

UPDATE
APRIL 5, 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 GEORGE KEMPER, EBENEZER MINISTRIES**
- IV. PLEDGE OF ALLEGIANCE**
- V. MAYOR'S AGENDA**
- VI. REVISIONS TO THURSDAY, APRIL 5, 2018 AGENDA**
BLUE SHEET – REGULAR CONSENT AGENDA
No. 4 – Nominations to Boards and Commissions: Housing Authority Board, Matt Watkins, 4/5/18 to 3/31/22, submitted by Commissioner Walters
- VII. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)
- VIII. PLANNING AND ZONING CONSENT AGENDA**
- IX. PLANNING AND ZONING NON-CONSENT AGENDA**
- X. REGULAR CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. ADMINISTRATOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

SERGEANT-AT-ARMS: MAJOR RANCE QUINN

V. MAYOR'S AGENDA

1. **APPEARANCE: REBECCA MEDITZ**

Synopsis: Appearance of Rebecca Meditz, President, Wyandotte County Historical Society, to present a Certificate of Meritorious Service to Commissioner Bynum.

Tracking #: 18202

PLANNING AGENDA

VIII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. **#3158 - MARC MOSER**

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District and R-1 Single Family District to A-G Agriculture District in order to split lots to build a house (R-1 property) and have cattle (A-G property) at 9410 Hurrelbrink Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18182

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2018-20 - JOHN L. ROSS, JR.**

Synopsis: Special Use Permit for an AIRBNB at 4164 State Line Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 18184

2. **#SP-2018-21 - TYLER G. HARNETT**

Synopsis: Special Use Permit for an AIRBNB at 4521 Cambridge Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 18185

3. **#SP-2018-22 - CYNTHIA PESSELATO**

Synopsis: Home Occupation Special Use Permit for an AIRBNB at 3107 South 7th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18186

4. **#SP-2018-23 - DANIEL BAUER**

Synopsis: Special Use Permit for a farm winery (Kaw Point Meadery) specializing in the production of mead or honey wine at 613 North 6th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18187

5. #SP-2018-25 - JOAN SHEARER WITH CIDER HILL FAMILY ORCHARD

Synopsis: Renewal of a Special Use Permit (#SP-2013-15) for a bed and breakfast, event barn, and u-pick apple orchard at 3341 North 139th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 15 YEARS**)

Tracking #: 18177

6. #SP-2018-26 - CACHAULO VAN LAANEN

Synopsis: Special Use Permit for an AIRBNB at 4440 Cambridge Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 1 YEAR**)

Tracking #: 18188

7. #SP-2018-27 - CAROLYN TOBABEN WITH VOX THEATRE, LLC

Synopsis: Renewal of a Special Use Permit for an event center (change in ownership) at 1405 Southwest Boulevard, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 10 YEARS**)

Tracking #: 18178

8. #SP-2018-28 - TIM CONRAD WITH PIPER USD 203

Synopsis: Renewal of a Special Use Permit (#SP-2016-29) for a modular classroom for Piper Middle School at 4420 North 107th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 18179

9. #SP-2018-29 - LJUPKA SCHWANTES

Synopsis: Special Use Permit for an AIRBNB at 2309 West 45th Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 18189

10. #SP-2018-30 - JENNIFER FINE WITH K-9 CABIN LLC

Synopsis: Renewal of a Special Use Permit (#SP-2016-3) for a doggie day care and boarding operation at 4001 North 74th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 18180

11. #SP-2018-31 - TARYN GLIDEWELL

Synopsis: Home Occupation Special Use Permit for an AIRBNB at 2914 West 44th Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 1 YEAR**)

Tracking #: 18190

12. **#SP-2018-35 - HENRY C. MENDEZ WITH HENRY'S AUTO REPAIR AND TOWING**

Synopsis: Renewal of a Special Use Permit (#SP-2016-22) for auto sales and repair shop at 3402 Gibbs Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18181

13. **#SP-2018-36 - DANA AND PATTI MEIER**

Synopsis: Special Use Permit for an AIRBNB at 3910 Springfield Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 18192

C. PLAN REVIEW APPLICATION

1. **#PR-2018-2 - ROD BROADHURS WITH R&S BUILDERS INC.**

Synopsis: Preliminary and Final Plan Review for an addition and parking lot for an existing dentist office at 6708 State Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18194

D. MISCELLANEOUS

1. **#MP-2018-1 - UG URBAN PLANNING AND LAND USE DEPARTMENT**

Synopsis: Master Plan Amendment for the Rosedale University Town Plan and Fisher Park Development Concept Plan, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18195

2. **Synopsis:** A resolution adopting the Rosedale Master Plan Amendment - Rosedale University Town, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18196

IX. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2018-15 - CASEY BOND**

Synopsis: Home Occupation Special Use Permit for an AIRBNB at 35 South 7th Street Trafficway, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR - 5/1 VOTE)**

Tracking #: 18183

2. **#SP-2018-32 - REGINALD DAVIS FOR EGYPTIAN COBRA**

Synopsis: Special Use Permit for a private club at 2519 Park Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR - 4/1 VOTE)**

Tracking #: 18191

3. **#SP-2018-37 - CHAD BARTLETT WITH HOME REMEDY INVESTMENTS, LLC**

Synopsis: Special Use Permit for an AIRBNB at 4448 Booth Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR - 5/1 VOTE)**

Tracking #: 18193

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR APRIL 5, 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

X. REGULAR CONSENT AGENDA

1. **REQUEST: BLOOMBERG PUBLIC ART GRANT**

Synopsis: Request to apply for the maximum amount of \$1M for a Bloomberg Public Art Grant for a downtown art project and market, submitted by Melissa Sieben, Assistant County Administrator. An undefined match is required.

*On March 19, 2018, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Tracking #: 18137

2. **PLAT: LEGENDS AUTO MALL 4TH PLAT**

Synopsis: Plat of Legends Auto Mall 4th Plat, located at 99th Street and Parallel Parkway, being developed by Car Bax, KS, Par LLC, submitted by Brent Thompson, Director of Engineering/County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 18-1

3. **PLAT: CEDAR PALMS**

Synopsis: Plat of Cedar Palms, located along Hurrelbrink Road, east of 99th Street and west of Wyandotte County Lake, being developed by Mark Moser, submitted by Brent Thompson, Director of Engineering/County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 18198

4. **NOMINATIONS: BOARDS AND COMMISSIONS**

Synopsis: Nominations for Board and Commissions:

Golf Advisory Board, Dan Duncan, 4/5/18 to 3/31/22, submitted by Commissioner Burroughs

Self-Supported Municipal Improvement Board, Jerrell Royal, 4/5/18 to 3/31/20, submitted by Commissioner Markley

Tracking #: 18175

5. **MINUTES**

Synopsis: Minutes from special sessions of March 1 and 7, 2018; and regular session of March 1, 2018.

Tracking #: MINUTES

6. **WEEKLY BUSINESS MATERIAL**

Synopsis: Weekly business material dated March 22 and 29, 2018.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. ADMINISTRATOR'S UPDATE

Synopsis: Administrator's update.

Report will be submitted at the meeting.

For information only.

Tracking #: 18203

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN



Staff Request for Commission Action

Tracking No. 18202

Full Commission Meeting Date: 4/5/18

Committee:

Date of Standing Committee Action: NA (If none, please explain):

Publication Required: No

<u>Date:</u> 03/29/2018	<u>Contact Name:</u> Bridgette Cobbins	<u>Contact Phone:</u> x8039	<u>Contact Email:</u> bcobbins@wycokck.org	<u>Department/Division:</u> Clerk
<u>Item Description:</u> Appearance of Rebecca Meditz, President, Wyandotte County Historical Society, to present a Certificate for Meritorious Service to Commissioner Bynum.				
<u>Action Requested:</u> Presentation				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> 				

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, APRIL 5, 2018**

X. REGULAR CONSENT AGENDA

ADDITIONAL INFORMATION

Item No. 4 – 18175...NOMINATION: BOARDS AND COMMISSIONS

Synopsis: Nominations for Board and Commissions:

Housing Authority Board, Matt Watkins, 4/5/18 to 3/31/22, submitted by Commissioner Walters



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: April 5, 2018
Re: Change of Zone Petition #3158

GENERAL INFORMATION

Applicant:
Marc Moser

Status of Applicant:
Applicant
9410 Hurrelbrink Road
Kansas City, KS 66109

Requested Actions:
Change of Zone from
R-1 Single Family District to A-G
Agriculture District

And

A-G Agriculture District to R-1 Single
Family District

Date of Application:
January 26, 2018

Purpose:
To rezone property and plat three (3) lots to build a single-family home and raise cattle



Property Location: 9410 Hurrelbrink Road

Commission Districts: Commissioner At-Large: Melissa Bynum
District Commissioner: Michael Kane

Existing Zoning: A-G Agriculture and R-1 Single Family Districts

Surrounding Zoning:

North:	A-G Agriculture and R-1 Single Family Districts
South:	A-G Agriculture District
East:	A-G Agriculture and R-1 Single Family Districts
West:	A-G Agriculture District

Existing Uses:

North:	Large lot single family home and Wyandotte County Lake Park
South:	The Woodlands
East:	Large lot single family home and Wyandotte County Lake Park
West:	Large lot single family home

Total Tract Size: 41.58 acres

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

Major Street Plan: The Major Street Plan classifies Hurrelbrink Road as a Parkway

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owners – February 14, 2018 and March 26, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Marc Moser wants to rezone and plat portions of properties along Hurrelbrink Road from R-1 Single Family District to A-G Agriculture District and A-G Agriculture District to R-1 Single Family District to build single family homes, raise cattle and create three (3) residential lots on 41.58 acres.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-245 – 27-339

FACTORS TO BE CONSIDERED

1. Neighborhood character

The character of the neighborhood is comprised of single family homes. There is a small established, single family neighborhood along 99th Street in between Hurrelbrink Road and Donahoo Road. The Woodlands is across the street to the south and Wyandotte County Lake Park is east of this proposal.

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

The zoning and uses of properties nearby 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 the restrictions will not detrimentally affect nearby property.

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

The two residentially zoned parcels have never been built upon. The agricultural zoned parcel has had one accessory structure on the property since 2004.

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

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

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

The proposed use will not increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.

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

The proposed use conforms to the Master Plan.

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

The proposed use will not cause environmental harm.

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

a. Water service

Available

b. Sanitary sewer service

Not available – (lots are large enough for septic systems)

c. Storm water control

To be designed to meet City Code

d. Police

Police service is provided by West Patrol, District #223

e. Fire

Fire service is provided by Fire Station #6

f. Transit

Kansas City ATA does not provide transit service near this property.

g. Schools

Piper USD 203

h. Streets

See item #6 above

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

The proposed use will have a minimal economic impact on the community.

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

The proposed rezoning is capable of meeting applicable ordinance requirements with approval of a variance for lot ratio dimension.

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

The relative gain to the public health, safety, and welfare is minimal. If the application is denied, the applicant will have to resubmit their application in attempts to develop the property.

13. Development of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or other adversity.

Development is of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or other adversity.

14. Streets are designed so as to provide a safe, convenient and functional system for vehicular traffic, and having such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.

Streets are designed so as to provide a safe, convenient and functional system for vehicular traffic, and having such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.

15. Assurance that buildings, lots, blocks, parcels and streets are so arranged as to afford adequate light, open space or air, to facilitate fire protection, and to provide for long-term sustained real estate values.

Buildings and lots are so arranged as to afford adequate light, open space or air, to facilitate fire protection and to provide for long-term sustained real estate values.

16. Development patterns are designed with due regard to topography, so that the natural features of the land and vegetation shall be protected and enhanced.

Due to the heavily wooded areas that span most of the properties, the natural features of the land and vegetation will remain undisturbed.

17. Adequate sites are provided for schools, parks, playgrounds, and other community services so that residents of all neighborhoods shall have convenient access to such facilities.

This is not applicable.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on January 25, 2018. According to the applicant, those in attendance did not appear in opposition.

KEY ISSUES

Approval of variance

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Change of Zone Application #3158, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, a \$50.00 (made payable to the Unified Treasurer) rezoning ordinance publication fee shall be submitted to the Urban Planning and Land Use Department immediately following the Board of Commissioners meeting.
2. Lots 1 and 3 conform to the subdivision code. A variance application has been filed for the 3:1 lot ratio dimensions for Lot 2 and will be presented at the March 12, 2018 Board of Zoning Appeals.
3. Lot 1 will remain unchanged with regards to structures and orientation. In addition to the variance, Lot 2 will be rezoned from R-1 Single Family District to A-G Agriculture District to raise cattle. Lot 3 will be rezoned from A-G Agriculture District to R-1 Single Family District to build a single-family home.

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) Signature lines shall include a County Surveyor statement and signature, a Register of Deeds statement and signature, etc., please coordinate with Brent Thompson, County Surveyor.
 - 2) The County Surveyor makes separate technical review of the plat documents and submits comments directly to the preparer of the plat. Provide revised plat documents in accordance with County Surveyor comments.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

STAFF 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 #3158, subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Neighborhood Meeting Minutes
Aerial Photograph
Preliminary Plat
Final Plat

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	March 12, 2018	April 5, 2018
Rezoning	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #3158 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 #3158 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Non-Consent Agenda Starts at 9:50

CHANGE OF ZONE APPLICATION #3158 – MARC MOSER – SYNOPSIS: Change of Zone from A-G Agriculture District to R-1 Single Family District and R-1 Single Family District to A-G Agriculture District in order to split lots to build a house (R-1 property) and have cattle (A-G property) at 9410 Hurrelbrink Road.

CEDAR PALMS – SYNOPSIS: Preliminary and Final Plat for two lots at 9410 Hurrelbrink Road

Detailed Outline of Requested Action: The applicant, Marc Moser wants to rezone and plat portions of properties along Hurrelbrink Road from R-1 Single Family District to A-G Agriculture District and A-G Agriculture District to R-1 Single Family District to build single family homes, raise cattle and create three (3) residential lots on 41.58 acres.

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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 2018

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

Planning Director Richardson stated that staff would request that the testimony from the Board of Zoning Appeals meeting earlier this evening be made part of the record for this case.

Present in Support:

- ❖ Marc Moser, applicant, 9410 Hurrelbrink Road, Kansas City, Kansas 66109
- ❖ There were 2 people present that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 12:17 - Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report

Motion and Vote starts at 12:40

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **RECOMMEND APPROVAL** of Change of Zone Application #3158 as follows:

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

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, a \$50.00 (made payable to the Unified Treasurer) rezoning ordinance publication fee shall be submitted to the Urban Planning and Land Use Department immediately following the Board of Commissioners meeting.
2. Lots 1 and 3 conform to the subdivision code. A variance application has been filed for the 3:1 lot ratio dimensions for Lot 2 and will be presented at the March 12, 2018 Board of Zoning Appeals.
3. Lot 1 will remain unchanged with regards to structures and orientation. In addition to the variance, Lot 2 will be rezoned from R-1 Single Family District to A-G Agriculture District to raise cattle. Lot 3 will be rezoned from A-G Agriculture District to R-1 Single Family District to build a single-family home.

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) Signature lines shall include a County Surveyor statement and signature, a Register of Deeds statement and signature, etc., please coordinate with Brent Thompson, County Surveyor.
 - 2) The County Surveyor makes separate technical review of the plat documents and submits comments directly to the preparer of the plat. Provide revised plat documents in accordance with County Surveyor comments.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

1) None

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to **APPROVE Cedar Palms Preliminary and Final Plat as follows:**

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

Motion to recommend APPROVAL Passed: 6 to 0
Subject to the above stipulations

January 25, 2018

Turner Rec. Center
831 S. 55th Street
Kansas City, Kansas 66106

Ref. BOZA-2271

Neighborhood Meeting Notes: QUESTIONS

1. Joan Kelly – Question: what was being built and if it would have any effect with her property. Answer: Property was being re-zoned from AG to R1 for a building permit for a homestead. She was grateful it was a home and not something else like chicken farm or hog farm. I gave Joan a copy of the plat for her own use and to show her husband. She had no concerns.
2. Guy Tiner – Question: Was just curious what was being done and asked numerous questions related to his property but no concerns on what I was doing with my property. Answer: I explained I was building a home for my family and he had no concerns.

Note: I talked with Ronald Tripp by phone on Tuesday evening, he was curious what was going on and wanted to make sure a Hog Farm or Chicken Farm was not being built. Answer: I explained that a home was being built for my wife and kids and we enjoyed the country setting and peace and quiet. He had no concerns with the project.

Attendees:

1. Cory Appl
2. Marc Moser
3. Joan Kelly
4. Guy Tiner & Family

Marc Moser / Cory Appl



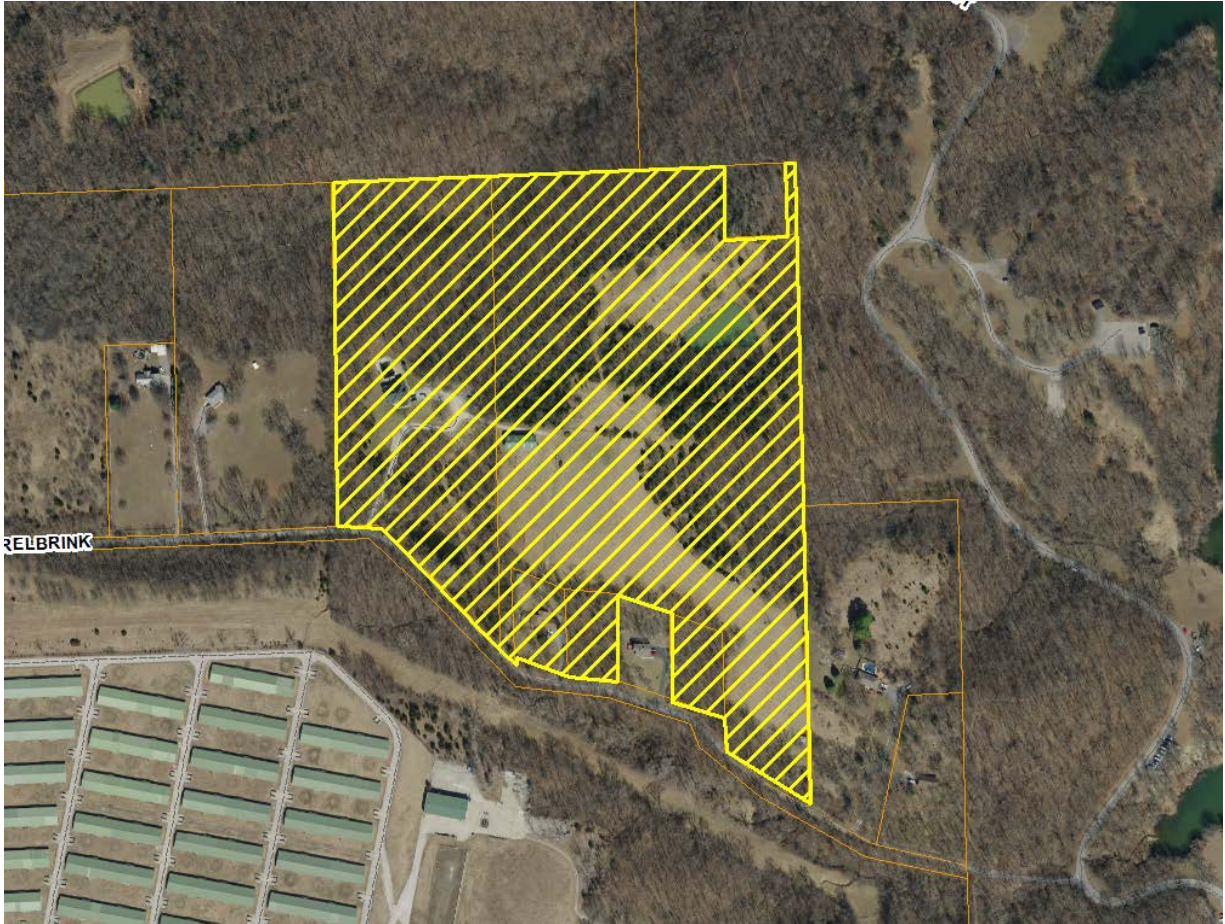
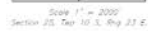
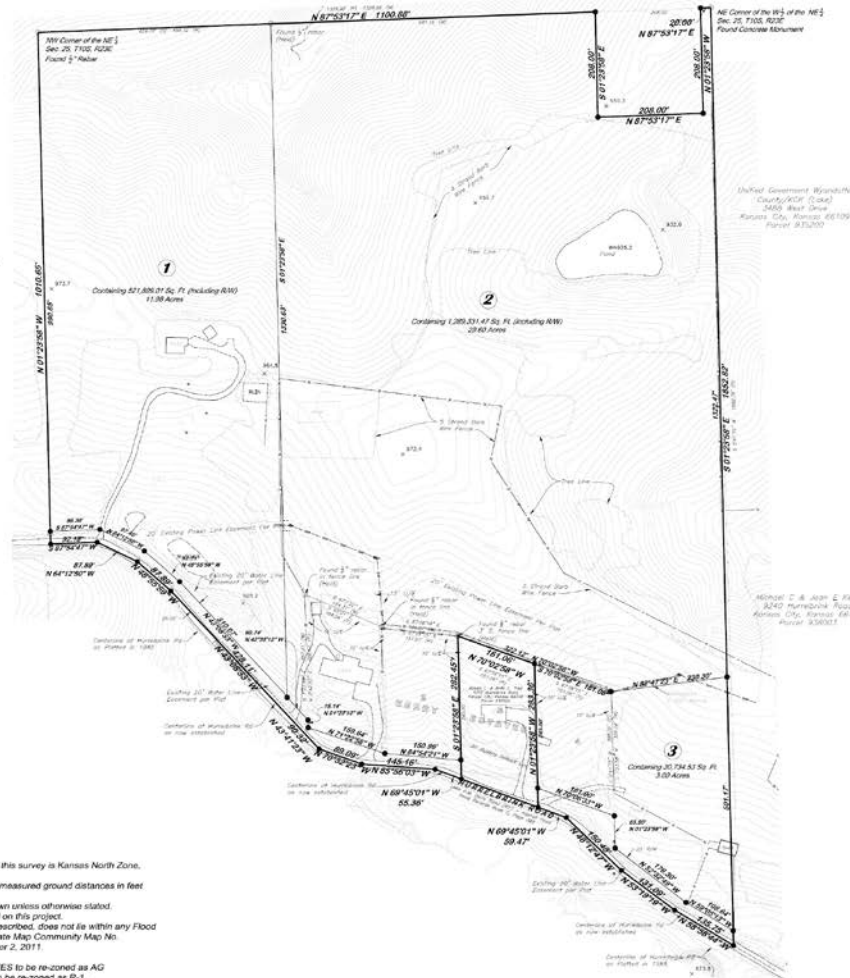


Figure 1. Aerial photograph of properties included in the rezoning and replat applications (provided by ArcView GIS).

[illegible]

1. The Basis of Bearing system for this survey is Kansas North Zone, U.S. State Plane, NAD 83.
2. All distances shown hereon are measured ground distances in feet unless otherwise stated.
3. Origin of monuments are unknown unless otherwise stated.
4. Kansas One Call was called for on this project.
5. Flood Plain Note: Property as described, does not lie within any Flood Zone as per Flood Insurance Rate Map Community Map No. 20209C0043D, dated September 2, 2011.
6. Zoning Note:
 - a. Lots 1 & 2 of BERRY ESTATES to be re-zoned as AG
 - b. Lot 3 of BERRY ESTATES to be re-zoned as R-1.

○ DENOTES ROUND CORNER 1/2" RADIUS
● DENOTES SET 1/2" PERMAN W/CAP
(P) DENOTES PLATTED DISTANCE
(M) DENOTES MEASURED DISTANCE
(V) DENOTES BEARED DISTANCE
→ DENOTES POWER POLE

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the Month of September 2017 and this map or plat is correct to the best of my knowledge.



Marc Moser
9870 Murrenrich Road
Kansas City, Kansas 66109

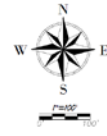
Date of Preparation:
October 24, 2017
December 8, 2017 – BYCO Comments

REPLAT BERRY ESTATES LOTS 1, 2 & 4, AND PART OF NE1/4 SEC. 25-10-23

ATLAS SURVEYORS, LLC.
THE WAY OF SURVEYORS
 207 South 5th Street | Leavenworth, Kansas 66048 | 816.718.1001 | 913.682.8606 (F)

CEDAR PALMS

PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 10 SOUTH, RANGE 23 EAST, AND A REPLAT OF LOTS 1, 2 & 4 OF BERRY ESTATES, A SUBDIVISION IN WYANDOTTE COUNTY, KANSAS FINAL PLAT



Scale 1" = 200'
Section 25, Top 10 S, Rng 23 E.

A tract of land in the Northeast Quarter of Section 25, Township 10 South, Range 23 East of the 6th P.M., City of Kansas City, County of Wyandotte, State of Kansas, described as follows:

Beginning at the Northeast corner of said Northeast Quarter of said Section 25, thence N 67°52'17" E along the north line of said Quarter a distance of 150.00 feet, thence S 01°22'58" E a distance of 200.00 feet, thence N 67°52'17" E a distance of 200.00 feet, thence S 01°22'58" E a distance of 200.00 feet to the Northeast corner of the West Half of the said Northeast Quarter, thence S 01°22'58" E along the East line of the West Half of said Quarter a distance of 1052.82 feet to the centerline of Humboldt Road as now established, thence N 67°52'17" E along said centerline a distance of 162.70 feet, thence N 67°52'17" E a distance of 131.00 feet, thence N 48°12'41" W a distance of 150.48 feet, thence N 49°45'31" W a distance of 58.47 feet, thence N 01°22'58" W along the East line of Lot 3 of Berry Estates, a Subdivision in Wyandotte County, Kansas recorded November 18, 1985 in the Wyandotte County Register of Deeds Office in Book 25, Page 38, a distance of 203.36 feet to the Northeast corner of said Lot 3 of BERRY ESTATES, thence N 70°12'58" W along the North line of said Lot 3 a distance of 161.00 feet to the Northeast corner of said Lot 3, thence S 01°22'58" E along the West line of said Lot 3 a distance of 200.00 feet to the centerline of Humboldt Road as now established, thence N 67°52'17" E along said centerline a distance of 55.30 feet, thence N 67°52'17" E a distance of 145.18 feet, thence N 70°12'58" W a distance of 89.09 feet, thence N 47°58'31" W a distance of 438.11 feet, thence N 48°58'39" W a distance of 67.69 feet, thence N 67°52'17" E a distance of 67.69 feet, thence S 01°22'58" E a distance of 62.10 feet along said centerline, thence N 1°22'58" W a distance of 1210.63 feet to the Point of Beginning. Said property containing 41.58 acres.

200

NE Corner of the NE 1/4 of the NE 1/4 Sec. 25, T10S, R23E
Point Corner Monument
1. Nail & Washer in top of Fence Post. W. 6.9'
2. Nail & Washer in large Oak Tree. S. 12.2'
3. Railroad Tie Corner Fence Post. S. 1.5'

The undersigned proprietors state that all lines of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as "CEDAR PALMS".

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed in local and national waters, water lines, gas lines, cable and wires and any other form of public utility now and hereafter used for the public use, under and along the lines marked "E.D.R." Easement (E.D.R. or "Thruway Easement") (E.D.R.).

Gravel shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated.

ACKNOWLEDGEMENTS:

In TESTAMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this ____ day of ____, 2018.

By: _____ City Appr. - Landowner By: _____ Stateline Appr. - Landowner

STATE OF _____)
COUNTY OF _____)

Be it remembered that on this ____ day of ____, 2018, before me, a notary public in and for said County and State, came City Appr. and Stateline Appr. to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledge the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written (SEAL).

Notary Public: _____ My Appointment Expires _____

In TESTAMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this ____ day of ____, 2018.

By: _____ Tom Crandon - Landowner

STATE OF _____)
COUNTY OF _____)

Be it remembered that on this ____ day of ____, 2018, before me, a notary public in and for said County and State, came Tom Crandon to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledge the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written (SEAL).

Notary Public: _____ My Appointment Expires _____

In TESTAMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this ____ day of ____, 2018.

By: _____ Heather A. Appr. By: _____ Nancy A. Appr.
Owner Lots 2 & 4 Berry Estates

STATE OF _____)
COUNTY OF _____)

Be it remembered that on this ____ day of ____, 2018, before me, a notary public in and for said County and State, came Heather A. Appr. and Nancy A. Appr. to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledge the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written (SEAL).

Notary Public: _____ My Appointment Expires _____

In TESTAMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this ____ day of ____, 2018.

By: _____ John Sanders - Owner Lot 1 Berry Estates

STATE OF _____)
COUNTY OF _____)

Be it remembered that on this ____ day of ____, 2018, before me, a notary public in and for said County and State, came John Sanders to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledge the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written (SEAL).

Notary Public: _____ My Appointment Expires _____

This plat of "CEDAR PALMS" has been submitted to and approved by the Wyandotte County/Kansas City, Kansas Planning Commission.

Wyandotte County/Kansas City, Kansas Planning Commission

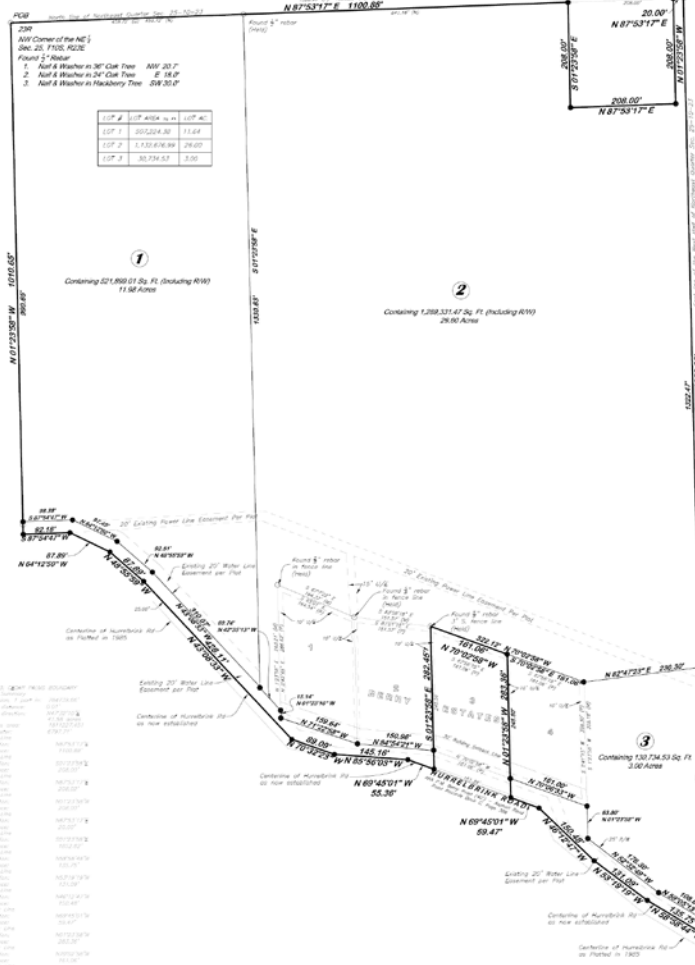
By: _____ Chairman By: _____ Secretary
Joanne Haley Robin Richardson

The dedications shown hereon, if any, are accepted this ____ day of ____, 2018.

David Alvey, Mayor/CEO By: _____ Rhonda Oakman, Undecl. Clerk

Recommended for approval by the Wyandotte County, Kansas, Engineer, this ____ day of ____, 2018.

County Engineer - Troy Shaw, P.E.



NOTES:

- The Basis of Bearing system for this survey is Kansas North Zone, U.S. State Plane, NAD 83.
- All distances shown hereon are measured ground distances in feet unless otherwise stated.
- Origin of monuments are unknown unless otherwise stated.
- No Title Commitment furnished to this survey.
- Kansas One Call was not called on this project.
- Flood Plain Note: Property as described, does not lie within any Flood Zone as per Flood Insurance Rate Map Community Map No. 20209C0043D, Dated September 2, 2011.

I hereby certify that this survey was made by me, or under my direct supervision, on the day and date shown on the top of this plat and that the same is correct in all respects.

By: _____ Scott E. Thompson, P.E. - County Engineer

For: _____

Signature of Owner: _____ Date: _____

I hereby certify that this survey was made by me, or under my direct supervision, on the day and date shown on the top of this plat and that the same is correct in all respects.



Prepared For:

Mark Moser
5410 Humboldt Road
Kansas City, Kansas 64110

Date of Preparation:
October 24, 2017
December 8, 2017 - BYCD Comments
February 22, 2018 - BYCD Comments

LEGEND:

- CENTER POINT CORNER 1/2" IRON
- CENTER POINT 1/2" IRON ALUMINUM
- CENTER TELEPHONE POST/STAKE
- ✦ CENTER IRON SIGN
- ✦ CENTER IRON SIGN

CEDAR PALMS

REPLAT BERRY ESTATES LOTS 1, 2 & 4, AND PART OF NE 1/4 SEC. 25-10-23

ATLAS SURVEYORS, LLC.

207 South 5th Street | Leavenworth, Kansas 66048 | 856.718.1001 | 913.682.8606 (F)



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: April 5, 2018
Re: Petition #SP-2018-20

GENERAL INFORMATION

Applicant:
John L. Ross, Jr.

Status of Applicant:
Representative
State Line Group, LLC.
4164 State Line Rd.
Kansas City, KS 66103

Requested Action:
Approval of a Special Use
Permit

Date of Application:
January 10, 2018

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



Property Location: 4164 State line Road

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

Existing Surrounding Zoning: **North:** R-1(B) Single Family District
South: R-1(B) Single Family District
East: The City of Kansas City, Missouri
West: R-1(B) Single Family District

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

Total Tract Size: 0.15 acre

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

Major Street Plan: The City-wide Master Plan designates State Line Road as a Collector Street.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, John L. Ross, Jr., is applying to use the property at 4164 State Line Road as a Bed and Breakfast. Although this is the applicant's primary home, the applicant spends the majority of his time traveling. The applicant rents the entire house.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This property is within the Hanover Heights Historic District Environs Zone. This is a predominately single-family neighborhood with many historic properties.

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 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 commercial activity in a residential area.

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

Removal of the restrictions may not detrimentally affect nearby property if the business is operated properly.

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 Bed and Breakfast uses or 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 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.

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 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.

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 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 February 24, 2018. Several neighborhood residents were in attendance. The meeting minutes are attached to this staff report.

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-2018-20, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: Since October 2017

2. Were neighbors consulted prior to opening the business?

Applicant Response: Yes, I contacted both Mark Steger (property to the N) and Ryan Gregory (property to the S) prior to starting

3. Do you have a business license?

Applicant Response: I own two companies, an LLC and a Corporation, both have federal ID numbers, no business license

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes, through AIRBNB

5. How many rooms are rented?

Applicant Response: The whole house, two bedrooms

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

Applicant Response: Four (4)

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

Applicant Response: Two (2) in the back, off the street

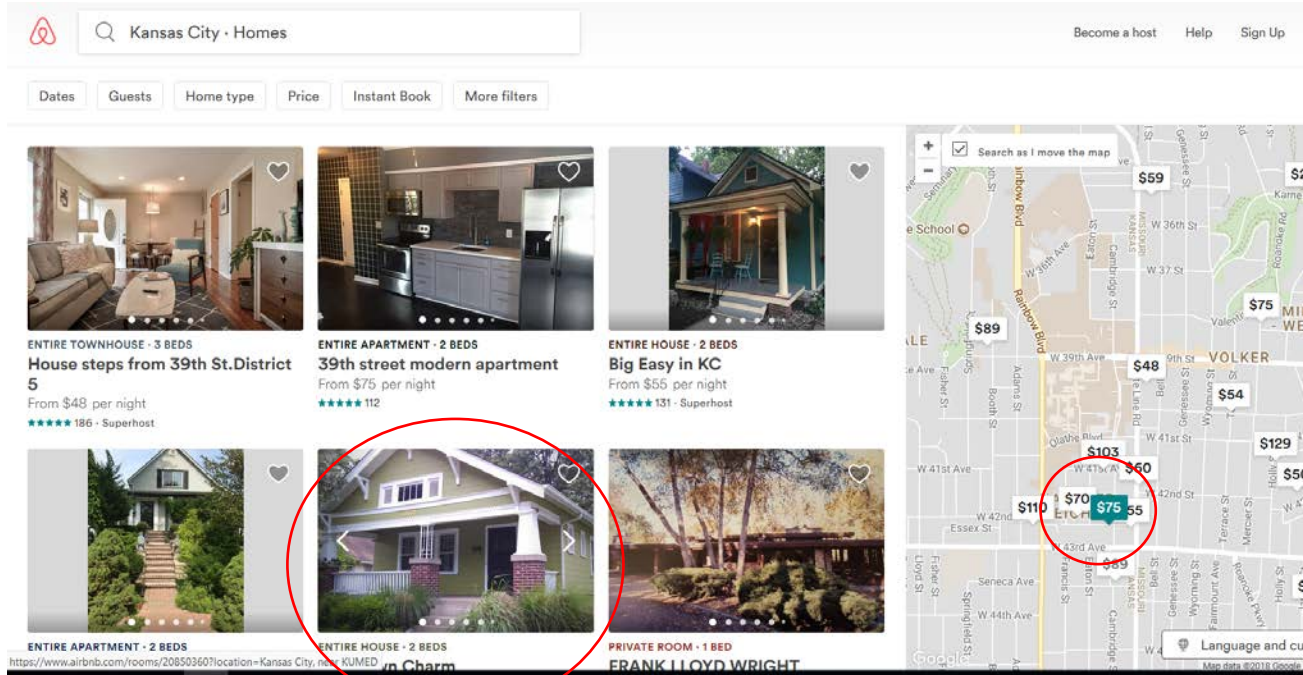
8. How often are guests in the residence?

Applicant Response: Twice per month, on average, about 6-8 days

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

Applicant Response: No, not for this property

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



Several homes, rooms, and townhouses in the area are available through AIRBNBs. KU Med is just a few blocks away, which might be the primary reason. The screen shot above, shows the results of a search for AIRBNBs around KU Med.

Choices include entire 3-bedroom townhomes, single family homes, single rooms to let, and apartment units to let for AIRBNB. This seems to be a popular location and a popular method. Many of my neighbors are also involved in hosting

11. Describe how you will maintain a safe environment including:

- A. Working smoke detectors in each bedroom plus each level of the unit/house.

Applicant Response: Three (3) smoke detectors, one (1) carbon monoxide detector, two (2) fire extinguishers

- B. GFCI outlets are required in bathrooms.

Applicant Response: Yes, and in the kitchen as well

- C. Double keyed locks are not allowed

Applicant Response: None present

- D. Copper cannot be used for gas supply lines

Applicant Response: None

- E. Windows must be operable, not blocked or boarded

Applicant Response: All windows operational

- F. Handrails are required at sets of 4 or more stairs/risers

Applicant Response: Done

- G. Hot water tank and furnace must be vented property and operational.

Applicant Response: Properly vented and inspected

H. Electric panel and circuits must be safe

Applicant Response: Done

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-2018-20 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Aerial Imagery
Zoning map
Site Photos and Floorplan
Additional Information
Meeting Minutes
Applicant Email
Letter of Conditional Support from Historic Hanover Heights

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-20 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-2018-20**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 1:07:58

SPECIAL USE PERMIT APPLICATION #SP-2018-20 – JOHN L. ROSS, JR. –

SYNOPSIS: Special Use Permit for an AIRBNB at 4164 State Line Road. **Detailed**

Outline of Requested Action: The applicant, John L. Ross, Jr., is applying to use the property at 4164 State Line Road as a Bed and Breakfast. Although this is the applicant's primary home, the applicant spends the majority of his time traveling. The applicant rents the entire 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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 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:

- ❖ Bailey Ross, representing the applicant (her father) who is out of town on business (She is responsible for AIRBNB when he is gone.)
- ❖ Gilbert A. Pintar, 4178 Cambridge, Kansas City, Kansas, President of Hanover Heights Neighborhood Association
- ❖ Erin Stryka, Executive Director, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103
- ❖ There were 15 persons present that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:23:40 - Director Richardson stated that he stated that it is good to know that the gentleman next to this operation is a contact as there is someone close in the event there is an issue. He is not sure how this is different from the last case and why the Commission would go to six months on one from one year on another. Given that it is similar to the previous case, and the fact that there is someone next door (as a contact), the staff recommends approval for one (1) year subject to the stipulations in the staff report.

Motion and Vote starts at 1:24:55

On motion by Mr. Connelly, seconded by Ms. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-20 for one (1) year:**

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

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: Since October 2017

2. Were neighbors consulted prior to opening the business?

Applicant Response: Yes, I contacted both Mark Steger (property to the N) and Ryan Gregory (property to the S) prior to starting

3. Do you have a business license?

Applicant Response: I own two companies, an LLC and a Corporation, both have federal ID numbers, no business license

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes, through AIRBNB

5. How many rooms are rented?

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Applicant Response: Two (2) in the back, off the street

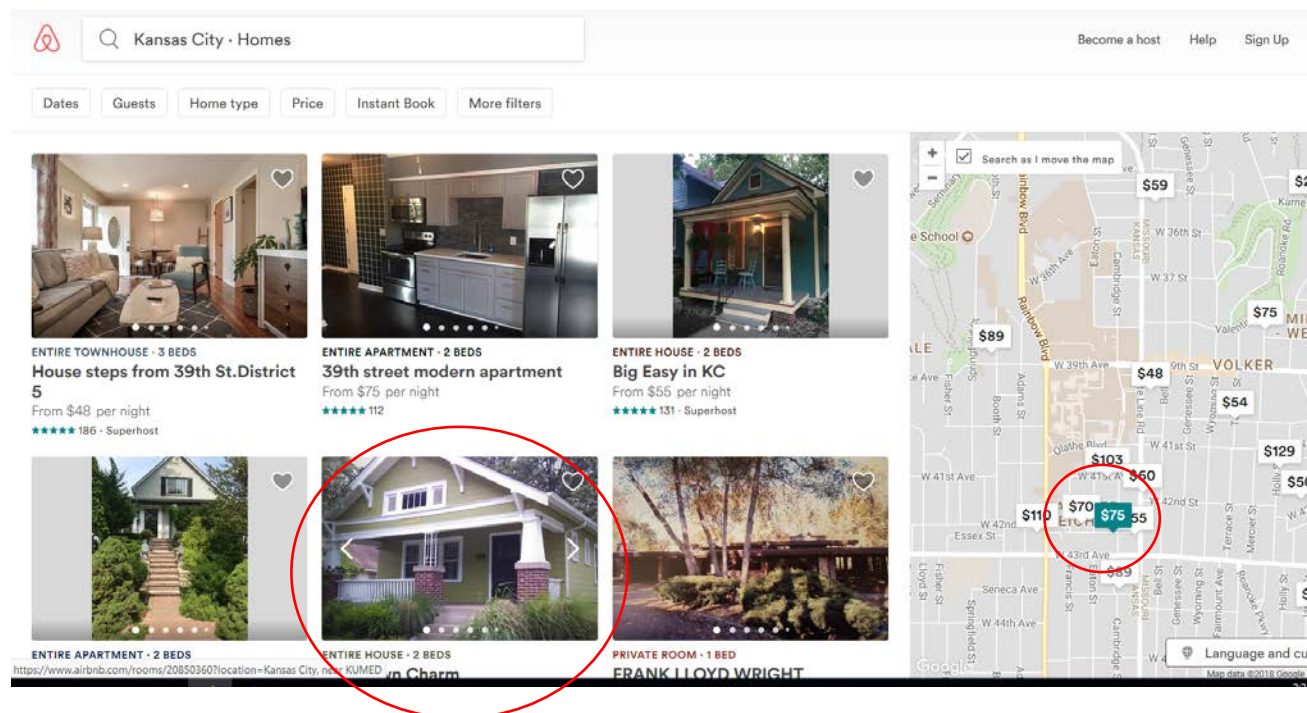
8. How often are guests in the residence?

Applicant Response: Twice per month, on average, about 6-8 days

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

Applicant Response: No, not for this property

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



Several homes, rooms, and townhouses in the area are available through AIRBNBs. KU Med is just a few blocks away, which might be the primary reason. The screen shot above, shows the results of a search for AIRBNBs around KU Med.

Choices include entire 3-bedroom townhomes, single family homes, single rooms to let, and apartment units to let for AIRBNB. This seems to be a popular location and a popular method. Many of my neighbors are also involved in hosting

11. Describe how you will maintain a safe environment including:

A. Working smoke detectors in each bedroom plus each level of the unit/house.

Applicant Response: Three (3) smoke detectors, one (1) carbon monoxide detector, two (2) fire extinguishers

B. GFCI outlets are required in bathrooms.

Applicant Response: Yes, and in the kitchen as well

C. Double keyed locks are not allowed

Applicant Response: None present

D. Copper cannot be used for gas supply lines

Applicant Response: None

E. Windows must be operable, not blocked or boarded

Applicant Response: All windows operational

F. Handrails are required at sets of 4 or more stairs/risers

Applicant Response: Done

G. Hot water tank and furnace must be vented properly and operational.

Applicant Response: Properly vented and inspected

H. Electric panel and circuits must be safe

Applicant Response: Done



SP-2018-20

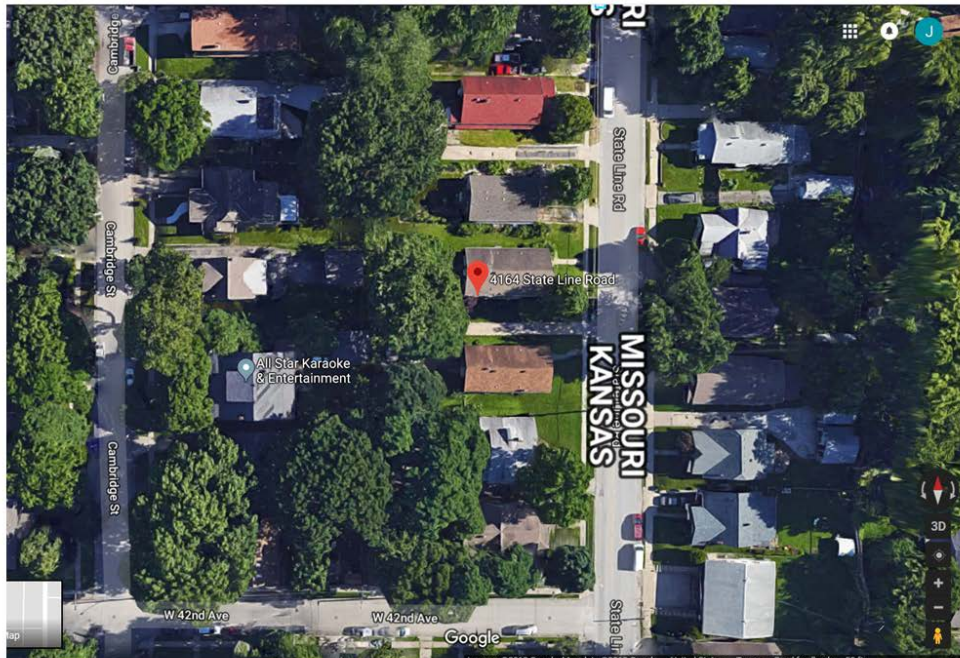
Aerial Imagery



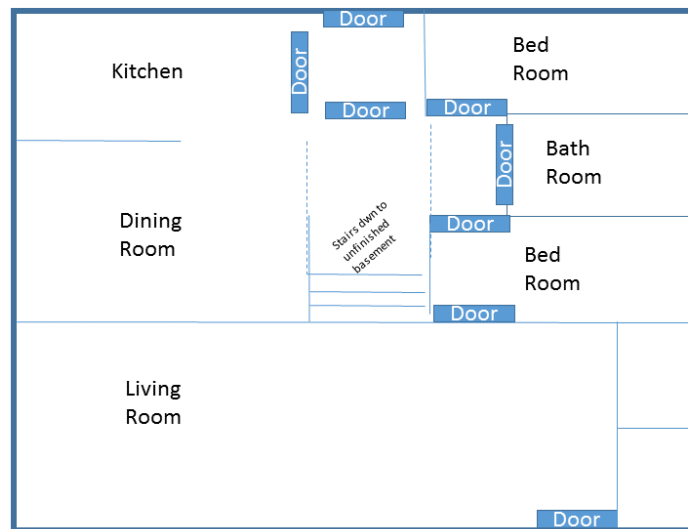


SP-2018-20 **Zoning Map**





Back of house



Front of house











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

This property is professionally cleaned every week. The owner travels for a living and would like his property occupied (for safety and security)

the times of his absence.

All guests are screened by AirBnB and each guest is rated and evaluated.

Gil Piantan 4178 Cambridge
Nancy Rehorn 4151 Cambridge St
Patricia Murphy 4142 Cambridge St
Becky Welch ~~4151~~ 4161 Cambr
Mark Steger 4162 State Line Rd
Robert Roddy 4175 Cambridge xlt
Annette & Larry Hancock 4169 Eaton
Carol Ekene 4171 Eaton

SAMPLE MINUTES:

Application Number SP-18402-0001
Date and Location: 2/24/18 4164 STATE LINE RD
KCK 66103

Meeting called to order at: 4:30 PM

Names of people in attendance: SEE ATTACHE

Introductions: WERE MADE BY JOHN ROSS

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 - John Ross
- What was the answer given

Meeting adjourned at: 5:10 PM

Minutes taken by: John Ross

John Ross DISCUSSES THE NATURE OF AN AIRBND.
John DISCUSSES HOW THIS WAS HIS HOUSE AND
HE ~~CHOOSE~~ CHOSE AN AIRBND OPTION TO
ENSURE THE SAFETY & SECURITY OF HIS
PROPERTY

John DISCUSSES HIS OCCUPATION

John ~~DISCUSSES~~ DISCUSSES THE WYCO SUP PROCESS
TO INCLUDE THE COMMISSION MTS ON 3/12

Q: GIL PERSHAR, WILL YOU AGREE TO BE PART OF
THE NEIGHBORHOOD ASSOC.

A: YES (WE EXCHANGE INFO & PLANS STAKES

Q: GIL: IF THE NEIGHBORHOOD AGREES TO THIS WILL
YOU ACCEPT A TEMPORARY (6 mo) TERM FOR AN

A: I EXPLAINED THAT THE PERMIT, IF APPROVED, COULD
BE PULLED IF I DON'T KEEP AN ORDERLY BU

Q: GIL How long have you lived here
AND OWNED THIS HOUSE

A: 4 yrs.

Q: GIL WHY did you buy this house

A: I NEEDED A PLACE TO LIVE, I LIKED THIS AREA

Q: GIL ARE you going to buy OTHER HOUSES IN
THIS NEIGHBORHOOD

A: NO, ~~NOT~~ NOT ANYMORE, BUT I DO OWN 4164
ST. LINCOLN

Q: NANCY RETURN: WHY did you buy THE HOUSE NEXT DOOR

A: BECAUSE I WANTED TO CONTROL THE SHARED DRIVEWAY
AND MAKE SURE IT WAS NEVER BLOCKED.

Q: NANCY SO, you own THIS HOUSE

A: YES

Q: BECKY How much do you charge

A: W/ ARABUS, THE HOST SETS A RANGE AND
ARABUS RUNS AN ALGORITHM TO PRICE IT.

Q: ANNETTE HANCKS DO you ADVERTISE

A: ALL AND ONLY IS THE AD. DONE THRU ARABUS

GREAT QUESTIONS AND I SINCERELY
APPRECIATED THE NEIGHBORHOOD SHOWING
UP FOR THIS

ADDITIONALLY, LARRY HANCKS MENTIONED THAT HE
WAS RETIRED FROM THE URBAN PLANNING
GROUP AND WAS FAMILIAR WITH THIS PROCESS

- [Signature]

Janet,

Thank you for the rapid response. I assure you, there was no delay in getting back to me. I have a few suggested inputs, and since this document is likely to be filed away and part of the official record, I have a few recommended edits for posterity.

Some of these inputs are not necessarily intended to be put into the document, I just want to use this forum to offer some ideas.

On page 1 of the draft, and throughout the document, there is mention that I am seeking approval to run a bed and breakfast out of my home. That actually is not true. A bed and breakfast implies that I am providing breakfast to my guest, I am not. I'm just offering my home as a place of temporary lodging for folks visiting the KC area. This provides me a sense of security and safety for my property and my neighbors. As a temporary lodging location, my house is not setting vacant and vulnerable. I'm not sure if that makes much of a difference, but I wanted to let you guys know it's not a bed and breakfast, it's just the bed part.

There are also many references to the traffic impact and parking impact to the area, as well as the potential for noise and just general traffic. The county has correctly assessed that this is not an issue if the operation is run properly. I do run it properly. Each guest is restricted to 2 cars, and the cars must be parked off the street, in the parking area provided behind the house. My guests are screened prior to my approval. The guest currently in my house is a Pediatric Surgeon. She is a guest surgeon at KU Med. My previous guest, a few months ago, was the President of the Latino Engineering Society. My guest, before the doctor, was a retired school teacher (38 years). I don't rent to parties or teenagers. This is my house. My property is in that house. My daughter checks up on the house while I am out of town. I run a tight ship.

Pg 3 para 8 "The proposed use provides convenient lodging" correct to "The proposed use provides lodging"

Pg 4 para 11 references the relative gain for the county and city. The comment suggests that there might not be much of a gain for the area. I'm not sure this needs to be in the document, but since I started this little business, I've hired a local plumber, a local electrician, a local handyman, and a cleaning lady (the house gets cleaned once per week). I also have recommended and have had lodgers eat at Kansas City Joes, and 1889 Napoletana Pizza as well as numerous places on 39th street, Westport, and the Plaza. Additionally, my water and electric bill are 3X higher than when the house wasn't an AirBnB. That is some income to Wyandotte County. Finally, I buy all my restock items at Walmart Neighborhood Market on 47th street across from KC Joes, and I've recommended my dentist in WYCO to a guest, and KU Med to a guest. I believe I'm contributing to the relative gain for WYCO. I also own the house to the South (the shared driveway house) and I paid \$5,000 in property taxes last year. I just wanted to mention that I'm a good citizen and just trying to keep my house safe and give travelers a taste of the hospitality of our city and our area.

Pg 7 para on Staff Recommendations, there seems to be a very large blank space between "recommend" and "of Petition".

Janet, and Zack, thank you for this opportunity to respond and offer some ideas and edits. I want to take just a few words here at the conclusion of this message to thank you both for ensuring the area and properties in my neighborhood are kept honest. I would not want to jeopardize property

values in the area as I own 2 houses in the area. I'm looking forward to the commission meeting on 3/12. My daughter will be representing our petition.

Have a great weekend, both of you.

-John Ross

Historic Hanover Heights



March 6, 2018

Rob Richardson
Planning Department
Kansas City, KS 66101

**Re: Special Use Permit SP-18402-0000
John L. Ross, Jr.
4164 State Line Road**

Dear Mr. Richardson:

On February 24th several Hanover Heights residents met with Mr. Ross at his neighborhood meeting where he explained the above special use permit proposal.

Mr. Ross advised the group that he has owned the home for four years and in his line of work travels substantially. During those absences he wishes to use the home as a short term rental thru AIRBNB and listings at the KU Med Center. His daughter who resides in Overland Park would oversee the rental and maintenance of the business during these absences. He also recently purchased the adjacent home to the south (that has a shared access drive to this home) and rents that property long term. While Mr. Ross claims to reside at this property he did confirm that he has multiple properties in multiple cities.

We advised Mr. Ross that we had issues of concern with another similar short term rental residence business located down the street at 1901 42nd Street. There have been numerous guests/persons having very loud late night parties along with party bus stops/pickups and parking issues at that residence. This is type of activity is not appropriate within a historic single-family neighborhood.

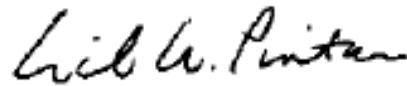
Mr. Ross assured us that he has no intention to have his property used in this way and that if there were any issues with his tenants we could contact his daughter.

Finally, we advise Mr. Ross that impacts of short term rentals mainly revolved around proper management and control (as is the case with the well established Friendship Inn on State Line Road that has been a strong neighborhood and community asset). With his absence from the area we were concerned with that tight property management oversight. We do not view having numerous rentals of this type would a good thing for the neighborhood.

We would suggest that the City allow Mr. Ross to prove himself as a valued member of Hanover Heights Neighborhood along with this new short term rental undertaking and that you approve this permit subject to the following:

The initial permit term should be for 6 months. This would permit sufficient time for both he and the neighborhood to assess how well the management of this special use business has been. At permit renewal, the neighborhood could then advise the City of any issues of concern experienced within that time. Future permits could then be supported for one and then multiple years.

Sincerely,

A handwritten signature in black ink, appearing to read "Gilbert A. Pinter". The signature is fluid and cursive, with the first name "Gilbert" being more prominent than the last name "Pinter".

Gilbert A. Pinter, President Hanover Heights

cc. John Ross



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: April 5, 2018
Re: Petition #SP-2018-21

GENERAL INFORMATION

Applicant:
Tyler Harnett

Status of Applicant:
Owner
4823 Terrace Street
Kansas City, MO 64112

Requested Action:
Approval of a Special Use
Permit

Date of Application:
January 23, 2018

Purpose:
To operate a Bed and
Breakfast/AIRBNB



Property Location: 4521 Cambridge Street

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

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

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

Total Tract Size: 0.15 acre

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

Major Street Plan: The City-wide Master Plan designates Cambridge Street as a local street

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: One person appeared at the March 12, 2018 City Planning Commission meeting with general comments about AIRBNB operations.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Tyler Harnett, is applying to use the property at 4521 Cambridge Street as a Bed and Breakfast/AIRBNB. This property is not the applicant's primary home, and the entire structure is being rented as a Bed and Breakfast/AIRBNB.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is comprised of predominately single-family homes on small lots. There are commercial uses to the northeast of this property along State Line Road and 45th Street.

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 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 commercial activity in a residential area.

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

Removal of the restrictions may not detrimentally affect nearby property if the business is operated properly.

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 Bed and Breakfast uses or 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 health, 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 February 26, 2018. No one was in attendance.

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-2018-21, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: Since August. The listing went live on August 8th, and the first booking was for August 16th.

2. Were neighbors consulted prior to opening the business?

Applicant Response: Yes. Only the neighbors on either side of the property

on my side of the street were consulted, though, to be completely honest.

3. Do you have a business license?

Applicant Response: No.

4. Have you paid appropriate lodging taxes?

Applicant Response: I selected that AIRBNB collect and remit occupancy taxes on my behalf. There is a way on the website to see when occupancy taxes have been collected. I assume that AIRBNB has been remitting these occupancy taxes as there is no way on their website to determine for sure.

5. How many rooms are rented?

Applicant Response: There are two bedrooms, but it is allowed to sleep in the living room on a fold out couch and fold out ottoman.

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

Applicant Response: 7 people.

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

Applicant Response: I don't think that I can limit the vehicles that people can drive to the residence, but there are two places where I mention parking. On the listing it says, "There's a parking spot (or two if you're careful) attached to the backyard and an alley. Our neighbors are great people. There is on street parking in front of the house that is usually available." Once someone has booked, I send them a large packet of information. It mentions parking, "The house is easily accessible from either Rainbow Blvd or State Line Rd. Traffic on Cambridge St is both ways, but parking is only on the southbound side of the street. If you're heading to the house, that would mean taking 45th from either Rainbow Blvd or State Line Rd. Please be respectful of the neighbors and do not park so that your car extends over a driveway. Also, there are some parking spots on Cambridge St that are clearly only for one car, some that can fit two cars, and a few that can fit more than two cars. Be attentive to try to squeeze your car close to the edge of the space if it seems like another car could fit behind or in front. Parking in the alley is on the property, so it is accessed heading north or south in the alley. It is easy to fit one car into the spot, but it is possible to squeeze two in a pinch."

8. How often are guests in the residence?

Applicant Response: Guests may be in residence any day. Since the first booking on August 16th until today January 5th, there has been occupancy on 103 of the 143 nights. That makes for a 72% occupancy rate.

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

Applicant Response: No.

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

Applicant Response: The property can be accessed from the front or the back. The front door can be accessed up 10 stairs between two 10' stone retaining walls and then up three concrete deck stairs with a handrail. There is a 10'x10' deck on the front of the house. The front door opens into the living room. The living room is a 10'x10' area with a sleeper couch that folds out into a queen, an ottoman that folds out into a twin, a tv and stereo system, and two sconces. The living room has hardwood floors. The living room is connected to the kitchen and guest bedroom with a 10'x10' hallway that doubles as an office/bar. There is a small writing desk on one side of the hallway and a small bar cabinet on the other side. There is an overhead light in the hallway. The guest bedroom connects the first floor to the guest bath and is 10'x10'. In the guest bedroom, there is a twin bed that folds out into a king. There are two small closet spaces. One is blocked by the bed, so the door is taken off and has an end table with a lamp on it. The guest bedroom has hardwood floors. The guest bathroom has a tub/shower, toilet, and vanity. It has a small linen closet as well. The guest bathroom has tile floors and a tile wainscoting. The kitchen has a large granite countertop that extends from the main entry to the dining room. It has a dishwasher, double oven stove, microwave, coffee maker, garbage disposal, and refrigerator as appliances. All are less than 7 years old; most are stainless steel. The kitchen is a 10'x10' space, has hardwood floors, and a chandelier. The dining room is 10'x10' and has a door to the basement stairs, a door to the back patio, a door to a large pantry, and stairs to the second floor. It has a dining table with a ceiling light overhead and is tiled. The dining room also has the end of the kitchen countertop, which extends into a peninsula. This peninsula has two barstools and a pendant light. The second floor has the master bedroom, two closets, and master bath. The master bedroom is 10'x10' and has hardwood floors. It has a queen bed and an overhead light/fan. The master bath has a 6'x4' shower without a tub. It has an oversized vanity and toilet as well. The bathroom floor and shower are tiled. The back patio is up 10 stairs between 10' rock retaining walls has two 10'x10' bricked areas. One has an outdoor table and three chairs; the other area has three chairs and a firepit. There is 10'x10' paver path leading to a 10'x10' parking area. This parking area is

gravel and is connected to the alleyway.

11. The applicant 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

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) Parking shall not block the alley, behind the house.
- 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:

- 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 for each address.
- 3. The maximum number of guests is limited to 2 people (not including an infant/child).
- 4. Only one additional (guest) car is permitted.
- 5. Approval is for one (1) year.

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-2018-21** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Aerial Imagery
Zoning map
Site Photos and Floorplan
Additional Information

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-21** 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. _____.

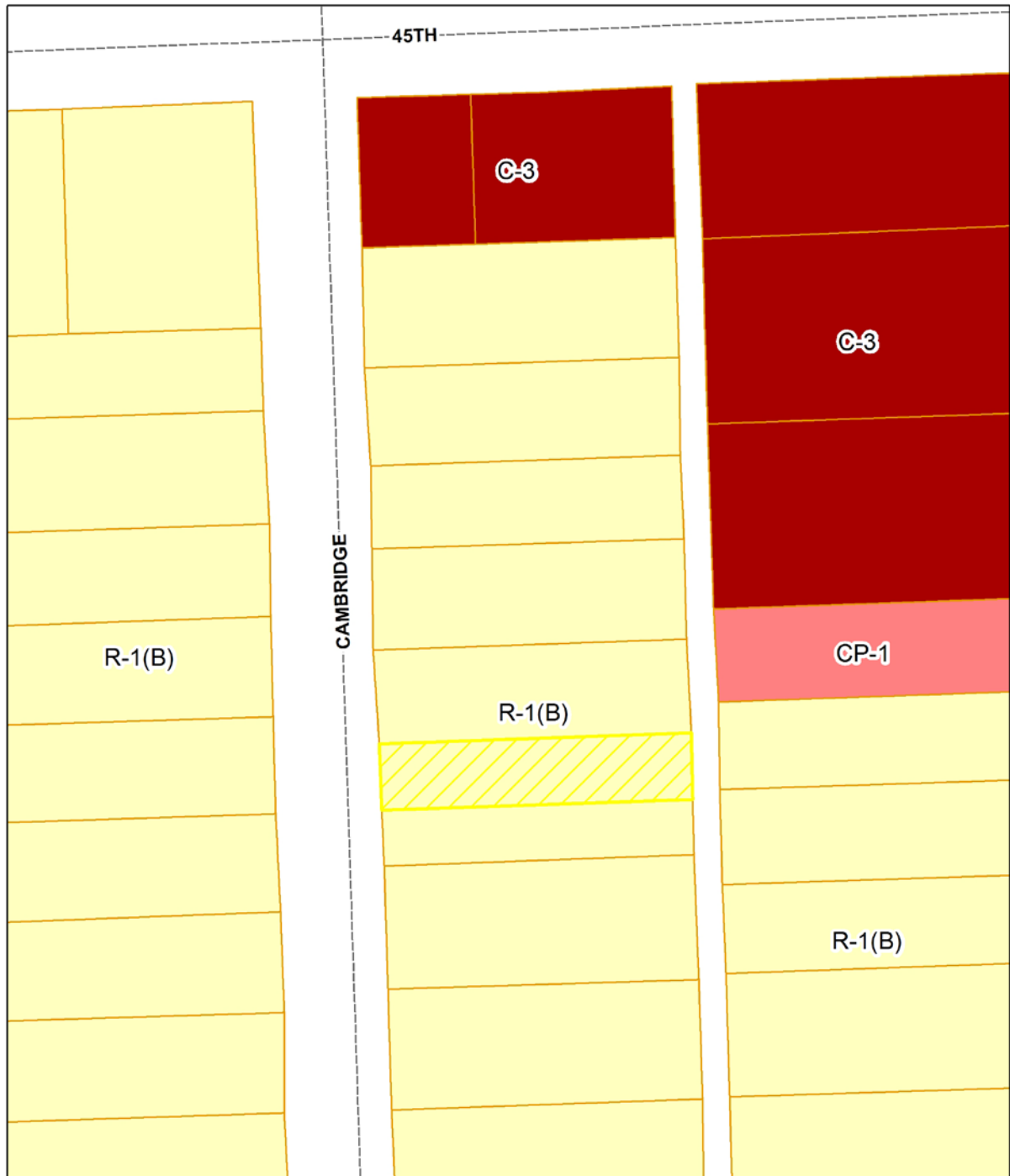
OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-21**, 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.



SP-2018-21 *Aerial Imagery*





SP-2018-21 **Zoning Map**







A unique bungalow near Westport, the Plaza, and KU Med



A small front deck with two comfortable Adirondack chairs



The entry hall joins the kitchen, living room, and guest bedroom



Google fiber internet at 100 mpbs and Google fiber TV



A small desk for business or writing in a journal



The view from the kitchen includes the desk and a small bar for your cocktails



Tons of counter space for cooking and baking



A double oven makes cooking and baking a snap



An adventurous peninsula connects the dining room and kitchen



The dining room is right off of the kitchen for easy serving



Lots of natural light in the dining room leading to the back patio



The dining room and stairs



The master bedroom is upstairs and houses a queen bed and quirky walk-in closet



The master bath has an over-sided vanity and unique towel rack



The master bath shower is large



The guest room houses a twin daybed that expands into a queen



Guest bath designed by architectural salvager



A private backyard leading to a parking spot off of an alley



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: April 5, 2018
Re: Petition #SP-2018-22

GENERAL INFORMATION

Applicant:
Cynthia Pesselato

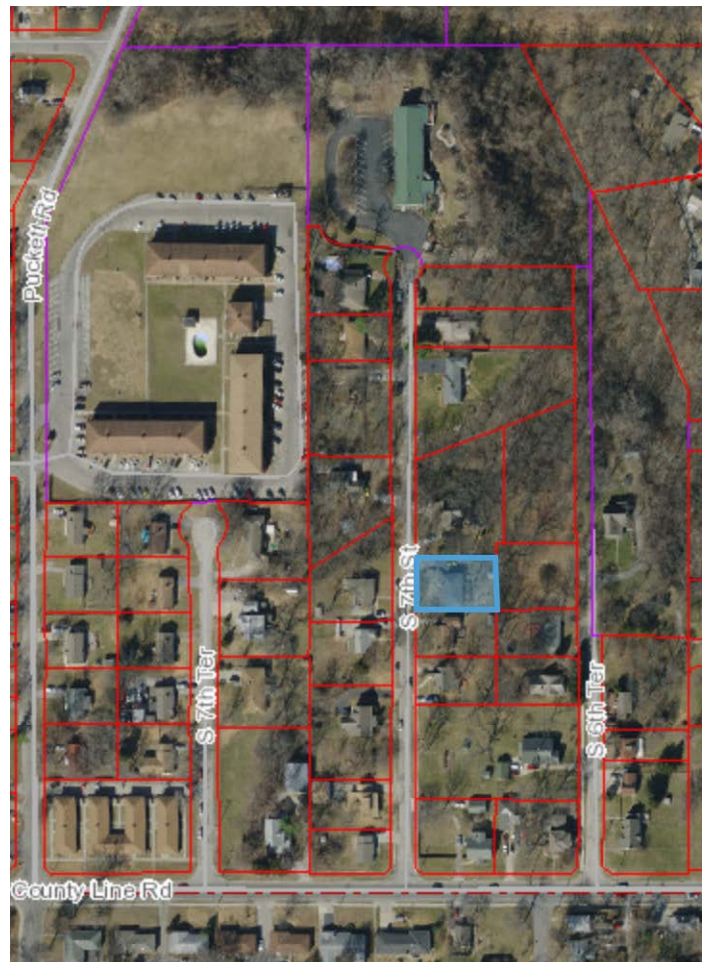
Status of Applicant:
Owner and Proprietor
3107 South 7th Street
Kansas City, KS 66105

Requested Action:
Approval of a Home Occupation
Special Use Permit

Date of Application:
January 24, 2018

Purpose:
To operate a Short-Term Rental/Bed
and Breakfast at the applicant's
primary residence (AIRBNB)

Property Location:
3107 South 7th Street



Commission District:

Commissioner At Large – Commissioner Tom Burroughs
District Commissioner – Ann Brandau Murguia

Existing Zoning: R-1 Single Family District

Existing Surrounding Zoning: **North:** RP-5 Planned Apartment District

South: R-1 Single Family District

East: R-1 (B) Single Family District

West: R-1 Single Family District

Existing Uses: **North:** Apartments
South: Single Family Homes
East: Single Family Homes
West: Single Family Homes

Total Tract Size: 0.24 acre

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

Major Street Plan: The City-Wide Master Plan designates South 7th Street as a Local Street.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Cynthia Pesselato, is applying to use her single-family home, located at 3107 South 7th Street as a short-term rental space, in addition to her primary residence, rented through sites such as AIRBNB and VRBO.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is residential in nature though there are commercial nodes nearby.

