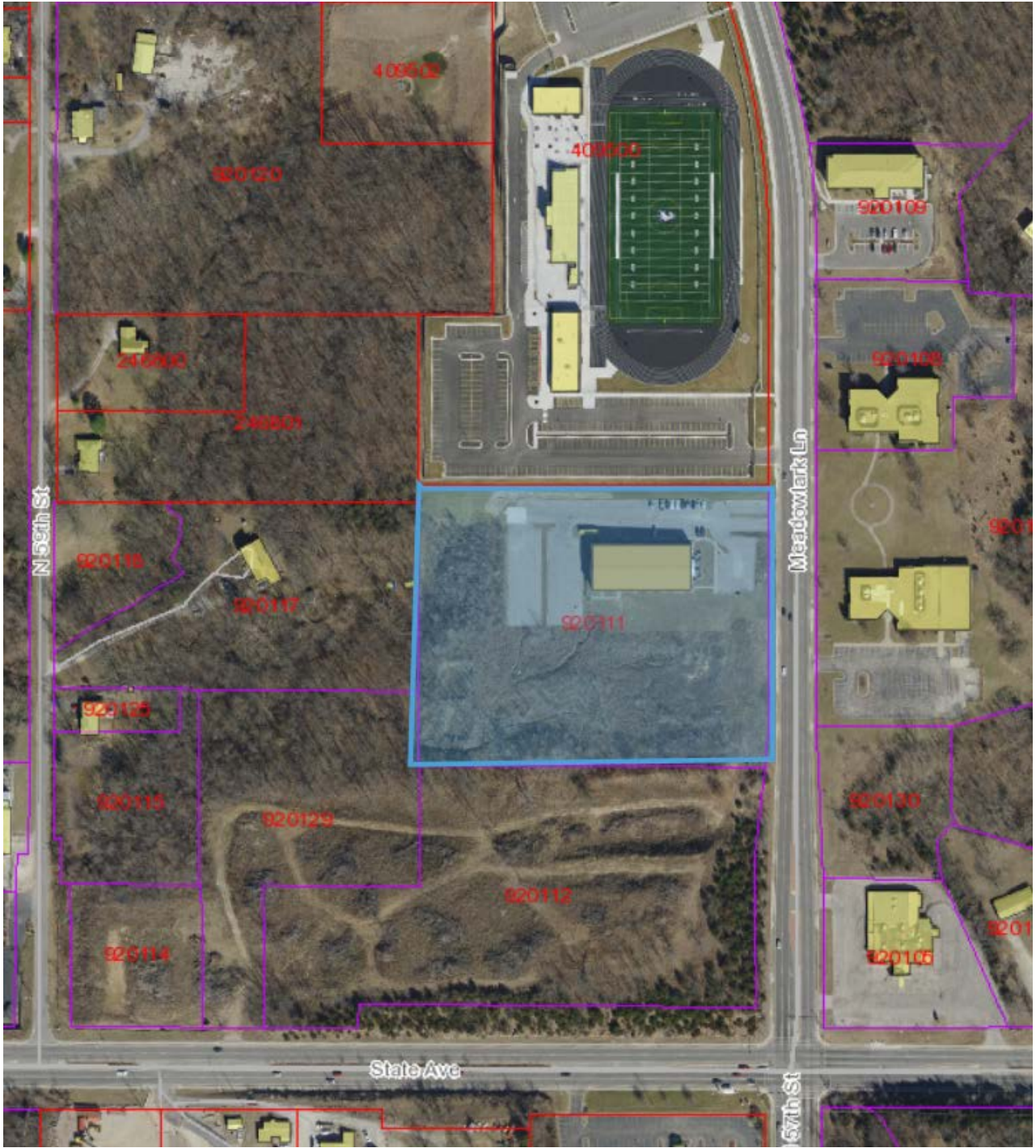
- 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) The storm drainage study shall be PE sealed and shall evaluate the release rates for the proposed detention facility, all in accordance with UG standards and criteria.
 - 2) The plans shall indicate that the existing site conditions, including highly eroded areas, failed rip-rap locations, etc., will be addressed and brought into compliance with current UG standards and criteria.
 - 3) Final development plans shall include final engineering, calculations, studies, and complete construction level drawings with construction notes and details, in accordance with UG standards and criteria and shall be reviewed and approved by UG prior to being placed on the Planning Commission agenda.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-10 as follows:**

Carson	Chairman
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Not Present
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

Motion to RECOMMEND APPROVAL Passed: 5 to 0
Subject to the above stipulations.

Chairman Huey rejoined the Commission and assumed the chairmanship at 7:05 p.m.



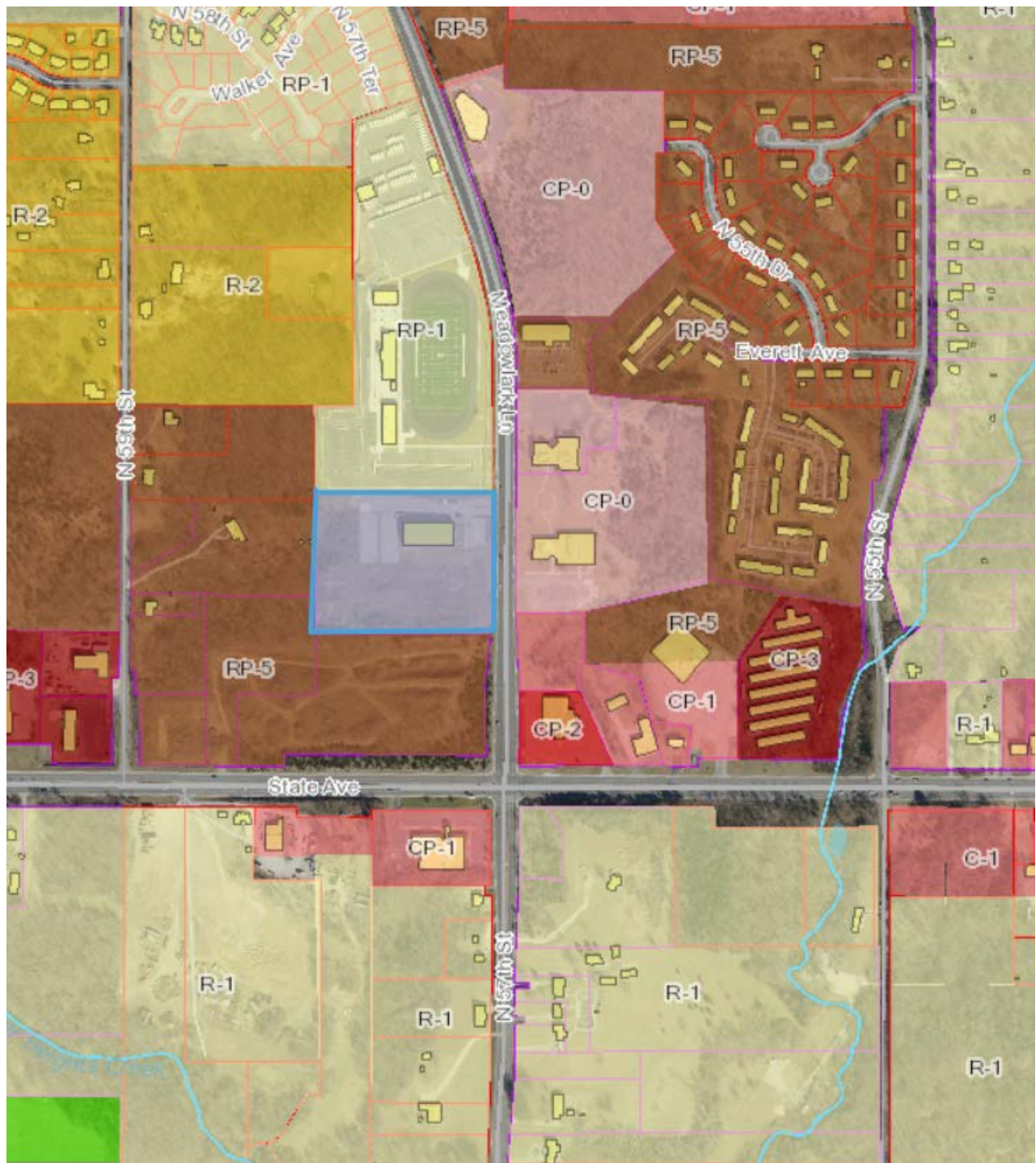


Image via Google Street View (November 2016)

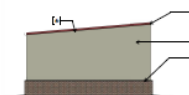




STORAGE - NORTH ELEVATION
1/8" = 1'-0"



STORAGE - WEST ELEVATION
1/8" = 1'-0"



STORAGE - EAST ELEVATION
1/8" = 1'-0"



STORAGE - SOUTH ELEVATION
1/8" = 1'-0"

GENERAL NOTES:

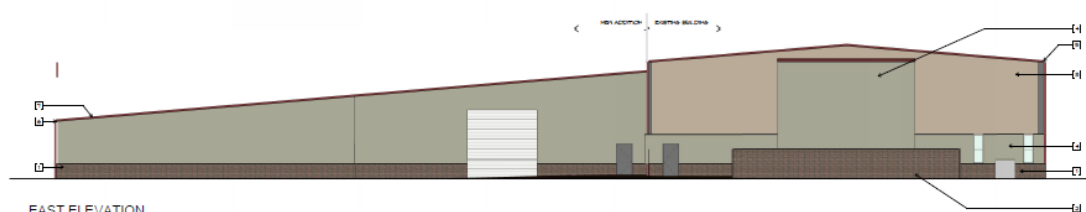
- CONSTRUCTION SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND SPACING OF EXISTING AND PROPOSED STRUCTURE. ALL DIMENSIONS SHALL BE SHOWN ON DRAWINGS AND SHALL BE SHOWN ON THE BUILDING PERMIT APPLICATION.
- EXISTING AND PROPOSED MATERIALS SHALL BE SHOWN ON DRAWINGS AND SHALL BE SHOWN ON THE BUILDING PERMIT APPLICATION.
- EXISTING AND PROPOSED MATERIALS SHALL BE SHOWN ON DRAWINGS AND SHALL BE SHOWN ON THE BUILDING PERMIT APPLICATION.

ELEVATION NOTES:

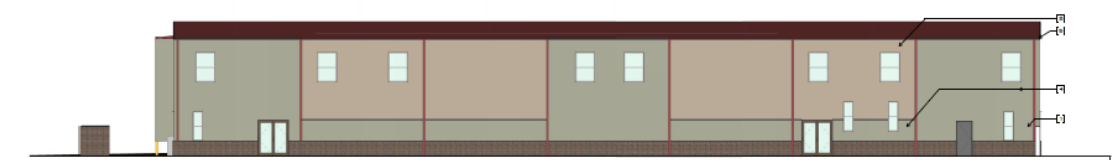
- EXISTING METAL PANEL
- EXISTING STUCCO PANEL
- EXISTING GABLED METAL PANEL
- EXISTING BRICK & MORTAR
- EXISTING ROOF TO EXISTING ROOF

JOB NUMBER: 17087
ISSUE DATE: 12/20/2017
REVISIONS:

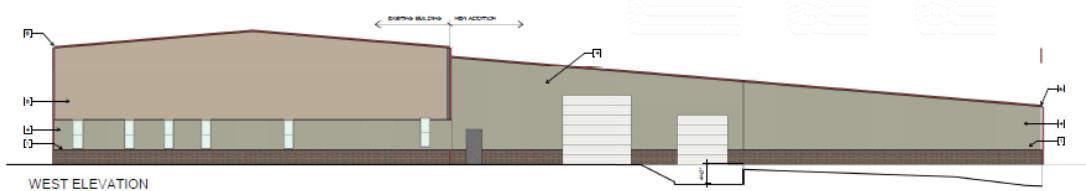
Williams Spurgeon Kuhl & Freshnack Architects, Inc.
1300 Meadowlark Ln.
Kansas City, MO 64120
Tel: 913.287.1900 Fax: 913.287.4102



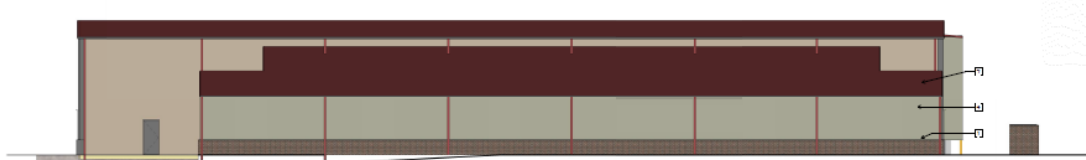
EAST ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"

Material Palette



Existing Metal Panel

New Stucco Coated Panel

New Brick Wainscott

Williams Spurgeon Kuhl & Freshnack Architects, Inc.
Warehouse
1300 Meadowlark Ln.
Kansas City, KS 66102
756 Minnesota Ave. Kansas City, Kansas 66101
Tel. 913.287.1900 Fax 913.287.4102

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Williams Spurgeon Kuhl & Freshnack Architects, Inc. © 2017



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: January 25, 2018
Re: Petition SP-2017-62

GENERAL INFORMATION

Applicant:
Alma Mendoza

Status of Applicant:
Representative
Arm & Hammer Contracting, LLC
2139 North 34th Street
Kansas City, Kansas

Requested Action:
Approve Special Use Permit for
automotive detail shop

Date of Application:
September 29, 2017

Purpose:
To approve Special Use Permit
for automotive detail shop

Property Location:
741 Washington Boulevard

Existing Zoning:
CP-2 Planned Business District



Existing Surrounding Zoning: **North:** RP-5 Planned Apartment District
South: C-D Central Business District
East: C-D Central Business District
West: RP-5 Planned Apartment District

Existing Uses: **North:** Vacant/Church
South: Commercial and Residential
East: Parking/Office
West: Social Services/residential

Total Tract Size: 0.3 acre

Master Plan Designation: The City-Wide Master Plan designates this property for public/semi-public use.

Major Street Plan: Washington Boulevard is a Class B Thoroughfare

Advertisement: The Wyandotte Echo – October 19, 2017
Letters to Property Owner – October 17, 2017, October 31, 2017,
January 2, 2018 and January 18, 2018

Public Hearings: December 11, 2017, January 8, 2018 and January 25, 2018

Public Opposition: No one appeared at the December 11, 2017 City Planning Commission meeting. The case was held over as the applicant was not in attendance. No one appeared in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Ms. Mendoza has requested a Special Use Permit in order to operate a car detailing service at 741 Washington Boulevard.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is mixed use as it is in the urban core of downtown Kansas City, Kansas.

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

The nearby properties are largely less intensive uses than automotive work. This use could be a nuisance to nearby residents and office workers if noise levels were to increase.

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

This is not expected to have a negative effect on nearby properties.

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

This property has not had a business license since 2006.

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.*

This use would increase traffic to the site, though not likely beyond the capacity of the street network.

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

If this property is brought into compliance, it should not have any substantial negative effect on nearby 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.*

There could be some increase in noise on days when the shop is operating.

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

Assuming all refuse and fluids are properly disposed of, this should not be an issue.

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

This is not expected 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 no real gain to the public compared with the hardship imposed on the landowner(s).

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

This is not expected to be an issue.

PREVIOUS ACTIONS

On December 11, 2017 this application was before the City Planning Commission. The applicant was not present at the time the application was called. The application was moved to the end of the agenda (as per bylaws) and the applicant still was not present when the application was called again at the end of the agenda. The applicant inquired about the status of the application a few days after the meeting and was informed of the January 8, 2018 hearing.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on November 13, 2017; no opposition was recorded.

KEY ISSUES

Explanation of operations
Parking and site layout

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2017-62, for **two (2) years** subject to:

Urban Planning and Land Use Comments:

1. Is there a retail component to your business?
2. Please provide an overview/explanation of your operation—what will you be doing on the site?
(Response was provided at City Planning Commission meeting.)
3. If approved the following stipulations shall apply:
 1. Landscaping shall be required. Prior to a Certificate of Occupancy being approved, the following must be met:
 - a. At least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers. (Sec. 27-577 d.1)
 - b. Landscaping shall exceed the typical code requirements by at least 75% (Sec. 27-577 a.5)

- i. 1 tree per 7000 square feet. (Sec. 27-466 g) x 75%
2. Outdoor automotive work is prohibited; all work on vehicles must be conducted within the building.

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) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 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-2017-62 and comments and suggestions outlined in this staff report.

ATTACHMENTS

December 11, 2018 City Planning Commission Minutes
January 8, 2018 City Planning Commission Minutes
Aerial image
Zoning map
Site plan submitted by applicant
Exterior plans

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	December 11, 2017	January 25, 2018
Special Use	Held Over January 8, 2018 Approval	

STAFF CONTACT: **Jamie Hickey**
 jhickey@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP-2017-62** 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-2017-62**, 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.

DECEMBER 11, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing Starts 1:23:40 with the applicant not being present so it was moved until the end of the agenda and was called again at 2:29:54 with the applicant still not present:

SPECIAL USE PERMIT APPLICATION #SP-2017-62 – ALMA MENDOZA WITH ARM & HAMMER CONTRACTING, LLC – SYNOPSIS: Special Use Permit for an auto detail shop at 741 Washington Boulevard. **Detail Outline of Requested Action:** Ms. Mendoza has requested a Special Use Permit in order to operate a car detailing service at 741 Washington Boulevard.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated December 11, 2017;
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 October 19, 2017; and
7. The Notices to property owners dated October 17, 2017 and October 31, 2017.

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

Present in Support:

- ❖ No one appeared

Present in Opposition:

❖ No one appeared

Staff Recommendation Starts 2:30:50: Director Richardson stated the applicant submitted a site plan, but staff still has questions; the applicant did address the Engineering comments. Staff recommends holding over this application until the January 8, 2018 City Planning Commission meeting.

Motion and Vote Starts 2:31:30:

On motion by Dr. Serda, seconded by Mr. Gonzalez, the Planning Commission voted as follows to **HOLD OVER Special Use Permit #SP-2017-62 to allow the applicant to be present and to address the Planning staff's comments:**

Carson	Aye
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Jones	Not Present
Mose	Aye
Pauley	Aye
Rank	Aye
Serda	Aye

Motion to HOLD OVER Passed: 8 to 0

JANUARY 8, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing Starts: 34:10

SPECIAL USE PERMIT APPLICATION #SP-2017-62 – ALMA MENDOZA WITH ARM & HAMMER CONTRACTING, LLC – SYNOPSIS: Special Use Permit for an auto detail shop at 741 Washington Boulevard. **Detail Outline of Requested Action:** Ms. Mendoza has requested a Special Use Permit in order to operate a car detailing service at 741 Washington Boulevard.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2017;
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 October 19, 2017; and
7. The Notices to property owners dated October 17, 2017, October 31, 2017 and January 2, 2018.

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

Present in Support:

- ❖ Jose Angel Martinez, architect representing the applicant, 10816 Beverly Street, Overland Park, Kansas 66214

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts: 39:48 Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts: 39:58

On motion by Mr. Carson, seconded by Ms. Jones, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit #SP-2017-62 for two (2) years subject to the responses given at the meeting to Items 1 and 2:**

Carson	Aye
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Is there a retail component to your business?
2. Please provide an overview/explanation of your operation—what will you be doing on the site?
(Applicant response given at meeting.)
3. If approved the following stipulations shall apply:
 3. Landscaping shall be required. Prior to a Certificate of Occupancy being approved, the following must be met:
 - a. At least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers. (Sec. 27-577 d.1)
 - b. Landscaping shall exceed the typical code requirements by at least

75% (Sec. 27-577 a.5)

i. 1 tree per 7000 square feet. (Sec. 27-466 g) x 75%

4. Outdoor automotive work is prohibited; all work on vehicles must be conducted within the building.

Public Works Comments:

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

1) None

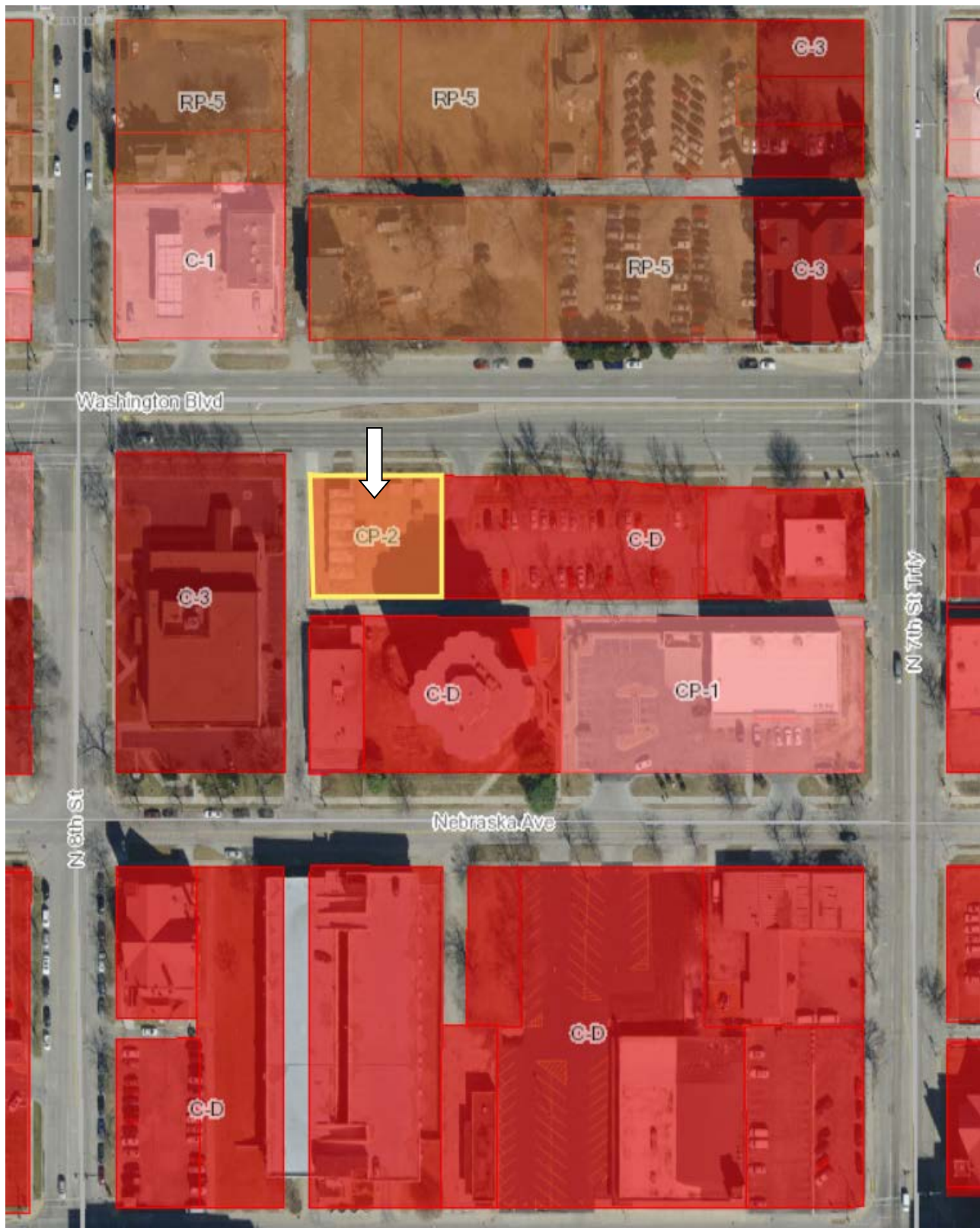
B) Items that are conditions of approval (stipulations):

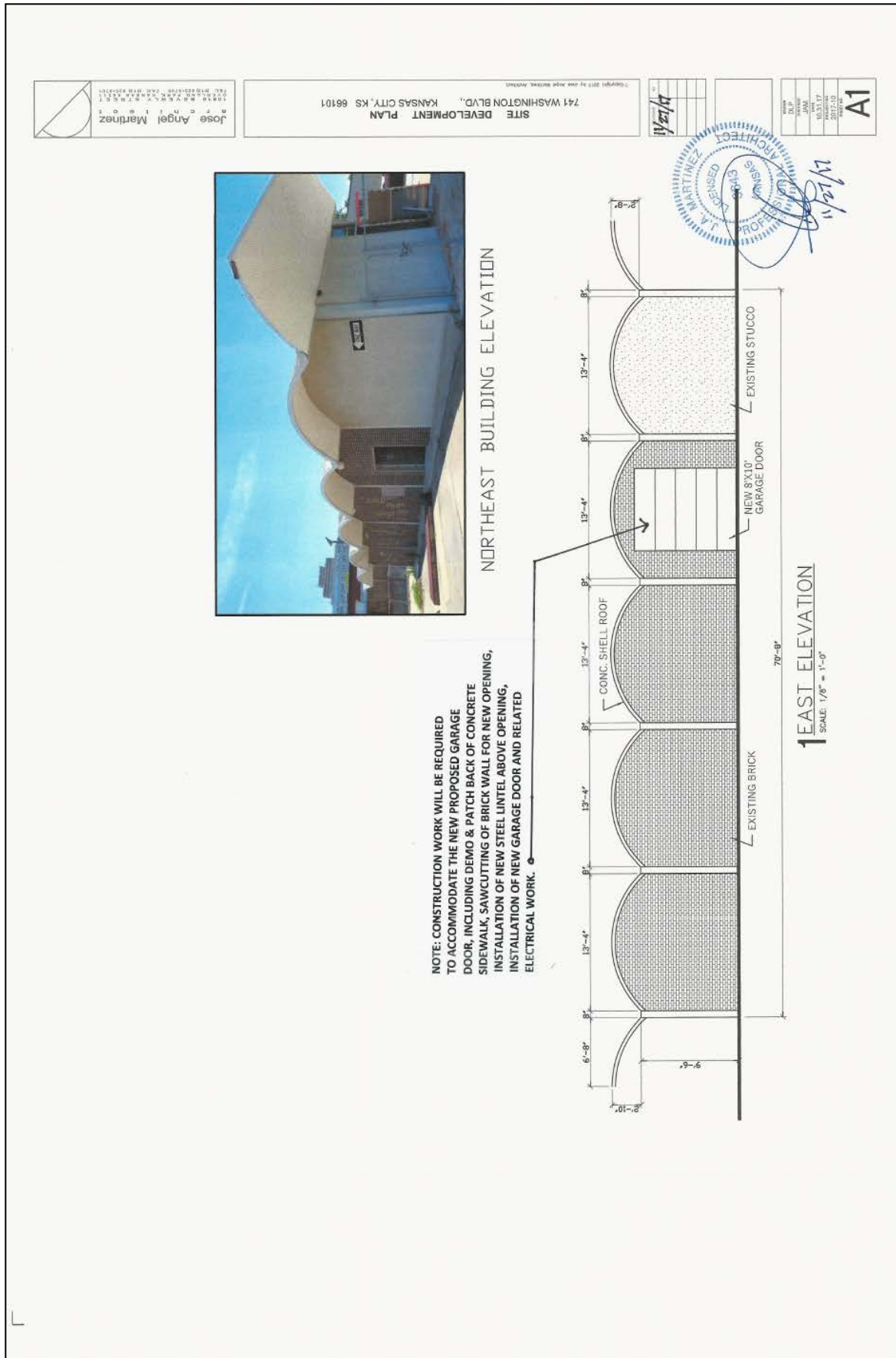
1) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.

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

1) None



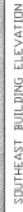




[illegible]

ZONING C-3

A SITE DEVELOPMENT PLAN N
1" = 10'-0"



VICINITY MAP NTS



741 WASHINGTON BLVD., KANSAS CITY, KS 66101

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OVERLAND PARK KANSAS 66211 (913) 828-2700 FAX (913) 828-2701

PROJECT
AUTO DETAIL SHOP IN EXISTING BUILDING
7401 WASHINGTON BLVD
KANSAS CITY, KS. 64104

4000 KING HENRI, LUG
2008 N. 30TH ST
KANSAS CITY, MO 64104
CONTACT: EMILIO MORENO, Tel 816 990-0765
EMAIL: emilio.moreno@gmail.com

JOSE ANGEL MARTINEZ
1000 BECKLEY STREET
CHICAGO, ILL. 60641

T. (940) 823-2700
E. jarnalr@jarnalr.com

SITE AREA: 10,090 E

SITE AREA: 10,090 S.F.

FRONT 25
SIDE 9

REQUESTED ZONING SPECIAL USE

EXISTING BUILDING AREA: 1,387 S.F.

PARKING PROVIDED:	8
TREES REQUIRED:	2

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SIN-044 17679A

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TECHNICAL PROVISIONS AND STANDARD DRAWINGS FOR
ROADS AND BRIDGES OF THE UNITED GOVERNMENT OF
INDIA
MODULITE COLONY, KANSAS CITY, KANSAS, THE U.S.A.

12



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: January 25, 2018
Re: Petition #SP-2017-67

GENERAL INFORMATION

Applicant:
Adrian and Lynnette Jasper

Status of Applicant:
Representative
West State Plaza
7540 Armstrong Avenue
Kansas City, Kansas 66112

Requested Action:
Approval of a Special Use
Permit for a restaurant and
drinking establishment and live
entertainment venue

Date of Application:
October 27, 2017

Purpose:
To open a restaurant and
drinking establishment and live
entertainment venue.



Property Location: 7540 Armstrong Avenue

Existing Zoning: CP-1 Planned Limited Business District

Existing Surrounding Zoning: North: CP-2 Planned General Business District

South: RP-5 Planned Apartment District

East: CP-2 Planned General Business District and
CP-3 Planned Commercial District

West: CP-2 Planned General Business District

Existing Uses: North: Retail Businesses

South: Apartments

East: Retail and Self-Storage Businesses

West: Retail Businesses

Total Tract Size: 9.31 acres

Master Plan Designation: The City-Wide Master Plan designates this property as the Mixed-Use land use district.

Major Street Plan: The City-Wide Master Plan designates State Avenue as a Class A thoroughfare and Armstrong Avenue as a Class C thoroughfare.

Advertisement: The Wyandotte Echo – November 16, 2017
Letters to Property Owner – November 16, 2017, November 30, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: None one appeared in opposition at the January 8, 2018 City Planning Commission Meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Adrian and Lynnette Jasper, have applied for a special use permit for a restaurant, drinking establishment, and live entertainment venue in a 3,800 square foot tenant space of the West State Plaza shopping center located at 7540 Armstrong Avenue.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is comprised of commercial businesses along State Avenue and Apartments south of the property on Armstrong Avenue.

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

The proposed use is 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 removal of the restrictions will not detrimentally affect nearby property.

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

It is unknown how long the tenant space has been 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 will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property. A restaurant and drinking establishment should not conflict with the surrounding commercial properties, and the proposed use is not near any residential property.

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

Noise and illumination are a potential issue with any drinking establishment that is open late, but the proposed use should not present any problems because of the distance between the proposed use and any residential property.

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

This is not an issue.

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

This is not 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 relative gain to the public health, safety, and welfare is minimal.

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

This is not an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on November 22, 2017. A copy of the sign-in sheet, meeting minutes, and affidavit are attached to this report. No opposition was expressed during the meeting.

KEY ISSUES

Live entertainment
Hours of operation
Parking
Safety and security

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2017-67, subject to:

Urban Planning and Land Use Comments:

1. Live Entertainment

Will you have live entertainment (i.e. live karaoke, bands, comedy, etc.) at this location? If so, please indicate what types of live entertainment, hours, number of people you anticipate being in attendance, business plan and code compliant security plan.

Applicant Response:

We plan to have a live Disc Jockey After 10pm on most nights. We would also like to have a local Jazz and R&B performances on Thursday evenings 7 pm-11 pm and Sundays 7 pm-11 pm.

2. Hours of Operation

What days will this business be open? What will be the hours of operation for this business?

Applicant Response:

M-F 11am – 2am

S-S 9am – 2am

3. Parking

Staff calculated a minimum parking requirement of 447 parking spaces. As a stipulation of approval, the parking spaces along the south and west sides of the property must be striped, which would bring the total parking spaces for the center up to 469 spaces. There is enough parking for this use if the parking spaces shown in the survey are striped. However, staff has received a plan for a children's daycare facility adjacent to this space that has a proposed outdoor area that would reduce the parking of the center by more than 22 spaces. If this application is approved, the children's daycare would not be able to construct an outdoor area as planned because the property would not meet the minimum parking requirements.

Applicant Response:

The landlord and leasing agent say that we have a reciprocal easement agreement with both KFC and Captain D's from the time that the shopping center was constructed (Attached survey). Basically, West a shopping plaza, Captain D's and KFC all have an agreement allows them to use each other's parking. Based on that we should have the required to open our establishment.

Staff Response:

A reciprocal easement agreement for parking would not reduce the overall parking requirement because the KFC and Captain D's must first meet their own parking requirements before any excess parking could count towards the shopping center.

4. Security

Please submit a security plan. The plan should describe the number of patrons expected at different times and how to handle large crowds and ensure the safety of patrons and others. If there are large crowds leaving at one time, the plan should describe how security and traffic control will be addressed.