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

The zoning and uses of the properties is set out above. The proposed use might be compatible with the surrounding single-family houses if operated properly. Operating this property as a short-term rental/bed and breakfast has the potential to create issues related to noise, parking, and other concerns related to overcrowding if improperly managed. The fact that this property is the primary residence of the host 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 as noise and parking are mitigated to a large extent by the fact that this property is the primary residence of the host.

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.

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 landowner would not be able to use the property as a bed and breakfast or short-term rental but may continue to use the property as a single-family residence.

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

Applicant held a neighborhood meeting on February 18, 2018. According to the applicant no one was in attendance. However, the applicant has spoken to several neighbors who are in support of her application.

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-2018-22, subject to:

Urban Planning and Land Use Comments:

- 1. How long has the short-term rental business been in operation?**

Applicant Response: October of 2017

- 2. Were neighbors consulted prior to opening the business?**

Applicant Response: Yes, some

- 3. Do you have a business license?**

Applicant Response: All requirements of the Urban Planning Division are in process and being fulfilled.

- 4. Have you paid appropriate lodging taxes?**

Applicant Response: Yes, through the AIRBNB platform

- 5. How many rooms are rented?**

Applicant Response: One

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

Applicant Response: Two

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

Applicant Response: One guest car – in driveway

- 8. How often are guests in the residence?**

Applicant Response: As bookings occur, depending on my schedule and the length of stay

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

Applicant Response: All requirements of the Urban Planning Division are in process and being fulfilled.

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

Applicant Response: The lower level includes a large bedroom, office, living and bathroom. Common areas are entrance via door by garage and laundry room.

If approved, the following would be 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 for each address.
 3. The maximum number of guests is limited to 2 people (not including an infant/child).
 4. Only one additional (guest) car is permitted.
 5. 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-2018-22 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
 Site Photos
 Zoning Map
 Information provided by applicant

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: **Jamie Hickey**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-22 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-2018-22, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 1:57

SPECIAL USE PERMIT APPLICATION #SP-2018-22 – CYNTHIA PESSELATO –

SYNOPSIS: Home Occupation Special Use Permit for an AIRBNB at 3107 South 7th Street. **Detailed Outline of Requested Action:** The applicant, Cynthia Pesselato, is applying to use her single-family home, located at 3107 South 7th Street as a short-term rental space, in addition to her primary residence, rented through sites such as AIRBNB and VRBO.

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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 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:

- ❖ Cynthia Pesselato, applicant, 3107 South 7th Street, Kansas City, Kansas 66103
- ❖ Erin Stryka, Executive Director, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103
- ❖ There were 15 persons present that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts at 2:04:25 - Director Richardson stated that at some point there has to be a line drawn as to whether this is a separate unit and whether it is R-1 zoning or R-2 zoning because when there is a separate unit that creates a different kind of zoning scenario than if you are sharing a whole home especially if it can be closed off and there is almost a kitchen. That becomes close to the definition of a duplex and not a single-family home. It appears there since there is access to the kitchen and the rest of the house used upon request that is not quite the case; there is another case on the agenda that is closer to that. There is an issue beyond a special use permit if there is a second unit there. Given that they have access to the rest of the home if they want to for the kitchen and there is still a connection there and separate entrance, the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 2:07

On motion by Mr. Carson, seconded by Dr. Serda, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-22:**

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

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

- 1. How long has the short-term rental business been in operation?**

Applicant Response: October of 2017

- 2. Were neighbors consulted prior to opening the business?**

Applicant Response: Yes, some

- 3. Do you have a business license?**

Applicant Response: All requirements of the Urban Planning Division are in process and being fulfilled.

- 4. Have you paid appropriate lodging taxes?**

Applicant Response: Yes, through the AIRBNB platform

5. How many rooms are rented?

Applicant Response: One

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

Applicant Response: Two

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

Applicant Response: One guest car – in driveway

8. How often are guests in the residence?

Applicant Response: As bookings occur, depending on my schedule and the length of stay

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

Applicant Response: All requirements of the Urban Planning Division are in process and being fulfilled.

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

Applicant Response: The lower level includes a large bedroom, office, living and bathroom. Common areas are entrance via door by garage and laundry room.

If approved, the following would be 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 for each address.**
- 3. The maximum number of guests is limited to 2 people (not including an infant/child).**
- 4. Only one additional (guest) car is permitted.**
- 5. Approval is for 2 years.**







Air BnB Justification Statement:

Air BnB plays a vital role for those seeking safe, comfortable, reliable and affordable short-term stay.

Most hotels and/or motels charge a good deal more than Air BnB . Those that are in a cheaper range certainly do not offer the beauty, comfort, space, peace of mind and convenient locations that an Air BnB hosts, like myself can. Perhaps even more so, guests and hosts in the BnB Community are of a certain personality; preferring a more personal, “homey” or “artsy” environment and this is something that National chain hotels/motels can provide.

Air BnB also offers someone like myself (a single woman trying to get by in life), an additional source of income that allows me to keep my home, pay my taxes and afford the upkeep necessary to maintain my modest home and grounds.

An Air BnB guest at my home has approximately 500 square feet of space that includes a large living room, bedroom, office and bath. I provide off-street parking in a safe neighborhood and a secure private, key coded entrance. The space itself is beautifully appointed with original artwork, down comforters, oriental rugs and hardwoods. In milder weather, a double-deck in a yard full of flowers, hammocks, tree swing, and eating area complete with gas grill is available for relaxation.

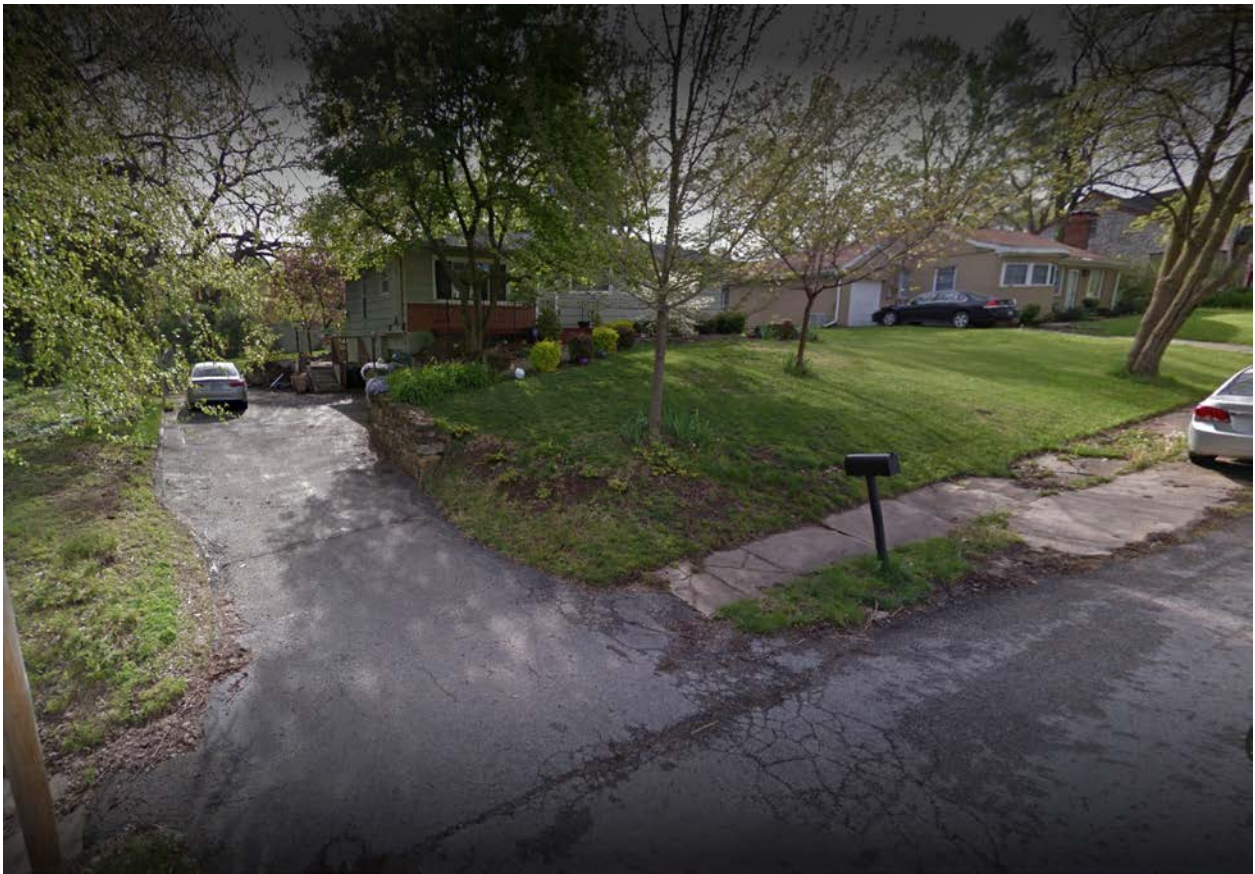
My Air BnB profile includes a City Guide with area local attractions. In that section, I highlight the nearby restaurants, entertainment, museums, parks, music, sports and shopping areas. Major attractions in Kansas City, KS directly benefit from both my City Guide and that of other City Guides built on the Air BnB platform.

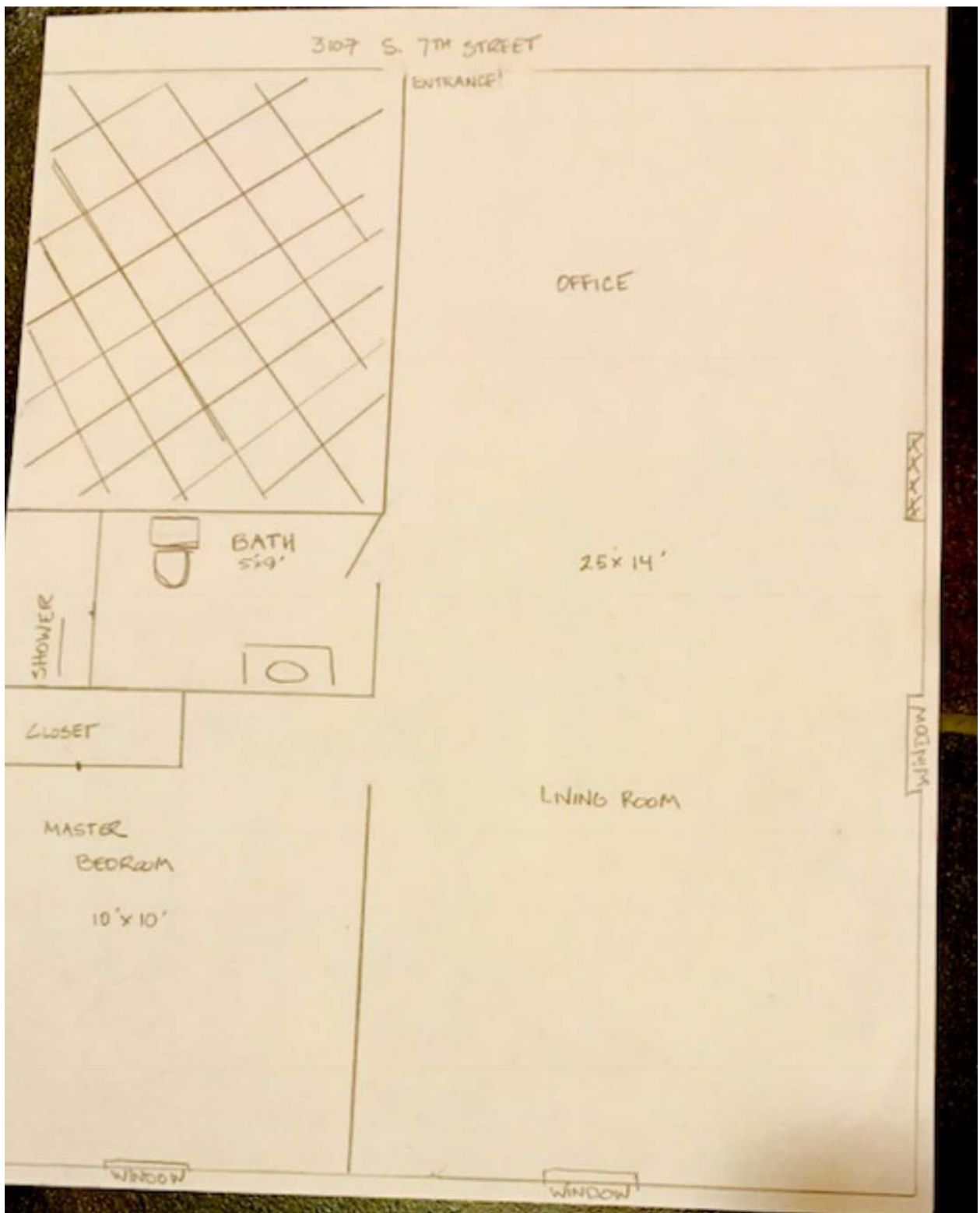
Air BnB has a number of fail-safes put into place to ensure the safety and comfort of both guests and hosts including the following:

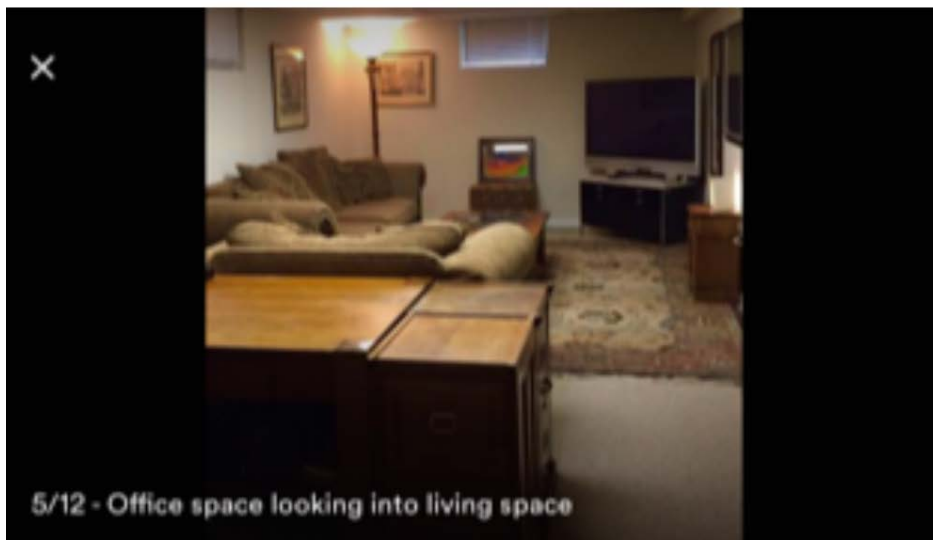
- No cash exchanges hands. Credit card information is entered into the system by guests and automatically put into accounts of each host.
- Guests and hosts review each stay for Accuracy of listing, Communication, Cleanliness, Location, Check-in, Value and Overall Rating.
- Each guest staying with me must provide official forms of government I.D.'s and photos. At the time of this writing, I have received one 3-star rating, 2 4-star ratings and 15-5 star ratings. My Overall rating is 4.9.

House Rules on the my Profile indicate this paragraph first: “Foremost: This is a quiet neighborhood and my relationship with my neighbors is of utmost importance. Please be mindful of making loud noises outside when coming and going. Thanks!”

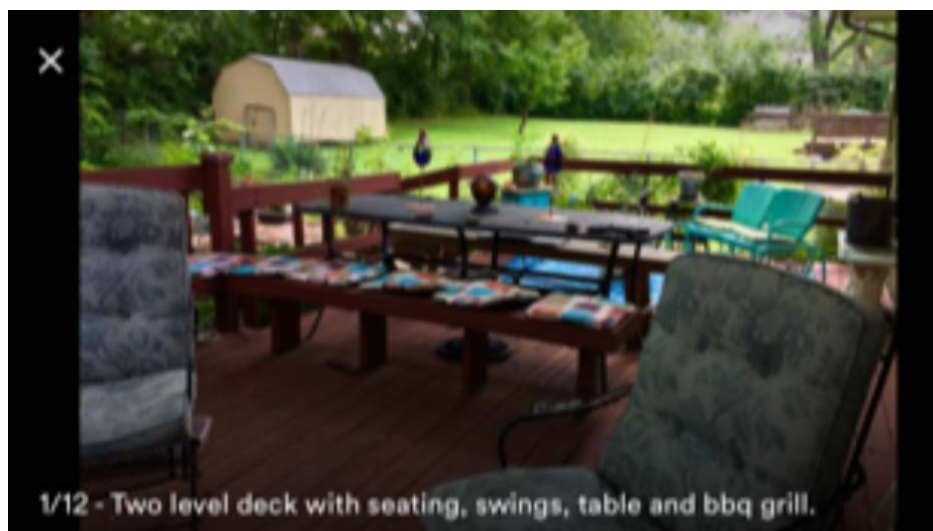
All the above are imperative to me as a host and as a neighbor. I must feel safe in my own home and likewise, my neighbors, whom I enjoy a good relationship with, must also feel safe. All this, and my posted House Rules make sure that I have done my best due diligence in ensuring quality, safe and conscientious guests.



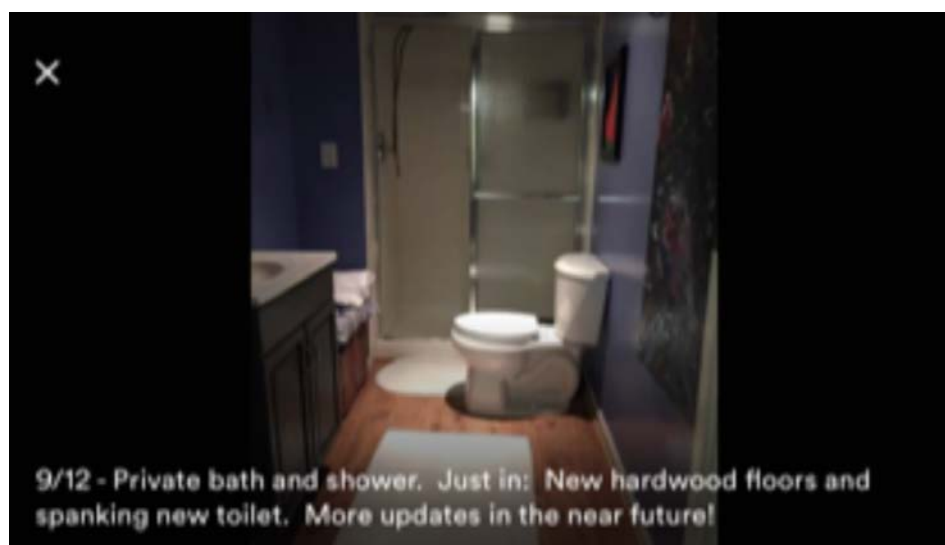




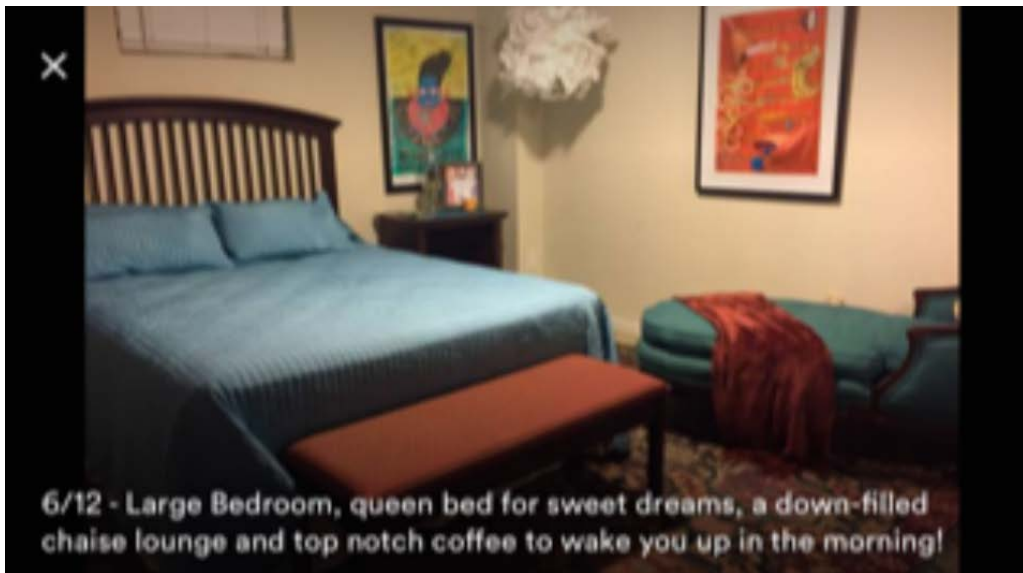
5/12 - Office space looking into living space



1/12 - Two level deck with seating, swings, table and bbq grill.



9/12 - Private bath and shower. Just in: New hardwood floors and spanking new toilet. More updates in the near future!





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: April 5, 2018
Re: Petition #SP-2018-23

GENERAL INFORMATION

Applicant:
Daniel Bauer

Status of Applicant:
Representative
Kaw Point Meadery
LLC
8423 Ann Avenue
Kansas City, KS

Requested Action:
Approval of a Special
Use Permit

Date of Application:
January 24, 2018

Purpose:
To operate a Farm
Winery

Property Location:
613 North 6th Street



Existing Zoning: CP-2 Planned General Business District

Existing Surrounding Zoning: **North:** CP-2 Planned General Business District
South: CP-2 Planned General Business District
East: R-2(B) Two Family District
West: C-0 Nonretail Business District

Existing Uses: **North:** Apartments
South: Retail/Office
East: Two Family House
West: Parking Lot

Total Tract Size: 0.19 acre

Master Plan Designation: The Downtown Master Plan designates this property as Neighborhood Mixed Use.

Major Street Plan: The City-Wide Master Plan designates Barnett Avenue west of 6th Street as a Class C Thoroughfare. East of 6th Street, Barnett Avenue is a local street. 6th Street is a Class C Thoroughfare north of Barnett Avenue and a local street south of Barnett Avenue.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Daniel Bauer, is applying to use the property at 613 North 6th Street as a farm winery for producing mead. The property includes 3,750 square feet of building area and an 11-space parking lot. The proposed business would include a 1,100 square foot tasting room in the front retail space, a 1,100 square foot production facility in the back of the facility, and 950 square feet of office space on the second floor.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This property is in the downtown area on a mixed use commercial street. There are duplexes and single-family houses to the east. The municipal office complex

and parking area are to the west.

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

Potential issues related to noise, parking, and traffic associated with the tasting room could result from the proximity of the building to low density residential uses in the area. More information about the hours and operation of the tasting room are needed to evaluate these potential incompatibilities. See the staff comments section.

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, depending on the operation of the tasting room.

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

This property has recently operated as a cell phone store. The business license expired December 31, 2016.

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

The proposed use conforms to the Downtown Master Plan. The Neighborhood Mixed Use District allows retail uses with office above and encourages buildings to front onto the street.

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 provide a downtown destination 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.*

Noise is a potential issue for the neighboring residences as patrons leave the tasting room depending on the hours of the tasting room.

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 proposed use will benefit the public welfare by creating a destination and active use on the downtown mixed use commercial corridor. The hardship imposed on the individual landowners would be that the farm winery would not be able to operate without a special use permit.

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 February 20, 2018. A copy of the meeting minutes is included as an attachment to this report.

KEY ISSUES

Parking Variance
Security
Sidewalks

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-23, for two (2) years subject to:

Urban Planning and Land Use Comments:

1. Based on the area of the building, greater than 17 parking spaces would be required under the minimum parking requirements. A variance will be

required to operate this business.

Applicant Response: A Zoning Variance Application was submitted for the Feb 23, 2018 deadline.

2. What are the proposed hours of operation for the business?

Applicant Response: Initially we anticipate being open for retail operations

Thursday 4pm-10pm

Friday 11am-11pm

Saturday 11am-11pm

Sunday 1pm-6pm

We anticipate expanding these hours to include Wednesdays in similar operation to Thursdays at some point but will allow consumer demand to dictate our final hour of operation. We will not operate beyond 11 pm on weekends or 10 pm on weekdays. Hours of production and are highly variable upon seasonality and consumer demand.

3. What is the size of the seating area of the tasting room and what will be the hours?

Applicant Response: The hours of the tasting room will at first be:

Thursday 4pm-10pm

Friday 11am-11pm

Saturday 11am-11pm

Sunday 1pm-6pm

We anticipate expanding these hours to include Wednesdays in similar operation to Thursdays at some point but will allow consumer demand to dictate our final hours of operation.

4. How many staff and customers are anticipated to be present at the business?

Applicant Response: Up to 3 staff at any given point will be present at the business during production and retail hours. We anticipate an average of 15-30 customers at any given point during retail operations.

5. Will there be any live entertainment (e.g. live music, etc.)? A special use permit for live entertainment is required for more than 4 live events per year.

Applicant Response: We intend to have a small acoustic stage to allow for live entertainment. A special use permit for this will be applied for in the future once construction has begun.

Staff Note: A Special Use Permit is required if there will be live entertainment beyond 4 events per year.

6. Will you be selling food in addition to alcoholic beverages?

Applicant Response: We will not be selling food initially, however in the future we would like to partner with a local chef to operate a commercial kitchen nearby and cater food to our location.

7. Please provide a security plan that details how you will ensure safety of employees, patrons, and the general public.

Applicant Response: Overall safety of our customers, employees, and the general public is of paramount importance to Kaw Point Meadery. We will be operating our establishment in such a way that encourages responsible choices and the safety of all. Our hours of operation reflect this.

Customer Security

- A. Anyone who is deemed to be too boisterous, rude, or verbally abusive will be asked to leave the premises.
- B. Anyone who threatens violence or is involved in an altercation will be removed from the premises and barred from re-entry for a period of three months.
- C. Security cameras will be present on all four corners of the building to ensure safety surrounding the property.
- D. Additional lighting will be installed surrounding the building, illuminating the building and the area surrounding the property

Employee Security

- A. Security cameras will be present in the cash register's area and the production area.
- B. Any customer who is verbally abusive to an employee will be asked to leave.
- C. Any customer who threatens violence to an employee will be removed from the premises and banned.
- D. Security cameras will be present on all four corners of the building to ensure safety surrounding the property.

General Public Security

- A. Security cameras will be present on all four corners of the building to ensure safety surrounding the property.
- B. Additional lighting will be installed surrounding the building, illuminating the building and the area surrounding the property
- C. All employees will be going through proper training to ensure no customer becomes over-served.
- D. Anyone deemed unfit to operate a motor vehicle will have a cab/uber summoned on his or her behalf. We take drunk driving very seriously. A drunk driver killed a close friend of ours in 2016.

8. Are you proposing any changes to the exterior of the building or the lot (e.g. changing paint color, adding landscaping, etc.?)

Applicant Response: We will be landscaping the area between the parking lot and sidewalk on the North side of the property with bee-friendly plants and a station for dog-walkers to take a free doggy-bag. We will also be providing a trashcan for the disposal of used doggy-bags in an effort to help clean up that corner of the block. We will be repainting the parking lot for increased safety and order. We will be painting the North, East, and South sides of the building as well as planning a mural on the North face of the building.

9. As a stipulation of approval, the sidewalk on the north side of the property shall be reconstructed with brick pavers. A right-of-way permit will be required for this work.

Applicant Response: This will be done through the proper channels and a right-of-way permit will be attained.

10. All signs will undergo a separate review and will need to obtain the appropriate sign permits.

Applicant Response: We will be seeking sign permits for a planned mural on the North face of the building, as well as a replacement lighted sign for the West face.

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) There shall be no parking along 6th Street and at the intersection with Barnett Ave. that is restricted and painted as “No Parking”.
 - 2) Parking shall not block the alley.
 - 3) Parking at the public lot across the street is not available during weekdays, from 8:00 am to 5:00 pm.
 - 4) Please coordinate with Scott Craig, Environmental Manager, at 913-573-1313 or scraig@wycokck.org regarding whether or not any evaluation, testing, or other requirements will be needed for the proposed business operation, and potential discharge to the sanitary sewer system.
 - 5) 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-2018-23** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Aerial Imagery
Zoning map
Site Photos and Floorplan
Additional Information
CHWC Letter of Support
Aerial Diagram
Floorplan

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-23** 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-2018-23**, 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.

MAY 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 2:07:45

SPECIAL USE PERMIT APPLICATION #SP-2018-23 – DANIEL BAUER –

SYNOPSIS: Special Use Permit for a farm winery (Kaw Point Meadery) specializing in the production of mead or honey wine at 613 North 6th Street. **Detailed Outline of**

Requested Action: The applicant, Daniel Bauer, is applying to use the property at 613 North 6th Street as a farm winery for producing mead. The property includes 3,750 square feet of building area and an 11-space parking lot. The proposed business would include a 1,100 square foot tasting room in the front retail space, a 1,100 square foot production facility in the back of the facility, and 950 square feet of office space on the second floor.

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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 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:

- ❖ Daniel Bauer, applicant, Kaw Point Meadery LLC, 8423 Ann Avenue, Kansas City, Kansas
- ❖ John Zumalt, Kaw Point Meadery LLC, 7119 Canaan Avenue, Shawnee, Kansas
- ❖ Wil Anderson, BHC Rhodes, Chairman of Downtown Shareholders
- ❖ Mary Collins, 2225 Washington Boulevard, Kansas City, Kansas 66102

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 2:12:49 - Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 2:13

On motion by Ms. Pauley, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-23 for two (2) years:**

Carson **Aye**

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

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

Urban Planning and Land Use Comments:

1. Based on the area of the building, greater than 17 parking spaces would be required under the minimum parking requirements. A variance will be required to operate this business.

Applicant Response: A Zoning Variance Application was submitted for the Feb 23, 2018 deadline.

2. What are the proposed hours of operation for the business?

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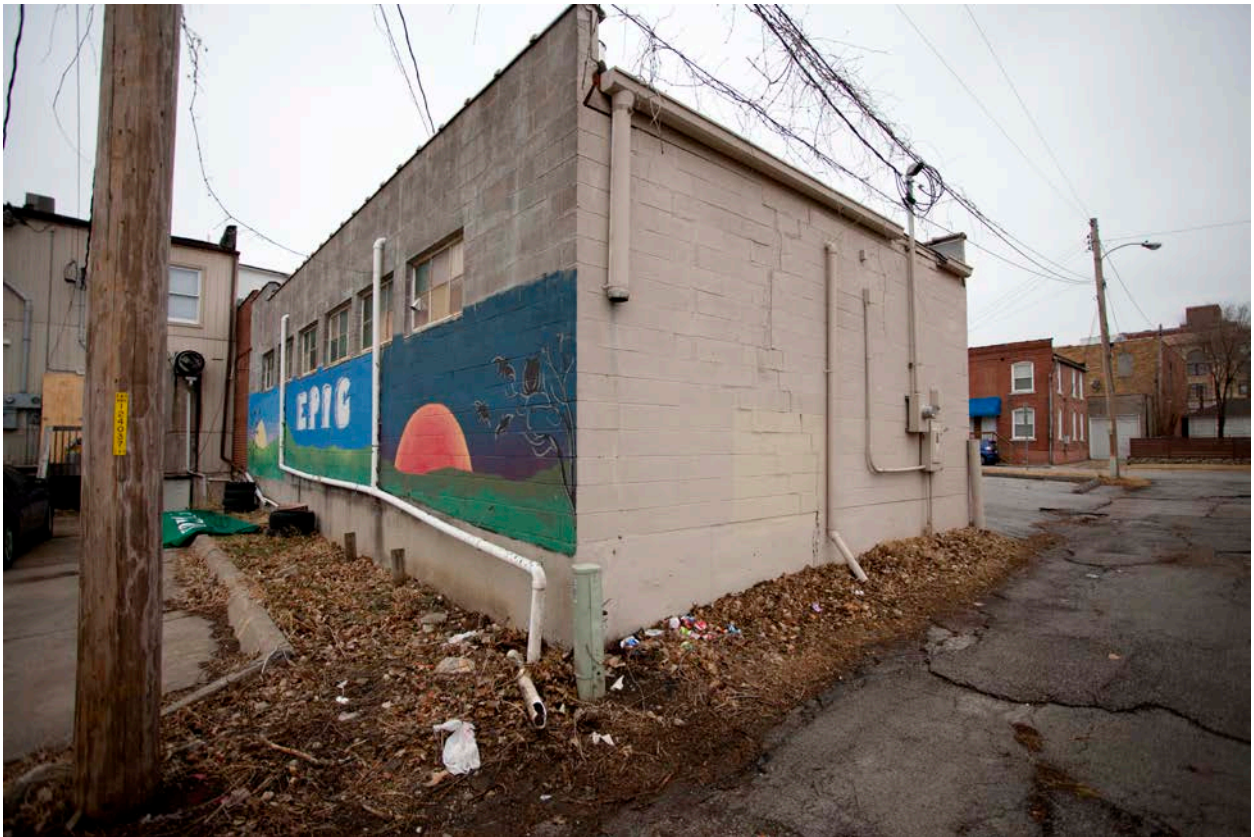
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 - 5) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None







6. Additional Information

The Company

Kaw Point Meadery is a farm winery specializing in the production of mead, or honey wine. Kaw Point Meadery will be located at 613 N 6th St in Kansas City, Kansas, in the heart of the Strawberry Hill Neighborhood, at the foot of Downtown KCK, and minutes away from Kansas City. It will be a destination point for locals and visitors alike offering world class mead, honeybee education, and local honey. Kaw Point Meadery is structured as a Limited Liability Company.

Mission

Kaw Point Meadery's mission is to provide Kansas City with world-class mead; made using the freshest ingredients, sourced locally, and from around the world. We strive to educate and spread awareness of honeybee health through transforming honey into the amazing beverage it was meant to be.

Vision

Kaw Point Meadery's responsibility is to raise awareness and educate of the importance bees play in our lives. By bringing the world's oldest fermented beverage back into the public market, we hope to reconnect our community with these irreplaceable pollinators in a whole new fashion. We also own the responsibility of knowing that our mead will be the first and only many will try, and this is what drives our pursuit of excellence in every glass.

What is mead?

Mead is an alcoholic drink made by fermenting honey. We like to tell people "*barley is to beer, as grapes are to wine, as honey is to mead.*"

Mead can vary in sweetness ranging from dry, off-dry, semi-sweet, and sweet. Flavors vary based on the variety of honey used, very similarly to wine grapes. Mead can also be made with any variety of fruits, juices, herbs, and spices; making the flavor possibilities endless

Mead is currently *the fastest growing alcoholic beverage in the United States*. Across the country mead is being adopted by wine and beer consumers searching for new discoveries in authentic, great-tasting craft beverages.

Products and Services

We will offer varying types of mead for the marketplace. There will be four series of products.

1. **Session mead** - (12fl oz, 6.5% ABV). These will be kegged and/or canned and are standard offerings with some seasonal variability.
2. **Pollinators' Reserve** (375ml, 14-18% ABV) - These are meads made from monofloral honey varieties sourced around the world. The series is intended to highlight the diversity of honey's potential. High collectors' value. High cellarability.
3. **Seasonal releases** (500ml, 11-14% ABV) - Made using local ingredients as they come into their peak season. High collectors' value. High cellarability.
4. **Tour and Tastings** - Informational video followed by a honey tasting, honeybee health update, tour of production facility, Q&A, and guided mead tasting. Opportunity to buy merchandise and mead in tasting room.

Stage of Development

Kaw Point Meadery is currently in the startup phase, having been created in 2016. The founders have written a 133 page business plan and created a successful Kickstarter campaign raising \$32,421 over 30 days from 149 contributors. The company is currently solidifying greater financing through an SBA 7(a) loan.

Building Theory of Use



Total sq ft: 3150

Top floor: 950 sq ft office space

Main floor: 1100 sq ft tasting room in front, 1100 sq ft production space in rear

Basement: 1,100 sq ft unfinished basement below tasting room for cellaring/aging of product

Parking: 12 spot private lot, with street parking and public lot across street

Kaw Point Meadery in the Local Media

Kansas City Star - On December 27, 2016 we were mentioned in a Kansas City Star article titled “*Food trends to watch in 2017: Lard, Midwest fish, mead, jackfruit*”, in which we were highlighted as an anticipated opening in the area.

Flatland KC - The first article we were featured in was titled “*Kaw Point Meadery Sweetens Prospects for Hometown Mead*” written by Pete Dulin for Flatland KC on January 24, 2017. Flatland KC being the online magazine for KCPT. Pete Dulin is a local craft beverage writer who has written three books on regional wineries, breweries, and craft beverage producers.

KC Live - Upon launching our Kickstarter campaign, we were contacted by the Executive Producer of KC Live for KSHB 41 Action News. KC Live is an hour long segment from 10-11am on weekdays that highlights local culture and businesses. We went on the program, spoke about our campaign and sampled various honeys. The segment aired live May 9, 2017.

Feast Magazine - the day of our campaign completion, April Fleming, a writer for Feast Magazine, reached out saying her editor wanted her to do a bio on us. Feast Magazine is a local food & beverage magazine and online publication. The article was titled “*Kaw Point Meadery Aims to Open Kansas City’s First Local Meadery in 2018*”, and it was published on June 6, 2017.

KSHB 41 Action News - After seeing the Feast article on us, KSHB 41 Action News reporter, McKenzie Nelson reached out wanting to do a segment on us. She was not aware that we had already been on KC Live for KSHB, and acted out of interest in the story. A videographer and Nelson came over to our homebrew setup for interviews and filmed us making a batch of mead in the morning. The segment aired later that day at 4pm on June 29, 2017.

Daniel Bauer
Kaw Point Meadery LLC
8423 Ann Avenue
Kansas City, KS 66112
913-221-4838

Neighborhood Meeting Minutes:

Application Number: SP-2018-23

Date and Location: 2-20-18 @ 7:00pm, 613 N 6th St Kansas City, KS 66101

Meeting called to order at: 7:00 p.m.

Names of people in attendance: Ralph Gordon, Daniel Bauer, Sam Suddarth, Joe Zumalt

Introductions:

No one reached out to Applicant following notice letters being sent out.

Outline of Topics

- What is mead?
- Who are we?
- What do we want to do here?
- Why in the Strawberry Hill neighborhood?
- What kind of traffic flow will we expect?
- What are our hours of operation?
- Why is a Special Use Permit required?
- Why is a Zoning Variance Permit required?

Questions and answers:

Comment: (Ralph Gordon) – No questions, you have answered all of my curiosities.

Meeting adjourned at: 7:30pm **Minutes taken by:** Daniel Bauer



BOARD OF DIRECTORS

Cecelia Wisniewski
Board Chair
Diane Hentges*
Board Vice-Chair
Fund Development
George Rebeck*
Treasurer
Finance
Jeffrey Lipp*
Secretary
Project Development

February 22, 2018

Mr. Rob Richardson
Urban Planning and Zoning
701 N 7th, 4th Floor
Kansas City, KS 66101

Brennan Crawford
Executive Director/CEO

Subject: Support for Special Use Permit at 613 N 6th
#SP-18402-00004

Dear Mr. Richardson:

Ben McAnany
Bridgette Cobbins
Fr. Gary Pennings
Irene Caudillo
Jim Schraeder
Joe Krizman
John Tiszka
Larry Greenbaum*
Board Governance
Maria Porta
Sandra Olivas
Steve Kucharo*
Neighborhood Engagement
Tim Orrick
Virginia De La Torre

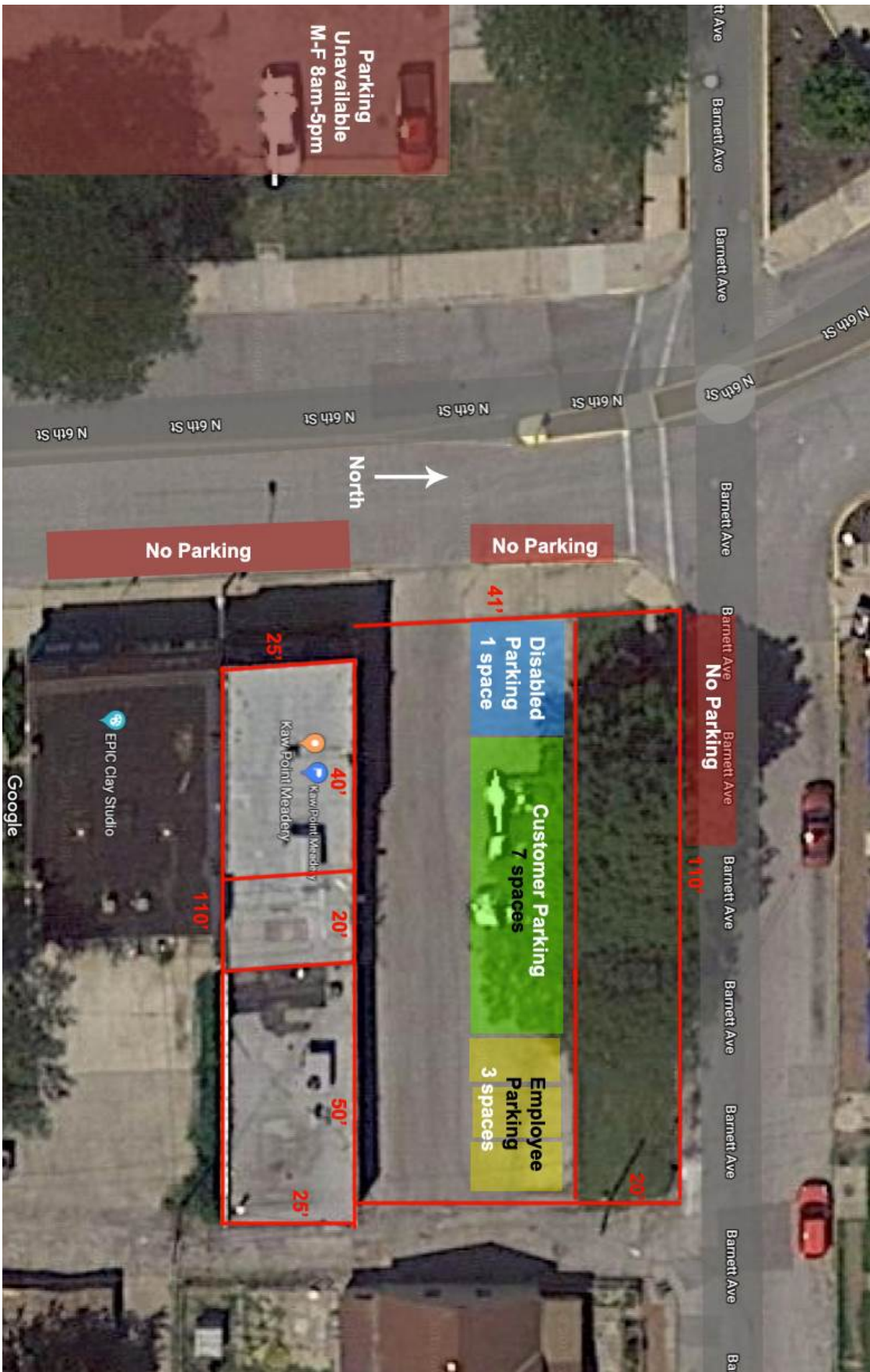
CHWC owns the building adjacent to 613 N 6th, whose future tenant, Daniel Bauer of Kaw Point Meadery LLC is asking for a special use permit in order to operate a Farm Winery. CHWC would like to express our enthusiastic support for this special use permit. We believe the unique small business proposed would bring the desired vitality to our block through its artisan beverage manufacturing, sale, and providing an open business and gathering place after 5pm on 6th Street and within the vicinity of KCK's downtown. We ask that you and the council approve Mr. Bauer's application.

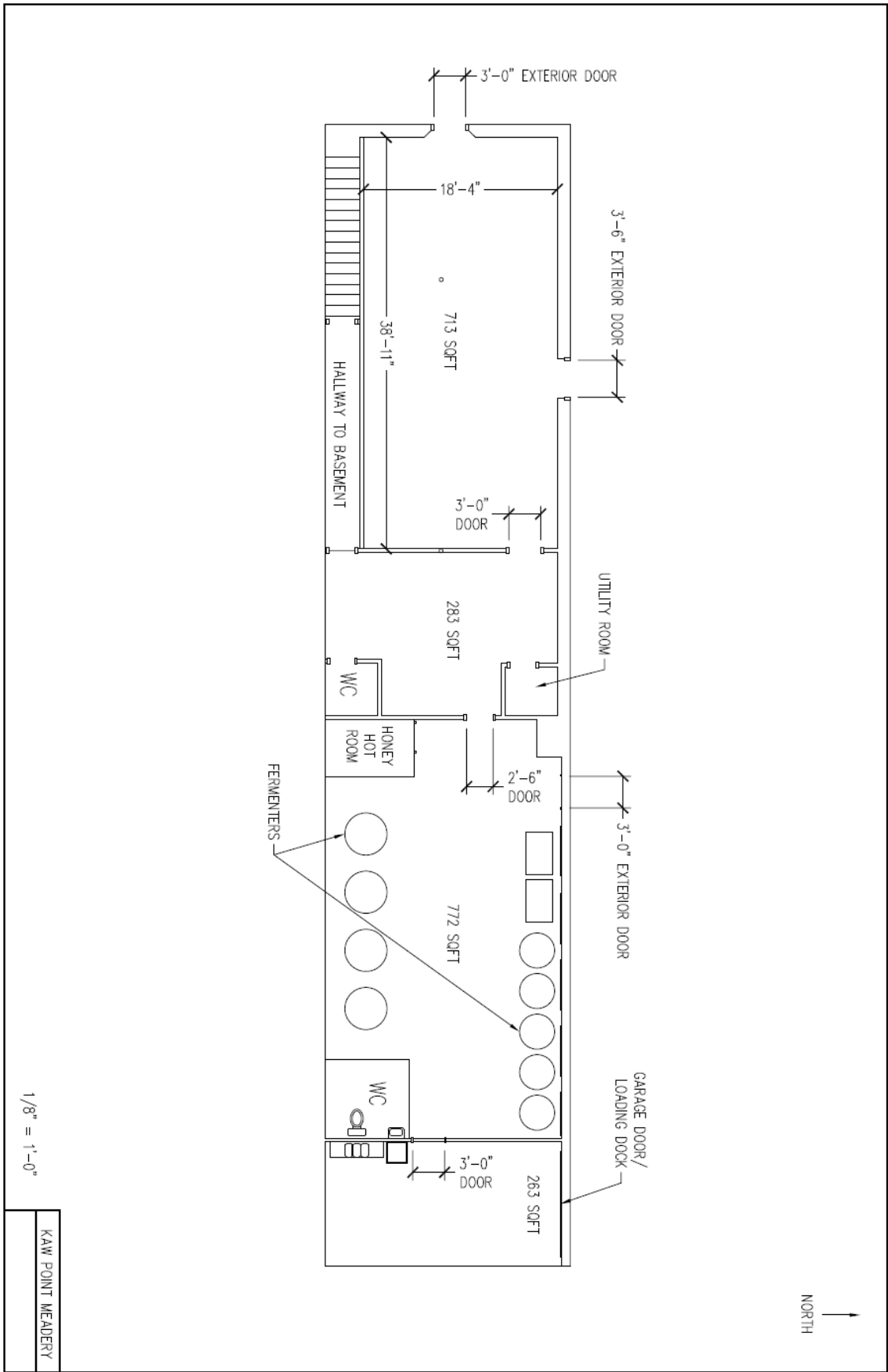
Sincerely,

Committee Members

Alex Mathew
Craig Gaffney
Joanne Huey
Lyle Cowles
Mario Urquilla
Mary Spangler
Randy Huber
Stephanie Bell
Susan Carroll
Susan Reilly
Tom Lally
*Committee Moderators

Brennan Crawford
CHWC Executive Director







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

GENERAL INFORMATION

Applicant:
Jeff and Joan Shearer

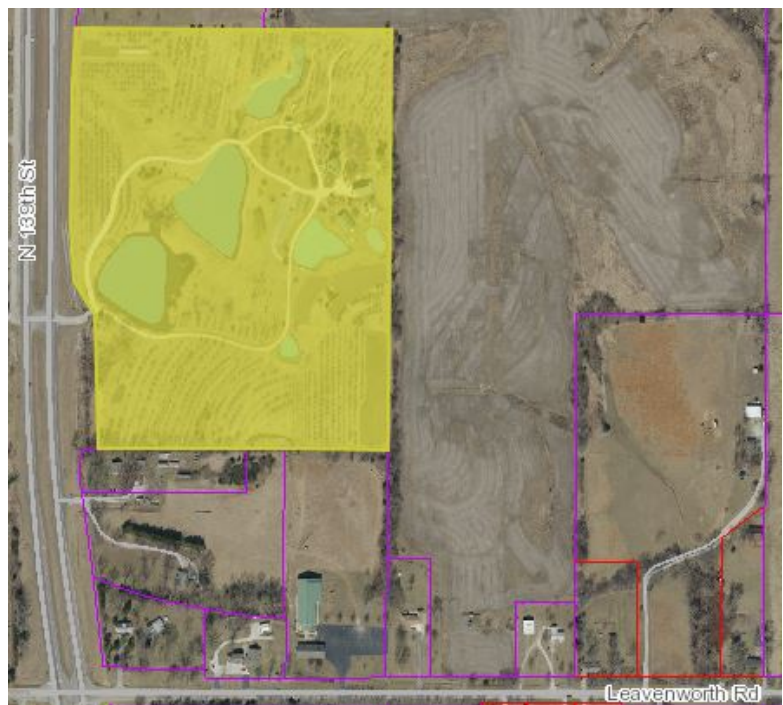
Status of Applicant:
Owners
13026 Clover Drive
Kansas City, KS 66109

Requested Action:
Renewal of a Special Use
Permit for a bed and breakfast,
event barn, and u-pick apple
orchard (Cider Hill Family
Orchard)

Date of Application:
January 24, 2018

Purpose:
To continue the operation of a
bed and breakfast, event barn, and u-pick apple orchard (Cider Hill Family Orchard)

Property Location:
3341 North 139th Street



Commission Districts:

Commissioner At Large: Melissa Bynum
District Commissioner: Michael T. Kane

Existing Zoning: A-G Agriculture (WYCO) District

Existing Surrounding Zoning: North: R Rural (WYCO) and A-G Agriculture (WYCO) Districts

South: R Rural (WYCO) District

East: A-G Agriculture (WYCO) District

West: Leavenworth County

Existing Uses: North: Large lot single family home

South: Large lot farmland

East: Large lot farmland

West: K-7 Highway Right-of-Way

Total Tract Size: 36.46 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Mixed Residential

Major Street Plan: The City-Wide Master Plan designates 139th Street/K-7 as a Limited Access Highway

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 26, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Jeff and Joan Shearer, are proposing to continue operation of a bed and breakfast, event barn, and u-pick apple orchard (Cider Hill Family Orchard). The orchard also has a gift shop that sells products from the orchard along with other locally produced products.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is exclusively comprised of large lots, the majority of them farmland, with a large lot single family home located north of the applicant's property. This portion of Wyandotte County is agricultural and rural in nature.

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

The proposed use will operate within an area primarily agriculture and rural in nature. Many of the proposed transactions and activities on this property will result from produce or natural elements manufactured on site or within the area. Because there are agricultural aspects to this business, the proposed use is compatible with the surrounding 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 should not detrimentally affect nearby property.

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

The property is not vacant.

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

Special use permits are not addressed in the Master Plan.

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

The proposed use could result in an increase in traffic, but not to the point where it exceeds the capacity of 139th Street or K-7 Highway.

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 commercial orchard is reasonably necessary for the convenience and welfare of the public and if the applicant continues to manage the business professionally and continues to be considerate of their neighbors, extension of the special use permit will not substantially or permanently injure the appropriate use, visual quality, or marketability of the adjoining properties.

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

The noise that would be associated with the event barn may be heard by the property owner north of this property. There should not be any other problems for nearby property owners.

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

The proposed use should not pollute the air, land, or water. The applicant will need to dispose of any material generated by patrons or livestock in a timely manner to adhere to the potential concerns of the adjacent property owner.

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

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

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

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner is minimal. If the special use permit is not renewed, the owner will have to relocate to a property that allows their proposed uses. This would be a difficult prospect for the applicants.

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

The proposed use will result in large concentrations of people on the property. The size of the property (36 acres) will mitigate any potential overcrowding issues, however.

PREVIOUS ACTIONS

The Board of Commissioners approved the original special use permit for the multifaceted suburban orchard on January 6, 2011 (#SP-2010-50) for 2 years.

The Board of Commissioner approved the renewal of #SP-2010-50 on April 4, 2013 (#SP-2013-15) for 5 years.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on February 26, 2018. According to the applicant, there were no issues raised at the meeting. One attendee asked if the

applicant planned on doing anything differently than what was already defined in the existing Special Use Permit; the applicant stated that they would not be doing so.

KEY ISSUES

Noise
Overcrowding
Compliance with previous stipulations

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-25, subject to:

Urban Planning and Land Use Comments:

1. If approved, approval for fifteen (15) years.
2. Please address the prior approval stipulations and any changes to the use.

Issue from the previous approval

The Board of Commissioners approved the original special use permit for the multifaceted suburban orchard on January 6, 2011 (as case #SP-2010-50). During that case Staff and the applicant worked diligently to resolve issues with parking, garbage removal, the number of guests at an event, the hours of operation for the bed and breakfast and shared drive agreements. All of those issues are still resolved and are in good standing with the city.

Length of approval

Staff is recommending a 15-year approval. This length of approval is somewhat rare and in some people's mind, it opens up staff to claims of inconsistent recommendations. We would like to take this opportunity to give the specific reason why this case is getting a 15-year recommendation.

1. This applicant has done an exceptional job of living up to the stipulations and promises made to the UG, Planning Staff, their neighbors and they have done everything to the letter of the code.
2. The size of the property is large enough (25 acres) that it creates its own buffer to the neighbors.
3. The size of the neighboring properties are large enough (15.84 acres on average) that they act as a buffer from the activities on the subject property.
4. All activities that create loud noise for an extended period of time are held inside buildings.
5. The proper improvements (a parking lot, lighting etc.) were made to ensure that the site would not have dead grass and path ruts from customer use.

Business License Comments:

1. The u-pick orchard is an agricultural business exempt activity. Applicant has filed and maintained current application with our office for the retail/gift shop and for the reception facility. Previous SUP approved for bed and breakfast and this application would renew, there has not been application filed with our office for any bed and breakfast business activity and applicant still needs to do so.

Public Works Comments:

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

Staff Conclusion:

The applicant has done an excellent job of complying with previous stipulations; approving this Special Use Permit for 15 years should not be an issue.

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-2018-25 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Neighborhood Meeting Minutes
Zoning Map
Aerial Image
Cider Hill Operations Update

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: Mason Herrman
mherrman@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-25** 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-2018-25**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2018-25 – JOAN SHEARER/CIDER HILL FAMILY ORCHARD - SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-15) for a bed and breakfast, event barn, and u-pick apple orchard (Cider Hill Family Orchard) at 3341 North 139th Street. **Detailed Outline of Requested Action:** The applicants, Jeff and Joan Shearer, are proposing to continue operation of a bed and breakfast, event barn, and u-pick apple orchard (Cider Hill Family Orchard). The orchard also has a gift shop that sells products from the orchard along with other locally produced products.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 12, 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 notices to property owners; and
7. The publications in The Echo for the special use permit renewals.

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

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. (No one responded in the affirmative.)

On motion by Dr. Serda, seconded by Mr. Connelly, the Planning Commission voted as follows to **APPROVE the items on the Consent Agenda:**

Carson	Aye
Childress	Aye
Connelly	Aye
Ernst	Aye
Pauley	Aye
Serda	Aye
Huey	Chairman

Gonzalez	Not Present
Jones	Not Present
Mose	Not Present
Reasons:	Not Present

Motion to APPROVE Passed: 6 to 0
Subject to:

Urban Planning and Land Use Comments:

1. If approved, approval for fifteen (15) years.
2. Please address the prior approval stipulations and any changes to the use.

Issue from the previous approval

The Board of Commissioners approved the original special use permit for the multifaceted suburban orchard on January 6, 2011 (as case #SP-2010-50). During that case Staff and the applicant worked diligently to resolve issues with parking, garbage removal, the number of guests at an event, the hours of operation for the bed and breakfast and shared drive agreements. All of those issues are still resolved and are in good standing with the city.

Length of approval

Staff is recommending a 15-year approval. This length of approval is somewhat rare and in some people's mind, it opens up staff to claims of inconsistent

recommendations. We would like to take this opportunity to give the specific reason why this case is getting a 15-year recommendation.

1. This applicant has done an exceptional job of living up to the stipulations and promises made to the UG, Planning Staff, their neighbors and they have done everything to the letter of the code.
2. The size of the property is large enough (25 acres) that it creates its own buffer to the neighbors.
3. The size of the neighboring properties are large enough (15.84 acres on average) that they act as a buffer from the activities on the subject property.
4. All activities that create loud noise for an extended period of time are held inside buildings.
5. The proper improvements (a parking lot, lighting etc.) were made to ensure that the site would not have dead grass and path ruts from customer use.

Business License Comments:

1. The u-pick orchard is an agricultural business exempt activity. Applicant has filed and maintained current application with our office for the retail/gift shop and for the reception facility. Previous SUP approved for bed and breakfast and this application would renew, there has not been application filed with our office for any bed and breakfast business activity and applicant still needs to do so.

Public Works and Engineering comments:

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

Staff Conclusion:

The applicant has done an excellent job of complying with previous stipulations; approving this Special Use Permit for 15 years should not be an issue.

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandotte) SS:

Comes now Jeff Shearer, of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2013-15
2. That I conducted a neighborhood meeting on Feb. 26, 2018
3. Attached are the minutes 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.

Jeff Shearer
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28 day of Feb, 2018

My commission expires 29th of Nov, 2018



Jan Wiley
Notary Public

February 26, 2018

Special Use Permit

Cider Hill Family Orchard

Minutes of Neighborhood Meeting

Meeting was called to order by Jeff and Joan Shearer

- Joan described the Special Use Permit Process
- Jeff reviewed the original Special Use Permit
- Joan asked the follow questions:
 - Any traffic issues: Sometime cars turn around in Treff's Driveway. *Signage in the fall helps.*
 - Any noise issues: There was one reported noise issue reported last year. It was the first Issue since the Orchard opened. The Shearer's spoke about some additional safeguards that were put in place to *make sure the neighbors would not have noise issues.*
 - Any trespassing issues: Sometimes Orchard guest will wander on the land just North of the Orchard. The Shearer's will have the tractor driver's share that the neighbor's property is not part of the Orchard.

The Shearer's thanked those who attended.

Meeting was adjourned

February 26, 2018

Special Use Permit

Cider Hill Family Orchard

Minutes of Neighborhood Meeting

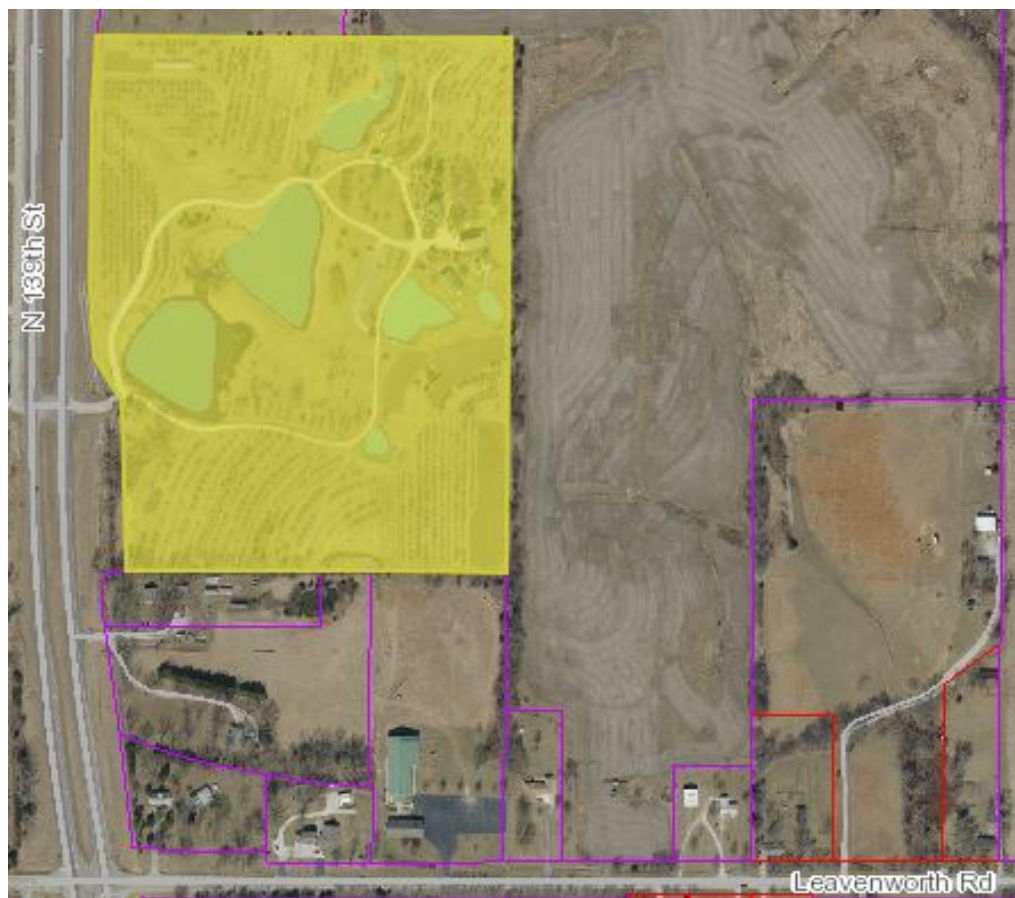
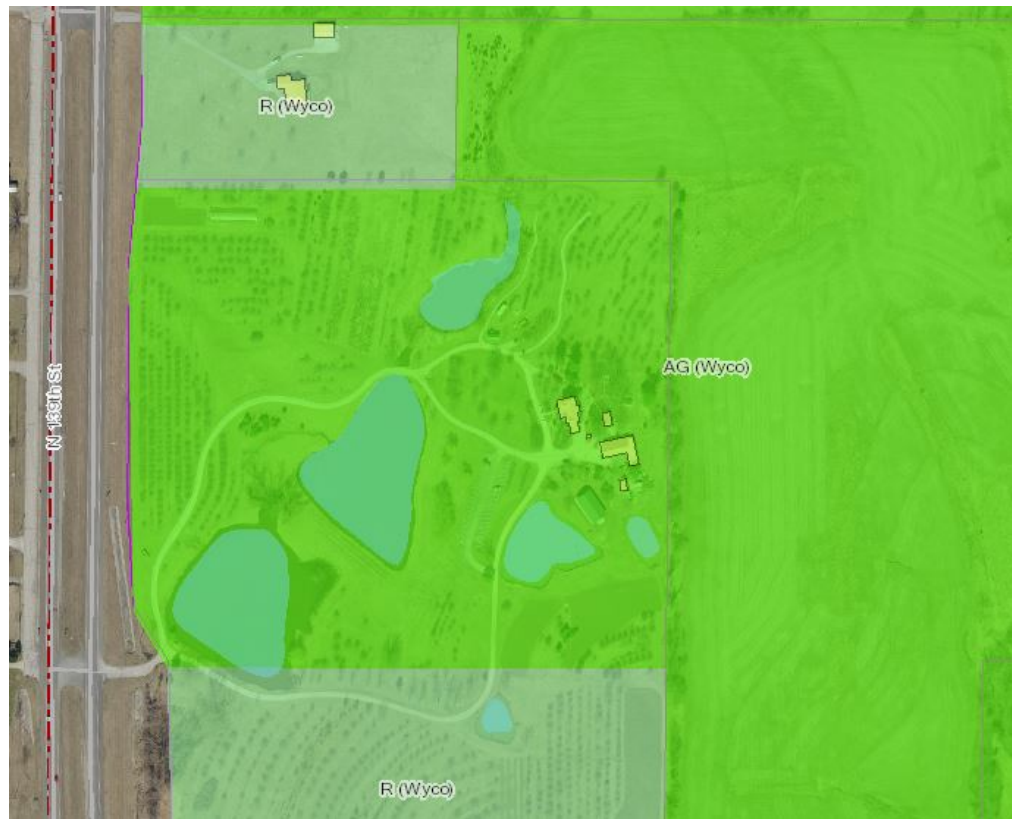
Meeting Location: Orchard Guest House

Meeting was called to order by Jeff and Joan Shearer

- Joan described the Special Use Permit Process
- Jeff reviewed details of the original Special Use Permit
- Joan asked the follow questions: *Any concerns with operations at the Orchard? Any questions about the Special Use Permit process?*
 - Guest Ernie Treff asked if we planned on doing anything different than what was already defined in the existing Special Use Permit. Jeff responded to Ernie's question by sharing that there are not currently plans to change services outlined in the Special Use Permit.
 - No other questions were asked.

The Shearer's thanked those who attended.

Meeting was adjourned



Cider Hill Family Orchard Update 2018

As we begin our seventh year of owning Cider Hill Family Orchard our business continues to evolve and develop.

U-pick apples remain the core of our business. Each year we are adding new apple trees to try to meet the needs of our guests. During the last two years we have planted 900 new apple trees. In 2018, our plan is to plant an additional 600 apple trees.

In addition to apples, we grow sweet corn, sweet cherries, blackberries, pears and pumpkins.

Our Event Barn stays a busy place. Events such as weddings, family reunions, baby/bride showers, anniversary parties, business meetings and community events are held in the barn on a regular basis. The Orchard Guest House is rented as part of our most popular wedding package. The House also gets rented for different types of gathering such as church retreats, girlfriend get away's and family holiday gatherings.

In 2015 we completed the building of an outdoor pavilion which is a great spot for families to come and picnic. The pavilion is also a lunch spot for our kids coming for school field trips. In 2017, we had over 1000 kids come from all over the Kansas City Area on school trips.

Fall is a very busy time at the Orchard. Our guests ride hayrides out into the Orchard and pick their own apples. They are also able to go to the pumpkin patch and pick their own pumpkins. We have two hayrides that run on most fall days as well as a children train that the little kids love.

In our original Special Use Permit issued in 2011, we were granted our permit with the understanding that we would develop an Event Barn, a small retail store and an Orchard Guest House.

Our plan moving forward is to focus on planting additional apple trees to meet the needs of our guests.



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: April 5, 2018
Re: Petition #SP-2018-26

GENERAL INFORMATION

Applicant:
Cachaulo and Yola Van Laanen

Status of Applicant:
Owners and Proprietor
4440 Cambridge Street
Kansas City, KS 66103

Requested Action:
Approval of a Special Use Permit

Date of Application:
January 24, 2018

Purpose:
To operate a Short-Term
Rental/Bed and Breakfast

Property Location:
4440 Cambridge Street



Commission Districts: Commissioner At-Large: Tom Burroughs
District Commissioner: Ann Brandau Murguia

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

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

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

Total Tract Size: 0.15 acre

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

Major Street Plan: The City-Wide Master Plan designates Cambridge Street as a Local Street.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: One person appeared at the March 12, 2018 City Planning Commission meeting with comments about AIRBNBs and their operation.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Mr. and Mrs. Van Laanen, are applying to use their single-family home, located at 4440 Cambridge Street as a short-term rental space, rented through sites such as AIRBNB and VRBO. This home is not the applicant's primary residence.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is residential in nature, though there are commercial nodes nearby.

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

The zoning and uses of the properties is set out above. The proposed use might be compatible with the surrounding single-family houses if operated properly. Operating this property as a short-term rental/bed and breakfast has the potential to create issues related to noise, parking, and other concerns related to overcrowding if improperly managed.

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 so long as the property owners properly manage the operation.

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.

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 landowner would not be able to use the property as a bed and breakfast or short-term rental but may continue to use the property as a single-family residence.

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

Applicant held a neighborhood meeting on February 13, 2018. According to the applicant there were two neighbors present and in support.

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-2018-26, subject to:

Urban Planning and Land Use Comments:

- 1. How long has the short-term rental business been in operation?**
Applicant Response: Since July 2017
- 2. Were neighbors consulted prior to opening the business?**

Applicant Response: Yes

- 3. Do you have a business license?**

Applicant Response: No

Staff Response: Applicant will be required to obtain a business license.

- 4. Have you paid appropriate lodging taxes?**

Applicant Response: Yes

- 5. How many rooms are rented?**

Applicant Response: Entire house

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

Applicant Response: 5

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

Applicant Response: There is no vehicle limitation in the listing, but the driveway and garage can accommodate 3 cars. In the past, guests have all shared 1 car.

- 8. How often are guests in the residence?**

Applicant Response: I don't know how to answer this, it varies depending up on the season and I have no way to predict. Sometimes, only 1 or 2 weekends per month, sometimes full time.

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

Applicant Response: Yes

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

Applicant Response: The guests have access to the entire property - 2 bed 1 bath house, yard, driveway and garage.

- 11. As this is not your primary residence, where are you located?**

Applicant Response: Menlo Park, California

- 12. How often do you visit the property?**

Applicant Response: My family stays at the property whenever we are in town to visit family in Kansas City. My husband or I also make specific trips to visit the property as needed.

- 13. Who is responsible for issues that may arise when tenants are renting the house, if neighbors have concerns, or to clean and prepare the house between tenants?**

Applicant Response: I (Yola Van Laanen) am primarily responsible for communicating with guests, managing any issues that may arise, and coordinating with those assisting with maintaining the property. I am available 24/7 by phone or Airbnb messaging and have I have experience

managing short term rentals remotely year round for 4 years. We have a close relationship with our next door neighbors on Cambridge St. who help to manage the property, have access to our guest calendar, are generally available to guests if needed, and frequently prepare the house for guests. My parents are also very familiar with the property and are available to assist. They live 10 minutes away. We chose to operate a short-term rental rather than long term because we feel we have more control over maintenance of the property and it also allows us stay at the house with our children when we are in town to visit family.

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

If approved, the following would be 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

Applicant Response: Electric panel and circuits must be safe

Applicant Response: All of these things are required and verified by the Wyandotte County rental license inspection which we passed prior to hosting any guests.

- 2. Host will obtain a business license with the City.
- 3. Approval is for 1 year.

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-2018-26** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Site Photos
Neighborhood meeting information
Information provided by applicant
Zoning Map

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: **Jamie Hickey**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-26** 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-2018-26**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 2:23:06

SPECIAL USE PERMIT APPLICATION #SP-2018-26 – CACHAULO VAN LAANEN – SYNOPSIS: Special Use Permit for an AIRBNB at 4440 Cambridge Street. **Detailed Outline of Requested Action:** The applicants, Mr. and Mrs. Van Laanen, are applying to use their single-family home, located at 4440 Cambridge Street as a short-term rental space, rented through sites such as AIRBNB and VRBO. This home is not the applicant's 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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 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:

- ❖ Yola Van Laanen, applicant, 1165 Marcussen Drive, Menlo Park, California 94025
- ❖ Ms. Michael Wempen, 4436 Cambridge Street, Kansas City, Kansas 66103
- ❖ Joanne Shum (Yola's mother)
- ❖ Erin Stryka, Executive Director, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103
- ❖ There were 15 persons present that did not speak

Present in Opposition:

- ❖ Marissa Butler, 4462 Cambridge Street, Kansas City, Kansas 66103

Staff Recommendation starts at 2:36:40 - Director Richardson stated that as with the other applications where the owner does not live there the staff recommends approval for one (1) year subject to the staff stipulations.

Motion and Vote starts at 2:38:45

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-26:**

Carson	Aye
Childress	Aye
Connelly	Aye

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

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

Urban Planning and Land Use Comments:

1. How long has the short-term rental business been in operation?
Applicant Response: Since July 2017
2. Were neighbors consulted prior to opening the business?
Applicant Response: Yes
3. Do you have a business license?
Applicant Response: No
Staff Response: Applicant will be required to obtain a business license.
4. Have you paid appropriate lodging taxes?
Applicant Response: Yes
5. How many rooms are rented?
Applicant Response: Entire house
6. What is the maximum number of people that will be staying at any one time?
Applicant Response: 5
7. What is the maximum number of vehicles and where will they park?
Applicant Response: There is no vehicle limitation in the listing, but the driveway and garage can accommodate 3 cars. In the past, guests have all shared 1 car.
8. How often are guests in the residence?
Applicant Response: I don't know how to answer this, it varies depending up on the season and I have no way to predict. Sometimes, only 1 or 2 weekends per month, sometimes full time.
9. Do you have a rental license from the Unified Government for the facility?
Applicant Response: Yes
10. Describe in detail the area(s) rented for Airbnb/other rental operations. Include bedrooms, bathrooms common areas etc.

Applicant Response: The guests have access to the entire property - 2 bed 1 bath house, yard, driveway and garage.

11. As this is not your primary residence, where are you located?

Applicant Response: Menlo Park, California

12. How often do you visit the property?

Applicant Response: My family stays at the property whenever we are in town to visit family in Kansas City. My husband or I also make specific trips to visit the property as needed.

13. Who is responsible for issues that may arise when tenants are renting the house, if neighbors have concerns, or to clean and prepare the house between tenants?

Applicant Response: I (Yola Van Laanen) am primarily responsible for communicating with guests, managing any issues that may arise, and coordinating with those assisting with maintaining the property. I am available 24/7 by phone or Airbnb messaging and have I have experience managing short term rentals remotely year round for 4 years. We have a close relationship with our next door neighbors on Cambridge St. who help to manage the property, have access to our guest calendar, are generally available to guests if needed, and frequently prepare the house for guests. My parents are also very familiar with the property and are available to assist. They live 10 minutes away. We chose to operate a short-term rental rather than long term because we feel we have more control over maintenance of the property and it also allows us stay at the house with our children when we are in town to visit family.

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

If approved, the following would be stipulations of approval:

1. Host will maintain a safe environment including:

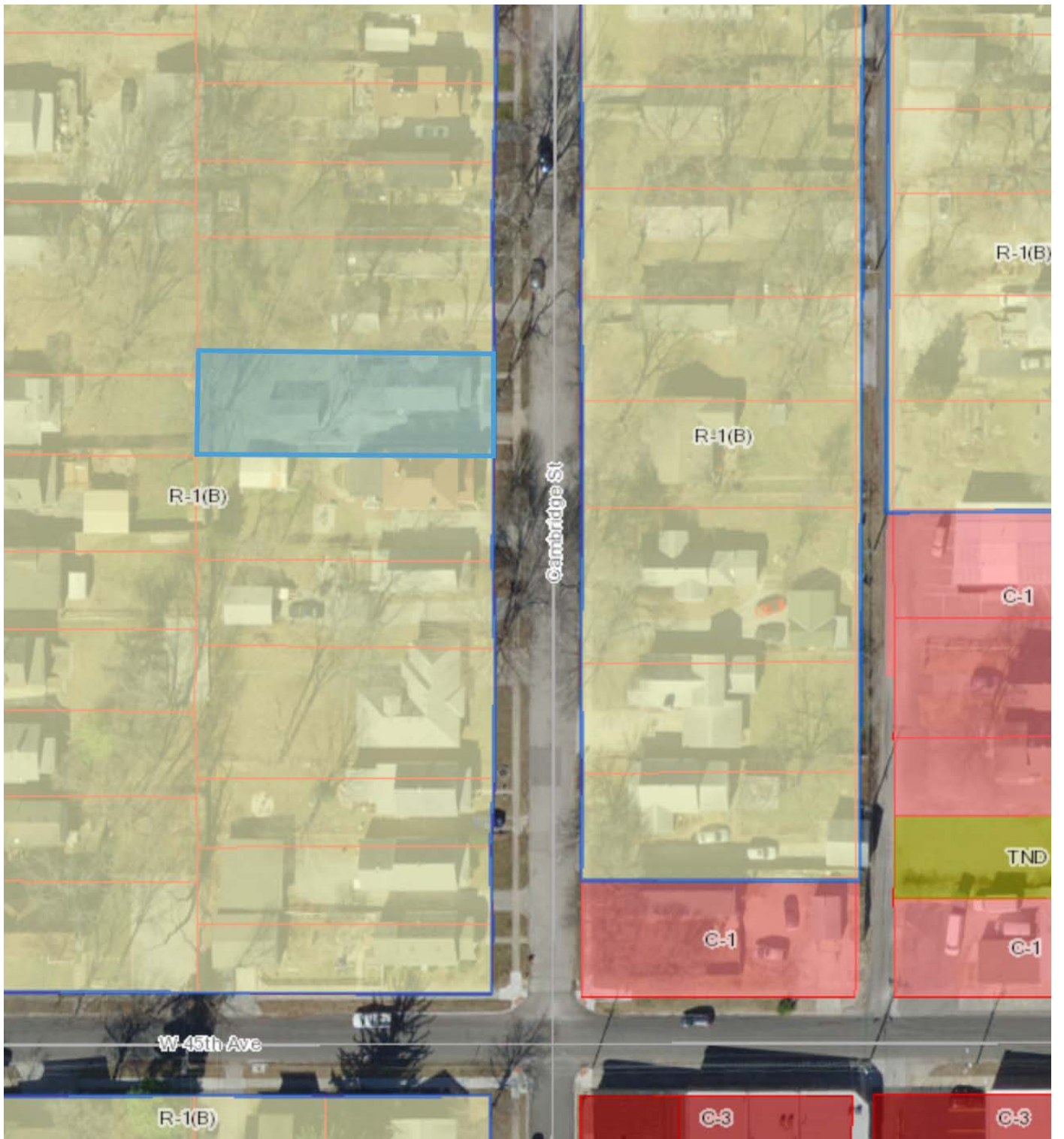
- a. Working smoke detectors in each bedroom plus each level of the unit/house.**
- b. GFCI outlets are required in bathrooms.**
- c. Double keyed locks are not allowed**
- d. Copper cannot be used for gas supply lines**
- e. Windows must be operable, not blocked or boarded**
- f. Handrails are required 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**

Applicant Response: Electric panel and circuits must be safe

Applicant Response: All of these things are required and verified by the Wyandotte County rental license inspection which we passed prior to hosting any guests.

- 2. Host will obtain a business license with the City.**
- 3. Approval is for 1 year.**



AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KS)

) SS:

COUNTY OF Wyandotte)

Comes now YOLA VAN LAANEN of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2018-26
2. That I conducted a neighborhood meeting on 2/13/2018
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.

Yola Van Laanen 2/15/2018
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this _____ day of _____, 200_. see attached

My commission expires _____ of _____, 200_.

Notary Public

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer(s), not Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1 Signature of Document Signer No. 2 (if any)

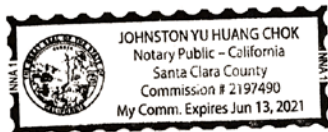
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Mateo

Subscribed and sworn to (or affirmed) before me

on this 15 day of February, 2018,
 by Yola Elizabeth Van Laanen
 (1) _____
 (and (2) _____),
 Name(s) of Signer(s)



Place Notary Seal and/or Stamp Above

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____
 Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Affidavit - Neighborhood Meeting
 Document Date: Feb 13, 2018 Number of Pages: 1
 Signer(s) Other Than Named Above: N/A

Neighborhood Meeting Minutes

Application number: SP-2018-26

Date: 2/13/2018

Location: 4440 Cambridge St. KCKS 66103

Meeting called to order at: 6m

Names of people in attendance:

Michella & Bryan Wempen

The 2 neighbors who attended my neighborhood meeting are my next door neighbors who are already very familiar and supportive of my Airbnb short term rental. We discussed the SUP process briefly and exchanged pleasantries while waiting for other neighbors to arrive. Unfortunately no other neighbors attended the meeting.

Meeting adjourned at: 7:30 pm

Minutes taken by Yola Van Laanen

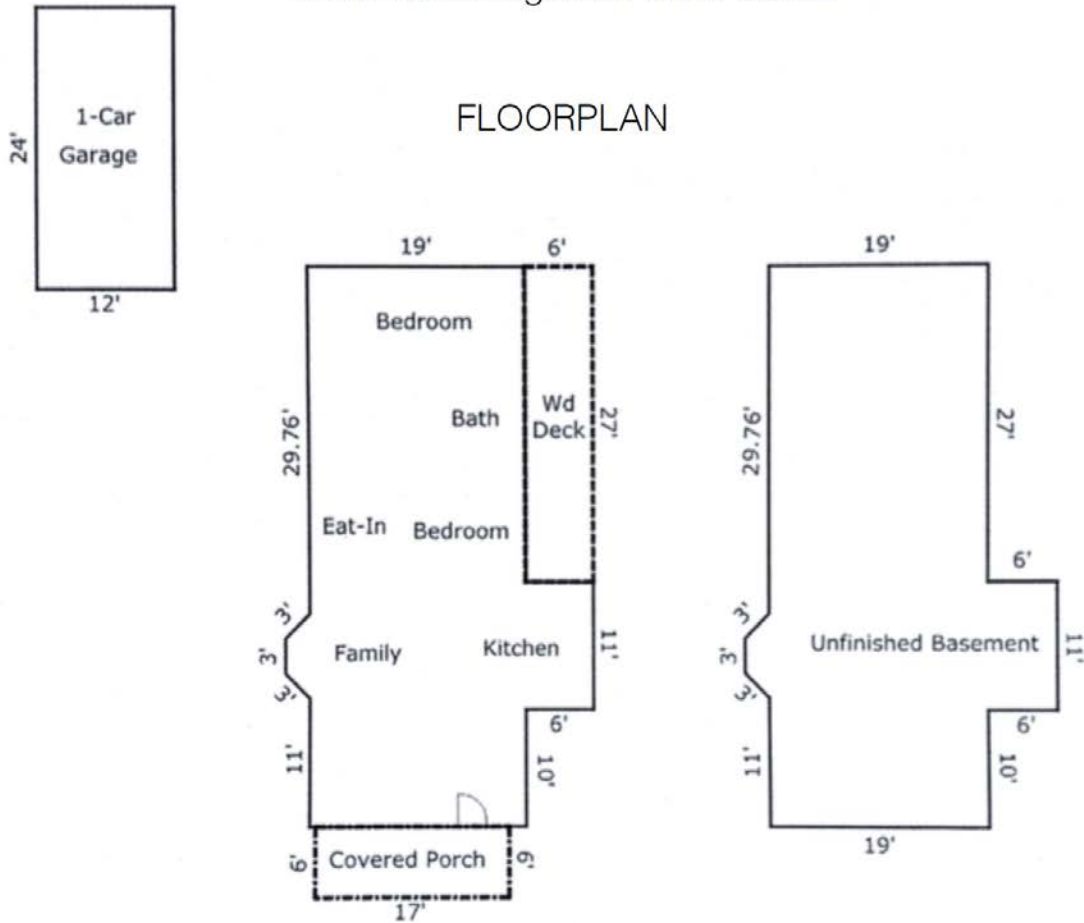




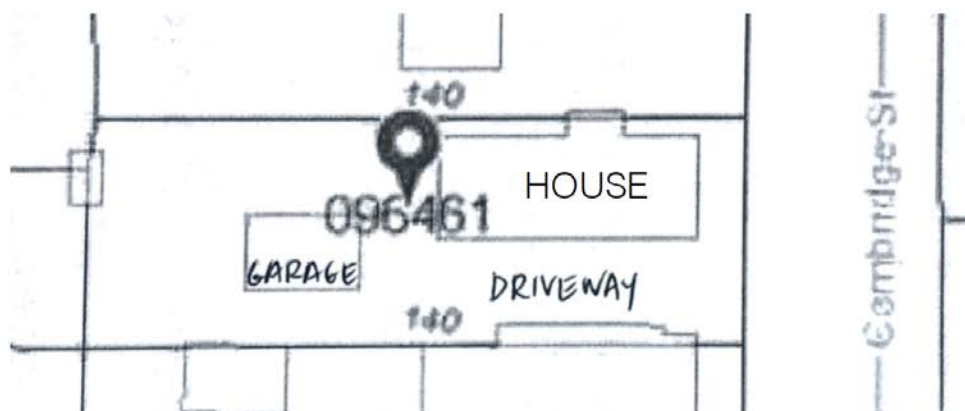




4440 Cambridge St. KCKS 66103



AERIAL







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: April 5, 2018
Re: **Petition #SP-2018-27**

GENERAL INFORMATION

Applicant:

Carolyn Tobaben

Status of Applicant:

Operator
1405 Southwest Boulevard
Kansas City, KS 66103

Requested Action:

Renewal of a Special Use Permit for an event center (change of owner)

Date of Application:

January 25, 2018

Purpose:

To operate an event center (Vox Theatre) that may be rented out for wedding receptions, corporate hospitality parties, dance recitals, and live bands.

Property Location:

1405 Southwest Boulevard



Commission Districts: Commissioner At Large: Tom Burroughs
District Commissioner: Ann Brandau Murguia

Existing Zoning: C-3 Commercial District

Existing Surrounding Zoning: North: C- 3 Commercial District, RP-5 Apartment District, R-2(B) Two-Family District

South: R-2(B) Two Family District, M-2 General Industrial District

East: C-3 Commercial District, Interstate 35

West: C-3 Commercial District

Existing Uses: North: Playground, Single Family Residences

South: Duplex, Single Family Residences, Warehouse-Office space

East: Commercial business, Interstate 35

West: Catering businesses, Warehouse-Storage facility

Total Tract Size: 0.15 acre or 5,770 square feet

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

Major Street Plan: The City-Wide Master Plan designates Southwest Boulevard as a Class C Thoroughfare.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 26, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Carolyn Tobaben, on behalf of the property owner, Alistair Tutton, proposes the approval of a Special Use Permit to operate an event center at 1405 Southwest Boulevard. The space would be available to rent by interested parties and could facilitate a variety of events such as wedding receptions, corporate hospitality parties, dance recitals, and live bands. The property owner currently has a (10) year special use permit for this business that expires in 2025 but is selling the property to the applicant.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The character of the neighborhood is primarily commercial along Southwest Boulevard, with residential and industrial north and south. Directly across the street is a playground.

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

While the surrounding zoning, C-3 Commercial District – is compatible, the uses of nearby properties, such as the playground and residences, may not be compatible. The adjacent business, Deco Catering, works with the event center.

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

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

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

The property is not vacant. The business has been operating since 2009 under the current owner.

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

Special Use Permits are not addressed in the Master Plan.

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

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

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

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

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

The noise, trash, and potential vandalism normally associated with uses of this kind may create problems for nearby property, however no complaints have been received under the operation of the current owner. Interstate 35 is in close proximity to the proposed use.

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

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

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

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

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

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual land owner is minimal. If denied, the current owner will likely be unable to sell the property and business.

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

The proposed use will result in overcrowding on the site, as there is not an adequate number of on-site, off-street parking for the proposed use. Two parking agreements have been secured with the surrounding property owners.

PREVIOUS ACTIONS

The Vox Theater LLC at 1405 Southwest Boulevard has received three special use permits in the past under the current owner:

- #SP-2009-41 (1 year)
- #SP-2010-38 (5 years)
- #SP-2015-55 (10 years)

#1920 – August 3, 2009 variance allows 0 parking spaces, a violation of 89 spaces, with the following stipulations:

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

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on February 22, 2018. A copy of the meeting sign-in sheet, minutes, and affidavit are attached to this report. No opposition was voiced during the neighborhood meeting.

KEY ISSUES

Parking

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-27, subject to:

Urban Planning and Land Use Comments:

1. All new shared parking agreements will need to be recorded with the Register of Deeds.

Staff Note: Five new shared parking agreements have been recorded with the Register of Deeds, totaling 133 spaces. The city code requires 89. Staff believes that this addresses the parking issue. Copies of the agreements are attached in this report.

2. Verify with the Business License division that you do not need to reapply for a live entertainment license and alcohol license because of the change in physical ownership.

Applicant Response: The Business License division says that no new licenses need to be applied for as the current occupation tax and annual entertainment license are for the Vox Theater LLC. We just have to file the change in ownership with the Secretary of State. We will attempt to provide paper copies of this and send them to the urban planning department.

3. Verify with KDOT that you do not need to make a new agreement with the change in physical ownership to use the space under the Interstate 35 bridge.

Applicant Response: KDOT cancelled the agreement a few years ago because they wanted to use the bridge parking as their own staging area. We have provided parking agreements that make up for the lost spaces.

4. Please provide current photos of the interior and exterior of the building.

Staff Note: See attached photos.

5. Approval is for ten (10) years.

Business License Comments:

1. VOX Theater LLC filed, maintained, and has current application with our office. If the LLC has changed ownership, filing with the Secretary of State will need reflect that ownership change, but VOX Theater LLC is still the Licensee and applicant. If new LLC or other entity begins operations, that entity will need to file applications with our office.

Public Works Comments:

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

Staff Conclusion:

The applicant has worked closely with the proposed owner of the property on this application as she is preparing to purchase the property and Vox Theater from him. The current owner, Alistair Tutton, successfully applied for a ten-year special use permit in 2015 for the business. As this is a change in ownership, a renewal of the permit is required. The applicant plans on operating the business exactly as it is currently being operated. No complaints for this business have been received and staff believes that no new issues will arise with the transfer of ownership. Staff recommends approval be for ten (10) years.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-27 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Zoning map
Aerial map
Floor plan
Parking map
Shared parking agreements
Applicant's statements from application
Neighborhood meeting sign-in sheet
Neighborhood meeting minutes
Neighborhood meeting affidavit
Applicant submitted photos

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: Kylie Wyatt
 kwyatt@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-27** 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-2018-27**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2018-27 – CAROLYN TOBABEN/VOX THEATRE, LLC - SYNOPSIS: Renewal of a Special Use Permit for an event center (change in ownership) at 1405 Southwest Boulevard. **Detailed Outline of Requested Action:** The applicant, Carolyn Tobaben, on behalf of the property owner, Alistair Tutton, proposes the approval of a Special Use Permit to operate an event center at 1405 Southwest Boulevard. The space would be available to rent by interested parties and could facilitate a variety of events such as wedding receptions, corporate hospitality parties, dance recitals, and live bands. The property owner currently has a (10) year special use permit for this business that expires in 2025 but is selling the property to the applicant.

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

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 12, 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 notices to property owners; and
7. The publications in The Echo for the special use permit renewals.

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

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. (No one responded in the affirmative.)

On motion by Dr. Serda, seconded by Mr. Connelly, the Planning Commission voted as follows to **APPROVE the items on the Consent Agenda:**

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

Motion to APPROVE Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. All new shared parking agreements will need to be recorded with the Register of Deeds.

Staff Note: Five new shared parking agreements have been recorded with the Register of Deeds, totaling 133 spaces. The city code requires 89. Staff believes that this addresses the parking issue. Copies of the agreements are attached in this report.

2. Verify with the Business License division that you do not need to reapply for a live entertainment license and alcohol license because of the change in physical ownership.

Applicant Response: The Business License division says that no new licenses need to be applied for as the current occupation tax and annual entertainment license are for the Vox Theater LLC. We just have to file the change in ownership with the Secretary of State. We will attempt to provide paper copies of this and send them to the urban planning department.

3. Verify with KDOT that you do not need to make a new agreement with the change in physical ownership to use the space under the Interstate 35 bridge.

Applicant Response: KDOT cancelled the agreement a few years ago because they wanted to use the bridge parking as their own staging area. We have provided parking agreements that make up for the lost spaces.

4. Please provide current photos of the interior and exterior of the building.

Staff Note: See attached photos.

5. Approval is for ten (10) years.

Business License Comments:

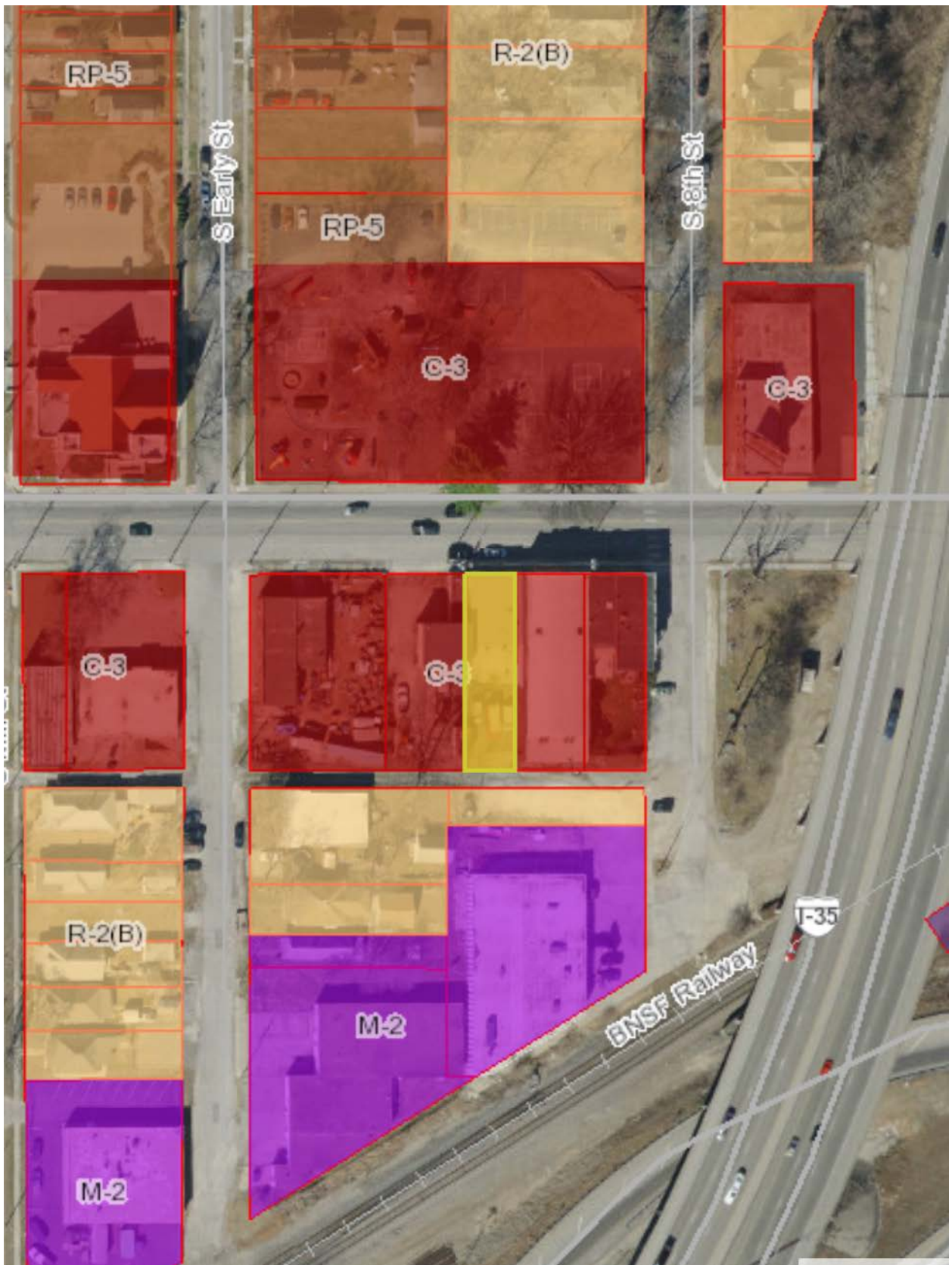
1. VOX Theater LLC filed, maintained, and has current application with our office. If the LLC has changed ownership, filing with the Secretary of State will need reflect that ownership change, but VOX Theater LLC is still the Licensee and applicant. If new LLC or other entity begins operations, that entity will need to file applications with our office.

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

Staff Conclusion:

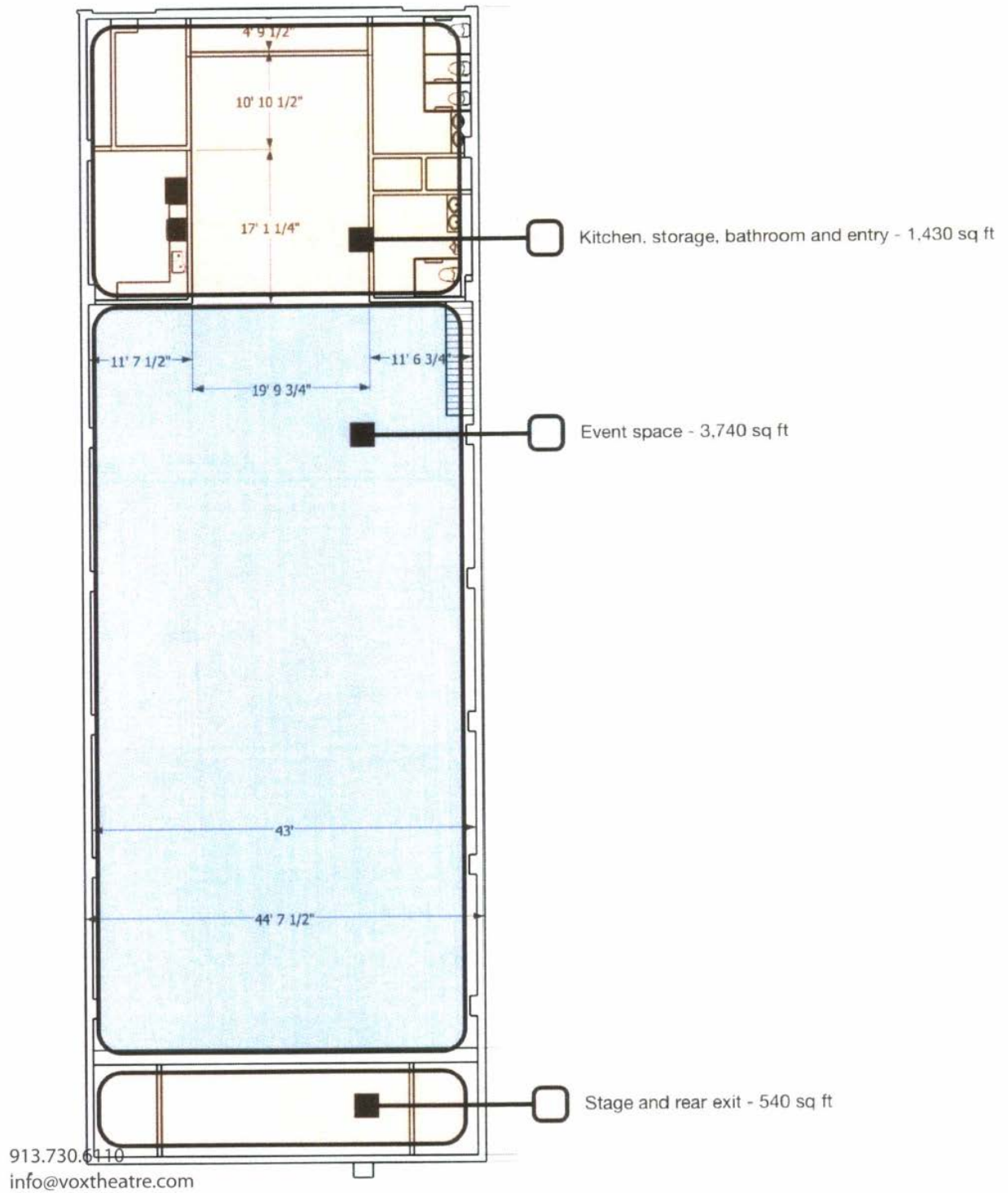
The applicant has worked closely with the proposed owner of the property on this application as she is preparing to purchase the property and Vox Theater from him. The current owner, Alistair Tutton, successfully applied for a ten-year special use permit in 2015 for the business. As this is a change in ownership, a renewal of the permit is required. The applicant plans on operating the business exactly as it is currently being operated. No complaints for this business have been received and staff believes that no new issues will arise with the transfer of ownership. Staff recommends approval be for ten (10) years.



Zoning map



Aerial map



1405 Southwest Blvd
Kansas City, Kansas 66103

Floor plan



Parking map



8 2 2 3 7 3 3
Tx:4123422

2018R-02538

NANCY BURNS
REGISTER OF DEEDS
WYANDOTTE COUNTY, KS
RECORDED ON
02/27/2018 11:16:20 AM
REC FEE: 30.00
TECHNOLOGY FEE: 6.00
HERITAGE FEE: 2.00
PAGES: 2

Type of document AGREEMENT

Grantor DAB HOLDINGS LLC

Grantee TOBABEN PROPERTIES LLC

Legal Description: LLC PARTNERSHIP

Shared Parking Agreement

This agreement is to be effective for a period of five years, starting March 23rd 2018, by and between Dennis Baughman President of DAB Holdings, LLC, Inc., and Carolyn A. Tobaben of Tobaben Properties, LLC. Either party may terminate this agreement with a 60 day notice to the other party.

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

DAB Holdings, LLC, owner of Midtown Signs LLC
Assessor Parcel # is 137222

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

Tobaben Properties, LLC, owner of the Vox Theatre, LLC
Assessor Parcel # is 137215

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

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

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

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

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

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

Date: 2/26/18 By: [Signature] DAB HOLDINGS LLC
Dennis Baughman, DAB Holdings, LLC OWNER/MEMBER

Date: 2/27/2018 By: [Signature] TOBABEN PROPERTIES LLC
Carolyn A. Tobaben, Tobaben Properties, LLC OWNER/MEMBER

Shared parking with Midtown Signs – 41 spaces



8 2 2 3 6 1 5
Tx:4123310

2018R-02465

NANCY BURNS
REGISTER OF DEEDS
WYANDOTTE COUNTY, KS
RECORDED ON
02/26/2018 2:08:23 PM
REC FEE: 30.00
TECHNOLOGY FEE: 6.00
HERITAGE FEE: 2.00
PAGES: 2

Type of document: _____

Grantor: _____

Grantee: _____

Legal Description: _____

Shared Parking Agreement

This agreement is to be effective for a period of five years, starting March 23rd 2018, by and between Rosedale Development Association, Inc. and Carolyn A. Tobaben of Tobaben Properties, LLC. Either party may terminate this agreement with a 60 day notice to the other party.

1. Rosedale Development Association, Inc. located at 1403/1401 Southwest Boulevard, Kansas City, KS 66103, agrees to provide Tobaben, Properties, LLC the owner of the Vox Theatre located at 1405 Southwest Boulevard, Kansas City, KS 66103, with the right to use 22 parking spaces as shown on Exhibit A to this Agreement on property located at 1403/1401 Southwest Boulevard, Kansas City, KS 66103. Carolyn A. Tobaben Properties, LLC has the right to the parking spaces Sunday through Thursday 4p.m.-11p.m. and Friday and Saturday 4p.m.-12a.m.
 - 1.1 Rosedale Development Association, Inc.
Assessor Parcel # is 137325.
Legal Description: Lot 1 Block 14, Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.
 - 1.2 Tobaben Properties, LLC, owner of the Vox Theatre LLC
Assessor Parcel # is 137215.
Legal Description: Lot 2, Block 14 Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.
2. The parking spaces referred to in this Agreement have been determined to conform to current Unified Government standards for parking spaces as of July 1, 2009, and the parties agree to maintain the parking spaces to meet those standards.
3. This Agreement shall be kept on file in the Unified Government's Department of Urban Planning & Land Use in Permit File No. SP-2010-38 (090217)
4. Tobaben Properties, LLC, will assume any and all responsibility for any destruction, illegal activities or any required cleanup.
5. Tobaben Properties, LLC, will assume any and all responsibility for any costs incurred by Rosedale Development Association, Inc. necessitated by this agreement.
6. Tobaben Properties, LLC, will assume full responsibility for any and all possible actions that might be brought against Rosedale Development Association, Inc. due to this agreement.

Date: 2-26-18 By: [Signature]
Erin Stryka, Rosedale Development Association, Inc.
Executive Director

Date: 2-26-2018 By: [Signature]
Carolyn A. Tobaben, Tobaben Properties, LLC
OWNER / MEMBER

Shared parking with Rosedale Development Association – 22 spaces



8 2 2 3 6 1 3
Tx:4123310

2018R-02463

NANCY BURNS
REGISTER OF DEEDS
WYANDOTTE COUNTY, KS
RECORDED ON
02/26/2018 2:08:23 PM
REC FEE: 30.00
TECHNOLOGY FEE: 6.00
HERITAGE FEE: 2.00
PAGES: 2

Type of document: _____

Grantor: _____

Grantee: _____

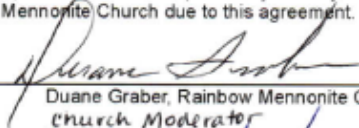
Legal Description: _____

Shared Parking Agreement

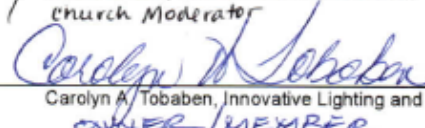
This agreement is to be effective for a period of five years, starting March 23rd 2018, by and between Rainbow Mennonite Church and Carolyn A. Tobaben of Innovative Lighting and Design, LLC. Either party may terminate this agreement with a 30 day notice to the other party.

1. Rainbow Mennonite Church located at 1444 Southwest Boulevard, Kansas City, KS 66103, agrees to provide Innovative Lighting and Design, LLC the owner of the Vox Theatre located at 1405 Southwest Boulevard, Kansas City, KS 66103, with the right to use 42 parking spaces as shown on Exhibit A to this Agreement on property located at Whitmore Park, 1444 Southwest Boulevard, Kansas City, KS 66103. Innovative Lighting and Design, LLC has the right to the parking spaces Sunday through Thursday 4p.m.-11p.m. and Friday and Saturday 4p.m.-12a.m.
 - 1.1 Rainbow Mennonite Church
Assessor Parcel # is 137293 (lot).
Legal Description: Lot 10, 11, 12, 13, 14, 15, and 16, Block 3, Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas
 - 1.2 Innovative Lighting and Design, LLC, owner of the Vox Theatre LLC
Assessor Parcel # is 137215.
Legal Description: Lot 2, Block 14 Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.
2. The parking spaces referred to in this Agreement have been determined to conform to current Unified Government standards for parking spaces as of July 1, 2009, and the parties agree to maintain the parking spaces to meet those standards.
3. This Agreement shall be kept on file in the Unified Government's Department of Urban Planning & Land Use in Permit File No. SP-2010-38 (090217)
4. Innovative Lighting and Design, LLC, will assume any and all responsibility for any destruction, illegal activities or any required cleanup.
5. Innovative Lighting and Design, LLC, will assume any and all responsibility for any costs incurred by Rainbow Mennonite Church necessitated by this agreement.
6. Innovative Lighting and Design, LLC, will assume full responsibility for any and all possible actions that might be brought against Rainbow Mennonite Church due to this agreement.

Date: 2-26-2018

By: 
Duane Graber, Rainbow Mennonite Church
Church Moderator

Date: 2.26.2018

By: 
Carolyn A. Tobaben, Innovative Lighting and Design, LLC
OWNER/MEMBER

Shared parking with Rainbow Mennonite Church – 42 spaces



Type of document: _____

Grantor: _____

Grantee: _____

Legal Description: _____

2018R-02464
NANCY BURNS
REGISTER OF DEEDS
WYANDOTTE COUNTY, KS
RECORDED ON
02/26/2018 2:08:23 PM
REC FEE: 30.00
TECHNOLOGY FEE: 6.00
HERITAGE FEE: 2.00
PAGES: 2

Shared Parking Agreement

This agreement is to be effective for a period of five years, starting March 23rd 2018, by and between Merriam Place LLC and Carolyn A. Tobaben of Innovative Lighting and Design, LLC. Either party may terminate this agreement with a 30 day notice to the other party.

1. Merriam Place LLC located at 2410 South 8TH St Kansas City, KS 66103, agrees to provide Innovative Lighting and Design, LLC the owner of the Vox Theatre located at 1405 Southwest Boulevard, Kansas City, KS 66103, with the right to use 12 parking spaces as shown on Exhibit A to this Agreement on property located at 2410 South 8TH St Kansas City, KS 66103. Innovative Lighting and Design, LLC has the right to the parking spaces 24 hours a day, 7 days a week.
 - 1.1 Merriam Place LLC
Assessor Parcel # is 137220.
Legal Description: North 25 Feet Lot 8, Block 14 Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.
 - 1.2 Innovative Lighting and Design, LLC, owner of the Vox Theatre LLC
Assessor Parcel # is 137215.
Legal Description: Lot 2, Block 14 Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.
2. The parking spaces referred to in this Agreement have been determined to conform to current Unified Government standards for parking spaces as of July 1, 2009, and Innovative Lighting and Design, LLC agree to maintain the parking spaces to meet those standards.
3. This Agreement shall be kept on file in the Unified Government's Department of Urban Planning & Land Use in Permit File No. SP-2010-38 (090217)
4. Innovative Lighting and Design, LLC, will assume any and all responsibility for any destruction, illegal activities or any required cleanup.
5. Innovative Lighting and Design, LLC, will assume any and all responsibility for any costs incurred by Merriam Place LLC necessitated by this agreement.
6. Innovative Lighting and Design, LLC, will assume full responsibility for any and all possible actions that might be brought against Merriam Place LLC due to this agreement.

Date: 2-26-18

By: [Signature] **SOLE MEMBER**
Steve Sutton, Merriam Place LLC

Date: 2.26.2018

By: [Signature] **OWNER/MEMBER**
Carolyn A. Tobaben, Innovative Lighting and Design, LLC

ROBERT L. THATCH
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 1/31/2020
Commission # 12477597

Steve Sutton signed before me
2/26/18 Robert L. Thatch

Shared parking with Merriam Place – 12 spaces



Type of document: _____

Grantor: _____

Grantee: _____

Legal Description: _____

2018R-02614
NANCY BURNS
REGISTER OF DEEDS
WYANDOTTE COUNTY, KS
RECORDED ON
02/28/2018 11:12:56 AM
REC FEE: 30.00
TECHNOLOGY FEE: 6.00
HERITAGE FEE: 2.00
PAGES: 2

Shared Parking Agreement

This agreement is to be effective for a period of five years, starting March 23rd, 2018, by and between Olympic Graphics, and Carolyn A. Tobaben of Tobaben Properties, LLC. Either party may terminate this agreement with a 60 day notice to the other party.

1. Olympic Graphics located at 1324 Southwest Boulevard, Kansas City, KS 66103, agrees to provide Tobaben Properties, LLC the owner of the Vox Theatre located at 1405 Southwest Boulevard, Kansas City, KS 66103, with the right to use 16 parking spaces as shown on Exhibit A to this Agreement on property located at 1324 Southwest Boulevard, Kansas City, KS 66103. Innovative Lighting and Design, LLC has the right to the parking spaces Sunday through Thursday 4p.m.-11p.m. and Friday and Saturday 4p.m.-12a.m.

1.1 Olympic Graphics
Assessor Parcel # is 137281.
Legal Description: All Lot 15 and west 40 ft. Lot 14 Block 4, Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.

1.2 Tobaben Properties, LLC, owner of the Vox Theatre LLC
Assessor Parcel # is 137215.
Legal Description: Lot 2, Block 14 Rosedale, a subdivision in the City of Kansas City, Wyandotte County, Kansas.

2. The parking spaces referred to in this Agreement have been determined to conform to current Unified Government standards for parking spaces as of July 1, 2009, and the parties agree to maintain the parking spaces to meet those standards.
3. This Agreement shall be kept on file in the Unified Government's Department of Urban Planning & Land Use in Permit File No. SP-2010-38 (090217)
4. Tobaben Properties, LLC, will assume any and all responsibility for any destruction, illegal activities or any required cleanup.
5. Tobaben Properties, LLC, will assume any and all responsibility for any costs incurred by Olympic Graphics necessitated by this agreement.
6. Tobaben Properties LLC, will assume full responsibility for any and all possible actions that might be brought against Olympic Graphics due to this agreement.

Date: 2-28-18

By: Theophilus Tagaliandis
Theophilus Tagaliandis, Olympic Graphics PRESIDENT

Date: 2-28-2018

By: Carolyn A. Tobaben
Carolyn A. Tobaben, Tobaben Properties, LLC
OWNER/MEMBER

Shared parking with Olympic Graphics – 16 spaces

APPENDIX B

Describe the Present Use and Condition of the Property:

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

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

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

What is the Proposed Use of the Applicant Property:

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

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

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

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

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

Applicant statement page 1

Rainbow Mennonite Church, a non-profit organization, with some events using both the church and the Vox Theatre.

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

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

Applicant statement page 2

Urban Planning & Land Use Neighborhood Meeting - Thursday, February 22nd, 2018

Name	Contact Info (Address, Phone, Email)
DENNIS BAUGMAN	2416 S. 9TH KCKS
Ruth Harder	1444 Southwest Boulevard KCK 66103
Carrie Parsons	" " " "
HISTAIR TUTTAN	1405 SOUTHWEST BVD 66103
CAROLYN A. TOBAC	1632 BROADWAY BLD. KC MO 64108
Bailey Eichler	1405 Southwest Blvd 66103
Rick McConnell	1632 Broadway Blvd KC MO 64108

Neighborhood meeting sign-in sheet

Vox Theatre - Neighborhood Meeting

Application Number: #SP-18402-00008 (Ref: SP-2018-27)

Date and Location: Thursday, February 22nd, 2018 / 1405 Southwest Blvd,
Kansas City, KS 66103

Meeting called to order at: 5:34pm

Names of people in attendance: Dennis Baughman
Ruth Harder
Carrie Parsons
Alistair Tutton
Carolyn Tobaben
Bailey Eichler
Rick McConnell

Introductions: Beginning with Alistair Tutton, all attendees went around and introduced themselves and stated their relation to the neighborhood.

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

Alistair Tutton gave an overview of the purpose of the Neighborhood meeting, stating that it was an opportunity for the Vox Theatre owner to give and receive feed back and information about the business and ways it impacts the neighboring businesses and community.

Alistair Tutton also explained the Special Use Permit and how it must be obtained in order for the Vox Theatre to operate as an Event Venue.

Alistair Tutton then informed the attendees of the specific events that are held at the Vox Theatre. The majority being weddings and receptions, but also hosting school fundraisers, company parties, and holiday parties.

Carolyn Tobaben then explained, after being asked by Ruth Harder, that Special Use permits must be obtained the first year when opening a business such as the Vox, then again 3-5 years after that, then 10 years. Alistair Tutton then explained there will be a City Planning Commission meeting in the near future and Carolyn Tobaben let attendees know that would be held March 12th, 2018.

Meeting minutes page 1

Questions and answers (include the following):

- **Who asked question or gave comment**
- Ruth Harder - "Do couples want special lighting for their weddings?"
- **Who answered the question/comment**
- Carolyn Tobaben - "Yes. I've been working with couples for years on special lighting requests for their wedding day."
- **Who asked question or gave comment**
- Ruth Harder - "Who owns the extra lot that's empty behind the Vox?"
- **Who answered the question/comment**
- Dennis Baughman - "I don't own it."
- Alistair Tutton - "Steve Sutton owns it."
- **Who asked question or gave comment**
- Dennis Baughman - "I fully support the Vox Theatre operating as an event space because it is continuing to be used for what it was built for, an event space."
- Ruth Harder - "I second that."
- **Who asked question or gave comment**
- Ruth Harder - "Have there been any security issues?"
- **Who answered the question/comment**
- Carolyn Tobaben - "Every event is staffed with a uniformed KCK police officer and he is always the last person to leave at the end of the night."
- Dennis Baughman - "We have a parking agreement that includes security and their presence."
- Alistair Tutton - "There have been 3 offsite security issues. One involving a high speed chase on Southwest Blvd, one involving a stolen car, and one involving activity on the East side of the railroad tracks. The officer usually stands on the corner and is a visible presence."
- Carolyn Tobaben - "Events usually go 5pm - 11pm, with the staff leaving at midnight. And the officer is always the last one to leave."
- Dennis Baughman - "I've formed a bond with one of the officers. I helped him bust the neighbor on a drug deal. I tracked his activity and notified the officer."
- Ruth Harder - "I remember that happening. I know I feel enhanced security presence is good for our playground."
- **Who asked question or gave comment**
- Alistair Tutton - "Have you seen any problems or disturbances?"
- **Who answered the question/comment**

Meeting minutes page 2

- Ruth Harder - "No. Over the past 4 years there have been no disturbances and no disorder."
- Dennis Baughman - "No."
- **Who asked question or gave comment**
- Carolyn Tobaben - "I would like to start incorporating smaller events as well as the large weddings. Give corporate style events an option besides a hotel conference room."
- **Who asked question or gave comment**
- Dennis Baughman - "My wife was interested in purchasing the Vox. But she already owns Lulu's."
- Ruth Harder - "Really? You own Lulu's? Both of them?"
- Dennis Baughman - "Yes, My wife does."
- Carrie Parsons - "Thank you!"
- **Who asked question or gave comment**
- Dennis Baughman - "What is that corner space called?"
- **Who answered the question/comment**
- Carrie Parsons - "I think RDA [Rosedale Development Association] calls it 1401. The woman I spoke with called it 1401."
- Bailey Eichler - "Yeah they always refer to it as 1401."
- **Who asked question or gave comment**
- Dennis Baughman - "How did the Phase II inspection go?"
- **Who answered the question/comment**
- Alistair Tutton - "Good!"
- Carolyn Tobaben - "We're all good with the Phase II inspection."
- Alistair Tutton (then explained to the attendees that a Phase II inspection is a second round of property inspections where they collect samples of the soil and analyze them for possible contaminants.) "They performed it because of a laundromat that used to be behind the property in the 70's."

Meeting adjourned at: 5:57pm

Minutes taken by: Bailey Eichler

Meeting minutes page 3

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF MO)
COUNTY OF CLAY) SS:

Comes now CAROLIN A. TOBEAN of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-18402 - 00000 (SP-2018-27)
2. That I conducted a neighborhood meeting on 2-22-2018.
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.

Carolyn A. Tobean
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26th day of FEB, 2008.
My commission expires Nov 17 of 17, 2008.



[Signature]
Notary Public

Meeting affidavit











Applicant submitted photos



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: April 5, 2018
Re: Petition #SP-2018-28

GENERAL INFORMATION

Applicant:
Tim Conrad/Piper USD 203

Status of Applicant:
Representative
John Glessner
DLR Group
7290 W. 133rd St.
Overland Park, KS 66213

Requested Action:
Renewal of Special Use
Permit for a modular
classroom for Piper Middle
School

Date of Application:
January 25, 2018

Purpose:
To provide temporary classrooms for Piper Middle School and USD 203

Property Location:
4420 North 107th Street



Commission Districts: Commissioner At Large: Melissa Bynum
District Commissioner: Michael T. Kane

Existing Zoning: A-G Agriculture District

Existing Surrounding Zoning: **North:** RP-1 Planned Single Family District
South: RP-1 Planned Single Family District
East: RP-3 Planned Townhouse District
West: RP-1 Planned Single Family District

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

Total Tract Size: 49.9 acres

Master Plan Designation: The City-Wide Master Plan designates this property as public and semi-public

Major Street Plan: The City-Wide Master Plan designates Hutton Street as a Class B thoroughfare

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 26, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: USD 203 is requesting the renewal of a special use permit that allows them to place a temporary structure adjacent to Piper Middle School for the purposes of having classrooms for 8th grade students. This is intended to be a temporary measure until funding and plans can be put in place for a more permanent solution.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The character of the neighborhood is comprised of single family residential homes to the north, south, east, and west. Single family townhouses are built to the east.

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

The zoning and uses of nearby properties is entirely residential. The proposed use is compatible, as it is enhancing an education facility within an agricultural district. There have been no previous compatibility issues with this use.

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.*

The property is currently not vacant.

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

Special Use Permits are not addressed in the Master Plan.

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

The proposed use should not result in an increase in vehicular traffic from the previous special use permit.

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

The proposed use is necessary for both Piper Middle School as well as USD 203. The proposed use will not 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.*

The noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to not create problems for near-by property during school hours.

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 would 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.*

Not renewing this permit would impose a hardship on Piper Middle School and USD 203, as they need the classroom space for an anticipated influx of students.

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

The proposed use would not result in overcrowding of land or cause undue concentrations of population.

PREVIOUS ACTIONS

The Board of Commissioners approved #SP-2016-29 on April 26, 2016, for the use of a modular classroom adjacent to Piper Middle School.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on February 20, 2018. According to the applicant, there were no attendees at this meeting.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-28, subject to:

Urban Planning and Land Use Comments:

1. When you last applied for a special permit, you stated that the length of time that this structure will be necessary will be at least 2 years. At the expiration of another 2-year special use permit, do you foresee the structure still being necessary?

Applicant response: As far as I know, it will be necessary for the foreseeable future due to variance in school enrollment and available finances.

Staff Conclusion

Denying this Special Use Permit would provide a hardship on USD 500 due to financial restrictions, as well as the unknown variable of enrollment numbers. Staff recommends approval for two 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-2018-28 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Neighborhood Meeting Affidavit and Minutes
Aerial Image
Zoning Map

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: Mason Herrman
mherrman@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-28** 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-2018-28**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2018-28 – TIM CONRAD WITH PIPER USD 203 - SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-29) for a modular classroom for Piper Middle School at 4420 North 107th Street Detailed Outline of Requested Action: USD 203 is requesting the renewal of a special use permit that allows them to place a temporary structure adjacent to Piper Middle School for the purposes of having classrooms for 8th grade students. This is intended to be a temporary measure until funding and plans can be put in place for a more permanent solution.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 12, 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 notices to property owners; and
7. The publications in The Echo for the special use permit renewals.

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

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. (No one responded in the affirmative.)

On motion by Dr. Serda, seconded by Mr. Connelly, the Planning Commission voted as follows to **APPROVE the items on the Consent Agenda:**

Carson	Aye
Childress	Aye
Connelly	Aye
Ernst	Aye
Pauley	Aye
Serda	Aye
Huey	Chairman
Gonzalez	Not Present
Jones	Not Present
Mose	Not Present
Reasons:	Not Present
Motion to APPROVE Passed: 6 to 0	
Subject to:	

Urban Planning and Land Use Comments:

1. When you last applied for a special permit, you stated that the length of time that this structure will be necessary will be at least 2 years. At the expiration of another 2-year special use permit, do you foresee the structure still being necessary?

Applicant response: As far as I know, it will be necessary for the foreseeable future due to variance in school enrollment and available finances.

Staff Conclusion

Denying this Special Use Permit would provide a hardship on USD 500 due to financial restrictions, as well as the unknown variable of enrollment numbers. Staff recommends approval for two years.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

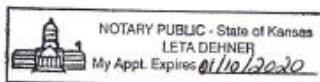
Comes now Tim CONRAD, of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # SP 2018-28
2. That I conducted a neighborhood meeting on FEB 20, 2018.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 21st day of February 2018
My commission expires 10th of January, 2020




Notary Public

Meeting Minutes



Architecture Engineering Planning Interiors

7290 West 133rd Street
Overland Park, KS 66213

o: 913/8977811
f: 913/8978333

Meeting Date February 20, 2018, 6:00 p.m.
To Janet Parker
From John Glessner, DLR Group
Location Piper East Elementary School, 4410 North 107th Street, Kansas City, KS 66109
Project Piper Modular Classroom Re-Application for Special Use Permit
Attendees Tim Conrad, Superintendent, Piper School District #203
John Glessner, Architect, DLR Group
Public attendance: see attached attendance list
Subject Community Outreach meeting for Piper Modular Classroom Re-Application

Minutes Tim Conrad and John Glessner were on site at 5:40 p.m.

There were no participants at the meeting.

We brought presentation drawings to the meeting to show the public and answer their questions. They are attached.

Tim Conrad and John Glessner stayed until 7:45 pm in case anyone came late.

The meeting notes are a summary and representation of the information that was discussed and noted by the author in no particular order. Please review and submit any corrections / modifications to the author within 5 business days.

Attachments: 5 presentation boards
Attendance sign-in sheet

Prepared by: John Glessner
Cc: Kevin Greischar, DLR Group
Tim Conrad, Piper USD 123

DLR Group

February 20, 2016, 6:00 p.m.
Piper East Elementary School

[illegible]





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: April 5, 2018
Re: Petition #SP-2018-29

GENERAL INFORMATION

Applicant:
Ljupka Schwantes

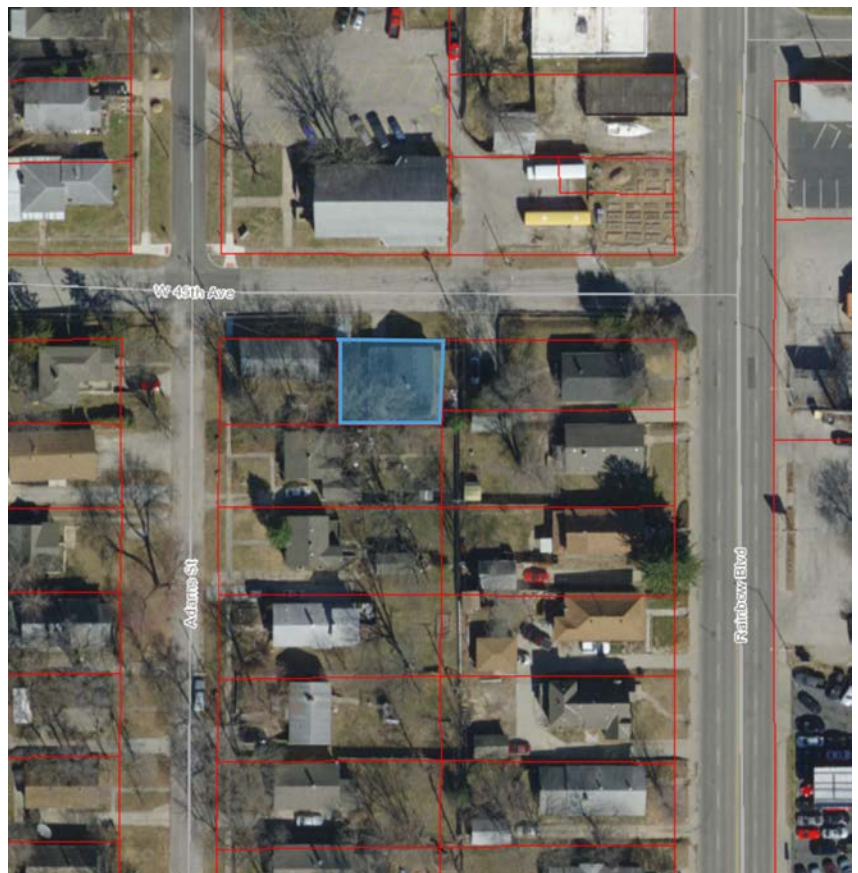
Status of Applicant:
Owner and Proprietor
4501 Booth Street
Kansas City, KS 66103

Requested Action:
Approval of a Special Use
Permit

Date of Application:
January 24, 2018

Purpose:
To operate a Short-Term
Rental/Bed and Breakfast

Property Location:
2309 W. 45th Avenue



Commission Districts: Commissioner At-Large: Tom Burroughs
District Commissioner: Ann Brandau Murguia

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

Existing Surrounding Zoning: **North:** C-3 General Commercial District
South: R-1(B) Single Family District
East: R-1(B) Single Family District
West: R-1(B) Single Family District

Existing Uses: **North:** Commercial
South: Single Family Homes
East: Single Family Homes
West: Single Family Homes

Total Tract Size: 0.15 acre

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

Major Street Plan: The City-Wide Master Plan designates West 45th Avenue as a Local Street.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner - February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Ms. Schwantes, is applying to use her single-family home, located at 2309 West 45th Avenue as a short-term rental space, rented through sites such as AIRBNB and VRBO. This home is not the applicant's primary residence.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is residential in nature, though there are commercial nodes nearby.

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

The zoning and uses of the properties is set out above. The proposed use might be compatible with the surrounding single-family houses if operated properly. Operating this property as a short-term rental/bed and breakfast has the potential to create issues related to noise, parking, and other concerns related to overcrowding if improperly managed.

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 so long as the property owners properly manage the operation.

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.

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 landowner would not be able to use the property as a bed and breakfast or short-term rental but may continue to use the property as a single-family residence.

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

Applicant held a neighborhood meeting on February 15, 2018. Attached are the minutes from that 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-2018-29, subject to:

Urban Planning and Land Use Comments:

- 1. How long has the short-term rental business been in operation?**
Applicant Response: January 1, 2016
- 2. Were neighbors consulted prior to opening the business?**

Applicant Response: The properties adjacent to Ms. Schwantes were notified. The adjoining neighbor on west side of the residence, Mr. Esteban Ruiz residing at 4501 Adams Street, Kansas City, KS 66103 was consulted and he had no objections. The tenants on east side of residence at 4500 Rainbow Avenue were notified of the operations and had no objections. In addition, the residence is parallel to a church and Rainbow Pet Hospital who operate commercially.

3. Do you have a business license?

Applicant Response: No. I was told a business license will be obtained once the special use permit process is completed.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes, along with property taxes

5. How many rooms are rented?

Applicant Response: 2 bedrooms

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

Applicant Response: Four adults; I allow up to six people if additional two are children

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

Applicant Response: Up to three vehicles in the attached carport

8. How often are guests in the residence?

Applicant Response: Guests are in residence day and night as they often visit family. They have stayed at the home for such things as family gatherings, graduations (high school, college, and graduate school), Mother's Day, American Royal BBQ Contest and KCMO convention to name a few. Most importantly the rental provides a very persistent and permanent need for long term and intermittent residence to families whose family members are doing treatment at neighboring hospitals like KU Medical Center, Saint Luke's Hospital and even Children's Mercy Hospital.

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

Applicant Response: Yes

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

Applicant Response: The property is a two-bedroom one bath residence with a connected kitchen, living and dining area in a fenced in yard with brick patio. There is also a washer/dryer area in back. It has full unfinished basement to serve as a tornado shelter. There is one bedroom with queen size bed, one bedroom with two twin beds and pullout sofa bed in the living room. The property has a connected carport with a driveway.

11. As this is not your primary residence, where are you located?

Applicant Response: 4501 Booth Street Kansas City, KS 66103 which is my primary residence. I live two houses down from the rental.

12. How often do you visit the property?

Applicant Response: Every single time a guest checks in and out and also regularly during the week if there needs to be maintenance done on the property.

13. Who is responsible for issues that may arise when tenants are renting the house, if neighbors have concerns, or to clean and prepare the house between tenants?

Applicant Response: I live very close to the rental and I am responsible for any issues which there have been none. My adjacent neighbors have my email and phone contact information. I have a cleaning crew that comes in the property and professionally cleans between guests. I am also very involved in the community and I am a regular attendant at Frank Rushton monthly neighborhood meetings. My neighbors are aware of my rental property as I had to organize a neighborhood watch group to perform crime watch from January 2017 to May 2017. With the neighbors help we successfully caught a habitual burglar who burglarized the rental as well as five other properties in the Frank Rushton area in this time period. For further detail you can refer to Case No. 2017CR0759 filed in Wyandotte County District Court. In the two years, I have not been informed of any issue affecting any neighbors and in fact have been thanked by neighbors for the impeccable upkeep of the property.

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

If approved, the following would be 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
 - i. Electric panel and circuits must be safe
2. Host will obtain a business license with the City for each address.
3. 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-2018-29** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Zoning Map
Aerial image
Rental licenses (2016 & 2017)
Photos provided by applicant
Neighborhood meeting minutes

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: **Jamie Hickey**

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-29** 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-2018-29, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 2:39:27

SPECIAL USE PERMIT APPLICATION #SP-2018-29 – LJUPKA SCHWANTES –

SYNOPSIS: Special Use Permit for an AIRBNB at 2309 West 45th Avenue. **Detailed Outline of Requested Action:** The applicant, Ms. Schwantes, is applying to use her single-family home, located at 2309 West 45th Avenue as a short-term rental space, rented through sites such as AIRBNB and VRBO. This home is not the applicant's 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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 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:

- ❖ Ljupka Schwantes, applicant, 4501 Booth Street, Kansas City, Kansas 66103
- ❖ Erin Stryka, Executive Director, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103
- ❖ There were 15 persons present that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 2:45:51 - Director Richardson stated that since the applicant lives two houses down and her husband is home, the staff considered this as an owner-occupied AIRBNB and recommends approval for two (2) years subject to the stipulations in the staff report.

Motion and Vote starts at 2:46:08

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-29:**

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

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

- 1. How long has the short-term rental business been in operation?**
Applicant Response: January 1, 2016
- 2. Were neighbors consulted prior to opening the business?**
Applicant Response: The properties adjacent to Ms. Schwantes were notified. The adjoining neighbor on west side of the residence, Mr. Esteban Ruiz residing at 4501 Adams Street, Kansas City, KS 66103 was consulted and he had no objections. The tenants on east side of residence at 4500 Rainbow Avenue were notified of the operations and had no objections. In addition, the residence is parallel to a church and Rainbow Pet Hospital who operate commercially.
- 3. Do you have a business license?**
Applicant Response: No. I was told a business license will be obtained once the special use permit process is completed.
- 4. Have you paid appropriate lodging taxes?**
Applicant Response: Yes, along with property taxes
- 5. How many rooms are rented?**
Applicant Response: 2 bedrooms
- 6. What is the maximum number of people that will be staying at any one time?**
Applicant Response: Four adults; I allow up to six people if additional two are children
- 7. What is the maximum number of vehicles and where will they park?**
Applicant Response: Up to three vehicles in the attached carport

8. How often are guests in the residence?

Applicant Response: Guests are in residence day and night as they often visit family. They have stayed at the home for such things as family gatherings, graduations (high school, college, and graduate school), Mother's Day, American Royal BBQ Contest and KCMO convention to name a few. Most importantly the rental provides a very persistent and permanent need for long term and intermittent residence to families whose family members are doing treatment at neighboring hospitals like KU Medical Center, Saint Luke's Hospital and even Children's Mercy Hospital.

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

Applicant Response: Yes

10. Describe in detail the area(s) rented for Airbnb/other rental operations.

Include bedrooms, bathrooms common areas etc.

Applicant Response: The property is a two-bedroom one bath residence with a connected kitchen, living and dining area in a fenced in yard with brick patio. There is also a washer/dryer area in back. It has full unfinished basement to serve as a tornado shelter. There is one bedroom with queen size bed, one bedroom with two twin beds and pullout sofa bed in the living room. The property has a connected carport with a driveway.

11. As this is not your primary residence, where are you located?

Applicant Response: 4501 Booth Street Kansas City, KS 66103 which is my primary residence. I live two houses down from the rental.

12. How often do you visit the property?

Applicant Response: Every single time a guest checks in and out and also regularly during the week if there needs to be maintenance done on the property.

13. Who is responsible for issues that may arise when tenants are renting the house, if neighbors have concerns, or to clean and prepare the house between tenants?

Applicant Response: I live very close to the rental and I am responsible for any issues which there have been none. My adjacent neighbors have my email and phone contact information. I have a cleaning crew that comes in the property and professionally cleans between guests. I am also very involved in the community and I am a regular attendant at Frank Rushton monthly neighborhood meetings. My neighbors are aware of my rental property as I had to organize a neighborhood watch group to perform crime watch from January 2017 to May 2017. With the neighbors help we successfully caught a habitual burglar who burglarized the rental as well as five other properties in the Frank Rushton area in this time period. For further detail you can refer to Case No. 2017CR0759 filed in Wyandotte County District Court. In the two years, I have not been informed of any

issue affecting any neighbors and in fact have been thanked by neighbors for the impeccable upkeep of the property.

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

If approved, the following would be 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
 - i. Electric panel and circuits must be safe
- 2. Host will obtain a business license with the City for each address.
- 3. Approval is for 2 years.

NEIGHBORHOOD MEETING MINUTES

Application Number:

SP-18402-00010

REF: SP-2018-29

Date and Location:

2/15/2018 6:30 p.m.

Greater Revelations Church

4473 Adams Street

Kansas City, KS 66103

Meeting called to order at: 6:44 p.m.

Names of people in attendance:

Ljupka Schwantes, Airbnb Host – 2309 W. 45th Avenue Kansas City, KS 66103

Taryn Glidewell, Airbnb Host – 2914 W. 44th Avenue Kansas City, KS 66103

Travis Underwood, Neighbor & Airbnb Host – 4523 Adams Street Kansas City, KS 66103

Sara Bartlett, Airbnb Host – 4448 Booth Street, Kansas City, KS 66103

Tracy McCarthy, Owner of Rainbow Pet Hospital - 4468 Rainbow Boulevard, Kansas City, KS 66103

Introductions:

- Reason for meeting was given. Ms. Schwantes introduced herself and explained the SUP application process, when it began and how the neighborhood meeting was one of the steps to complete the application.
- Ms. Schwantes provided the history of short term rental operation at 2309 W. 45th Avenue Kansas City, KS 66103 to include begin dates, notification given to neighbors, application for rental license and timeline of SUP process and notices issued to neighbors of meeting.
- Ms. Schwantes provided additional information regarding the burglary that happened at rental in January 2017 and the organization of neighbors to catch burglar.
- Ms. Schwantes then asked if there are any questions.

Questions and answers:

Ms. Tracy McCarthy asked question of what is the next step in the application. Ms. Schwantes responded that there is a meeting to be held before the Urban Planning Commission on March 12, 2018 at 701 North 7th Street Kansas City, KS 66103 at 6:30 p.m. Ms. McCarthy was invited to the meeting and she noted she will try to attend.

Meeting adjourned at: 7:30 p.m.