Applicant Response:

- A. There will be dedicated security for Friday and Saturday nights after 10pm.***
- B. Security will begin carding at 10pm and no one under 21 years of age will be allowed in after that point on all nights.***
- C. Underage dining patrons will not be allowed on the premises after 11pm on all nights.***
- D. At closing there will be security available to escort patrons to cars.***
- E. The Plaza has four entrances and exits. On nights with extreme traffic at closing security will assist in directing patrons to all exits.***
- F. We expect to build a working relationship with KCKPD. On nights where we feel that additional traffic control is needed at closing we will reach out to them in advance in order to help our patrons exit the parking lot in a safe and orderly fashion.***

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) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.**

Applicant Response: There are no plans to make changes to the exterior of the building. Plumbing and electrical plans will be developed by architectural and engineering firms who specialize in restaurant design.

- 2) The proposed change in tenant space will be a restaurant, which typically requires a grease interceptor. Please verify/confirm if an existing grease interceptor is on-site and/or indicate a proposed grease interceptor with applicable sanitary sewer line connections. Further discussion with staff may be needed.**

Applicant Response: There is not an underground grease interceptor in place for the Plaza. We will install proper grease interception as per code.

- 3) Regarding a possible back patio, provide a site plan with applicable dimensions, layout, and notes. Please note that the existing pavement at the back of the building appears to be a drive aisle for truck access to all tenants in the existing building. The plan shall identify the drive aisle, applicable dimensions and clearances for a proposed patio area.**

Applicant Response: *We have no plans to alter the exterior of the building unless directed to do so by health or safety code enforcement.*

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

1) None

Business License Comments:

1. If approved, applicant will need to complete the regular application process with our office for the restaurant, and with our office and Alcohol Beverage Control for the drinking establishment.

Stipulations of Approval

1. Approval will be for 2 years.
2. Hours of operation shall not exceed 11am-2am M-F and 9am-2am Saturday and Sunday.
3. The parking areas indicated on attached survey on the south and east sides of the building must be painted prior to a business license being issued.
4. The security plan must be followed at all times. Security issues, noise complaints, or safety related incidents could be cause for revocation of the special use permit.
5. The business must use a ID card reader staring at 10 PM. After 10 PM the business operates primarily as a night club with live entertainment.

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-2017-67 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Additional Information
Applicant Provided Parking Calculations
Staff Parking Calculations
Preliminary Floor Plan
Site Photos
Survey
Site plan for children's daycare facility
Meeting Minutes, Sign in Sheet, and Affidavit

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 8, 2018	January 25, 2018
Special Use	Approval	

STAFF CONTACT: **Zach Flanders, AICP**
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2017-67** 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-2017-67**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

JANUARY 8, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing Starts: 40:36

SPECIAL USE PERMIT APPLICATION #SP-2017-67 – ADRIAN AND LYNNETTE JASPER – SYNOPSIS: Special Use Permit for a restaurant and drinking establishment with live entertainment in the West State Plaza at 7540 Armstrong Avenue. **Detailed Outline of Requested Action:** The applicants, Adrian and Lynnette Jasper, have applied for a special use permit for a restaurant, drinking establishment, and live entertainment venue in a 3,800 square foot tenant space of the West State Plaza shopping center located at 7540 Armstrong Avenue.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 November 16, 2017; and
7. The Notices to property owners dated November 16, 2017 and November 30, 2017.

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

Present in Support:

- Adrian Jasper, application, 1902 North 80th Street, Kansas City, Kansas
- There were 3 persons present in support that did not speak.

Present in Opposition:

- No one appeared

Staff Recommendation Starts: 48:49 Director Richardson stated that there are two applications being reviewed by staff at this center. The day care is being reviewed in the Development Review Committee. If both uses are done there may need to be a variance for the parking. That is an issue that will need to be worked out by the owner. The staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts: 50:25

On motion by Ms. Jones, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2017-67:**

Carson	Aye
Childress	Not Present
Connelly	Aye

Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Live Entertainment

Will you have live entertainment (i.e. live karaoke, bands, comedy, etc.) at this location? If so, please indicate what types of live entertainment, hours, number of people you anticipate being in attendance, business plan and code compliant security plan.

Applicant Response:

We plan to have a live Disc Jockey After 10pm on most nights. We would also like to have a local Jazz and R&B performances on Thursday evenings 7 pm-11 pm and Sundays 7 pm-11 pm.

2. Hours of Operation

What days will this business be open? What will be the hours of operation for this business?

Applicant Response:

M-F 11am – 2am

S-S 9am – 2am

3. Parking

Staff calculated a minimum parking requirement of 447 parking spaces. As a stipulation of approval, the parking spaces along the south and west sides of the property must be striped, which would bring the total parking spaces for the center up to 469 spaces. There is enough parking for this use if the parking spaces shown in the survey are striped. However, staff has received a plan for a children's daycare facility adjacent to this space that has a proposed outdoor area that would reduce the parking of the center by more than 22 spaces. If this application is approved, the children's daycare would not be able to construct an outdoor area as planned because the property would not meet the minimum parking requirements.

Applicant Response:

The landlord and leasing agent say that we have a reciprocal easement agreement with both KFC and Captain D's from the time that the shopping center was constructed (Attached survey). Basically, West a shopping plaza, Captain D's and KFC all have an agreement allows them to use each

other's parking. Based on that we should have the required to open our establishment.

Staff Response:

A reciprocal easement agreement for parking would not reduce the overall parking requirement because the KFC and Captain D's must first meet their own parking requirements before any excess parking could count towards the shopping center.

4. Security

Please submit a security plan. The plan should describe the number of patrons expected at different times and how to handle large crowds and ensure the safety of patrons and others. If there are large crowds leaving at one time, the plan should describe how security and traffic control will be addressed.

Applicant Response:

- A. There will be dedicated security for Friday and Saturday nights after 10pm.*
- B. Security will begin carding at 10pm and no one under 21 years of age will be allowed in after that point on all nights.*
- C. Underage dining patrons will not be allowed on the premises after 11pm on all nights.*
- D. At closing there will be security available to escort patrons to cars.*
- E. The Plaza has four entrances and exits. On nights with extreme traffic at closing security will assist in directing patrons to all exits.*
- F. We expect to build a working relationship with KCKPD. On nights where we feel that additional traffic control is needed at closing we will reach out to them in advance in order to help our patrons exit the parking lot in a safe and orderly fashion.*

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) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.

Applicant Response: *There are no plans to make changes to the exterior of the building. Plumbing and electrical plans will be developed by architectural and engineering firms who specialize in restaurant design.*

- 2) The proposed change in tenant space will be a restaurant, which typically requires a grease interceptor. Please verify/confirm if an existing grease interceptor is on-site and/or indicate a proposed grease interceptor with applicable sanitary sewer line connections. Further discussion with staff may be needed.

Applicant Response: *There is not an underground grease interceptor in place for the Plaza. We will install proper grease interception as per code.*

- 3) Regarding a possible back patio, provide a site plan with applicable dimensions, layout, and notes. Please note that the existing pavement at the back of the building appears to be a drive aisle for truck access to all tenants in the existing building. The plan shall identify the drive aisle, applicable dimensions and clearances for a proposed patio area.

Applicant Response: *We have no plans to alter the exterior of the building unless directed to do so by health or safety code enforcement.*

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

- 1) None

Business License Comments:

1. If approved, applicant will need to complete the regular application process with our office for the restaurant, and with our office and Alcohol Beverage Control for the drinking establishment.

Stipulations of Approval

1. Approval will be for 2 years.
2. Hours of operation shall not exceed 11am-2am M-F and 9am-2am Saturday and Sunday.
3. The parking areas indicated on attached survey on the south and east sides of the building must be painted prior to a business license being issued.
4. The security plan must be followed at all times. Security issues, noise complaints, or safety related incidents could be cause for revocation of the special use permit.
5. The business must use a ID card reader staring at 10 PM. After 10 PM the business operates primarily as a night club with live entertainment.

6. Additional Information Please note any additional information that may assist staff in reviewing this request.

It is our assertion that there is sufficient parking in West State Plaza to support the addition of our proposed restaurant and bar. We ask that the committee review the calculations for required parking that we have provided. We are confident that the committee will agree with our findings.

APPLICANT PROVIDED PARKING CALCULATIONS

REQUEST FOR SPECIAL USE PERMIT FOR PARKING

Location: WEST STATE PLAZA

Square Footage of Retail vs Restaurants (including proposed Bar & Grill)

- Total Area: 96,697 ft²
- Restaurants: 6,462ft²
- Retail – 85,728ft²
- Commercial Kitchen for Catering around back: 4,507ft²
- Total parking spaces provided: 485

Parking Calculations & Formulas:

- Retail: (AREA/250ft²)
- Restaurants (seating): (AREA/50ft²)
- Restaurants (remaining space): (AREA/200ft²)

Results:

Total Retail space = 85,728 ft²

RETAIL PARKING (AREA/250ft²) = 342 spaces

Total Restaurant seating = 450ft²

(AREA/50ft²) = 9 spaces

SPACE REMAINING IN RESTAURANTS= 2662 ft²

(AREA/200ft²) = 13 spaces

Restaurant parking needed = 9+13 = 22 spaces

Proposed Bar & Grill parking Calculation

Seating space as proposed = 3,100ft², parking spaces required = 62

Remaining area as proposed = 700ft², parking spaces required = 4

Total parking spaces needed = 66

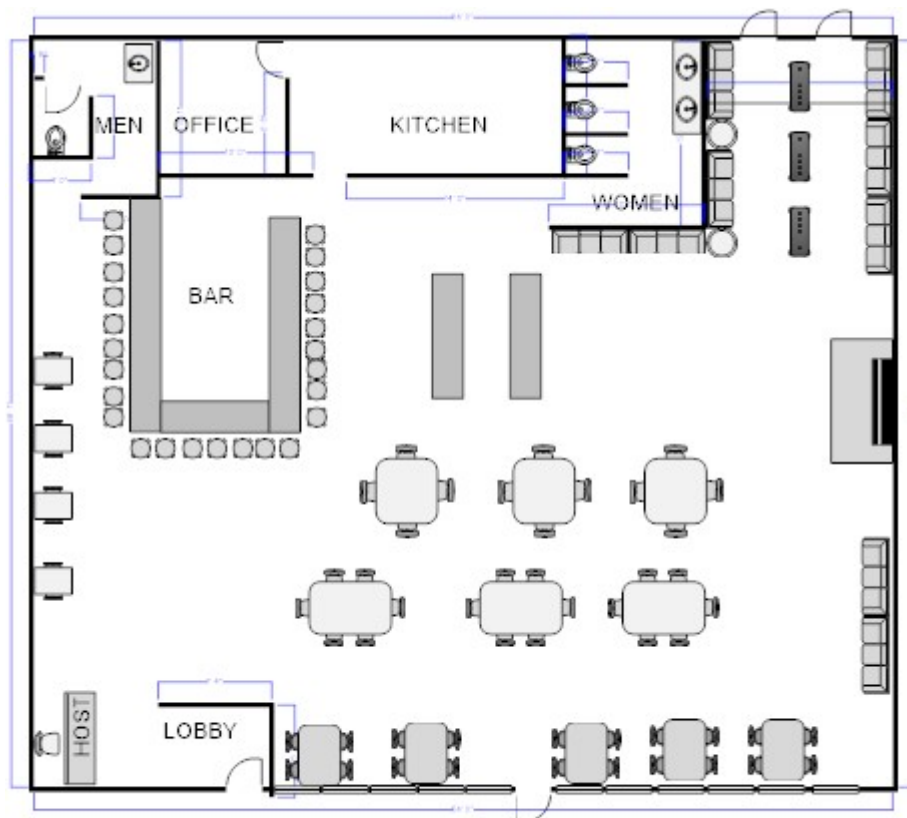
342(retail) + 22 (existing restaurant parking) + 66 (proposed establishment parking) = 430 spaces

Conclusion: 485 - 430 = 55 SURPLUS PARKING SPACES

STAFF PARKING CALCULATIONS

Parking Provided	372
Potential parking by painting new spots	97
Total	469

	<i>Square Feet</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>
Restaurant Seating Area	3,550	1/50sqft	71.0
Restaurant Remaining Area	3,362	1/200 sqft	16.8
Commercial Kitchen	4,507	4/1000sqft	18.0
Retail	85,278	4/1000sqft	341.1
Total Square Feet	96,697		
Total Parking Required			447.0



PRELIMINARY FLOOR PLAN













ALTA/ACSM LAND TITLE SURVEY WEST STATE PLAZA

U. S. HIGHWAY NO. 24 - 40 - 73
(STATE AVENUE)



SHAFER, KLINE & WARREN, INC.
REGISTERED PROFESSIONAL ENGINEERS
LAND SURVEYING
1000 N. 10TH ST., SUITE 200
DENVER, CO 80202
TEL: 303.733.4400
FAX: 303.733.4401
WWW.SKW-INC.COM

CLIENT:
BRIDGEMAN WESTERN, LTD.
1000 N. 10TH ST., SUITE 200
DENVER, CO 80202
TEL: 303.733.4400
FAX: 303.733.4401
WWW.BRIDGEMANWESTERN.COM

PROJECT:
ALTA/ACSM LAND TITLE SURVEY
WEST STATE PLAZA
1000 N. 10TH ST., SUITE 200
DENVER, CO 80202
TEL: 303.733.4400
FAX: 303.733.4401
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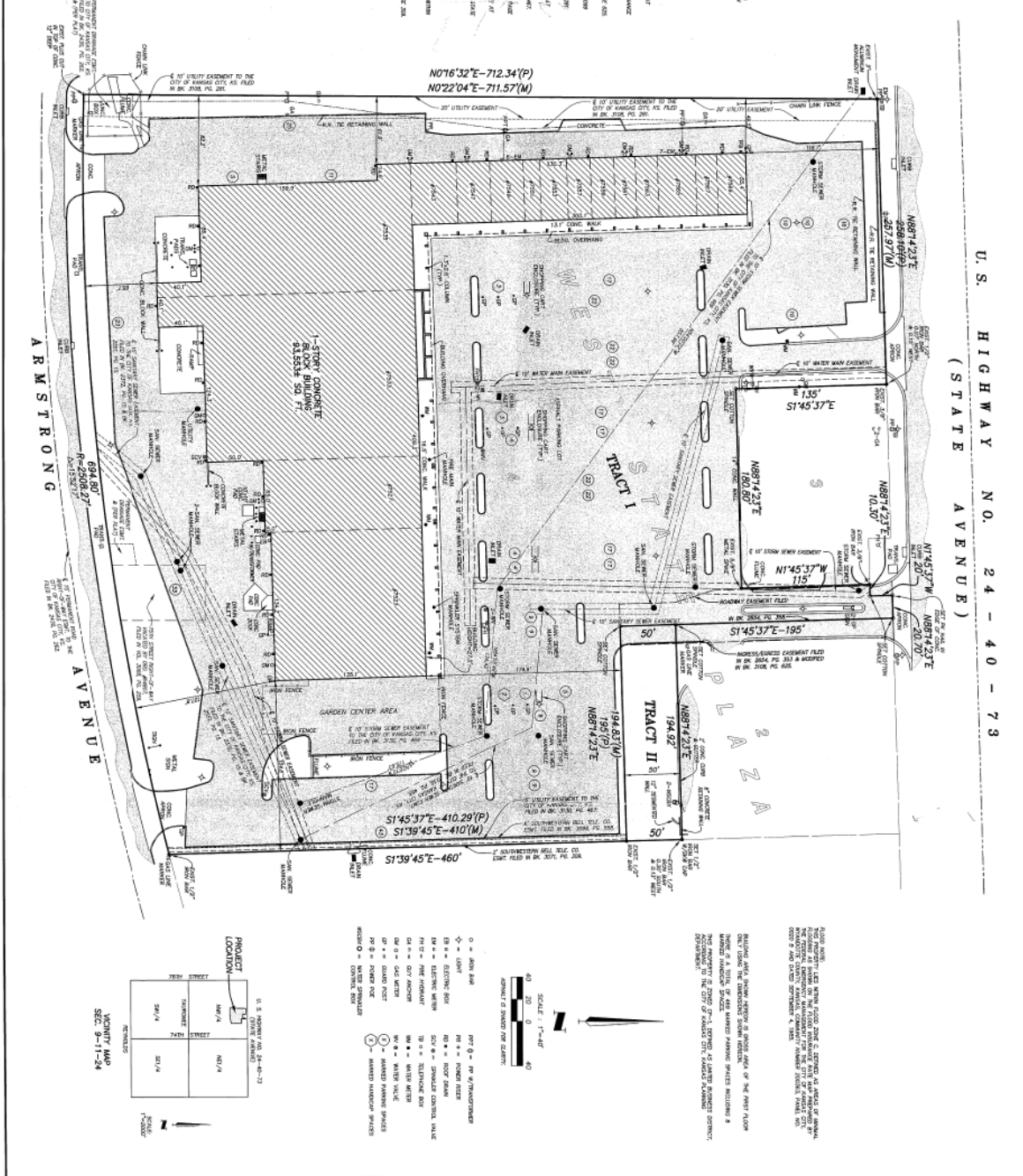
DATE:
JANUARY 25, 2018

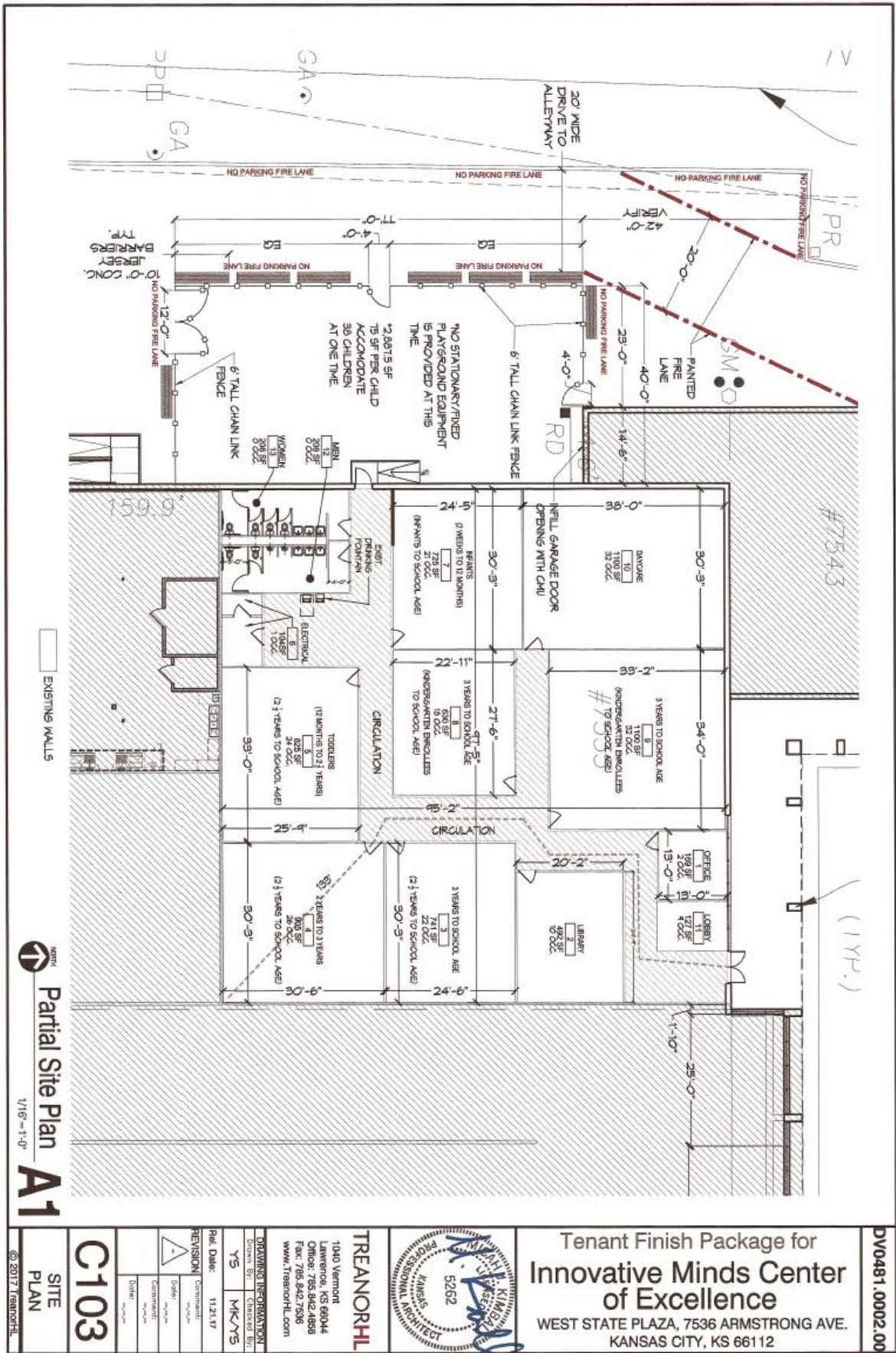
SCALE:
1" = 40'

NOTES:
1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ALTA/ACSM STANDARDS AND PRACTICES.
2. THE SURVEY WAS CONDUCTED ON THE DATE INDICATED ABOVE.
3. THE SURVEY WAS CONDUCTED BY THE ENGINEER SIGNING THIS SURVEY.
4. THE SURVEY WAS CONDUCTED BY THE ENGINEER SIGNING THIS SURVEY.
5. THE SURVEY WAS CONDUCTED BY THE ENGINEER SIGNING THIS SURVEY.

TRACT I AREA: 401,183± SQ. FT./9.210± ACRES
TRACT II AREA: 8,744± SQ. FT./0.224± ACRES

TRACT I AREA: 401,183± SQ. FT./9.210± ACRES
TRACT II AREA: 8,744± SQ. FT./0.224± ACRES





AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas
COUNTY OF Wyandotte) SS:

Comes now Adrian L. Jasper
Lynette E. Jasper of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # 2017-67
2. That I conducted a neighborhood meeting on November 22, 2017
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.

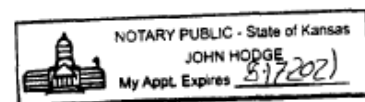
Further affiant saith not.

Adrian L. Jasper
Affiant
Lynette E. Jasper

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 19 day of Dec. 2017

My commission expires 17 of May, 2021.

[Signature]
Notary Public



MEETING MINUTES

Application number SP-2017-67

Meeting called to order at: 7:05pm
meeting ended at 8:30pm.
Names of people in attendance:

Elevate Bar & Grill Team: Adrian Jasper, Lynnette Jasper, Natasha Jefferson

Agenda

- A. Introductions
- B. Presentation
- C. Question/Answer

Meeting notes:

Suggested hours - 11am-3pm - need the lunch crowd.

Uniforms - shirt w/ ranking on the sleeves.

Simple lettering on sign - white black backgrd.
w/ white lettering

* Permit for live entertainment - DJ
- need to have specific days that the DJ
would be used (ie Friday & Sat.)

(Wines background
for the sign)

X Talk to the City about grant money
= ~~Rev~~ Harold Johnson (4th District Comm.)
- NE Sector of downtown
(913) 244-7973 cell #
text 1st - from Jane - Karos about money

Hot Tea + Coffee

Names + Ph. #s of Police Commanders

Business West (Ex. Director) Murrel Bland
(913) 788-7642 home #
→ (913) 406-6266 cell

Get to Business West website

Attendance (Please Print)

JANET WAUGH 715 N. 74th ST KCK 66112

Janet W. Philbrook 716 1st Ave KCK 66112

Lynnette Jasper

Natasha Jefferson

Adrian Jasper



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: January 25, 2018
Re: Petition #SP-2018-2

GENERAL INFORMATION

Applicant:

Anne S. and Roy S.
Baugh

Status of Applicant:

Owners
1615 North 86th Street
Kansas City, KS 66112

Requested Action:

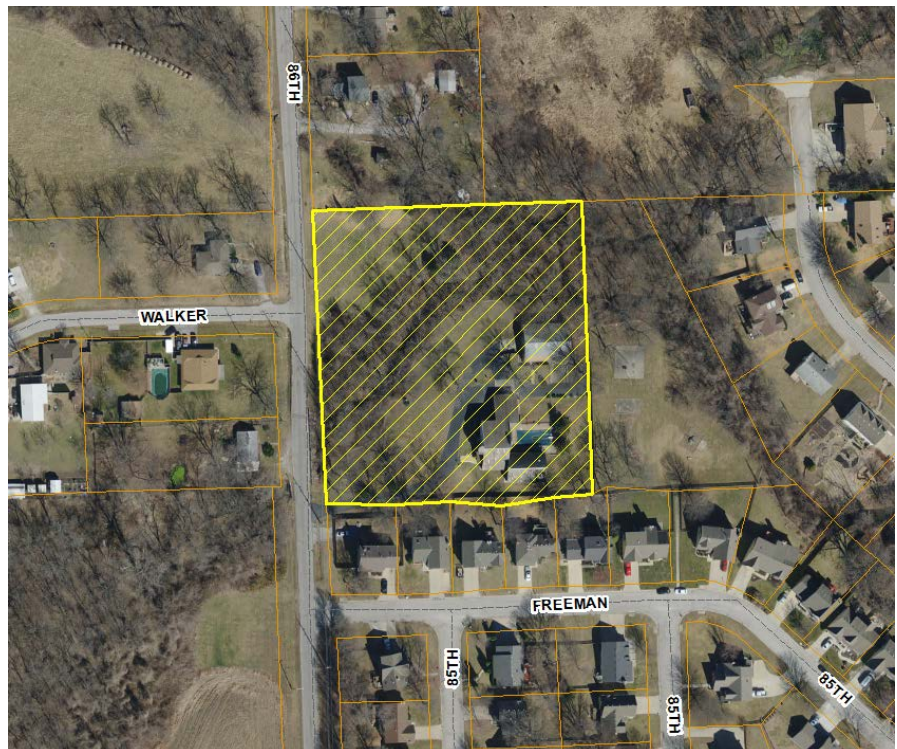
Approval of a Special
Use Permit.

Date of Application:

November 20, 2017

Purpose:

To operate a Bed and
Breakfast in the
applicants' primary
residence.



Property Location:

1615 North 86th Street

Existing Zoning: AG Agriculture District

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

Existing Uses: **North:** Single Family Houses
South: Single Family Houses
East: Single Family Houses
West: Single Family Houses

Total Tract Size: 2.77 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 86th Street as a Collector Streets.

Advertisement: The Wyandotte Echo – December 14, 2017
Letters to Property Owner – December 14, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: No one appeared in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Anne S. and Roy S. Baugh, have applied for a special use permit to operate a Bed and Breakfast at their primary residence. The applicants have proposed to use two areas within the single-family residence for this operation. Approval of this special use application would allow the applicants to list the property or portions of the property as a Bed and Breakfast on Airbnb or similar platforms.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This property is a larger property surrounded by single family residential areas.

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

The zoning and uses of the properties are set out above. The proposed use might be compatible with the surrounding single-family houses if operated properly. Operating this property as a bed and breakfast has the potential to create issues related to noise, parking, and other concerns related to overcrowding. The fact that this property is much larger than the surrounding lots, and it is the primary residence of the hosts mitigates these concerns to a large extent.

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

Removal of the restrictions may not detrimentally affect nearby property. Potential detrimental effects such noise and parking are mitigated to a large extent by the fact that this property is much larger than the surrounding lots and it is the primary residence of the hosts.

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.*

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 could result in increased traffic to the property compared to a single-family house, however, it will not exceed 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 provides convenient lodging for the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property if operated properly.

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

This is not foreseen to 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 relative gain or loss to the public healthy, safety, and welfare is likely to be minimal. If denied the landowners would not be able to use the property as a bed and breakfast, but they may use the property as a single-family house.

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

This is not an issue.

PREVIOUS ACTIONS

Zoning Variance #1263 – The Board of Zoning Appeals approved zoning variance #1263 on July 8, 1981 to allow a barn to be constructed that violates the rear yard setback in the AG Agriculture District and allows the property to be zoned AG Agriculture with less than five acres.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 21, 2017. A copy of the sign-in sheet, meeting minutes, and affidavit is attached to this staff report. No one attended the neighborhood meeting.

KEY ISSUES

Neighborhood Preservation
Quality of Life
Housing Availability
Economic Development
Safety
Regulatory Consistency

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-2, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: May, 2016

2. Were neighbors consulted prior to opening the business?

Applicant Response: No

3. Do you have a business license?

Applicant Response: No. Do not have a license for Airbnb.

Staff Note: The applicant will be required to obtain a business license (see stipulations of approval).

4. Have you paid appropriate lodging taxes?

Applicant Response: No

Staff Note: Airbnb now collects and remits taxes on behalf of the host in the State of Kansas. Airbnb collects the following taxes: Kansas Retailers' Sales Tax, Local Sales Tax, and Transient Guest Tax.

5. How many rooms are rented?

Applicant Response: 2

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

Applicant Response: Answer 4

7. What is the maximum number of vehicles and where will they park?

Applicant Response: If both rooms are rented 2 minimum – sometimes 3 vehicles. There is parking inside our gate alongside the house enough for 6 cars if necessary.

8. How often are guests in the residence?

Applicant Response: On average, two times a week.

9. Do you have a rental license from the Unified Government for the facility?

Applicant Response: No, we do not have a rental license from the Unified government.

10. Describe in detail the area(s) rented for Airbnb/other rental operations. Include bed rooms, bathrooms common areas etc.

Applicant Response:

Area 1: en-suite with shower, bathtub, television, microwave, refrigerator, access to sauna, swimming pool, hot tub, and workout room.

Area 2: en-suite bathroom with shower; kitchen, sitting room with television, access to sauna, swimming pool, hot tub and workout room.

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

Stipulations of Approval:

1. Host will maintain a safe environment including:

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

2. Host will obtain a business license with the City.

3. The maximum number of guests is limited to five (5) people.

4. Approval is for 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-2018-2 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Zoning map
Aerial Imagery
Site Photos
Aerial Photos
Floorplan

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 8, 2018	January 25, 2018
Special Use	Approval	

STAFF CONTACT: **Zach Flanders**
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-2 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-2018-2, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

JANUARY 8, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing Starts at: 51:10

SPECIAL USE PERMIT APPLICATION #SP-2018-2 – ANNIE AND ROY BAUGH –

SYNOPSIS: Home Occupation Special Use Permit for an AIRBNB at 1615 North 86th Street. **Detailed Outline of Requested Action:** The applicants, Anne S. and Roy S. Baugh, have applied for a special use permit to operate a Bed and Breakfast at their primary residence. The applicants have proposed to use two areas within the single-family residence for this operation. Approval of this special use application would allow the applicants to list the property or portions of the property as a Bed and Breakfast on Airbnb or similar platforms.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 December 14, 2017; and
7. The Notices to property owners dated December 14, 2017.

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

Planning Director Richardson stated that staff has some comments that he would like to make as background for the Commission and audience that he would request be part of all the AIRBNB applications on the agenda this evening as background information for the Commission. This issue is called nationally short-term rental, AIRBNB, VRBO, home away, etc. There are about 15 organizations on-line that the use can be advertised as bed and breakfast type of services. These are properties that are generally rented for overnight stays ranging from 1 to 28 nights (couch, guest rooms or the entire unit.) It can be the owner's primary residence or the owner's investment property. There are save ways that the owners have used the on-line services. He showed the Commission the AIRBNB sites on the screen. Currently there are 2 special use permits for bed and breakfast operations and there were 3 in the past but one ceased operation many years ago. Staff has used the current method of regulating bed and breakfast operations since 2001 (prior to his employment as Director). He stated that the staff believes that there are now 72 properties listed on AIRBNB and other services. Last year there were 7 of these operations. Since this was started in September or October they thought there were 40 and the increase is probably due to the department's Zoning Enforcement Officer checking the website daily to see what goes on and off. This number could increase on race weekends and he believes that it could continue to grow. The staff has received a complaint about one of the AIRBNB locations and another that the person did not give the address. The staff is undertaking the rewriting of the zoning code and he was going to wait and address this issue during that time but decided to address it now because of the expansion rate. He showed the

Commission the zoning districts where the operations are located on the map on the screen. There is a focus in Rosedale and Strawberry Hill. There are benefits and concerns with these operations. AIRBNB has an agreement with the State whereby they collect the appropriate sales and lodging taxes. There are houses that have been rehabbed for this use. Neighbors have concerns about parking, noise, and some of the bad things that can happen at AIRBNB facilities around the country. There have been stories in the news and in the newspapers about some of the bad things that have occurred. This short-term rental under the current code requires a business license and a special use permit. These are regulated as home occupation special use permits (where the owner lives) or a special use permit where the property is used as temporary use of land for commercial purposes. Once you start having clients at your house you have to get a special use permit no matter what type of business you are operating. He further stated that he does not think that some people understand that AIRBNB is a business and the State of Kansas and AIRBNB through their agreement show that it is a business and they are collecting taxes on commercial activities and he is sure that people are deducting expenses for the AIRBNB from their taxes as business expenses. Director Richardson stated that without the special use permit they are not operating legally in the city. Sometimes they may require a rental license. One case that will be coming up has an AIRBNB guest that has been there for 6 months. That is a case where a rental license will be needed (if there are long-term and short-term stays.) The Unified Government has authorized the collecting of transient guest taxes; that is a charter ordinance. AIRBNB has acknowledged that these are commercial uses. There is also concern if the AIRBNB operations are taking away revenue from hotel rooms being booked in the city. The State is collecting those revenues and remitting them back to the Unified Government. It is hard to see if there is a one-by-one ratio, but staff is working with the Finance Department to make sure that is the case. He stated that going forward it is the intention to enforce zoning code regarding short-term rentals and require that hosts obtain a special use permit and business license. As the zoning code rewrite is done, over the next 18 months, (this is an old ordinance) this issue will be evaluated as a single issue within the zoning code rewrite. He stated that this issue was taken before the Administration and Human Services Committee and they agreed that the code should be enforced as it is now given the growth and the use of on-line accommodation services. He asked that this presentation be part of the record for the AIRBNB cases on the agenda this evening.

Present in Support:

- ❖ Anne Baugh, applicant, 1615 North 86th Street, Kansas City, Kansas 66112

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts: 1:06:40 Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

NOTE: The Commission discussed the liability issues, how other cities are handling these uses, etc.

Motion and Vote Starts: 1:29:40

On motion by Mr. Connelly, seconded by Dr. Serda, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit #SP-2018-2:**

Carson	Aye
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: May, 2016

2. Were neighbors consulted prior to opening the business?

Applicant Response: No

3. Do you have a business license?

Applicant Response: No. Do not have a license for Airbnb.

Staff Note: The applicant will be required to obtain a business license (see stipulations of approval).

4. Have you paid appropriate lodging taxes?

Applicant Response: No

Staff Note: Airbnb now collects and remits taxes on behalf of the host in the State of Kansas. Airbnb collects the following taxes: Kansas Retailers' Sales Tax, Local Sales Tax, and Transient Guest Tax.

5. How many rooms are rented?

Applicant Response: 2

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

Applicant Response: Answer 4

7. What is the maximum number of vehicles and where will they park?

Applicant Response: If both rooms are rented 2 minimum – sometimes 3 vehicles. There is parking inside our gate alongside the house enough for 6 cars if necessary.

8. How often are guests in the residence?

Applicant Response: On average, two times a week.

9. Do you have a rental license from the Unified Government for the facility?

Applicant Response: No, we do not have a rental license from the Unified government.

10. Describe in detail the area(s) rented for Airbnb/other rental operations. Include bed rooms, bathrooms common areas etc.

Applicant Response:

Area 1: en-suite with shower, bathtub, television, microwave, refrigerator, access to sauna, swimming pool, hot tub, and workout room.

Area 2: en-suite bathroom with shower; kitchen, sitting room with television, access to sauna, swimming pool, hot tub and workout room.

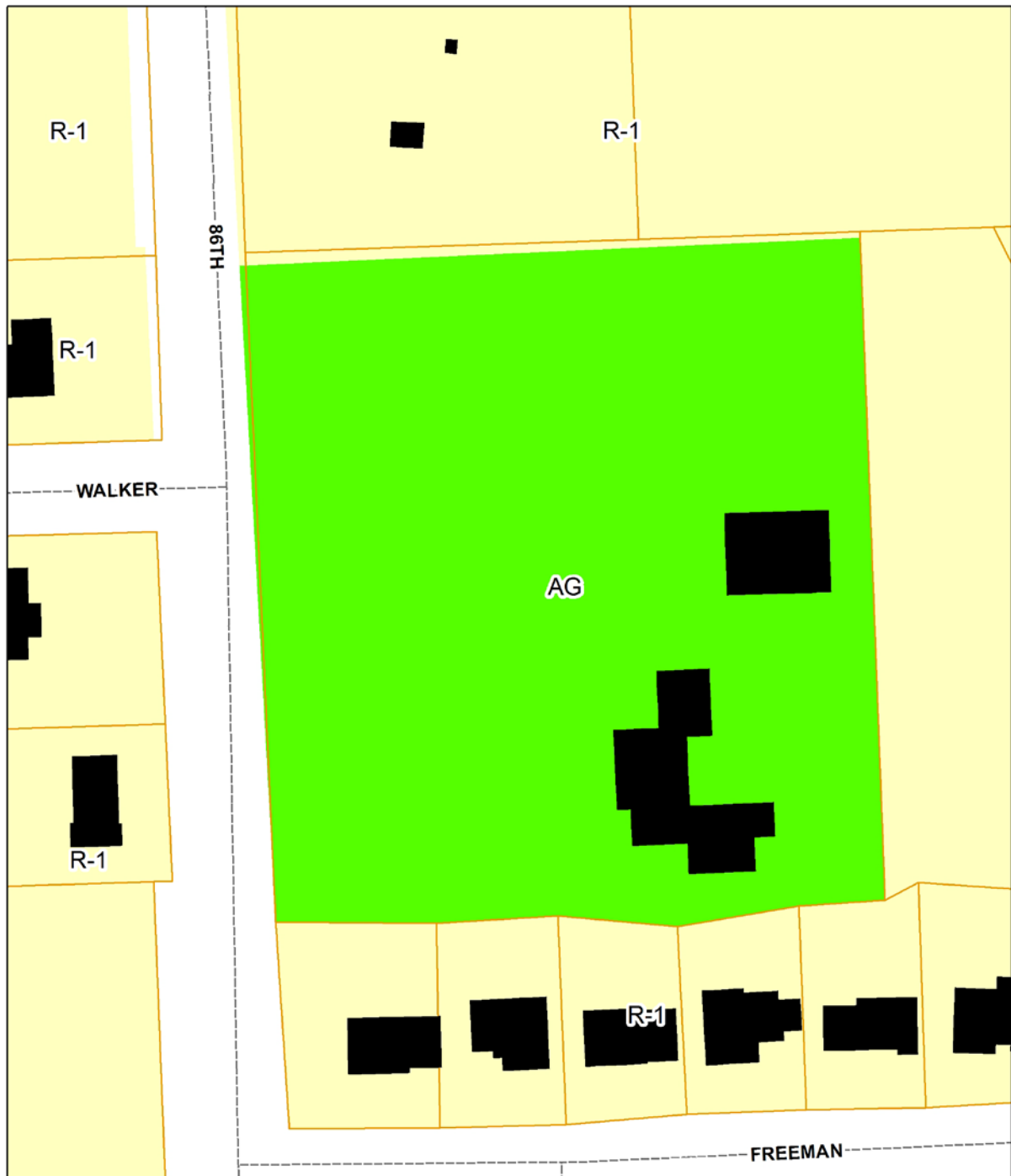
Public Works Comments:

- 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

Stipulations of Approval:

1. Host will maintain a safe environment including:
- a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed
 - d. Copper cannot be used for gas supply lines
 - e. Windows must be operable, not blocked or boarded
 - f. Handrails are required at sets of 4 or more stairs/risers

- g. Hot water tank and furnace must be vented property and operational.
- h. Electric panel and circuits must be safe
- 2. Host will obtain a business license with the City.
- 3. The maximum number of guests is limited to five (5) people.
- 4. Approval is for 2 years.



SP-2018-2

Zoning Map





SP-2018-2

Aerial Imagery







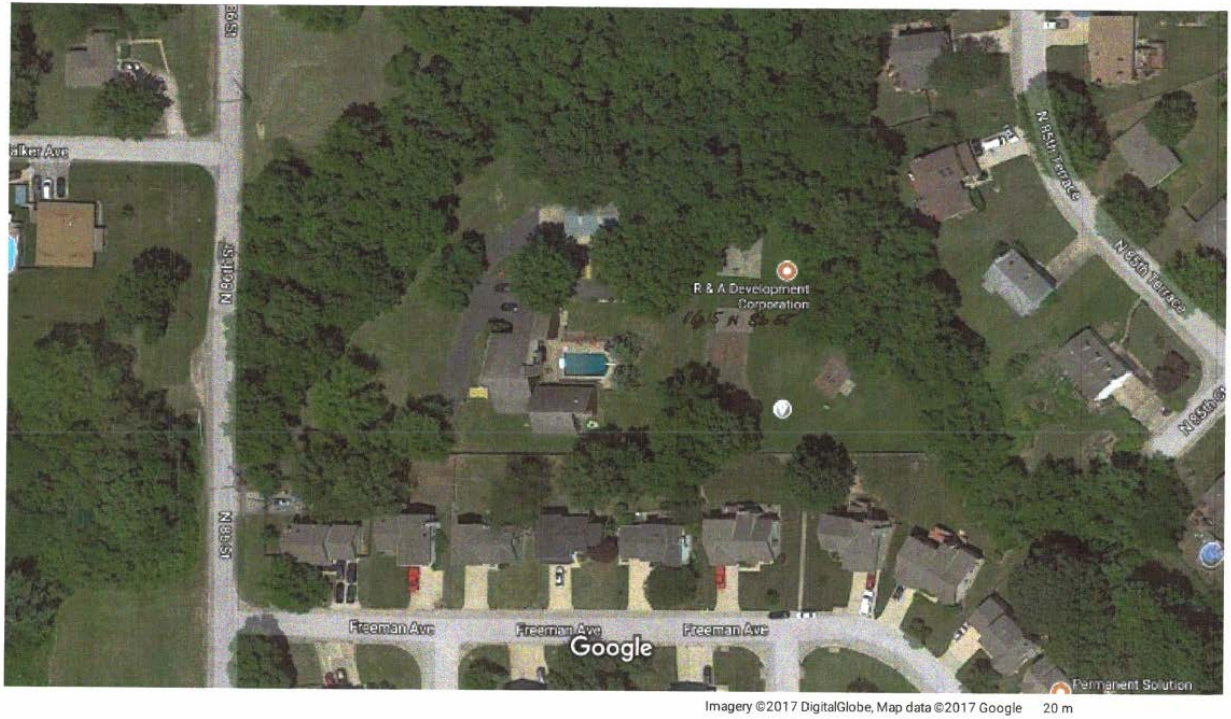


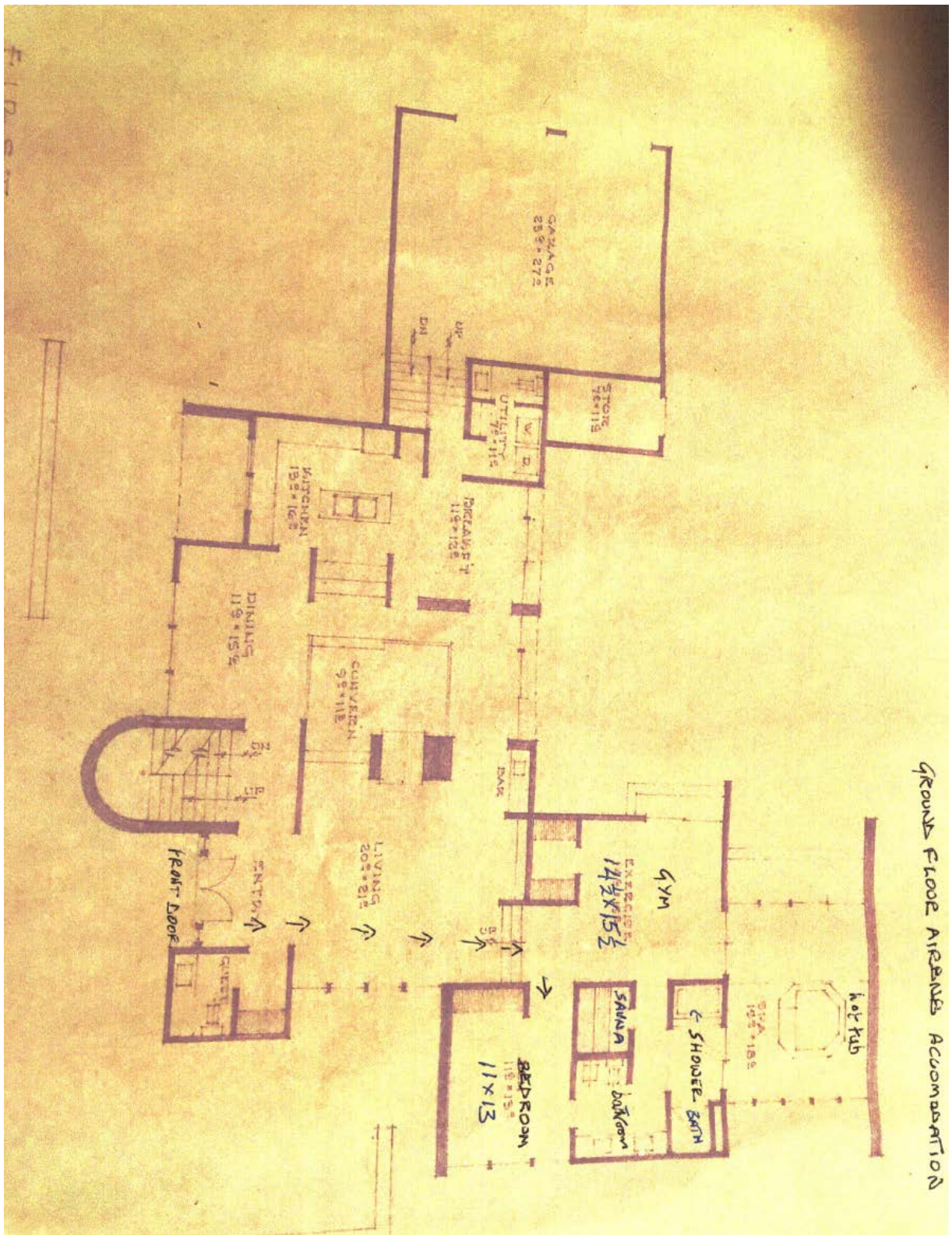


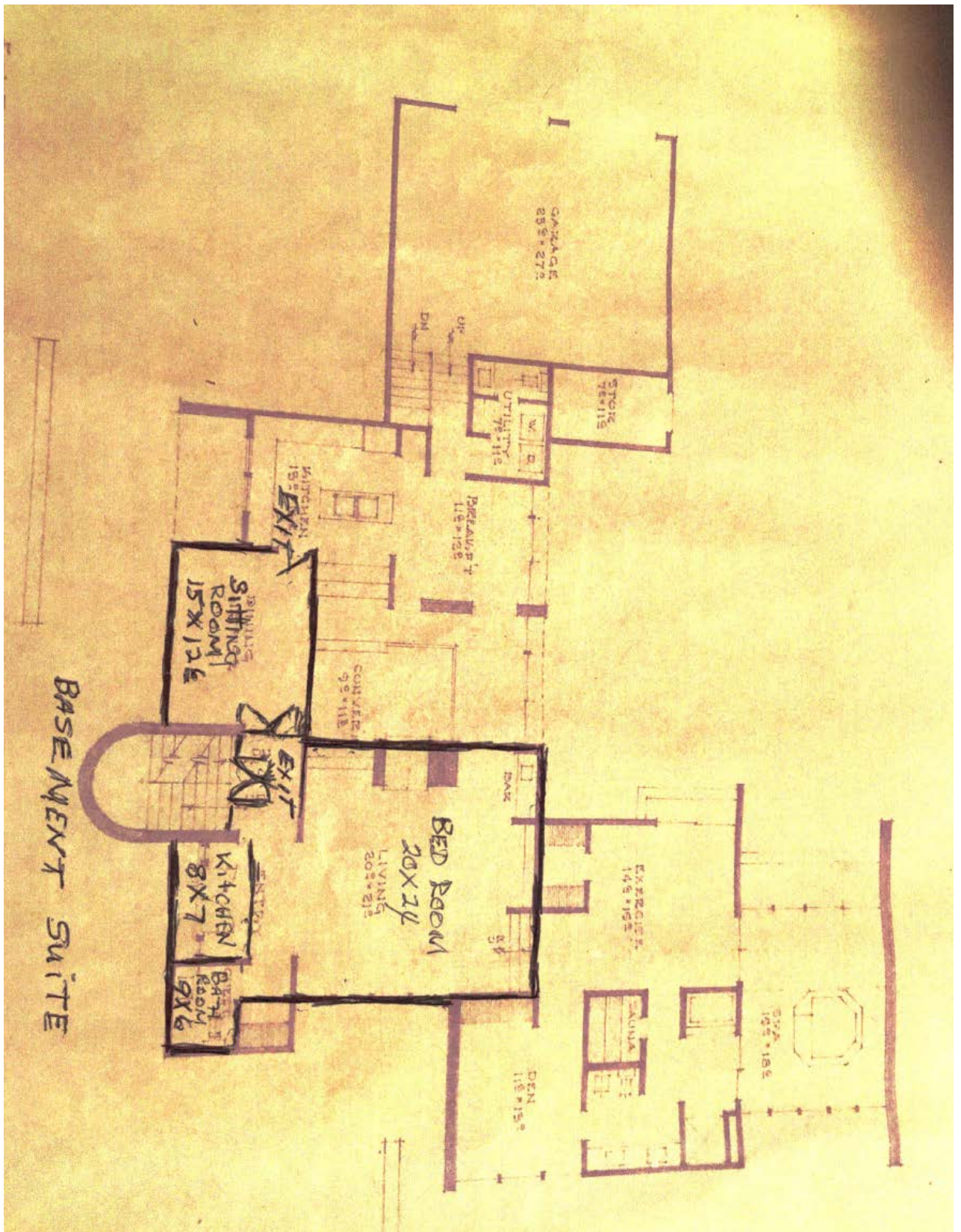


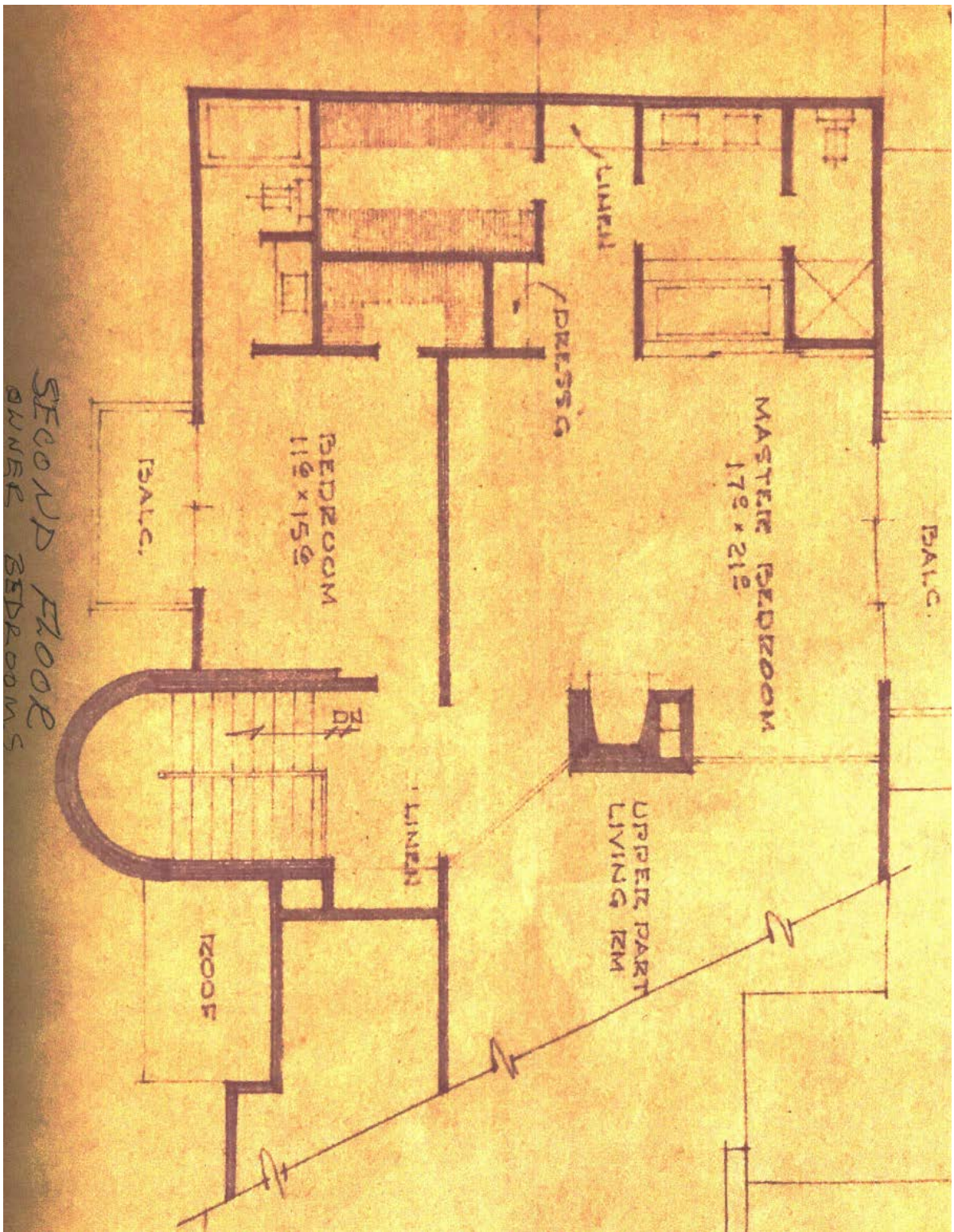












AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now ANNE S BAUGH, of lawful age, sound mind and upon his/her oath states as follows:

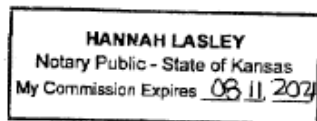
1. That I am the petitioner for Petition # SP-17402-00070
2. That I conducted a neighborhood meeting on 21 DECEMBER, 2017
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Anne S Baugh
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 22 day of December 200, 2018

My commission expires 08 11 of August, ²⁰²¹200.



H Lasley / Hannah Lasley
Notary Public

Minutes:

Application Number: SP-17402-00070

Date and Location: 21 Dec 2017 at West Wyandotte Public Library

Meeting called to order at: 6:30 p.m.

Names of people in attendance: No-one attended

Meeting adjourned at: 7:30 p.m.

Minutes taken by: Anne S. Baugh



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: January 25, 2018
Re: Petition #SP-2018-3

GENERAL INFORMATION

Applicant:
Nga D. Le

Status of Applicant:
Owner
4721 Canaan Lake Drive
Kansas City, KS 66109

Requested Action:
Approval of a Special Use
Permit to use a residential
property for commercial
purposes

Date of Application:
November 21, 2017

Purpose:
To operate a Bed and
Breakfast

Property Location:
4721 Canaan lake Drive



Existing Zoning: R-1 Single Family District

Existing Surrounding Zoning: **North:** AG Agriculture (WYCO) District
South: R-1 Single Family District
East: R-1 Single Family District
West: R-1 Single Family District

Existing Uses: **North:** Lake
South: Single Family Houses
East: Single Family Houses
West: Single Family Houses

Total Tract Size: 0.28 acre

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Low-Density Residential.

Major Street Plan: The City-wide Master Plan designates Canaan lake Drive as a local street.

Advertisement: The Wyandotte Echo – December 14, 2017
Letters to Property Owner – December 14, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: Several area residents expressed opposition at the neighborhood meeting. There were 16 people present in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Nga D. Le, is applying to use the property at 4721 Canaan Lake Drive as a Bed and Breakfast. This is not the applicant's primary residence, and the entire property will be used for this use.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is comprised of single family residences around a lake (Canaan Lake).

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

The zoning and uses of the properties are set out above. The proposed use may create compatibility issues with the surrounding single-family houses due to the number of people staying at the residence. This may create issues with overcrowding, noise, parking, etc.

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

Removal of the restrictions may detrimentally affect nearby property due to the issues related to having 10 or more people occupying the home at one time such as noise and parking.

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.*

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 likely increase vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it. There is potential that on-street parking could create issues with emergency access.

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

The proposed use provides convenient lodging for the public. The proposed use has some potential to substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property due to the number of people staying at the home at one time.

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 could be an issue due to the number of people staying at the home at one time.

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.

This proposed use could negative effect the public welfare due to overcrowding, noise, parking, etc. If denied the landowner would not be able to use the property as a bed and breakfast, but he may use the property as a single-family house.

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

The proposed use may cause overcrowding compared to the surrounding single-family neighborhood area.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 22, 2017. A copy of the sign-in sheet, meeting minutes, and affidavit are attached to this report. A number of area residents expressed opposition at the neighborhood meeting.

KEY ISSUES

Neighborhood Preservation
Quality of Life
Housing Availability
Economic Development
Safety
Regulatory Consistency

STAFF COMMENTS AND SUGGESTIONS

The Planning Commission voted 6 to 0 to recommend **DENIAL** of Special Use Permit Application #SP-2018-3, **based on the testimony this evening and the fact that it appears the owner is not properly supervising the property**

STAFF COMMENTS AND SUGGESTIONS

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

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: The bnb short term rental began in January 2017

2. Were neighbors consulted prior to opening the business?

Applicant Response: Yes, Mr. & Mrs. Steven Sudekum at 4737 Canaan Lake Dr., Kansas City, KS 66109.

3. Do you have a business license?

Applicant Response: I do not have a bnb business license, which shall be granted after city approval of my SP-2018-3 petition. However, I do have a regular rental permit and a lodging tax identification.

Staff Note: The applicant will be required to obtain a business license (see stipulations of approval).

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes. Lodging tax at 17.25% was collected by Airbnb, who then remitted the taxes directly to local and state authority without my involvement. Same tax rate was also collected by VRBO, then the tax is filed by Alara, who is my paid accountant, to the city and State of Kansas on monthly or quarterly basis.

Staff Note: Airbnb now collects and remits taxes on behalf of the host in the State of Kansas. Airbnb collects the following taxes: Kansas Retailers' Sales Tax, Local Sales Tax, and Transient Guest Tax.

5. How many rooms are rented?

Applicant Response: There are 6 main bedrooms with full baths equipped with 2 king, 4 queen, and 3 twin beds for 12 adults and 3 children. There is also a queen bed on media room for extra 2 guests or children, if any. Since an extra guest over 10 was charged at \$20 per night, there has been rare that we could have over an average of 10 guests per night.

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

Applicant Response: I do not stay there when guests are staying. Therefore, I do not know exact number of people, who have been or will be staying at one time. However, in the listing for bnb rental, I stated that any party over 20 people

at any time will need my approval. The house is big (i.e., over 7300 sqft of living space, in addition to large balcony, upper/lower deck wrapped around the house, concrete patio, etc.) guests have commented that party of more than 20 people was nothing as crowded for such a large house.

7. What is the maximum number of vehicles & where will they park?

Applicant Response: *The listing required 3 cars parking inside the garage, and up to 4 cars on the driveway. If parking along the street, cars are suggested to park either along north side of the street or on grass area beyond the curb at vacant lot in front of the house. As such, there will be a minimal impact on the traffic. I think most guests have followed such guideline for parking. In fact, guests are tourists, who fly in and were picked up by friends or Uber/taxi to the house.*

Staff Response: *All parking must be on improved surfaces and on the property.*

8. How often are guests in the residence?

Applicant Response: *More guests were during peak season from June through September. Average number of guests were in April – May, and October – December. Low guests were in January through March. As such, it can say that there has been about 10 days per month leased to guests.*

9. Where is your primary residence?

Applicant Response: *I am residing at 14838 Melrose Street, Overland Park, KS 66221.*

10. Who maintains the property on a daily basis?

Applicant Response: *I, myself, am doing routine maintenance for the house. Occasionally, professionals, such as plumber, carpenter, handyman, electrician, painter, were hired for job that is beyond my capability to handle.*

11. Do you have a rental license from the Unified Government for the facility?

Applicant Response: *Yes, I do. Please see the copy of the Rental License for 2017.*

12. Describe in detail the area(s) rented for Airbnb/other rental operations. Include bed rooms, bathrooms common areas etc.

Applicant Response:

- a. The above ground has two levels, the ground floor and upstairs for a total of 4300 sqft of living space.
- b. The ground floor has a Master Bedroom with sitting room, a master bath with jacuzzi tub, shower, and a walk-in closet. It also has a second bedroom with full bath and walk-in closet. The common area includes a

high ceiling foyer, a dining room, living room, and full kitchen with a half bath, pantry, and laundry room opened to 3-car garage. The sitting room in Master Bedroom and kitchen has access to a wrapped around deck, which is estimated around 1000 sqft, overlooked the lake.

- c. The upstairs has a Master Bedroom, a Master Bath with Jacuzzi tub on a built-in shower, in addition to a walk-in closet. This second Master Bedroom has access to a balcony (around over 200 sqft) overlooked the lake. This level has another bedroom, a bath room and a walk-in closet. Both bedrooms share a common sitting room equipped with chairs, table, TV and book cases.
- d. The basement is around 3000 sqft of living space. It is connected to ground floor via a common stair inside. Alternatively, it has a step-sown staircase and decks on the west and north side of the house to provide access to two double doors on this level. In case of the fire, there are 2 exits directly to the yards from this level. It has a Master Bedroom with full bath and walk-in closet, in addition to another bedroom w/ a full bath and walk-in closet. Common area in this lower level includes a living room, a small dining room, a media room with queen bed for additional children, if any. The basement also has a pool table, projection TV, aquarium, and wine cellar, in addition to full functioning kitchen with a half bath and a utility room with AC, heating, washer and dryer.
- e. In summary, the house is over 7300 sqft of living space, 6 bedrooms with 6 full bath and walk-in closet, and two half baths, 2 separate and full functioning kitchens, 2 separate laundry rooms, 3 zone AC and heating (one zone for each level), a new hybrid water heater with heat pump, and water softening device, in addition to great area of decks, balcony, and concrete patio. All Master Beds have king size beds, other bedrooms have at least queen size beds.
- f. Immediate neighbor houses are located at least one wooded lot (estimated 100 ft. away). There is no house in front of the house, and lake is on its back. Adjacent lots were bought by neighbors with intension to keep as wooded lot without building new house.

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-2018-3** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Site Photos
Floorplan
Aerial Photos
Additional Information
Rental License
Applicant Responses to Staff Comments
Additional Information Submitted by Applicant on January 8, 2018

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 8, 2018	January 25, 2018
Special Use	Denial	

STAFF CONTACT: **Zach Flanders**
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-3**, 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-2018-3** 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. _____.

JANUARY 8, 2018 CITY PLANNING COMMISSION MEETING:

Hearing Starts: 1:30:15

SPECIAL USE PERMIT APPLICATION #SP-2018-3 – NGA D. LEE – SYNOPSIS:

Special Use Permit for an AIRBNB/VRBO at 4721 Canaan Lake Drive. **Detailed Outline of Requested Action:** The applicant, Nga D. Le, is applying to use the property at 4721 Canaan Lake Drive as a Bed and Breakfast. This is not the applicant's primary residence, and the entire property will be used for this use.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 December 14, 2017;
7. The Notices to property owners dated December 14, 2017; and
8. The letter submitted by the applicant to staff and distributed to the Commission this evening.

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

Present in Support:

- ❖ Nga D. Le, applicant and owner of 4721 Canaan Lake Drive, Kansas City, Kansas 66109 (Note: Mr. Le does not live on the property.)
- ❖ Adrian Torres, 9828 Donahoo Road, Kansas City, Kansas 66109

Present in Opposition:

- ❖ David Brooks, 4729 Canaan Lake Drive, Kansas City, Kansas 66109
- ❖ Raymond Horvat, 4800 North 123rd Street, Kansas City, Kansas 66109
- ❖ Dan Trehey, 4805 North 124th Terrace, Kansas City, Kansas 66109
- ❖ Ed Stewart, 4801 North 124th Terrace, Kansas City, Kansas 66109
- ❖ Tony Novak, 4834 North 123rd Street, Kansas City, Kansas 66109
- ❖ Craig Stallwitz, 12480 Meadow Lane, Kansas City, Kansas 66109
- ❖ Dennis Hays, 4909 North 126th Street, Kansas City, Kansas 66109
- ❖ Kim Flora, 4820 North 123rd Street, Kansas City, Kansas 66109
- ❖ There were 8 people present that did not speak.