Minutes taken by: Ljupka Schwantes

2/15/18

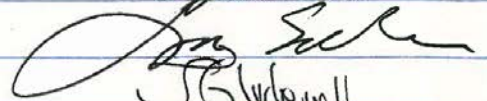
RE: SP-18402-0000

Sign in sheet:

Name:

Signature:

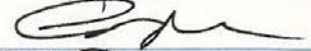
LYNETA SCHWANTES



TARYN GLIDGELL



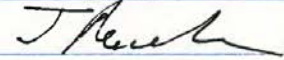
TRAVIS UNDERWOOD



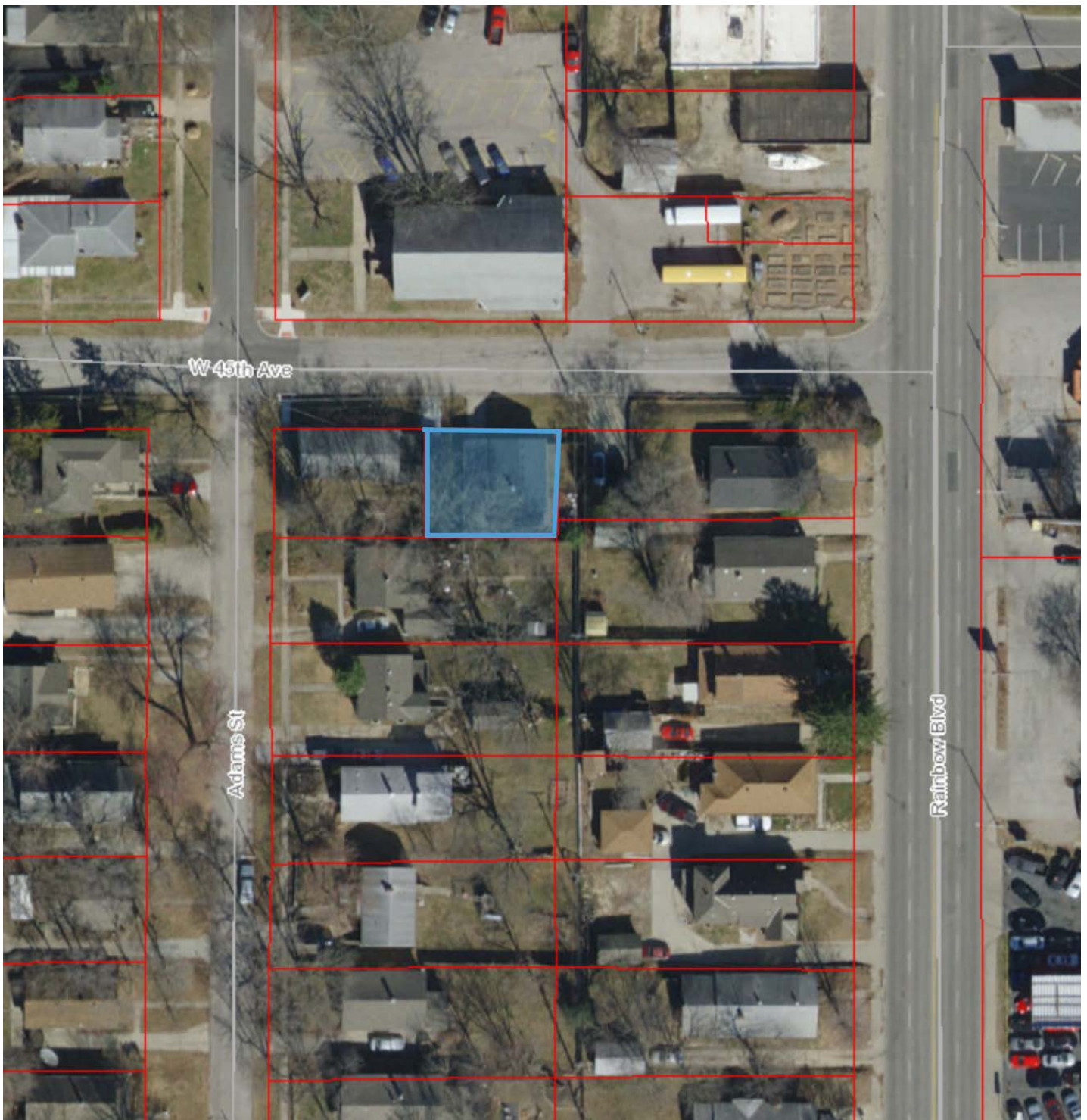
SARA BARLETT



TRACY MCCARTHY









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.wycokck.org/rentallicensing

2016 Rental License

Owner Address

Date Issued: 4/25/2016

LJUPKA SCHWANTES
4501 BOOTH ST
KANSAS CITY KS 66103

This certifies that

SCHWANTES HOUSE 2309 W 45TH AVE
2309 W 45TH AVE
KANSAS CITY, KS 66103

has 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 04/30/2017.

License # 15990-00798

Deborah A. Graber
Rental License Program Coordinator

THIS RECEIPT MUST BE PRESENTED UPON REQUEST.
NO REFUNDS AVAILABLE.

ugrentlpy.rpt

Date Printed: 4/25/2016



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.wycokck.org/rentallicensing

2017 Rental License

Owner Address

Date Issued: 5/26/2017

LJUPKA SCHWANTES
4501 BOOTH ST
KANSAS CITY KS 66103

This certifies that

SCHWANTES HOUSE 2309 W 45TH AVE
2309 W 45TH AVE
KANSAS CITY, KS 66103

has 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

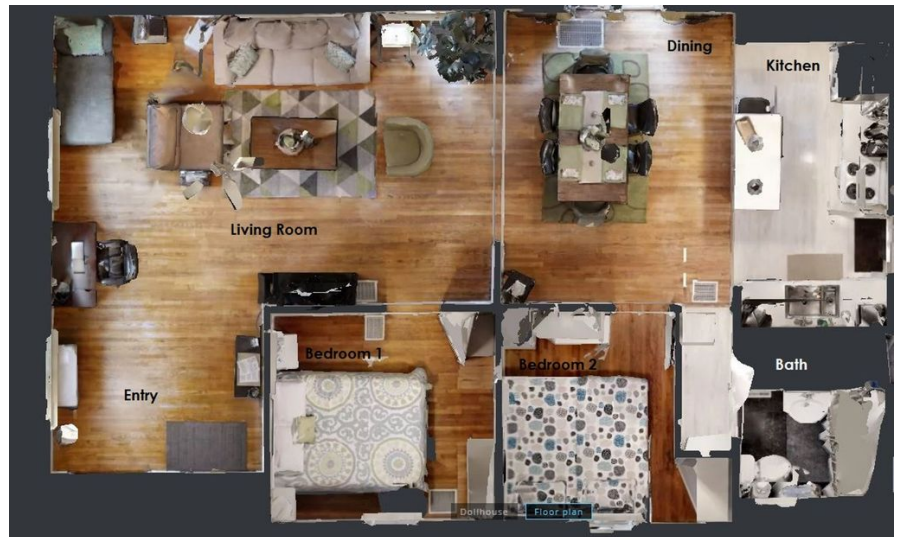
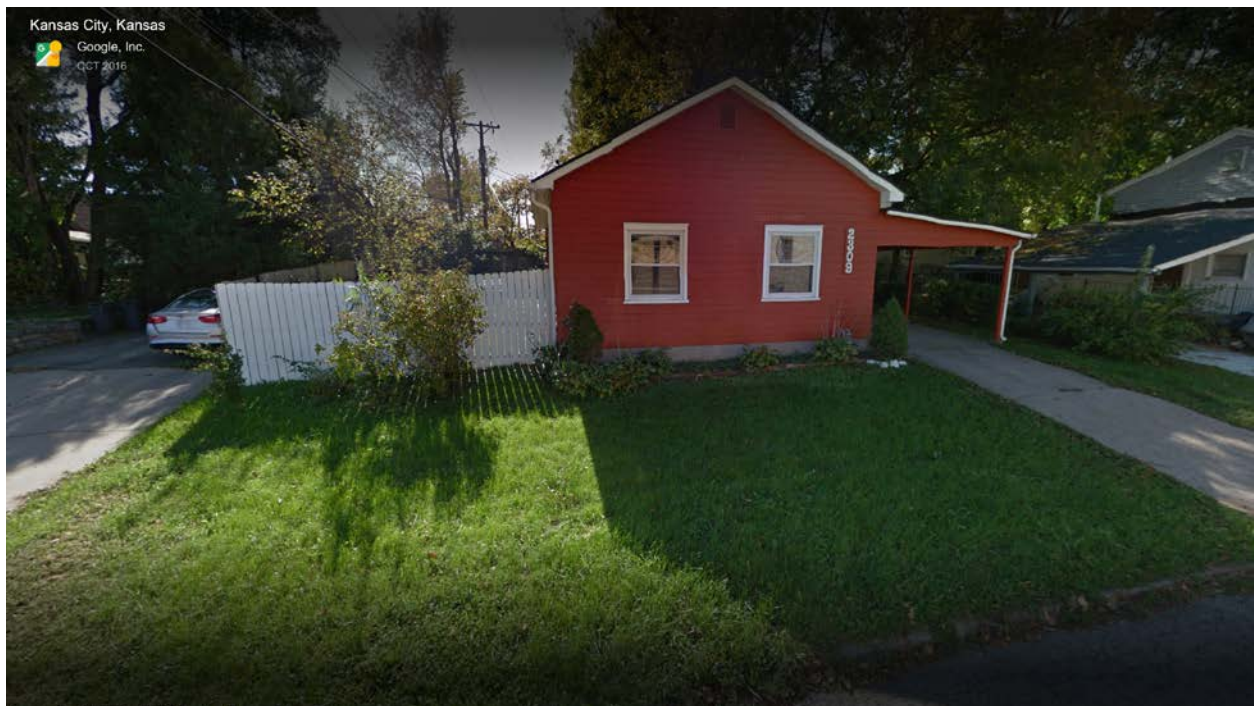
The status of the License is: **Annual**

The Rental License expires on 04/30/2018.

License # 15990-00798

Rachel Miskec
Rental License Program Coordinator

THIS RECEIPT MUST BE PRESENTED UPON REQUEST.
NO REFUNDS AVAILABLE.







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: April 5, 2018
Re: Petition #SP-2018-30

GENERAL INFORMATION

Applicant:
Jennifer Fine

Status of Applicant:
Property Owner
4001 North 74th Street
Kansas City, Kansas

Requested Action:
Renewal of a Special Use Permit for a dog
day care and boarding facility

Date of Application:
January 26, 2018

Purpose:
To continue a dog day care and boarding
facility

Property Location:
4001 North 74th Street



Commission Districts:

Commissioner At Large: Melissa Bynum
District Commissioner: Jane W. Philbrook

Existing Zoning: R-1 Single Family 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:** Large lot homes and wooded area
South: Large lot homes and wooded area
East: Large lot homes and wooded area
West: Large lot homes and wooded area

Total Tract Size: 9.2 acres

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

Major Street Plan: The City-Wide Master Plan designates 74th Street as a Local Street.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 26, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jennifer Fine, wants to renew her previous Special Use Permit to continue operating a dog day care and boarding facility for up to 15 dogs on her 9.2 acre property where she resides at 4001 North 74th Street. She picks up dogs from various locations for the day and brings them to her property, where they are outside from 11am-2pm, Monday through Friday, weather permitting. She also on average boards 5 dogs overnight, but during peak times such as spring break boards up to 15 dogs.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is primarily comprised of large, wooded residential lots. Along 74th Street is a secluded, rural neighborhood with ample space between the few homes built.

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

While the zoning of the properties around the proposed use is R-1 Single Family District, the area itself is relatively secluded with expansive wooded lots, sheltering homes from each other. The continued operation of the dog day care and boarding, given its location and the surrounding neighborhood, could be compatible.

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

The removal of the restrictions on the property will not detrimentally affect nearby property.

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

The property is not vacant.

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

Special Use Permits are not addressed in the Master Plan.

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

The proposed use will not result in increasing the amount of vehicular traffic where it exceeds capacity. The clients do not drop off their dogs at the address.

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. However, it provides convenience for those that use the service. The dog day care and boarding will not substantially injure the visual quality or marketability of adjoining property because of the seclusion of the lot.

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 is a potential for noise to be a problem in this scenario, but because the homes are not directly adjacent, and the lots are heavily wooded, creating a natural buffer, the impact of the barking is minimal. In the past two years the applicant has had no complaints from neighbors and keeps in contact with them to ensure the noise level is considerate.

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

The applicant will have to dispose of the dog waste in a timely manner; otherwise an odor will pollute the air of nearby property or water may be polluted.

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

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

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

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

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

The proposed use will not result in overcrowding of land, as 9.2 acres is adequate space for dogs.

PREVIOUS ACTIONS

#SP-2016-3 – Previous Special Use Permit for Jennifer Fine to operate a dog day care and boarding facility.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on February 26, 2018. A copy of the meeting minutes, sign-in sheet, and affidavit are attached to this report. 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-2018-30, subject to:

Urban Planning and Land Use Comments:

1. Please address compliance with the previously approved stipulations:

a. No signage is allowed on site.

Applicant Response: We have no signs on the property of the business.

b. Property owner maintains regular removal of dogs' waste (describe the procedure to remove the waste).

Applicant Response: I collect the dog waste daily and dispose of in biodegradable bags and put in an in-ground dog waste disposal system.

c. Hours of day-care operation are from 9 a.m. to 5 p.m.

Applicant Response: No problem on hours being 9-5. I usually only have daycare 11:30-2 p.m. by the time I pick them all up and get back to my house.

d. Approval would be for two (2) years.

2. How many dogs will be staying overnight in the boarding facility?

Applicant Response: As far as how many dogs board overnight, it varies by season like Christmas break and other holidays. In the off season (Jan, Feb April, May, late Aug, Sept, Oct, Early Nov) I may have 1-5 overnight. During the summer I average a few more, closer to 10 a night. Per my city license I do not have a number of dogs that I am limited to, but I feel very comfortable with 15 dogs in my facility during peak season. I kind of watch the same dogs over and over again (they are usually the same dogs that go to my daycare), so they know what I expect of them and I know their behaviors in and out. Most all of my dogs are happy go lucky poodle mixes.

Stipulations of Approval:

1. If approved, applicant will need to register and file the occupation tax application with the business license office.
2. 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-2018-30 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Zoning map
Applicant submitted photos
Applicant submitted business plan
Copy of applicant's kennel license
Neighborhood sign-in sheet and minutes
Neighborhood meeting affidavit

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: Kylie Wyatt
 kwyatt@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-30 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-2018-30, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2018-30 – JENNIFER FINE WITH K-9

CABIN LLC - SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-3) for a doggie day care and boarding operation at 4001 North 74th Street. **Detailed Outline of**

Requested Action: The applicant, Jennifer Fine, wants to renew her previous Special Use Permit to continue operating a dog day care and boarding facility for up to 15 dogs on her 9.2 acre property where she resides at 4001 North 74th Street. She picks up dogs from various locations for the day and brings them to her property, where they are outside from 11am-2pm, Monday through Friday, weather permitting. She also on average boards 5 dogs overnight, but during peak times such as spring break boards up to 15 dogs.

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

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 12, 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 notices to property owners; and
7. The publications in The Echo for the special use permit renewals.

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

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. (No one responded in the affirmative.)

On motion by Dr. Serda, seconded by Mr. Connelly, the Planning Commission voted as follows to **APPROVE the items on the Consent Agenda:**

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

Reasons: Not Present
Motion to APPROVE Passed: 6 to 0
Subject to:

Urban Planning and Land Use Comments:

1. Please address compliance with the previously approved stipulations:

a. No signage is allowed on site.

Applicant Response: We have no signs on the property of the business.

b. Property owner maintains regular removal of dogs' waste (describe the procedure to remove the waste).

Applicant Response: I collect the dog waste daily and dispose of in biodegradable bags and put in an in-ground dog waste disposal system.

c. Hours of day-care operation are from 9 a.m. to 5 p.m.

Applicant Response: No problem on hours being 9-5. I usually only have daycare 11:30-2 p.m. by the time I pick them all up and get back to my house.

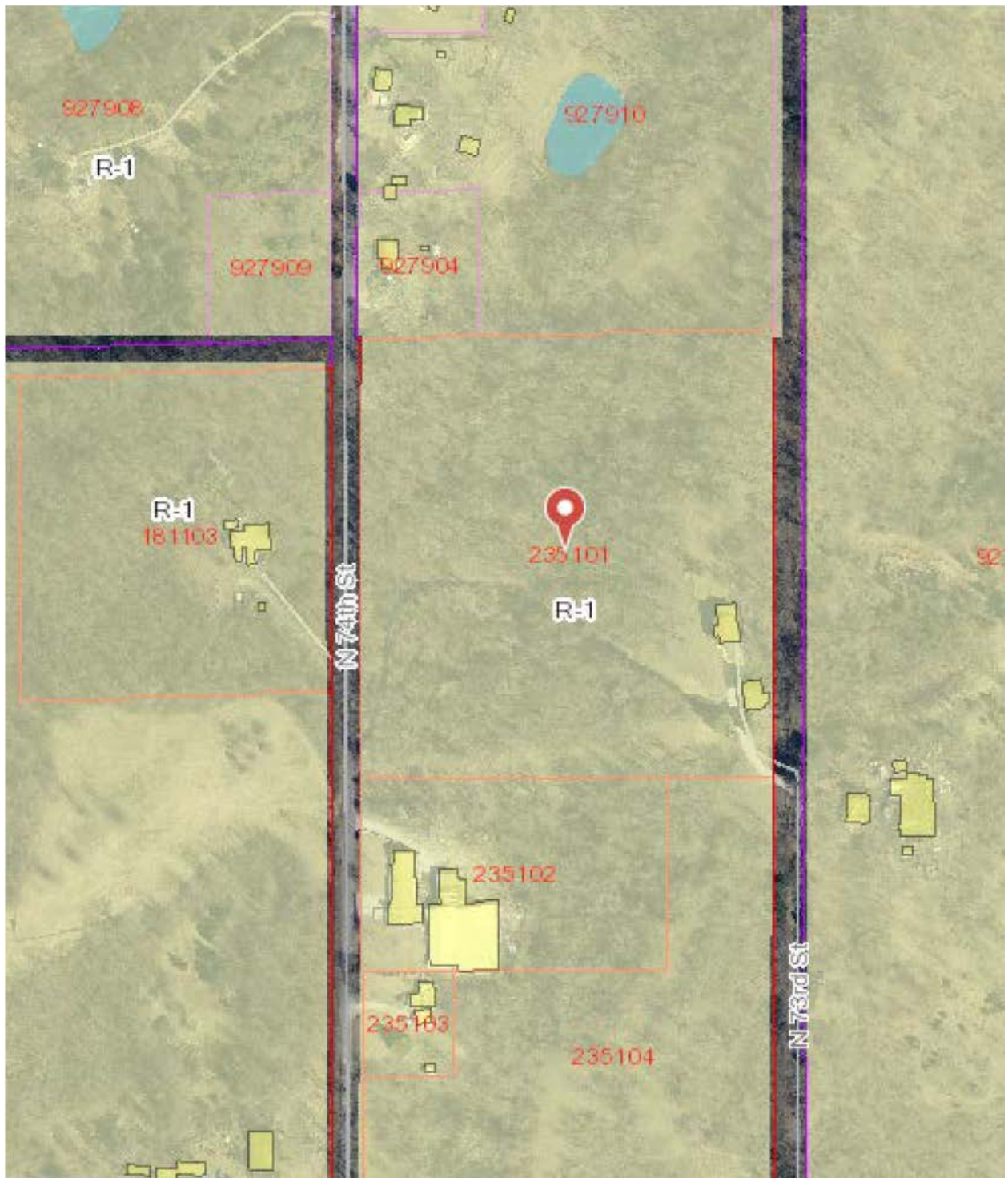
d. Approval would be for two (2) years.

2. How many dogs will be staying overnight in the boarding facility?

Applicant Response: As far as how many dogs board overnight, it varies by season like Christmas break and other holidays. In the off season (Jan, Feb April, May, late Aug, Sept, Oct, Early Nov) I may have 1-5 overnight. During the summer I average a few more, closer to 10 a night. Per my city license I do not have a number of dogs that I am limited to, but I feel very comfortable with 15 dogs in my facility during peak season. I kind of watch the same dogs over and over again (they are usually the same dogs that go to my daycare), so they know what I expect of them and I know their behaviors in and out. Most all of my dogs are happy go lucky poodle mixes.

Stipulations of Approval:

- 1. If approved, applicant will need to register and file the occupation tax application with the business license office.**
- 2. Approval is for two (2) years.**



Zoning map



Three car garage that dogs play in when weather does not permit outside play



Fenced area where dogs play outside from 11am-2pm

Thank you for your time. I have had this dog kennel permit for K-9 Cabin LLC for 2 years and not much has changed since the beginning. To summarize, I pick up about 12 dogs a day in the Brookside/Plaza area in a 15 passenger van and bring them to my property to play from 11 am – 2 pm, Monday through Friday. We converted our 3 car garage to an indoor doggie area for them to play and for overnight boarding. They mostly play outside in a fenced area unless it is too hot or cold, then they play inside where it is heated and cooled. I have had no noise complaints or any problems at all and am looking to continue/renew my permit. I keep in good contact with all of my neighbors to make sure the noise level is considerate even though we are secluded and on the back of our 10 acres. None of them have even ever heard the dogs bark. I board dogs overnight, the number varies on the season. Usually during a peak time, like spring break I will have about 10-15 dogs stay the night with me and my husband helps me. But on average I have about 5 dogs on average board overnight.

As far as the future, I plan to stay about the same. I do not advertise but I do get a few word of mouth referrals, but I lose dogs to old age, home injury or moving out of state constantly as well. I want to keep things small. My husband was deployed in the Army for all of 2017, so I was not in a position to grow my business with out his help.

I have a boarding and kennel license with the state of Kansas. License # CB001QLX.

Thank you for your time and consideration of my permit.

Jennifer Fine

K-9 Cabin LLC

Updated business plan

Boarding or Training Kennel License

Kansas Department of Agriculture, Division of Animal Health hereby Certifies that

Expires:
9/30/2018



License #:
CB001QLX

*has the above address licensed as a Boarding or Training Kennel
premise Pursuant to K.S.A 47-1701 et seq*

K-9 CABIN LLC
JENNIFER FINE
4001 N 74TH ST
KANSAS CITY, KS 66109


Animal Health Commissioner
Dated at Topeka, KS: 8/2/2017

Copy of applicant's kennel license

K-9 Cabin sign in

February 26, 2018 at 6:30 PM

4001 N 74th St Kansas City, KS 66109

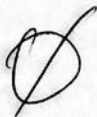
(Meeting held on site)

Application Number SP-18402-00011

Names of people in attendance:



Questions and answers:



Meeting adjourned at: 7:00pm

Minutes taken by: Jennifer Fine

no one came to
meeting.

Neighborhood meeting sign-in sheet and minutes

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas
COUNTY OF Wyandotte) SS:

Comes now Jennifer Fine of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2018-30
2. That I conducted a neighborhood meeting on 2/26/2018.
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.

Jennifer L. Fine
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28 day of Feb. 2018

My commission expires 12 of Oct, 2020



[Signature]
Notary Public

Neighborhood meeting affidavit



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: April 5, 2018
Re: Petition #SP-2018-31

GENERAL INFORMATION

Applicant:
Taryn Glidewell

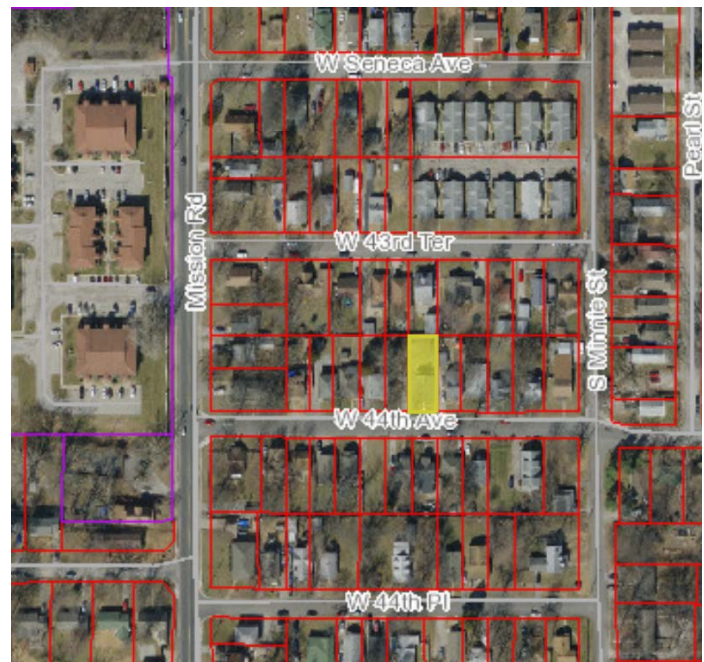
Status of Applicant:
Property Owner
2914 West 44th Avenue
Kansas City, KS 66103

Requested Action:
Approval of a Home Occupation
Special Use Permit

Date of Application:
January 26, 2018

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

Property Location:
2914 West 44th Avenue



Commission Districts:

Commissioner At Large: Tom Burroughs

District Commissioner: Ann Brandau Murguia

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

Existing Surrounding Zoning: North: R-1(B) Single Family District, R-2(B) Two Family District

South: R-1(B) Single Family District, R-2(B) Two Family District

East: R-1(B) Single Family District, R-2(B) Two Family District

West: R-1(B) Single Family District, R-2(B) Two Family District, RP-4 Planned Garden Apartment District

Existing Uses: North: Single Family Residences, Duplexes

South: Single Family Residences, Duplexes

East: Single Family Residences,

West: Single Family Residences, Duplexes, Apartments

Total Tract Size: 0.12 acre

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

Major Street Plan: The City-Wide Master Plan designates 44th Street as a Local Street and Mission Road as a Class A Thoroughfare.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Taryn Glidewell, is applying to use the property at 2914 West 44th Avenue as a Bed and Breakfast/AIRBNB. This is the applicant's primary residence, and the applicant is listing up to two bedrooms.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is residential in nature, with a mix of single family and two-family residences, and apartments nearby.

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

The zoning and uses of the properties is set out above. The proposed use might be compatible with the surrounding residences 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 mitigates these concerns to some 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 as noise and parking are mitigated by some extent by the fact that this property is the primary residence of the house.

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

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 landowner would not be able to use the property as a bed and breakfast but 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 February 15, 2018. A copy of the 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-2018-31, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: Since November 2015.

2. Were neighbors consulted prior to opening the business?

Applicant Response: No, but some neighbors are aware and supportive.

3. Do you have a business license?

Applicant Response: I was not aware I needed one but can get one.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes. AirBnB collects local taxes on our behalf. I have the amounts I can show, if needed.

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: 1 or 2, depending on how many people stay.

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

Applicant Response: Typically, it is 4, but sometimes if they have kids, it can be 5 or 6, and they stay on air mattresses or the couch.

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

Applicant Response: I have no maximum, but as people come from out of town, I haven't ever had more than two vehicles. I have ample off-street parking in my two driveways.

8. How often are guests in the residence?

Applicant Response: Typically, two to four times a month, typically weekends, but also during the week. Usually, it is no more than 1/3 of a calendar year total.

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

Applicant Response: No, this is my primary residence.

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

Applicant Response: My home is one story, with two bedrooms and one shared bath. There is a living room, dining room, and kitchen. I have a porch and deck outside as well that guests can use.

11. Describe how you will maintain a safe environment including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house.

Applicant Response: AirBnB mandates that we have working smoke detectors and carbon monoxide detectors in the home. I already have these in each room.

- b. GFCI outlets are required in bathrooms.

Applicant Response: I have one already in the bathroom.

- c. Double keyed locks are not allowed.

Applicant Response: I do not have any of these.

- d. Copper cannot be used for gas supply lines.

Applicant Response: I will look into this to see if I have any or not.

- e. Windows must be operable, not blocked or boarded.

Applicant Response: None of my windows are boarded or blocked and I live on the ground floor, so egress is easy.

- f. Handrails are required at sets of 4 or more stairs/risers.

Applicant Response: I have a handrail on my front stairs.

- g. Hot water tank and furnace must be vented properly and operational.

Applicant Response: They are.

- h. Electric panel and circuits must be safe.

Applicant Response: They are. As this is my primary residence, I am aware of the condition of all appliances and systems and fix them as soon as they need any repair.

Business License Comments:

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

Stipulations of Approval:

1. Host will maintain a safe environment described above.
2. Host will obtain a business license with the City.
3. The maximum number of guests is limited to 5 people.
4. Approval is for 1 year.

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-2018-31 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Parking options
Google Street View of house and parking
Building sketch
Zoning map
Applicant submitted photos
Neighborhood meeting minutes
Neighborhood meeting affidavit

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: Kylie Wyatt
 kwyatt@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-31 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-2018-31**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 2:46:40

SPECIAL USE PERMIT APPLICATION #SP-2018-31 – TARYN GLIDEWALL –

SYNOPSIS: Home Occupation Special Use Permit for an AIRBNB at 2914 West 44th Avenue. **Detailed Outline of Requested Action:** The applicant, Taryn Glidewell, is applying to use the property at 2914 West 44th Avenue as a Bed and Breakfast/AIRBNB. This is the applicant's primary residence, and the applicant is listing up to two bedrooms.

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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 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:

- ❖ Taryn Glidewell, applicant, 2914 West 44th Avenue, Kansas City, Kansas 66103
- ❖ There were 15 present that did not speak
- ❖ Erin Stryka, Executive Director, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 2:49:18 - Director Richardson asked how far the applicant is when she is away from the home. Ms. Glidewell stated that she could be out of town and it depends because she has a lot of people that want to rent; she is never more than 20 to 30 minutes away. She has family and friends in town. Director Richardson stated that given the response from the applicant that put this in the one (1) year period given what has been done this evening. The staff recommends approval for one (1) year subject to the stipulations in the staff report.

Motion and Vote starts at 2:51

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-31:**

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

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: Since November 2015.

2. Were neighbors consulted prior to opening the business?

Applicant Response: No, but some neighbors are aware and supportive.

3. Do you have a business license?

Applicant Response: I was not aware I needed one but can get one.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes. AirBnB collects local taxes on our behalf. I have the amounts I can show, if needed.

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: 1 or 2, depending on how many people stay.

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

Applicant Response: Typically, it is 4, but sometimes if they have kids, it can be 5 or 6, and they stay on air mattresses or the couch.

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

Applicant Response: I have no maximum, but as people come from out of town, I haven't ever had more than two vehicles. I have ample off-street parking in my two driveways.

8. How often are guests in the residence?

Applicant Response: Typically, two to four times a month, typically weekends, but also during the week. Usually, it is no more than 1/3 of a calendar year total.

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

Applicant Response: No, this is my primary residence.

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

Applicant Response: My home is one story, with two bedrooms and one shared bath. There is a living room, dining room, and kitchen. I have a porch and deck outside as well that guests can use.

11. Describe how you will maintain a safe environment including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house.

Applicant Response: AirBnB mandates that we have working smoke detectors and carbon monoxide detectors in the home. I already have these in each room.

- b. GFCI outlets are required in bathrooms.

Applicant Response: I have one already in the bathroom.

- c. Double keyed locks are not allowed.

Applicant Response: I do not have any of these.

- d. Copper cannot be used for gas supply lines.

Applicant Response: I will look into this to see if I have any or not.

- e. Windows must be operable, not blocked or boarded.
Applicant Response: None of my windows are boarded or blocked and I live on the ground floor, so egress is easy.
- f. Handrails are required at sets of 4 or more stairs/risers.
Applicant Response: I have a handrail on my front stairs.
- g. Hot water tank and furnace must be vented properly and operational.
Applicant Response: They are.
- h. Electric panel and circuits must be safe.
Applicant Response: They are. As this is my primary residence, I am aware of the condition of all appliances and systems and fix them as soon as they need any repair.

Business License Comments:

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

Stipulations of Approval:

1. Host will maintain a safe environment described above.
2. Host will obtain a business license with the City.
3. The maximum number of guests is limited to 5 people.
4. Approval is for 1 year.



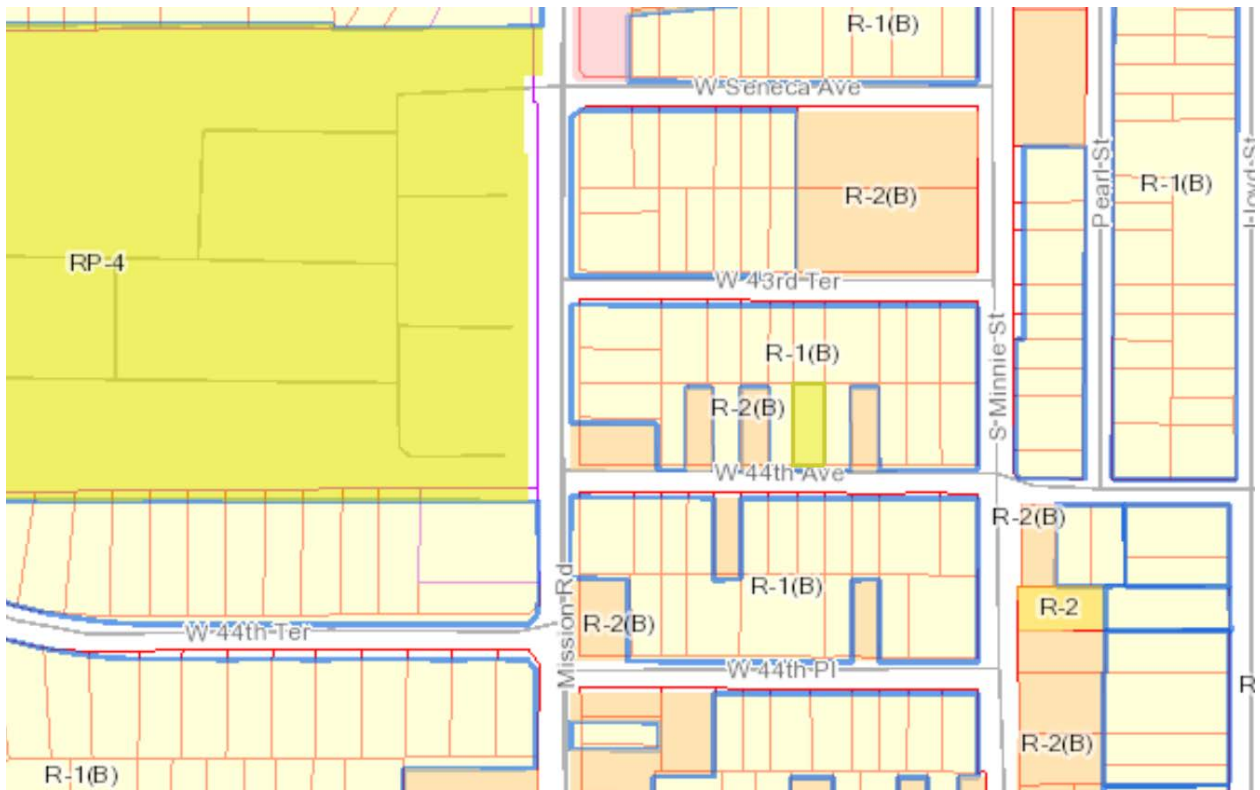
Parking options



Google Street View of house and parking



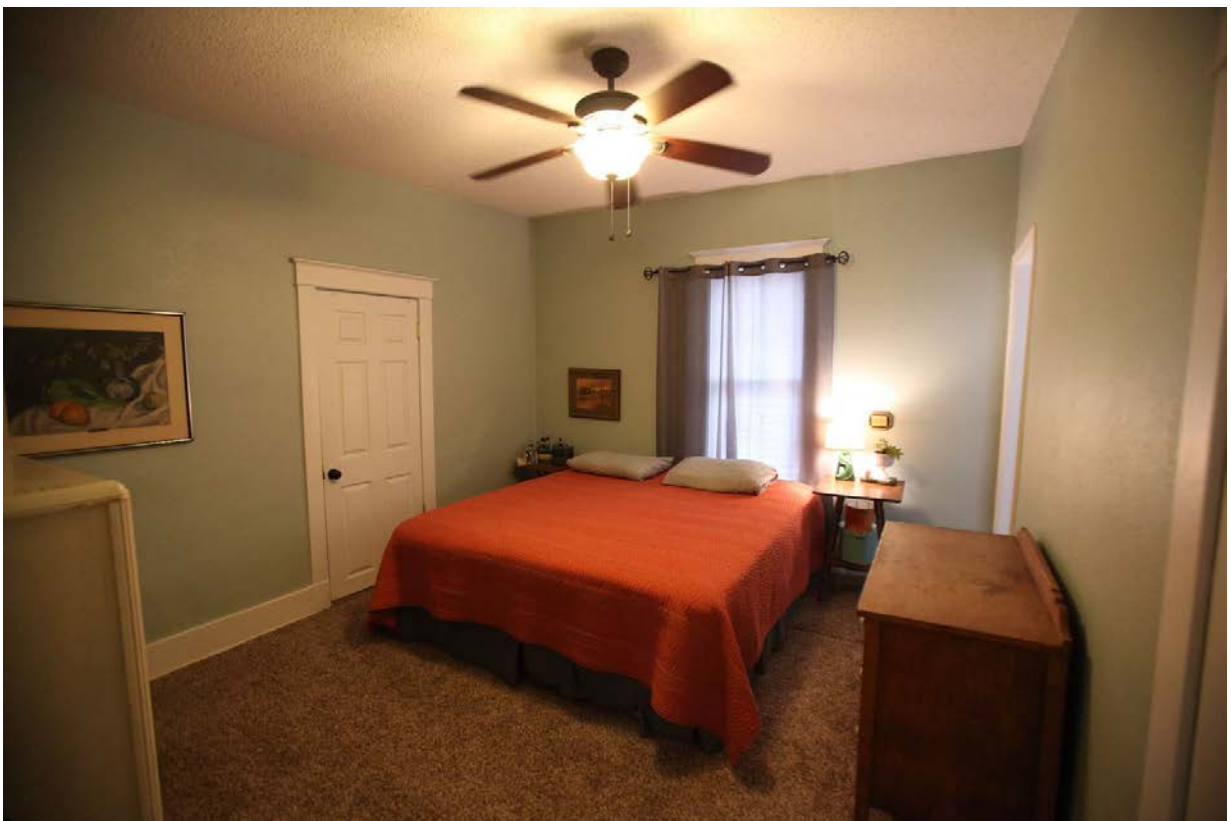
Building sketch



Zoning map



Kitchen



Bedrooms



Bathroom



Living room

NEIGHBORHOOD MEETING MINUTES

Application Number:
SP-2018-31

Date and Location:
2/15/2018 6:30 p.m.
Greater Revelations Church
4473 Adams Street
Kansas City, KS 66103

Meeting called to order at: 6:44 p.m.

Names of people in attendance:

Taryn Glidewell, Airbnb Host – 2914 W. 44th Avenue Kansas City, KS 66103
Ljupka Schwantes, Airbnb Host – 2309 W. 45th Avenue Kansas City, KS 66103
Travis Underwood, Neighbor & Airbnb Host – 4523 Adams Street Kansas City, KS 66103
Sara Bartlett, Airbnb Host – 4448 Booth Street, Kansas City, KS 66103
Tracy McCarthy, Owner of Rainbow Pet Hospital - 4468 Rainbow Boulevard, Kansas City, KS 66103

Introductions:

- Reason for meeting was given. Ms. Schwantes and myself introduced ourselves and explained the SUP application process (including the neighbor letter, yard signs, the meetings, and the commissioner meeting), when it began and how the neighborhood meeting was one of the steps to complete the application.
- Ms. Schwantes provided the history of short term rental operation at 2309 W. 45th Avenue Kansas City, KS 66103 to include begin dates, notification given to neighbors, application for rental license and timeline of SUP process and notices issued to neighbors of meeting.
- Ms. Glidewell, myself, also helped explain the SUP process as well as my house's history with both AirBnB and the neighborhood. My house's activity is slightly different than Ljupka's as mine is my primary residence, so we wanted Tracy to understand the differences.
- Ms. Schwantes then asked if there are any questions.

Questions and answers:

Ms. Tracy McCarthy asked question of what is the next step in the application. Ms. Schwantes responded that there is a meeting to be held before the Urban Planning Commission on March 12, 2018 at 701 North 7th Street Kansas City, KS 66103 at 6:30 p.m. Ms. McCarthy was invited to the meeting and she noted she will try to attend.

There were no concerns voiced about AirBnB in the neighborhood.

Both Ljupka and myself had photos and other pertinent information available, but none were asked for.

Meeting adjourned at: 7:30 p.m.

Minutes taken by: Taryn Glidewell

Neighborhood meeting minutes

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KS)
COUNTY OF Wyandotte) SS:

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

1. That I am the petitioner for Petition # SP-2018-31
2. That I conducted a neighborhood meeting on 2/15/18.
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.

Tamm Glidewell
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 22nd day of February, 2018.

My commission expires 27th of September, 2020

Sydney A. Mosley
Notary Public



Neighborhood meeting affidavit



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: April 5, 2018
Re: Petition #SP-2018-35

GENERAL INFORMATION

Applicant:
Henry C. Mendez

Status of Applicant:
Property Owner
3402 Gibbs Road
Kansas City, KS, 66106

Requested Action:
Renewal of a Special Use
Permit for an auto sales and
repair shop

Date of Application:
January 29, 2018

Purpose:
Special Use Permit for an
auto sales and repair shop

Property Location:
3402 Gibbs Road



Commission Districts: Commissioner At Large: Tom Burroughs
District Commissioner: Angela Markley

Existing Zoning: CP-2 Planned General Business District

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

Existing Uses: **North:** Single Family Homes
South: Strip Mall Commercial Development
East: Maple Hill Cemetery
West: Single Family Homes

Total Tract Size: .34 acre

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

Major Street Plan: The City-Wide Master Plan designates Gibbs Road as a local street and 34th Street as a Class C Thoroughfare.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 26, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Henry C. Mendez, is requesting a renewal of a Special Use Permit (#SP-2016-22) for an auto sales and repair shop.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is primarily residential in nature. The Maple Hill Cemetery and a strip mall are part of this neighborhood, however residential uses are the primary uses in this neighborhood.

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

The surrounding properties are residential, with the Maple Hill Cemetery and a strip mall being adjacent as well. The property is located on the edge of a residential neighborhood, and with the adjacent strip mall to the south, the proposed use will not be incompatible with the surrounding uses.

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 existing business on this property performs services that would now require a special use permit. Removing the restrictions should not detrimentally affect nearby property, as the business already exists on this location.

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 proposed use does not conform to the Master Plan. Additionally, 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.*

There is sufficient street network to support the proposed use. The proposed use will not result in increasing the amount of vehicular 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 proposed use is reasonably necessary for the convenience and welfare of the public. The proposed use will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property, only if properly managed.

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.*

During the hours of operation for this property (8:00am to 5:00pm), this business will not create noise, vibration, dust, or illumination such that would create problems for near-by property.

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

If the chemicals and products used related to auto repair are disposed of correctly, there will be no pollution to the air, land, or water.

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

The proposed use would 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 will be minimal compared to the hardship on the individual landowner. If the application is denied, then the owner will have to move to an alternative location where auto sales and repairs are allowed.

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

Overcrowding could potentially occur on this property as the number of vehicles being repaired or sold fluctuates.

PREVIOUS ACTIONS

Approval of Special Use Permit #SP-2016-22 on this property to conduct used auto sales at an existing mechanic and repair shop.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on February 19, 2018. There were three attendees of the meeting. According to the applicant, there was not any opposition.

KEY ISSUES

Vehicle storage
Disposal of chemicals

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-35, subject to:

Urban Planning and Land Use comments:

Below are the previous stipulations for approval; please indicate if all the stipulations have been complied with:

1. In order to calculate the required parking, please provide the square footage of the building.

The parking ratio for vehicle repair is four (4) spaces for every 1,000 square feet of building area.

Applicant Response: The building is 1,200 square feet.

Staff Response: Based on the square footage, five (5) spaces are required for customer parking.

2. Per Sec. 27-593(b)(20)a.
 - a. Upgrade parking, including striping and/or resurfacing of parking lots, if deemed necessary by staff.
 - b. Landscaping, screening, and façade improvements to meet commercial design guidelines.

The parking lot needs to be restriped and resurfaced, as the asphalt and concrete lot has become degraded. With that said, on the scaled site plan (drawing), please illustrate where the cars will be parked.

Additionally, the Commercial Design Guidelines requires that trees be planted at least 75 percent greater than the district requirement. The requirement is one tree per 7,000 square feet of site area; therefore 4 trees are required to be planted. Please indicate on the scaled site plan (drawing) where the trees will be planted.

Applicant Response: We will restripe the parking stalls, reseal the parking lot and plant four (4) Maple trees.

3. Per Sec. 27-593(b)(20)d.1-3.
 - a. Parking of the automobiles under heavy service repair, or mechanics shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by sections 27-466 through 27-470.
 - b. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
 - c. Each automobile shall be in a striped, designated parking space.

Please provide a more detailed drawing that shows the parking allocated for 3400 Gibbs Road. This includes parking spaces for customers, vehicles that are being repaired and those that are for sale.

Applicant Response: Please see the site plan.

4. In order to have legitimate signage, a sign permit must be filed with the Urban Planning and Land Use Department by a licensed and bonded sign company with the Kansas City, Kansas Business Licensing Department.

Applicant Response: The current sign is encased in a cabinet that is posted with cement poles to the ground and welded in place. This sign is not free-flowing and not in the form of a banner.

5. No displays on the sidewalk, this includes signs, pennants, attention-attracting devices, etc.

Applicant Response: Understood.

Staff Conclusion:

The applicant has worked with staff to answer questions regarding the addition of used auto sales to the existing mechanic and tire shop. The applicant has agreed to comply with the ordinance and guidelines. Subject to approval, staff stipulates the following:

- (1) This special use permit shall be valid for two (2) years.
- (2) Four (4) trees shall be planted to comply with the Commercial Design Guidelines.
- (3) Overhead doors shall be closed when working on vehicles.
- (4) The applicant has stated that six (6) parking spaces will be allocated along South 34th Street to display used automobiles.
- (5) No vehicles that are in any state of disrepair may be seen from public view (South 34th Street or Gibbs Road).
- (6) Comply with aforementioned stipulations
- (7) Applicant has 6 months to comply or the special use permit will be terminated.

Business License Comments:

1. Applicant has filed and maintained current occupation tax application with this office for auto sales and auto repair.

Public Works and Engineering Comments:

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

- 1) Do the auto repairs include oil changes? If so, indicate if the facility has an oil water separator and its location.

Applicant Response: Yes, auto repairs do include oil changes. We do have an oil and water separator.

- 2) Are there wrecked vehicles stored on site? If so, provide a hot spot analysis in accordance with Appendix B of the 2009 MARC BMP Manual.

Applicant Response: No wrecked vehicles are stored on site.

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

- 1) None

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

1) None

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-35 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Neighborhood Meeting Minutes
Business Update
Aerial Image
Zoning Map

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: Mason Herrman
mherrman@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-35 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-2018-35**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

SPECIAL USE PERMIT APPLICATION #SP-2018-35 – HENRY C. MENDEZ WITH HENRY’S AUTO REPAIR AND TOWING - SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-22) for auto sales and repair shop at 3402 Gibbs Road. **Detailed Outline of Requested Action:** The applicant, Henry C. Mendez, is requesting a renewal of a Special Use Permit (#SP-2016-22) for an auto sales and repair shop.

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

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 12, 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 notices to property owners; and
7. The publications in The Echo for the special use permit renewals.

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

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. (No one responded in the affirmative.)

On motion by Dr. Serda, seconded by Mr. Connelly, the Planning Commission voted as follows to **APPROVE the items on the Consent Agenda:**

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

Reasons: Not Present
Motion to APPROVE Passed: 6 to 0
Subject to:

Urban Planning and Land Use comments:

Below are the previous stipulations for approval; please indicate if all the stipulations have been complied with:

1. In order to calculate the required parking, please provide the square footage of the building.

The parking ratio for vehicle repair is four (4) spaces for every 1,000 square feet of building area.

Applicant Response: The building is 1,200 square feet.

Staff Response: Based on the square footage, five (5) spaces are required for customer parking.

2. Per Sec. 27-593(b)(20)a.
 - c. Upgrade parking, including striping and/or resurfacing of parking lots, if deemed necessary by staff.
 - d. Landscaping, screening, and façade improvements to meet commercial design guidelines.

The parking lot needs to be restriped and resurfaced, as the asphalt and concrete lot has become degraded. With that said, on the scaled site plan (drawing), please illustrate where the cars will be parked.

Additionally, the Commercial Design Guidelines requires that trees be planted at least 75 percent greater than the district requirement. The requirement is one tree per 7,000 square feet of site area; therefore 4 trees are required to be planted. Please indicate on the scaled site plan (drawing) where the trees will be planted.

Applicant Response: We will restripe the parking stalls, reseal the parking lot and plant four (4) Maple trees.

3. Per Sec. 27-593(b)(20)d.1-3.
 - d. Parking of the automobiles under heavy service repair, or mechanics shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by sections 27-466 through 27-470.
 - e. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
 - f. Each automobile shall be in a striped, designated parking space.

Please provide a more detailed drawing that shows the parking allocated for 3400 Gibbs Road. This includes parking spaces for customers, vehicles that are being repaired and those that are for sale.

Applicant Response: Please see the site plan.

4. In order to have legitimate signage, a sign permit must be filed with the Urban Planning and Land Use Department by a licensed and bonded sign company with the Kansas City, Kansas Business Licensing Department.

Applicant Response: The current sign is encased in a cabinet that is posted with cement poles to the ground and welded in place. This sign is not free-flowing and not in the form of a banner.

5. No displays on the sidewalk, this includes signs, pennants, attention-attracting devices, etc.

Applicant Response: Understood.

Staff Conclusion:

The applicant has worked with staff to answer questions regarding the addition of used auto sales to the existing mechanic and tire shop. The applicant has agreed to comply with the ordinance and guidelines. Subject to approval, staff stipulates the following:

- (1) This special use permit shall be valid for two (2) years.
- (2) Four (4) trees shall be planted to comply with the Commercial Design Guidelines.
- (3) Overhead doors shall be closed when working on vehicles.
- (4) The applicant has stated that six (6) parking spaces will be allocated along South 34th Street to display used automobiles.
- (5) No vehicles that are in any state of disrepair may be seen from public view (South 34th Street or Gibbs Road).
- (6) Comply with aforementioned stipulations
- (7) Applicant has 6 months to comply or the special use permit will be terminated.

Business License Comments:

1. Applicant has filed and maintained current occupation tax application with this office for auto sales and auto repair.

Public Works and Engineering Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) Do the auto repairs include oil changes? If so, indicate if the facility has an oil water separator and its location.

Applicant Response: Yes, auto repairs do include oil changes. We do have an oil and water separator.

- 2) Are there wrecked vehicles stored on site? If so, provide a hot spot analysis in accordance with Appendix B of the 2009 MARC BMP Manual.

Applicant Response: No wrecked vehicles are stored on site.

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

Application/Petition No SP-2018-35

2/19/18 at 3402 Gibbs Rd Kansas City, KS 66106

Meeting called to order at 1830

Name of people in attendance

1. *Benito E. Guadalupe*
2. *Mary Jean Grindel*
3. *DAVID SANCHEZ*
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.

Introduction: Henry C Mendez as owner/operator. Notification of business hours from 0800 to 1700, Mon-Fri. Notification of current services offered and provided (towing, auto repair- tires, brakes, oil changes, engine repairs and auto sales. Notification for the reason of hosting meeting is the proposal to renew special use permit at current location.

Presentation: Overall synopsis was given to local property owners as well as neighborhood members within close proximity of business; proposing the continuance of current operations (towing, auto repair and auto sales) and permit renewal allowance at the stated entity.

Q/A

- Who asked the question
- What was the question
- Who answered the question
- What was the answer given

- Who asked the question
- What was the question
- Who answered the question
- What was the answer given

Meeting adjourned at: 1905

Minutes taken by: Laura Neholt

HENRY'S AUTO REPAIR AND TOWING, LLC
OWNER/OPERATOR: HENRY C. MENDEZ
HOURS OF OPERATION: MONDAY- FRIDAY (8-5 PM)

SERVICES OFFERED

- TOWING
- AUTO REPAIR
- TIRES
- BRAKES
- OIL CHANGES
- ENGINE REPAIRS
- AUTO SALES

PROPOSAL

- RENEWAL OF SPECIAL USE PERMIT TO CONTINUE CURRENT OPERATIONS AT LISTED ENTITY

LOT SIZE

- 0.34 ACRES

SQUARE FEET

- BUILDING 1,200 (30X4)
- OFFICE 228 (12X19)
- LOT 14,810

UPGRADES/UPDATES SINCE 2016

- STRIPING FOR PARKING SPACES TO ACCOMMODATE FOR CAR REPAIR, CAR SALES AND CUSTOMER PARKING, HANDICAP
- SEALANT TO PAVEMENT
- TOPSOIL, RESEED AND CULTIVATED LANDSCAPING
- SIGN ENCASED IN A CABINER THAT IS POSTED W/CEMENT POLES TO GROUND AND WELDED IN PLACE. SIGN IS NOT FREE FLOWING AND NOT IN THE FORM OF A BANNER

DETAILS/PLANS

- CONTINUE CURRENT OPERATIONS FOR AUTO REPAIR, TOWING AND AUTO SALES
- NO FUTHER PLANS TO MAKE CHANGES AT THIS CURRENT TIME

WHOSE INVOLVED

- LOCAL CUSTOMERS, NEIGHBORS AND BUYERS

OPERATIONAL ACTIVITY

- CONTINUE WITH SMALL MECHANIC REPAIR, TOWING AND PROVIDING SMALL SELECTION OF PRE OWNED OR USED VEHICLES FOR SALE





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: April 5, 2018
Re: Petition #SP-2018-36

GENERAL INFORMATION

Applicant:

Dana and Patti Meier

Status of Applicant:

Owners
629 West 39th Terrace
Kansas City, MO 64111

Requested Action:

Approve of a Special Use Permit

Date of Application:

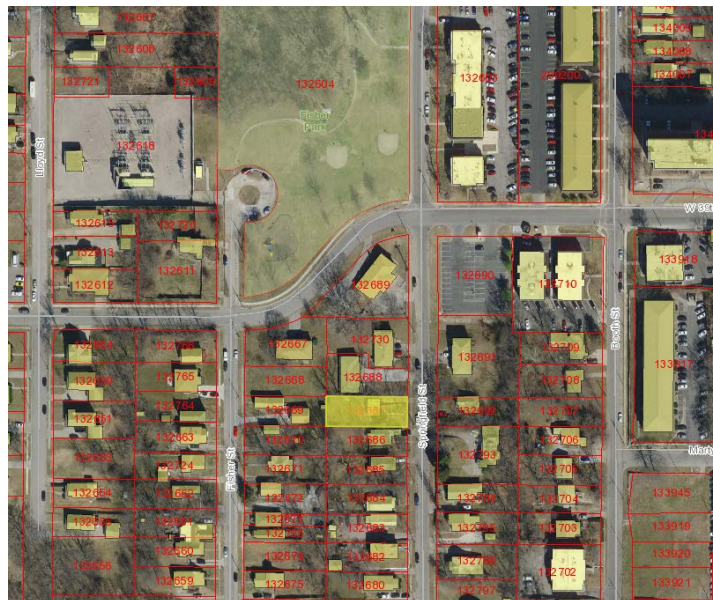
January 29, 2018

Purpose:

To operate a Short-Term
Rental/Bed and Breakfast

Property Location:

3910 Springfield Street



Commission Districts:

Commissioner At-Large: Tom Burroughs

District Commissioner: Ann Brandau Murguia

Existing Zoning: RP-5 Planned Apartment District

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

South: R-1(B) Single Family District

East: R-1(B) Single Family District

West: R-1(B) Single Family District

Existing Uses: **North:** Single family homes

South: Single family homes

East: Duplexes

West: Single family homes

Total Tract Size: 0.17 acre

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

Major Street Plan: The Major Street Plan classifies Springfield Street as a local street.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Dana and Patti Meier are applying to use a single-family home, located at 3910 Springfield Street as a short-term rental space, rented through sites such as AIRBNB and VRBO. This home is not the applicant's primary residence.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is residential in nature, predominately single-family homes, although there are duplexes to the north and apartments in the area.

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

The zoning and uses of properties nearby is set out above. The proposed use might be compatible with the surrounding single-family houses if operated properly. Operating this property as a short-term rental has the potential to create issues related to noise, parking and other concerns related to overcrowding if improperly managed.

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 so long as the property owners properly manages the operation.

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

The property does not have a rental license since the applicants have purchased the property in September 2017.

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 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 landowner would not be able to use the property as a short-term rental but may continue to use the property as a single-family residence.

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

This is foreseen to be an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on February 25, 2018. According to the applicant, the attendee who appeared at the meeting was not in opposition.

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-2018-36, subject to:

Urban Planning and Land Use Comments:

1. How long has the short-term rental business been in operation?

***Applicant Response:* Since November 2017.**

2. Were neighbors consulted prior to opening the business?

Applicant Response: Yes, we spoke with neighbors on all sides and across the street before starting the short-term rental.

3. Do you have a business license?

Applicant Response: No.

Staff Response: You are required to obtain a business license from Business Licensing.

4. Have you paid appropriate lodging taxes?

Applicant Response: AIRBNB collects taxes from guests and remits directly to the State.

5. How many rooms are rented?

Applicant Response: The entire house is rented.

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

Applicant Response: 5 guests.

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

Applicant Response: Two (2) vehicles is the maximum. They can park in the driveway or garage.

8. How often are guests in the residence?

Applicant Response: It varies, based on bookings, but approximately 20 days per month.

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

Applicant Response: No.

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

Applicant Response: This house has two (2) bedrooms, one (1) bathroom, plus kitchen, dining and living room areas.

11. As this is not your primary residence, where are you located?

Applicant Response: We live at 629 West 39th Terrace, Kansas City, MO 64111.

12. How often do you visit the property?

Applicant Response: We visit the 3910 Springfield property two or more times a week.

13. Who is responsible for issues that may arise when tenants are renting the house, if neighbors have concerns, or to clean and prepare the house between tenants?

Applicant Response: Patti and Dana Meier, the homeowners are contacted and are responsible for all issues at 3910 Springfield Street.

14. Have you provided your surrounding neighbors with your contact information should they have concerns?

Applicant Response: All neighbors adjoining our property on our side of the street and behind us (to the west), we have met and have provided them with our contact information. Neighbor on the east side of Springfield Street, we have met and explained what our intentions with the property was, but when I suggested we swap contact information, they indicated they would like to do that later and have not contacted since that initial meeting.

15. Per Business Licensing: If approved, the applicant will need to file the occupation tax application with our office for the business activity.

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

AIRBNB and other short-term rental operators do not fall into the same category. In this instance, Mr. and Mrs. Meier rent out the entire home, while they live 1.5 miles from the property. Staff has not received reports of issues from neighbors, and Mr. and Mrs. Meier appear to have sufficient parking to accommodate any tenants. Staff feels there is minimal effect on the surrounding neighbors, no more than traditional guests of an owner/occupant would have.

If approved, the following will be 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 (not including an infant/child).
 - 4) Only one additional (guest) car is permitted.
 - 5) House rules must include provisions indicating no parties or events to be hold on site.
 - 6) Approval is for one (1) year.

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-2018-36 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Zoning Map
Aerial Photograph
Applicant Response Letter
Neighborhood Meeting Minutes
Floor Plan
Photographs provided by the applicant

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-36** 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-2018-36**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION:

Hearing starts at 4:26:53

SPECIAL USE PERMIT APPLICATION #SP-2018-36 – DANA AND PATTI MEIER – SYNOPSIS: Special Use Permit for an AIRBNB at 3910 Springfield Street. **Detailed Outline of Requested Action:** The applicants, Dana and Patti Meier are applying to use a single-family home, located at 3910 Springfield Street as a short-term rental space, rented through sites such as AIRBNB and VRBO. This home is not the applicant's 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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 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:

- ❖ Patty Meier, applicant, 629 West 39th Terrace, Kansas City, Missouri 64111
- ❖ Dana Meier, applicant, 629 West 39th Terrace, Kansas City, Missouri 64111
- ❖ Erin Stryka, Executive Director, Rosedale Development Association, 1403 Southwest Boulevard
- ❖ There were 15 people present that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 4:32:50 - Director Richardson stated that the staff did not receive any calls about this; apparently, they spoke with Rental Licensing (who did not know the procedures.) Regarding court rulings to specific ordinances and how our ordinances are addressed that is for another court case. This request falls in the category that they live close and fall into the area of recommendation for approval for one (1) year with the stipulations. The staff recommends approval of this application for one (1) year subject to the stipulations in the staff report.

Motion and Vote Starts at 4:33:55

On motion by Mr. Carson, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-36:**

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

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

- 1. How long has the short-term rental business been in operation?**

Applicant Response: Since November 2017.

- 2. Were neighbors consulted prior to opening the business?**

Applicant Response: Yes, we spoke with neighbors on all sides and across the street before starting the short-term rental.

3. Do you have a business license?

Applicant Response: No.

Staff Response: You are required to obtain a business license from Business Licensing.

4. Have you paid appropriate lodging taxes?

Applicant Response: AIRBNB collects taxes from guests and remits directly to the State.

5. How many rooms are rented?

Applicant Response: The entire house is rented.

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

Applicant Response: 5 guests.

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

Applicant Response: Two (2) vehicles is the maximum. They can park in the driveway or garage.

8. How often are guests in the residence?

Applicant Response: It varies, based on bookings, but approximately 20 days per month.

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

Applicant Response: No.

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

Applicant Response: This house has two (2) bedrooms, one (1) bathroom, plus kitchen, dining and living room areas.

11. As this is not your primary residence, where are you located?

Applicant Response: We live at 629 West 39th Terrace, Kansas City, MO 64111.

12. How often do you visit the property?

Applicant Response: We visit the 3910 Springfield property two or more times a week.

- 13.** Who is responsible for issues that may arise when tenants are renting the house, if neighbors have concerns, or to clean and prepare the house between tenants?

Applicant Response: Patti and Dana Meier, the homeowners are contacted and are responsible for all issues at 3910 Springfield Street.

- 14.** Have you provided your surrounding neighbors with your contact information should they have concerns?

Applicant Response: All neighbors adjoining our property on our side of the street and behind us (to the west), we have met and have provided them with our contact information. Neighbor on the east side of Springfield Street, we have met and explained what our intentions with the property was, but when I suggested we swap contact information, they indicated they would like to do that later and have not contacted since that initial meeting.

- 15.** Per Business Licensing: If approved, the applicant will need to file the occupation tax application with our office for the business activity.

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

AIRBNB and other short-term rental operators do not fall into the same category. In this instance, Mr. and Mrs. Meier rent out the entire home, while they live 1.5 miles from the property. Staff has not received reports of issues from neighbors, and Mr. and Mrs. Meier appear to have sufficient parking to accommodate any tenants. Staff feels there is minimal effect on the surrounding neighbors, no more than traditional guests of an owner/occupant would have.

If approved, the following will be 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 (not including an infant/child).
 - 4) Only one additional (guest) car is permitted.
 - 5) House rules must include provisions indicating no parties or events to be hold on site.
 - 6) Approval is for one (1) year.

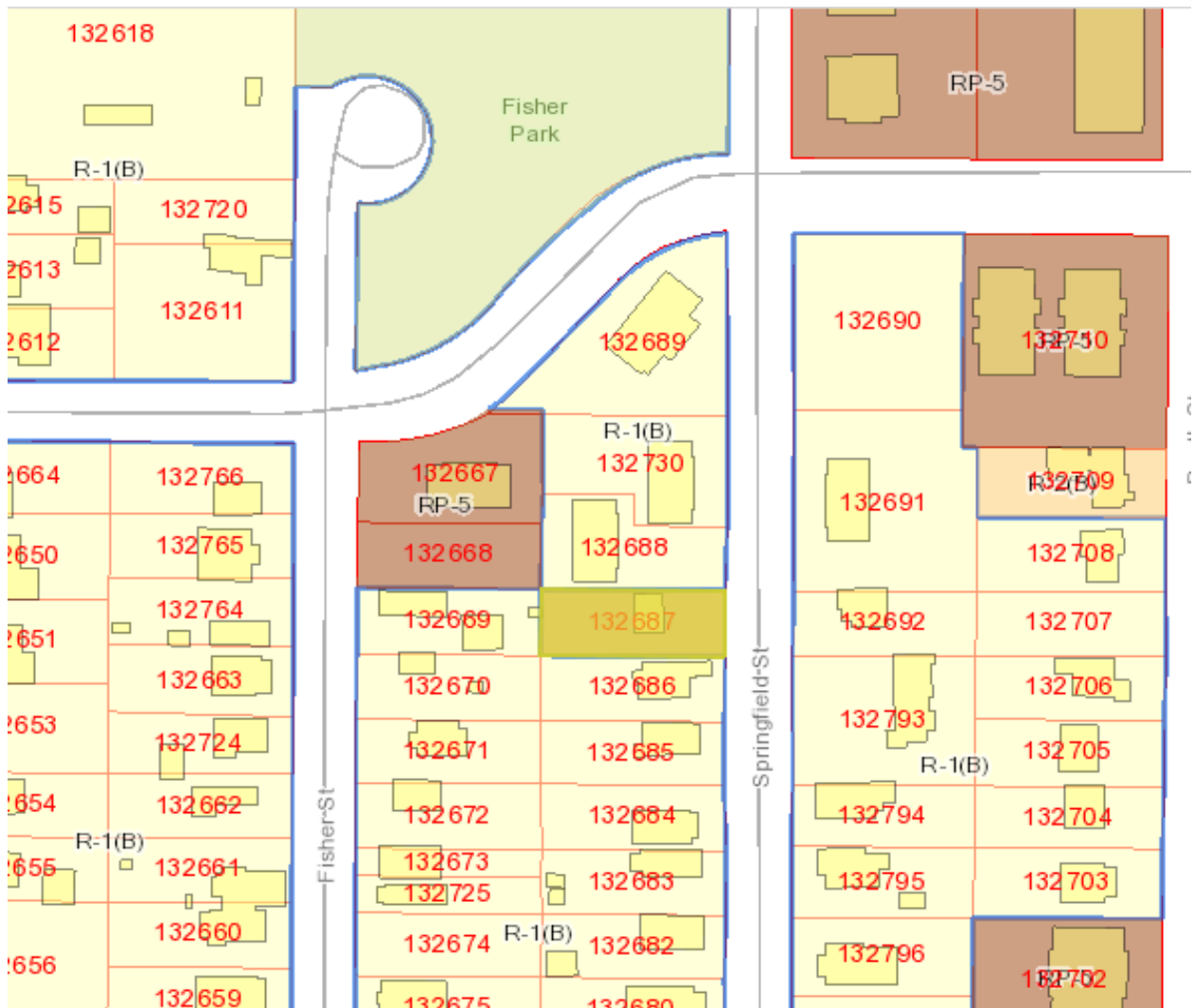




Figure 2. Aerial photograph of 3910 Springfield Street, as indicated by the shaded box (provided by UG Maps).

SP-2018-36

3910 Springfield Street

Dana Meier, farmerbill99@gmail.com

- How long has the business been in operation? Since November 2017
- Were neighbors consulted prior to opening the business? Yes. We spoke with neighbors on all sides and across street before starting STR.
- Do you have a business license? No
- Have you paid appropriate lodging taxes? Airbnb collects taxes from guests and remits directly to the state
- How many rooms are rented? Entire house
- What is the maximum number of people that will be staying at any one time? 5 guests
- What is the maximum number of vehicles & where will they park? 2 and driveway/garage is available for parking
- How often are guests in the residence? Varies based on bookings, but approximately 20 days per month
- Do you have a rental license from the Unified Government for the facility? No
- Provide a detailed description of the area(s) rented for Airbnb/other rental operations. Include bed rooms, bathrooms common areas etc. This house has 2 bedrooms, 1 bath, plus kitchen, dining and living room areas.
- Describe how you will maintain a safe environment including: **All of the requirements below are met and will be maintained by the homeowner.**
 - - Working smoke detectors in each bedroom plus each level of the unit/house.
 - GFCI outlets are required in bathrooms.
 - Double keyed locks are not allowed
 - Copper cannot be used for gas supply lines
 - Windows must be operable, not blocked or boarded
 - Handrails are required at sets of 4 or more stairs/risers
 - Hot water tank and furnace must be vented properly and operational.
 - Electric panel and circuits must be safe

Meeting Minutes

Application SP-2018-36

Dana and Patti Meier

3910 Springfield KC, MO 66103

Application for SUP – short term rental

Neighbors in attendance: 1

Jim Needham 3920 Springfield, KC KS 66103

Summary:

Jim arrived around 1:50pm...Jim left around 2:20pm No other neighbors attended the meeting.

Patti and Dana talked about their plans for renting the house via short term platforms. We discussed why we wanted to rent on a short term basis rather than a long-term basis. We talked about improvements we have made to the property and planned improvements once Spring arrives. We talked about who tends to rent a house on a short term basis and how long they tend to stay at the house. We talked about how we would be around to take care of issues with the house or renters, should issues arise as we are 1.5 miles away from the rental property.

Jim asked us if we were looking for high quality renters and then directed us to an office at KU Medical Center where students could see our house is available to be rented.

Jim asked if us if we were aware of the Rosedale Neighborhood Association and then informed us they no longer meet as only 6 people ever showed up for meetings.

Jim told us he was disappointed in his neighborhoods in him being the only person from the neighborhood showing up. We told him we had already met most of our immediate neighbors so maybe they felt they didn't really need to talk with us again.

Jim said he didn't think the city shouldn't be able to tell us what we can do with our own home.

Jim said he was okay with whatever we decided to do with the house. He did hope we would pick up trash in the neighborhood. We told Jim we wanted to be good stewards of the house and the neighborhood and that definitely includes picking up trash.



Figure 3. Photograph of front yard of 3910 Springfield Street (provided by the applicant).



Figure 4. Photograph of rear yard of 3910 Springfield Street (provided by the applicant).



Figure 5. Photograph of the front yard of 3910 Springfield Street (provided by the applicant).



Figure 6. Photograph of the kitchen at 3910 Springfield Street (provided by the applicant).



Figure 7. Photograph of the living room at 3910 Springfield Street (provided by the applicant).



Figure 8. Photographs of the kitchen and bathroom at 3910 Springfield Street (provided by the applicant).



Figure 9. Photographs of two bedrooms at 3910 Springfield Street (provided at 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: April 5, 2018

Re: **Petition #PR-2018-2**

GENERAL INFORMATION

Applicant:
Rob Broadhurs

Status of Applicant:
Representative
Ken Sidorowicz with Ken Sidorowicz, PC
P.O. Box 12089
Parkville, MO 64152

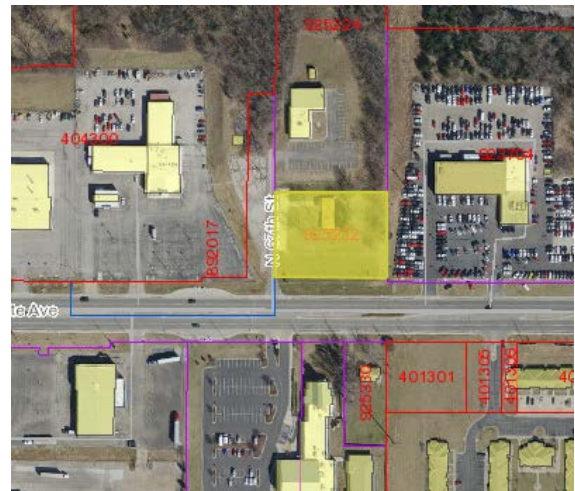
Requested Action:
Approval of Preliminary and Final Plan Review

Date of Application:
November 28, 2017

Purpose:
To build a 2,737 square foot dental office addition and associated parking lot

Property Location:
6708 State Avenue

Existing Zoning:
CP-2 Planned General Business District



Surrounding Zoning: **North:** RP-5 Planned Apartment District
 South: R-1 Single Family District (across State Avenue)
 East: CP-2 Planned General Business District
 West: CP-2 Planned General Business District (across North 67th Street)

Existing Uses: **North:** Masonic Temple
 South: Salvation Army
 East: Automotive dealership
 West: KCKCC Technical Education Center

Total Tract Size: 1.01 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Public/Semi-Public.