Staff Recommendation Starts: 2:48 Director Richardson stated that he cannot find evidence of the homeowners' association with the access he has electronically tonight. Sometimes it is on the face of the plat and it is not on there and he also looked in the Appraiser's records. He stated that with the prohibition of business in the neighborhood, if this application is approved, the homeowners in the association would

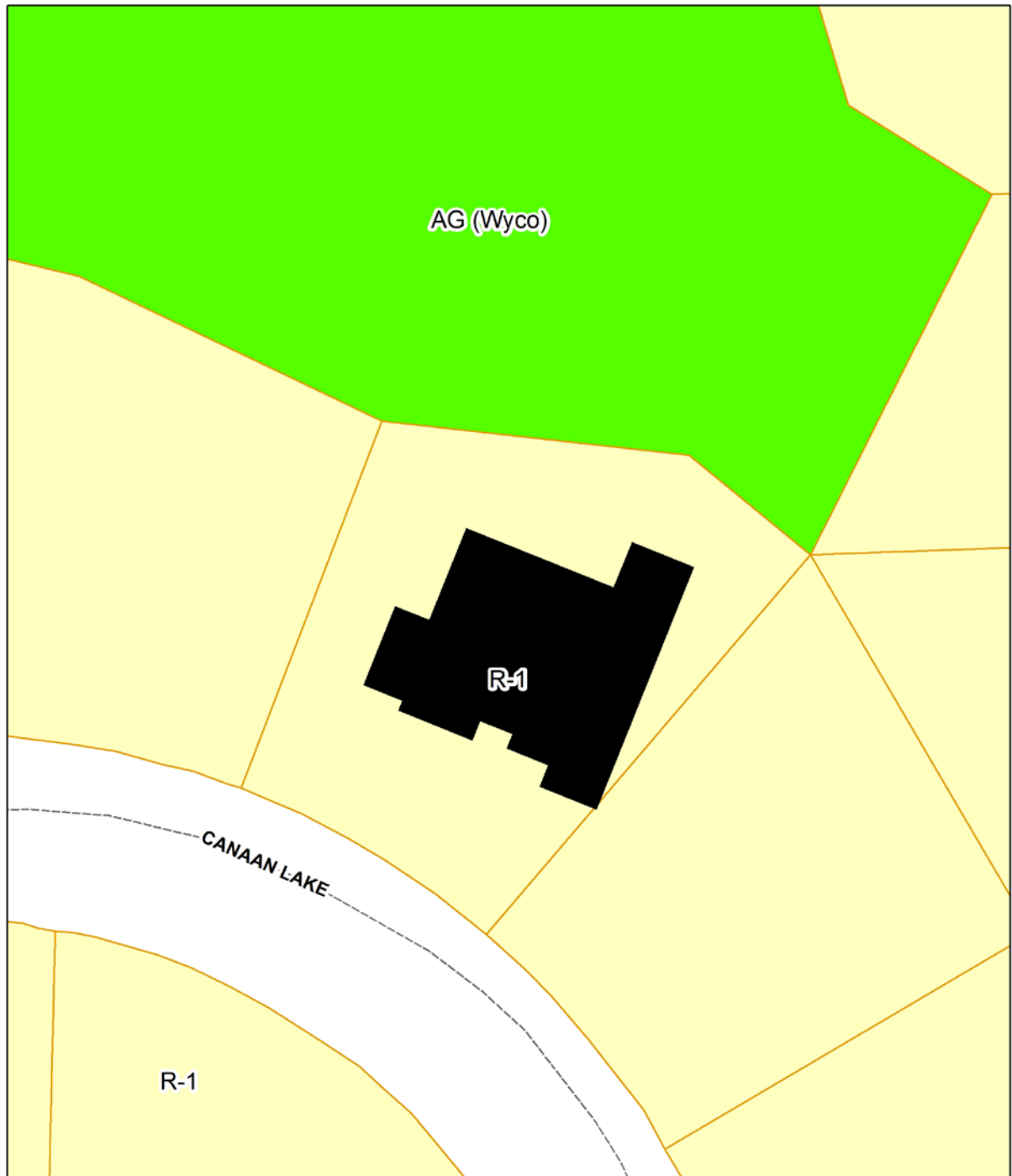
have action against the applicant legally and they would have to pursue that on their own. It is obvious from the testimony this evening that the applicant is not in touch with the activities on the property during the rental period. That is troubling especially in one of the nicer neighborhood in the community. Based on the testimony by the neighbors this evening and how the use has been used in this neighborhood is not appropriate and the staff recommends denial.

Motion and Vote Starts: 2:59:10

On motion by Mr. Carson, seconded by Dr. Serda, the Planning Commission voted as follows to **recommend DENIAL of Special Use Permit #SP-2018-3 based on the testimony this evening and the fact that it appears that the owner is not properly supervising the property:**

Carson	Aye
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

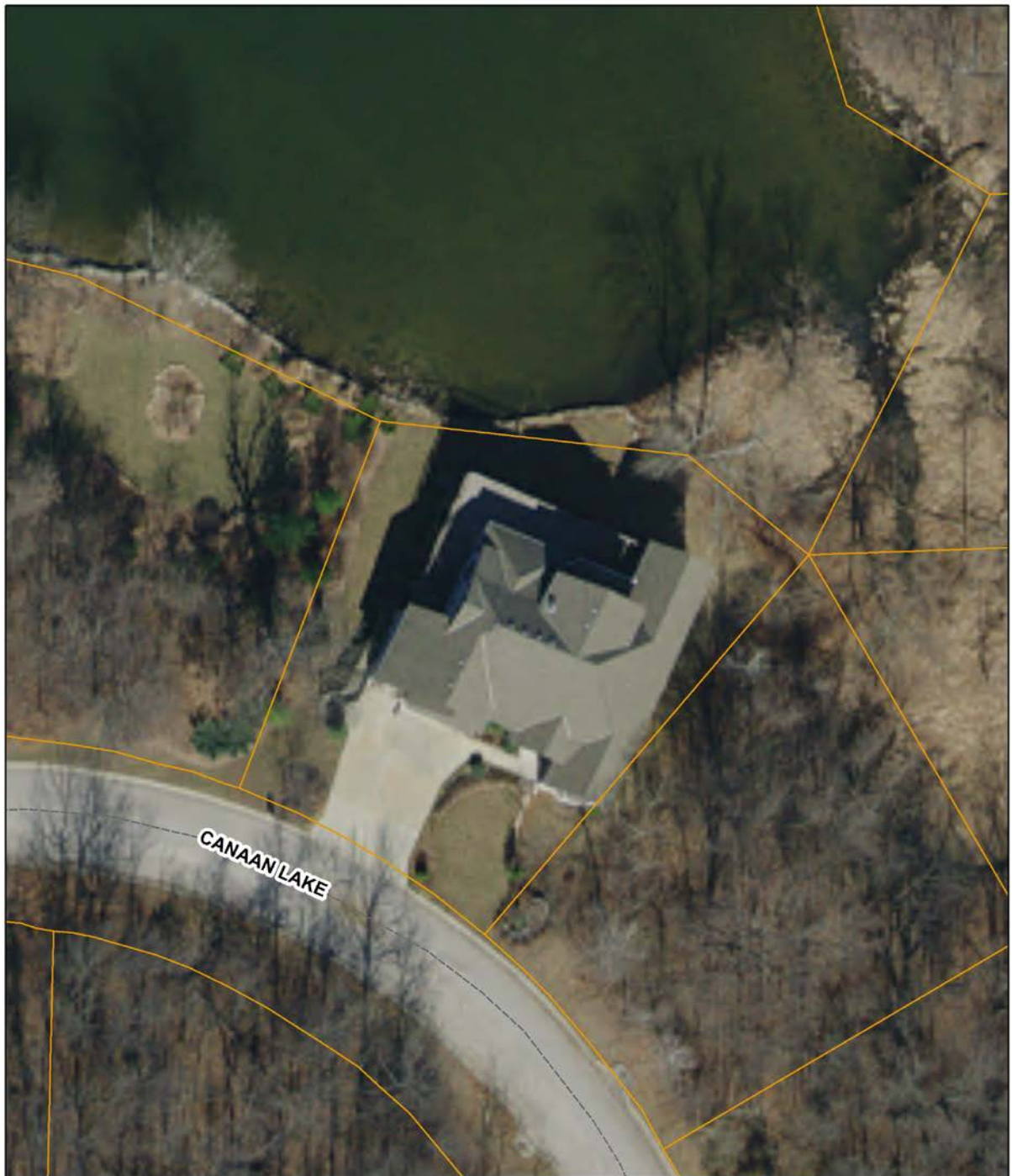
Motion to recommend DENIAL Passed: 6 to 0



SP-2018-3

Zoning Map





SP-2018-3

Aerial Imagery





FRONT VIEW



MAIN VIEW GROUND FLOOR

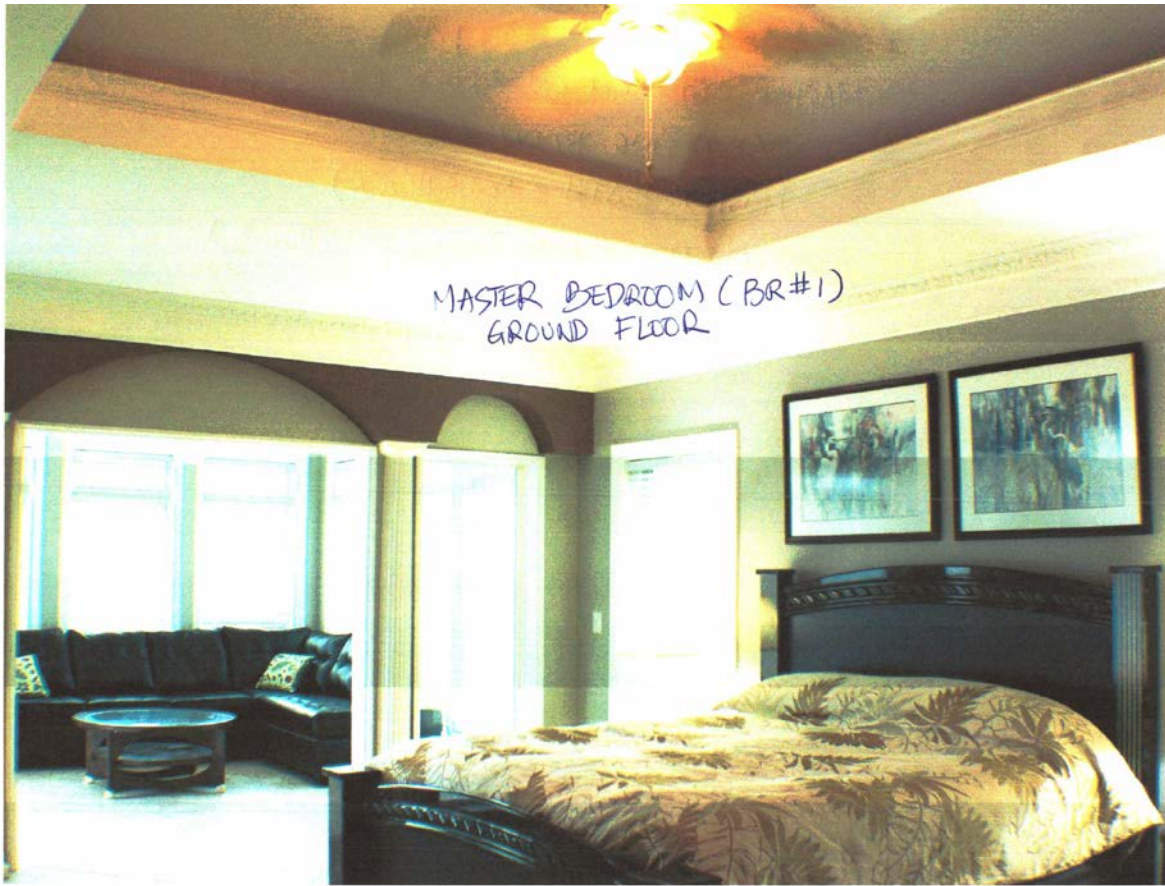
- FRONT DOOR
- DINING ROOM
- STAIR TO UPSTAIRS FLOOR



KITCHEN ON GROUND FLOOR

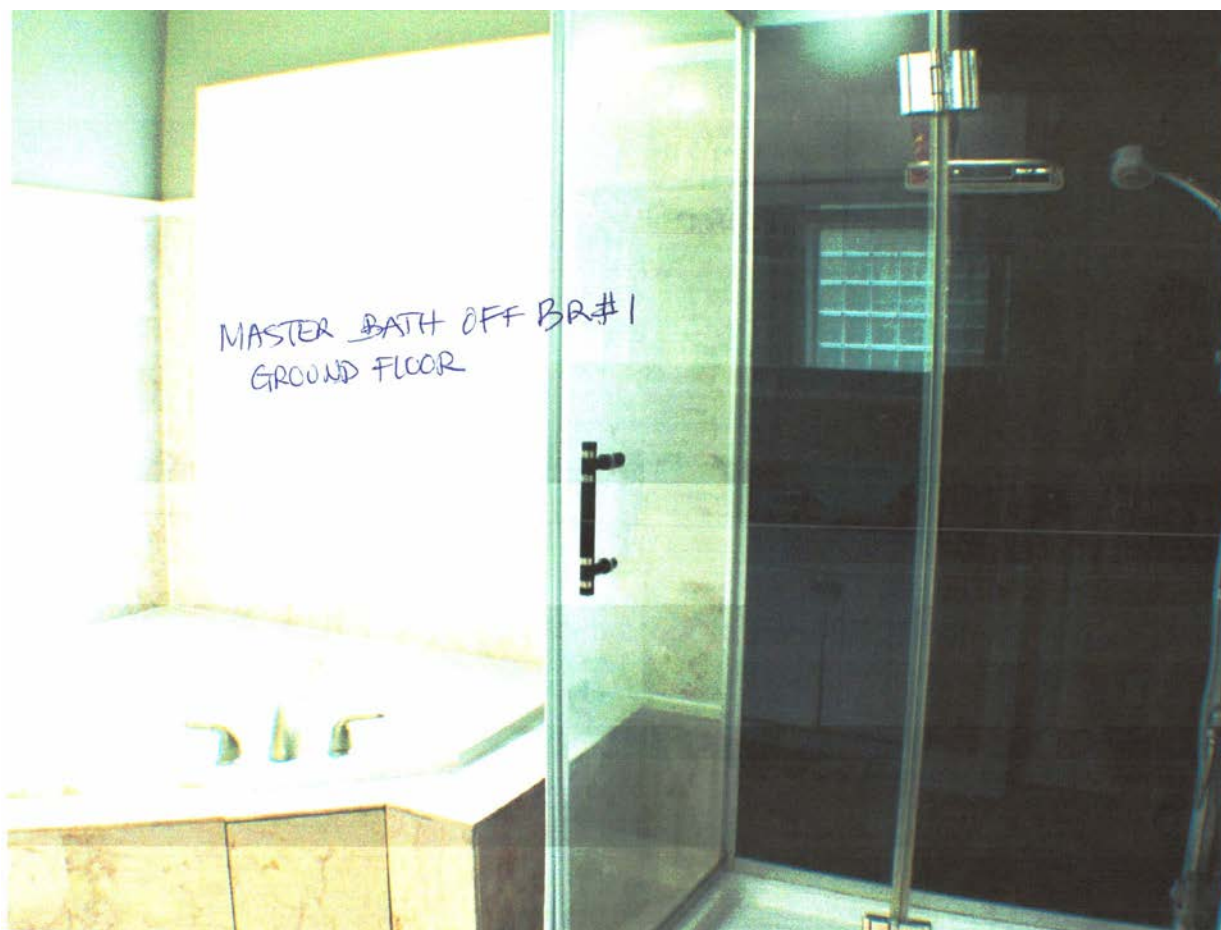


LAUNDRY ROOM
ON GROUND FLOOR
BETWEEN KITCHEN
& GARAGE



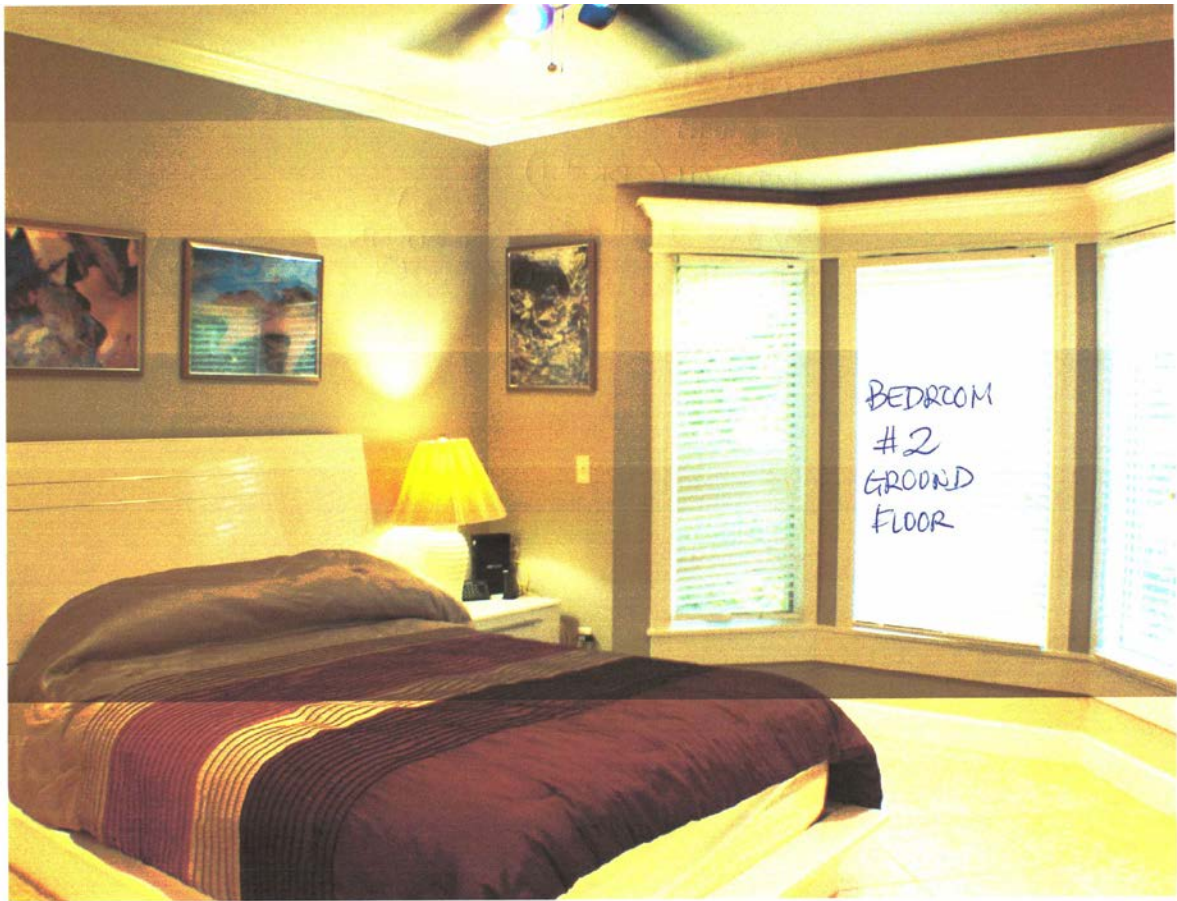
MASTER BEDROOM (BR #1)
GROUND FLOOR

MASTER BEDROOM ON GROUND FLOOR (BEDROOM #1)
w/ SITTING ROOM
MASTER BATH (NOT SHOWN)
& MASTER CLOSET (NOT SHOWN)



MASTER BATH OFF BR #1
GROUND FLOOR

MASTER BATH W/
TUB & SHOWER
& ~~TWO~~ TWO SINKS (NOT SHOWN)



BEDROOM #2 ON GROUND FLOOR
AT SOUTH SIDE OF MASTER
BEDROOM (BR #1)
w/ FULL BATH (NOT SHOWN)
w/ BAY WINDOW / CLOSET (NOT SHOWN)



- REAR VIEW - GROUND FLOOR FROM UPPER DECK
- MASTER BEDROOM UPSTAIRS W/ BALCONY
 - MASTER BR DOOR ON GROUND FLOOR (LEFT)
 - KITCHEN GLASS WINDOWS (RIGHT)
 - UPPER DECK UNDER BALCONY W/
ACCESS DOOR TO MASTER BR & KITCHEN



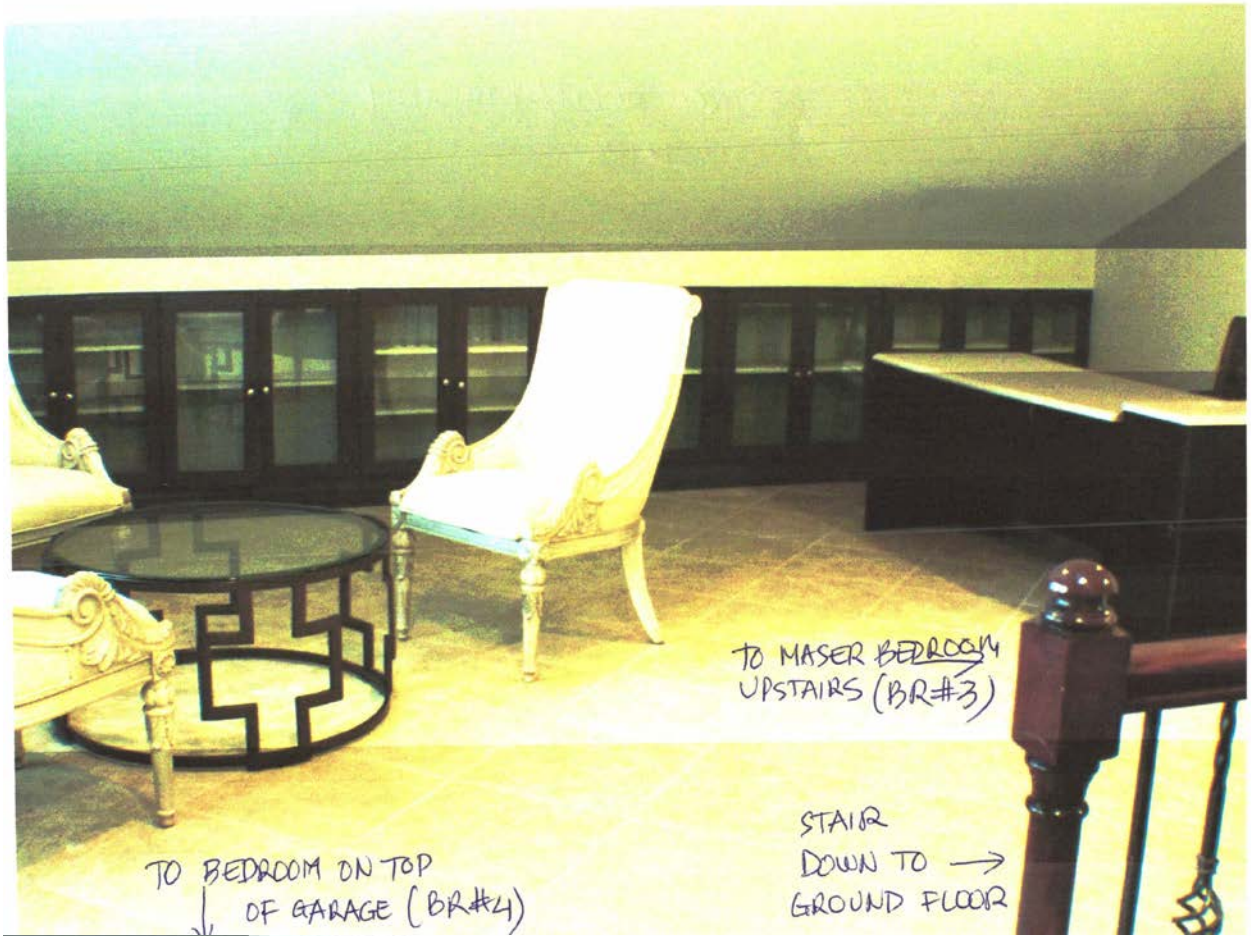
UPPER DECK OFF GROUND FLOOR



UPSTAIRS MASTER BEDROOM (BEDROOM #3)
w/ BALCONY, MAIN BATH,
& WALK-IN CLOSET



UPSTAIR BEDROOM (BEDROOM #4)
ON TOP OF 3-CAR GARAGE
w/ FULL BATH/ WALK-IN CLOSET
& ACCESS TO SITTING ROOM / LIBRARY ROOM



SITING ROOM/ LIBRARY
UPSTAIRS



BASEMENT ACCESS FROM OUTSIDE
THE HOUSE TO LOWER DECK
CONCRETE PATIO / ACCESS DOOR
TO BASEMENT LIVING ROOM



BASEMENT
CONCRETE PATIO
LOWER DECK



BASEMENT MAIN DOOR
& GYM ROOM/STORAGE



BASEMENT LIVING ROOM
& DINING ROOM



BASEMENT KITCHEN
HALF BATH
POOL TABLE
LAUNDRY ROOM (BEHIND)



BASMENT
LIVING ROOM
KITCHEN
DOOR TO MASTER BR
DOOR TO MEDIA ROOM
STAIR TO GROUND FLOOR

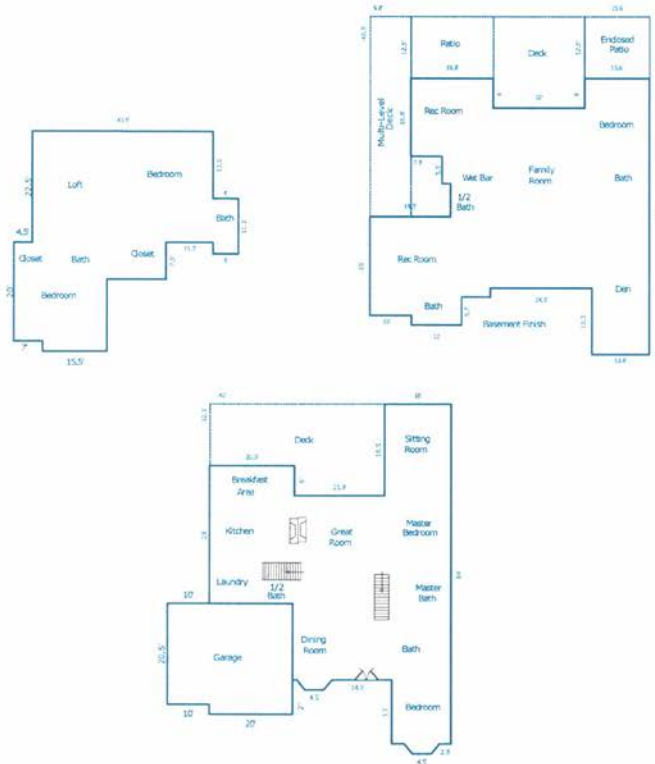


BASEMENT MASTER BEDROOM (BEDROOM #5)
w/ 6 WINDOWS, WALK-IN CLOSET
& A FULL BATH

PROPERTY FLOOR PLAN

SKETCH ADDENDUM

Borrower or Owner: Angie & Nga D. Le
 Property Address: 4721 Canaan Lake Rd
 City: Kansas City County: Wyandotte State: KS Zip Code: 66109-3840
 Client: First Federal Bank, FSB



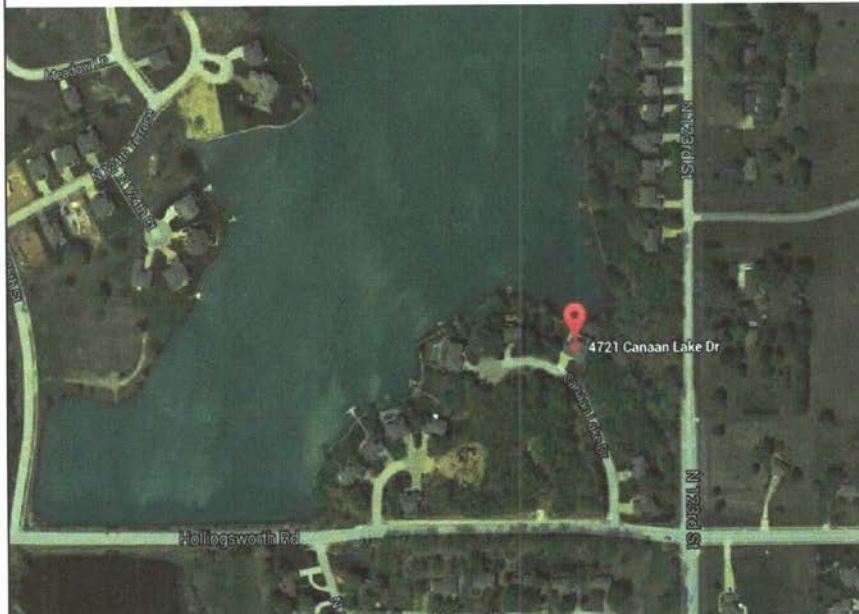
Sketch by Apex Sketch & Standard™
 Comments:

AREA CALCULATIONS SUMMARY				LIVING AREA BREAKDOWN		
Code	Description	Net Size	Net Totals	Breakdown		Subtotals
GLA1	First Floor	2496.44	2496.44	First Floor	38.1 x 15.5	590.29
GLA2	Second Floor	1632.66	1632.66		2.0 x 2.0	2.00
BSMT	Basement	2683.47	2683.47	0.5 x	13.0 x 14.3	185.25
GAR	Garage	655.00	655.00		18.5 x 16.0	296.00
P/P	Enclosed Porch	194.38			6.0 x 20.3	121.80
	Wood Deck	407.00			22.0 x 58.1	1277.10
	Patio	247.50			4.5 x 2.0	9.00
	Wood Deck	396.22		0.5 x	2.0 x 2.0	2.00
	Wood Deck	654.88		0.5 x	2.0 x 2.0	2.00
			1899.97	0.5 x	4.5 x 2.0	9.00
				0.5 x	2.0 x 2.0	2.00
				Second Floor		
				0.5 x	43.5 x 0.0	1.09
					36.7 x 7.5	275.25
					2.3 x 6.0	13.80
					9.0 x 49.5	443.03
					13.5 x 43.5	587.25
					2.0 x 15.5	31.00
					12.5 x 22.5	281.25
Net LIVABLE Area		(rounded)	4129	18 Items	(rounded)	4129

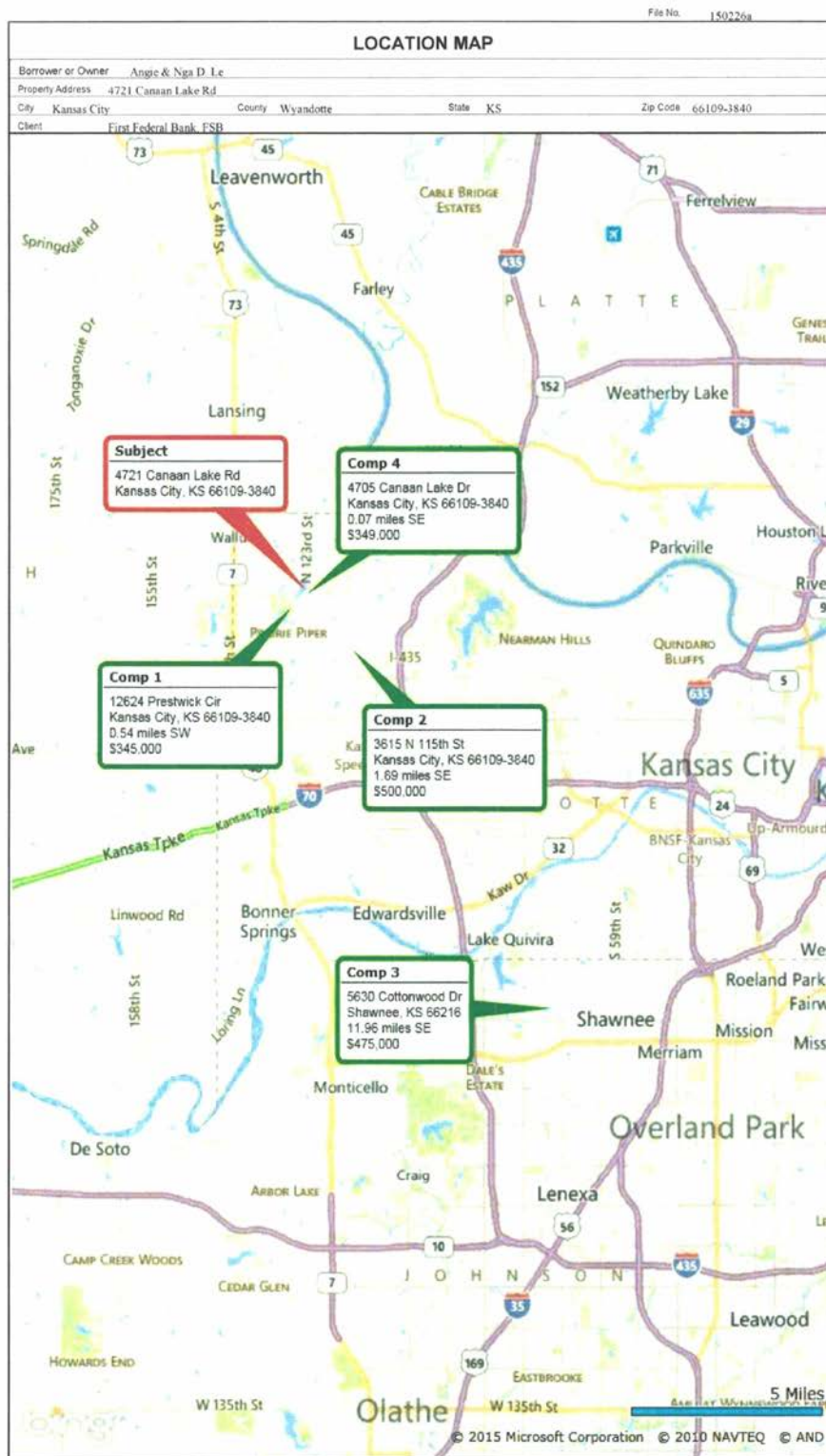
Stanley Appraisal, Inc.

ARIAL IMAGERY SITE PLAN

Borrower or Owner Angie & Nga D. Le				
Property Address 4721 Canaan Lake Rd				
City Kansas City	County Wyandotte	State KS	Zip Code 66109-1840	
Client First Federal Bank, FSB				



Stanley Appraisal, Inc.



Stanley Appraisal, Inc.

**RENTAL LICENSING AND INSPECTION DIVISION**

Neighborhood Resource Center

Unified Government of Wyandotte County/Kansas City, Kansas

4953 State Avenue, Kansas City, Kansas 66102

p: (913) 573-8649 | f: (913) 573-8731 | www.wyandotte.org/rentallicensing**2017
Rental License**

Owner Address

NGA DAC LE & ANGIE LE TRUST
14838 MELROSE ST
OVERLAND PARK KS 66221

Date Issued: 5/3/2017

This certifies that

NGA DAC LE HOUSE 4721 CANAAN LAKE DR
4721 CANAAN LAKE DR
KANSAS CITY, KS 66109has paid the Unified Government Rental License Fee of \$55.00. This entitles the owner
to rent residential property in the City of Kansas City, Kansas

The status of the License is: Annual

The Rental License expires on 04/30/2018.*Rachel Miskec*

License # 10990-00697

Rachel Miskec
Rental License Program CoordinatorTHIS RECEIPT MUST BE PRESENTED UPON REQUEST,
NO REFUNDS AVAILABLE.

ugrently.rpt

Date Printed: 5/3/2017

STAFF COMMENTS & SUGGESTIONS

Ref. SP-2018-3

- 1) Question: How long has the business been in operation?
Answer: The bnb short term rental began in January 2017
- 2) Question: Were neighbors consulted prior to opening the business?
Answer: Yes, Mr. & Mrs. Steven Sudekum at 4737 Canaan Lake Dr., Kansas City, KS 66109.
- 3) Question: Do you have business license?
Answer: I do not have a bnb business license, which shall be granted after city approval of my SP-2018-3 petition. However, I do have a regular rental permit and a lodging tax identification.
- 4) Question: Have you paid appropriate lodging taxes?
Answer: Yes. Lodging tax at 17.25% was collected by Airbnb, who then remitted the taxes directly to local and state authority without my involvement. Same tax rate was also collected by VRBO, then the tax is filed by Alara, who is my paid accountant, to the city and State of Kansas on monthly or quarterly basis.
- 5) Question: How many rooms are rented?
Answer: There are 6 main bedrooms with full baths equipped with 2 king, 4 queen, and 3 twin beds for 12 adults and 3 children. There is also a queen bed on media room for extra 2 guests or children, if any. Since an extra guest over 10 was charged at \$20 per night, there has been rare that we could have over an average of 10 guests per night.
- 6) Question: How often are guests in the residence?
Answer: More guests were during peak season from June through September. Average number of guests were in April – May, and October – December. Low guests were in January through March. As such, it can say that there has been about 10 days per month leased to guests.
- 7) Question: Where is your primary residence?
Answer: I am residing at 14838 Melrose Street, Overland Park, KS 66221.

8) Who maintains the property daily basis?

Answer: I, myself, am doing routine maintenance for the house. Occasionally, professionals, such as plumber, carpenter, handyman, electrician, painter, were hired for job that is beyond my capability to handle.

PUBLIC WORK COMMENTS

Ref. SP 2018-3

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

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

Answer: I do not stay there when guests are staying. Therefore, I do not know exact number of people, who have been or will be staying at one time.

However, in the listing for bnb rental, I stated that any party over 20 people at any time will need my approval. The house is big (i.e., over 7300 sqft of living space, in addition to large balcony, upper/lower deck wrapped around the house, concrete patio, etc.) guests have commented that party of more than 20 people was nothing as crowded for such a large house.

2) What is the maximum number of vehicles & where will they park?

Answer: The listing required 3 cars parking inside the garage, and up to 4 cars on the driveway. If parking along the street, cars are suggested to park either along north side of the street or on grass area beyond the curb at vacant lot in front of the house. As such, there will be a minimal impact on the traffic. I think most guests have followed such guideline for parking. In fact, guests are tourists, who fly in and were picked up by friends or Uber/taxi to the house.

Applicant: Nga D. Le



Kindly submitted on December 18, 2017 for your consideration.

PUBLIC HEARING
Ref. SP-2018-3

Given the opportunity to express my position at the public hearing, my submission, as stated below, is for City Commissioners' consideration of my Petition SP-2018-3.

----o----

My bnb business has been running over a year, in which I have done my best with respect to the welfare, safety, and peacefulness of my neighbors. I appreciate their cooperation and deemed acceptance of my business without any incident or complaint for full year of operation. New city ordinance has opened opportunity for me to receiving feedback from my neighbors via Neighbor Meeting. As noted in is Meeting Minutes, I would like to clarify my position regarding their concern, as follows:

1. My immediate neighbor, Mr. Horvat said that he could hear my bnb guest talking loud from his dock on the lake. For his comment, it has been rare if my bnb guests would make noise. Most of my guests are professional and adherent to following bnb rules: *"Please strictly observe **"Sleeping Hours"** from 10:00 pm to 8:00 am to be compliance with the city ordinance. Party with more than 12 people or loud music at any time without appropriate noise control is prohibited. You may find that it is a secluded and peaceful lake side area, where my neighbors greatly appreciate your cooperation in noise control.... If there is a complaint (hope that it does not happen), a part of the security deposit may be used, but not limited to, for compensating the complaining party and/or for the host expense in resolving the issue."*
2. One individual raised question regarding legality of my going-on bnb operation. He said that my operation is illegal. I replied, *"It is a free country and the citizen has right to do things, where law or regulation does not prohibit"* and *"my petition for bnb operation today is to comply with NEW city ordinance"*.
3. One man said that the house has used for bnb, in which few families may stay together, that could have violated the fire code and would require upgrade to comply. I said, *"I am not a fire expert, and If my house having a code deficiency, the city will ask me to correct before license is granted"*. As a professional engineer with registration in Kansas and California, in addition to multi-years/past functioning as Chief Nuclear Structural Engineer for Black & Veatch in Overland Park, Kansas, I value deeply the safety. Hence, in the house rules, I stated as follows: *"There are two fire-extinguishers kept under kitchen sink. They can be used in case of a fire if you know how to operate them safely. Otherwise, please escape immediately from the fire and call 911. When the outdoor grill is not used, the propane gas tank shall be turned off. As a safety precaution, children shall not be allowed to start the grill or around it without proper adult's supervision."* Nevertheless, if there any upgrade as technically required by the City, I will comply.
4. One individual said that why I run a bnb business? In fact, he said that I could have made money in stock and bond. I said, *"I respect your comment, but my desire is to run a bnb to pay my mortgage and tax"*. Moreover, the lodging tax at 17.25% as collected from

guests, in addition to their big spending at Legend Outlet Mall and restaurants have been a positive contribution to the local economy.

5. The number 9 in the “Sign Up” sheet, Mr. Ed Stewart, also said that if I would move in and live in this area, he will be a friend. However, if I want to run a bnb business, he will fight me to the teeth. It is noted that he lives in opposite side of the lake (i.e., on West Side of the lake) which is far away from my house. He also told me that running bnb is bad. It will devalue his house, my house, and the neighbor houses. My take is that having concern is fine, but he has said that his house has been appreciated big time. As such, I wonder what is basis of his negative comment.

In conclusion, global social network has brought people closer than ever. Discrete travelers have opted for bnb rather than hotel room for their feeling at home. I am always friendly and respectful to my neighbors, in addition to operating my bnb with a great care to my guests. Therefore, I am requesting your consideration for the continuation of my existing bnb operation by Grandpa status given my safe operation of the bnb rental.

Respectfully Yours,

Nga Dac Le



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: January 25, 2018
Re: Petition #SP-2018-4

GENERAL INFORMATION

Applicant:
Julia Ifticene

Status of Applicant:
Owner
10524 Augusta Drive
Kansas City, KS 66109

Requested Action:
Approval of Special Use Permit

Date of Application:
November 21, 2017

Purpose:
To operate an in-home day care
(Home Occupation)

Property Location:
10524 Augusta Drive

Existing Zoning:
R-1 Single Family District



Existing Surrounding Zoning: **North:** A-G Agriculture District
South: R-1 Single Family District
East: R-1 Single Family District
West: R-1 Single Family District

Existing Uses: **North:** Wooded, undeveloped land
South: Single family home
East: Single family home
West: Single family home

Total Tract Size: .24 acre

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Planned Mixed Residential District.

Major Street Plan: The City Master Plan classifies Hutton Road as a Class B Thoroughfare and Augusta Drive as a local road.

Advertisement: The Wyandotte Echo – December 14, 2017
Letters to Property Owner – December 14, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: No one appeared in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Julia Ifticene wants to operate an in-home day care at 10524 Augusta Drive.

City Ordinance Requirements: Sec. 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is comprised of single family homes and townhomes.

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

The zoning and their uses are set out above. The proposed use is compatible with them.

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 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, however in-home day cares are typical home occupation requests.

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 increase traffic to the home, typically at peak times in the early morning and early evening, but not to the point where it exceeds 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, except for those individuals who will use the day care and will not permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

The noise that is normally associated with day cares will be of such duration and intensity as not to create problems for near-by property.

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.*

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal.

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 or cause undue concentrations of population.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 22, 2017. According to the applicant, no one attended the meeting.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-4, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, the special use permit shall be valid for two (2) years.
2. Please provide a detailed narrative of your day-to-day operations.

Applicant Response: Kids always stay inside the house and sometimes will go for walks outside to the back yard playground (weather permitted only).

3. What are your proposed hours of operation?

Applicant Response: Hours will be from 7:00 AM to 7:00 PM

4. How many children do you intend to serve? How many children are you licensed to have by the State?

Applicant Response: We are intending to have 8 – 10 kids in care on a daily basis, but we are licensed to watch 12 kids by the State.

5. You indicated on your application, drop-off/pick-up will occur in the driveway. Where will parents park if the driveway is full?

Applicant Response: Our driveway holds four (4) cars at the time and there never will be a time where more than 4 kids will be dropped off or picked up at the same time as everybody comes on their own schedule.

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:

Staff has not received any objection or opposition from surrounding neighbors regarding Ms. Ifticene's proposal. Staff support this petition subject to the following:

- (1) Hours of operation shall be Monday through Friday, 7:00 AM to 7:00 PM.
- (2) Parking shall be restricted to the driveway at 10524 Augusta Drive and one side of the street, as it is possible that "No Parking" signs may be posted in the neighborhood in the future to accommodate KCKFD emergency vehicle access.
- (3) No signs are to be posted on the property advertising the business.
- (4) Approval is 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-2018-4 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Applicant Response Email
Neighborhood Meeting Minutes
Aerial photograph
Photographs

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	January 8, 2018	January 25, 2018
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-4** 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-2018-4**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

January 8, 2018 City Planning Commission Meeting:

The Commission took a break from 9:30 p.m. to 9:37 p.m.

Hearing Starts: 3:06:20

SPECIAL USE PERMIT APPLICATION #SP-2018-4 – JULIA IFTICENE – SYNOPSIS:

Home Occupation Special Use Permit for a day care at 10524 Augusta Drive. **Detailed Outline of Requested Action:** The applicant, Julia Ifticene wants to operate an in-home day care at 10524 Augusta Drive.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 December 14, 2017; and
7. The Notices to property owners dated December 14, 2017.

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

Present in Support:

- ❖ Julia Ifticene, applicant, 10524 Augusta Drive, Kansas City, Kansas 66109

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts: 3:08:29 Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts: 3:08:36

On motion by Dr. Serda, seconded by Ms. Jones, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit #SP-2018-4:**

Carson	Aye
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present

Serda Aye
Motion to recommend APPROVAL Passed: 6 to 0
Subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, the special use permit shall be valid for two (2) years.
2. Please provide a detailed narrative of your day-to-day operations.

Applicant Response: Kids always stay inside the house and sometimes will go for walks outside to the back yard playground (weather permitted only).

3. What are your proposed hours of operation?

Applicant Response: Hours will be from 7:00 AM to 7:00 PM

4. How many children do you intend to serve? How many children are you licensed to have by the State?

Applicant Response: We are intending to have 8 – 10 kids in care on a daily basis, but we are licensed to watch 12 kids by the State.

5. You indicated on your application, drop-off/pick-up will occur in the driveway. Where will parents park if the driveway is full?

Applicant Response: Our driveway holds four (4) cars at the time and there never will be a time where more than 4 kids will be dropped off or picked up at the same time as everybody comes on their own schedule.

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:

Staff has not received any objection or opposition from surrounding neighbors regarding Ms. Ifticene's proposal. Staff support this petition subject to the following:

- (1) Hours of operation shall be Monday through Friday, 7:00 AM to 7:00 PM.
- (2) Parking shall be restricted to the driveway at 10524 Augusta Drive and one side of the street, as it is possible that "No Parking"

- signs may be posted in the neighborhood in the future to accommodate KCKFD emergency vehicle access.
- (3) No signs are to be posted on the property advertising the business.

Approval is for two (2) years.

Toy, Byron

From: Julia Ifticene <juliaifticene@gmail.com>
Sent: Friday, December 29, 2017 11:26 AM
To: Toy, Byron
Subject: Re: SP-2018-4 - Daycare at 10524 Augusta Drive

Oh ok, let me know if that works. thank you

Urban Planning and Land Use Comments:

1. Subject to approval, the special use permit shall be valid for two (2) years.
2. Please provide a detailed narrative of your day-to-day operations.

Kids always stay inside the house and some times will go for walks outside to the the back yard playground(weather permitted only)

3. What are your proposed hours of operation?
7am- 7pm

4. How many children do you intend to serve? How many children are you licensed to have by the State?

We are intending to have 8-10 kids in care on a daily basis, but we are licensed to watch 12 kids by the State.

5. You indicated on your application, drop-off/pick-up will occur in the driveway. Where will parents park if the driveway is full?

Our driveway hold 4 cars at the time and there never will never be a time where more than 4 kids will be dropped off or picked up at the same time as every body comes on their own schedule.

Public Works Comments:

- A. Items that require plan revision or additional documentation before engineering can recommend approval:
 1. How many children will be at the day care? 8-10 kids
 2. How many vehicles are estimated in the AM & PM drop-off, pick-up? no more than 2 at the time in our driveway
 3. Where will vehicles park for drop-off, pick-up? our driveway only
- 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

On Thu, Dec 28, 2017 at 3:46 PM, Toy, Byron <btoy@wycokck.org> wrote:

Julia,

Sorry, I meant the questions in the *Staff Comments and Suggestions* portion of the staff report, beginning on page 4. See below.

Minutes

Name and contact:

Julia Ifticene

10524 Augusta drive, Kansas City, KS 66109

619-813-9931 cell

juliaifticene@gmail.com

Application Number SP-17402-00072(Ref. SP-2018-4)

Date & Location: December 22nd, Piper Unified School District #20312036 Leavenworth Road, KC, 66109

Meeting called to order at: 5pm

Names of people in attendance: nobody was present

Introductions: Presentation was ready, but nobody showed up for the meeting.

Meeting adjourned at: 530pm

Minutes taken by: Julia Ifticene



Figure 1. Aerial photograph of 10524 Augusta Drive, as indicated by the pin icon (provided by UG Maps).



Figure 2. Photograph of family room (provided by the applicant).



Figure 3. Photograph of the basement (provided by the applicant).



Figure 4. Photograph of the basement (provided by the applicant).

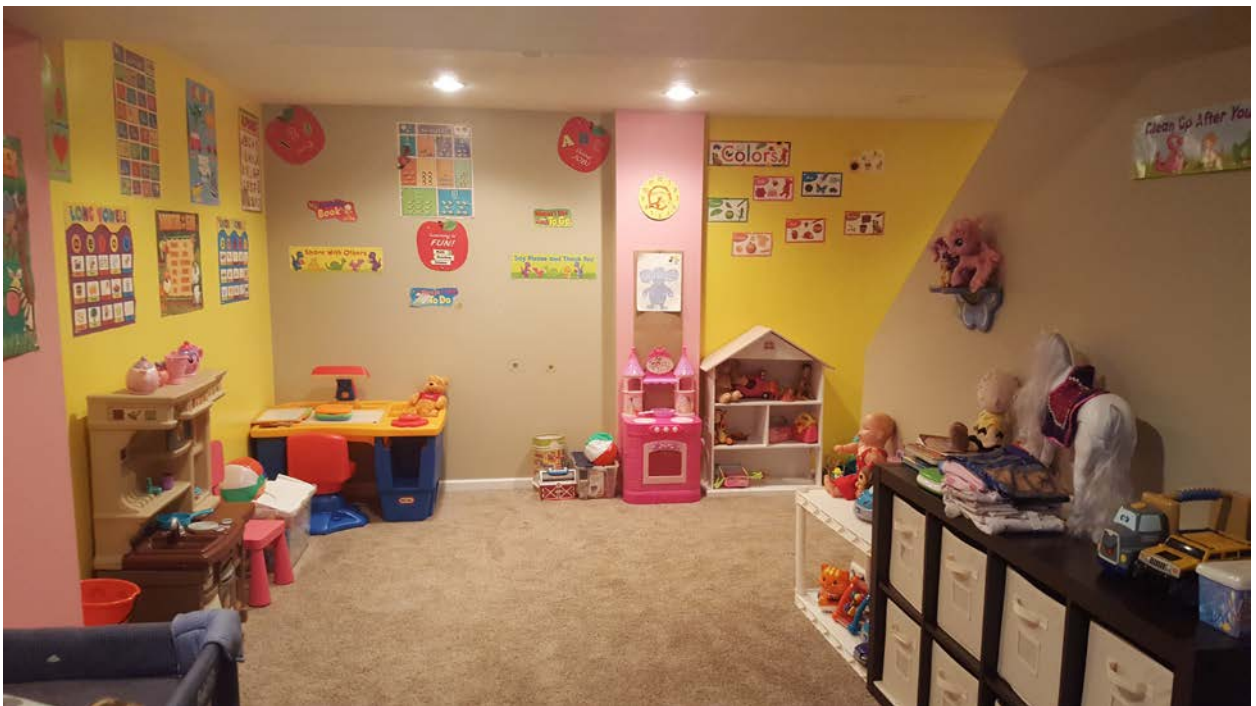


Figure 5. Photograph of the basement (provided by the applicant).



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: January 25, 2018
Re: Petition #SP-2018-5

GENERAL INFORMATION

Applicant:
Rob Rice

Status of Applicant:
Owner
3011 West 44th
Avenue
Kansas City, KS
66103

Requested Action:
Approval of a Special
Use Permit

Date of Application:
November 21, 2017

Purpose:
To operate a Bed and
Breakfast at the
applicant's primary
residence.



Property Location: 3011 West 44th Avenue

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

Existing Surrounding Zoning: **North:** R-2(B) Two Family District
South: R-2(B) Two Family District
East: R-1(B) Single Family District
West: R-1(B) Single Family District

Existing Uses: **North:** Duplex
South: Duplex
East: Single Family House
West: Single Family House

Total Tract Size: 0.21 acre

Master Plan Designation: The Rosedale Master Plan designates this property as Single Family Residential.

Major Street Plan: The City-Wide Master Plan designates 44th Avenue as a local street and Mission Road as a Class C Thoroughfare.

Advertisement: The Wyandotte Echo – December 14, 2017
Letters to Property Owner – December 14, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: No one appeared in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Rob Rice, is applying to use the property at 3011 West 44th Avenue as a Bed and Breakfast. This is the applicant's primary residence, and they are listing a guest room within the house.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is a predominately single family with a mix of duplexes and other residential uses.

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

The zoning and uses of the properties are set out above. The proposed use might be compatible with the surrounding single-family houses if operated properly. Operating this property as a bed and breakfast has the potential to create issues related to noise, parking, and other concerns related to overcrowding. The fact that this property is the primary residence of the host, that there is only one room being rented, and the maximum number of guests is limited to two mitigates these concerns to a large extent.

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

Removal of the restrictions may not detrimentally affect nearby property. Potential detrimental effects such noise and parking are mitigated to a large extent by the fact that this property is the primary residence of the host and only one room is being rented.

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.*

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 could result in increased traffic to the property compared to a single-family house. However, vehicular traffic will not exceed 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 provides convenient lodging for the public and will not likely substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

This is not foreseen to 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 relative gain or loss to the public healthy, safety, and welfare is likely to be minimal. If denied the landowner would not be able to use the property as a bed and breakfast, but he may use the property as a single-family house.

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

This is not an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 26, 2017. A copy of the sign-in sheet, meeting minutes, and affidavit are attached to this staff report. No one attended the neighborhood meeting.

KEY ISSUES

Neighborhood Preservation
Quality of Life
Housing Availability
Economic Development
Safety
Regulatory Consistency

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-5, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: March 8, 2017 was when I had my first booking.

2. Were neighbors consulted prior to opening the business?

Applicant Response: I informed the neighbors in front of and behind me about starting Airbnb.

3. Do you have a business license?

Applicant Response: I do not have a business license. I would be happy to apply for one, but I was unaware it would be required.

Staff Note: The applicant will be required to obtain a business license (see stipulations of approval).

4. Have you paid appropriate lodging taxes?

Applicant Response: Airbnb states that it is collecting the proper taxes, but I cannot find documentation of what they have collected via the website. They did supply me with these two links when I reached out to verify, stating that it depends on how many rooms you have to rent (I only rent the single room) - <https://www.airbnb.com/help/article/653/in-what-areas-is-occupancy-tax-collection-and-remittance-by-airbnb-available?topic=264#Kansas>, <http://ksrevenue.org/pdf/pub1540.pdf>

Staff Note: Airbnb now collects and remits taxes on behalf of the host in the State of Kansas. Airbnb collects the following taxes: Kansas Retailers' Sales Tax, Local Sales Tax, and Transient Guest Tax.

5. How many rooms are rented?

Applicant Response: Only 1 room is rented. I live in the other bedroom, and the bathroom is shared.

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

Applicant Response: The maximum amount of guests at any one time is two. I own this home and live here by myself year-round, which would make a total maximum of 3.

7. What is the maximum number of vehicles & where will they park?

Applicant Response: Normally, there is only 1 additional vehicle that the guests will have, and it will be parked directly out front. I own one vehicle,

and I always park in my driveway around back.

8. How often are guests in the residence?

Applicant Response: I started in March of 2017, and I've had 188 nights booked this year. This (of course) did not include January and February (because I had not started) or most of November and December because I was told to stop taking bookings until I completed this permit process. I estimate 50-70% occupancy during the course of a full year.

9. Do you have a rental license from the Unified government for the facility?

Applicant Response: I do not have a rental license from the Unified Government.

10. Describe in detail the area(s) rented for AirBNB/other rental operations. Include bed rooms, bathrooms common areas etc.

Applicant Response: I rent a single bedroom for AirBNB. The (only) bathroom is shared between myself and the guests, and they are welcome to use the living room and kitchen for lounging and cooking.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) What is the maximum number of people that will be staying at any one time?
 - 2) What is the maximum number of vehicles & where will they park?
- 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

Stipulations of Approval:

- 1. Host will maintain a safe environment including:
 - a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed
 - d. Copper cannot be used for gas supply lines
 - e. Windows must be operable, not blocked or boarded
 - f. Handrails are required at sets of 4 or more stairs/risers
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe
- 2. Host will obtain a business license with the City.
- 3. The maximum number of guests is limited to five (5) people.

4. Approval is for 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-2018-5** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Site Photos
Aerial Photos
Floorplan
Additional Information

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 8, 2018	January 25, 2018
Special Use	Approval	

STAFF CONTACT: **Zach Flanders**
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-5** 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-2018-5, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

JANUARY 8, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing Starts: 3:09:10

SPECIAL USE PERMIT APPLICATION #SP-2018-5 – ROBERT C. RICE –

SYNOPSIS: Home Occupation Special Use Permit for an AIRBNB at 3011 West 44th Avenue. **Detailed Outline of Requested Action:** The applicant, Rob Rice, is applying to use the property at 3011 West 44th Avenue as a Bed and Breakfast. This is the applicant's primary residence, and they are listing a guest room within the house.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 December 14, 2017; and
7. The Notices to property owners dated December 14, 2017.

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

Present in Support:

- ❖ Rob Rice, applicant, 3011 West 44th Avenue, Kansas City, Kansas 66103

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts: 3:11:55 Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts: 3:12:08

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit #SP-2018-5:**

Carson	Aye
Childress	Not Present
Connelly	Aye

Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

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

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: March 8, 2017 was when I had my first booking.

2. Were neighbors consulted prior to opening the business?

Applicant Response: I informed the neighbors in front of and behind me about starting Airbnb.

3. Do you have a business license?

Applicant Response: I do not have a business license. I would be happy to apply for one, but I was unaware it would be required.

Staff Note: The applicant will be required to obtain a business license (see stipulations of approval).

4. Have you paid appropriate lodging taxes?

Applicant Response: Airbnb states that it is collecting the proper taxes, but I cannot find documentation of what they have collected via the website. They did supply me with these two links when I reached out to verify, stating that it depends on how many rooms you have to rent (I only rent the single room) - <https://www.airbnb.com/help/article/653/in-what-areas-is-occupancy-tax-collection-and-remittance-by-airbnb-available?topic=264#Kansas>, <http://ksrevenue.org/pdf/pub1540.pdf>

Staff Note: Airbnb now collects and remits taxes on behalf of the host in the State of Kansas. Airbnb collects the following taxes: Kansas Retailers' Sales Tax, Local Sales Tax, and Transient Guest Tax.

5. How many rooms are rented?

Applicant Response: Only 1 room is rented. I live in the other bedroom, and the bathroom is shared.

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

Applicant Response: The maximum amount of guests at any one time is two. I own this home and live here by myself year-round, which would make a total maximum of 3.

7. What is the maximum number of vehicles & where will they park?

Applicant Response: Normally, there is only 1 additional vehicle that the guests will have, and it will be parked directly out front. I own one vehicle, and I always park in my driveway around back.

8. How often are guests in the residence?

Applicant Response: I started in March of 2017, and I've had 188 nights booked this year. This (of course) did not include January and February (because I had not started) or most of November and December because I was told to stop taking bookings until I completed this permit process. I estimate 50-70% occupancy during the course of a full year.

9. Do you have a rental license from the Unified government for the facility?

Applicant Response: I do not have a rental license from the Unified Government.

10. Describe in detail the area(s) rented for AirBNB/other rental operations. Include bed rooms, bathrooms common areas etc.

Applicant Response: I rent a single bedroom for AirBNB. The (only) bathroom is shared between myself and the guests, and they are welcome to use the living room and kitchen for lounging and cooking.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) What is the maximum number of people that will be staying at any one time?
 - 2) What is the maximum number of vehicles & where will they park?
- 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

Stipulations of Approval:

1. Host will maintain a safe environment including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed
 - d. Copper cannot be used for gas supply lines
 - e. Windows must be operable, not blocked or boarded
 - f. Handrails are required at sets of 4 or more stairs/risers
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe
2. Host will obtain a business license with the City.
3. The maximum number of guests is limited to five (5) people.
4. Approval is for 2 years



SP-2018-5 Zoning Map





SP-2018-5 *Aerial Imagery*



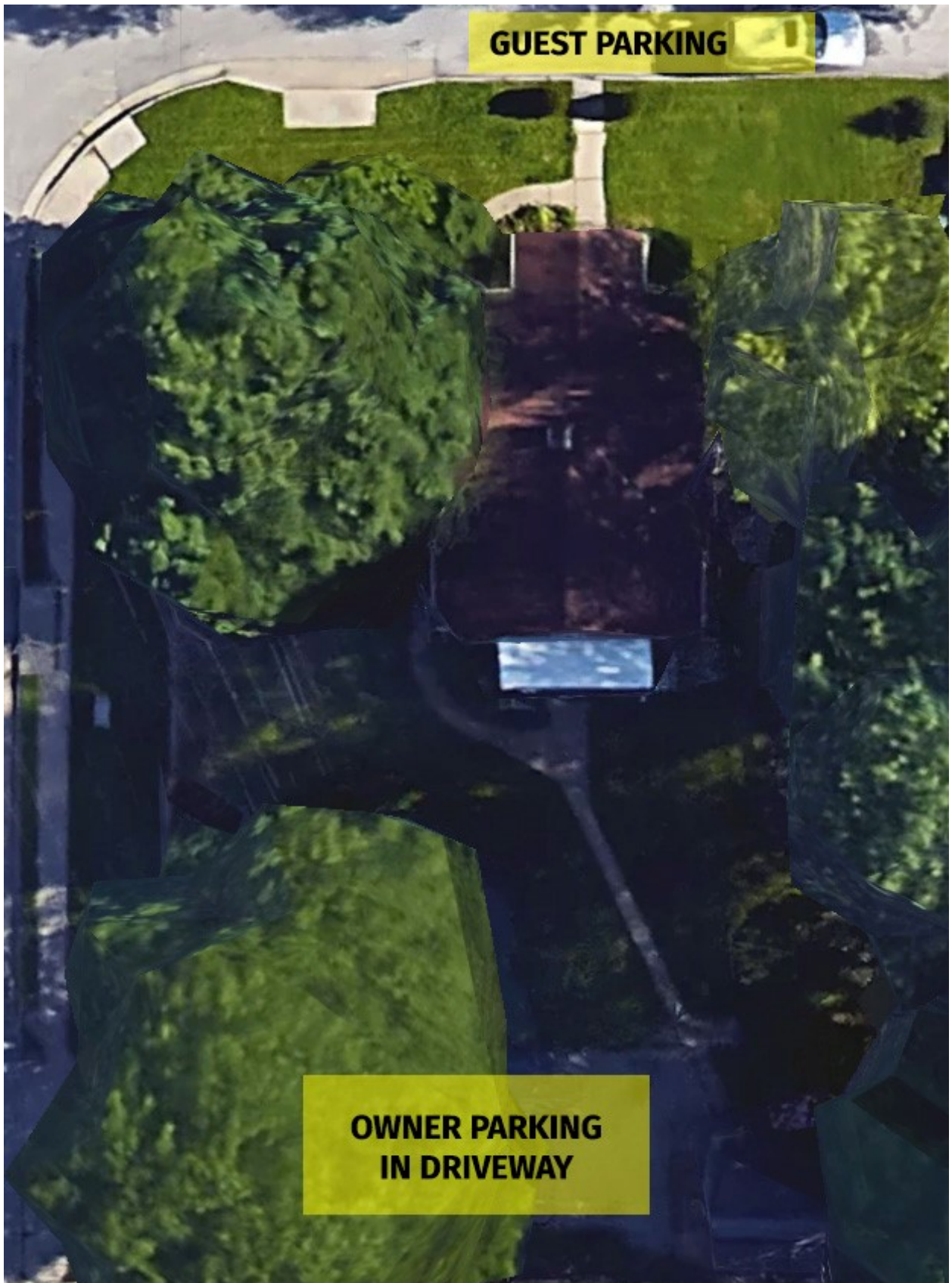






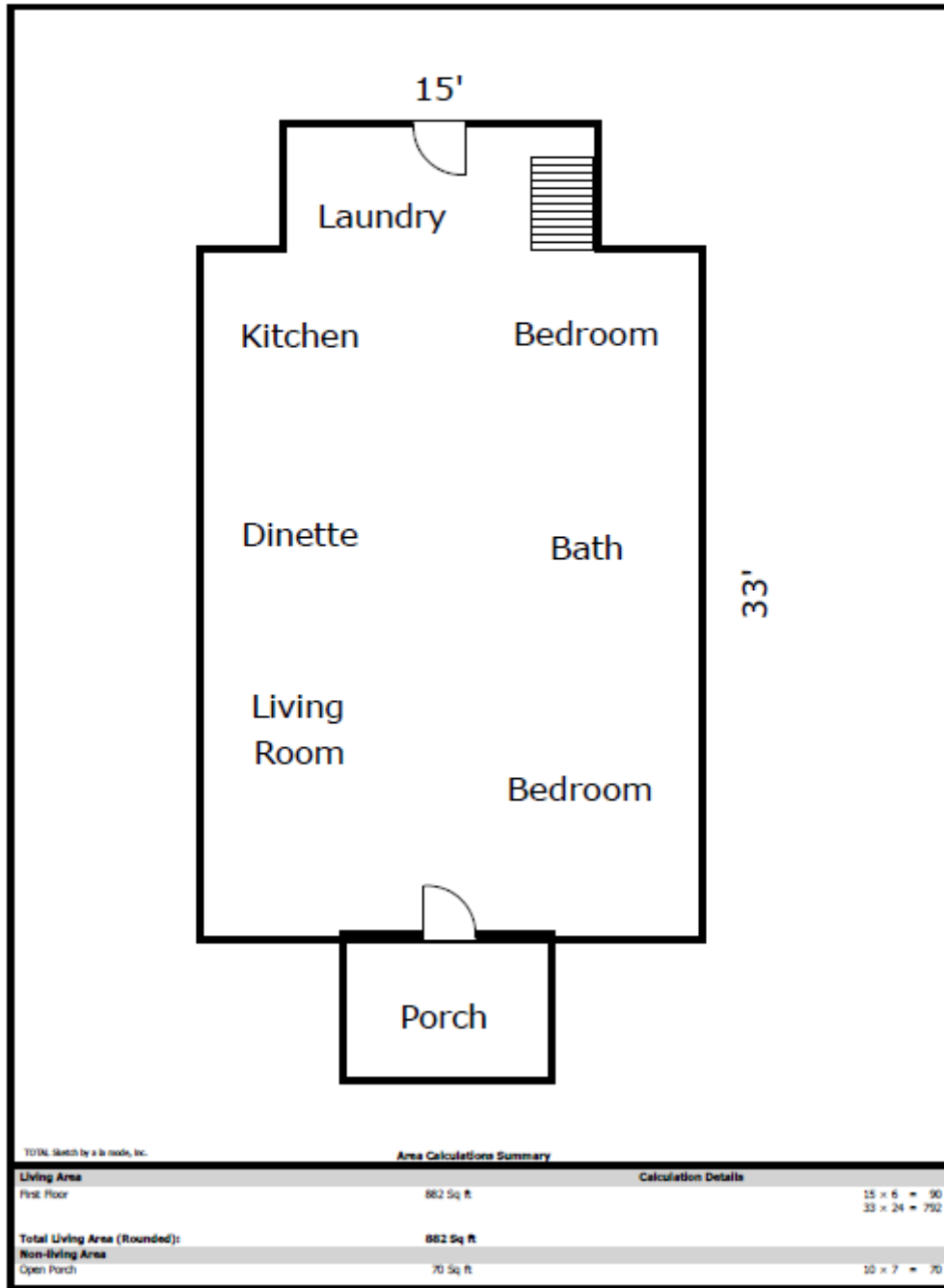






Building Sketch 182-1256461703

Borrower	Robert C. Rice				
Property Address	3011 W 44th Ave				
City	Kansas City	County	Wyandotte	State	KS Zip Code 66103
Lender/Cliet	PrimeLending A Plains Capital Company				



6. Additional Information Please note any additional information that may assist staff in reviewing this request.

I began hosting in April of 2017 as a way to open my home to people visiting KC. Since then, I've had 185 booked nights with 104 total reviews, all of which are 5-stars. This amounts to $\approx 55\%$ occupancy for this guest bedroom. I request my guests to park directly in front of the house (on 44th Ave) rather than using the driveway around back (off of Mission Road) because it's safer and more convenient, and I've had no complaints from neighbors.