Major Street Plan: State Avenue is classified as a Class A Thoroughfare.

Advertisement: Property Owner Letters – December 15, 2017, January 3, 2018, February 2, 2018 and March 28, 2018
 Wyandotte Echo – Not required

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Rob Broadhurs with R&S Builders, Inc. wants to construct a 2,737 square foot building addition and parking lot expansion for State Avenue Dental Office at 6708 State Avenue.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The character of the neighborhood is predominately comprised of commercial businesses, as State Avenue is the major commercial corridor and thoroughfare in the city.

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

The proposed use will not increase traffic or parking demand in ways that will adversely affect road capacity, safety, or create parking problems.

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

The proposed use does not conform to the Master Plan, although the dental office has been licensed since 1987.

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

a. *Water service*

Available

b. *Sanitary sewer service*

Available

c. *Storm water control*

To be designed to meet City Code

d. *Police*

Police service is provided by the Midtown Patrol, District #222

e. *Fire*

Fire service is provided by Station #2 located at 62nd and State Avenue.

f. *Transit*

Kansas City ATA provides transit service along State Avenue, Route #101.

g. *Schools*

Turner USD 202

5. *The capability of the proposed use to meet applicable ordinance and other requirements.*

The proposed use is capable of meeting applicable ordinance and other requirements.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on December 21, 2017. According to the applicant, the attendee at the meeting was not in opposition of the petition.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Plan Review Application #PR-2018-2, subject to:

Urban Planning and Land Use Comments:

1. The proposed roofing shingles shall match the existing shingles unless the entire roof is being re-roofed.
2. E.I.F.S may only comprise 15% of each façade, so it is suggested, as noted on the black and white building elevations that stucco is the exterior material.

Staff Response: The applicant updated the building elevations.

3. The Commercial Design Guidelines requires a 25-foot setback for landscaping adjacent to right-of-way. The applicant is seeking a deviation of 15 feet because shifting the parking lot to the east will overlap the proposed building addition.
4. The trash enclosure shall be comprised of the same exterior building materials as the dental office. The enclosure door shall remain closed except when in service.

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 #PR-2018-2 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Neighborhood Meeting Minutes
Site Plan
Grading Plan
Utility Plan
Landscape Plan
Building Elevations
Site Photographs

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	March 12, 2018	April 5, 2018
Preliminary and Approval		
Final Plan		

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #PR-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 #PR-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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 4:41

PLAN REVIEW APPLICATION #PR-2018-2 – ROD BROADHURS WITH R&S BUILDERS – SYNOPSIS: Preliminary and Final Plan Review for an addition and parking lot for an existing dentist office at 6708 State Avenue. **Detailed Outline of Requested Action:** The applicant, Rob Broadhurs with R&S Builders, Inc. wants to construct a 2,737 square foot building addition and parking lot expansion for State Avenue Dental Office at 6708 State 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 March 12, 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; and,
6. The Notices to property owners dated December 15, 2017, January 3, 2018 and February 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:

- ❖ Verne Droughts, 7638 North Oak Trafficway, Gladstone, Missouri

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 4:42:55 - Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 4:43:06

On motion by Dr. Serda, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Plan Review Application #PR-2018-2:**

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

Mose Not Present
Reasons Not Present
Motion to recommend APPROVAL Passed: 6 to 0
Subject to:

Urban Planning and Land Use Comments:

1. The proposed roofing shingles shall match the existing shingles unless the entire roof is being re-roofed.
2. E.I.F.S may only comprise 15% of each façade, so it is suggested, as noted on the black and white building elevations that stucco is the exterior material.

Staff Response: The applicant updated the building elevations.

3. The Commercial Design Guidelines requires a 25-foot setback for landscaping adjacent to right-of-way. The applicant is seeking a deviation of 15 feet because shifting the parking lot to the east will overlap the proposed building addition.
4. The trash enclosure shall be comprised of the same exterior building materials as the dental office. The enclosure door shall remain closed except when in service.

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

Minutes for Neighborhood Meeting

Application Number **#PR-2018-2**

Date and Location: Dec. 21st 2017 at Cabela's * 10300 Cabela Dr. * Kansas City KS *
The Grand Salmon Conference Room

Meeting called to order at: **4:10 P.M.**

Names of people in attendance:

Presenters:

Rod Broadhurst – R&S Builders, Inc.
Dr. Youngjune Chang – Property Owner
Vern Drottz – Architect

Attendees:

Cliff Smith – Kansas City Kansas Community College

Introductions:

Presentation by: Rod Broadhurst:

Presented an overview of the scope of work and the advantages to the Property.
Displayed all plans available for the new addition and the proposed additional parking lot.
Discussed the need for additional parking to accommodate the added examination rooms to be constructed. Described the improvement and correction of some existing drainage issues on the property that will be greatly improved by the new addition and the grading/drainage plan that will be executed.

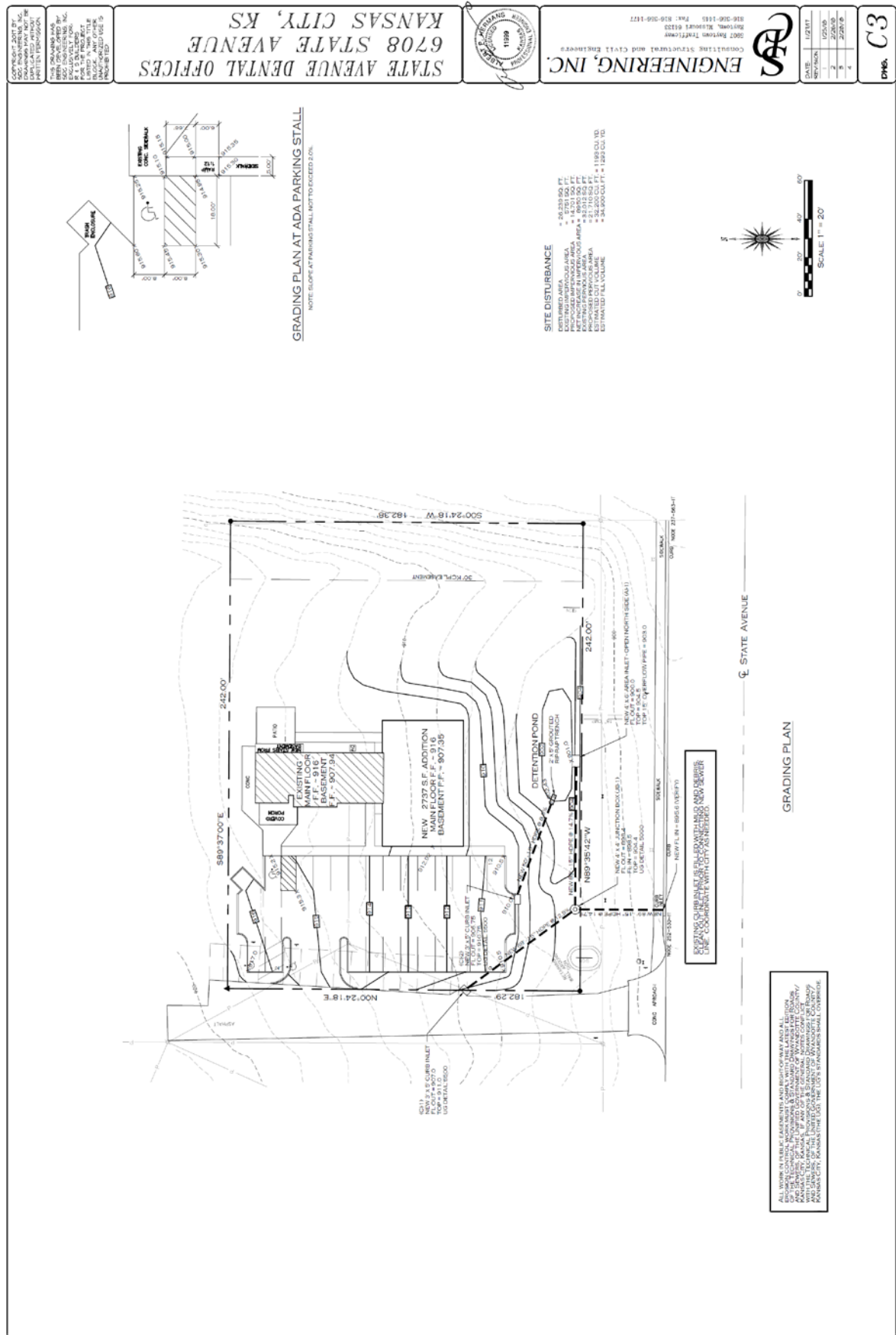
Questions and answers:

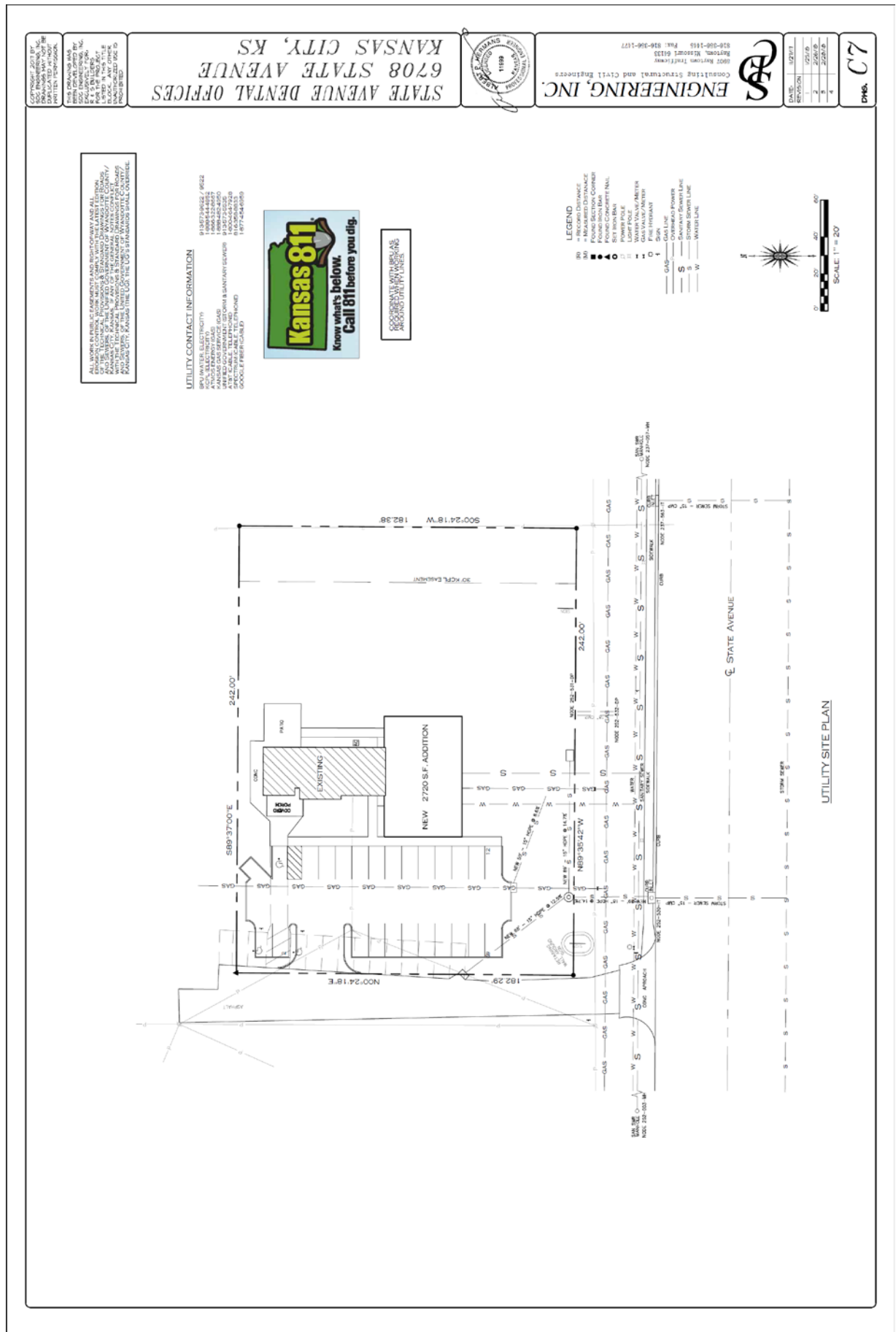
- Cliff Smith – Kansas City Community College.
 - **Question** – Will this adversely affect their adjacent property in regards to the added parking lot location?
- Rod Broadhurst – R&S Builders
 - **Answer** – The new parking lot is basically in the same location on the West property line. The increase in size is to the east toward the existing structure and to the south. This does not encroach on the Community College property or adversely affect it in anyway. We went through the Plans that indicated the parking lot location and Cliff was good with what he saw.

Meeting adjourned at: **4:55 P.M.**

Minutes taken by: **Rod Broadhurst – R&S Builders, Inc.**







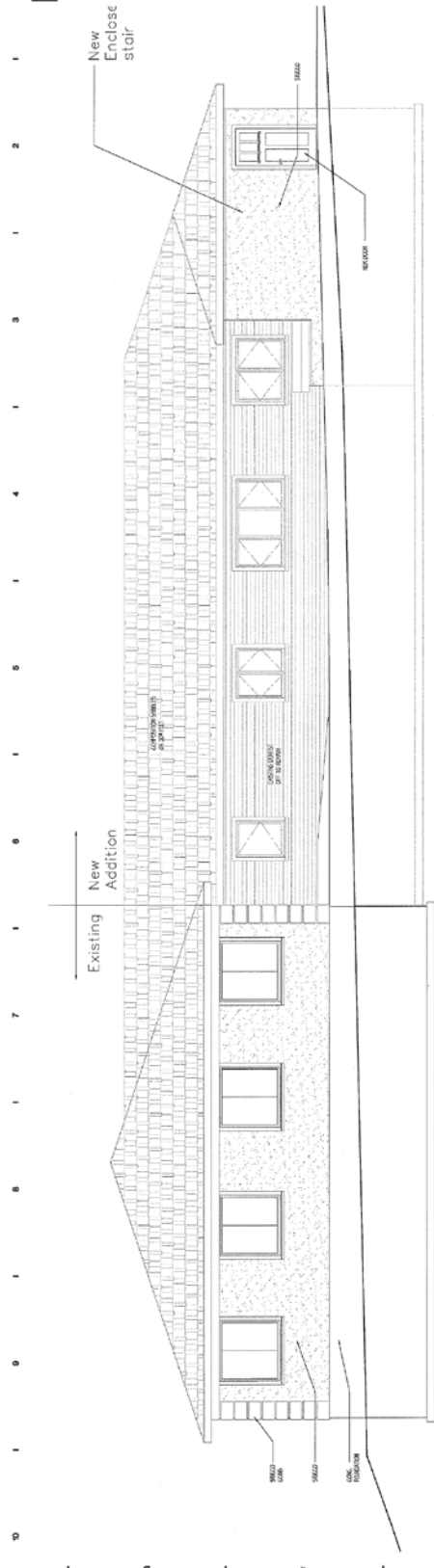




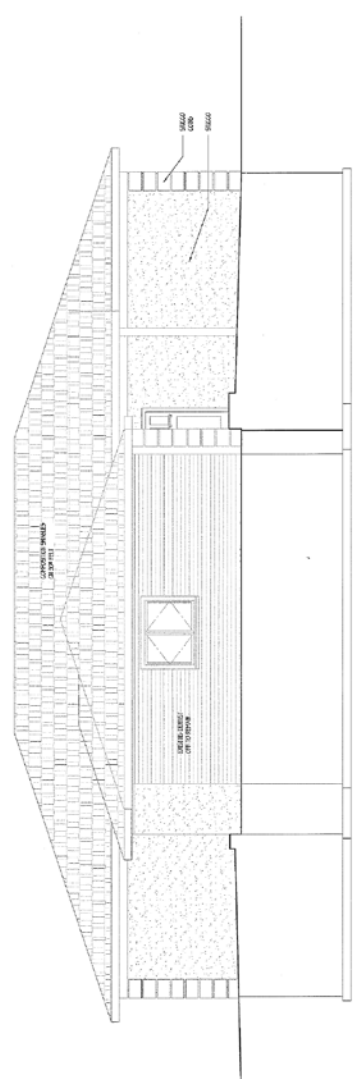
State Avenue Dental Office
Office
6708 State Avenue, Kansas City, MO, 64112
P.O. Box 12089, Parkville, Missouri 64152
Tel. (816) 741-0852 Fax (816) 741-0858

ISSUE DATE	11.27.2017
REVISIONS	1

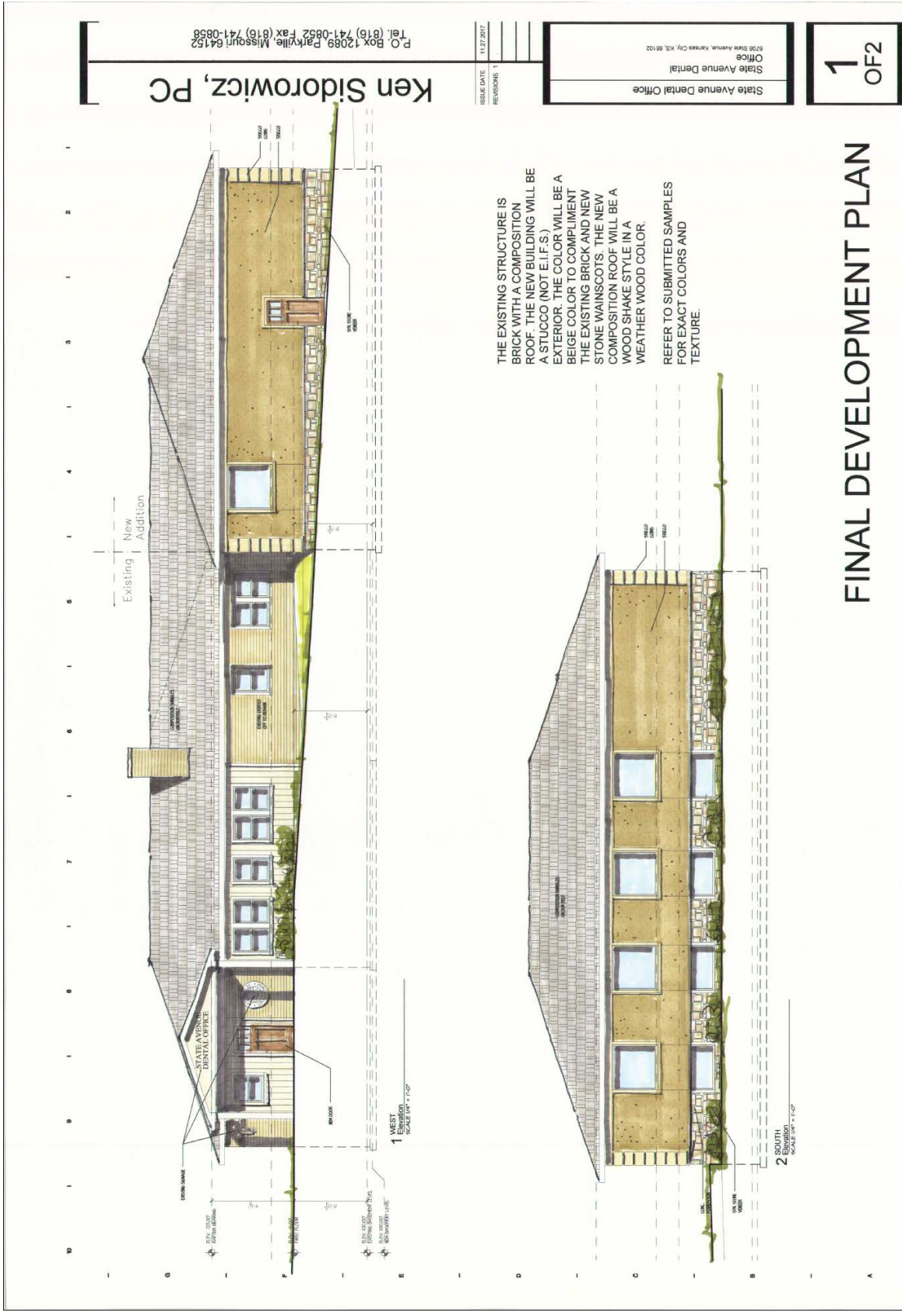
Ken Sidorowicz, PC



3 EAST Elevation
SCALE 1/4" = 1'-0"



4 NORTH Elevation
SCALE 1/4" = 1'-0"



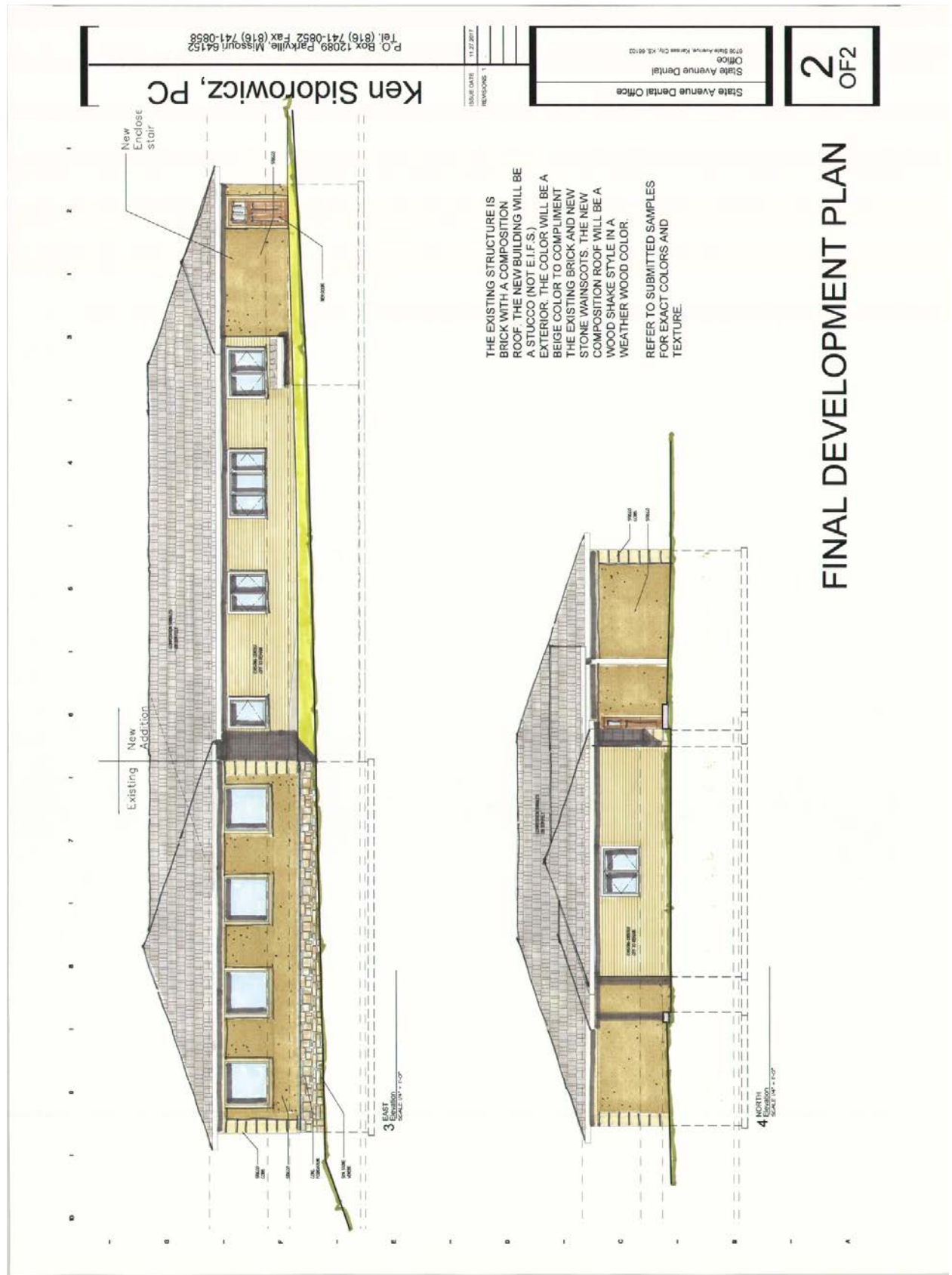




Figure 1. Photograph of existing building at 6708 State Avenue facing south (provided by the applicant).



Figure 2. Photograph of existing building at 6708 State Avenue, facing west (provided by the applicant).



Figure 3. Photograph of existing building at 6708 State Avenue, facing north (provided by the applicant).



Figure 4. Photograph of existing building at 6708 State Avenue, facing east (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: April 5, 2018
Re: **Petition #MP-2018-1**

GENERAL INFORMATION

Applicant:

Unified Government of Wyandotte County/Kansas City, Kansas
Urban Planning and Land Use Department

Requested Action:

Approve Master Plan Amendment

Purpose:

The Rosedale Master Plan includes the recommendation to establish a 'Rosedale University Town' adjacent to the University of Kansas Hospital and Medical Center. The goal of the Rosedale University plan is for the neighborhood to grow alongside the university and hospital in a way that benefits everyone, and for the area to become an active hub of dense activity.

The University Town redevelopment idea creates a plan for the neighborhood to grow alongside the university and hospital in a way that benefits everyone. This area is envisioned as an active hub of dense activity that includes retail and services, offices, living opportunities, a welcoming streetscape, and a seamless connection into an enhanced Fisher Park and the Rosedale Regional Nature Trail.

– (Rosedale Master Plan, Pg. 39)

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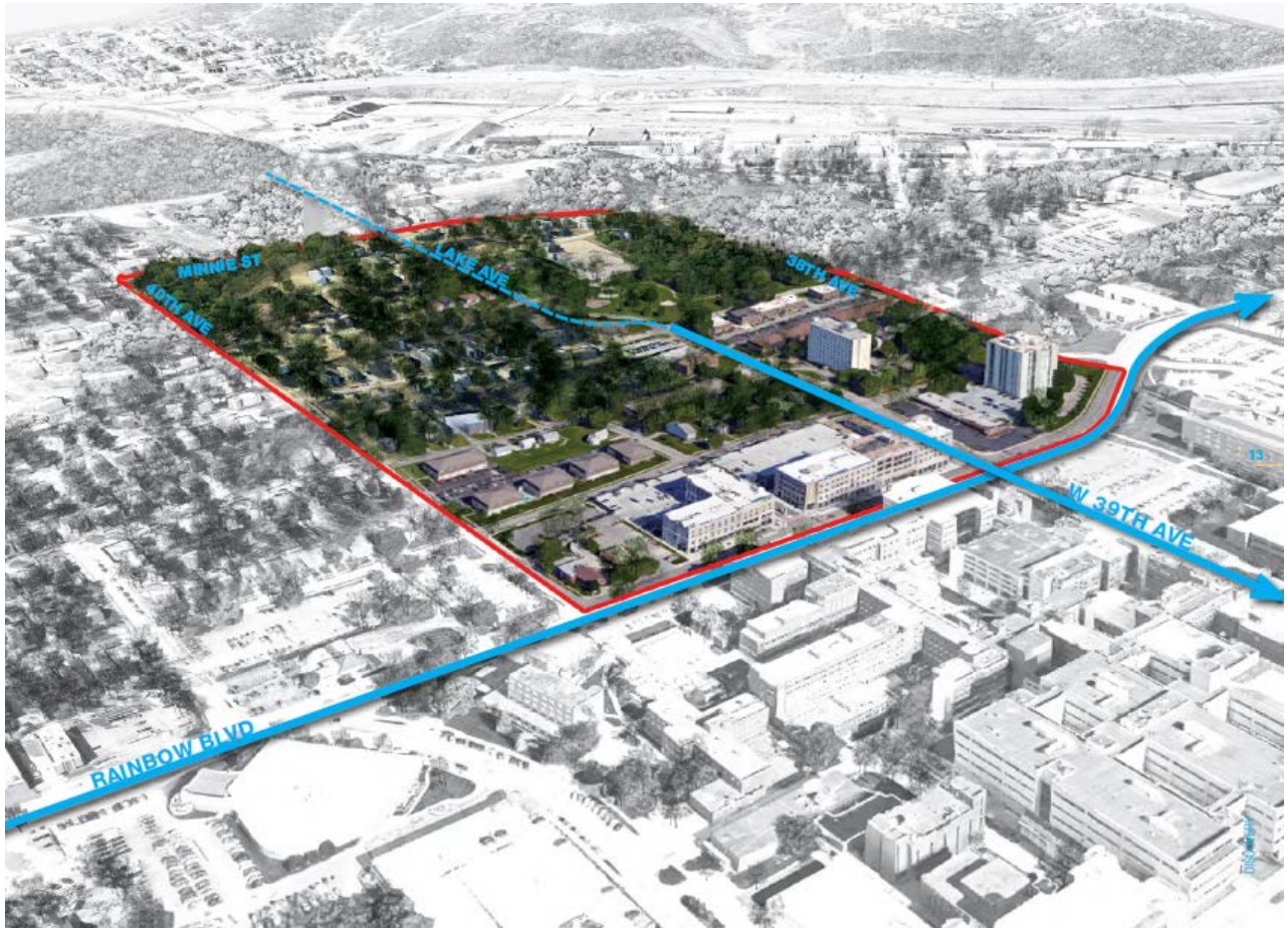
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- **Fisher Park Community Center**
 - o Fisher Park is envisioned as home to a new community center or library. This plan creates additional detail for how this park could be enhanced to achieve this goal. The plan considers the relocation of BPU's existing Fisher Park electrical sub-station, coordinates with existing and future underground utilities, and includes a plan for how the improvements can be phased over time.
- **An Enhanced Transit System**
 - o Transit is vital to the continued growth of Rosedale. This plan calls for improving transit in Rosedale by establishing a transit center near 39th Avenue and Rainbow Boulevard. This move improves the efficiency of transit operations and user experience by better aligning the 107 and 39 routes. The plan also calls for premium transit features that make transit a more attractive option.
- **39th Avenue Complete Street**
 - o The University Town District is envisioned as a walkable area with a high quality of life. Improving the streets and public spaces to support multimodal transportation is central to this vision. This plan calls for improving 39th Avenue and creating a complete street that supports walking, biking, transit, and vehicles. The plan includes a protected bikeway on 39th Avenue that connects parks, institutions, businesses, and mixed-use development.
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 - o There is a housing shortage in Rosedale that is pushing up prices. Housing affordability is an issue for the area as the strong demand and lack of supply is driving high prices. This plan further refines development scenarios in the University Town District and includes options for increasing housing supply, introducing high quality apartments, and transitioning density to protect established single-family neighborhoods.
- **Future Land Use Update.**
 - o This plan amends the Rosedale Master Plan Future Land Use map from General Urban to Urban Mixed Use between Booth and Adams Streets

between 39th Avenue and 40th Avenue in order to implement plan recommendations. This amendment is formed by market analysis, stakeholder information, and public engagement.

Property Location: This plan updates both the City-Wide and Rosedale Master Plans for the area along 39th Street from Rainbow Boulevard to the east, Minnie Street to the west, 40th Avenue to the south, and 38th Avenue to the north.



Current Master Plan Designation: Varied.

Major Street Plan: Rainbow Boulevard is a Class C thoroughfare.

Advertisement: Wyandotte Echo – January 18, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: None to date.

City Ordinance Requirements: Article XXII Section 27-213

FACTORS TO BE CONSIDERED

1. ***Neighborhood character.*** The area includes large, mixed use development on Rainbow and 39th Avenue. The current pattern of development transitions to lower density residential and single-family houses to the west.
2. ***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.***

Although each future use will be evaluated on its merits, the plan seeks to achieve a balance of automotive, transit and bike/pedestrian modes of transportation to achieve the complete streets philosophy adopted by the City.

3. ***The extent to which utilities and public services are available and adequate to serve the proposed amendment and the extent to which the environment would be impacted.***

Public services are available; although there are known issues that will need to be addressed over time and as new or redevelopment occurs.

4. **The difference between the existing and proposed Master Plan.**

The key differences between the existing and proposed Master Plan are listed above in the purpose section.

5. **Analysis of the impact on surrounding properties.**

The intent is to use implementation of this plan develop a University Town District that benefits the entire area.

6. **Estimate the future costs and revenues to the Unified Government and property owner and Market Impact.**

Revitalization will result in more tax revenues, although some of the infrastructure requirements will be costly. It is hoped that much of the infrastructure desired can be grant funded.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Master Plan Amendment #MP-2018-1.

STAFF COMMENTS AND SUGGESTIONS

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

Urban Planning and Land Use Comments:

The goal of the Rosedale University Town Plan is to create a plan that addresses the following:

1. Create a transit-oriented development plan that allows Rosedale's population to grow, increase amenities and services available to residents, and promotes a walkable, vibrant, urban neighborhood.
2. Improve the area's parks, trails, and recreational amenities including options for a community center or library branch.
3. Pursue housing strategies to accommodate diverse housing needs including students, professionals, families, seniors and affordable housing.
4. Refine multimodal transportation strategies that accommodate pedestrians, cyclists, transit and vehicles.

The University Town and Fisher Park Plan is being funded with a grant from Mid America Regional Council (MARC) as part of the Planning Sustainable Places initiative. The purpose of the Planning Sustainable Places initiative is to advance detailed local planning and project development activities that further the creation of vibrant places that offer a mix of options for housing, jobs, services, and recreation; connected places with a variety of transportation options; and green places that support healthy living and a healthy natural environment.

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** Petition **Master Plan Amendment #MP-2018-1** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Plan document

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	March 12, 2018	April 5, 2018
Master Plan Amendment	Approval	

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

MOTIONS

MASTER PLAN AMENDMENT:

I move the Unified Government Board of Commissioners **APPROVE** Petition **#MP-2018-1**, 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 #MP-2018-1, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 4:45

MASTER PLAN AMENDMENT #MP-2018-1 – UG URBAN PLANNING AND LAND USE DEPARTMENT - SYNOPSIS: Master Plan Amendment for the Rosedale University Town Plan and Fisher Park Development Concept Plan. **Detailed Outline of Requested Action:** The Rosedale Master Plan includes the recommendation to establish a 'Rosedale University Town' adjacent to the University of Kansas Hospital and Medical Center. The goal of the Rosedale University plan is for the neighborhood to grow alongside the university and hospital in a way that benefits everyone, and for the area to become an active hub of dense activity.

The University Town redevelopment idea creates a plan for the neighborhood to grow alongside the university and hospital in a way that benefits everyone. This area is envisioned as an active hub of dense activity that includes retail and services, offices, living opportunities, a welcoming streetscape, and a seamless connection into an enhanced Fisher Park and the Rosedale Regional Nature Trail.
– (Rosedale Master Plan, Pg. 39)

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The Rosedale University Town district spans along 39th Avenue from The University of Kansas Medical Center Campus in the east to Fisher Park in the west and includes several blocks to the north and south from 38th Avenue to 40th Avenue. This plan provides additional analysis, public engagement, and recommendations to achieve the goals in the Rosedale Master Plan and includes:

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

Present in Support:

- ❖ Zach Flanders, AICP, Planner, UG Urban Planning and Land Use, 701 North 7th Street, Suite 423, Kansas City, Kansas 66101
- ❖ Erin Stryka, Executive Director, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103

Present in Opposition:

- ❖ No one appeared

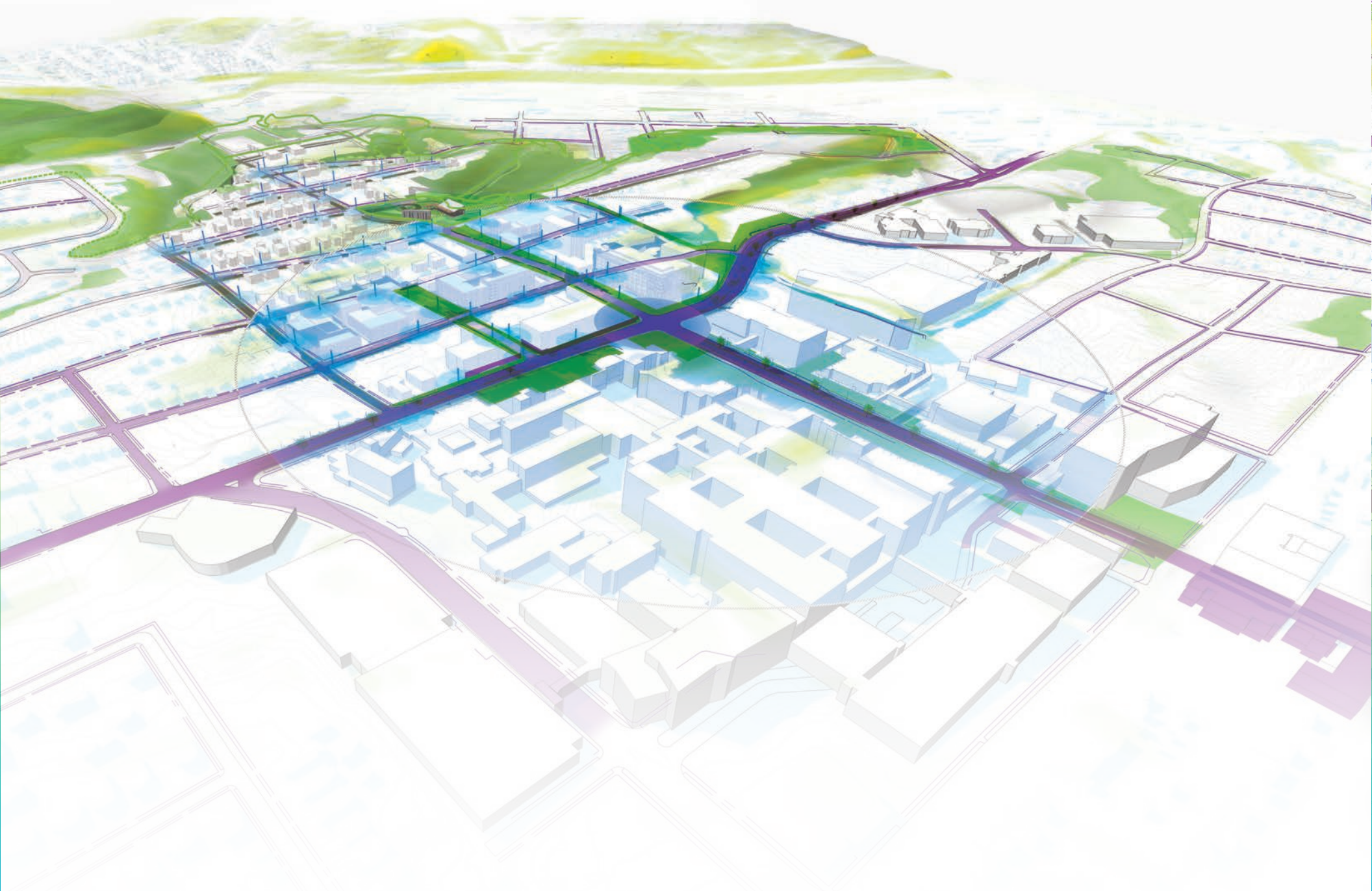
Staff Recommendation starts at 4:51:32 - Planning Director Richardson stated that the staff recommends approval of this plan.

Motion and Vote starts at 4:52:43

On motion by Mr. Carson, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Master Plan Amendment Application #MP-2018-1:**

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

Motion to recommend APPROVAL Passed: 6 to 0



ROSEDALE UNIVERSITY TOWN DISTRICT

TRANSIT ORIENTED DEVELOPMENT & MULTIMODAL TRANSPORTATION PLAN

THE VISION FOR ROSEDALE UNIVERSITY TOWN DISTRICT







ACKNOWLEDGMENTS



Many stakeholders and individuals contributed their insights throughout a lengthy visioning and public engagement process. This document is a testament to their passion, wisdom, contribution and commitment.

THANK YOU !

This vision would not have been possible without the many participants who contributed insight, expertise, and boundless energy to its making.



Client / Steering Committee

Rob Richardson
Director, Department of Urban Planning &
Land Use, Unified Government of Wyandotte
County and Kansas City, Kansas

Zach Flanders
Urban Planner, Department of Urban Planning
& Land Use, Unified Government of Wyandotte
County and Kansas City, Kansas



Darryl Fields
Senior Transportation Planner, Mid-America
Regional Council (MARC)



DESIGN TEAM

Forum Studio

Chip Crawford, PLA, FASLA, LEED GA
Principal In Charge
Matt Maranzana, PLA, ASLA, LEED AP
Project Manager
Tyler Meyr, LEED AP- Urban Designer
Ylan Vo, LEED GA - Designer
Kelsey Laminack - Administrative Assistant



Alta Planning + Design, Inc.

Paul Wojciechowski, PE, AICP, LCI
Principal Planner
Tim Gustafson, AICP - Planning + Transit
Aaron Defenbaugh - Planning + Transit



Development Strategies

Matt Wetli, AICP, CECD - Principal
Andy Pfister, AICP - Associate



CFS Engineering

Sabin Yanez - Principal
Jim Schuessler
Andrew Robertson



Shockey Consulting Services, Inc.

Sheila Shockey - Principal in Charge
Lauren Garrett - Engagement Manager
Erin Dougherty - ENV SP

FORWARD

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FORUM

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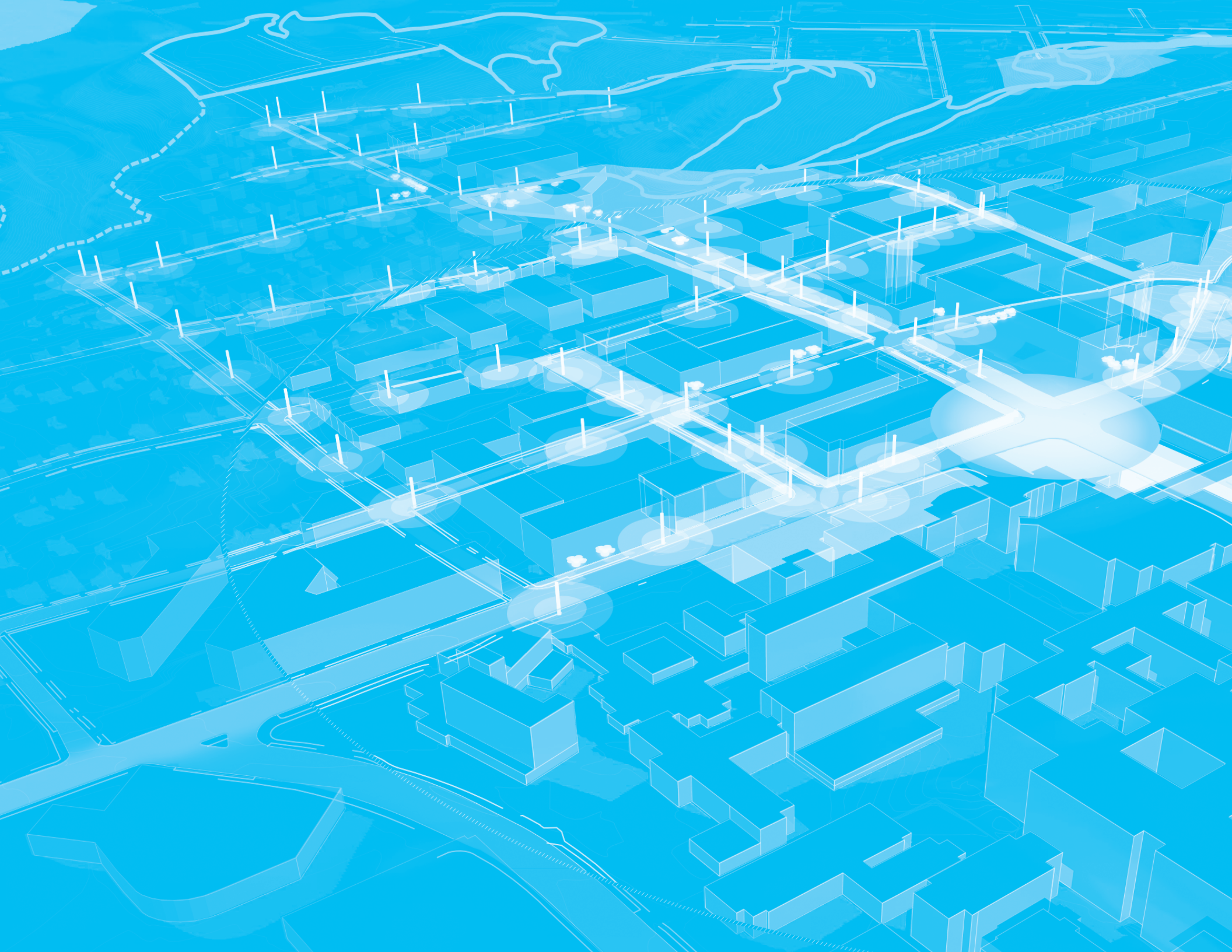
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ACKNOWLEDGEMENTS	V
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An aerial architectural rendering of a city block, rendered in a monochromatic blue color scheme. The image shows a dense arrangement of buildings of various sizes and shapes, with streets and alleys weaving between them. The perspective is from a high angle, looking down on the urban layout. The text 'DISCOVERY' is overlaid on the right side of the image.

DISCOVERY

The Discovery Phase documents project goals and priorities

GOALS & OBJECTIVES

2

Aligning agendas is often the biggest challenge to moving a vision forward. These goals and objectives were discussed and vetted in stakeholder work sessions in an effort to optimize the outcome and ensure accountability with this effort.

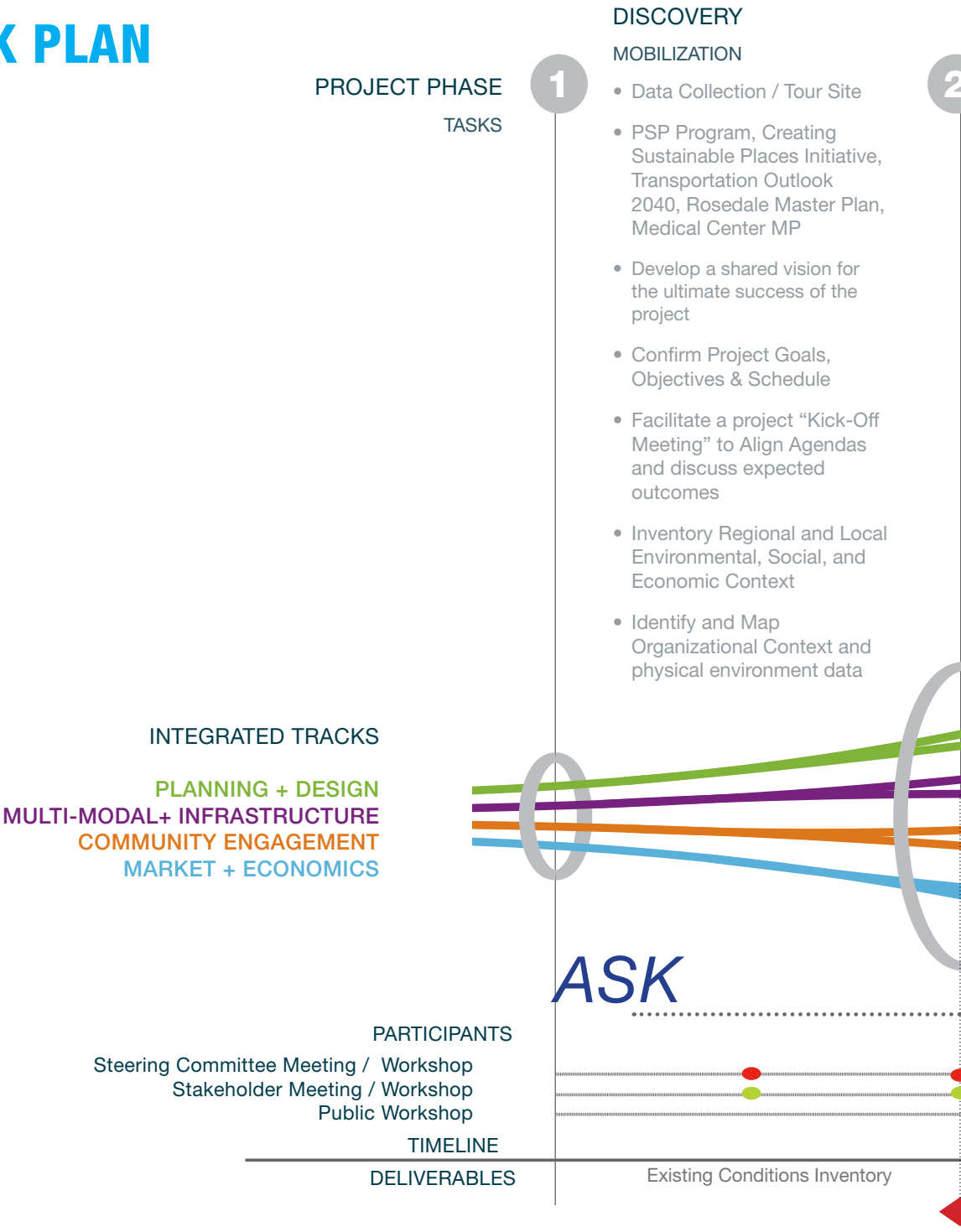
KEY PRIORITIES

CREATE A SUSTAINABLE PLACES PLAN THAT ADDRESSES THE FOLLOWING:

1. Create a **transit oriented development plan** that allows Rosedale's population to grow, increase amenities and services available to residents, and **promotes a walkable, vibrant, urban neighborhood**.
2. Improve the area's **parks, trails**, and recreational amenities including options for a **community center or library branch**.
3. Pursue **housing strategies to accommodate diverse housing needs** including students, professionals, families, seniors and affordable housing.
4. Refine **multimodal transportation strategies** that accommodate pedestrians, cyclists, transit and vehicles.

IMPLEMENTATION / FRAMEWORK PLAN

4



ANALYSIS

UNDERSTANDING + INITIAL IDEAS

- Evaluate demographics, assemble property inventory, review transportation alternatives
- Benchmark opportunities and constraints
- Prepare Design Strategies
 - Planning + Design
 - Infrastructure
 - Market + Economics
 - Engagement + Inclusion
- Prepare Initial Design Ideas, Program Development Options
- **Public Engagement #1**
- Review with Stakeholder / Steering Committee and Community for feedback

IDEATION

DESIGN CONCEPTS

- Create strategies for proposed development
- TOD concepts for Fisher Park and University Town Multimodal alternatives
- Prioritize Design Strategies
 - Planning + Design
 - Infrastructure
 - Market + Economics
 - Engagement + Inclusion
- Coordinate with existing plans
- Prepare Design Concept Options
- **Public Engagement #2**
- Review with Stakeholder / Steering Committee and Community for feedback

REFINEMENT

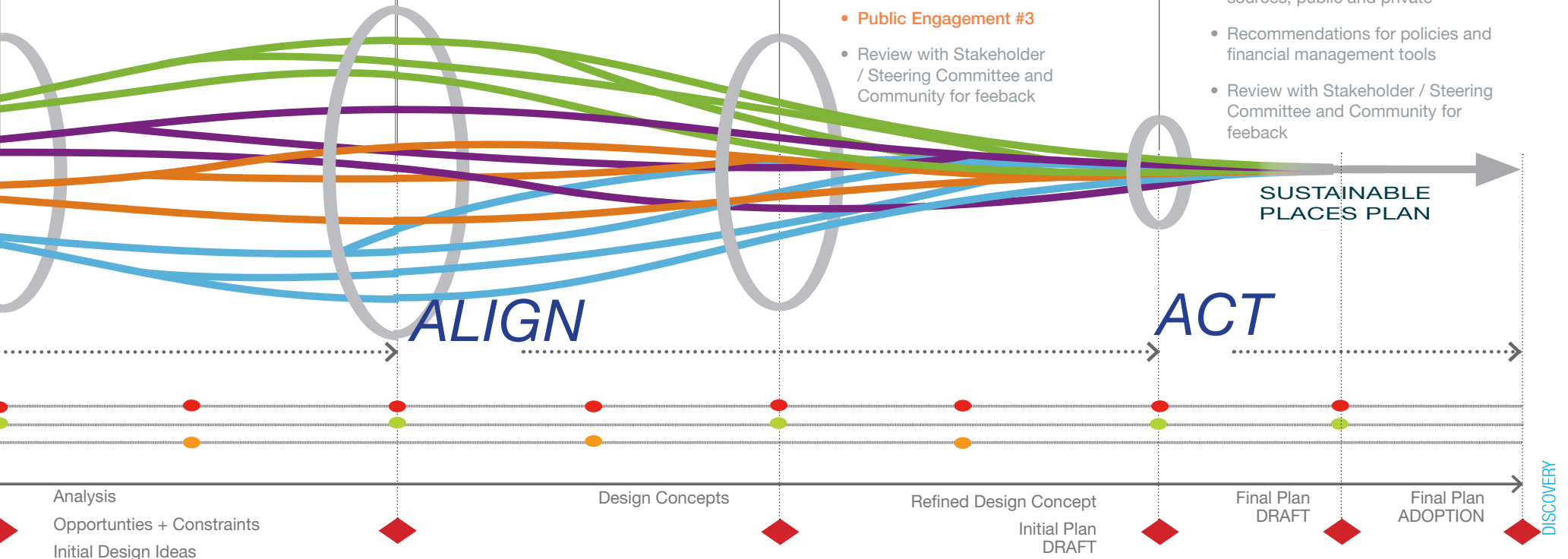
PREFERRED DESIGN CONCEPT

- Prepare draft recommendations including the following:
 - Site Program / Amenities
 - Site Design Concepts
 - Multimodal Transportation
 - Open Space / Landscape Concepts / Circulation
 - Sustainable Design Strategies
 - Economic Development Opportunity
- Prepare an implementation plan and strategy
- Develop action plan for funding opportunities and partners
- Identify potential parties responsible for plan implementation
- **Public Engagement #3**
- Review with Stakeholder / Steering Committee and Community for feedback

DELIVERY

FINAL IMPLEMENTATION PLAN

- Finalize plans and recommendations:
 - Site Program / Amenities
 - Site Design Concepts
 - Multimodal Transportation
 - Open Space / Landscape Concepts / Circulation
 - Sustainable Design Strategies
 - Economic Development Opportunity
- Prepare an implementation plan and strategy
- Identify potential parties responsible for plan implementation
- Develop an opinion of probable cost for proposed improvements
- List of potential project funding sources, public and private
- Recommendations for policies and financial management tools
- Review with Stakeholder / Steering Committee and Community for feedback

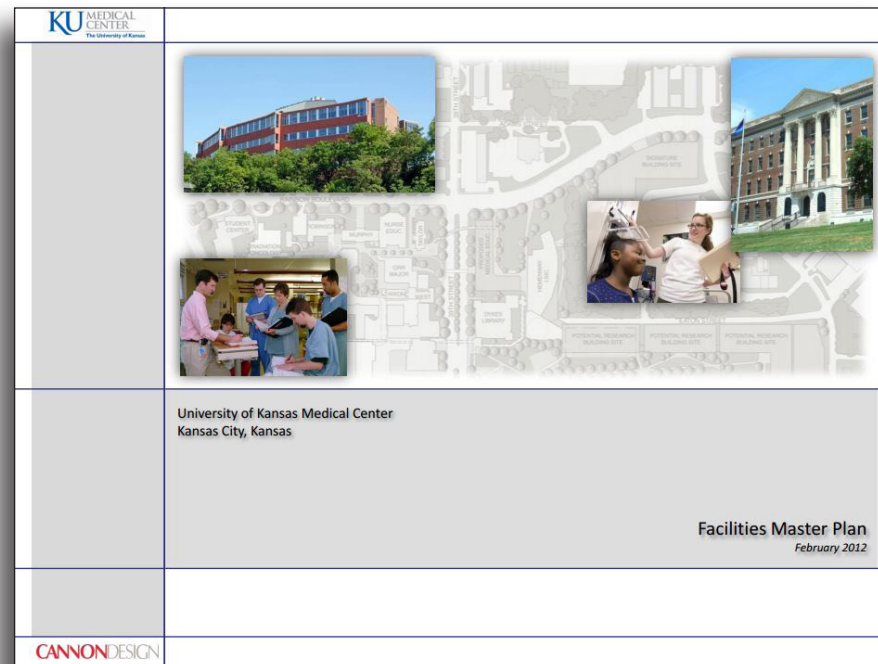


PREVIOUS STUDIES



- Design Guidelines...
- Walkable, Urban Neighborhood...
- Create a Mix of Uses...
- Diverse Housing...
- Multi-modal transportation...
- “University Town” feel..
- Strengthen Identity...

6



- Sustainable Development ...
- Focus development into ‘Activity Centers’...
- Housing market as opportunity...
- Walkable destinations...
- Public realm...
- Financial Performance...

Creating Sustainable Places

A Centers-and-Corridors Strategy for Regional Sustainability

Regional Opportunities for Sustainable Growth and Redevelopment

December 6, 2013



- Enhance Image...
- Improve pedestrian connectivity and wayfinding...
- Accommodate new growth...
- Improve parking...
- Enhance public greenspace...

7

7th Street Corridor Transit Project Development Study

Prepared For

Unified Government of
Wyandotte County / Kansas City, Kansas
and
Kansas City Area Transportation Authority

February 2017

Olsson Associates Project No. 013-2967



- Demographics...
- Activity centers...
- Route 107 realignment...
- Capital improvements...
- Connex-level bus stop enhancements...



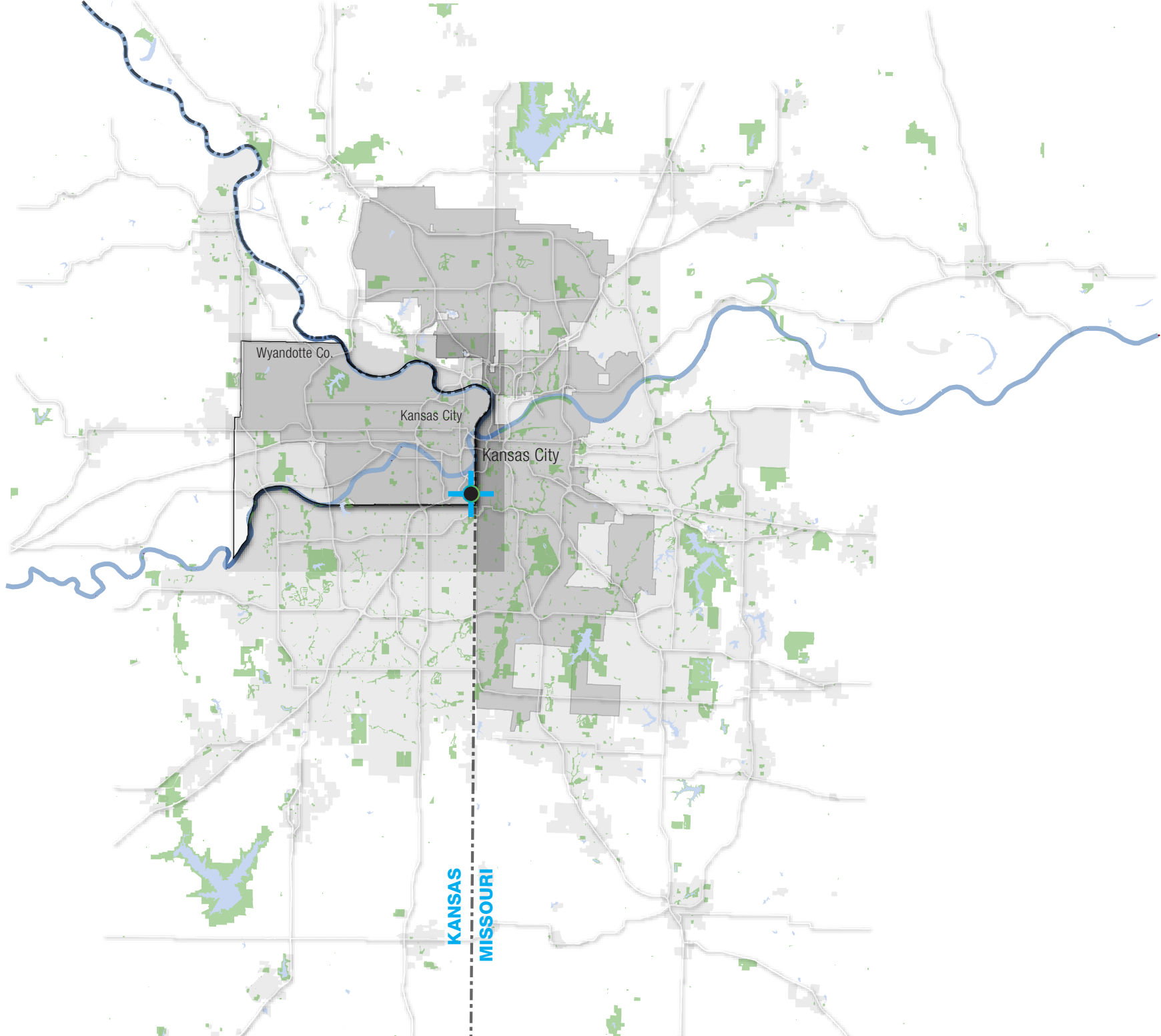
WYANDOTTE COUNTY
PARKS MASTER PLAN 2017

- Data analysis and trends...
- Inventory assessment & analysis...
- Recreation program and services...
- Improvement prioritization & recommendations...



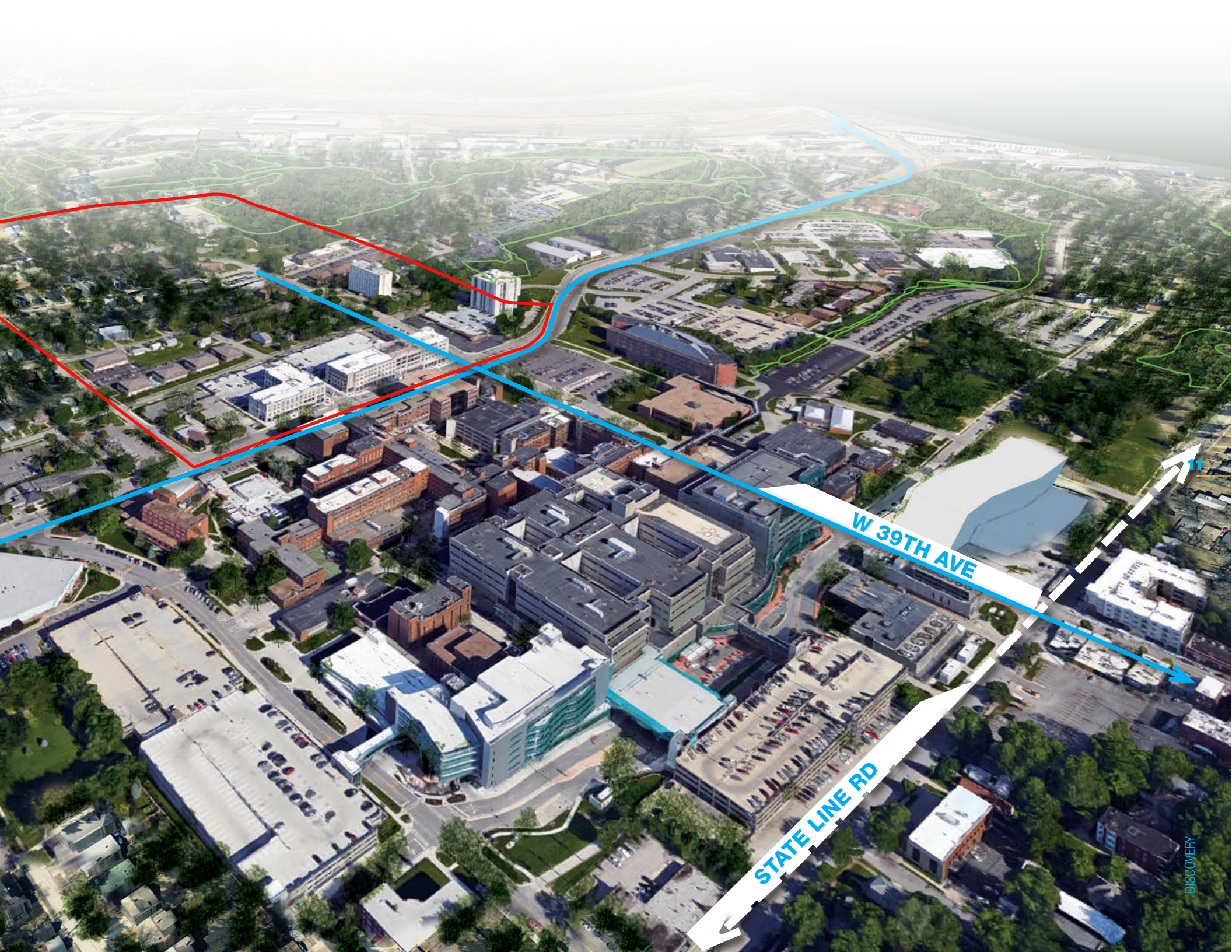
SITE LOCATION

- The Rosedale community is located in Wyandotte County - part of the bistate Kansas City metropolitan region
- The study area is sandwiched between the Kansas River and a natural ridge to the northeast, and the Kansas-Missouri state line to the east
- The KU Medical Center adjacent to the study area has been a major catalyst for development in the area



SITE LOCATION





STATE LINE RD

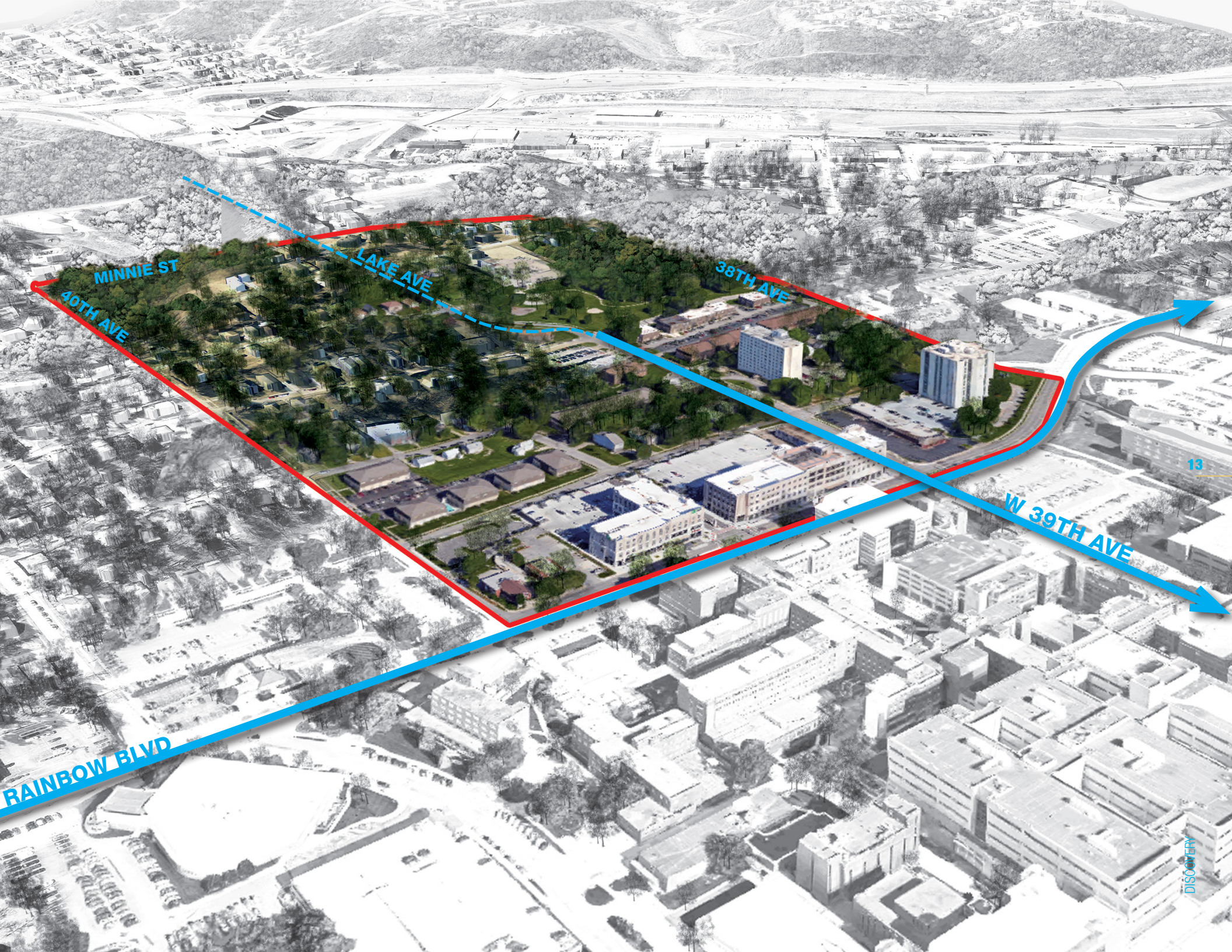
W 39TH AVE

DISCOVERY

EXISTING CONTEXT

- The study area is 58 acre zone bounded by:
Rainbow Blvd to the east
Minnie St. to the west
40th Ave to the south
38th Ave to the north
- 39th Ave and Rainbow Blvd are the major streets in this area
- The study area is primarily residential, with a few commercial buildings along Rainbow Blvd.