MINUTES:

Application Number: #SP-2018-5
Date and Location: 12/26/2017
3011 W 44th Ave
Kansas City, KS 66103

Meeting called to order at: 8:00 pm

Names of people in attendance:

No one showed up.

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: 8:00 pm

Minutes taken by: Robert Rice

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

Comes now Robert Carl Rice, of lawful age, sound mind and upon his/
her oath states as follows:

1. That I am the petitioner for Petition #SP-2018-5.
2. That I conducted a neighborhood meeting on 12/26/2017.
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.

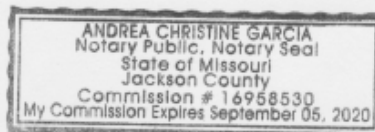
x Robert Rice
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28th day of
12/28 2017.

(December)

My commission expires 5th of September 2020

Andrea Christine Garcia
Notary Public





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: January 25, 2018
Re: Petition #SP-2018-7

GENERAL INFORMATION

Applicant:
Trebor Ross

Status of Applicant:
Representative
1700 South 38th Street
Kansas City, KS 66106

Requested Action:
Approval of a Special Use
Permit

Date of Application:
November 22, 2017

Purpose:
To keep four cows, four
goats, and 50 chickens.

Property Location:
1700 South 38th Street



Existing Zoning: R-2 Two Family District

Existing Surrounding Zoning: **North:** R-2 Two Family District
South: R-2 Two Family District
East: RP-5 Planned Apartment District
West: R-1(B) Single Family District

Existing Uses: **North:** Single Family House
South: Single Family House
East: Apartments (Kansas City Housing Authority)
West: Single Family House

Total Tract Size: 4.24 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 38th Street as a local street.

Advertisement: The Wyandotte Echo – December 14, 2017
Letters to Property Owner – December 14, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: No one appeared in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Trebor Ross, is applying to keep four cows, four goats, and 50 chickens at 1700 South 38th Street. The property is 4.24 acres. The current owner will continue to live at the property, and the applicant proposes to keep the animals on the property with the current owner's permission. The applicant proposes to enclose the cows and goats with electric fencing and to keep the chickens in a movable structure that will allow the chickens to be rotated around the land to break up the animal manure so that it will become compost.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This is a large residential lot with other large residential lots to the west and south. There is higher density Kansas City Housing Authority housing in the area, but this site is buffered by wooded areas and topography. The Argentine Neighborhood with smaller residential lots is to the north.

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

The zoning and uses of the properties are set out above. The proposed use is expected to be compatible with the properties to the west and south. The property is buffered by topography and woods from the properties to the east. The proposed use could create compatibility issues with the single-family houses to the north.

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

Removal of the restrictions will not detrimentally affect nearby property provided the animals are adequately contained and buffered from the properties to the north.

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.*

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 increased 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 keeping of chickens, cows, and goats is not reasonably necessary for the convenience and welfare of the public. The proposed use has the possibility of injuring the appropriate use, visual quality, or marketability of adjoining property if the applicant does not properly maintain the property accordingly.

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

The proposed animals could make noise that may become a nuisance for nearby property owners. In the past, other special use permit petitions with livestock have had issues with noise. The large size and secluded nature of the property does mitigate these concerns to a certain extent.

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

The proposed use may pollute the air, land, and water if the applicant does not take the necessary steps to properly handle the animal waste.

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 relative gain to the public health, safety, and welfare is minimal. If this application is denied, the applicant will not be able to have livestock on the property and will need to find another alternative.

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

This is not an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

A neighborhood meeting is not required.

KEY ISSUES

Noise
Waste Management
Animal Enclosures

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-7, subject to:

Urban Planning and Land Use Comments:

1. Approval is for two (2) years.
2. Please note that electric fences are not allowed.
3. All animal enclosures and compost areas must be at least 100 feet from the north property line.

4. All animals must be totally enclosed at all times and shall not be at large on the property or neighboring properties.

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

Conservation District Comments:

1. There are two major soil types identified: Knox complex, 18 to 30 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.
2. A majority of this area is covered with trees; thus, it is not a good grazing pasture for animals. The area that is cleared is not fenced making it unfit for a pasture. The steepness is going to cause erosion when animals are allowed to roam the hill sides. The animal traffic destroys the mulch cover and allows more runoff. There is a stream right adjacent that can be polluted with animal waste.
3. In order to raise animals and birds there will need to be fencing and buildings put in place to house and protect the animals.
4. Shrink Swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to
5. buildings, roads and other structures and to plant roots. Special design commonly is needed.

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-2018-7 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Aerial Imagery
Zoning Map

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 8, 2018	January 25, 2018
Special Use	Approval	

STAFF CONTACT: **Zach Flanders**
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-7** 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-2018-7**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

January 8, 2018 City Planning Commission Minutes:

Hearing Starts: 3:12:40

SPECIAL USE PERMIT APPLICATION #SP-2018-7 – TREBOR ROSS – SYNOPSIS:
Special Use Permit for 4 cows, 4 goats and 50 chickens at 1700 South 38th Street.
Detailed Outline of Requested Action: The applicant, Trebor Ross, is applying to keep four cows, four goats, and 50 chickens at 1700 South 38th Street. The property is 4.24 acres. The current owner will continue to live at the property, and the applicant proposes to keep the animals on the property with the current owner's permission. The applicant proposes to enclose the cows and goats with electric fencing and to keep the

chickens in a movable structure that will allow the chickens to be rotated around the land to break up the animal manure so that it will become compost.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 December 14, 2017; and
7. The Notices to property owners dated December 14, 2017.

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

Present in Support:

- ❖ Trebor Ross, applicant, 5219 Barton Drive, Shawnee, Kansas 66203

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts: 3:28:25 Director Richardson stated obviously this is a lot of animals on a small space next to a creek and the Conservation District was concerned about this. He asked the applicant to be aware of any erosion, etc. during this two-year special use permit as it will be reviewed at that time. The staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts: 3:28:56

On motion by Mr. Ernst, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit #SP-2018-7:**

Carson	Aye
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Approval is for two (2) years.
2. Please note that electric fences are not allowed.
3. All animal enclosures and compost areas must be at least 100 feet from the north property line.
4. All animals must be totally enclosed at all times and shall not be at large on the property or neighboring properties.

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

Conservation District Comments:

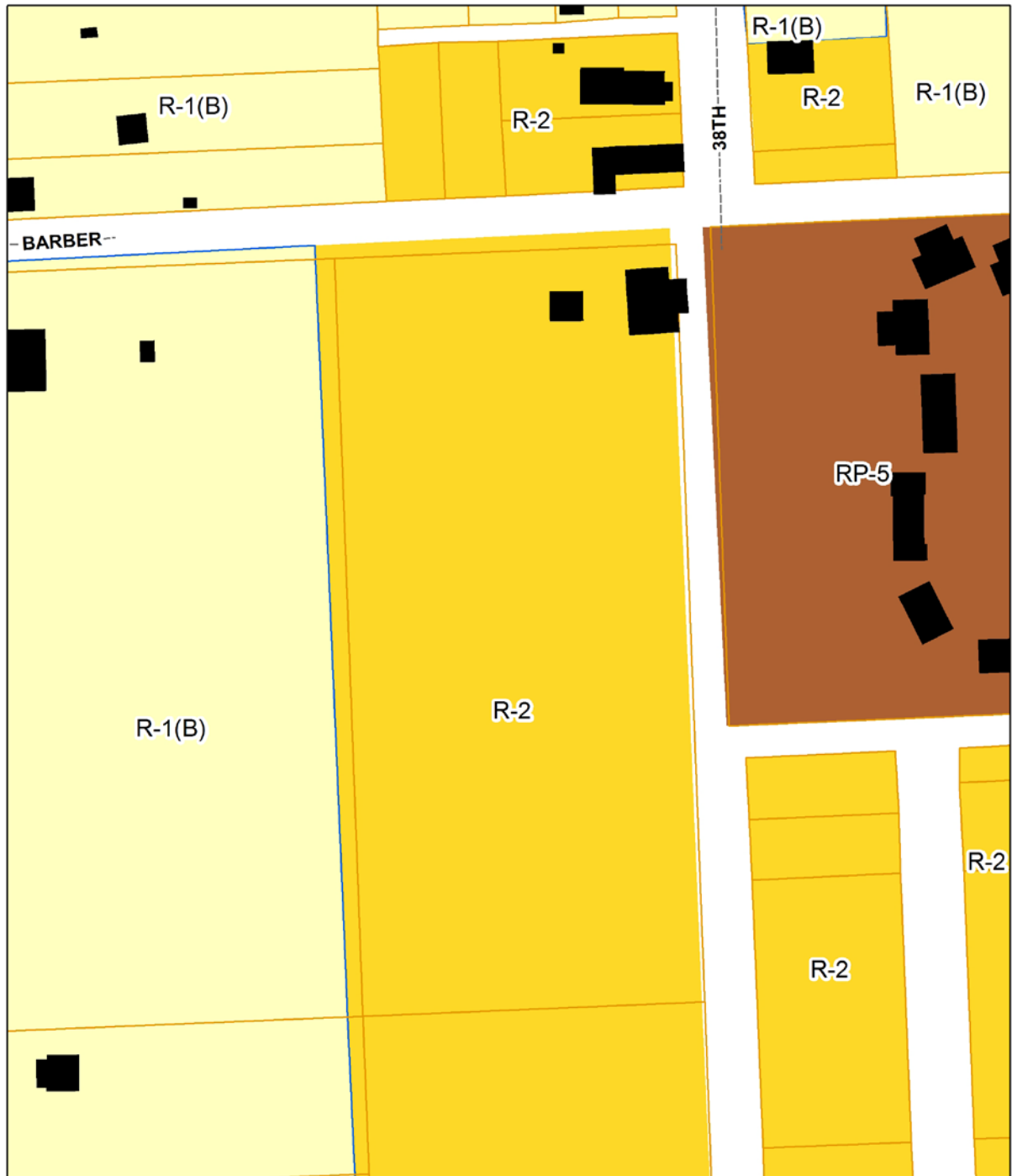
1. There are two major soil types identified: Knox complex, 18 to 30 percent slopes and Knox silt loam, 7 to 12 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.
2. A majority of this area is covered with trees; thus, it is not a good grazing pasture for animals. The area that is cleared is not fenced making it unfit for a pasture. The steepness is going to cause erosion when animals are allowed to roam the hill sides. The animal traffic destroys the mulch cover and allows more runoff. There is a stream right adjacent that can be polluted with animal waste.
3. In order to raise animals and birds there will need to be fencing and buildings put in place to house and protect the animals.
4. Shrink Swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to
5. buildings, roads and other structures and to plant roots. Special design commonly is needed.



SP-2018-7

Aerial Imagery





SP-2018-7 Zoning Map







PARCEL INFORMATION

Parcel: 912214
KUPN: 069300102000100001
Status:
Tax Unit: 10
Volume: 16
TD: 1
Book: 5A
Reference: 2918
Map: 122
Map Section: F30

PROPERTY DESCRIPTION

Property Address: 1700 S 38TH ST KANSAS CITY KS 66106
Subdivision:
Assessed With Parcel:
Assessed Here Parcel:
Sec-Twp-Range: 30-11-25
Description: 109 COM NE COR SW 1/4TH NE 1/4 TH
 W 318 1/2FT S 665FT E 318 1/2FT N
 665FT 4.689A
Book Page: 4104-0376

Frontage: 0.00	Left: 0.00	Right: 0.00	Rear: 0.00
Deeded Acres:	Mapped Acres: 4.239	Mapped SQFT: 184631.337	

NAME & ADDRESS

Owner Name: JEFFERIES, ELLSWORTH W
 JEFFERIES, ELZORA E
Mailing Address: 1700 S 38TH ST KANSAS CITY KS 66106
Lender:

APPRAISAL SUMMARY *VALUES UNDER APPEAL ARE SUBJECT TO CHANGE*

YEAR	APPRAISED TOTAL	ASSESSED TOTAL
2017	\$115,520	\$13,285
2016	\$105,980	\$12,188

Farming plan Proposal

We are proposing to have 4 cows, 4 goats and 50 chickens in which we have a plan to rotate these animals on the farm on a daily bases. With the goats we plan to clean up and manage the land. 50 chickens whom will be moved in one fully enclosed chicken wire chicken tractor approximately 10x10 to different locations on the land every day. As the chickens are moved around they will spread the cow manure and eat the bugs which will help to control flies and odor. We will use Electric fencing to enclose the animals.

Wyandotte County, KS

GeoSpatial Services
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Map Scale
 1: 1,878



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Legend

- Buildings
- Points of Interest
- Lakes
- Rivers
- Streams
- Parks
- Unpatented Parcel
- ROW Parcel
- Platted Parcel
- Municipal Boundaries
- Railroads

Locator Map



Notes

Map Print Date: 11/7/2017 1:40 PM



chicken tractor

<http://www.pequals.com/at/pasturedchickens/Pastur5.jpg>

11/15/2017



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: January 25, 2018
Re: Petition #SP-2018-8

GENERAL INFORMATION

Applicant:
Wil Anderson

Status of Applicant:
Representative
BHC Rhodes
712 State Avenue
Kansas City, KS 66101

Requested Action:
Approval of Special Use Permit
for the Temporary Use of Land
for industrial purposes

Date of Application:
November 27, 2017

Purpose:
To park UPS semi-truck trailers
in the parking lot

Property Location:
9700 Leavenworth Road

Existing Zoning: A-G Agriculture District



Existing Surrounding Zoning: **North:** A-G Agriculture District
South: CP-2 Planned General Business and A-G Agriculture Districts
East: R-1 Single Family and CP-2 Planned General Business Districts
West: A-G Agriculture and R-1 Single Family Districts

Existing Uses: **North:** Single family residences on large lots
South: Vacant commercial land north of Leavenworth Road and single-family residences on large lots
East: Event Center and Wyandotte County Lake Park
West: Single family residences

Total Tract Size: 56.27 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Entertainment.

Major Street Plan: Leavenworth Road and 99th Street are classified as Class A and B Thoroughfares, respectively.

Advertisement: The Wyandotte Echo – December 14, 2017
Letters to Property Owner – December 14, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: There were 5 persons present in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Wil Anderson on behalf of the property owner, Ruffin Woodlands, LLC wants to store semi-trailer and/or vehicles to help companies in the area that need the space on a temporary basis on 56.27 acres at 9700 Leavenworth Road.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The area is dominated by the vacant Woodlands facility. Other prominent features include the surrounding large lot residential development and Wyandotte County Lake Park.

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

The zoning and their uses are set out above. The facility currently exists, though the previous use ceased many years ago. While the site has a large parking lot, the industrial nature of keeping trailers and other vehicles is not compatible with the adjoining neighborhoods that trucks are required to pass on the way to the parking lot.

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 may impact nearby properties.

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

The property is not vacant, although the buildings on the property are not currently in use.

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

Special use permits are not addressed in the Master Plan; however, this type of use is routinely located in industrial areas.

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 increasing the amount of vehicular traffic because the site should be vacant. This site was not designed for the proposed amount of truck traffic.

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 use is not necessary. The use could impact the visual quality and marketability of nearby residences in a negative way.

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 that is normally associated with the keeping of vehicles and trailers may cause problems for nearby property as UPS has 24/7 operations.

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 landowners is minimal. If this application is denied, the vehicles and trailers will need to find an industrial zoned property to operate the desired use.

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

#SP-2016-32 was approved by the City Planning Commission on April 11, 2016 to operate a pari-mutuel racing facility.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 27, 2017. Those in attendance expressed concern about noise, lights and truck routing.

KEY ISSUES

Operational hours
Noise

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **DENIAL** of Special Use Permit #SP-2018-8, **for the reasons outlined in the staff report and the comments by the public**

STAFF COMMENTS AND SUGGESTIONS

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

Urban Planning and Land Use Comments:

1. Staff has concerns, because the proposed use is already under operation and has been for some time, about the duration of keeping of the vehicles and trailers on site. While the Woodlands has a special use permit to operate a pari-mutuel race facility, a commercial use, the extended storage of trailers is an industrial use and does not coincide with the master plan.

Applicant Response: The understanding was that the usage was acceptable. After a communication between Codes and the owner, the owner's on-site representative met with Byron Toy. The owner's on-site agent, Jayme LaRocca immediately set about making an application for a special use permit as suggested by staff.

2. The application states there are parking lots available to help companies in the area that need space on a temporary basis to store semi-trailers and/or vehicles. In addition to UPS, what other companies store trailers and/or vehicles on site?

Staff Response: UPS is the only company storing trailers on site.

3. How long do you intend on leasing space to UPS and other companies for storage, as the nature of the use is industrial?

Applicant Response: At this stage, the owner sees it as short term. For the longer-term use, although not decided, it is certainly not planned for the site to be utilized for industrial uses or parking of trailers.

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) Provide safe and usable pavement surfaces at all times. Any deterioration of the pavement and the site shall not be tracked onto the public street.
 - 2) Illustrate the number of trailers on the site plan and indicate storage areas, drive aisles and all dimensions as applicable.
 - 3) Provide a truck turning template to illustrate a truck's ability to turn around at the existing gate. Is there a knox box provided for emergency access?
 - 4) Clarify the security provided at the site. Where are restroom facilities provided? Further coordination with staff may be necessary.
 - 5) Access to the site shall be only from the 99th Street entrance.

- 6) Any proposed land disturbance activities, including pavement installation or repairs, will require an erosion control plan and applicable BMP's. Provide an erosion control plan in accordance with UG standards and criteria.
 - 7) Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Staff Conclusion:

Staff has concerns that this site is being turned into a short-term storage facility for UPS. There are areas in the city that are zoned M-3 Heavy Industrial District that would allow trailer storage without a special use permit.

While the Woodlands sits vacant, the keeping of 120 – 400 UPS trailers is not best use of the property, albeit temporary for a period of no more than two (2) years.

If the Board of Commissioners were to approve, staff stipulates the following:

- (1) Special use permit be valid for one (1) year, after which time the UPS trailers shall be removed from the property and relocated to a parcel zoned M-3 Heavy Industrial District that can accommodate such storage.
- (2) Trucks may not travel east on Donahoo Road and south on North 99th Street to access the site. All truck traffic must come on Leavenworth Road.
- (3) Truck lights shall not cast light onto adjacent residential properties, specifically to the west, across North 99th Street. A privacy fence may be constructed along the western perimeter of the parking lot as to block truck headlights from the single-family homes.
- (4) No use of air brakes on city streets or on the property.
- (5) 7:00 a.m. to 7:00 p.m. operating hours.

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-2018-8 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Applicant Narrative
Aerial Photographs
Site Photographs

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	January 8, 2018	January 25, 2018
Special Use	Denial	

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

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-8**, 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-2018-8** 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. _____.

January 8, 2018 City Planning Commission Minutes:

Hearing Starts: 3:29:55

SPECIAL USE PERMIT APPLICATION #SP-2018-8 – WIL ANDERSON WITH BHC RHODES FOR RUFIN WOODLANDS LLC – SYNOPSIS: Special Use Permit for the Temporary Use of Land to park UPS semi-truck trailers in the parking lot at 9700 Leavenworth Road. **Detailed Outline of Requested Action:** The applicant, Wil Anderson on behalf of the property owner, Ruffin Woodlands, LLC wants to store semi-trailer and/or vehicles to help companies in the area that need the space on a temporary basis on 56.27 acres at 9700 Leavenworth Road.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;

3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 December 14, 2017; and
7. The Notices to property owners dated December 14, 2017.

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

Present in Support:

- ❖ Wil Anderson, applicant for Rufin Woodlands, BHC Rhodes, 712 State Avenue, Kansas City, Kansas 66101

Present in Opposition:

- ❖ Joe Vaught, 9231 Leavenworth Road, Kansas City, Kansas 66109
- ❖ Adrian Torrez, 9828 Donahoo Road, Kansas City, Kansas 66109
- ❖ Lori Torrez, 9828 Donahoo Road, Kansas City, Kansas 66109
- ❖ Gerald Henre, 3234 North 99th Street, Kansas City, Kansas 66109
- ❖ Carl Bender, 3510 North 99th Street, Kansas City, Kansas 66109

Staff Recommendation Starts: 4:02 Director Richardson stated that he would note for the applicant that even storing new cars on the property is an industrial use (it is not an industrial storage yard for anything) without approvals from the city. He is not sure the concerns by those present this evening can be overcome. Trucks and trailers are noisy even when they do not use the exhaust brakes. There is no good way the staff has found to account for the damage and tearing up of the streets when the streets are not designed for that type of activity. Leavenworth Road is an arterial street built to a standard that could accommodate a certain amount of that traffic. For the reasons listed in the staff report, the staff recommends denial.

NOTE: At this point the recording system stopped recording.

Motion and Vote:

On motion by Mr. Carson, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend DENIAL of Special Use Permit #SP-2018-8:**

Carson	Aye
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present



December 26, 2017

Byron Toy – Planner
Kim Ingham – Engineer

Reference: #SP – 2018-8 Draft Staff Report – Received 2017-12-18

General Notes:

*Sign posted December 19, 2017 – Photos submitted to Janet Parker
Neighborhood meeting Scheduled for Wednesday December 27, 2017.*

Factors To Be Considered:

Item 2. Consideration is being given by the owner to utilize the entry directly off Leavenworth Road. This would mean that trucks are turning off a major road and directly on to owner's property. 99th Street would not be used for truck traffic.

Item 6. The number of trucks over a 24 hours period is less than 15. This number is based on current usage.

Urban Planning and Land Use Comments:

Item 1. The understanding was that the usage was acceptable. After a communication between Codes and the owner, the owner's on-site representative met with Byron Toy. The owner's on-site agent Jayme LaRocca immediately set about making an application for a Special Use Permit as suggested by staff.

Item 2. UPS is the only company storing trailers on site.

Item 3. At this stage, owner sees it as short term. For the longer term use, although not decided, it is certainly not planned for the site to be utilized for industrial uses or parking of trailers.

Public Works Comments:

Section A.

Item 1. There is no planned construction on site. The usage requested for this Special Use Permit does not require any construction or change to the site.

Item 2. See Item 1. Response.

Item 3. See Item 1. Response.

Item 4.

- a. The area identified on site is an existing asphalt parking area. Exhibit has been updated to show the surface.
- b. The surface will be repaired where necessary.

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Item 5. Based on current usage the number of trucks and empty trailers accessing the site is less than 20 in a 24-hour period. From early November to the end of 2017 the number has been less than 15. This is expected to continue.

Item 5. Continued: There are approximately 120 trailers on site and this has been consistent since early November. In early November the number was as high as 400 trailers on site but this has dropped significantly to the 120 average number.

Item 6. Only empty trailers are stored on site. No trucks are stored on site.

Item 7. See the attached exhibit regarding truck routes into and out of the site. This includes the option to change the entry to come off Leavenworth Road only.

Item 8. There is 24/7 on site security now. Security Gates are manned as required and the site is large enough to allow for trucks and other vehicles to turnaround safely and exit.

Item 9. There are no proposed land disturbance activities. There is no construction activities associated with this SUP application.

Item 10. See Item 1. There are no construction activities planned for this site under this SUP application.

Section B.

No Items.

Section C.

No Items.

Wil Anderson, L.S.

Vice President

Survey Services Group Leader

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Application Number: SP 2018-8
Date: December 27, 2017
Location: Comfort Suites
3000 N 103rd Terrace
Kansas City, KS 66109

Meeting called to order at: 6pm.

Names of people in attendance: See accompanying sign in sheets. There are 129 people or entities listed on the list provided by the UG Planning Department. 12 people were at the meeting, including Mr. LaRocca, Mr. Schepmann and Mr. Anderson. Of the other 9 attendees, 5 live on N 99th, 2 on Leavenworth Road, 1 on Hurrelbrink Road, and 1 outside of the 200 feet but interested. LaJoyce Callaway from Beautiful Beginnings at 3440 N 99th when she rang indicated that she would not attend the meeting.

Also in Attendance:
Will Anderson - BHC RHODES
Matthew Schepmann - BHC RHODES
Jayme LaRocca – Property Manager, Woodlands.

Minutes:

Will Anderson gave summary of the Special Use Permit, SUP, application and also the process for an SUP including date and time of the Planning Commission meeting. We showed a large print of the Site that was submitted with the application and also attached to the neighborhood letters sent out.

Questions and answers:

Q1. Mr. and Mrs. Henre and Mr. and Mrs. Lauber voiced concerns about the noise at night. In particular, recently there have been container mounted trailers and these are much noisier than a standard truck trailer especially when empty.

A1. Mr. LaRocca, mentioned that he had not realized the difference in the amount of travelling noise between the two but would discuss with UPS.

Also made mention of the earlier phone comment from Mr. Richardson about air brakes being used and that UPS in response had indicated they would advise their drivers not to use the air brakes in this location and if they did UPS was prepared to fine the driver.

Q2. Follow on from Q1. There were comments on whether or not the containers were being off-loaded from the trailer onto the asphalt.

A2. They are not. Containers stay on the trailer they arrived on.

Q3. Follow on from Q1. & Q2. Are all the trailers empty?

A3. All trailers on-site are empty.

Note: An earlier phone call from Mrs. Henre had asked about whether the trailers were empty and were any HAZMAT trailers on site. We replied in both cases that all trailers on site were empty and none were HAZMAT trailers.

Q4. There was a concern mentioned by Mrs. Henre about security. If the trailers are on site are there opportunities for robbery? Mr. Lauber who walks his dog around the area commented that there are places where he is able to get on the site.

A4. There is 24/7 security on site. This is to let the trucks in and out of the site.

There is only the one gated entry that allows vehicle access and that is unlocked by the 24/7 on-site security. Mr. LaRocca mentioned that they are aware that a person can get on site but not for a vehicle. Mr. Lauber agreed.

Q5. There was a concern regarding the length of time that an SUP could be in place and the ease of renewal.

A5. I responded that in majority of cases the initial SUP is for 2 years and very rarely for a longer period. I also pointed out that in cases of concern the SUP may be for a shorter period of 6 months / 12 months if deemed by the Commission that the shorter period was all that was required or in some cases for the petitioner to prove they could perform to the stipulations.

In terms of the renewal process I pointed out that it follows the exact same process, including application, neighborhood meeting, Planning Commission and Commission. It is not a situation where the owner pays a fee and the SUP is automatically renewed.

Q6. Mr. Miles asked why the entry off Leavenworth Road was not used rather than off N 99th.

A6. I responded that the entry was currently blocked at Leavenworth Road by concrete Jersey Barriers and there was not a gate at the north end of the entry road. It was fenced off and no gate. We agreed that if the entry was to be gated and re-opened it would be an obvious entry.

There are a couple of other factors involved in doing this, Cost of opening / UPS advising the drivers of the change / If the SUP was approved for a short time period.

Q7. Some concerns from the neighbors on N 99th in regard to the condition N 99th with continued truck and trailers turning into the entry off N 99th.

A7. Their concern was noted by Mr. LaRocca.

Q8. Mr. Bender added to some comment from other neighbors regarding trucks sometimes heading south on N 99th. Apparently, some of the trucks have used the Donahoo Road exit off I-435 and end up coming south on N 99th and then having to do a sharper turn into the Woodlands entry off N 99th.

A8. Mr. LaRocca indicated that they should not be doing this and that he would talk to UPS about reminding their drivers that this was not acceptable and the route needed to be Leavenworth Road Exit off I-435 then east on Leavenworth Road to the Woodlands, limiting the use of N 99th.

Q9. Mr. Miles raised a concern regarding the light shining across to the residences on N 99th at night. These are the mobile lights being used on site.

A9. Mr. LaRocca said he would get them re-directed so that the light did not spill over to the residential area.

Q10. Mr. Vaught's concern was that this was the first step to being turned into a Industrial Zone like Fairfax. He felt that this was particularly relevant if the SUP turned into a long-term situation. The effect this may have on their property values.

A10. The response is that rezoning this site to Industrial is unlikely basically because of the owner's intended future use of Woodlands. We were unable to comment on the future use other than a legislation change was involved. The site is currently zoned Agricultural.

Follow on comment from Mr. LaRocca - This is a temporary situation to defray some costs of being closed and the main goal of The Woodlands is to reopen as a racetrack/casino.

Q11. Mr. Vaught also indicated that all the residential assessments in the area had risen but the Woodlands had gone down.

A11. I responded that from the number of people I interface with on a daily basis all are concerned that their assessments had risen.

Q12. Comment by both Mrs. Henre and Mr. and Mrs. Lauber that there is surely a better use for the site – Musical Events.

A12. My general response that these events also create louder and constant noise levels. There are other issues as well.

Q13. Mr. Bender asked how we got to this situation of now applying for an SUP rather than before the UPS trailers.

A13. I said that it was a lack of knowledge of Woodlands in thinking that parking empty trailers on the site was an acceptable use. The UG's Codes inspectors reported the use of the site and issued a letter to the owners in Wichita. This initiated a question to Mr. LaRocca who immediately set up a meeting with UG Planning staff who recommended making an application for an SUP as soon as possible. We have done that and we are now at the position in the process of the Neighborhood Meeting.

Q14. Comment from neighbors regarding the condition of the parcel that fronts Leavenworth Road. They were wanting it cleaned up.

A14. My response was that the parcel identified belongs to the UG not Woodlands.

Q15. Phone call from La Joyce Callaway representing Beautiful Beginnings Early Childhood Education at 3042 N 85th – Her question was whether this was a permanent use.

A15. My response was "No". This is an interim use until the owner of Woodlands is able to finalize their future plans. Ms. Callaway responded that other than that she had no concerns.

Meeting adjourned at: 7.15pm

Minutes taken by: Matthew Schepmann, BHC RHODES

Additional Narrative for Special Use Permit Request

UPS is interested in storing empty semi-trailers only on The Woodlands property, preparing for the busy period. It is known only trailers will be stored.

Attached to this Special Use Permit request is an aerial view that shows the driveway that UPS trailers will be entering and exiting the property. The driveway is on 99th street, about 170 yards from Leavenworth Road.

There are four parking lots that are being used right near the main entrance on the property south and west of the main buildings for the facility. Most of the year the parking lots are well hidden from the foliage on the trees from both Leavenworth Road and 99th street. During this time of year, you are able to see more of the parking lot area. Attached are some pictures looking east on 99th street and of the view from the stop light at 99th & Leavenworth Road, looking northeast. Also, there is a view from Leavenworth Road, looking north.

The hours of operation for UPS using the property is 24/7, but they mainly bring the trailers in and out during the daylight hours, 7:00am to 6:00pm. They enter and leave approximately 5-10 times per day, but that can change as we get closer to the busy period. It does fluctuate at this point. There is 24/7 security monitoring that is stationed at the main entrance to the facility to control access.

The condition of the asphalt the trailers will be parking on is in good condition.

17402-00076



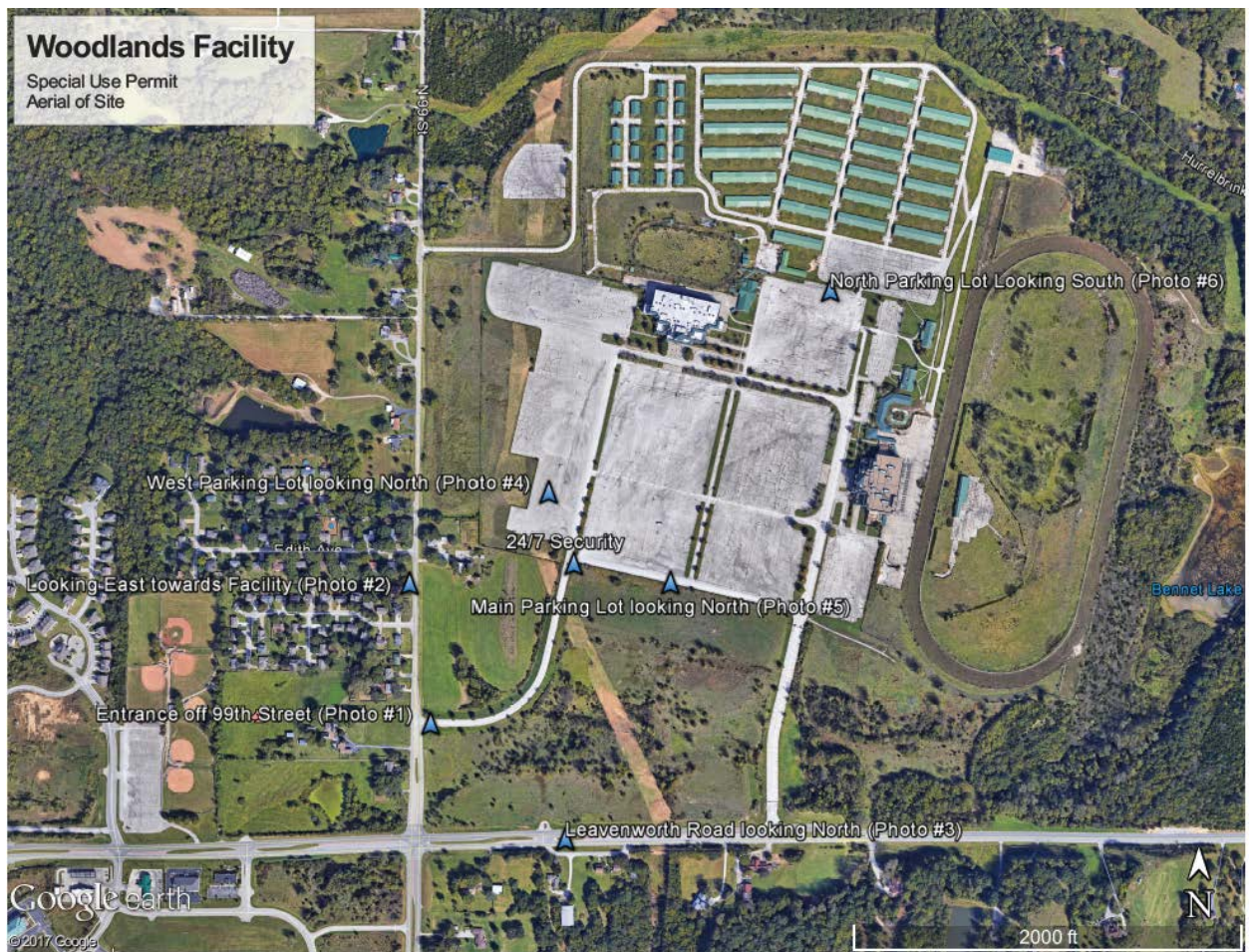
Figure 1. Aerial photograph of Current Conditions for Entry/Exit to Site (provided by the applicant).



Figure 2. Aerial photograph of Alternate Entry/Exit to Site (provided by the applicant).



Figure 3. Aerial photograph of On Site Parking (provided by the applicant).





#1) Main entrance to Woodlands Site from 99th Street.



#2) Looking East from 99th Street towards Woodlands site.



#3) Looking North from Leavenworth Road towards Woodlands site.



#4) Looking North from South end of West Parking Lot.



#5) Looking North from South end of Main Parking Lot South of Dog Track Building.



#6) Looking South from North End of Parking Lot East of Dog Track Building.



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: January 25, 2018
Re: Petition #SP-2018-9

GENERAL INFORMATION

Applicant:

Kathleen Lynch and Cristen Ryman

Status of Applicant:

Owners
2824 North 99th Terrace
Kansas City, KS 66109

Requested Action:

Approval of a Special Use Permit.

Date of Application:

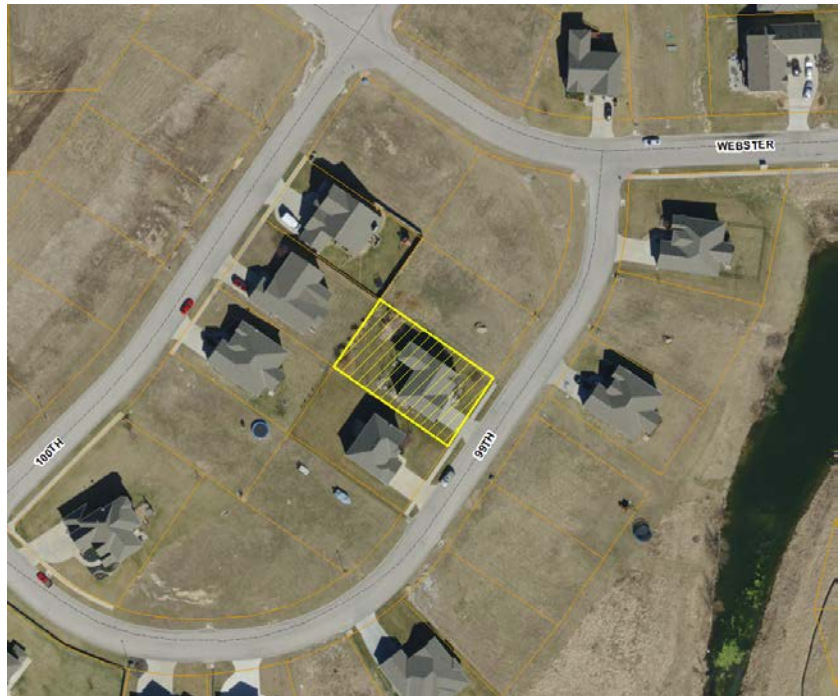
November 27, 2017

Purpose:

To operate a Bed and Breakfast at the applicants' primary residence.

Property Location:

2824 North 99th Terrace



Existing Zoning: RP-1 Planned Single Family District

Existing Surrounding Zoning: **North:** RP-1 Planned Single Family District
South: RP-1 Planned Single Family District
East: RP-1 Planned Single Family District
West: RP-1 Planned Single Family District

Existing Uses: **North:** Residential Lot
South: Single Family House
East: Residential Lot
West: Single Family House

Total Tract Size: 0.2 acre

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as the suburban residential.

Major Street Plan: The City-Wide Master Plan designates 99th Terrace as a local street.

Advertisement: The Wyandotte Echo – December 14, 2017
Letters to Property Owner – December 14, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: No one appeared in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Kathleen Lynch and Cristen Ryman, are applying to use the property at 2824 North 99th Terrace as a Bed and Breakfast. This is the applicants' primary residence.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is a predominately single family neighborhood.

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

The zoning and uses of the properties are set out above. The proposed use might be compatible with the surrounding single family houses if operated

properly. Operating this property as a bed and breakfast has the potential to create issues related to noise, parking, and other concerns related to overcrowding. The fact that this property is the primary residence of the hosts and that there is only one room being rented mitigates these concerns to a large extent.

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

Removal of the restrictions may not detrimentally affect nearby property. Potential detrimental effects such noise and parking are mitigated to a large extent by the fact that this property is the primary residence of the hosts and only one room is being rented.

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.*

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 increase 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 provides convenient lodging for the public and will not likely substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

This is not foreseen to 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 relative gain or loss to the public health, safety, and welfare is likely to be minimal. If denied the landowners would not be able to use the property as a bed and breakfast, but they may use the property as a single family house.

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

This is not an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 28, 2017. A copy of the sign-in sheet, meeting minutes, and affidavit are attached to this report. No opposition was voiced during the neighborhood meeting.

KEY ISSUES

Neighborhood Preservation
Quality of Life
Housing Availability
Economic Development
Safety
Regulatory Consistency

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-9, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: We joined AirBNB in April 2015. Our first guest was

sometime in March 2016.

2. Were neighbors consulted prior to opening the business?

Applicant Response: No, our neighbors were not consulted. We are a close neighborhood and I let our immediate neighbors know but I wouldn't say we consulted with them.

3. Do you have a business license?

Applicant Response: No, we do not have a business license.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes, we have paid taxes for AirBNB

Staff Note: Airbnb now collects and remits taxes on behalf of the host in the State of Kansas. Airbnb collects the following taxes: Kansas Retailers' Sales Tax, Local Sales Tax, and Transient Guest Tax.

5. How many rooms are rented?

Applicant Response: Currently, only 1 room is being rented on AirBNB.

6. How often are guests in the residence?

Applicant Response: Guests vary but mostly in the spring/summer months. Soccer games, race events, concerts at the amphitheater, Schlitterbahn. Guests are usually at the residence 2-3 days but usually just to sleep.

7. Do you have a rental license from the Unified Government for the facility?

Applicant Response: No rental license.

8. Describe in detail the area(s) rented for AirBNB/other rental operations. Include bed rooms, bathrooms common areas etc.

Applicant Response: The guests have a bedroom on the main floor. They have a bathroom that is shared with Kate's son. They are able to use the kitchen if they wish but most of them don't cook.

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

- 2) What is the maximum number of vehicles & where will they park?
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Stipulations of Approval:

1. Host will maintain a safe environment including:
 - a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed
 - d. Copper cannot be used for gas supply lines
 - e. Windows must be operable, not blocked or boarded
 - f. Handrails are required at sets of 4 or more stairs/risers
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe
2. Host will obtain a business license with the City.
3. The maximum number of guests is limited to five (5) people.
4. Approval is for 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-2018-9 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Zoning map
Aerial Imagery
Site Photos
Area map
Floorplan
Additional Information

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	January 8, 2018	January 25, 2018
Special Use	Approval	

STAFF CONTACT: Zach Flanders
zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-9** 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-2018-9**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

January 8, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-9 – KATHLEEN LYNCH AND CRISTEN RYMAN – SYNOPSIS: Home Occupation Special Use Permit for an AIRBNB at 2824 North 99th Terrace. **Detailed Outline of Requested Action:** The applicants, Kathleen Lynch and Cristen Ryman, are applying to use the property at 2824 North 99th Terrace as a Bed and Breakfast. This is the applicants' primary residence.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 December 14, 2017; and
7. The Notices to property owners dated December 14, 2017.

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

Present in Support:

- ❖ Kate Lynch and Cristen Ryman, applicants, 2824 North 99th Street, Kansas City, Kansas 66109

Present in Opposition:

- ❖ No one appeared

Staff Recommendation: Director Richardson that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote:

On motion by Mr. Carson, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit #SP-2018-9:**

Carson	Aye
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Chairman
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: We joined AirBNB in April 2015. Our first guest was sometime in March 2016.

2. Were neighbors consulted prior to opening the business?

Applicant Response: No, our neighbors were not consulted. We are a close neighborhood and I let our immediate neighbors know but I wouldn't say we consulted with them.

3. Do you have a business license?

Applicant Response: No, we do not have a business license.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes, we have paid taxes for AirBNB

Staff Note: Airbnb now collects and remits taxes on behalf of the host in the State of Kansas. Airbnb collects the following taxes: Kansas Retailers' Sales Tax, Local Sales Tax, and Transient Guest Tax.

5. How many rooms are rented?

Applicant Response: Currently, only 1 room is being rented on AirBNB.

6. How often are guests in the residence?

Applicant Response: Guests vary but mostly in the spring/summer months. Soccer games, race events, concerts at the amphitheater, Schlitterbahn. Guests are usually at the residence 2-3 days but usually just to sleep.

7. Do you have a rental license from the Unified Government for the facility?

Applicant Response: No rental license.

8. Describe in detail the area(s) rented for AirBNB/other rental operations. Include bed rooms, bathrooms common areas etc.

Applicant Response: The guests have a bedroom on the main floor. They have a bathroom that is shared with Kate's son. They are able to use the kitchen if they wish but most of them don't cook.

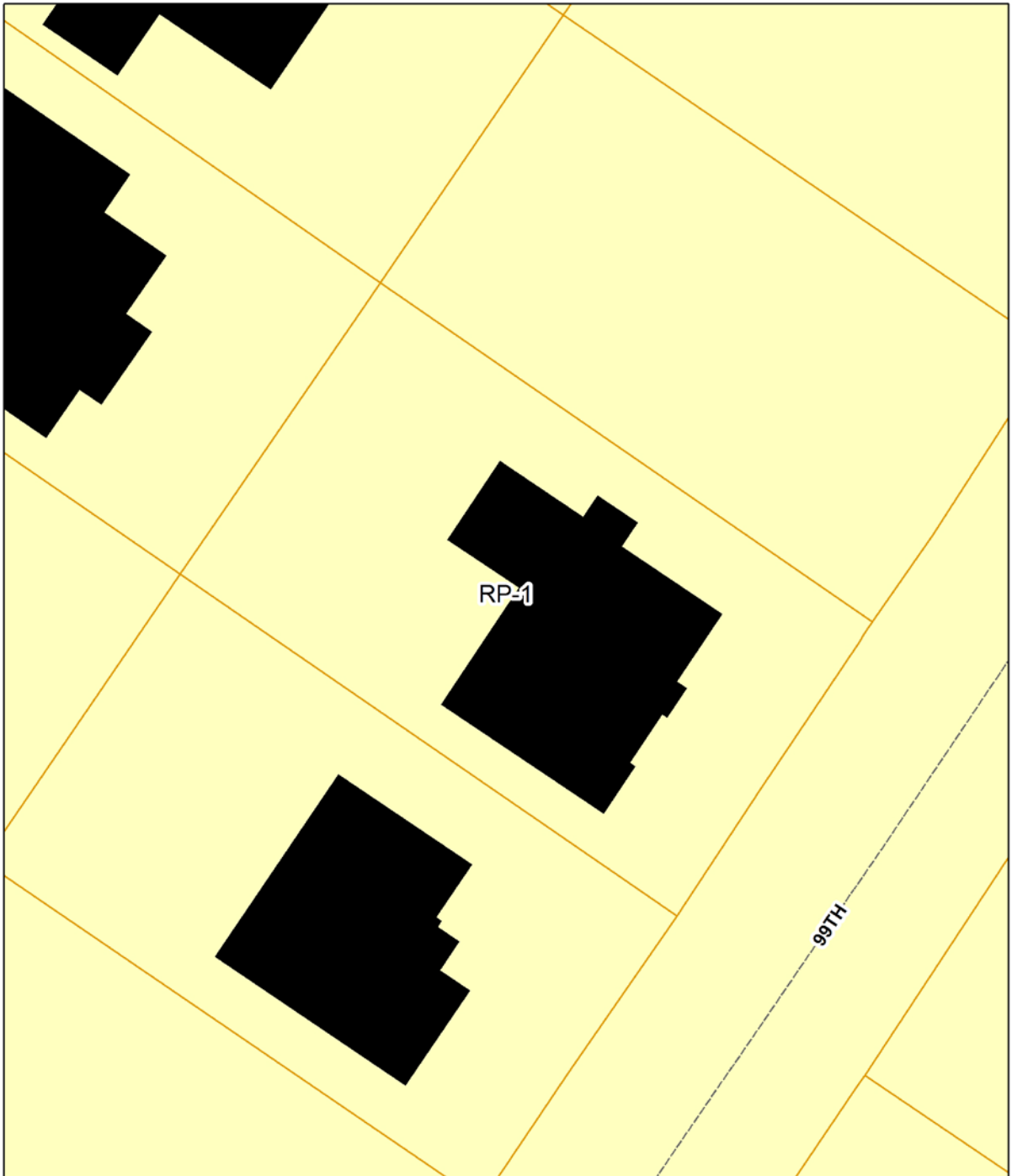
Public Works Comments:

- 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) What is the maximum number of people that will be staying at any one time?**
 - 2) What is the maximum number of vehicles & where will they park?**
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
 - 1) None**

Stipulations of Approval:

- 1. Host will maintain a safe environment including:**
 - a. Working smoke detectors in each bedroom plus each level of the unit/house.**
 - b. GFCI outlets are required in bathrooms.**
 - c. Double keyed locks are not allowed**

- d. Copper cannot be used for gas supply lines
 - e. Windows must be operable, not blocked or boarded
 - f. Handrails are required at sets of 4 or more stairs/risers
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe
- 2. Host will obtain a business license with the City.
 - 3. The maximum number of guests is limited to five (5) people.
 - 4. Approval is for 2 years.



SP-2018-9

Zoning Map





SP-2018-9

Aerial Imagery

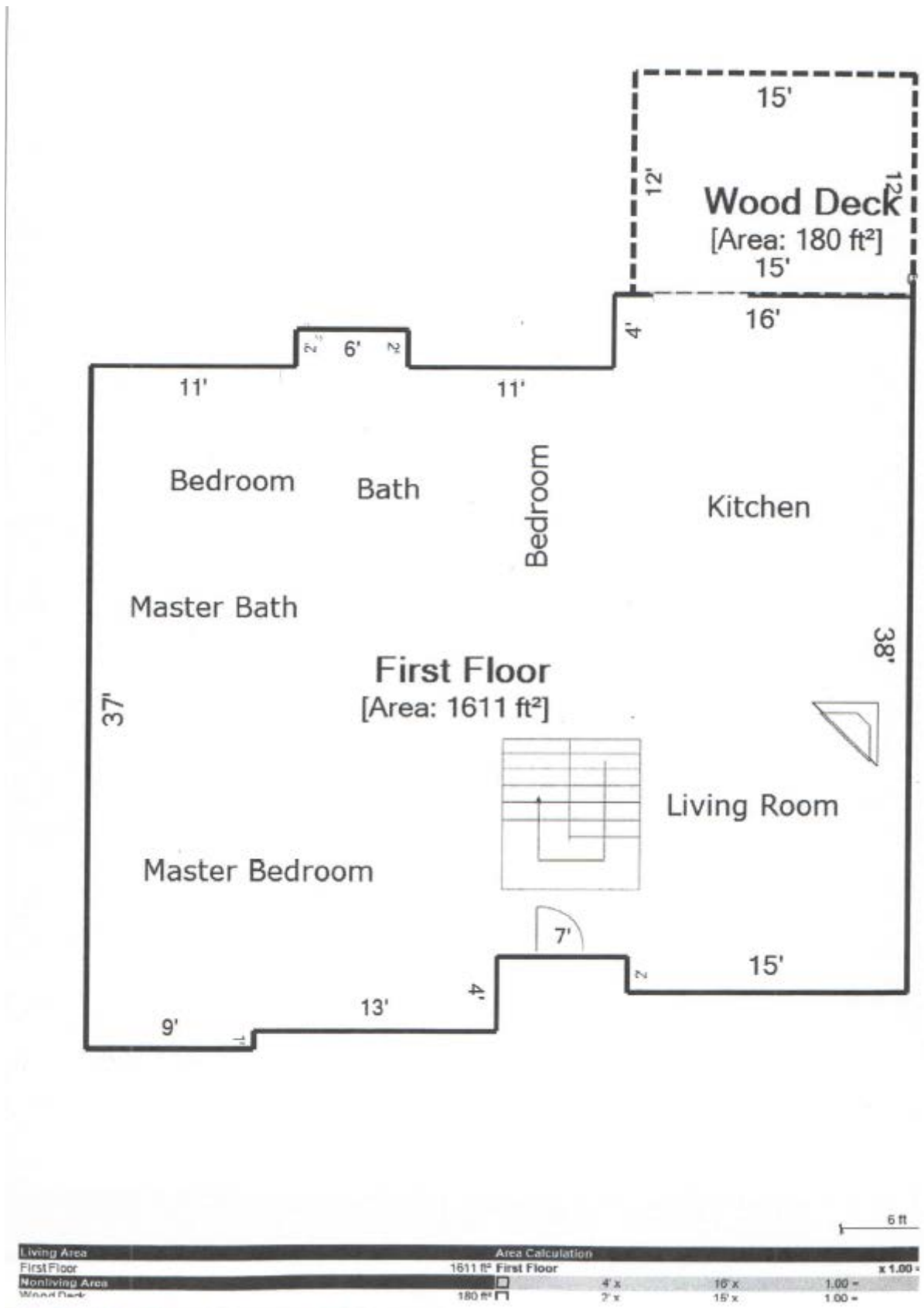












6. Additional Information Please note any additional information that may assist staff in reviewing this request.

We own a 4 bedroom home in Piper. Our eldest has moved out and we don't need this big of a home. Renting out the room(s) has helped us to stay in the home and it has been nice visiting with people that have stayed with us. we have not had any problems with our neighbors or the renters.

AIRBNB MINUTES:

#SP-17402-00077

December 28, 2018

2824 N 99th Terr

KC, KS 66109

Meeting called to order at: 6:30pm

Attendance:

Commissioner Melissa Bynum	Y	(N)
Commissioner Mike Kane	Y	(N)
Jami Applegate	Y	(N)
Jason Applegate	Y	(N)
Latessa Cole	Y	(N)
Luthaniel Cole	Y	(N)
CountryClub Homes LLC	Y	(N)
First Mortgage Sol LLC	Y	(N)
Golden Belt Bank	Y	(N)
Nkau Her	Y	(N)
Homeservices Lending	Y	(N)
Michael King	Y	(N)
Sherrie King	Y	(N)
Robert Lavelle	Y	(N)

Billie Leonard	Y	(N)
Solomon Lo	Y	(N)
Harry McKelvy	Y	(N)
Christopher Morales	Y	(N)
Crystal Morales	Y	(N)
North American	Y	(N)
Rick & Cynthia Johnson Revocable Liv	Y	(N)
TBD Glenn Eagles	Y	(N)
Carol Unruh-Lavelle	(Y)	N
Cristen Ryman	(Y)	N
Kate Lynch	(Y)	N
Janet Parker	Y	(N)

Introductions:

Our neighbor, Carol, who lives behind us was the only person who attended the neighborhood meeting. Kate and I had both already met Carol so no further introductions were needed.

Presentation:

Since it was just Carol, Kate and I both presented about AirBnB. We asked Carol if she had ever heard of AirBnB and she stated she had not. We went and got our laptop computer and pulled up the website. We then had her pick a place she wanted to visit (dates and number of people) and showed her there were over 300 places she could stay in that area.

We told Carol that ever since November 2015 we now use AirBnB when we vacation and told her all the different places we have stayed (New York, Nashville, Oklahoma, Missouri)

Questions/Answers:

1. Who asked question or gave comment? What was the question or comment? Who answered the question/comment? What was the answer given?
 - a) Carol did ask if we were moving and we explained to Carol that we were not moving but were "renting out" Kate's daughter's bedroom. Kate and I offered to show Carol the bedroom but she declined.
 - b) Carol asked how long people stay and we told her that it's usually just for a few days as most people come in for events over the weekend.

Carol said she didn't have any other questions and that she felt comfortable with everything. We then continued to visit about the new development in our area along with some foundation and window problems she was having.

Meeting adjourned: 6:50 pm
Minutes taken by: Cristen Ryman

Jami Applegate	_____
Jason Applegate	_____
Commisioner Melissa Bynum	_____
Commisioner Mike Kate	_____
Latessa Cole	_____
Luthaniel Cole	_____
CountryClub Homes LLC	_____
First Mortgage Solutions LLC	_____
Golden Belt Bank FSA	_____
Nkau Her	_____
Homeservices Lending	_____
Michael King	_____
Sherrie King	_____
Robert Lavelle	_____
Billie Leonard	_____
Solomon Lo	_____
Harry McKelvy	_____
Christopher Morales	_____
Crystal Morales	_____
North American	_____
Rick & Cynthia Johnson Revocable Living	_____
TBD Glenn Eagles LLC	_____
Carol Unruh-Lavelle	<i>Carol Unruh</i>
Cristen Ryman	<i>Cristen Ryman</i>
Kate Lynch	<i>Kate Lynch</i>
Janet Parker	_____

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandotte) SS:

Comes now Crista Ryman/Kate Lynch of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-17402-00077
2. That I conducted a neighborhood meeting on Dec 28, 2017.
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.

Crista Ryman & Kathleen McEl
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29th day of December, 2017.

My commission expires 12/9/2020, 200.



Diana Lopez
Notary Public



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: January 25, 2018
Re: Change of Zone #3156 and #SP-2018-10

GENERAL INFORMATION

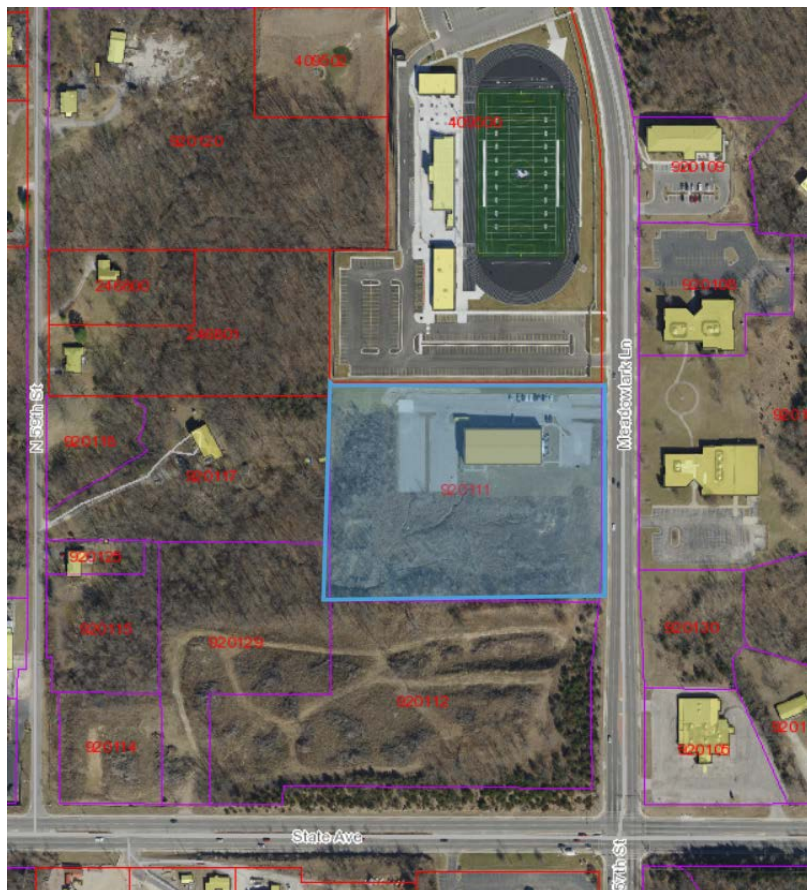
Applicant:
John Freshnock

Status of Applicant:
Representative
WSKF Architects, INC.
756 Minnesota Avenue
Kansas City, Kansas

Requested Action:
Change of Zone from CP-0
Planned Non-Retail Business
District to CP-3 Planned
General Commercial District
and Special Use Permit for
automotive related uses

Date of Application:
November 27, 2017

Purpose:
To obtain approval for a
change of zone to CP-3 to use



the property for a variety of commercial purposes, including automotive related uses.

Property Location: 1300 Meadowlark Lane

Existing Zoning: CP-0 Planned Non-Retail Business District

Surrounding Zoning:	North:	RP-1 Planned Single Family District
	South:	RP-5 Planned Apartment District
	East:	CP-0 Planned Non-Retail Business District
	West:	RP-5 Planned Apartment District

Existing Uses:	North:	Schlagle High School
	South:	Undeveloped
	East:	Commercial
	West:	Single family homes

Total Tract Size: 7.03 acres

Master Plan Designation: The City-Wide Master Plan designates this property for public/semi-public use.

Major Street Plan: Meadowlark Lane is a designated Class B Thoroughfare.

Advertisement: The Wyandotte Echo – December 14, 2017
Letters to Property Owners – December 14, 2017 and January 18, 2018

Public Hearings: January 8, 2018 and January 25, 2018

Public Opposition: No one appeared in opposition at the January 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Mr. Freshnock is seeking a rezoning to CP-3 for the site to be used by the Housing Authority for the following uses: administrative offices, warehouse of parts and appliances, appliance repair, carpentry shop, materials storage, minor auto repair and maintenance, interior vehicle loading and unloading, and night storage of fleet vehicles inside the building. The automotive related uses are subject to the Special Use Permit for which the applicant is also seeking approval.

City Ordinance Requirements: Article XXII Sections 27-1001 – 27-1419 and Article XXI Sections 27-501 - 27-1000

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

This area is a mix of residential, office, and educational uses.

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

Though this area does have a fair amount of commercial uses, this would be the most intense commercial operation in the area. If the operation is conducted exclusively indoors, it may 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?*

This is not foreseen to be an issue.

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

This property is not currently occupied, but has more recently been used as a church and basketball practice space.

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

This use is not necessary for the public, though having the building occupied is a positive thing for the community.

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

The proposed uses will likely increase traffic to the site, however, staff feels there is enough available parking to facilitate this demand.

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

This change would be in conformance with the Master Plan.

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

This is not foreseen to be an issue.

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

a. *Water service*

Existing

b. *Sanitary sewer service*

Existing

c. *Storm water control*

Existing

d. *Police*

Police service is provided by Police District #441

e. *Fire*

Fire service is provided by District #4

f. *Schools*

Kansas City, Kansas USD 500

g. *Streets*

See item #6 above

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

The proposed use would likely increase the tax revenue for the site.

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

The proposed use is expected to meet applicable ordinance requirements.

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

It could be argued that increased economic activity would be a gain for the community.

13. 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.

All work is to occur within the building, if done so, noise, illumination, vibration, and dust should not be an issue.

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

If any fluid spills are contained and cleaned up quickly, the proposed use will not pollute the land or water.

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

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

16. 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. If this application is denied, the applicant will have to find an alternate location and apply for another special use permit.

17. 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.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 19, 2017; no one attended.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application #3156 and Special Use Permit Application #SP-2018-10, subject to:

Urban Planning and Land Use Comments:

The following stipulations shall apply:

- 1. Remove existing foam and plastic stone from original building**
- 2. Replace wainscot with real brick**

3. Paint metal panel above wainscot on existing building to match new building
4. Any signage must comply with the sign code and be permitted through the Urban Planning and Land Use Department.
5. Approval would be for two (2) years for the special use permit

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) The storm drainage study shall be PE sealed and shall evaluate the release rates for the proposed detention facility, all in accordance with UG standards and criteria.
 - 2) The plans shall indicate that the existing site conditions, including highly eroded areas, failed rip-rap locations, etc., will be addressed and brought into compliance with current UG standards and criteria.
 - 3) Final development plans shall include final engineering, calculations, studies, and complete construction level drawings with construction notes and details, in accordance with UG standards and criteria and shall be reviewed and approved by UG prior to being placed on the Planning Commission agenda.
- 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 concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of **Petition #3156** and **Petition #SP-2017-10** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

January 8, 2018 City Planning Commission Minutes
Zoning Map
Aerial photo
Photo of structure at present
Proposed plans

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	January 8, 2018	January 25, 2018
Rezoning	Approval	
Special Use Permit	January 8, 2018	January 25, 2018
	Approval	

STAFF CONTACT: **Jamie Hickey**
 jhickey@wycokck.org

MOTIONS

Change of Zone:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**3156** 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 #**3156**, 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.

Special Use Permit:

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-10** 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-2018-10**, 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.

JANUARY 8, 2018 CITY PLANNING COMMISSION MINUTES:

CHANGE OF ZONE APPLICATION #3156 – JOHN FRESHNOCK WITH WSKF ARCHITECTS – SYNOPSIS: Change of Zone from CP-O Planned Non-Retail Business District to C-3 Commercial District for offices, warehouse of parts and appliances, appliance repair, carpentry shop and materials storage, minor auto repair/maintenance and night storage of vehicles inside the building at 1300 Meadowlark Lane.

SPECIAL USE PERMIT APPLICATION #SP-2018-10 – JOHN FRESHNOCK WITH WSKF ARCHITECTS – SYNOPSIS: Special Use Permit for offices, warehouse of parts and appliances, appliance repair, carpentry shop and materials storage, minor auto repair/maintenance, and night storage of vehicles inside the building at 1300 Meadowlark Lane.

Detailed Outline of Requested Action: Mr. Freshnock is seeking a rezoning to CP-3 for the site to be used by the Housing Authority for the following uses: administrative offices, warehouse of parts and appliances, appliance repair, carpentry shop, materials storage, minor auto repair and maintenance, interior vehicle loading and unloading, and night storage of fleet vehicles inside the building. The automotive related uses are subject to the Special Use Permit for which the applicant is also seeking approval.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated January 8, 2018;
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 December 14, 2017; and
7. The Notices to property owners dated December 14, 2017.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Chairman Huey recused herself from the hearing at 6:55 p.m. as she was aware of this application as she has a family member that works for the Housing Authority. Vice Chairman Carson assumed the chairmanship.