MINNIE ST

40TH AVE

LAKE AVE

38TH AVE

W 39TH AVE

RAINBOW BLVD

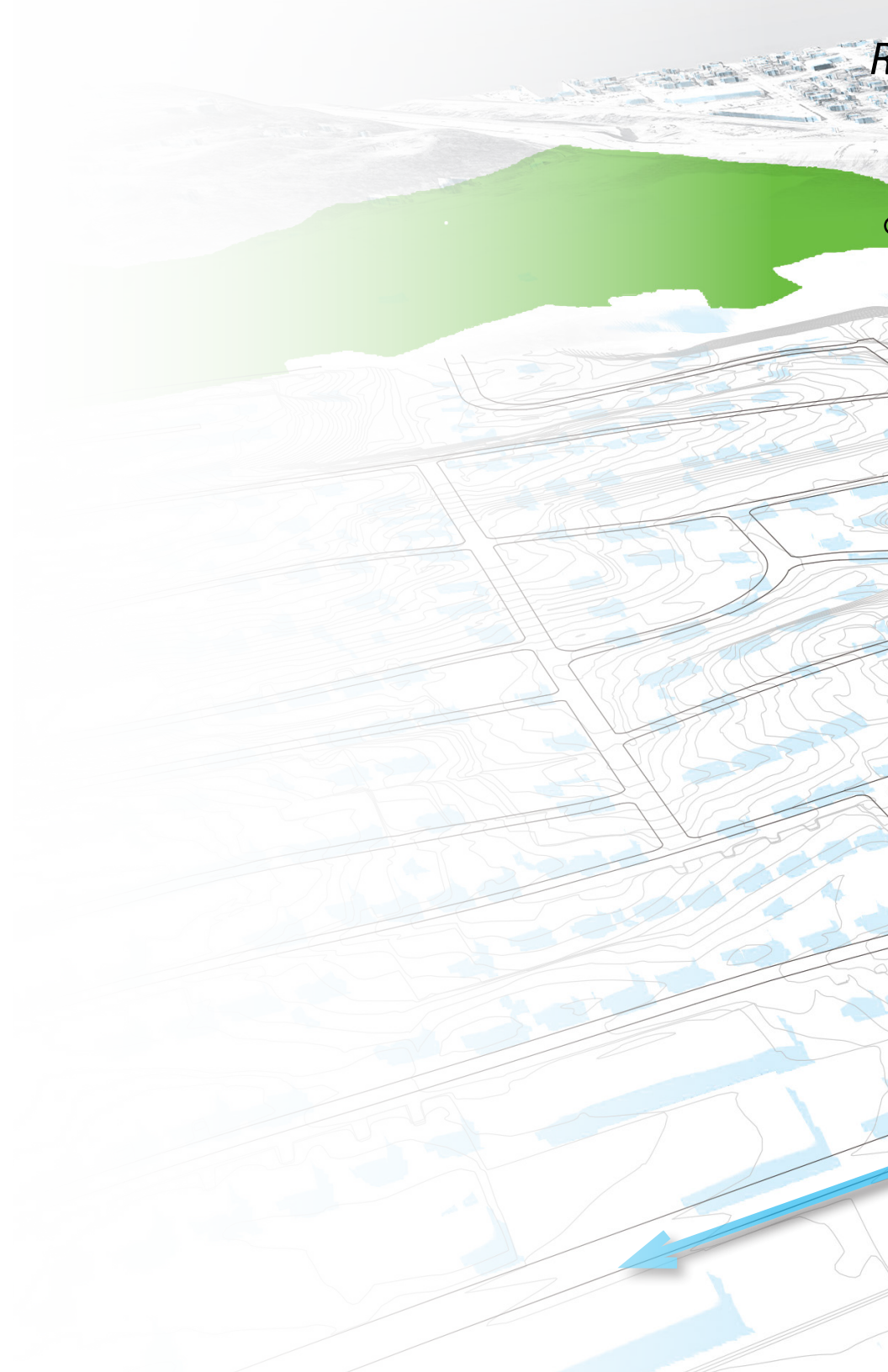
13

DISCOVERY

LANDMARKS

Major landmarks in and around the study area include:

- A regional parks and trail system
- Two new mixed use buildings on Rainbow Blvd with retail on the ground floor
- Several larger residential buildings
- The University of Kansas Medical Center and Hospital



Rosedale Park

Mt. Marty Park

Fisher Park

Rosedale Middle School

Rozarks Trail System

Rosedale Towers

Vista Condominiums

PHOG at the Med Center

KU Health Education Building

Holiday Inn Express

Kansas Transitional Care Center

KU Medical Center

Kirmayer Fitness Center

Clendening Medical Museum

Spencer Chapel

The University of Kansas Hospital

RAINBOW BLVD

W 39TH AVE

15

DISCOVERY

ROSEDALE MASTER PLAN

- The Rosedale Master Plan explores the University Town area through a form-based massing strategy that organized building height and density by use.
- This plan clusters dense, mixed-use buildings at the intersection of Rainbow Blvd. and 39th Ave.
- The plan proposes a combined community center and transit center in Fisher Park

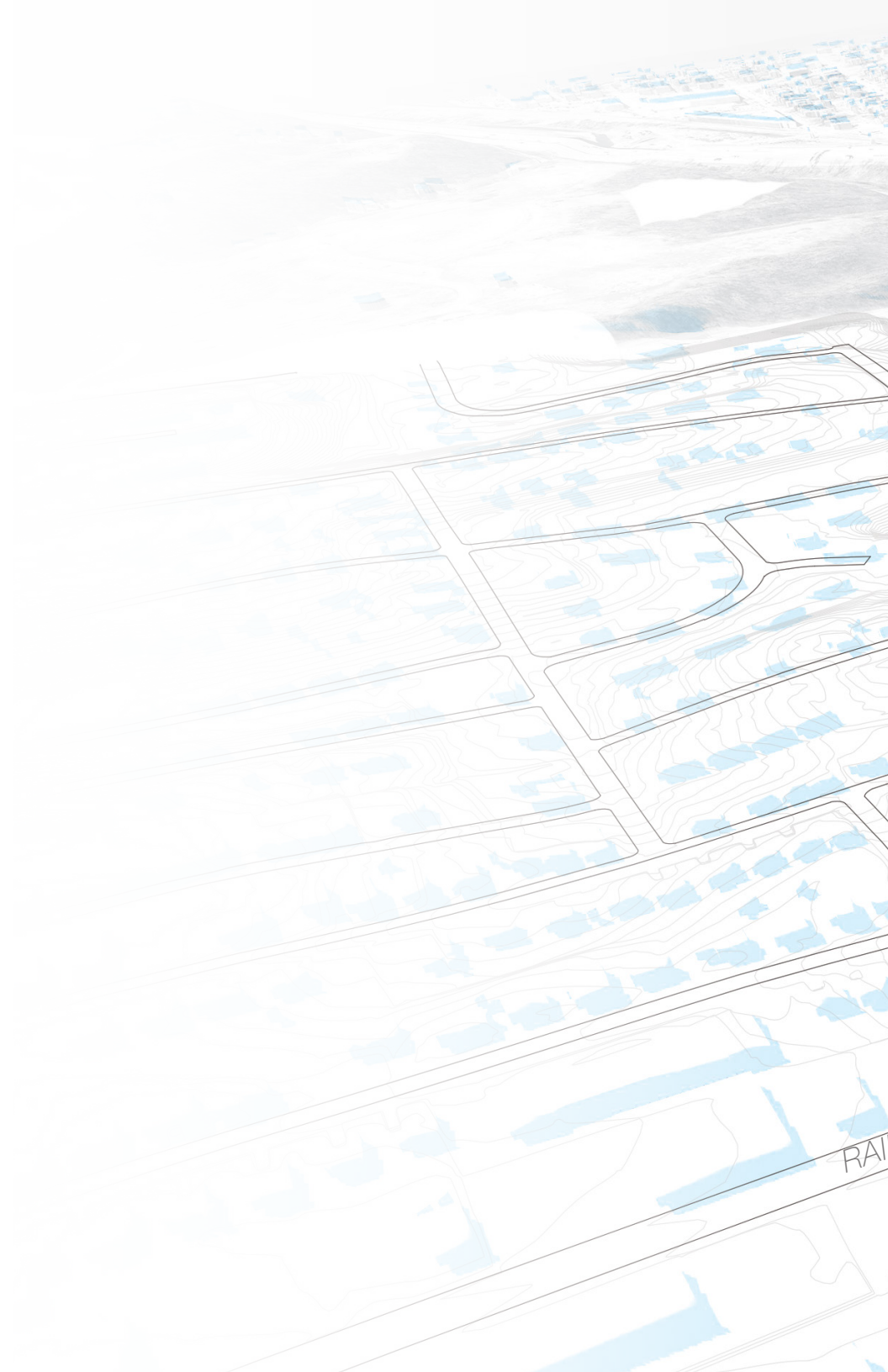
◆ **Urban Core Mixed Use**

◆ **Urban Mixed Use**

◆ **General Urban**

◆ **Single Family**

◆ **Instituional, Educational, or Public**



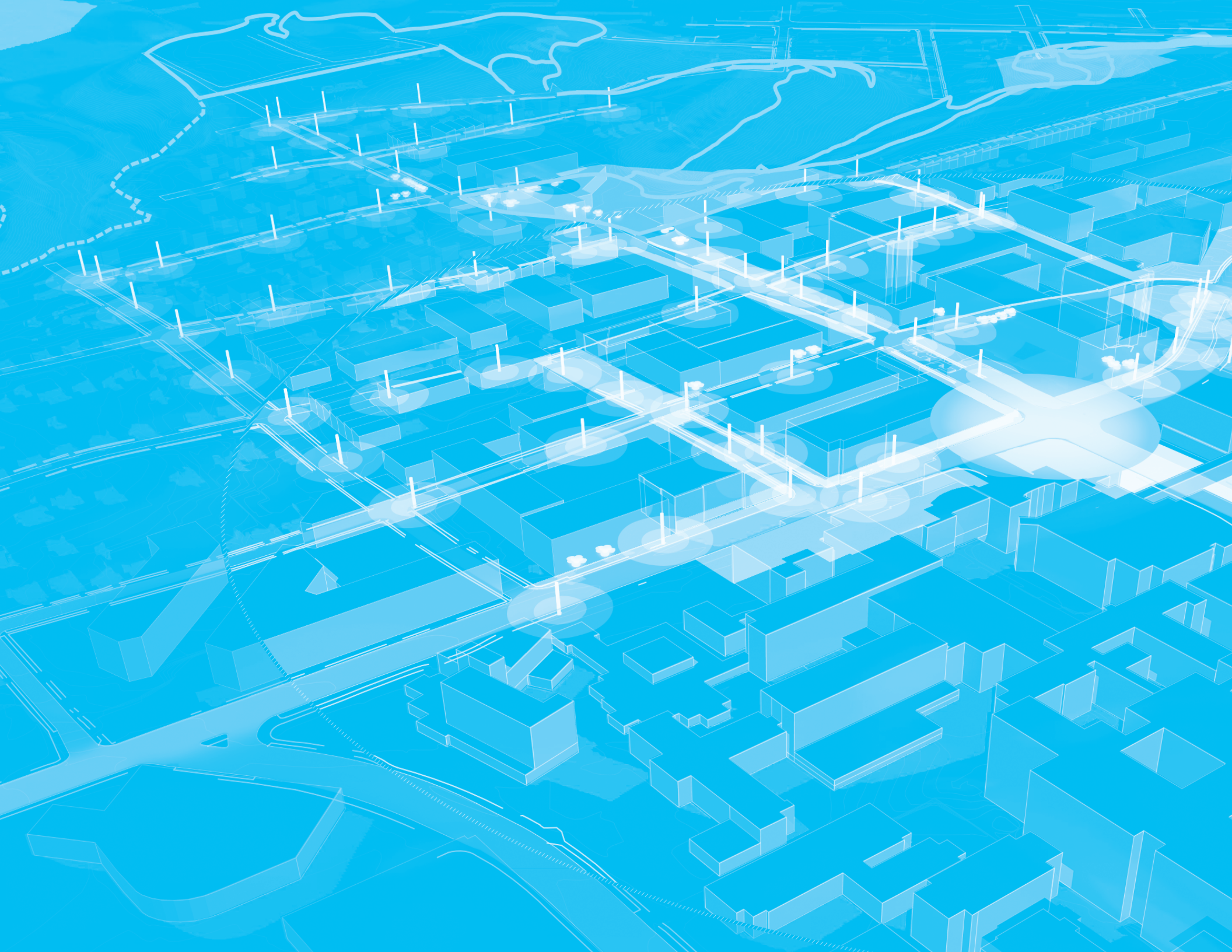


RAINBOW BLVD

39TH AVE

17

DISCOVERY



An aerial architectural rendering of a city block, rendered in a monochromatic blue color scheme. The image shows a dense arrangement of buildings of various sizes and shapes, with streets and pathways weaving between them. The perspective is from a high angle, looking down on the urban layout. The text 'ANALYSIS' is overlaid in white, bold, sans-serif capital letters on the right side of the image.

ANALYSIS

The Analysis phase documents existing conditions

39TH STREET - CURRENT VIEW NORTH



Minnie



Fisher



Booth



Lloyd



Springfield



Adams

Rainbow

39TH STREET - CURRENT VIEW SOUTH



Rainbow

Adams



Springfield

Fish



Lloyd



Booth



her



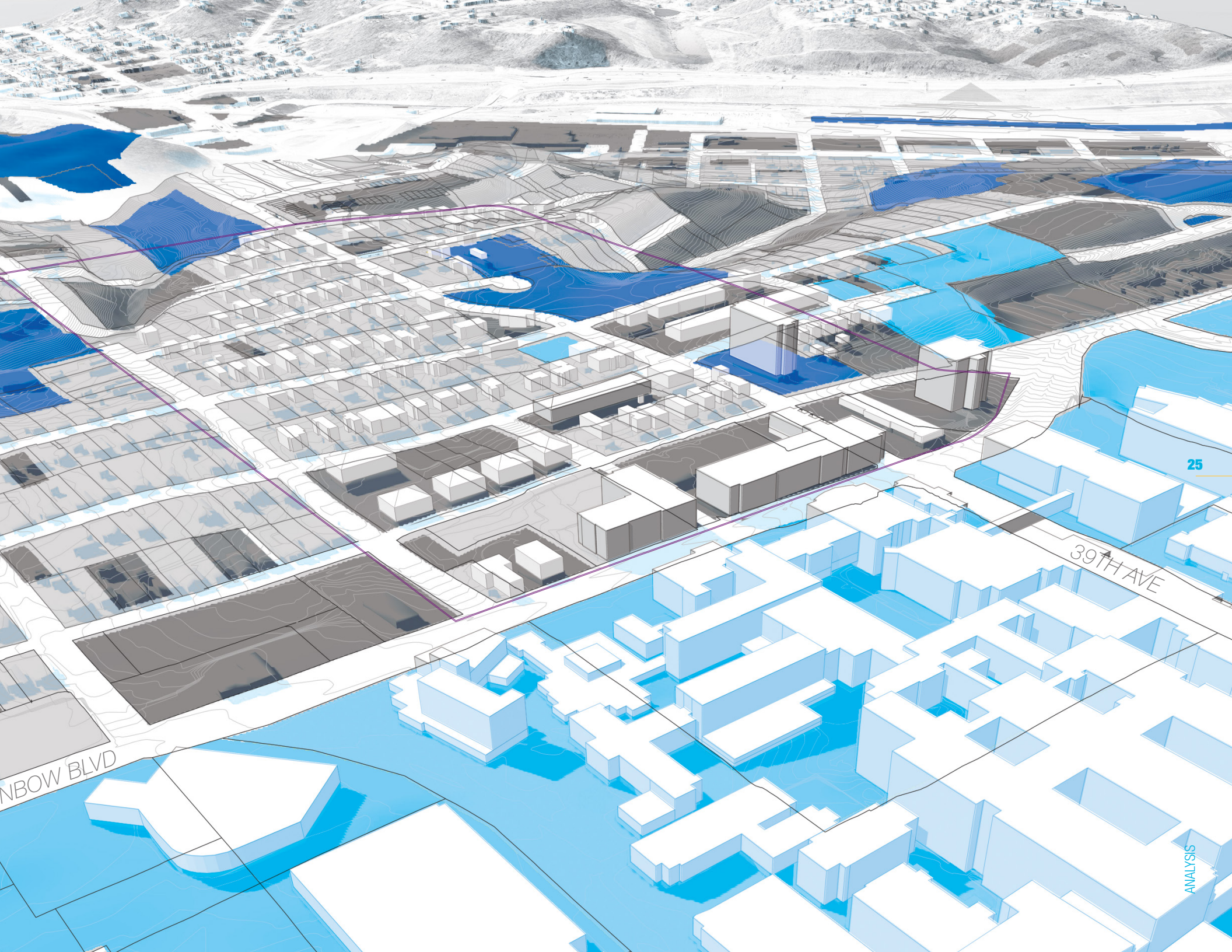
Minnie

PROPERTY OWNERSHIP

- Within the study area, land ownership is distributed between institutional and public owners, developers, smaller investors, and homeowners.
- There are several publicly owned parcels, including Fisher Park, the Kansas City Board of Public Utilities (BPU) substation, Rosedale Towers, and KU properties.
- Smaller parcels are concentrated to the west of the site, with larger scale developments and businesses located east.

- *Wyandotte County and Kansas City, KS*
- *State of Kansas and Kansas University*
- *Private business and investment properties*
- *Owner-occupied and private rental properties*





RAINBOW BLVD

39TH AVE

25

ANALYSIS

ZONING & FUTURE LAND USE

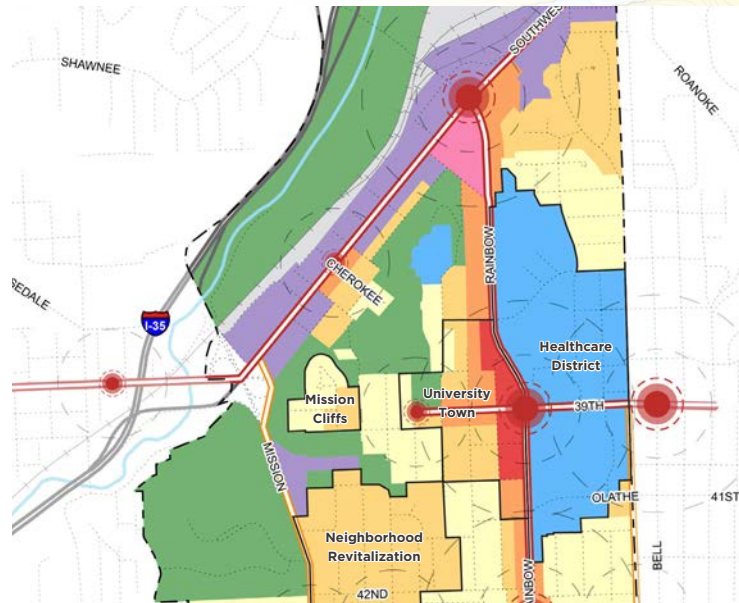
- The study area is primarily zoned as Residential, with some commercial use along Rainbow Blvd
- The Rosedale Master Plan proposes a future land use plan that encourages mixed use development around Rainbow Blvd and 39th Street corridors, and an Healthcare District for KU Medical Center

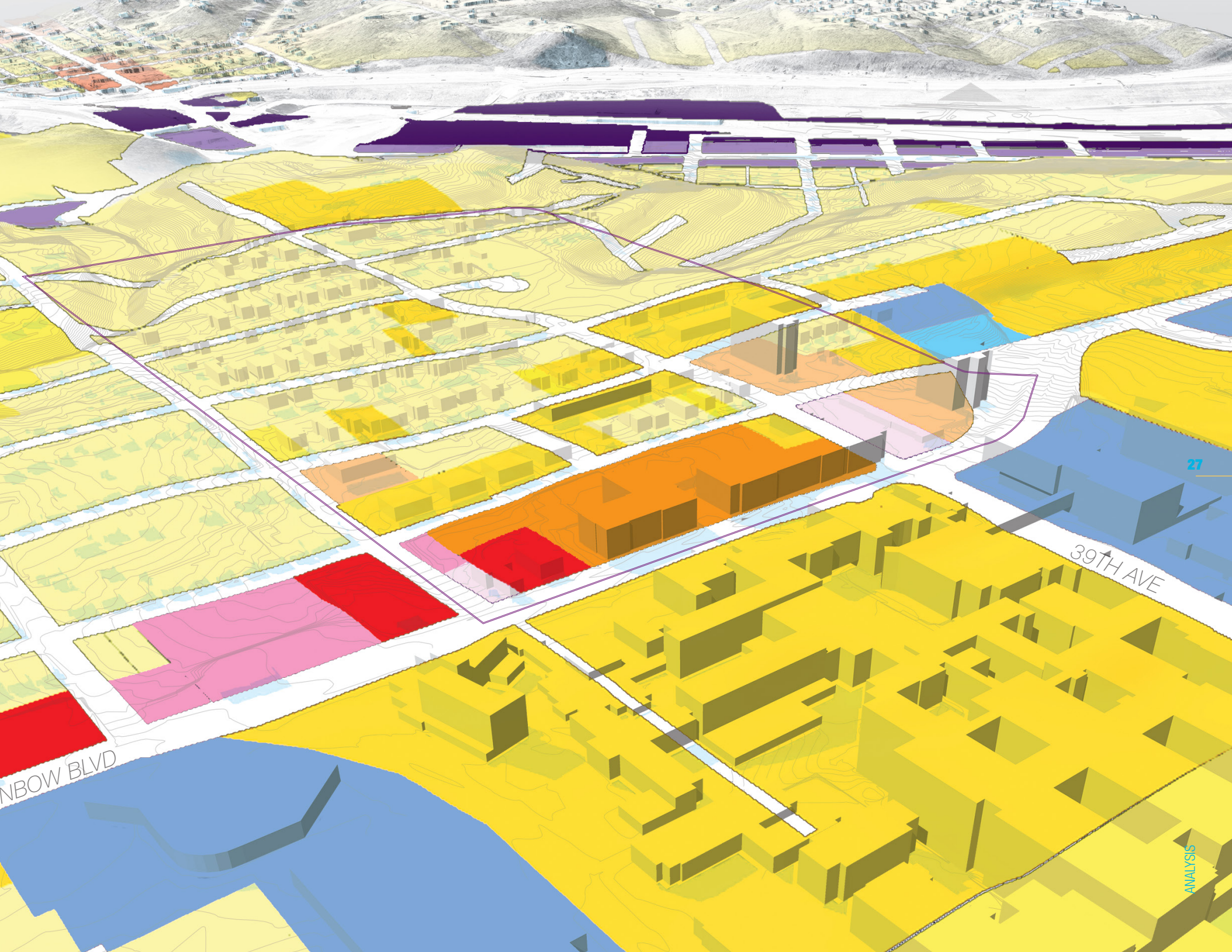
26

Existing Zoning

- *Single Family District R-1(B)*
- *Two Family District R-2(B)*
- *Planned Apartment District RP-5*
- *Planned High-rise Apartment District RP-6*
- *Traditional Neighborhood Design (TND)*
- *Planned General Business District CP-2*
- *Limited Business District C-1*
- *Planned Limited Business District CP-1*
- *Nonretail Business District C-0*
- *Planned Nonretail Business District CP-0*
- *General Industrial District M-2*
- *Heavy Industrial District M-3*

Rosedale Masterplan - Future Land Use Plan





RAINBOW BLVD

39TH AVE

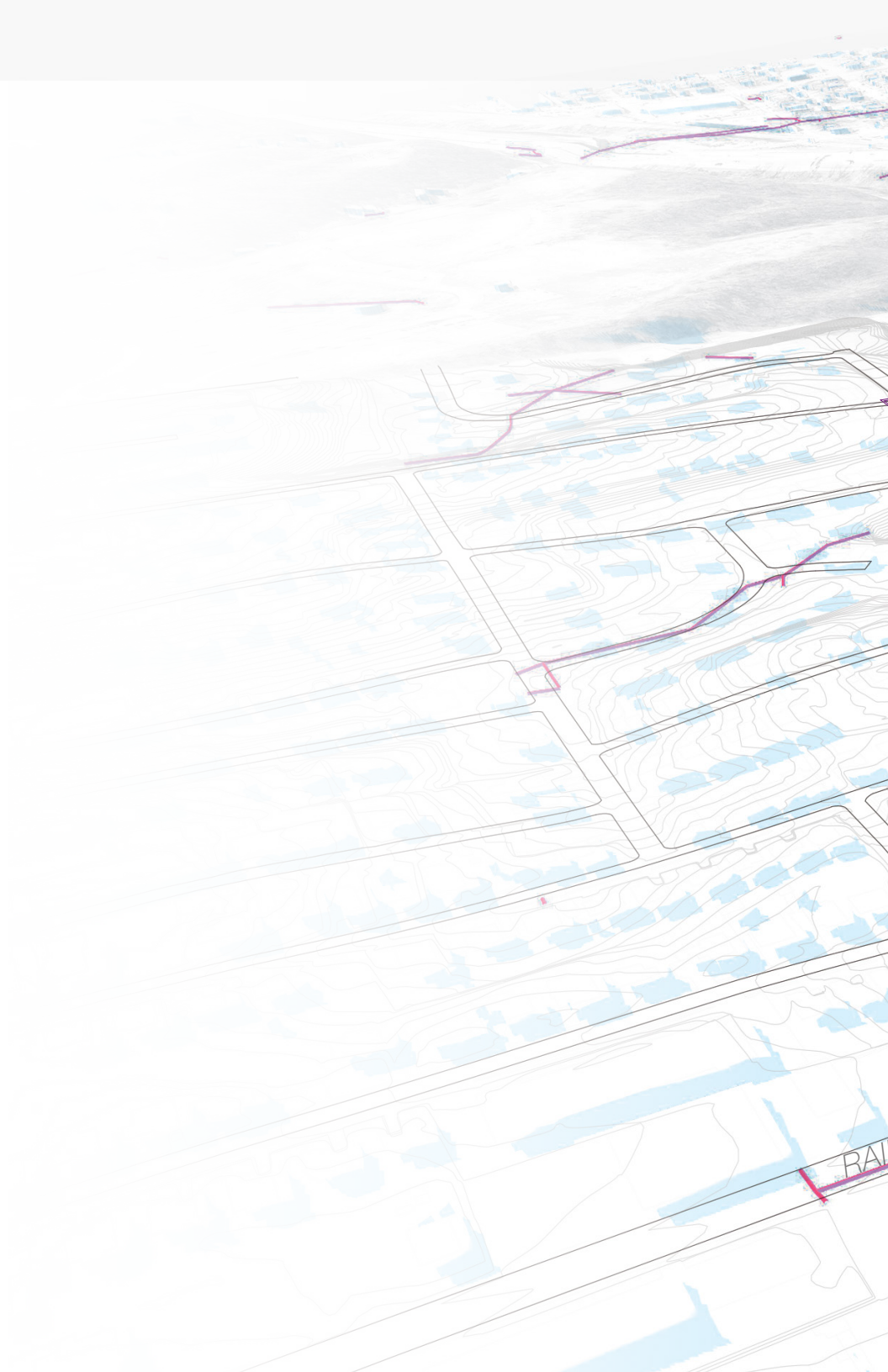
27

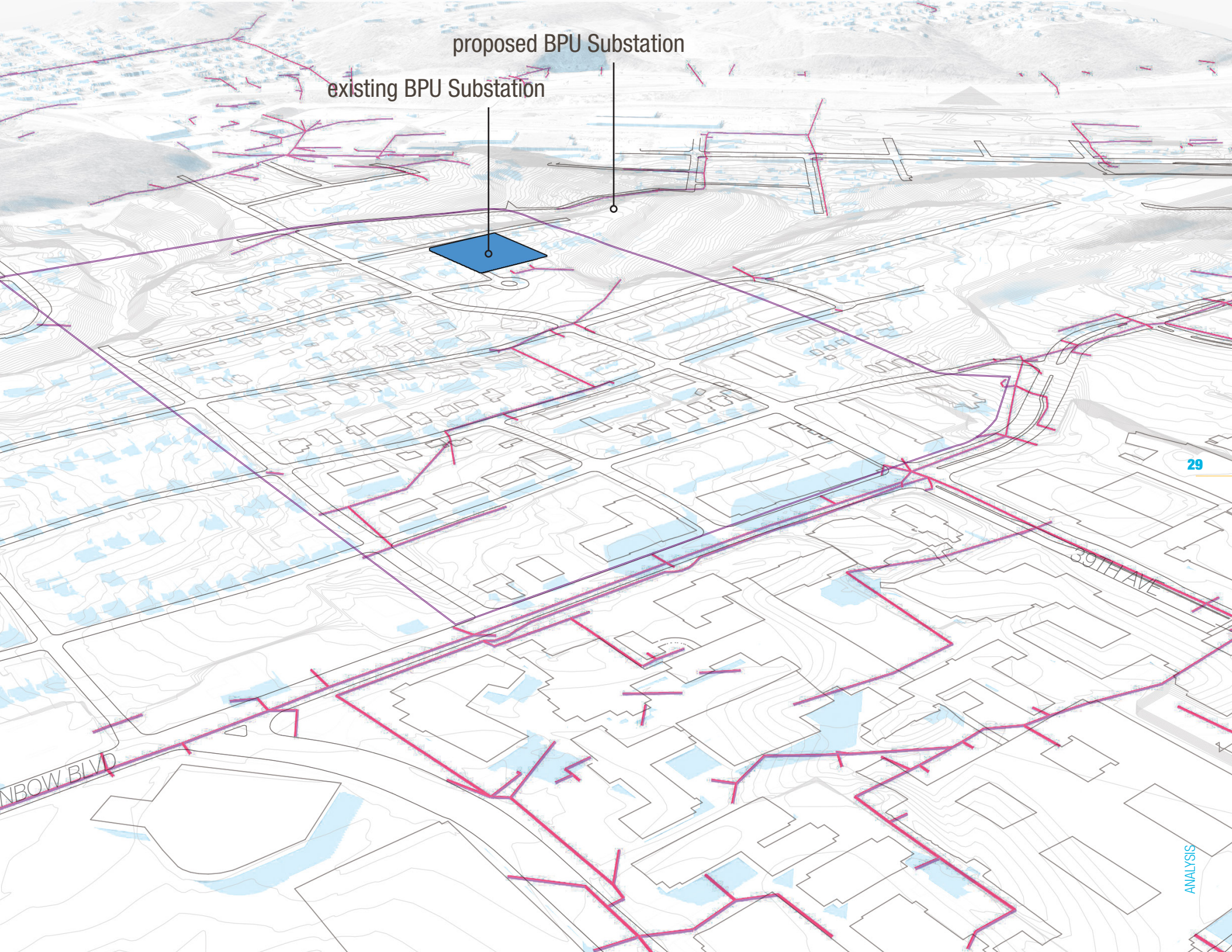
ANALYSIS

UTILITIES

- Detailed data has been collected for stormwater and sewer systems in the study area.
- There is a need to deliver forward-looking utility infrastructure with more information to be collected on electrical, gas, water, and data systems.

／ Storm Gravity Mains





proposed BPU Substation

existing BPU Substation

GREEN SPACE

- The area includes large natural areas to the west in the form of parks and natural sloped woodlands with integrated trails.
- There are many trees and yards, but most are in private properties
- There is a lack of public urban green space like plazas for gathering and recreation

● *Regional Parks*

● *Forested Area*

／ *Nature Trails*

／ *Planned Regional Trail*



Medale Park

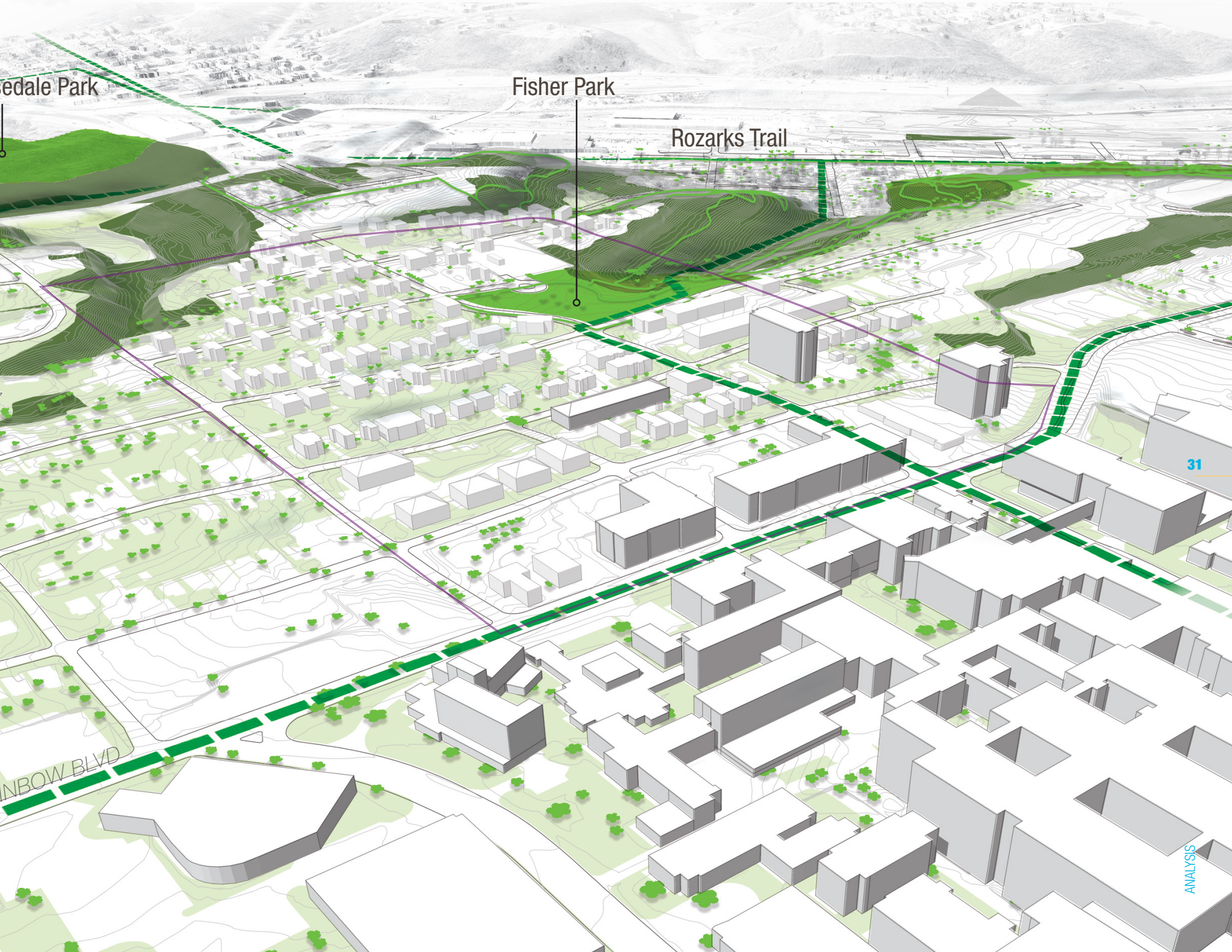
Fisher Park

Rozarks Trail

RAINBOW BLVD

31

ANALYSIS



PARKING

- There is an abundance of surface parking lots on the eastern edge of the study area along Rainbow Blvd. Street parking is limited to residential zones, with no street parking in commercial areas.
- KU Medical Center and Hospital is expanding with further plans for structured parking.
- Automobile parking should consist of on-street parking located on every street where space permits, and strategic placement of off-street parking lots and/or structures. As the District is developed over several phases, surface parking may give way to parking structures to keep up with demand.

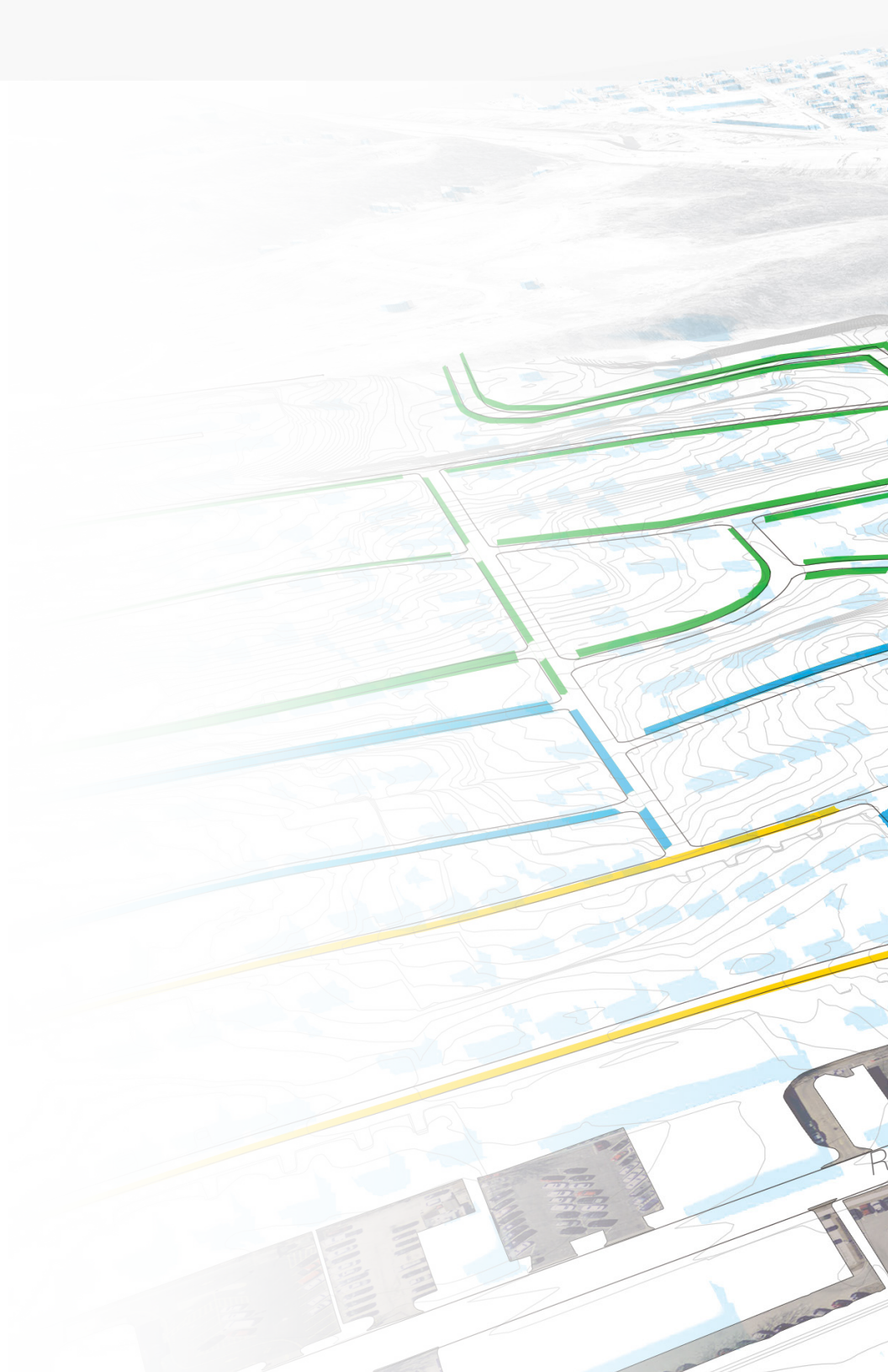
● *Surface Parking*

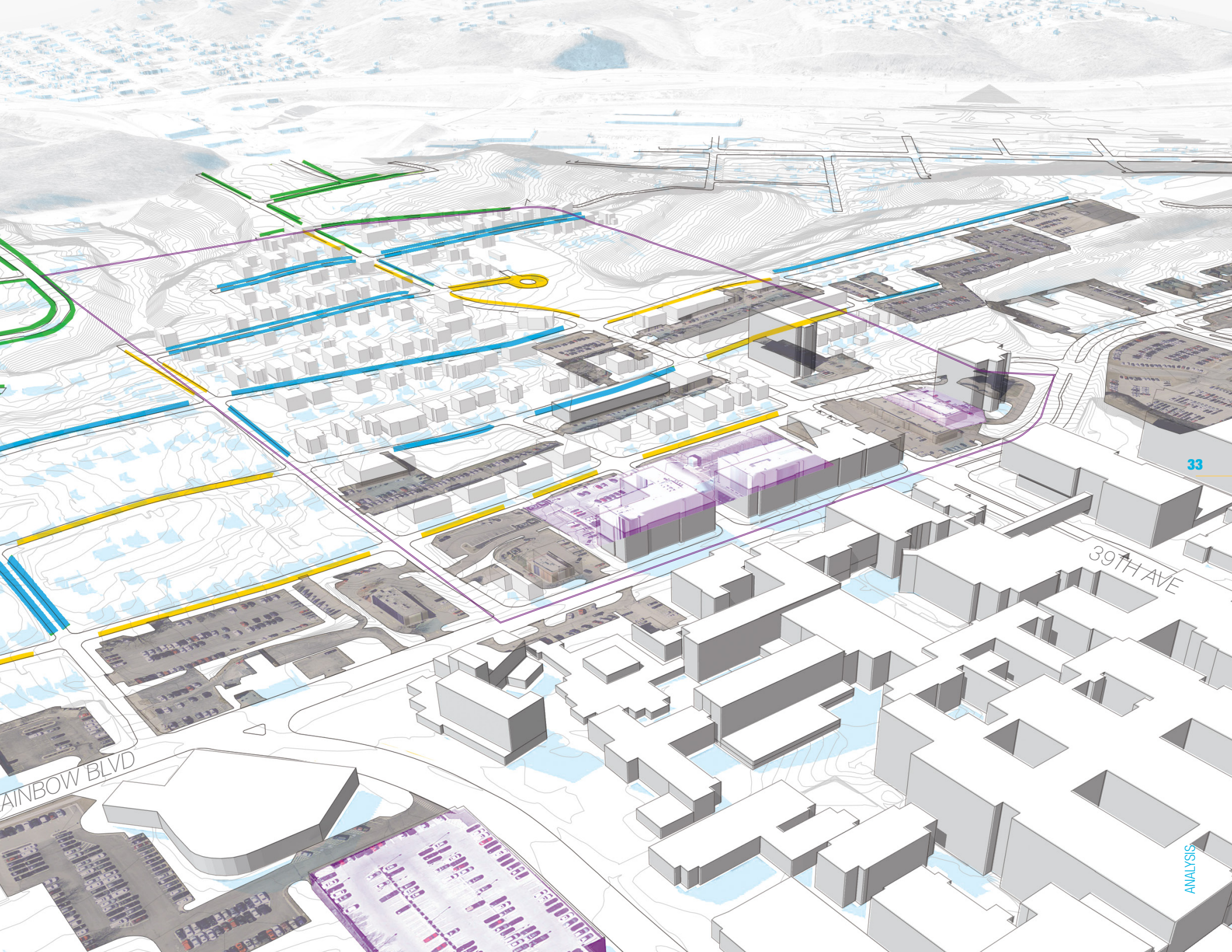
● *Structured Parking*

／ *Existing parking restriction*

／ *Proposed parking restriction*

／ *No parking restriction*





RAINBOW BLVD

39TH AVE

33

ANALYSIS

MASTERPLAN BIKEWAYS

- Most people bicycling in this area currently must travel on or across major roadways. This can be dangerous in some cases, and acts as a deterrent to bicycle use.
- Existing nature trails are not a formal part of the transportation network
- The network could be enhanced with east-west links that extend bicycle facilities to serve the neighborhood

34

 *Existing Signed Bike Route*

 *Proposed Signed Bike Route*

 *Existing Bike Lane*

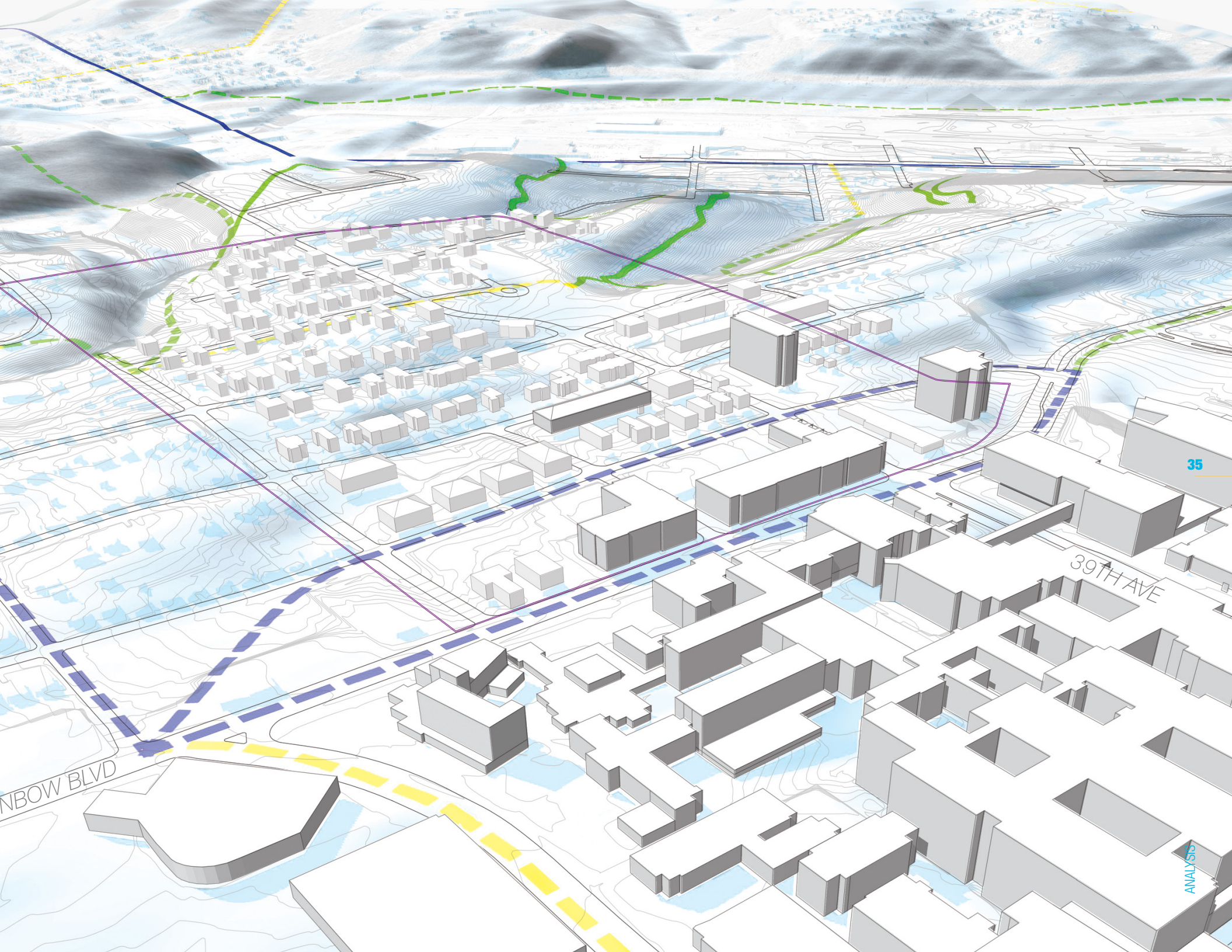
 *Proposed Bike Lane*

 *Existing Trail*

 *Proposed Trail*

Bicycle Level of Traffic Stress

Street	Bike Facility	Speed Limit (MPH)	BLOTS
Southwest	Bike Lane	40	3.5
Rainbow (N/O 36 th)	Shared	40	4
Rainbow (S/O 36 th)	Shared	30	4
Oletha	Shared	15	2
39 th (E/O State Line)	Shared	30	3.5
39 th (State Line to Rainbow)	Shared	20	3.5
39 th (W/O Rainbow)	Shared	20	2
State Line	Shared	30	2
36 th (Rainbow to State Line)	Shared	30	2
Mission	Shared	30	4
47 th	Shared	30	4



TRANSIT NETWORK

- The eastern side of the study area is served by multiple bus and shuttle routes with stations clustered at the intersection of Rainbow Blvd and 39th Ave.
- The western side is not well serviced, with the exception of the KU Medical Shuttle that has a limited service area.

 *KU Medical Shuttle*

 *Westwood Shuttle*

 *KCATA*

 *The JO*

 *Transit Stop*

Masterplan - Rainbow Blvd Alternatives



EXISTING CONDITIONS



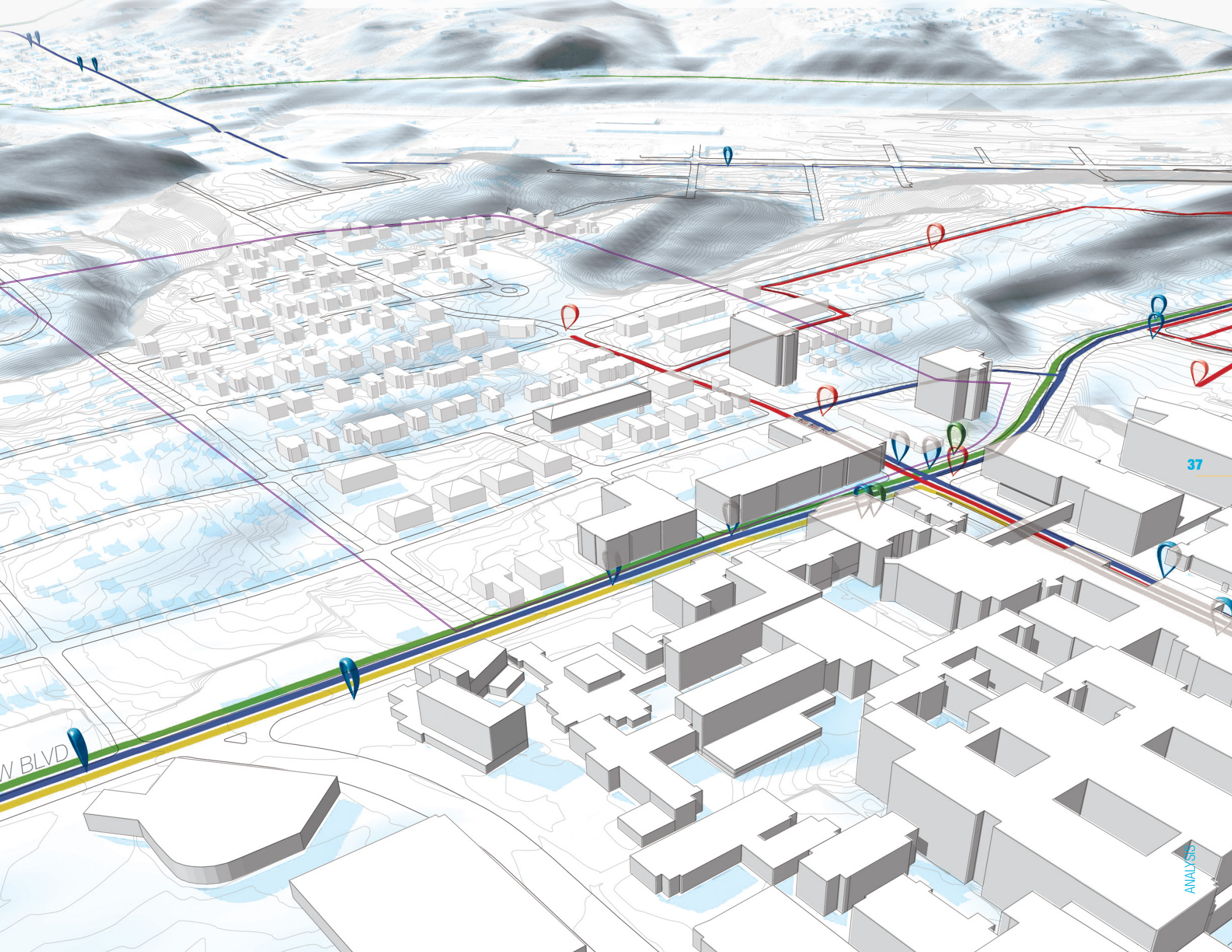
RETAIL BOULEVARD



BICYCLE BOULEVARD



ONE-WAY PAIR



W BLVD

37

ANALYSIS

REGIONAL ECONOMY

- The Rosedale Master Plan and Traffic Study calls for the densification of the UTC Study Area to leverage the planned growth of University of Kansas Hospital.
- Demand projections provided by Economic & Planning Systems (EPS) in the “Neighborhood Market and Opportunity Assessment” in the Rosedale Master Plan and Traffic Study indicate that growth at University of Kansas Hospital will lead to a 20 percent to 70 percent increase in housing units in Rosedale. There are currently 3,300 housing units in all of Rosedale, so this projection would lead to 660 to 2,300 net new units.
- If the Study Area captured its current share of this growth, approximately 200 to 600 new units would be constructed. However, the Study Area is well-positioned to capture a higher proportion of Rosedale’s projected growth because of its adjacency to University of Kansas Hospital and the opportunity for densification. Therefore, the estimated 710 net new units that could be built in the Study Area is with reason.

MEETING MARKET DEMAND IN UNIVERSITY TOWN CENTER

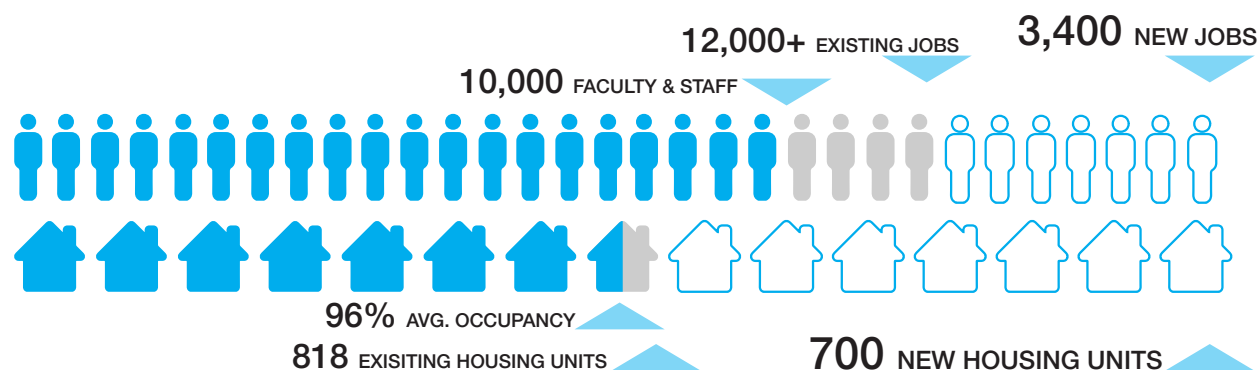
Continued growth at KU Hospital will create development opportunities in UTC.

DEMAND DRIVERS

At KU Hospital through 2040, according to Rosedale Master Plan and Traffic Study

REAL ESTATE DEMAND

Up to 700 new Households in UTC over next 20 years based on location and KU Hospital growth



Rosedale UTC is **within 5 miles**—a 10-minute drive—of several **regional job centers**.

KEY STATISTICS

 **273,000** people

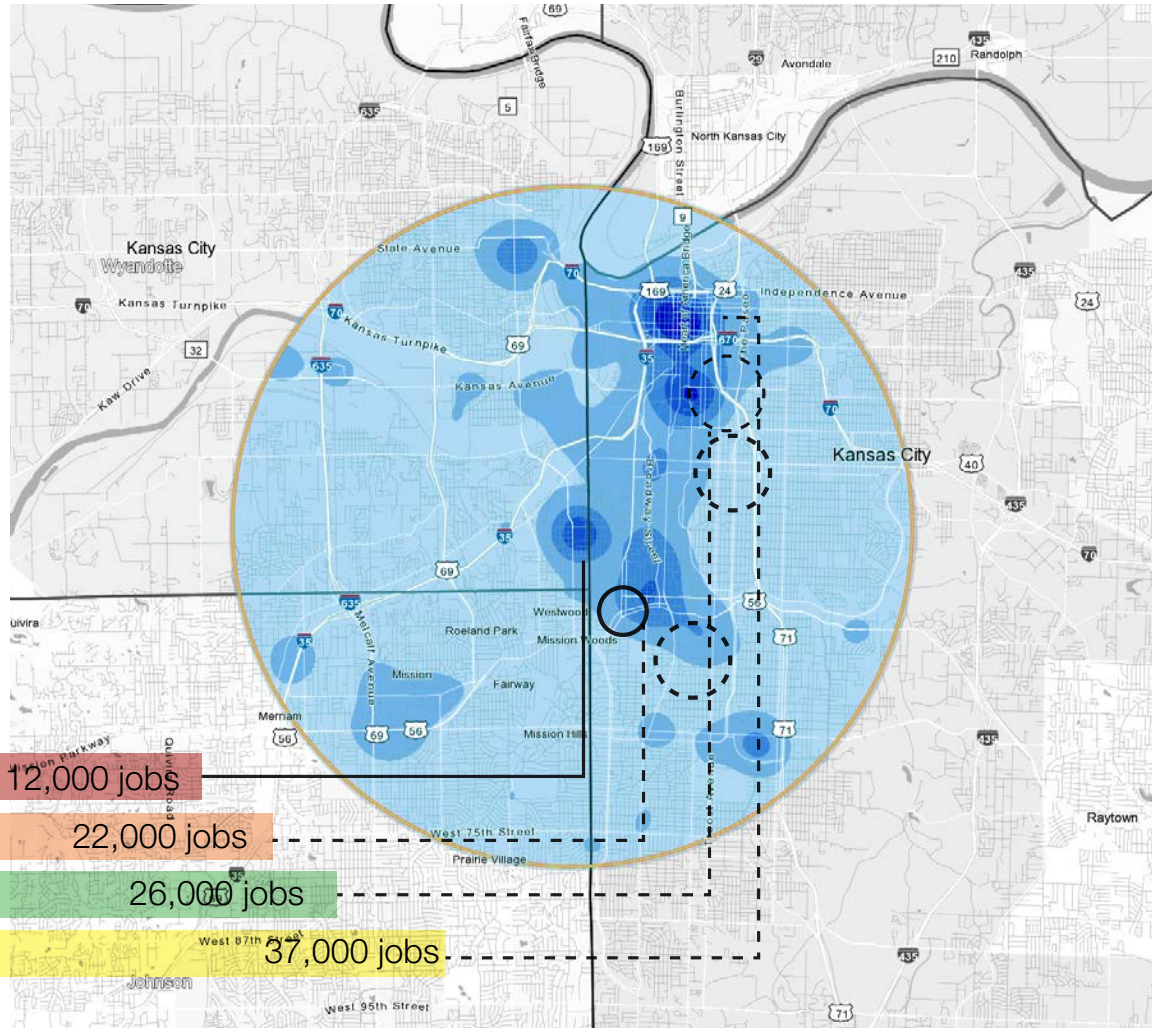
 **5.4%** population growth

 **200,000** jobs

 **13,500** businesses

JOB CENTERS

Downtown Area	Number of Jobs
KU Hospital / KUMC Area	12,000 jobs
Plaza/Westport	22,000 jobs
Crossroads/Crown Center	26,000 jobs
Central Business District	37,000 jobs



EXISTING DEVELOPMENT

- There are nearly 820 housing units in the UTC Study Area and 90 percent of the units are contained in multi-family structures. Multi-family occupancy is currently very stable at 96 percent, while overall housing occupancy is 80 percent. More than 80 percent of households in the Study Area rent their housing.
- Housing costs in the Study Area are higher than in Rosedale as a whole, driven by its proximity to KUM.

● **Single Family Units**
87 out of 818 Total Housing Units
Current Listing Range: \$107K- \$326K
Median Listing Price: \$150K

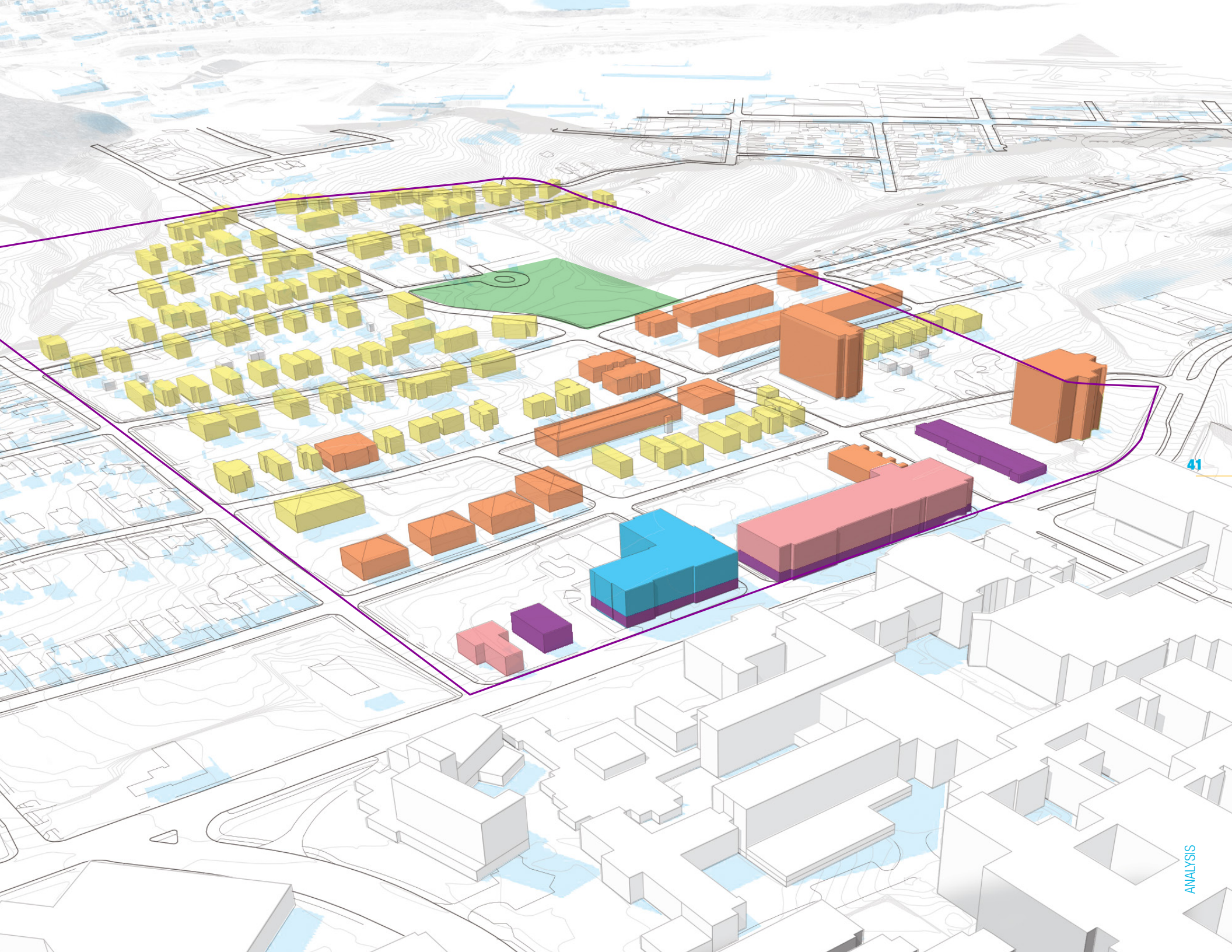
● **Multi-family Units**
731 out of 818 Total Housing Units
96% Multi-Family Occupancy

● **Retail**
260,000 SF

● **Office**
120,000 SF

● **Hotel**
83 rooms





PUBLIC MEETING #1: JUNE 26TH, 2017

1 PROJECT GOALS, WHAT IS MISSING?

- Maintain diverse neighborhood while providing a range of affordable housing with lower rental rates
- Maintain community scale
- Develop Fisher Park into a Central Hub - connection between higher density and residential
- Expand park to reduce speed of traffic
- Improve 39th street appearance by 10-fold
- Higher density along 39th and Rainbow, residential near Fisher Park and further West

2 WHAT DO YOU SEE AS THE BIGGEST CHALLENGE TO THE SUCCESS OF THIS EFFORT?

- Traffic and parking
- Educating people on the benefits of this project
- Changing the perception of Rosedale schools
- Fisher Park as an amenity & destination space that draws people in other than neighbors

3 WHAT IS THE MOST IMPORTANT THING WE AS YOUR DESIGN TEAM NEED TO GET RIGHT?

- Host public meetings to encourage conversation
- Transit at 39th and Rainbow
- Security along 39th
- Create a timeline for development
- Affordable housing - provide data on current rental rates
- Subsidized housing opportunities
- Keep high density growth near major roads, keep single family separate

4 WHAT IS REALLY WORKING WELL THAT YOU THINK WE SHOULD KEEP?

- Range of affordable housing
- Diversity and longevity of neighborhood
- Fisher Park, Rozarks trails & walkability
- Residential-like feel along edges

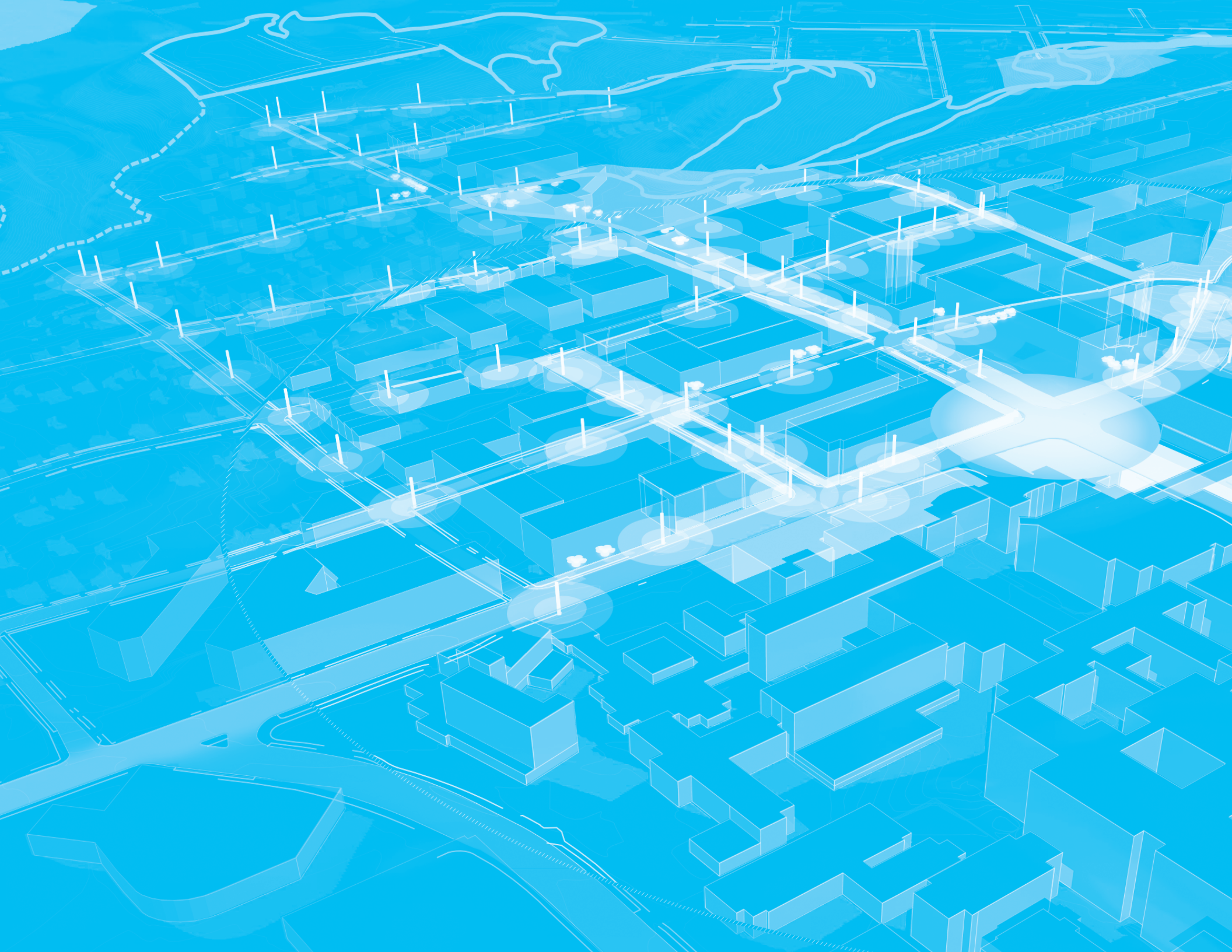
5 WHAT IS REALLY NOT WORKING WELL THAT YOU THINK WE SHOULD LOSE?

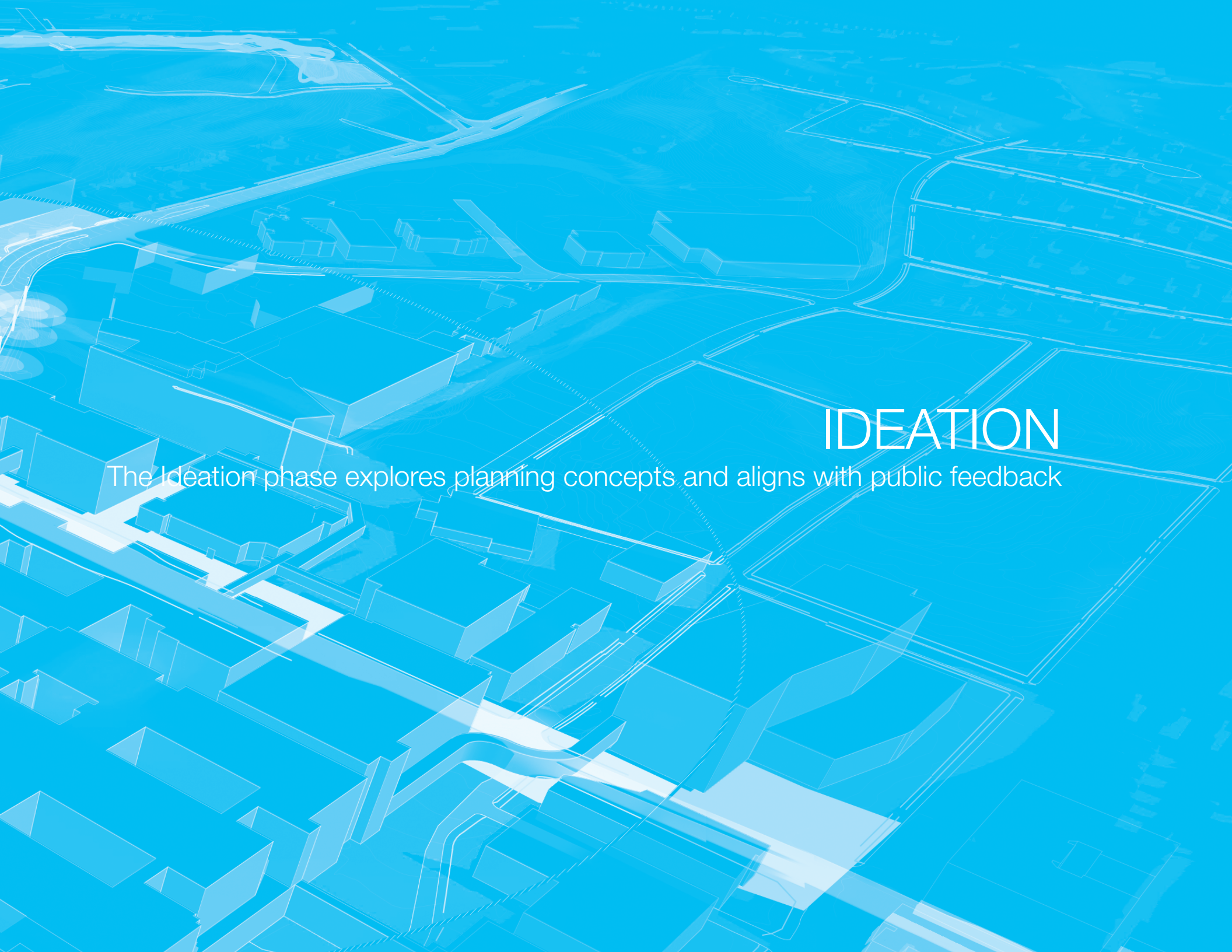
- KU parking - relocate student street parking to KU property
- Sidewalks - need to be upgraded for better accessibility
- Streets - improve paving, lighting, street trees
- Infrastructure - water and sewer needs to be updated
- Lack of amenities - increase for existing neighborhood
- Non-existent businesses and empty buildings on rainbow

6 WHAT IS THE MOST ASPIRATIONAL THING WE SHOULD CREATE?

- Fair rental rates for families in Rosedale
- Community center with pool / gym / library
- Children's amenities at Fisher Park
- Hotel
- Assisted living housing / retirement housing
- Develop mixed use off of rainbow - retail and neighborhood services
- Bikeable/walkable sidewalk and streets
- Transit - KCATA route plans
- BPU substation





An aerial architectural rendering of a city plan, overlaid with a semi-transparent blue layer. The rendering shows a network of streets, building footprints, and green spaces. A prominent road runs diagonally from the bottom left towards the center. To the right, there are large rectangular plots, possibly for sports fields or parks. The blue overlay is a solid, medium-blue color that covers the entire image, creating a modern, digital feel.

IDEATION

The Ideation phase explores planning concepts and aligns with public feedback

39TH AVE CORRIDOR

CONNECT BY TRANSIT

- Each mode of transportation that feeds the District is its own layer that should be continuous, connected, and visible as it travels through the development.
- Each layer is added to the overall network as it joins and intersects the other modes. It is important to establish a priority for each user in various contexts so as to elevate and support different users at different places in the network.

 **KU Medical Shuttle**

 **Westwood Shuttle**

 **KCATA**

 **The JO**

 **Transit Stop**

 **Proposed Signed Bike Route**

 **Proposed Bike Lane**

 **Existing Trail**

 **Proposed Trail**

 **Proposed Bike Station location**

 **Master Plan Bike Station location**





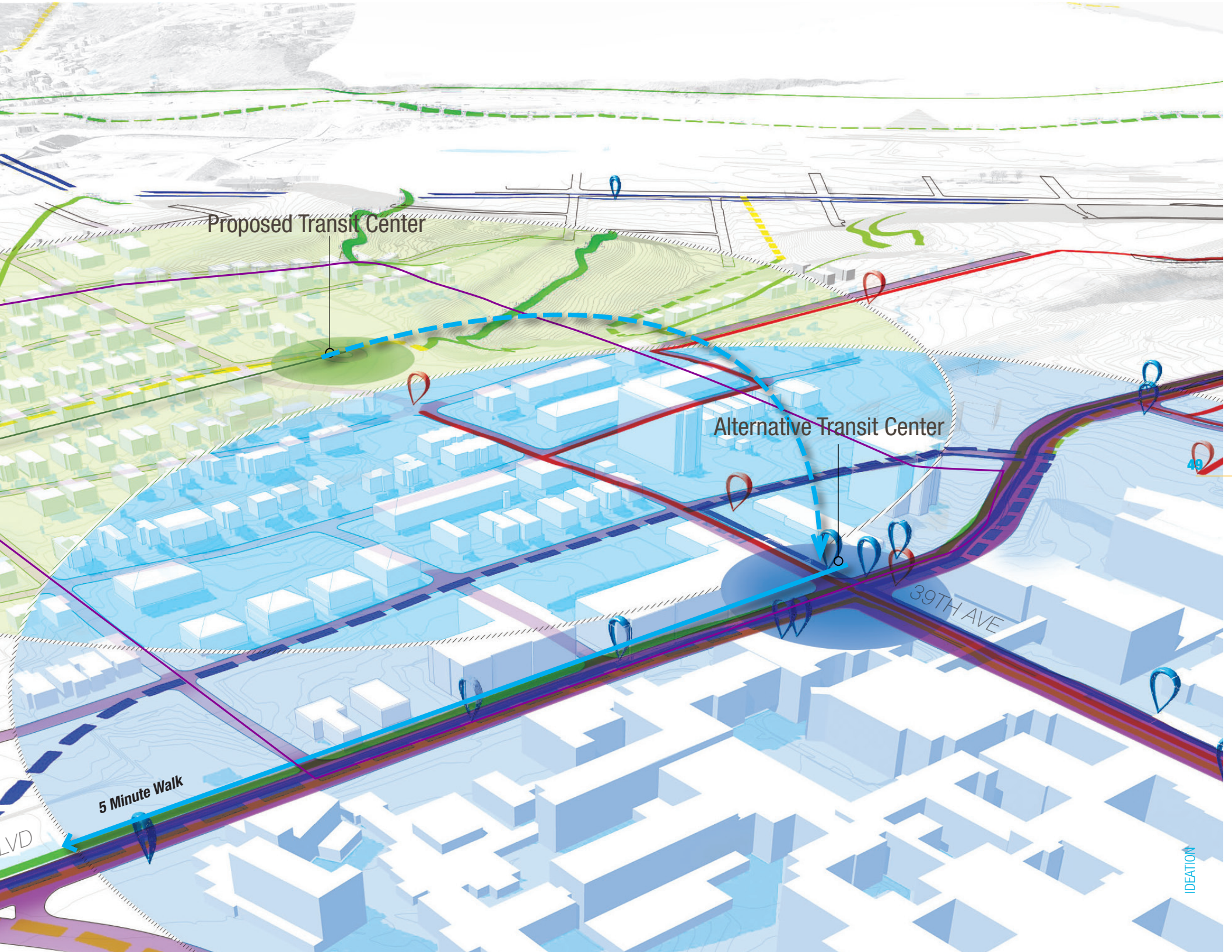
ENHANCE CONNECTIVITY

- Plan for transit on Adams St. while Rainbow Blvd. supports vehicles and cyclists.

In the short term, transit can remain on Rainbow Blvd. as infrastructure improvements are needed on Adams St. in the long term.

- The transit center should serve as a gateway to the District, close to the intersection of Rainbow Blvd and 39th Ave. Transit routes 11, 23, 35, 39, 51, 107, and 405 should be extended to start and end their trips at the new transit center.





Proposed Transit Center

Alternative Transit Center

5 Minute Walk

39TH AVE

LVD

IDEATION

PROPOSED BIKEWAYS

- A connected bicycle network within the District should consist of bike share stations as well as a network of on-street bicycle facilities to provide door-to-door connectivity for those using a bicycle.
- Bike share stations should be located near key activity generators such as the library and the commercial retail establishments along the east side of Rainbow Boulevard. Bike share stations, whether located at bus shelters or at other locations, should be located so as to be highly visible and conveniently close to building entrances.

 *Proposed 2-way Cycle Track*

 *Existing Signed Bike Route*

 *Proposed Signed Bike Route*

 *Existing Bike Lane*

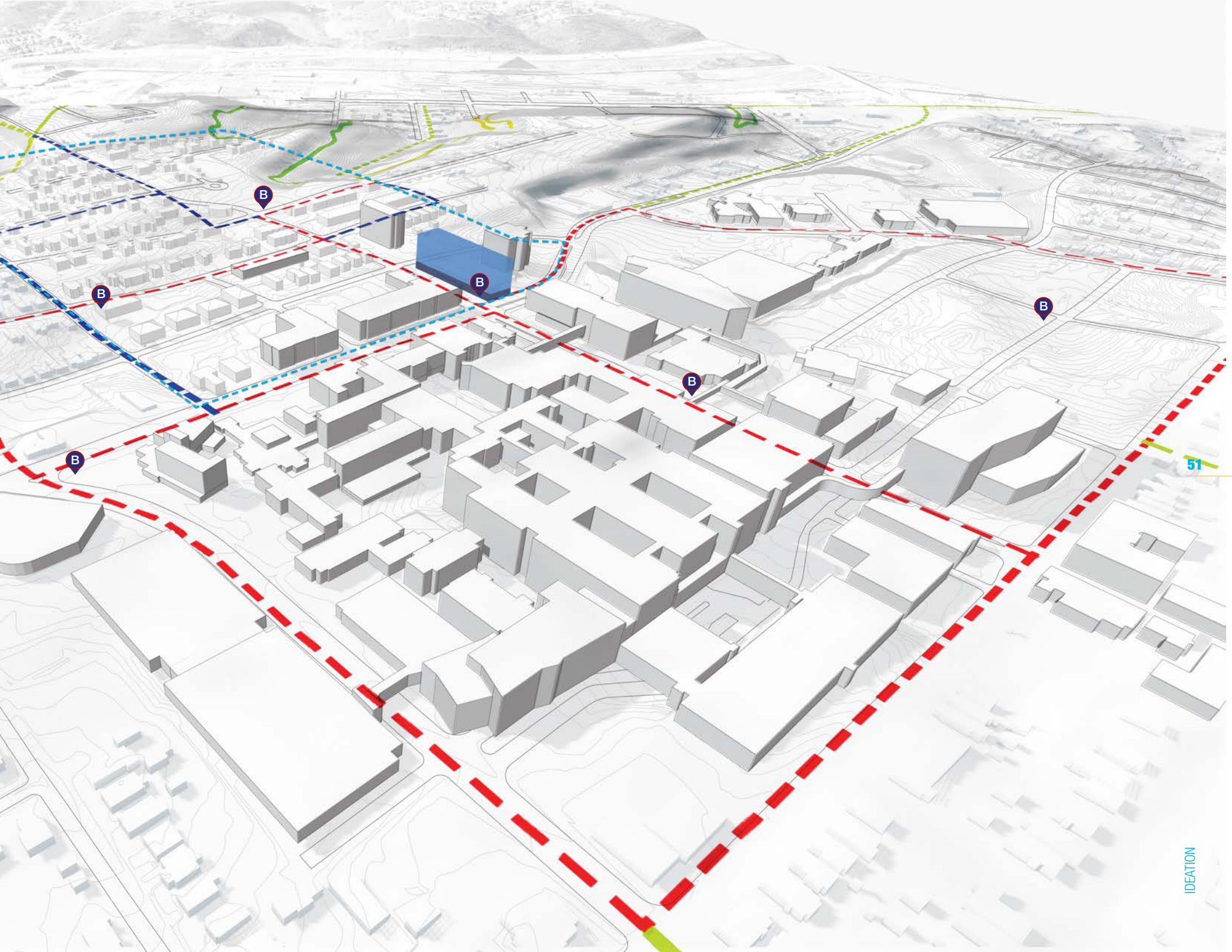
 *Proposed Bike Lane*

 *Existing Trail*

 *Proposed Trail*

 *Proposed Bike Station*



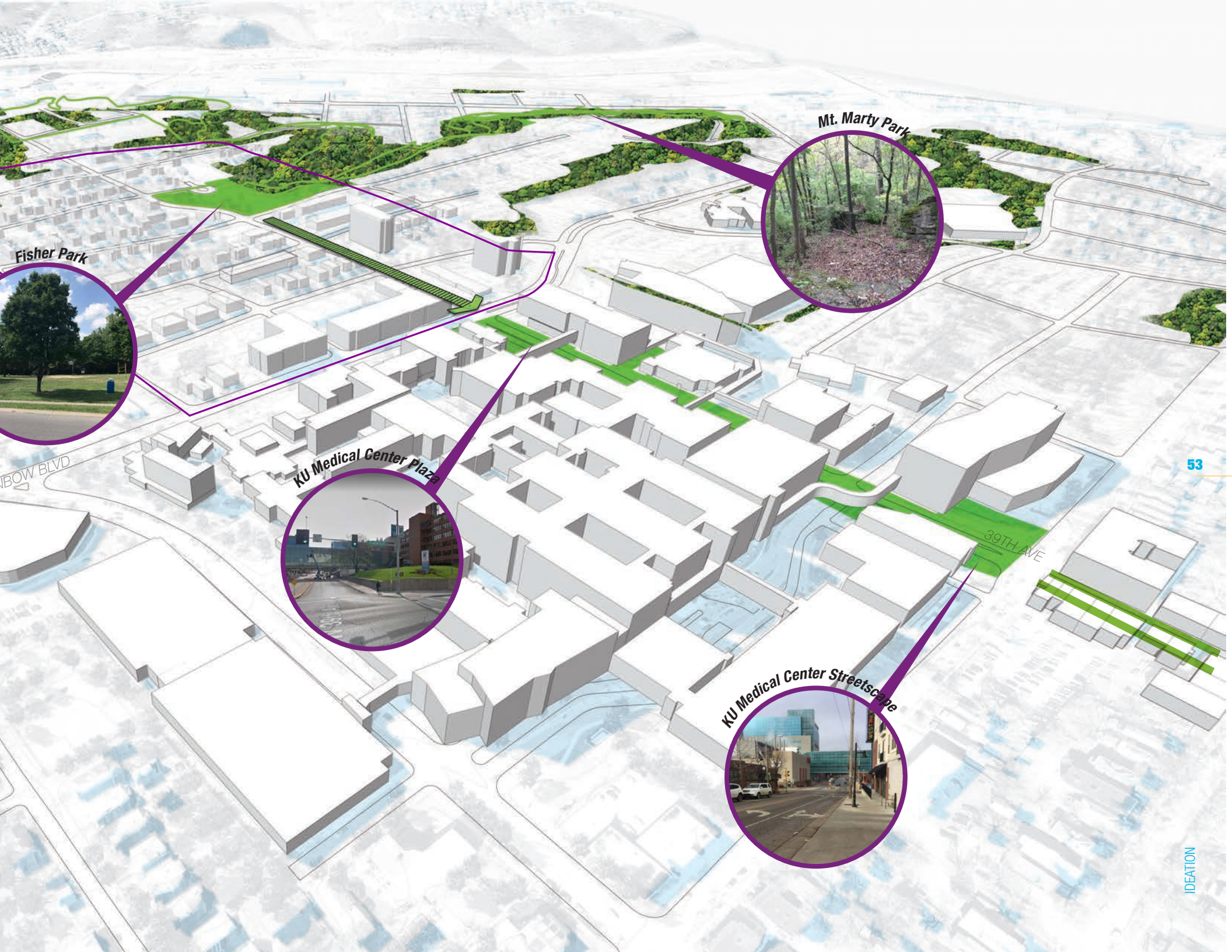


39TH AVE CORRIDOR

CONNECT BY GREEN SPACE

- Parks in this area have minimal design definition, but offer important connections to green space and nature trails.
- 39th Ave is underdeveloped as a public realm
- Planned improvements to 39th Ave within the KU Medical Center will offer a more active and pedestrian-oriented experience
- There is opportunity to pull landscape from the west through 39th Ave into the heart of the medical center and towards the streetscale east of the State line Road





Fisher Park

Mt. Marty Park

KU Medical Center Plaza

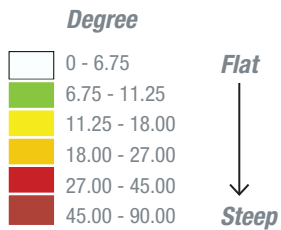
KU Medical Center Streetscape

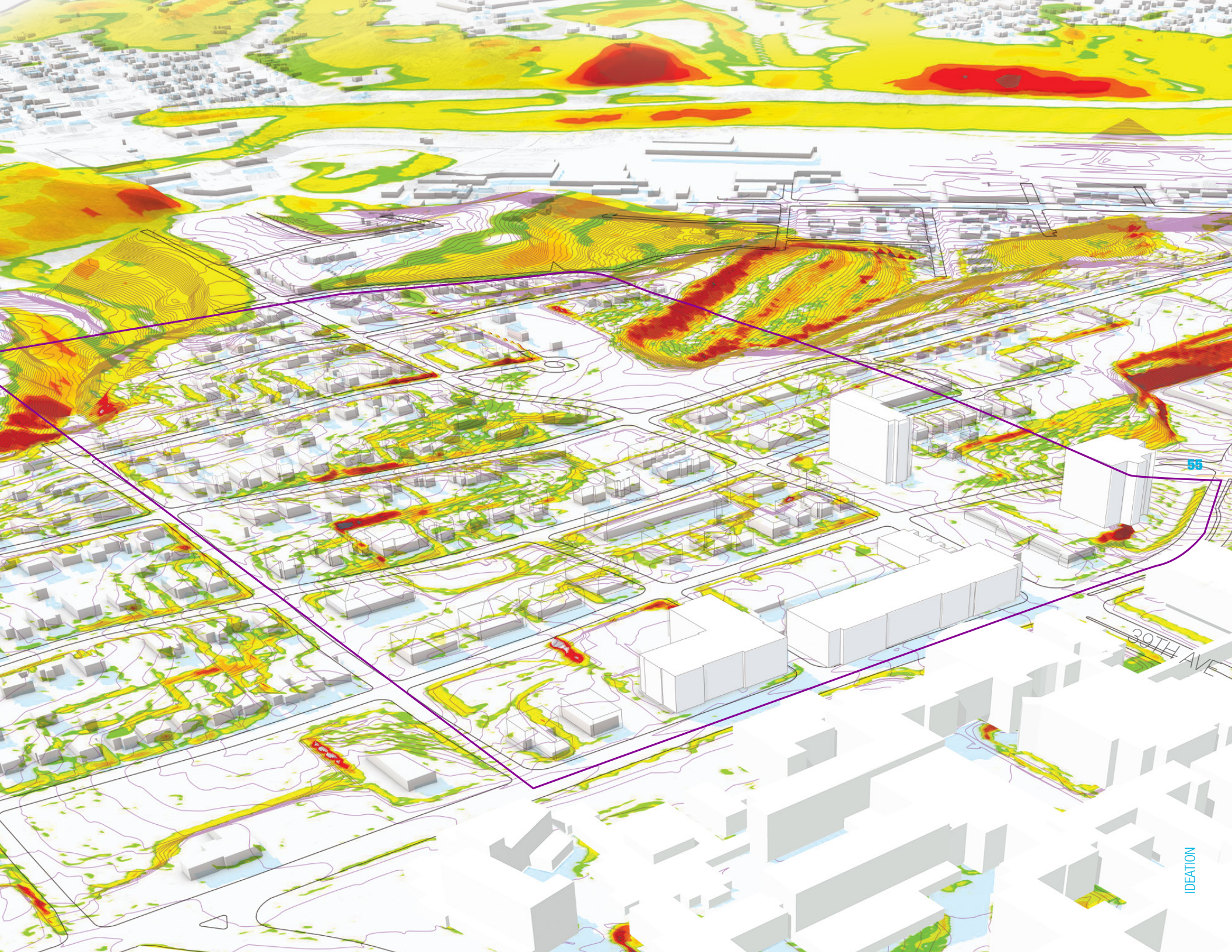
BOW BLVD

39TH AVE

SLOPE

- There is extensive topographic change within the study area.
- Existing steep slopes at the western edge serve as nature areas and recreational landscapes.
- There is opportunity to utilize smaller scale sloped areas further east as public amenities within the neighborhood.
- Detailed massing should be proposed that takes advantage of the slope and landscape features





ENHANCE STREETSCAPE

- Sidewalks should be present and continuous at all locations on both sides of all streets.
- The sidewalk should be expanded to an urban pedestrian realm (avg. 16ft width) in areas where streetscape and storefront activity are desired
- Pedestrians should be provided a buffer from automobile traffic



Street Tree



Lit Area



/ Good Condition



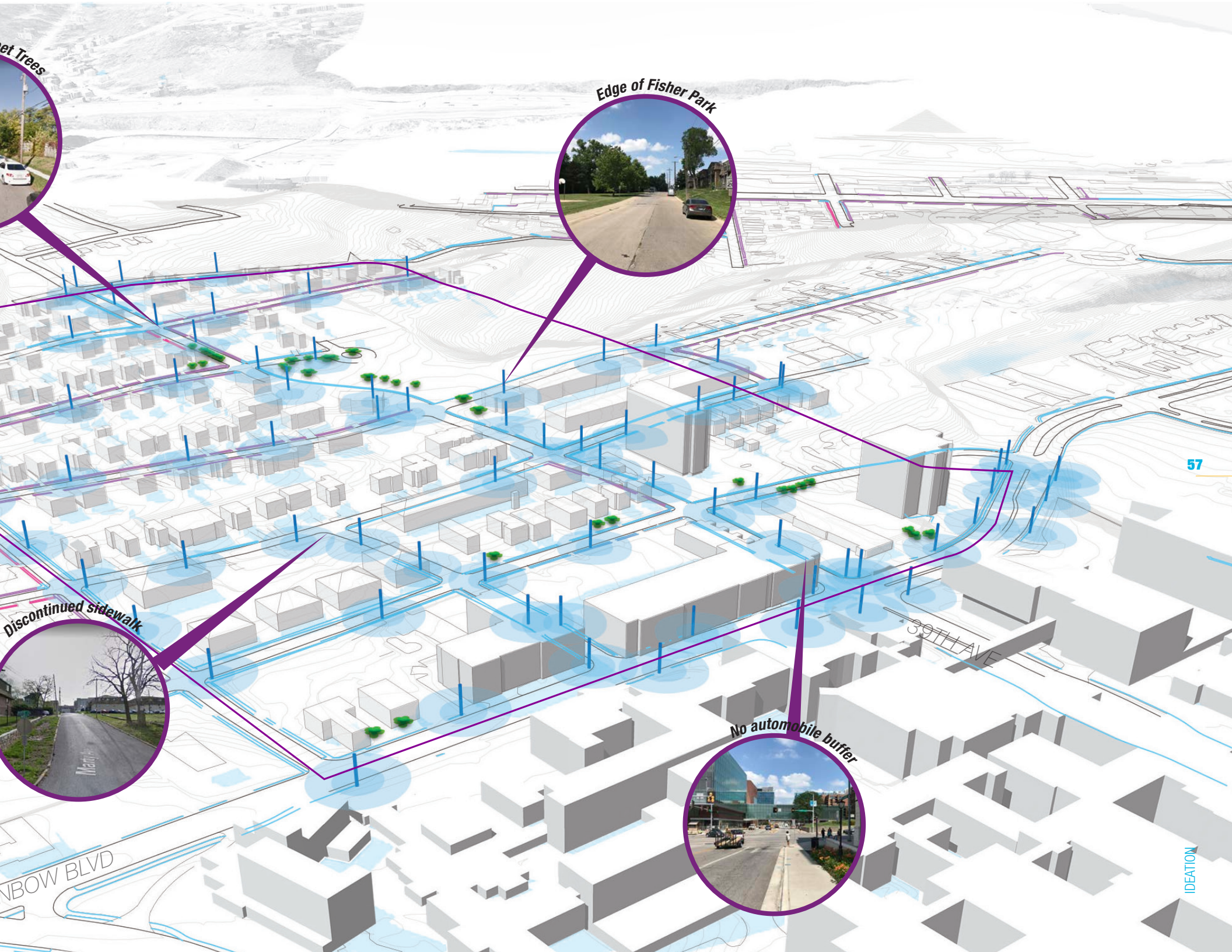
/ Beginning to Deteriorate



/ Heavily Deteriorated



Residential Street



et Trees

Edge of Fisher Park

Discontinued sidewalk

No automobile buffer

RAINBOW BLVD

39TH AVE

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IDEATION

EXTEND GREEN SPACE

- In addition to extending green space along 39th Ave, there are opportunities to utilize slope as a connective public realm.
- Marty Ave could be adjusted to be a connective linear park that links the medical center to the heart of the residential neighborhood.
- There are extensive opportunities along Rainbow Blvd. to introduce well-programed and distinctive public spaces for gathering or activity.



Regional Trailhead



39TH AVE CORRIDOR

CONNECT BY RETAIL

- 39th Ave, east of State Line Road, has a vibrant mix of eclectic retail and dining.
- As 39th Ave crosses KU Medical Center, it becomes a vehicular-oriented space, and continues to have limited retail beyond Rainbow Blvd.
- There is an opportunity to bring retail experience to the west end of 39th Ave by creating active ground-floor retail and pedestrian zones.

Existing Retail



Setback Storefront



Unique dining



Chain Retail



Eclectic Storefronts

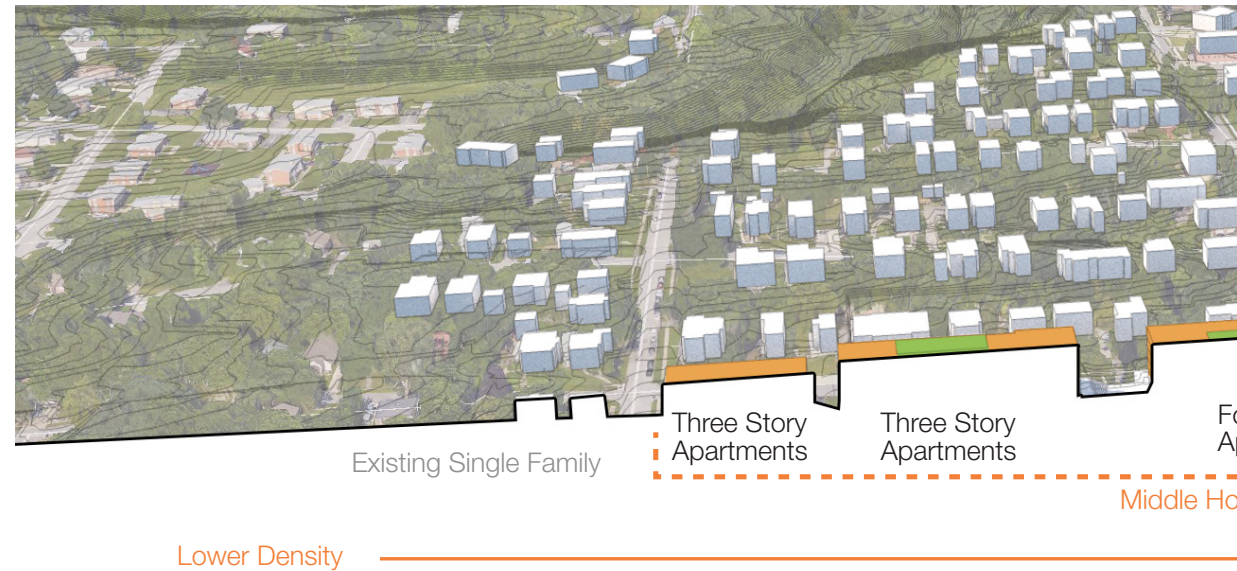


39TH AVE

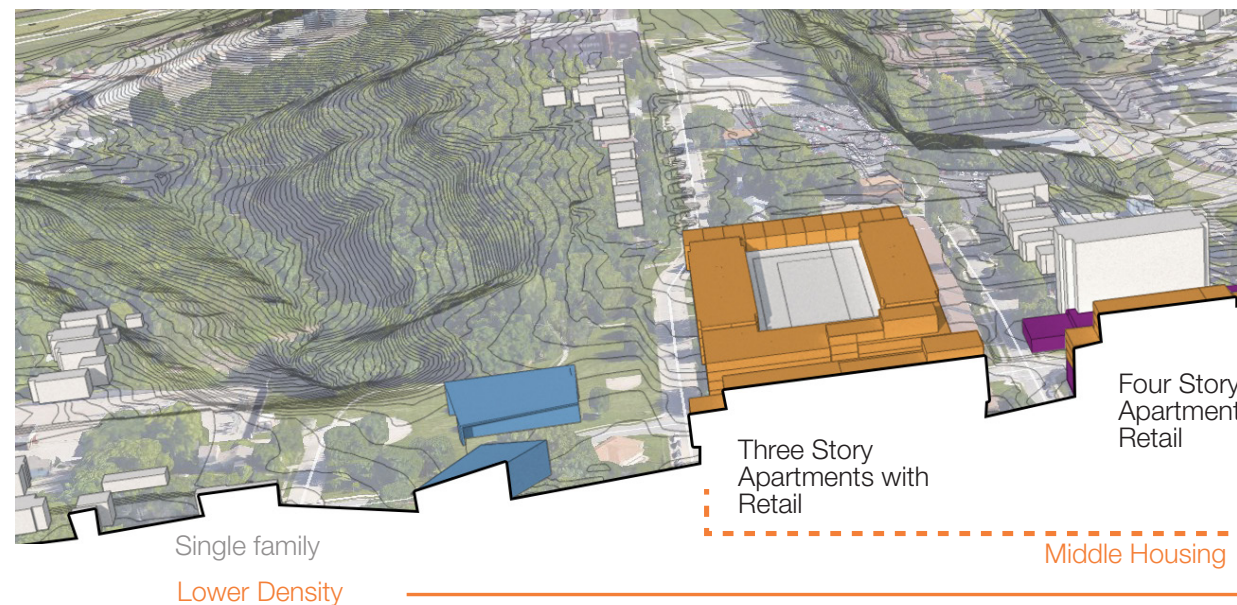
TRANSITIONING DENSITY

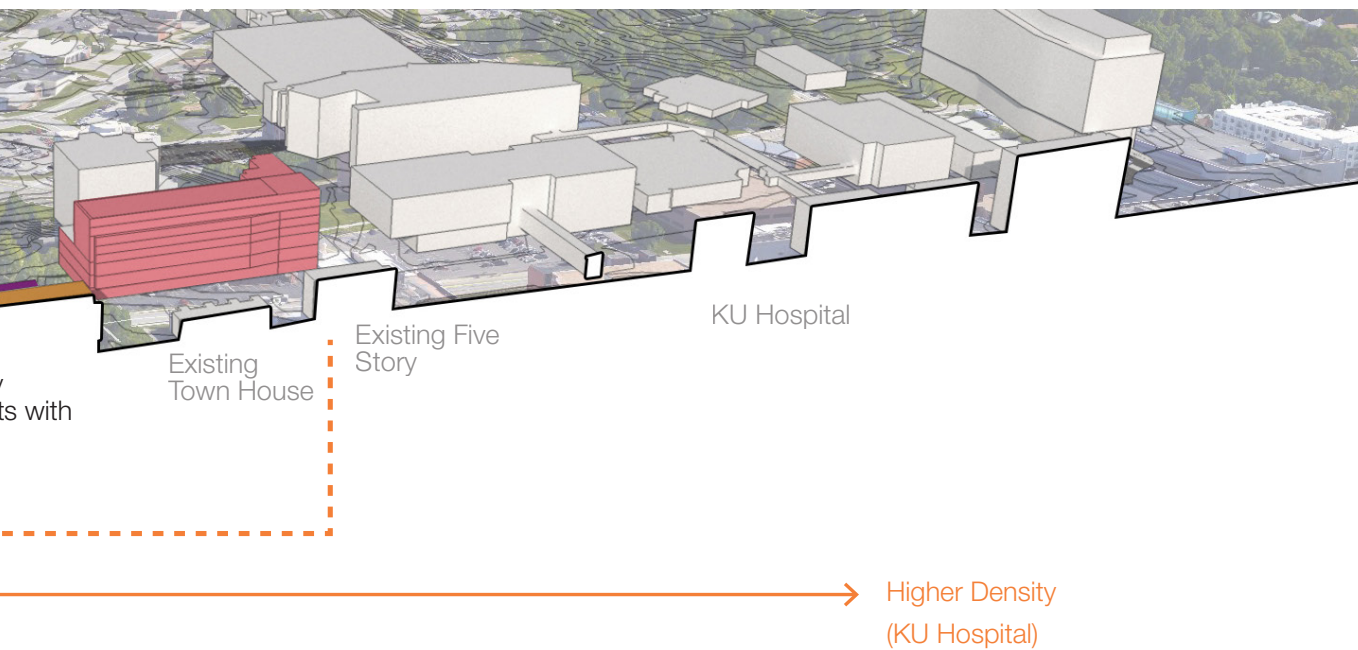
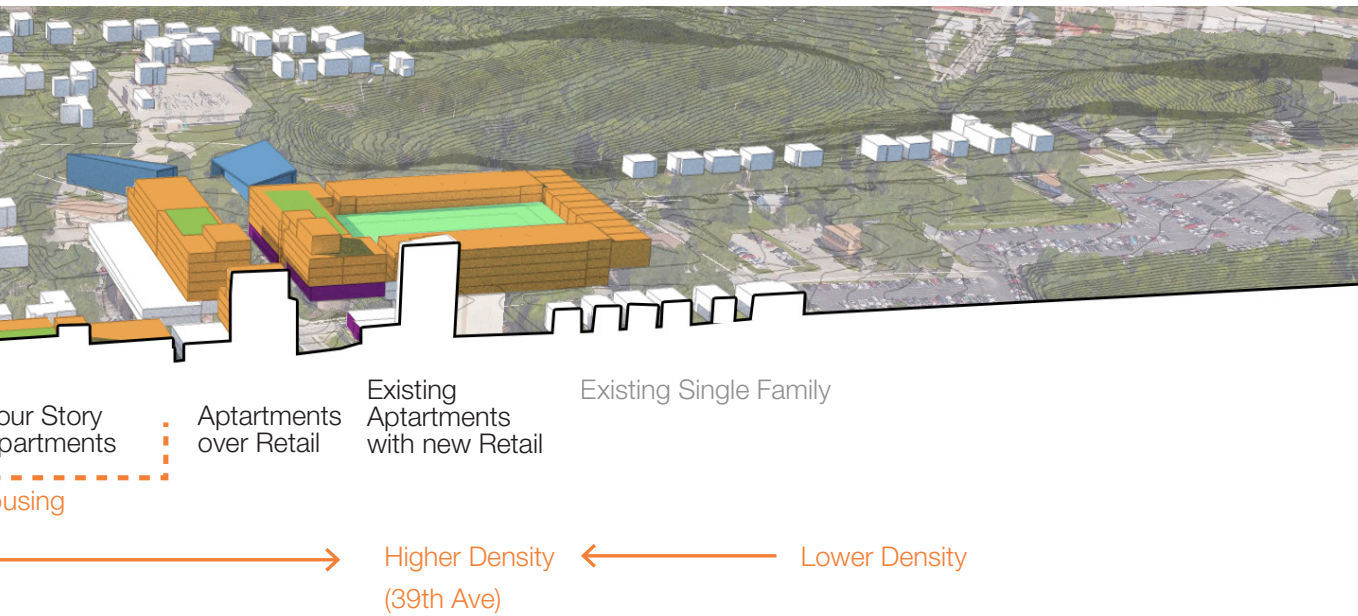
- New development should be concentrated along Rainbow Blvd and 39th ave, with a more dense urban character adjacent to KU Hospital.
- Building forms transition from high density mixed-use development to the existing single family residential fabric of the neighborhood.
- Lower density middle housing typologies can support increased housing demand overall without causing too much displacement or disruption of existing homes.

Section A: North-South



Section B: East-West

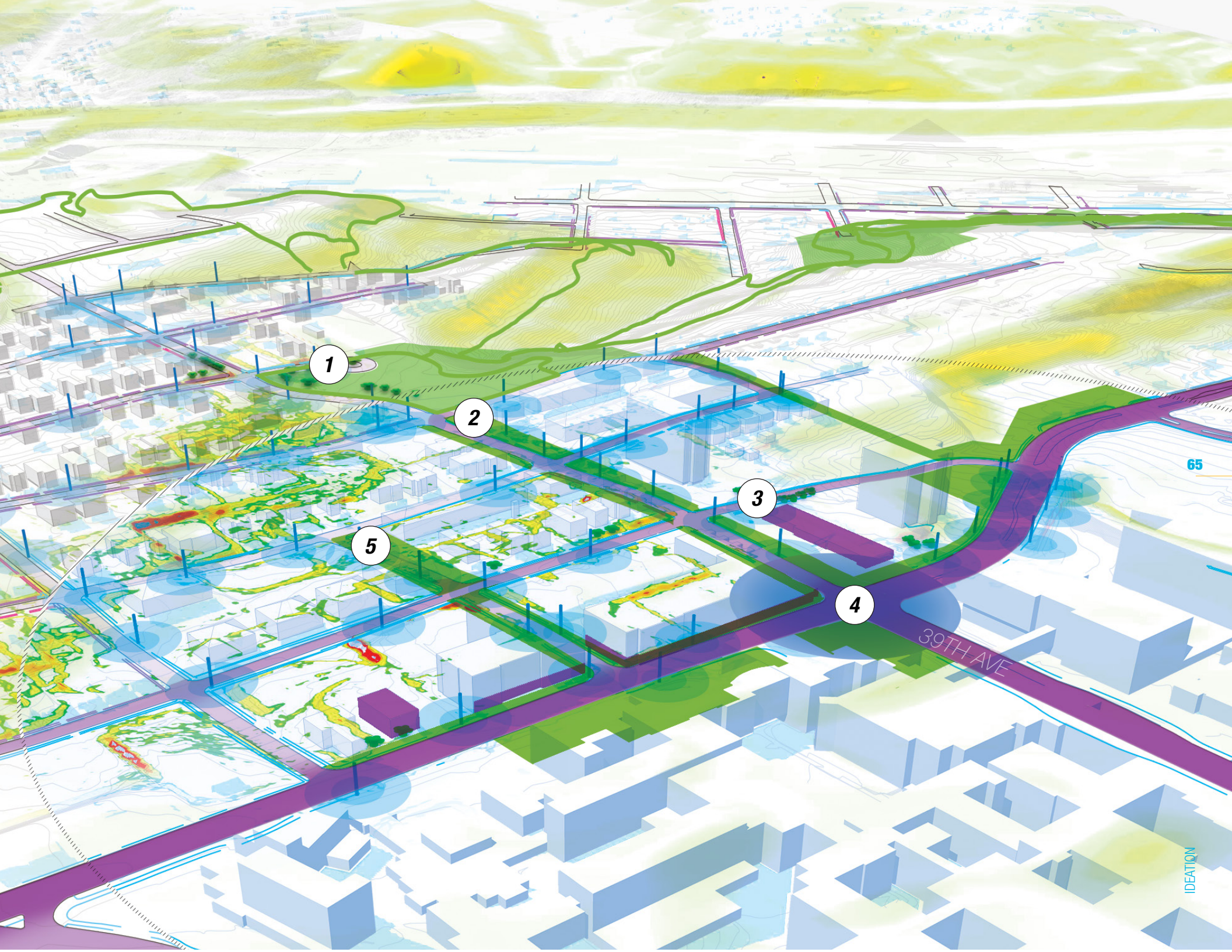




COMPOSITE

- 1 Fisher Park as a gathering space for community
- 2 Extend landscape and improve streetscape from Fisher Park through 39th Ave
- 3 Bring retail to street front and collect activity along 39th Ave
- 4 Connect to KU Med Center and Hospital with public space and transit-oriented development
- 5 Connect Marty Ave to 39th Ave with landscape and pedestrian access along slopes





PUBLIC MEETING #2: SEPTEMBER 13TH, 2017

1 CIRCULATION & TRANSIT?

- Consensus on locating the transit center near 39th and Rainbow.
- Increased on-street parking
- Improved bicycle / pedestrian facilities on Rainbow / Adams.
- Agreement on need for bike share stations and more street trees.

2 OPEN SPACE & AMENITIES?

- Connect 39th Avenue corridor from Fisher Park to Rainbow via a linear green space.
- Create a central hub at Fisher Park with a community center, open space and trails.
- Protect the green space and provide additional amenities.
 - Reading Rooms / Seating Areas
 - Meeting Spaces / Fitness Room
 - Pavilion / Trail Head
 - Outdoor Basketball Courts
 - Playground

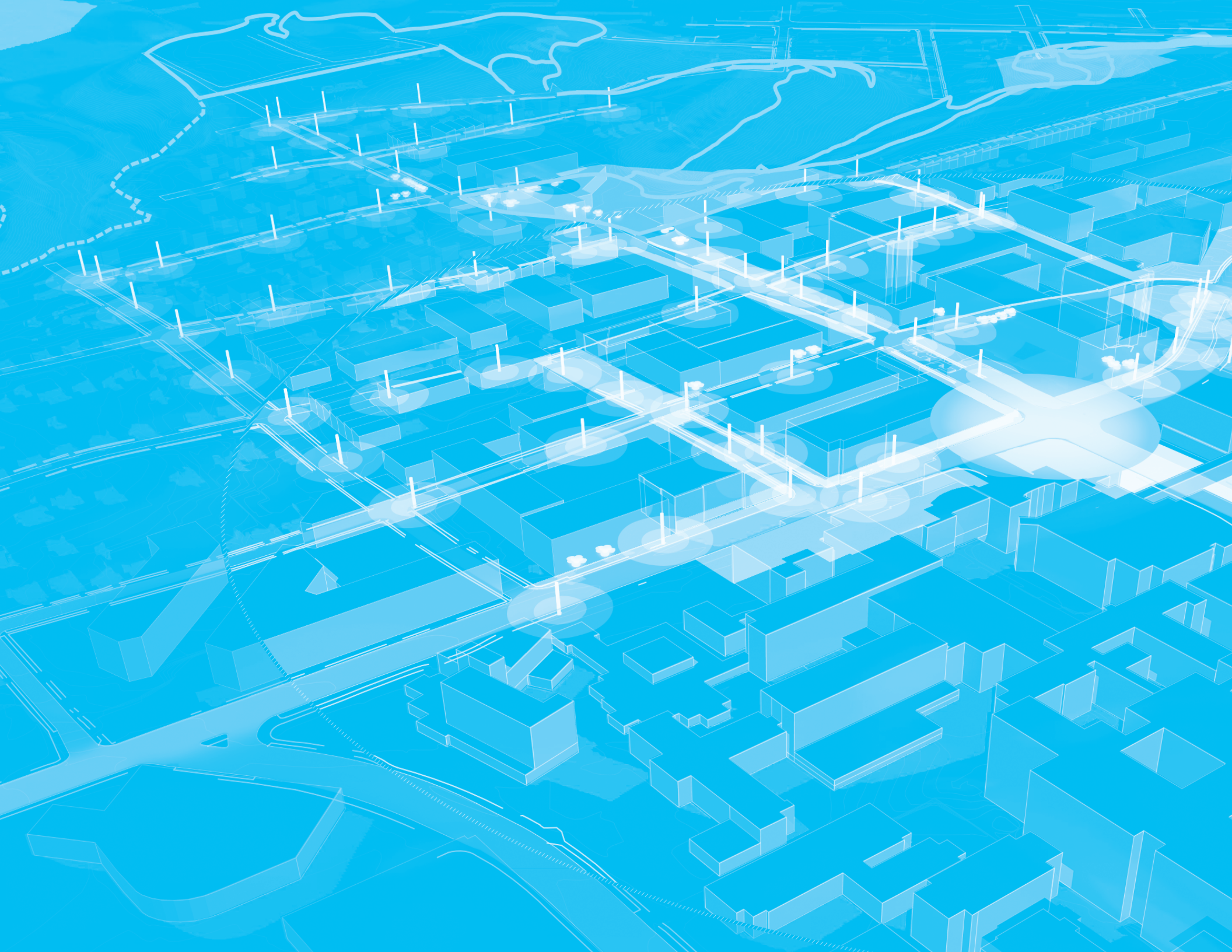
3 DENSITY & CHARACTER?

- Improve the existing community by connecting the 39th Avenue corridor with neighborhood retail.
- Maintain separate single family housing and transition from University / Office to single family by using missing middle housing.
- The community likes the idea of locating higher density development along the edges of the neighborhood and near major roads.

4 HOUSING STRATEGIES?

- Maintain diverse neighborhood while providing a range of affordable housing.
- Provide higher density along the edges of the community.





An aerial architectural rendering of a city district, overlaid with a solid blue color. The image shows a complex network of streets, building footprints, and green spaces. The buildings are represented as simple geometric shapes, and the roads are shown as lines with dashed center lines. The overall style is clean and modern, typical of urban planning visualizations.

REFINEMENT

The Refinement phase clarifies the concepts from the ideation phase into a recommended plan for the Rosedale University Town District

AERIAL VIEW





PHASING STRATEGY

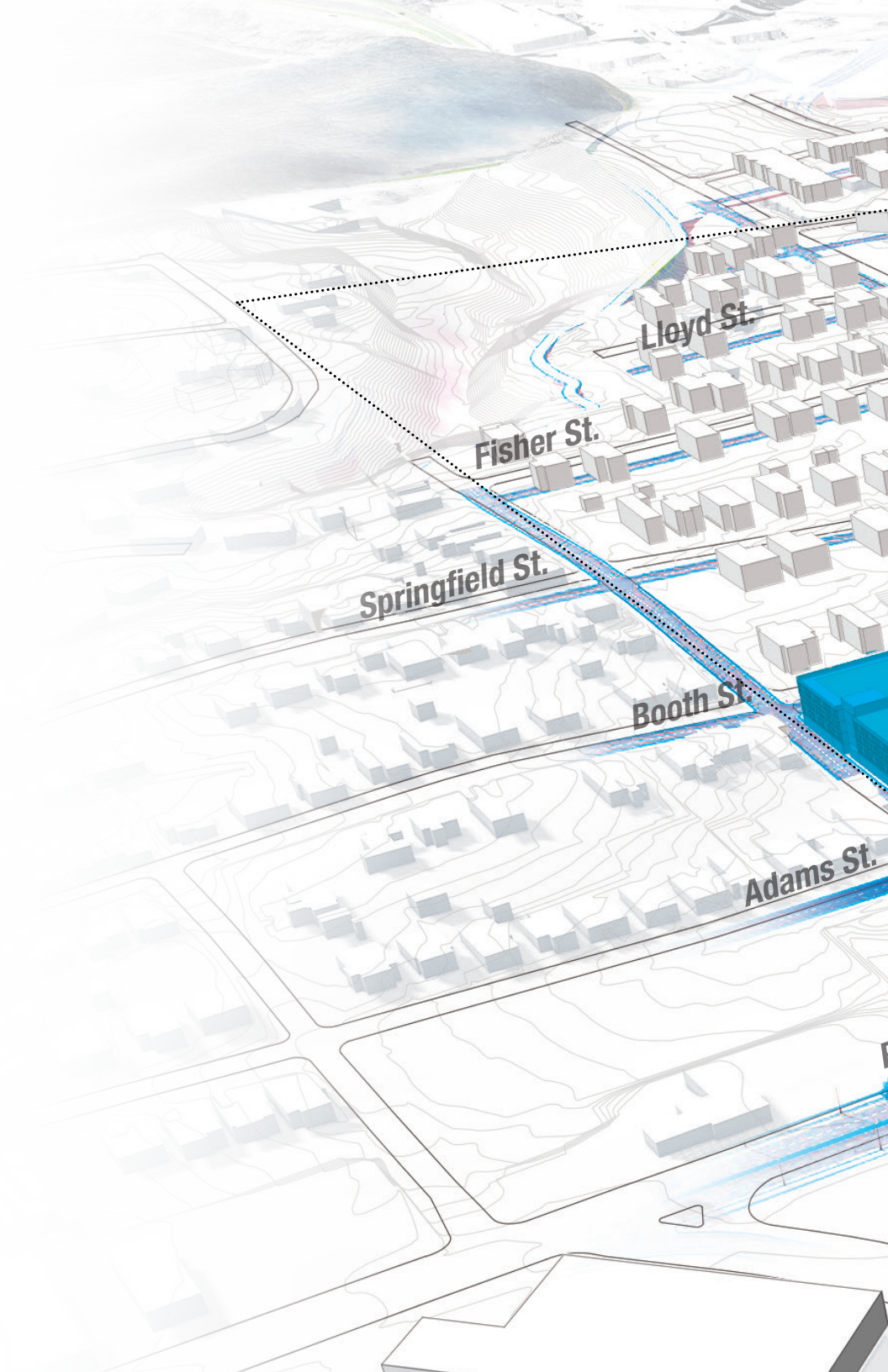
The University Town District will be realized incrementally as individual development projects are reviewed and constructed and as infrastructure projects and maintenance occur over time. This phasing strategy diagram shows conceptually how improvements could occur over time. The diagrams in this reference this strategy to illustrate how changes can occur incrementally

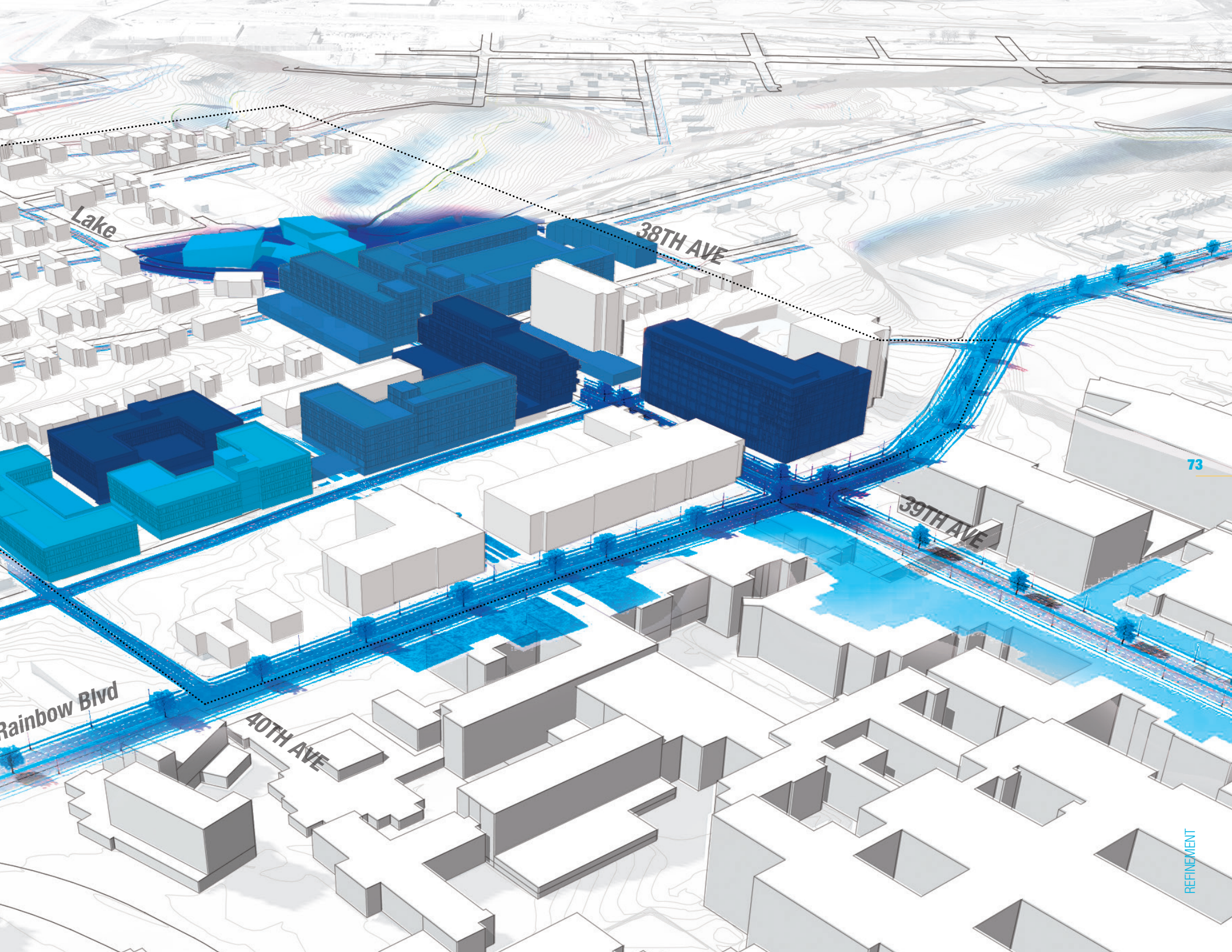
72

PHASE 1: *Fisher Park improvements, 39th Ave streetscape improvements, hotel, transit center, and multifamily housing units*

PHASE 2: *Marty Park, Rainbow Blvd streetscape improvements, multifamily housing units, and townhomes*

PHASE 3: *Completed 39th Ave greenway, residential streetscape improvements, Fisher Park Community Center, and multifamily housing units*





A GREAT PUBLIC REALM FOR THE COMMUNITY

- Near term: Green space and landscape should be used to connect the University Town District. This includes improvements to Fisher Park and using landscaping and street trees along 39th Avenue to connect Fisher Park and the Rozarks Trails to the University of Kansas Medical Center and Hospital. Landscape-based strategies can provide amenities and gathering space in Fisher Park while community programs are developed and incubated in storefront spaces along 39th Avenue.
- Long term: Fisher Park is envisioned as the long-term home to a new community center or library. With the anticipated relocation of BPU's existing Fisher Park electrical sub-station, improvements can be phased over time while coordinating with existing and future underground utilities and preserving open space in the park. In the long term, this facility will collect multiple community programs and serve as a visual anchor at the terminus of 39th Avenue.



Rosedale Park



Community park amenities



Nature Trails

Fisher Park

Rozarks Trail



Green Street



Linear Park & Terraced Greenspace

Rainbow Blvd

Marty Park



Neighborhood Gateway



KU Medical Center



39th Ave Gateway

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REFINEMENT

IMPROVING FISHER PARK (NEAR TERM)



OFFERING NEW PUBLIC AMENTIES FOR THE COMMUNITY (LONG TERM)



FISHER PARK PLAZA & GARDENS (NEAR TERM)



COMMUNITY CENTER EMBEDDED IN FISHER PARK (LONG TERM)



TRANSIT FACILITIES AND CIRCULATION PLAN

Near term: Enhancement of on-street transit facilities include new shelters and arrival time displays on both northbound and southbound sides of Rainbow Blvd and 39th Ave.

For the purposes of promoting transit and making it a more visible component of the District, transit routes that terminate nearby should be extended to start and end their trips at the new transit center, thereby strengthening its place as a main hub of activity. This includes extending Routes 11, 23 to the transit center (to provide direct service to downtown KCMo) as well as Routes 35, 39, 51, 107, and 405.

80

Long term: The final location of a new transit center will require continued coordination between the Unified Government, KCATA and other stakeholders to ensure compatibility with the roadway street network and activities in the area. The proposed transit center should be designed to serve as a major transit hub for transfer activity as well as a mobility hub for people traveling to and from the District. Whether those users arrive and depart by transit, automobile, by bicycle, or on foot, the transit center should serve as a gateway to the District.

Proposed Transit Circulation

 **KU Medical Shuttle**

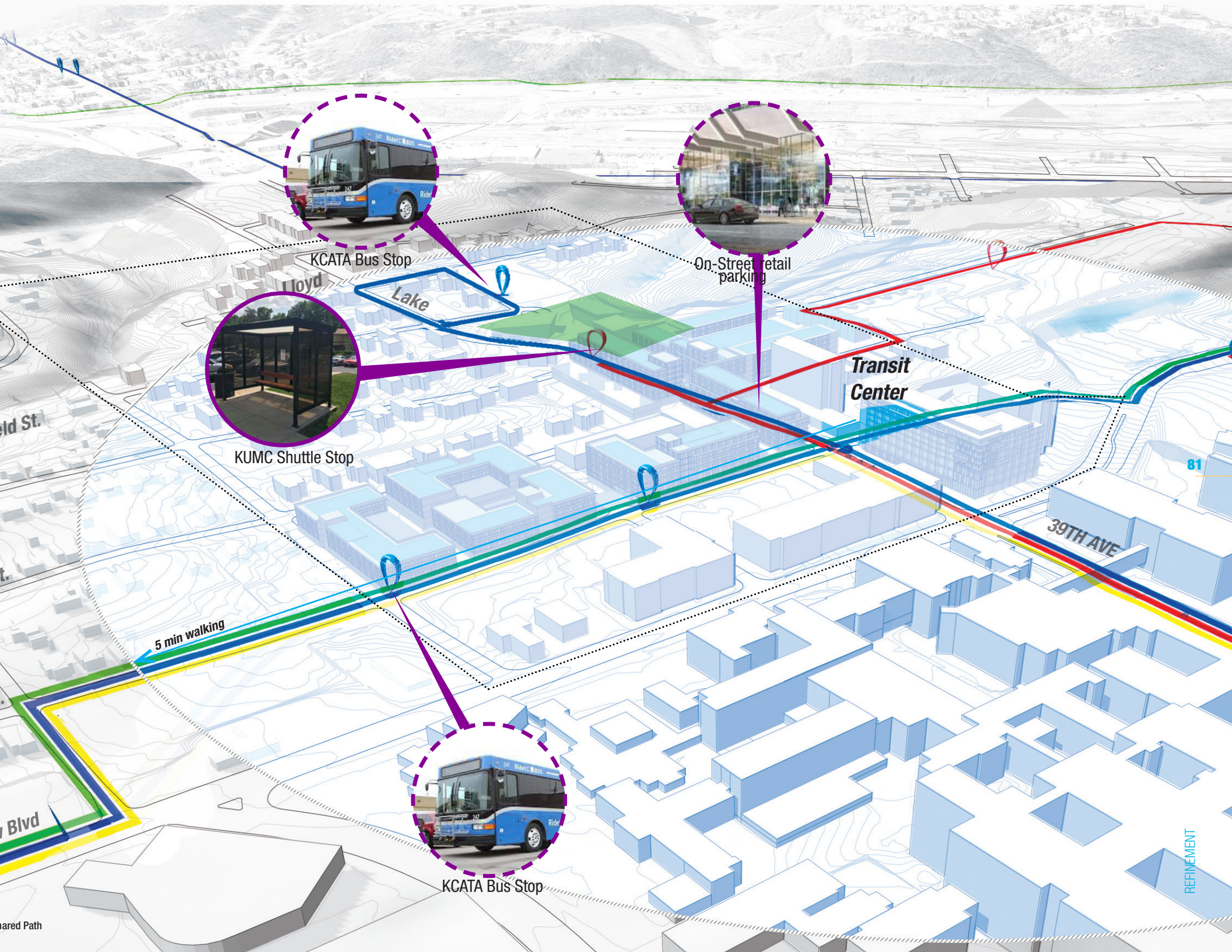
 **Westwood Shuttle**

 **KCATA**

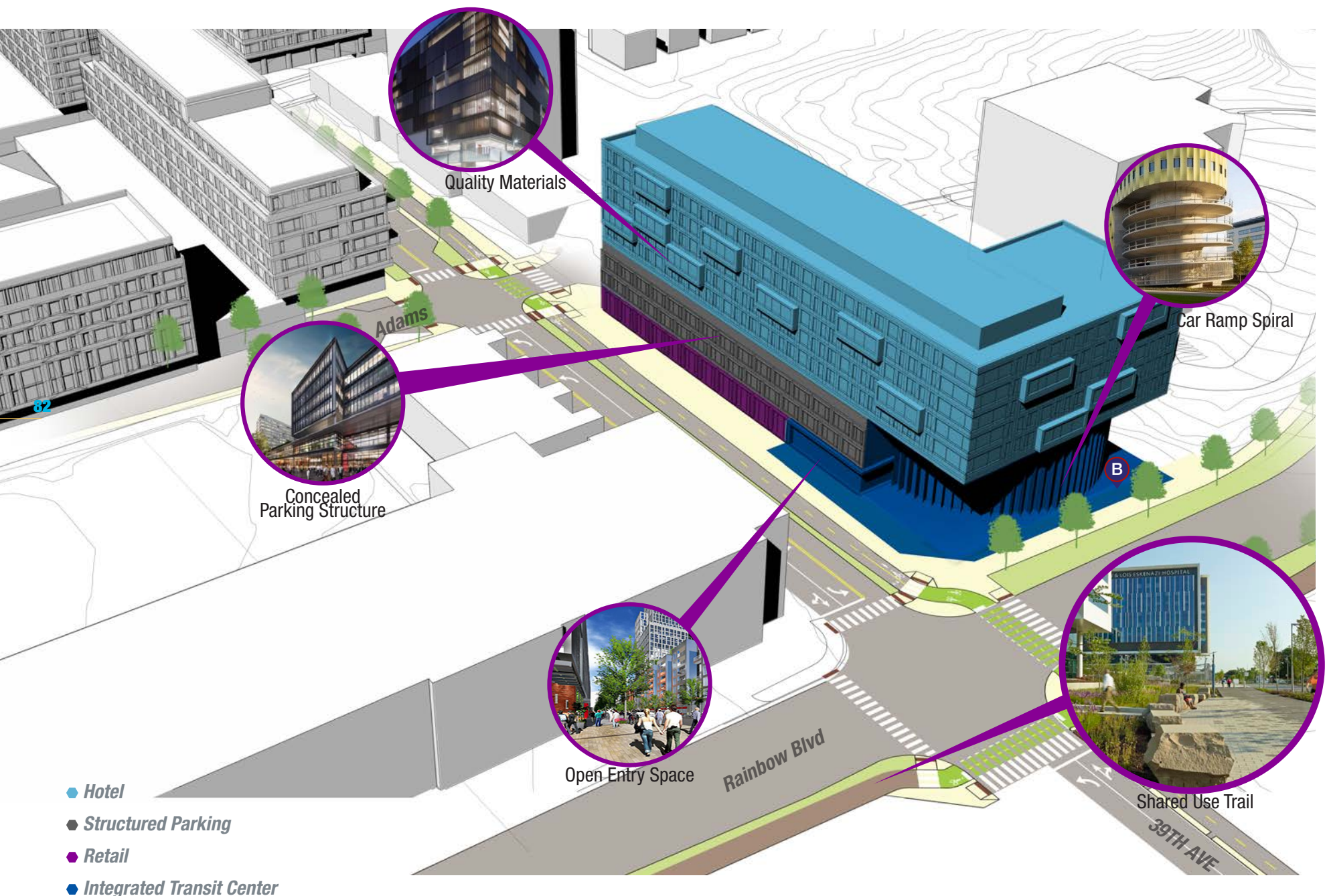
 **The JO**

 **Transit Stop**

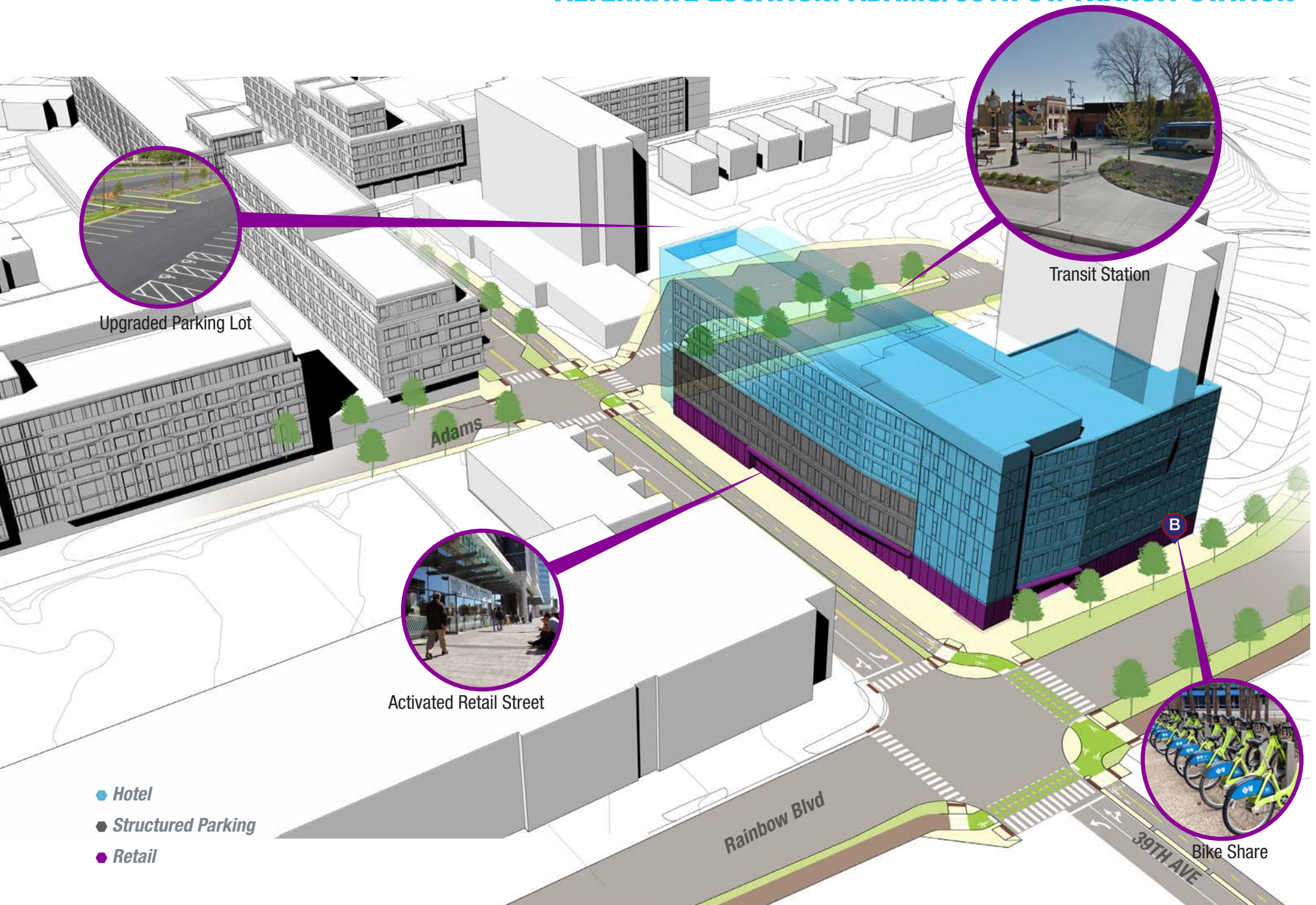




INTEGRATED CORNER HOTEL AND TRANSIT CENTER



ALTERNATE LOCATION: ADAMS/39TH ST. TRANSIT STATION



TRANSIT CENTER- 39TH AVE/RAINBOW BLVD LOOKING WEST

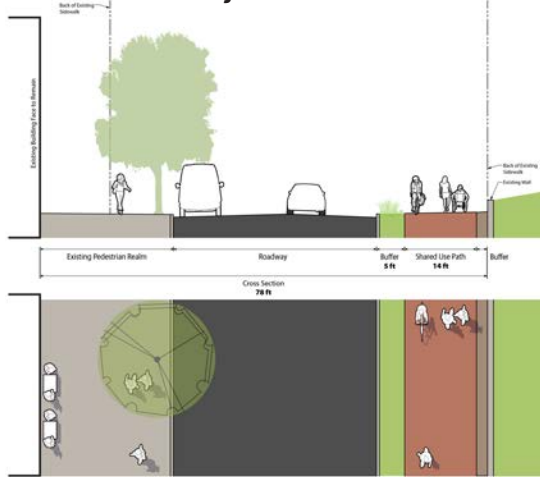


ALTERNATE - 39TH AVE LOOKING EAST



BIKE CIRCULATION PLAN

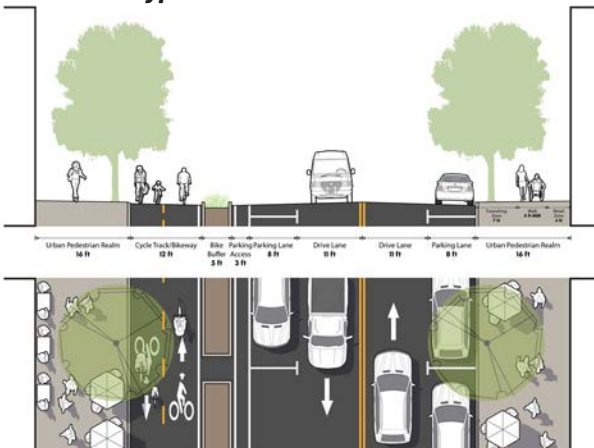
Rainbow Blvd - Major Boulevard



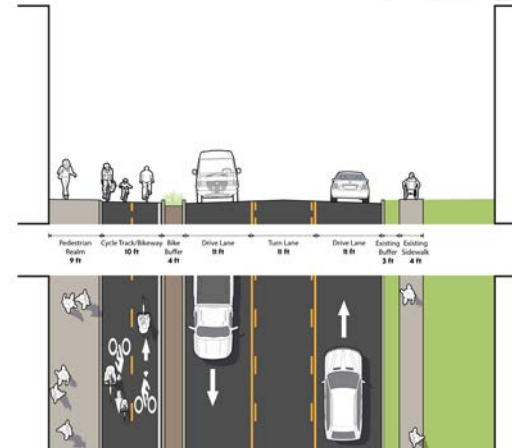
Adams St - Residential Street



39th Ave - Typical



39th Ave - Between Adams St. and Rainbow Blvd



Typical road sections shown in this conceptual plan shall be further evaluated and supported by a roadway network capacity analysis and availability of public right of way. In some cases public or private developments in support of this plan may be encouraged to dedicate public right-of-way to ensure a successful multimodal transportation plan