Present in Support:

- ❖ John Freshnock, WSKF Architects, representing the applicant, 756 Minnesota Avenue, Kansas City, Kansas 66101

Present in Opposition:

❖ No one appeared

Staff Recommendation Starts: 31.26 Planning Director Richardson stated that when the applicant talked about the failure of the stormwater system this original plan allowed the water to flow over land and not be piped to the detention basin. What happened over time was that the water changed the course so instead of coming in the detention basin it started flowing the other direction and off the property. They are going to re-pipe that and fix that situation. For the Commission's information that is one of the reasons that staff requests that water be piped to the detention basin and not flow over land because it does change directions and then there are unhappy neighbors. The staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts: 32.45

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application #3156 as follows:**

Carson	Chairman
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Not Present
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

Urban Planning and Land Use Comments:

The following stipulations shall apply:

- 1. Remove existing foam and plastic stone from original building**
- 2. Replace wainscot with real brick**
- 3. Paint metal panel above wainscot on existing building to match new building**
- 4. Any signage must comply with the sign code and be permitted through the Urban Planning and Land Use Department.**
- 5. Approval would be for two (2) years for the special use permit**

Public Works Comments:

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

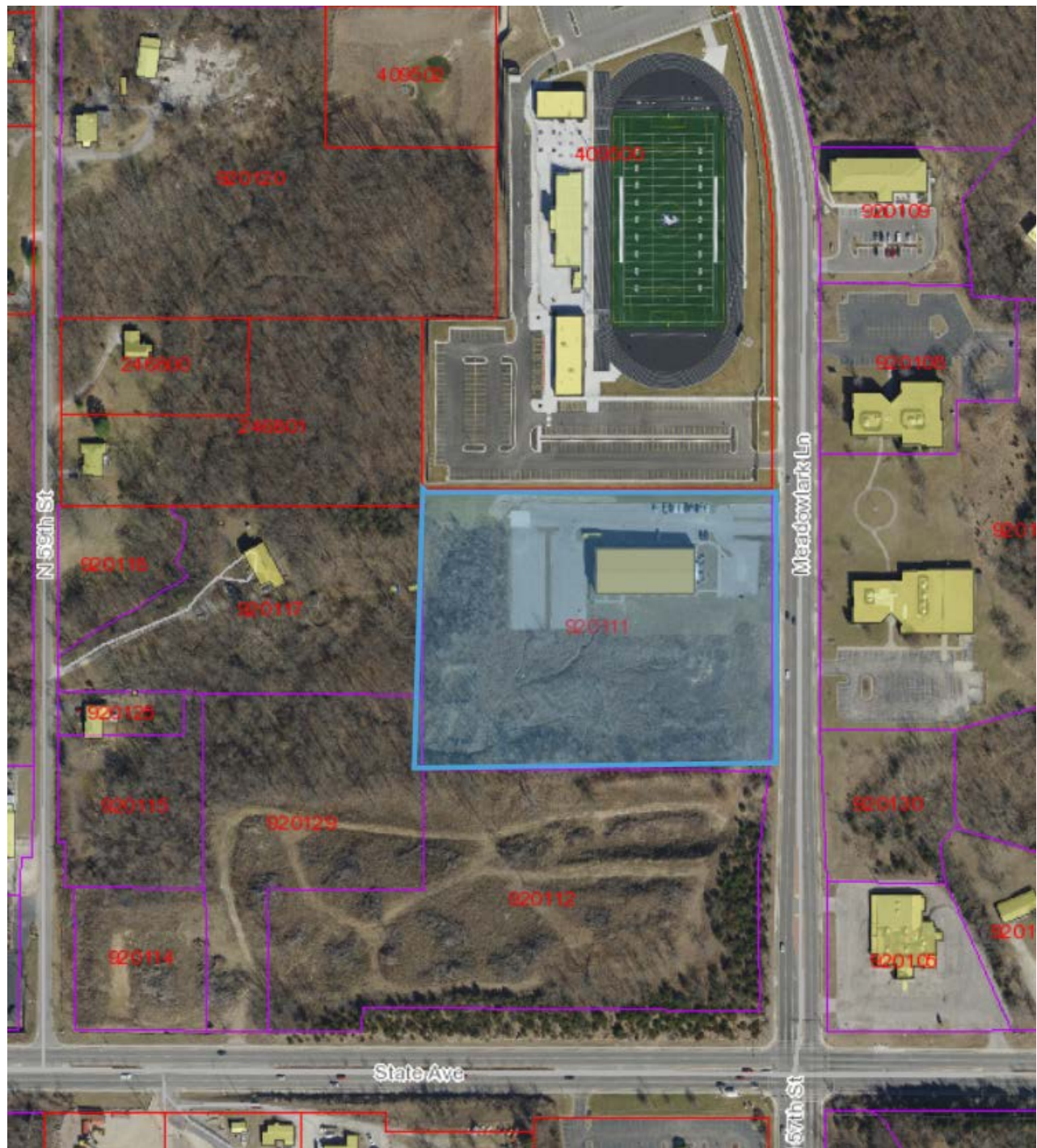
- 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) The storm drainage study shall be PE sealed and shall evaluate the release rates for the proposed detention facility, all in accordance with UG standards and criteria.
 - 2) The plans shall indicate that the existing site conditions, including highly eroded areas, failed rip-rap locations, etc., will be addressed and brought into compliance with current UG standards and criteria.
 - 3) Final development plans shall include final engineering, calculations, studies, and complete construction level drawings with construction notes and details, in accordance with UG standards and criteria and shall be reviewed and approved by UG prior to being placed on the Planning Commission agenda.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-10 as follows:**

Carson	Chairman
Childress	Not Present
Connelly	Aye
Ernst	Aye
Gonzalez	Not Present
Huey	Not Present
Jones	Aye
Mose	Not Present
Pauley	Aye
Rank	Not Present
Serda	Aye

Motion to RECOMMEND APPROVAL Passed: 5 to 0
Subject to the above stipulations.

Chairman Huey rejoined the Commission and assumed the chairmanship at 7:05 p.m.



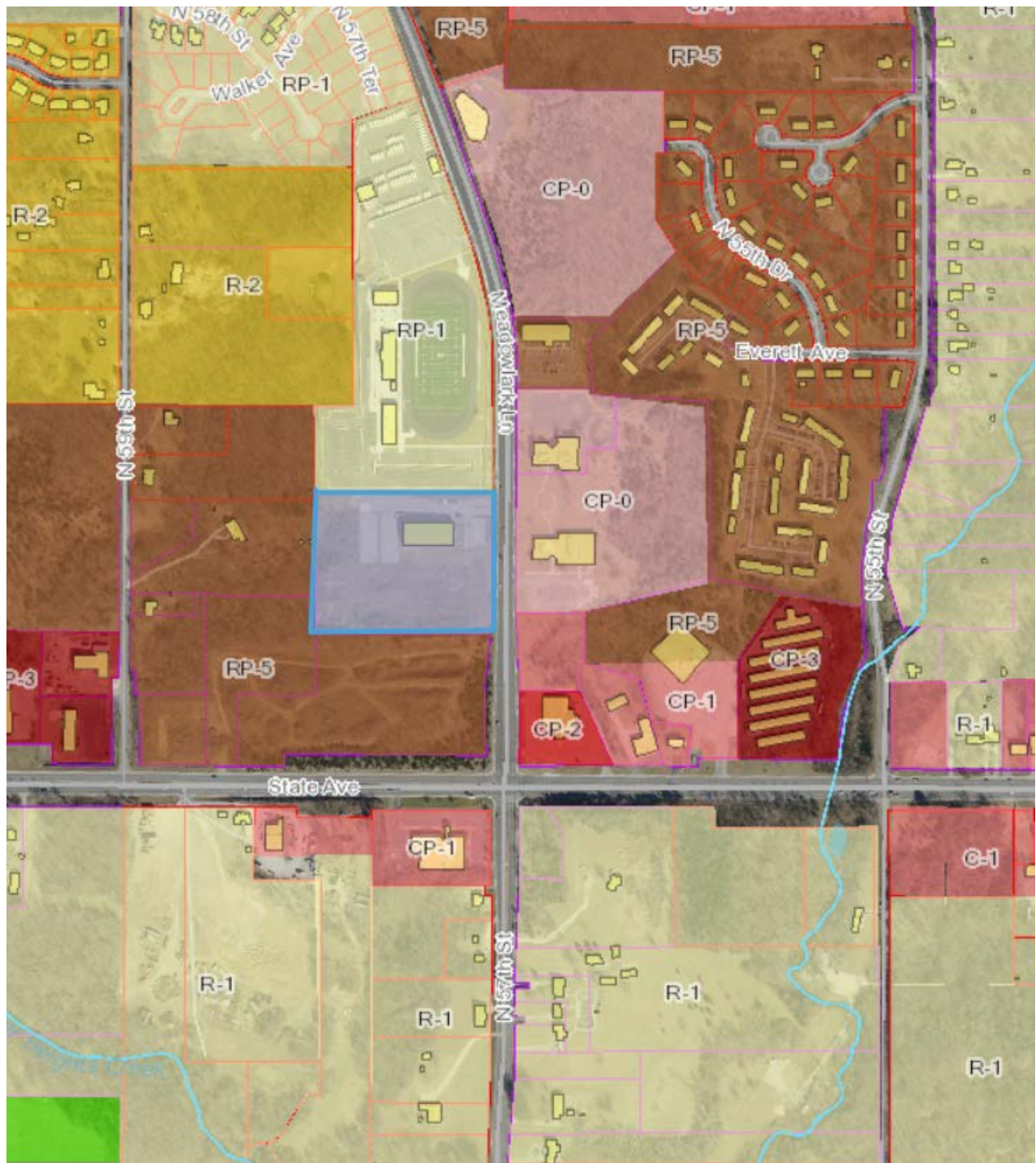


Image via Google Street View (November 2016)

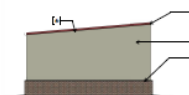




STORAGE - NORTH ELEVATION
1/8" = 1'-0"



STORAGE - WEST ELEVATION
1/8" = 1'-0"



STORAGE - EAST ELEVATION
1/8" = 1'-0"



STORAGE - SOUTH ELEVATION
1/8" = 1'-0"

GENERAL NOTES:

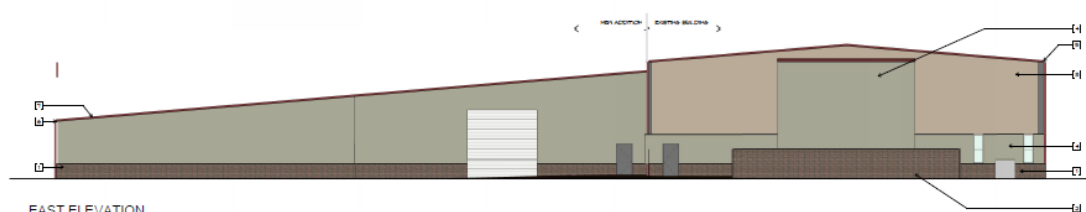
- CONSTRUCTION SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND SPACING OF EXISTING AND PROPOSED STRUCTURE. ALL DIMENSIONS SHALL BE SHOWN ON DRAWINGS AND SHALL BE SHOWN ON THE FLOOR PLAN OF THE PROJECT.
- EXISTING AND PROPOSED MATERIALS SHALL BE SHOWN ON THE FLOOR PLAN OF THE PROJECT.
- EXISTING AND PROPOSED MATERIALS SHALL BE SHOWN ON THE FLOOR PLAN OF THE PROJECT.
- EXISTING AND PROPOSED MATERIALS SHALL BE SHOWN ON THE FLOOR PLAN OF THE PROJECT.
- EXISTING AND PROPOSED MATERIALS SHALL BE SHOWN ON THE FLOOR PLAN OF THE PROJECT.

ELEVATION NOTES:

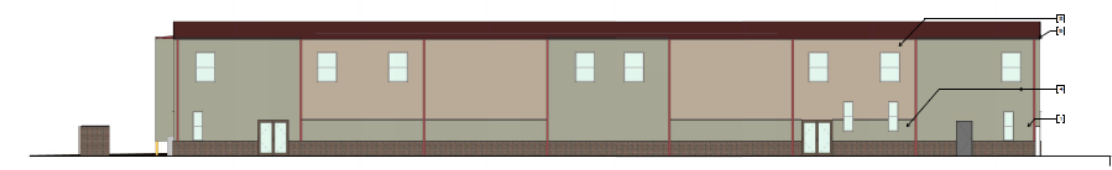
- EXISTING METAL PANEL
- EXISTING STUCCO PANEL
- EXISTING COATED METAL PANEL
- EXISTING BRICK & MORTAR
- EXISTING BRICK & MORTAR
- EXISTING BRICK & MORTAR

JOB NUMBER: 17087
ISSUE DATE: 12/20/2017
REVISIONS:

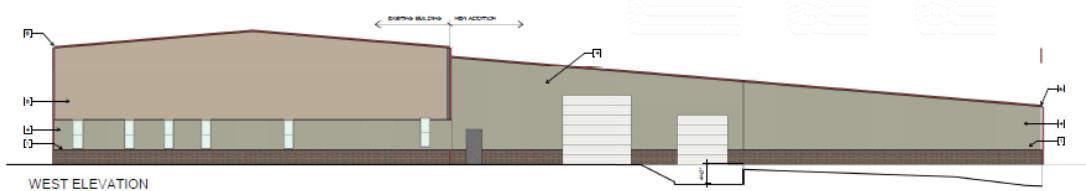
ARCHITECT: Williams Spurgeon Kuhl & Freshnack
DATE: 12/20/2017
PROJECT: Warehouse
LOCATION: 1300 Meadowlark Ln, Kansas City, KS 66102



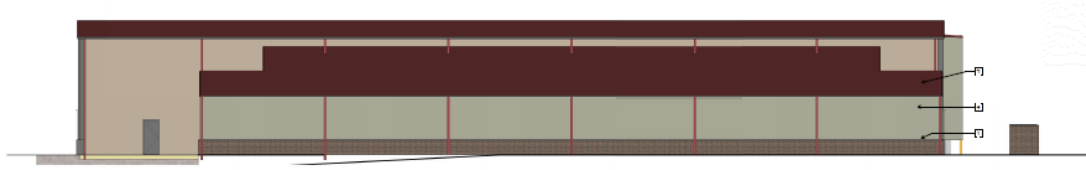
EAST ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"

Material Palette



Existing Metal Panel

New Stucco Coated Panel

New Brick Wainscott

Williams Spurgeon Kuhl & Freshnack
ARCHITECTS, INC.

Warehouse
1300 Meadowlark Ln.
Kansas City, KS 66102

756 Minnesota Ave. Kansas City, Kansas 66101
Tel. 913.287.1900 Fax 816.300.4102

JOB NO: 17087
PAGE: 14
DATE: 12/20/2017
ARCHITECTS: Williams Spurgeon Kuhl & Freshnack, Inc. © 2017





**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

January 18, 2018

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for: NEW BETHEL CHURCH

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of NEW BETHEL CHURCH, located at 7st Traffic way & New Jersey Drive being developed by The New Bethel Church.

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
PS, CPM

Digitally signed by Brent E. Thompson PS, CPM
DN: cn=Brent E. Thompson PS, CPM,
o=Unified Government, ou=Public Works,
email=bthompson@wyockck.org, c=US
Date: 2018.01.18 12:47:53 -06'00'

Brent E. Thompson, PS., CPM
Director of Engineering
/County Surveyor

Troy Shaw

Digitally signed by Troy Shaw
Date: 2018.01.19 13:40:21
-06'00'

Troy Shaw, P.E.
County Engineer

Attachments

FILED
JAN 28 2018
UNIFIED GOVERNMENT CLERK



Staff Request for Commission Action

Tracking No. 1861

Full Commission Meeting Date: 1/25/18

Committee:

Date of Standing Committee Action: NA
(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>
01/18/2018	Emerick Cross	x6784	ecross@wycokck.org	Commission Liaison

Item Description:

Nominations for Boards and Commissions:

Ashley M. Searcy, Landmarks Commission, 1/25/18 to 3/31/20, submitted by Commissioner Johnson

Jim Jarsulic, Library Board, 1/25/18 to 3/31/20, submitted by Commissioner Markley

Judy Anderson, Library Board, 1/25/18 to 3/31/22, submitted by Commissioner Walters

Bob Frey, Housing Authority Advisory Board, 1/25/18 to 3/31/22, submitted by Commissioner Walters

Greg Ottinger, Self-Supported Municipal Improvement Board, 1/25/18 to 3/31/22, submitted by Commissioner Walters

Bob Hughes, Self-Supported Municipal Improvement Board, 1/25/18 to 3/31/22, submitted by Commissioner Philbrook

Terry Brockman, Law Enforcement Advisory Board, 1/25/18 to 6/30/20, submitted by Sheriff Ash

Action Requested:

For approval

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



Suite 323
Kansas City, Kansas 66101-3070

Unified Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: January 11, 2018

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.

mbb

Attachment

1. CONTRACT:

BRB Contractors, Inc., for FID Force Main Improvements and Conditions Assessment of Force Mains, Project No. 6182, \$6,167,850.

Action: Approved by County Administrator and received and filed.

2. COMMUNICATION:

Richard Mikesic, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Issue Date</u>	<u>Amount</u>	<u>Fund</u>	<u>Reason</u>	<u>Vendor</u>
823268	9/21/2017	\$ 125.00	110	Other	SW KS EMS
824226	10/20/2017	\$ 58.50	160	Duplicate	Jims Lock
824236	10/20/2017	\$ 68.00	110	Error	Lawson, G
824571	10/27/2017	\$ 34.08	631	Other	White, B
824665	10/27/2017	\$ 787.46	701	Duplicate	Larson & Assoc
824914	11/3/2017	\$ 10.00	160	Other	Shelby, E
824915	11/3/2017	\$ 10.00	160	Other	Shelby, E
825644	11/17/2017	\$ 320.00	160	Overpayment	Dr. Hartman
826653	12/1/2017	\$ 10.00	241	Duplicate	DCF

Action: Received and filed.

3. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 9, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Matthew A Andrews	Police/Operations	1/4/18	Patrolman III
Martin Cervantes Jr	Police/Operations	1/4/18	Patrolman III
Edgar Estrada	Police/Operations	1/4/18	Patrolman III
Tyler W Garrison	Police/Operations	1/4/18	Patrolman I
Drew D Kelley	Police/Operations	1/4/18	Patrolman III
Phillip J Mathis	Police/Operations	1/4/18	Patrolman I
Kyle J McAvoy	Police/Operations	1/4/18	Patrolman III
Joshua L Schleicher	Police/Operations	1/4/18	Patrolman III
Daneil R Vance	Police/Operations	1/4/18	Patrolman I
Mattilyn K Wiesing	Police/Operations	1/4/18	Patrolman III

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Danica A Baird	Sheriff/Admin	1/11/18	Deputy	Deputy/ORU
Chad M Erwin	Sheriff/Detention	1/11/18	Deputy	Sergeant
Christina S Hopkins	Sheriff/Detention	1/11/18	Deputy	Deputy
Wayne A Hopkins	Sheriff/Tag Enforc.	1/11/18	Deputy	Deputy
Michael D Moorman II	Sheriff/Admin	1/1/18	Deputy/ORU	Deputy
Paul C Panjada	Sheriff/Detention	1/11/18	Deputy	Deputy
Noemi Reliford	Police/Operations	1/4/18	Pub Safety Dispatcher	Patrolman III

Section III - Separation

Name	Department/Division	Eff. Date	Job Title
Sergio Loeza-Espinoza Jr	Sheriff/Admin	12/20/17	Deputy

Section IV - Leave of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Dakota L Stuart	PW/WPC	12/23/17	1/16/18	Unpaid Leave

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Ryan M Fincher	Police/Operations	1/2/18	Master Detective
Mayra Koenig	Appraiser's Office	12/29/17	Appraiser
Guadalupe F Mendoza	Parks and Rec	11/4/17	Caretaker
Eleal K Moreno	Police/Services	9/22/17	Pub Safety Dispatcher
Rane M Stone	PW/Fleet	1/13/18	Fleet Maint Tech II
Jack Xiong	PW/Engineering	7/1/17	Eng Support Supervisor

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Rollin F Sachs	Health/Air Quality	Out of class pay effective 1/14/18
Mary R Peters	Police/Services	ACD code change effective 1/4/18
Jay M Doleshal	Police/Admin	ACD code change effective 1/4/18
Douglas A Bailey	Police/Services	ACD code change effective 1/4/18

Action: Received and filed. Copy previously forwarded to Payroll.

4. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 11, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
David G Alvey	Mayor's Office	1/8/18	Mayor-CEO
Nicholas R Chaney	Sheriff/Juvenile	1/11/18	Juv Care Worker I
Colin D Duffy	Legislative Auditor	1/11/18	Auditor
Travis W Lanter	Health/Emerg Prep	1/11/18	Program Coordinator
Linda K Melton	Mayor's Office	1/9/18	Exec Coord to Mayor
Wenona-Katherine A Richey	Police/Operations	1/11/18	Animal Control Officer
Juliann J VanLiew	Health/Admin	1/11/18	Program Coordinator

Section II-Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Jodi L Pederson	Police/Operations	1/11/18	Animal Control Officer	Prog Tech II

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Ryan D Alderson	Parks and Rec	12/15/17	Groundskeeper I
Jason C Garrett	Fire/Suppression	12/26/17	Firefighter MICT I
Harold T Walker	Commissions Office	1/7/18	Commissioner

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
David A Clark	PW/Engineering	1/4/18	Project Engineer
Shauntyle L Maple	Police/Services	1/13/18	Office Assistant III

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
James M Letecher	Fire/Suppression	ACD code change effective 1/4/18
Christina VanCleave	Health	ACD code change effective 1/11/18

Action: Received and filed. Copy previously forwarded to Payroll.

5. SUMMONS:

Brenda A. Fears vs. Unified Government of WYCO, Case No. 17-2668 KHV/TJJ.

Piccolia Smith vs. Board of County Commissioners of the County of Wyandotte, Case No. 2017-CV-001044.

Action: Received and filed. Copies previously forwarded to Legal.

6. TRAVEL REQUESTS:

Jeff Anderson, Chad Moodberry and Kent Ragland, WPC/Sewer Maintenance, travel to San Antonio, TX, February 20 – 24, 2018, to attend the AWWA/WEF Utility Management Conference, Sewer System Fund.

Jay Doleshal, Police/Chief's Office/ DPD, travel to Cleveland, OH, January 21 – 26, 2018, to attend Protecting "At Risk" Personnel Conference, Employee Training & Travel.

Angela Joyce, Narcotics, travel to Las Vegas, NV, April 8 – 13, 2018, to attend the Narcotics Supervisors Training Seminar, Employee Training & Travel.

Merle McCullough, Public Works/Fleet Services, travel to Anaheim CA, April 23 – 27, 2018, to attend the NAFA Institute & EXPO, Employee Training & Travel.

John Peterson, Fire Department/Admin., travel to Ridgedale, MO, February 22 – 25, 2018, to attend the Chief Officer and Company Officer Seminar, Employee Training & Travel.

James M. Zeeb, Fire/Training/Fire Training, travel to Baltimore, MD, June 6 – 11, 2018, to attend the IAFC Haz Mat Conference, Employee Training & Travel.

Action: Approved by the Administrator's Office and received and filed.



Suite 323
Kansas City, Kansas 66101-3070

Unified Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: January 18, 2018

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.

cg

Attachment

1. REPORT:

Financial report for the Self-Supporting Municipal District/Downtown Improvement District (SSMID) for the month of December 2018.

Action: Received and filed.

2. PUBLIC NOTICE:

Alandon Tow, 6224 Kansas Avenue, held a public auto auction on January 9, 2018 at 10:00 a.m.

Action: Received and filed.

3. COMMUNICATION:

Richard Mikesic, Accounting Manager, regarding a warrant cancellation:

<u>Warrant #</u>	<u>Issue Date</u>	<u>Amount</u>	<u>Fund</u>	<u>Reason</u>	<u>Vendor</u>	<u>Reissue Date</u>
823042	9/29/2017	\$ 22.84	160	Stale Dated	Fee, S	1/19/2018

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 16, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Tommy L Burroughs	Commission	1/8/18	Commissioner
Jared R Johnstone	Police	1/4/18	Patrolman III

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Omar H Abdi	Police	1/4/18	Deputy	Patrolman III
Devin T Baird	Sheriff/Detention	1/11/18	Deputy	Deputy
Andrew J Collins	Sheriff/Detention	1/11/18	Deputy	Deputy
Louis V Goins	Police	1/4/18	Deputy	Patrolman III
Shayne T Henre	Sheriff/Detention	1/11/18	Deputy	Deputy
Jeffrey S Johnson	Sheriff.Admin	1/11/18	Deputy	Deputy
Harry Keith Jr	Sheriff.Admin	1/11/18	Deputy	Deputy
Andrew C O'Neal	Sheriff.Admin	1/11/18	Deputy	Deputy
Michael A Peterson	Finance/Budget	12/14/17	Asst Budget Manager	Asst Budget Manager
James R.E. Shepherd	Police	1/4/17	Mgt Analyst	Patrolman III

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
David A Clark	PW/Engineering	Amend PAC 1/11/18 to reflect change in rg/stp effective 1/4/18
Kimberly Coby	Aging	ACD code change effective 1/2/18
Bridget E Doty	Aging	ACD code change effective 1/2/18
Emma Fonseca	Aging	ACD code change effective 1/2/18
Rik Van Dyke	Aging	ACD code change effective 1/2/18
Janice L Williams	Aging	ACD code change effective 1/2/18
Catina Willis	Aging	ACD code change effective 1/2/18

Action: Received and filed. Copy previously forwarded to Payroll.

5. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 18, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Tyler L. Blevins	PW/WPC	1/25/18	Staff Engineer
Mason A Herrman	Urban Planning	1/11/18	Intern

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Scott Banister	PW/WPC	1/11/18	Construction Worker I	Construction Worker/Welder
Sharon L Douglas	Police/Comm	1/4/18	Public Safety Dispatcher	Lead Dispatcher
Michael A Hughes	PW/WPC	1/11/18	Sewer Maint Worker I	Office Asst III
Anthony O Lee Jr.	Health	1/11/18	Disease Intervention Spec	Prog Coordinator
Keith A Slowter	Comm Corr/Juv	1/11/18	Juv Care Worker I	ISO
Wade D Smith	Police	1/4/18	Police Sergeant	Police Sergeant
John W Stewart III	PW/Fleet	1/11/18	Fleet Maint Tech I	Fleet Maint Tech II-H
James M Vogel	Police	1/4/18	Police Sergeant	Police Sergeant

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Paula M Ledgerwood	Fire/Comm	1/12/18	Fire Dispatcher
Sofia Navarro	Health	1/2/18	Nurse Practitioner General Maint
Antonio S Taylor	PW/WPC	1/10/18	Worker
Nathan J Wichman	Emer Mgt	12/28/17	Intern

Section IV - Leave of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Iris P Heriford	Sheriff/Juv	1/4/18	2/7/18	Unpaid

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Chad Adams	Fire	ACD code change effective 1/1/18
Dylan Alexander	Fire	ACD code change effective 1/1/18
Vincent Alonzo	Fire	ACD code change effective 1/1/18
Darius Anderson	Fire	ACD code change effective 1/1/18
Jeffrey Axe	Fire	ACD code change effective 1/1/18
Lars Bernstrom	Fire	ACD code change effective 1/1/18
Zachary Brown	Police	ACD code change effective 1/1/18
Sean Colles	Fire	ACD code change effective 1/1/18
Kyle Cook	Fire	ACD code change effective 1/1/18
Jacob Esparza-Hoskins	Fire	ACD code change effective 1/1/18
Tyler Freeman	Police	ACD code change effective 1/1/18
Derrian Goldsmith	Fire	ACD code change effective 1/1/18
Markas Gonzales	Fire	ACD code change effective 1/1/18
John Harris	Fire	ACD code change effective 1/1/18
Eric Heim	Fire	ACD code change effective 1/1/18
Chanse Henre	Police	ACD code change effective 1/1/18
Jordan Hill	Police	ACD code change effective 1/1/18
Anthony Johnson Jr	Police	ACD code change effective 1/1/18
Chad Kampfer	Fire	ACD code change effective 1/1/18
Courtney Keegan	Fire	ACD code change effective 1/1/18
Jason Kimm	Fire	ACD code change effective 1/1/18
Anne Lindsey	Fire	ACD code change effective 1/1/18
Lisa Lister	Fire	ACD code change effective 1/1/18
Andrew Lopez	Fire	ACD code change effective 1/1/18
Alex McGinnis	Fire	ACD code change effective 1/1/18
Nicholas Meador	Fire	ACD code change effective 1/1/18
Megan Miller	Fire	ACD code change effective 1/1/18
Deron Moore	Fire	ACD code change effective 1/1/18
Thomas Morris	Police	ACD code change effective 1/1/18
Cody Munoz	Fire	ACD code change effective 1/1/18
Christopher Novak	Fire	ACD code change effective 1/1/18
James Perkins	Fire	ACD code change effective 1/1/18
Thomas Porter	Fire	ACD code change effective 1/1/18
Marcos Ramirez	Fire	ACD code change effective 1/1/18
Joshua Robinson	Economic Develop.	ACD code change and division change to economic development eff 1/2/18
Brian Romo-Flores	Fire	ACD code change effective 1/1/18
Joseph Rowden	Fire	ACD code change effective 1/1/18
Nathan Russell	Fire	ACD code change effective 1/1/18
Tony Schreck	Fire	ACD code change effective 1/1/18
Jackson Selby	Fire	ACD code change effective 1/1/18

Brian Shuker	Fire	ACD code change effective 1/1/18
Brandon Simpson	Fire	ACD code change effective 1/1/18
Jacob Swinney	Fire	ACD code change effective 1/1/18
Yeng Vang	Police	ACD code change effective 1/1/18
Conrad Vega III	Fire	ACD code change effective 1/1/18
Carrie Willimon	Fire	ACD code change effective 1/1/18
David Wilson	Fire	ACD code change effective 1/1/18
Hue Yang	Fire	ACD code change effective 1/1/18

Action: Received and filed. Copy previously forwarded to Payroll.

6. CLAIMS FOR DAMAGES:

James Brewster, Great West Casualty Company, PO Box 94, South Sioux City, NE, alleging their insurer, Core Carrier Corporation, 1020 Sunshine Road, had two of their semi-trucks struck and burned by fallen BPU power lines.

Shirley Lopez, 5754 Greeley Ave., through David Duckers, Attorney, 748 Ann Ave., alleging damages to real estate she owns at 1228 Rowland Ave., resulting from actions of the BPU.

Action: Received and filed. Copies previously forwarded to Legal and BPU.

7. TRAVEL REQUESTS:

Robert Allen, Fire Dept., travel to Oklahoma, Jan. 6 – 9, 2018, to serve as an honor guard at a funeral, Employee Training & Travel.

Brandon Farrell, Fire Dept., travel to Oklahoma, Jan. 8, 2018, to serve as a bagpiper at a funeral, Employee Training & Travel.

Spencer Stein, Fire Dept., travel to Dewey, OK, Jan. 8, 2018, to serve as an honor guard at a funeral, Employee Training & Travel.

Tyrone Garner, Police/Services Bureau, travel to Hollywood, FL, July 27 – Aug. 1, 2018, to attend the 2018 42nd Annual Training Conference & Exhibit-NOBLE, SLETF.

Raymond Nuñez, Operations Bureau/Community Support Division/VCTF, travel to Berryton, KS, Jan. 22 – 23, 2018, to attend Blue Courage leadership development workshop, Employee Training & Travel.

Nancy Sanchez, Health/PHS/WIC, travel to Washington, DC, Feb. 26 – Mar. 2, 2018, to attend the NWA Quarterly Board Meeting, State funded.

Action: Approved by County Administrator's Office and received and filed.



Board of Commissioners

701 N. 7th Street, Room 979
Kansas City, Kansas 66101
Phone: (913) 573-5040
Fax: (913) 573-5050

Melissa A. Bynum, At-Large, District 1
Tom Burroughs, At-Large, District 2
Gayle E. Townsend, District 1
Dr. Brian McKiernan, District 2
Ann Brandau-Murguia, District 3

Harold L. Johnson, Jr., District 4
Mike T. Kane, District 5
Angela Robinson-Markley, District 6
Jim Walters, District 7
Jane Winkler Philbrook, District 8

MEMORANDUM

TO: Mayor/CEO David Alvey
Board of Commissioners

FROM: Commissioner Harold Johnson

DATE: January 17, 2018

SUBJECT: REQUEST TO TRAVEL

In accordance with Unified Government Rules and Procedures Travel Policy, Section 801 and 802, I submit my request for permission to travel to Dallas, TX, to attend the Public-Private Partnership Conference & Expo.

I hereby ask that this request be placed before the Board of Commissioners on the Thursday, January 25, 2018 agenda.

Board approval is respectfully requested.

HJ/DJ

cc: Doug Bach, County Administrator
Bridgette Cobbins, County Clerk
Thomas L. Wiss, Legislative Auditor