Bikeways

Proposed Separated Cycle Track

Existing Signed Bike Route

Proposed Signed Bike Route

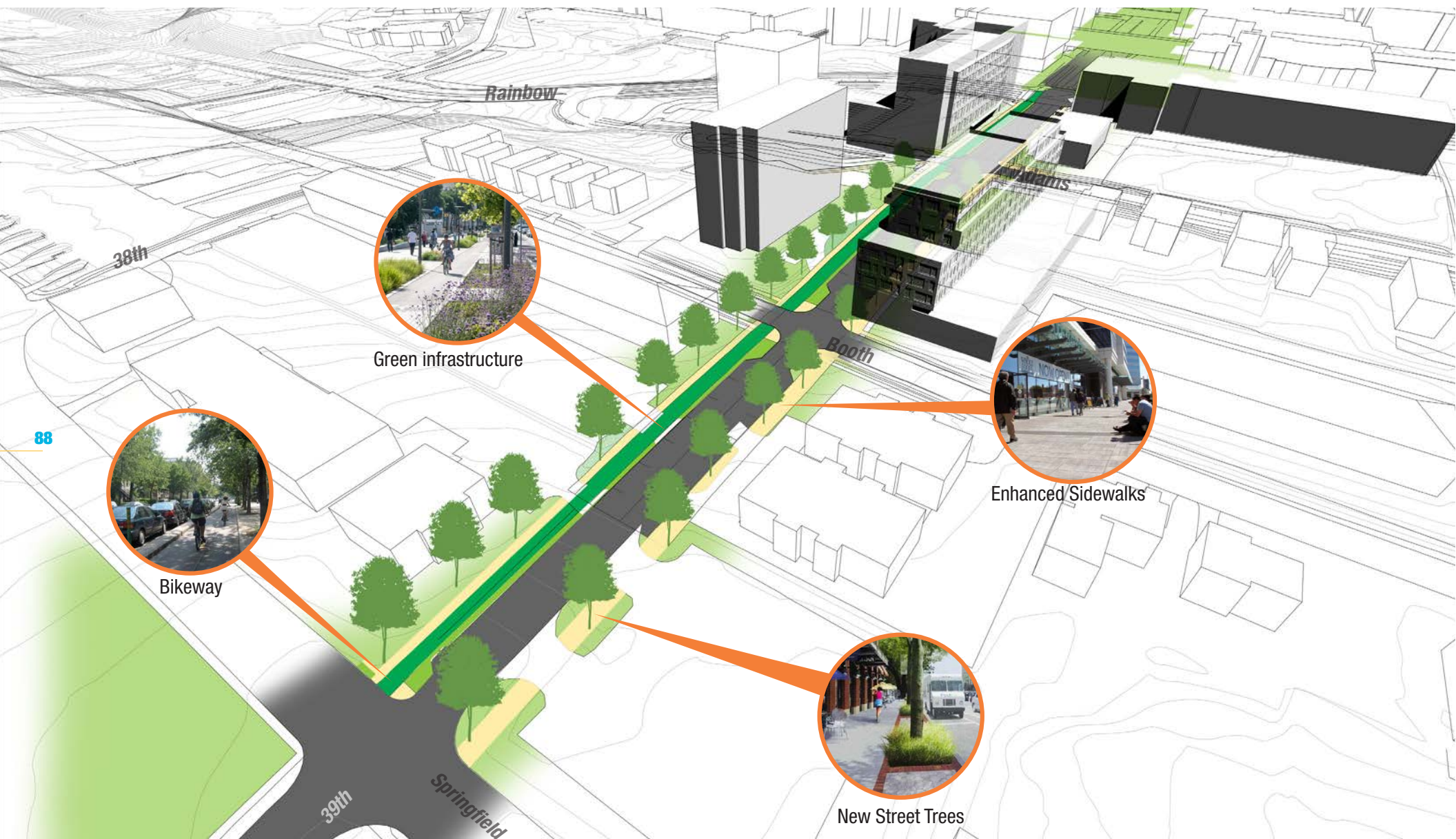
Existing Bike Lane

Proposed Bike Lane

Existing Trail

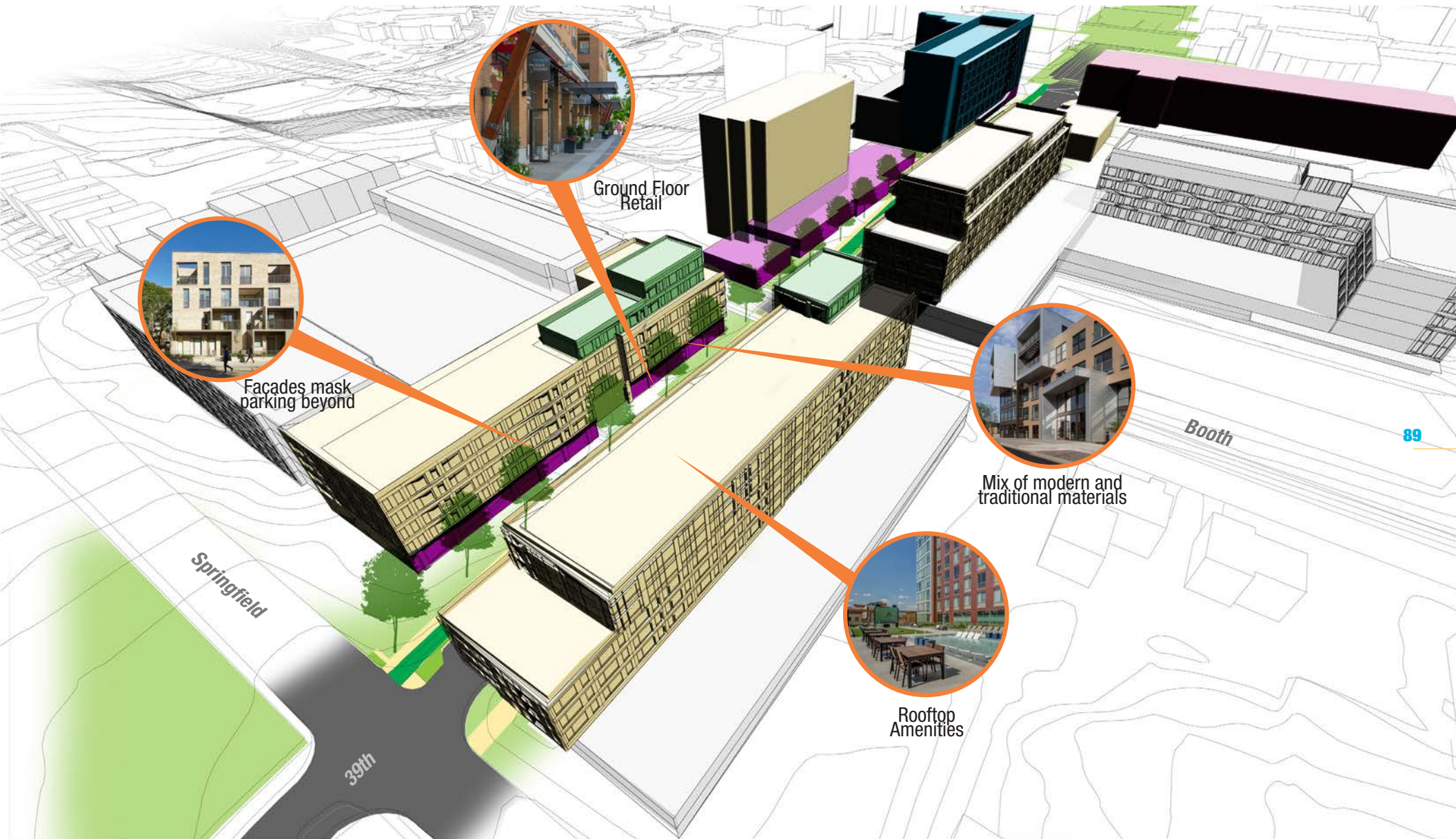
Proposed Bike Lane

39TH AVE - ENHANCED STREETSCAPE AND ACTIVE MIXED USE (NEAR TERM)



- Residential
- Amenity
- Retail
- Hotel
- Office

39TH AVE - DENSE URBAN CHARACTER (LONG TERM)



ACTIVE STREET LIFE - 39TH AVE LOOKING EAST (NEAR TERM)



NEW COMMUNITY ASSETS - 39TH AVE (LONG TERM)



REFINING THE FUTURE LAND USE PLAN

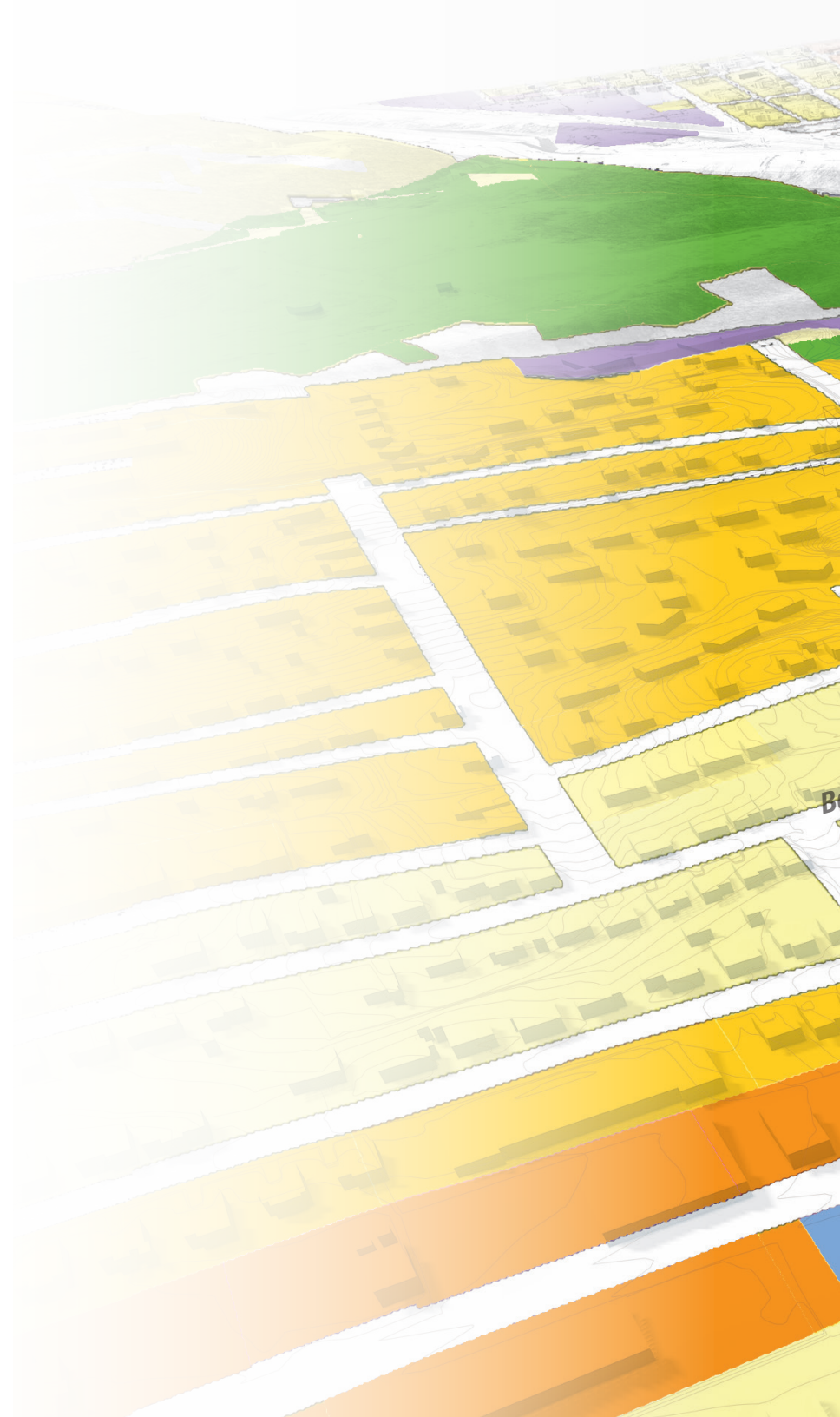
This plan amends the Rosedale Master Plan Future Land Use map from General Urban to Urban Mixed Use between Booth and Adams Streets between 39th Avenue and 40th Avenue in order to implement plan recommendations. This amendment is informed by market analysis, stakeholder information, and public engagement.

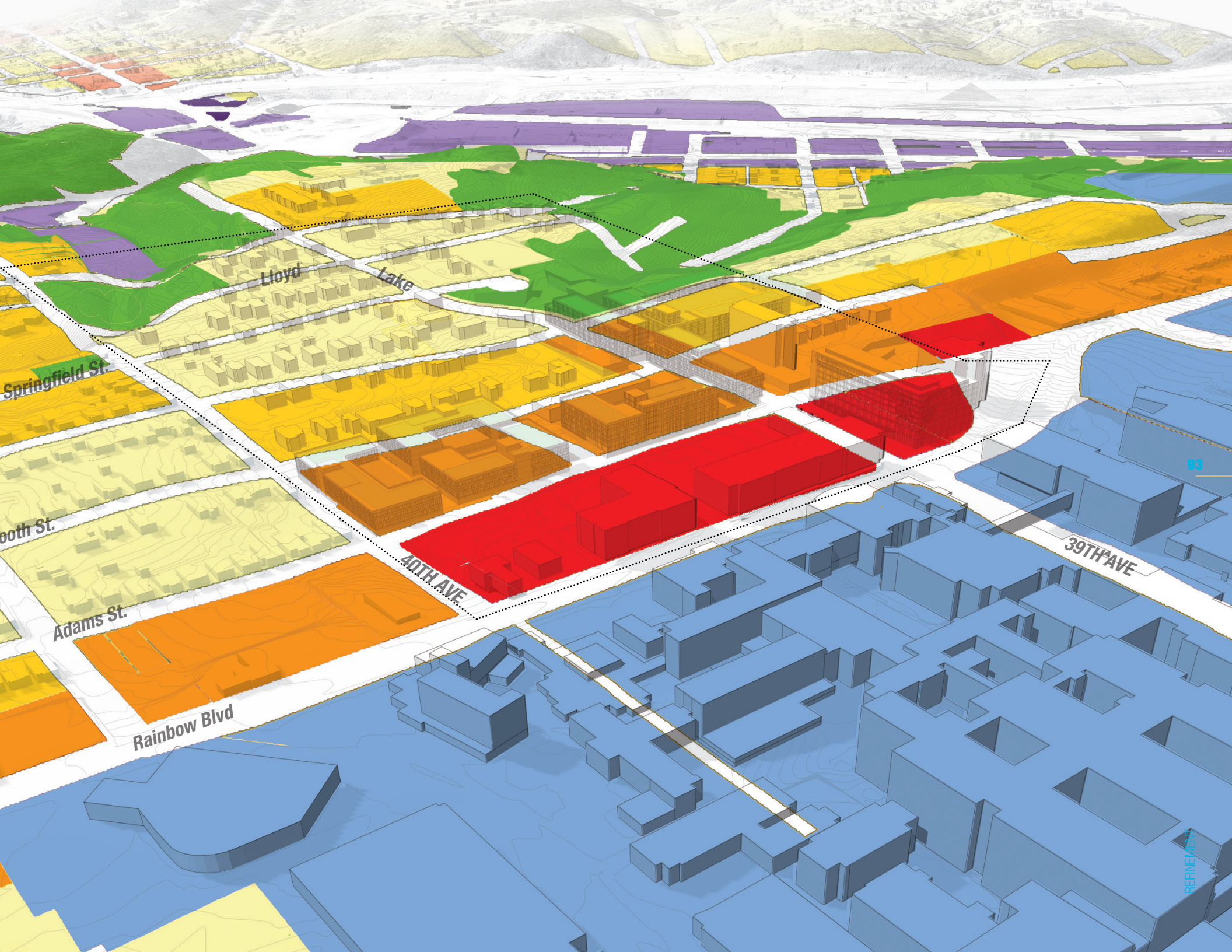
The land use districts are based on the transect model that defines a series of zones that transition from the least intense single family neighborhood fabric to the most intense area along Rainbow Blvd and 39th Ave that is centrally located with infrastructure capacity and a concentration of services for both local residents and surrounding institutions. This plan supports a gradual densification of the University Town District to leverage the projected growth of

92 University of Kansas Hospital.

Proposed Districts

- ◆ *Urban Core Mixed Use*
- ◆ *Urban Mixed Use*
- ◆ *General Urban*
- ◆ *Single Family Neighborhood*
- ◆ *Institutional, Education, or Public*
- ◆ *Parks and Open Space*
- ◆ *Creative and Industrial Mixed Use*





Lloyd

Lake

Springfield St.

Booth St.

Adams St.

Rainbow Blvd

40TH AVE

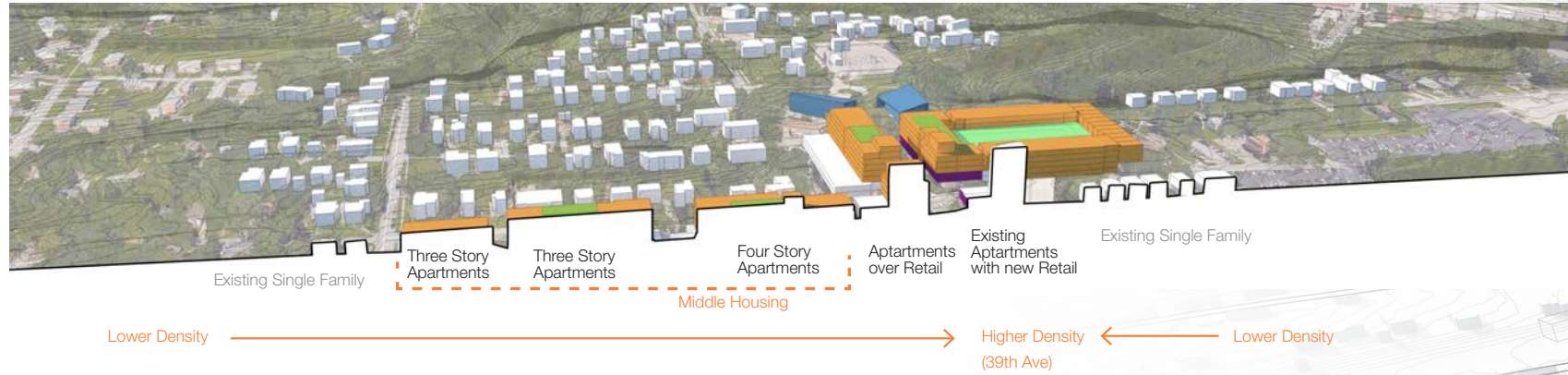
39TH AVE

93

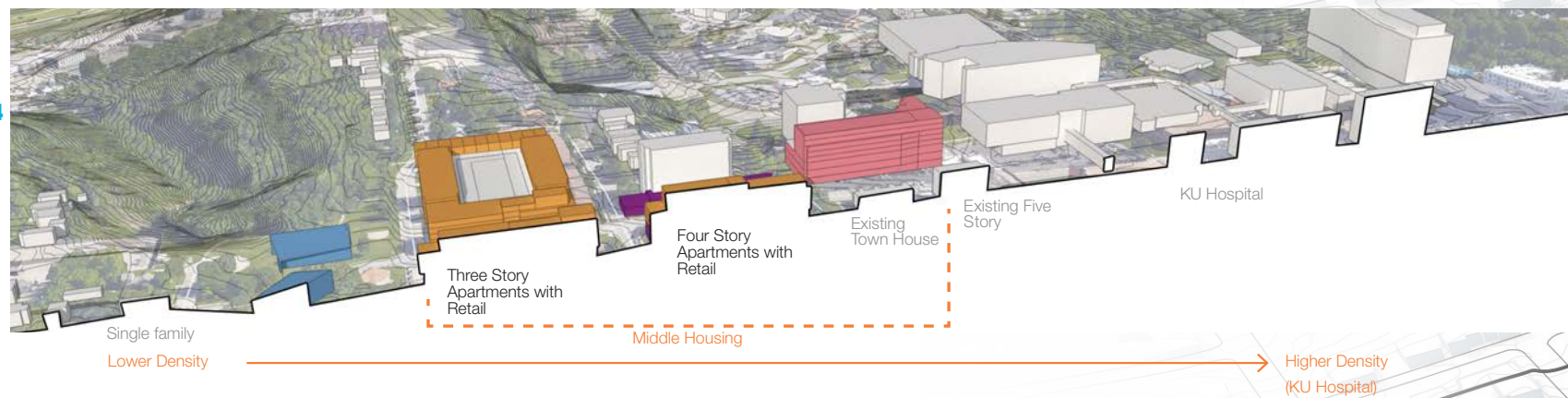
REFINEMENT

LOCATING HIGH QUALITY DEVELOPMENT

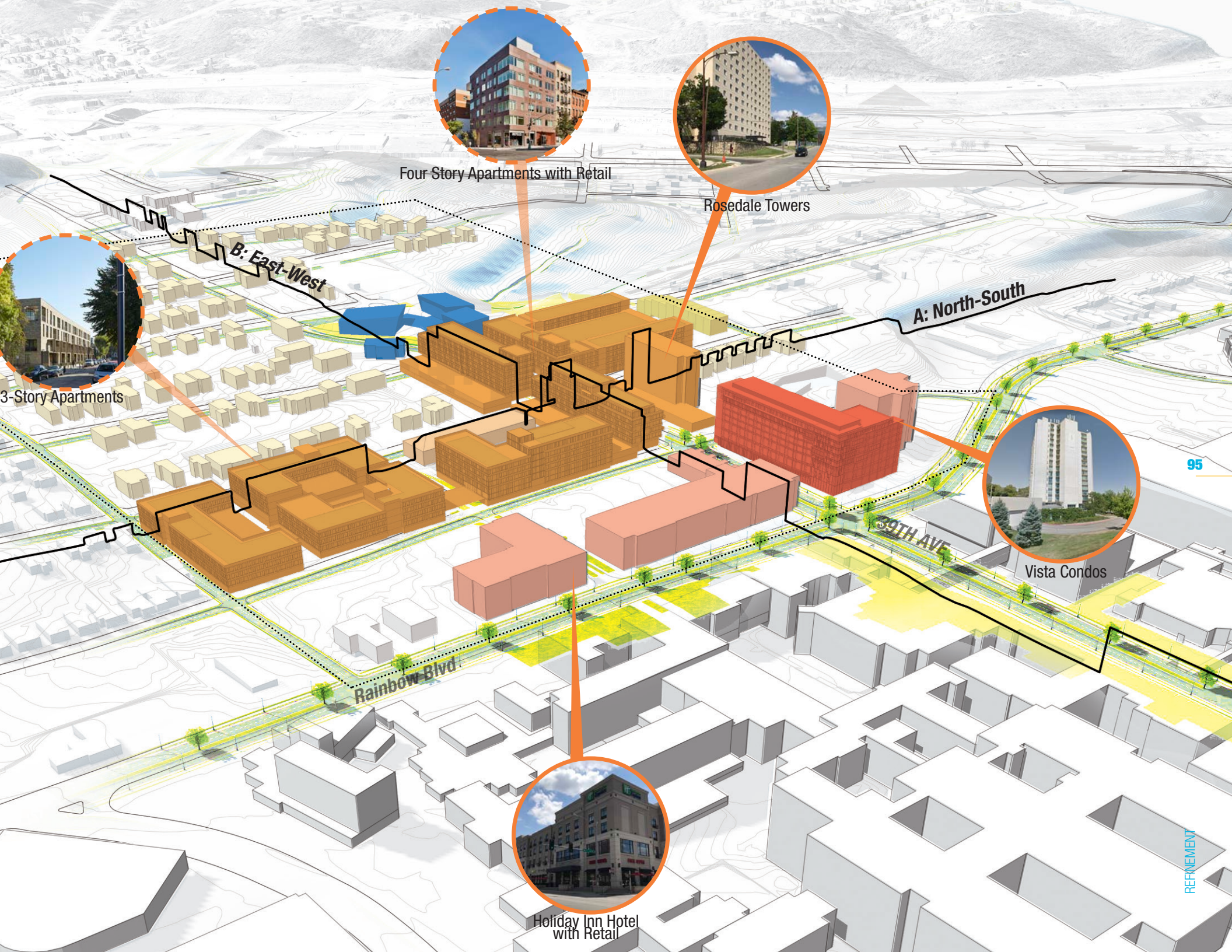
Section A: North-South



Section B: East-West



- **Urban Core Mixed Use**
- **Urban Mixed Use**
- **Single Family**
- **Institutional, Educational, or Public**



Four Story Apartments with Retail

Rosedale Towers

B: East-West

A: North-South

3-Story Apartments

Vista Condos

Rainbow Blvd

59TH AVE

Holiday Inn Hotel with Retail

95

REFINEMENT

LOCATING NEW HOUSING



AFFORDABLE HOUSING	HIGH DENSITY UPSCALE	LOW DENSITY UPSCALE	TOWNHOMES
Avg. Rent Per Month \$350-\$1,000	Avg. Rent Per Month \$800-\$2,000+	Avg. Rent Per Month \$600-\$1,650	Avg. Rent Per Month \$1,000-\$2,500
Unit Sizes (Sq. Ft.) 700-1,300	Unit Sizes (Sq. Ft.) 500-1,200	Unit Sizes (Sq. Ft.) 500-1,200	Unit Sizes (Sq. Ft.) 1,000-1,600
Avg. Rent Per Sq. Ft. \$0.75-\$1.50	Avg. Rent Per Sq. Ft. \$1.60-\$2.50	Avg. Rent Per Sq. Ft. \$1.30-\$2.00	Avg. Rent Per Sq. Ft. \$1.00-\$1.50
Units Per Acre 30-45	Avg. For-Sale Price \$250K+	Units Per Acre 30-40	Avg. For-Sale Price \$225K+
Comments LIHTC 10% Affordability Requirement 1 BR, 2 BR, 3 BR Units	Avg. For-Sale Price per Sq. Ft. \$150+	Comments Surface Parking Studio, 1 BR, 2 BR Units	Avg. For-Sale Price per Sq. Ft. \$135+
	Units Per Acre 60-80		Units Per Acre 20
	Comments Structured Parking Studio, 1 BR, 2 BR, 3 BR		Comments 2 BR, 3 BR Units

Proposed Strategies:

- 1 Create a land lease policy for KUMC Endowment-owned land that is aimed at reducing development cost, promoting affordable housing, and creating high-quality development.
- 2 Partner with developers experienced with high-quality urban redevelopment/infill projects that use multiple funding sources to create successful mixed-use and mixed-income properties.
- 3 Create an affordable housing fund that is funded by a portion of the incremental revenue gain that will be generated by new market-rate development.
- 4 Leverage existing housing and development programs.
- 5 Adopt an affordable housing policy that requires a certain percentage of new housing units meet defined affordability requirements. For instance, 10% of all new housing units in Rosedale UTC shall be affordable to households earning at or below 60% or 80% of the area median income. In return, developers would receive density bonuses or other public incentives.

- Affordable
- Higher Density Upscale
- Lower Density Upscale
- Townhomes
- Single Family Homes



High-Density Upscale



Townhomes



Rosedale Towers



Malvern Hill Apartments



Vista Condominiums

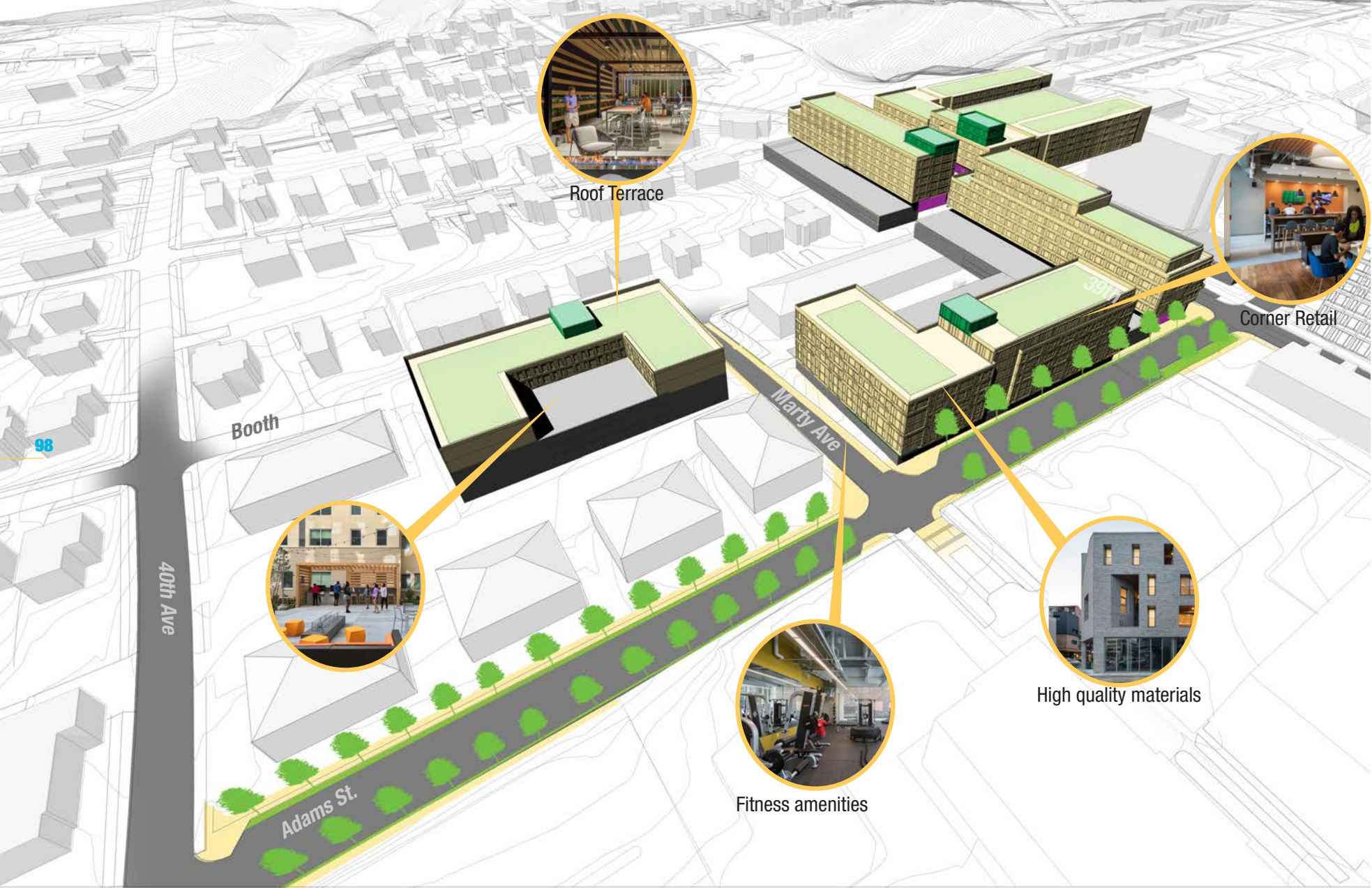


Low Density Upscale

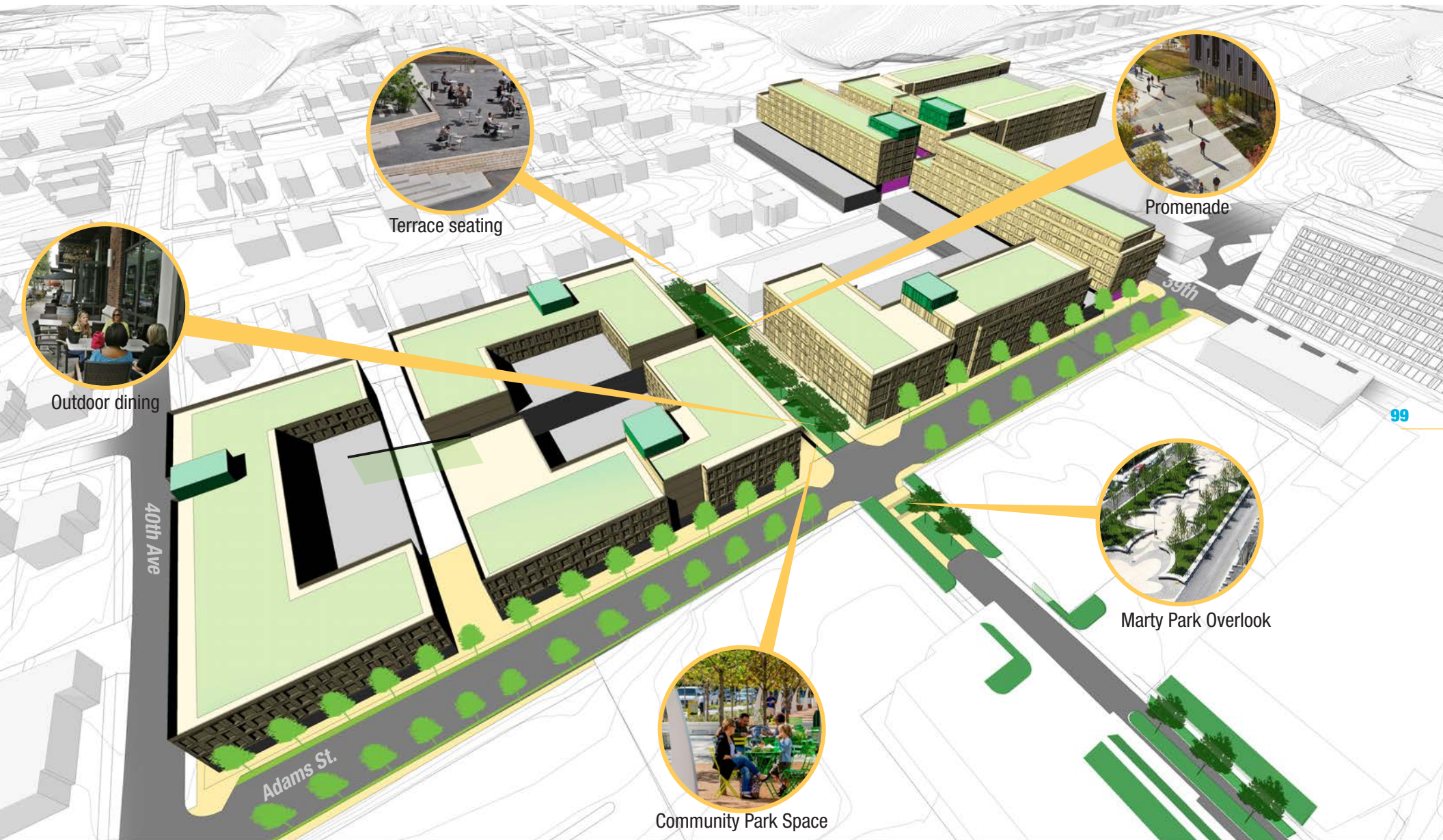


High Density Upscale

PROVIDING HIGHLY AMENITIZED HOUSING OPTIONS (NEAR TERM)



INTEGRATING NEW DEVELOPMENT AND PUBLIC SPACE FOR THE COMMUNITY (LONG TERM)



BUILDING A DESTINATION FOR THE ROSEDALE COMMUNITY - MARTY AVE LOOKING EAST (NEAR TERM)



GATHERING IN MARTY PARK (LONG TERM)



PUBLIC MEETING #3: DECEMBER 12TH, 2017

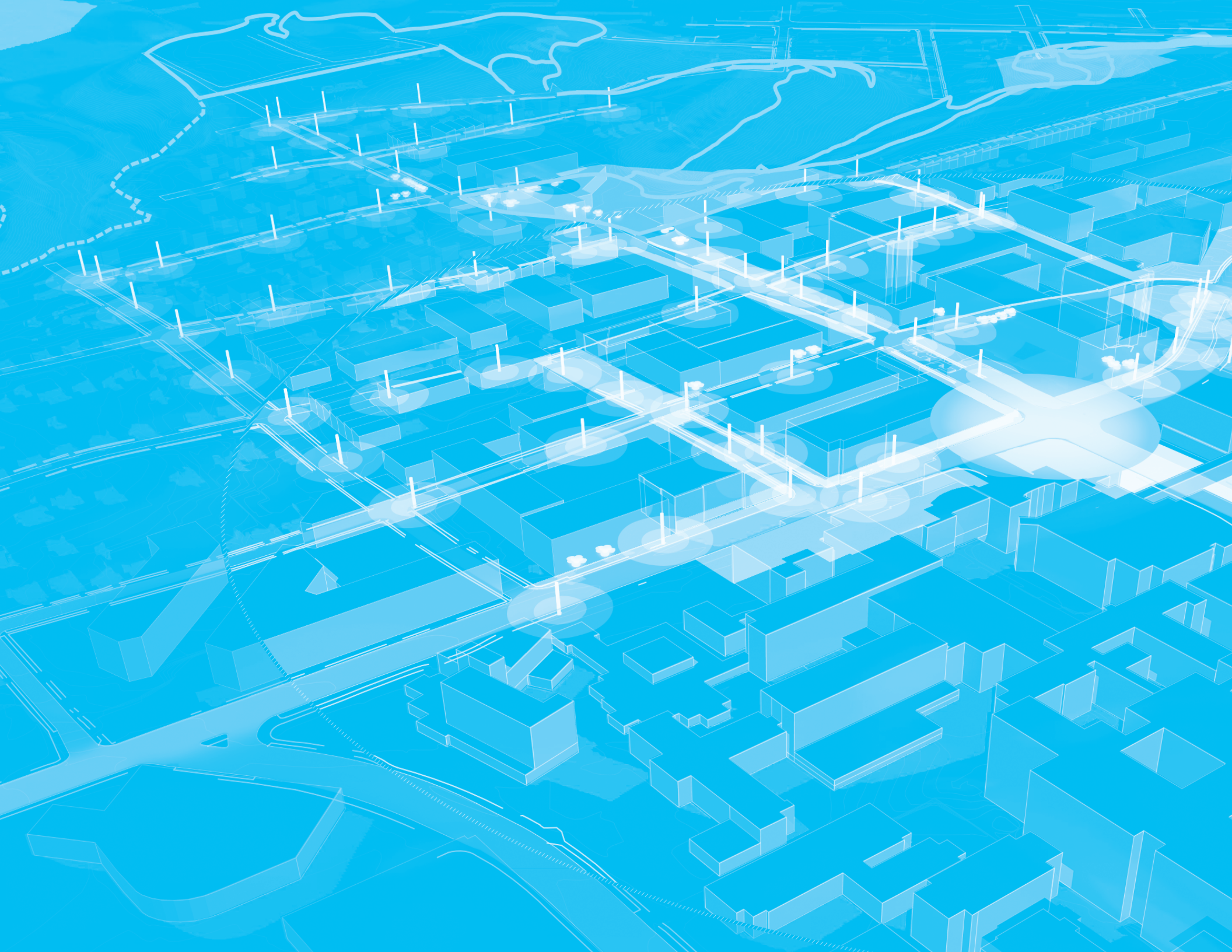
1 GENERAL CONSENSUS

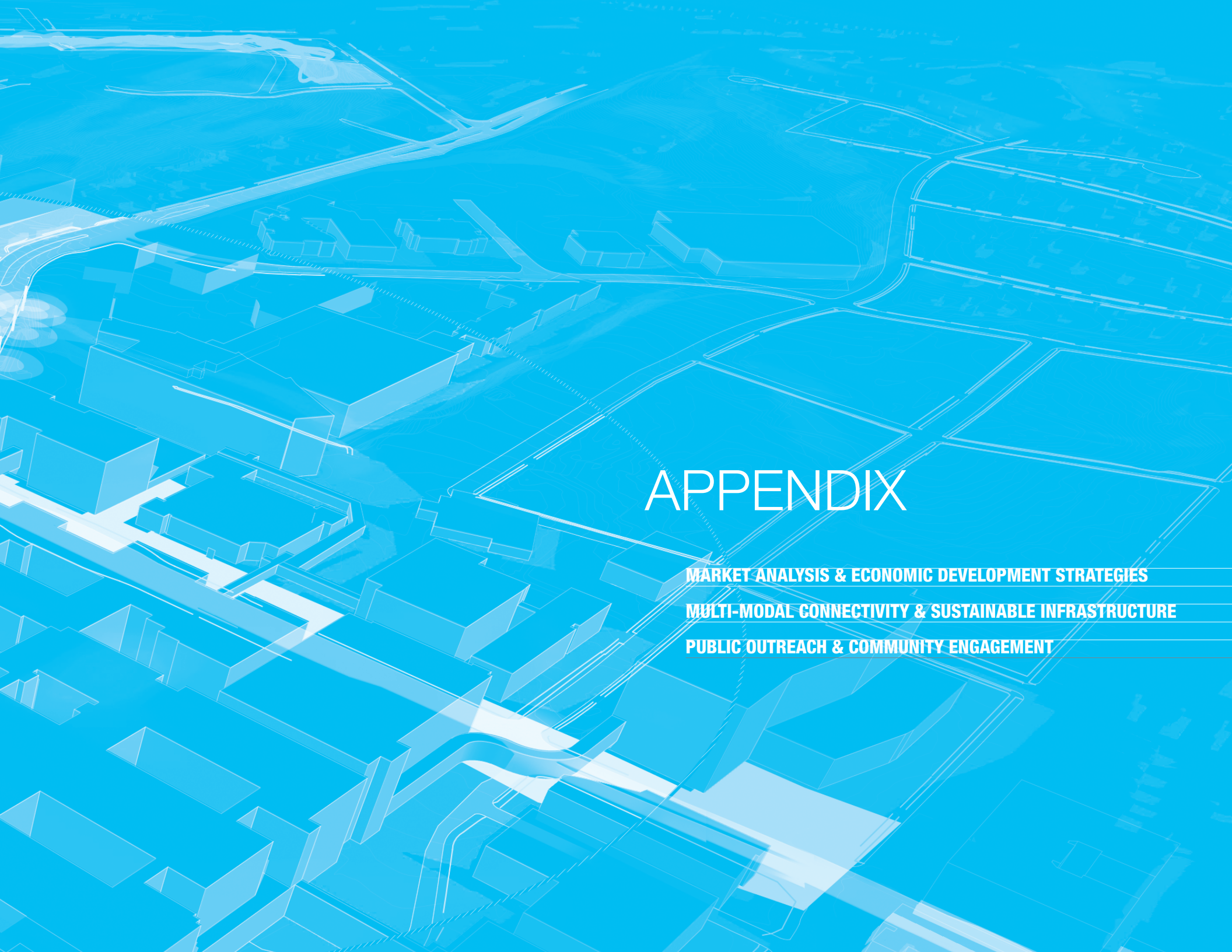
- General approval and appreciation for the basic concept - a mix of uses, diverse development, improved walkability, integrated transit options and enhanced green space.
- The community seems very excited for a positive change!

2 ADDITIONAL COMMENTS

- Great campus concept and atmosphere for commuters, students, residents.
- Include local retail and dining.
- More Trees!
- Maintain fruit trees in Fisher Park
- Love the idea of making “affordability” a policy.
- Very important to maintain a high amount of affordable housing.
- Include appropriate bike parking at buildings.
- Upgrades to Fischer Park will increase property values.
- Consider a playground before anything else at Fischer Park.





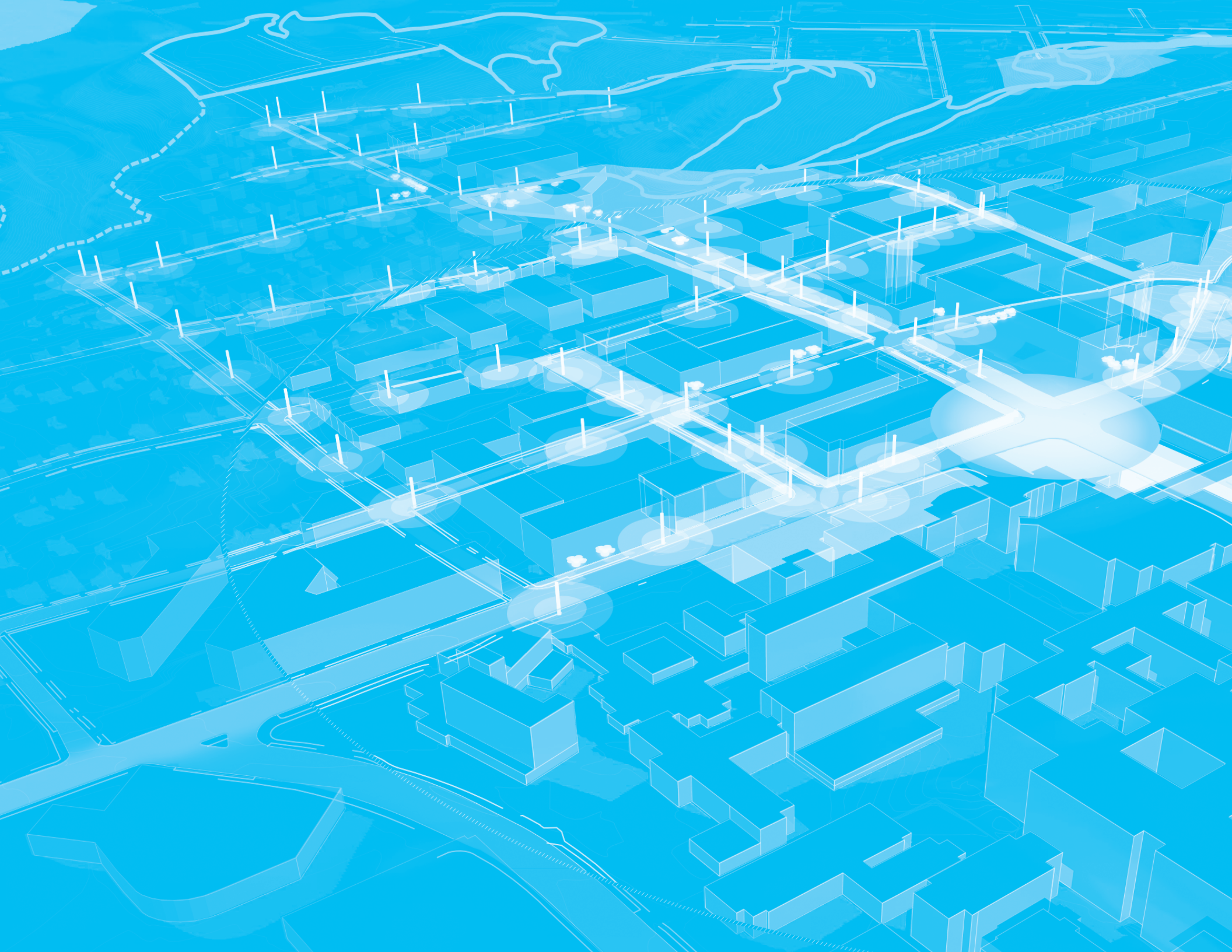


APPENDIX

MARKET ANALYSIS & ECONOMIC DEVELOPMENT STRATEGIES

MULTI-MODAL CONNECTIVITY & SUSTAINABLE INFRASTRUCTURE

PUBLIC OUTREACH & COMMUNITY ENGAGEMENT



An aerial architectural rendering of a city, featuring a grid of streets and various building footprints. The entire image is overlaid with a semi-transparent blue filter. The text 'MARKET ANALYSIS AND ECONOMIC DEVELOPMENT' is centered in the middle of the image in a white, sans-serif font.

MARKET ANALYSIS AND ECONOMIC DEVELOPMENT

EPS Market and Opportunity Assessment

Summary of Key Findings, DS Notes

Primary Demand Drivers in Rosedale that Impact the Study Area

- **Institutions:** **University of Kansas Medical Center (UKMC)** and The University of Kansas Hospital (TUKH) currently employ approximately 6,500 people and current enrollment is 3,300 students. The institutions plan to grow in terms of physical footprint, employment, and enrollment during the next 50 years. This translates into increased demand for nearby housing and services for students and staff.
- **Location:** The study area is within two miles of Crown Center, Downtown Kansas City, MO, and the Country Club Plaza. It has excellent access to I-35 and Southwest Boulevard. Current and future residents have good access to regional amenities and job centers. The location is also considered urban, which aligns with the preferences of certain consumer segments that are projected to grow.
- **Favorable Regional and National Demographics:** Demand is anticipated to continue to grow for infill residential development that is less car-dependent, which requires locations like the study area that have good transportation networks and are near jobs, shopping options, public amenities, and entertainment options. In fact, population growth in cities outpaced population growth in suburbs from 2010 to 2015.

EPS forecasts that the Kansas City MSA will gain 173,000 new households between 2010 and 2030. Of these, 159,000 (97 percent) will be in the under 35 or the 65 and older age cohorts (Generation Z, Millennials, and Empty Nesters). Thus, the market for starter homes and for those downsizing is projected to grow substantially and Rosedale is positioned to capture some of that growth if suitable units are developed.

After losing households for years, Kansas City, Kansas and Rosedale gained households from 2010 to 2015. Rosedale has a high percentage of renters (64 percent) compared to Kansas City, KS (39 percent) and Kansas City, MO (38 percent), which is partially attributed to the presence of UKMC and TUKH.

There are more jobs located in Rosedale and the study area than there are residents. With suitable housing, it is possible to capture some of the commuters as residents.

Secondary Demand Drivers in Rosedale that Impact the Study Area

- **Startup Village** is headquartered near 45th Street and State Line in southeast Rosedale. As of January 2016, it housed 22 businesses in 10 properties, some located in Rosedale. It has the potential to create jobs and housing demand in Rosedale as successful firms spin-off.
- **Southwest Boulevard** is an urban industrial area with excellent access to regional transportation and employment networks. This district has the potential for redevelopment and re-use of industrial buildings as new creative space, which would bring jobs and potential residents to Rosedale.

Existing Conditions

- **Housing:** Rosedale has a strong rental housing market, driven by the presence of UKMC. Existing rents range from \$0.75 per square foot

at older properties to \$2.00 per square foot at newly constructed properties, with an average rent of \$1.16 per square foot.

The for-sale market in Rosedale is less expensive than adjacent cities and market areas. The median price is \$78,500, whereas the median prices in nearby areas range from \$160,000 to \$320,000. EPS describes this as an opportunity for infill and targeted redevelopment. Mission Cliffs was built in 2007 and homes sold for \$140,000 to \$200,000, although prices would be higher in today's market.

- **Commercial and Retail:** EPC identified approximately 400,000 square feet of retail and commercial space, 724,000 square feet of office space, and 1.07 million square feet of industrial space. No industrial space is located in the study area.
 - *Retail* is concentrated along Southwest Boulevard, Rainbow Boulevard, 39th Street, and 43rd Street. The average retail rent is \$15 per square foot, and EPS suggests targeting local and regional businesses because Rosedale likely does not meet site location criteria for most national chains, aside from fast food.
 - *Office* development is generally concentrated near KUMC, 47th Street, and State Line Road. Average rents are \$22 per square foot.
- **Recent Developments (since 2006):**
 - CVS and McDonald's at 43rd and Rainbow
 - Boulevard Row Townhomes (45th and Rainbow)
 - Mission Cliffs single-family homes and townhomes (100 homes)
 - 39Rainbow mixed-use development at 39th and Rainbow with 30,000 square feet of retail, Holiday Inn Express (83 rooms), a skilled nursing center, and 70,000 square feet of office and multi-care facilities.
 - Woodside Village, located at 47th Place and Rainbow, is a two-phase mixed-use project. The first phase contains 91 apartments with rents ranging from \$1.75 to \$2.00 per square foot and 20,500 square feet of retail space. A second phase with LK units and 16,350 square feet of retail space is planned.
 - Rainbow Village is a Home2 Suites by Hilton extended stay hotel that is under construction at 34th and Rainbow. It will contain 89 guest rooms and is being developed in response to KUMC's expansion.

Primary constraint to new development is the *lack of available sites*, particularly vacant sites. There are a few potential catalyst sites in the study area.

EPC's demand projections would result in:

-20%-70% increase in housing units in Rosedale

-25%-35% increase in retail SF

-Doubling to Tripling of hotel rooms, if all room demand is met by new hotels in Rosedale

-This could mean:

-200 to 600 new units in Study Area

-5,000 to 15,000 SF in new retail in Study Area (thinking of 39th & Rainbow)

-Another hotel?



Rosedale University Town Center

Primary Demand Drivers: University of Kansas Medical Center & The University of Kansas Hospital

EXISTING CONDITIONS

4.1M SF

Building Area

10,000

Faculty & Staff

3,500

Students

GROWTH THROUGH 2040

1.76M SF

Net New Building Area

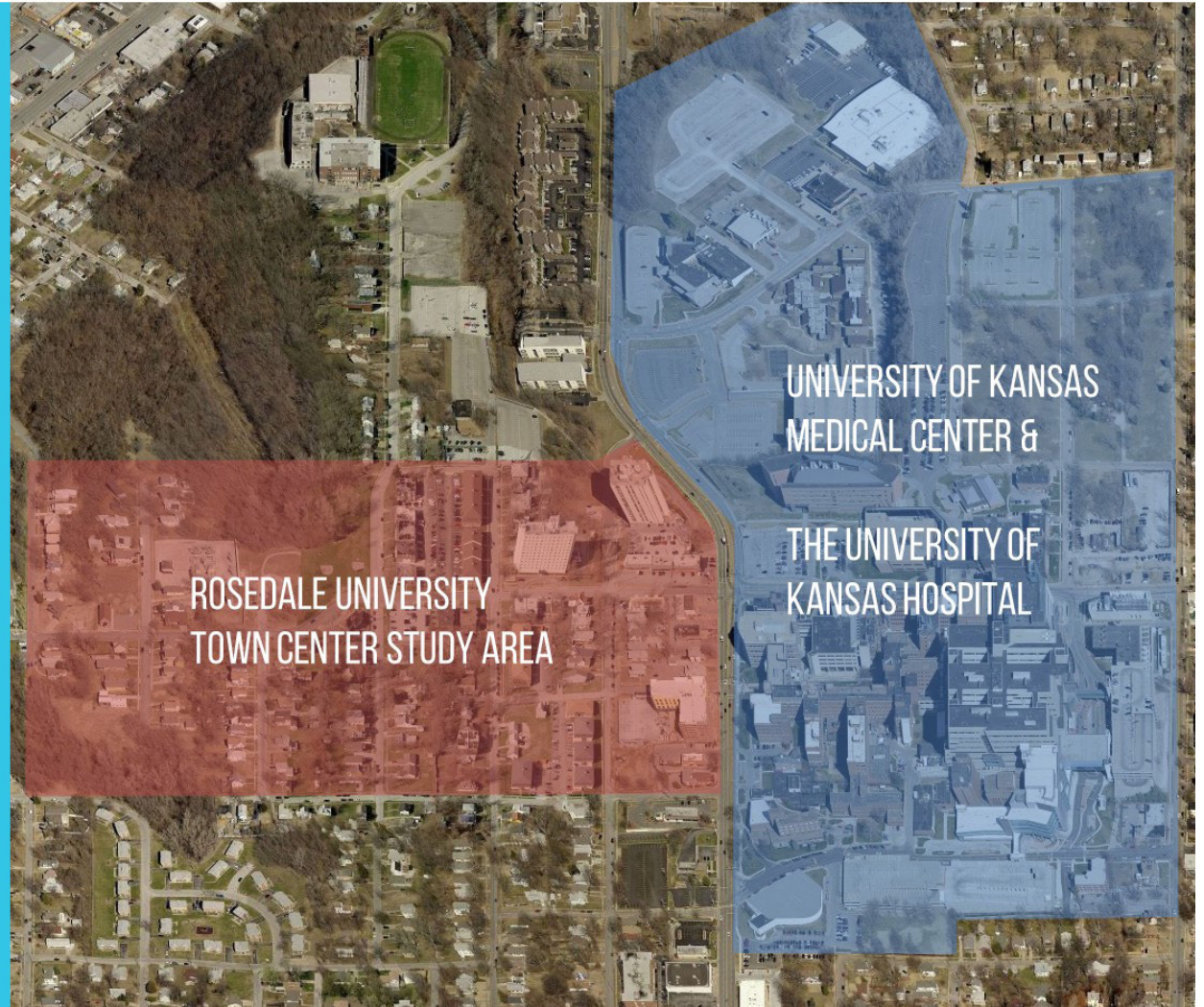
3,400

Additional Faculty & Staff

1,700

Additional Students

Sources: Development Strategies; Economic & Planning Systems, *Rosedale Neighborhood Market and Opportunity Assessment*, *Rosedale Master Plan and Traffic Study* (Dec. 2016)



Rosedale University Town Center
Projected Real Estate Demand in Rosedale (Rosedale Master Plan)

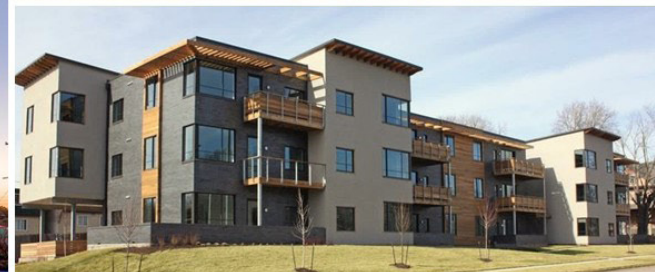
- 1 Retail / Mixed-Use**
- 85,000 SF – 127,000 SF
 - Independent Market
 - Restaurant/Bar
 - Unique Experience

- 2 Housing**
- 580 to 2,460 units
 - Majority Rental
 - Infill Opportunities

- 3 Hotel**
- 450 Rooms
 - Med. Center Traffic

Greatest opportunity for density near Med. Center

Sources: Development Strategies; Economic & Planning Systems, *Rosedale Neighborhood Market and Opportunity Assessment, Rosedale Master Plan and Traffic Study* (Dec. 2016)



Rosedale University Town Center
Existing Land Use

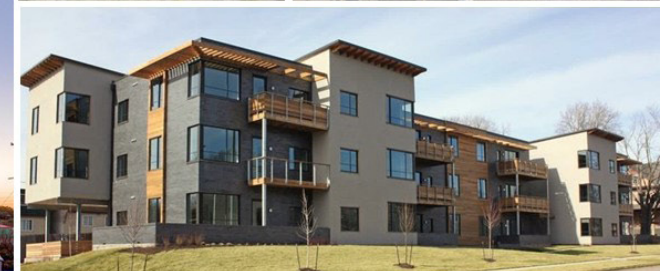
Rosedale

- Housing Units: 3,300
- Multifamily: 2,000 units
- Office: 730k SF
- Retail: 360k SF
- Industrial: 1.2M SF
- KU Med: 4.1M SF
- Hotel Rooms: 190 (89 u/c)

UTC Study Area

- Housing Units: 800
- Multifamily: 715 units
- Office: 120k SF
- Retail: 26k SF
- Hotel Rooms: 83

Sources: Development Strategies; CoStar



RETAIL

10,000 to 15,000 SF

New Street-Level Retail

\$24/SF to \$28/SF

Modified Gross Lease Rates

Sources: Development Strategies



Rosedale University Town Center Real Estate Product Demand

HOUSING

300-400

New Units

70%-80%

210-320 Units

Rental Housing

\$1.60 to \$2.00/SF

\$1,000 to \$1,400/MO

1 BR Rent

\$1.30 to \$1.80/SF

\$1,250 to \$1,800/MO

2 BR Rent

\$1.40 to \$1.85/SF

\$2,000 to \$2,800/MO

3 BR Rent

Sources: Development Strategies; CoStar



HOUSING

300–400

New Units

20%-30%

60 to 120 Units

For-Sale Housing

\$1.10 to \$1.50/SF

\$175,000 to \$275,000

Townhome Sale Price

\$1.30 to \$1.80/SF

\$225,000 to \$325,000

Single-Family Sale Price

Sources: Development Strategies



MEMORANDUM

To: Matt Maranzana, Forum Studios

From: Andy Pfister, Development Strategies

Date: December 15, 2017

Re: Update to Real Estate and Strategy Memo

Copies:

The purpose of this memorandum is to summarize existing real estate metrics in the Rosedale University Town Center (UTC) Study Area, as well as to comment on future demand.

Existing Conditions

There are nearly 820 housing units in the UTC Study Area and 90 percent of the units are contained in multi-family structures. Multi-family occupancy is currently very stable at 96 percent, while overall housing occupancy is 80 percent. More than 80 percent of households in the Study Area rent their housing.

Housing costs in the Study Area are higher than in Rosedale as a whole, driven by its proximity to KUMC. Current rental rates for professionally managed apartments range from \$600 to more than \$1,200 per month and average \$830 per month. Rents for renovated units at properties like Johnson Med Center Apartments and Vista condominiums rent in the \$1.50 to \$1.70 per square foot range.

For-sale options in the Study Area are limited—there are currently five listings, ranging from \$107,000 for an older two-bedroom home to \$325,000 for a renovated three-bedroom home on a large lot. A three-bedroom single-family home is currently under construction and is listed for \$280,000.

Current Housing Summary: Rosedale UTC Study Area

Total Housing Units	818
Multi-Family Units	731
Single-Family Units	87
Housing Occupancy	80%
Multi-Family Occupancy	96%
Renter Households	82%

Sources: Development Strategies, Inc.; CoStar; Wyandotte County Unified Government; ESRI

Current Housing Costs: Rosedale UTC Study Area

Apartments/Rental

Studio Rent Per Mo.	\$606 - \$797
Studio Rent Per SF	\$1.02 - \$1.76
1 BR Rent Per Mo.	\$729 - \$789
1 BR Rent Per SF	\$1.07 - \$1.55
2 BR Rent Per Mo.	\$712 - \$1,217
2 BR Rent Per SF	\$0.75 - \$1.52
Average Rent	\$831
Average Rent per SF	\$1.23

Single-Family/For Sale

Current Listing Range	\$107K - \$325K
Median Listing Price	\$150K
Median Listing Price / SF	\$115

Sources: Development Strategies, Inc.; CoStar; realtor.com; zillow.com

The median household income in the Study Area is \$31,500 and the median household income in Rosedale is \$36,200. This has important implications regarding housing affordability. Based on the graphic below, the current rental stock meets the affordability needs of more than half of the existing households. That percentage increases when Rosedale Towers is considered. Tenants at that property pay 30% of their income for rent at it serves mainly lose earning less than 50 percent of the area median income for the Kansas City MSA.

Approximately 20 percent of current households can afford a rental rate of \$1,300 or more, which is in line with new market-rate properties in the region that could be constructed in the Study Area. It is important to note that the affordability ranges presented in the following two graphics are based on the household incomes in the Study Area and do not necessarily line up with market-based product pricing. For instance, most upscale market-rate rents range from \$1,000 to more than \$2,000 per month. The intent of the graphics is to show what the market would look like for existing households if stratified in this manner.



The following graphic illustrates affordability for purchasing a home. More than one-third of existing residents cannot afford the existing for-sale housing stock, which is relatively affordable when compared to the Kansas City region. There are limited for-sale options available at any given time.



Date: December 15, 2017
RE: Update to Real Estate and Strategy Memo

Summary data for various multi-family properties is included in the following table.

Existing Rental Properties

SUMMARY OF SELECTED RENTAL PROPERTIES

	Studio					One-Bedroom			Two-Bedroom		
	Occ.	# of	Avg.	Size	Rent	Avg.	Size	Rent	Avg.	Size	Rent
	Rate	Units	Rent	(SF)	PSF	Rent	(SF)	PSF	Rent	(SF)	PSF
Rosedale Study Area Properties											
1 Rosedale Towers (income-Based)	98%	122	-	-	-	-	-	-	-	-	-
2 Malvern Hill South	97%	146	\$609	420	\$1.45	\$765	707	\$1.08	\$762	920	\$0.83
3 Malvern Hill North	90%	50	\$606	420	\$1.44	\$730	682	\$1.07	\$712	950	\$0.75
4 Med Center Apts. (renovated)	94%	102	-	-	-	\$789	510	\$1.55	\$1,217	800	\$1.52
5 Phog at Bar Med Center	95%	37	\$797	785	\$1.02	-	-	-	\$1,073	800	\$1.34
6 Spring Valley	97%	58	\$703	399	\$1.76	\$729	536	\$1.36	\$961	800	\$1.20
TOTAL	96%	515	\$651	462	\$1.46	\$761	619	\$1.26	\$932	864	\$1.10
Representative Neighborhood Properties											
1 Mission Manor	82%	96	-	-	-	\$593	586	\$1.01	\$649	860	\$0.75
2 Mission road Studios	100%	200	\$595	480	\$1.24	-	-	-	-	-	-
3 University Plaza	100%	61	-	-	-	\$653	615	\$1.06	\$766	700	\$1.09
4 Rainbow Ridge Apartments	96%	150	-	-	-	\$687	591	\$1.16	\$920	953	\$0.97
5 University Villa	95%	108	-	-	-	\$740	\$594	\$1.25	\$915	845	\$1.08
TOTAL	95%	615	\$595	480	\$1.24	\$674	594	\$1.13	\$833	866	\$0.97

Development Demand and Future Capacity

The *Rosedale Master Plan and Traffic Study* calls for the densification of the UTC Study Area to leverage the planned growth of University of Kansas Hospital. Based on preliminary calculations, developing the Study Area according to the plan would result in the redevelopment of multiple blocks that would include:

- 390,000 square feet of Urban Mixed-Use development
- 480,000 square feet of General Urban development, and
- 47 new townhomes

Of the existing multi-family properties, Rosedale Towers (122 units), Vista condominiums (167 units), 2217-2223 W. 39th Avenue (8 units), and Malvern Hills North (50 units) would remain. Approximately 63 of the existing 87 single-family homes would remain as well.

Assuming that 870,000 square feet of new building area will be added to the Study Area if it is built to the capacity shown in the master plan, it would result in approximately 710 net new housing units.

Rosedale UTC Development Capacity			
Description	Existing	Master Plan *	Net New Units
Total Housing Units	818	1,528	710
Multi-Family Units	731	1,418	687
Single-Family Units	87	110	23

* The Master Plan allows for approximately 870,000 SF of new building area, 15,000 of which is assumed to be retail/commercial. Unit count estimate assumes 800 square feet per unit.

Demand projections provided by Economic & Planning Systems (EPS) in the “Neighborhood Market and Opportunity Assessment” in the *Rosedale Master Plan and Traffic Study* indicate that growth at University of Kansas Hospital will lead to a 20 percent to 70 percent increase in housing units in Rosedale. There are currently 3,300 housing units in all of Rosedale, so this projection would lead to 660 to 2,300 net new units.

If the Study Area captured its current share of this growth, approximately 200 to 600 new units would be constructed. However, the Study Area is well-positioned to capture a higher proportion of Rosedale’s projected growth because of its adjacency to University of Kansas Hospital and the opportunity for densification. Therefore, the estimated 710 net new units that could be built in the Study Area is with reason.

Anticipated Real Estate Pricing

The Study Area market can be divided into three segments: Affordable, Mid-to-Upper Scale, and Luxury. Existing properties fall into the Affordable and Mid-to-Upper Scale price points. It is important to maintain current affordable price points, while diversifying the housing stock with upper-end product that is currently not available in the Study Area or and is in limited supply in the market area that serves University of Kansas Hospital.

Potential product pricing is summarized in the table on the following page and price points are based on the existing housing stock in the Study Area, existing new construction market-rate properties in similar areas in the Kansas City region, and typical luxury properties.

Date: December 15, 2017
RE: Update to Real Estate and Strategy Memo

Rosedale UTC Product Pricing			
Description	Affordable	Mid-to-Upper Market Rate	Luxury
% Share of Units	30% / 460 units	60% / 920 Units	10% / 150 Units
Rental			
80%	Studio	\$350 - \$600	\$600 - \$900
	per SF	\$1.05 - \$1.25	\$1.75 - \$1.85
	1 BR	\$550 - \$800	\$1,000 - \$1,400
	per SF	\$1.05 - \$1.50	\$1.60 - \$2.00
	2 BR	\$600 - \$1,000	\$1,250 - \$1,800
	per SF	\$0.85 - \$1.35	\$1.30 - \$1.80
For-Sale			
20%	Single-Family	\$150K - \$225K	\$225K - \$350K
	per SF	\$105 - \$125	\$130 - \$180
	Townhome	\$135K - \$175K	\$175K - \$300K
	per SF	\$115 - \$135	\$135 - \$200
	Condo	\$120K - \$175K	\$175K - \$350K
	per SF	\$125 - \$150	\$150 - \$225

The following table summarizes a survey of new market-rate properties.

New Urban Multi-Family Properties

SUMMARY OF SELECTED CHARACTERISTICS

	Occ.	# of	One-Bedroom		Two-Bedroom			Three-Bedroom			
			Avg.	Size	Rent	Avg.	Size	Rent	Avg.	Size	Rent
	Rate	Units	Rent	(SF)	PSF	Rent	(SF)	PSF	Rent	(SF)	PSF
Market Rate Properties											
1 West 39th Street Apts.	97%	72	\$1,237	653	\$1.89	\$1,662	988	\$1.68	-	-	-
2 Woodside Village (in lease-up)	82%	91	\$1,468	744	\$1.97	\$2,062	1,168	\$1.77	\$2,802	1,512	\$1.85
3 West Hill	99%	71	\$1,382	795	\$1.74	\$1,985	1,152	\$1.72	\$2,450	1,746	\$1.40
4 45 Madison	98%	132	\$1,306	687	\$1.90	\$1,712	1,021	\$1.68	\$2,089	1,294	\$1.61
5 City Place at Westport	92%	288	\$1,206	759	\$1.59	\$1,481	1,176	\$1.26	-	-	-
6 Interstate Flats	97%	39	\$1,011	562	\$1.80	\$1,285	927	\$1.39	-	-	-
7 Platinum Lifestyle - John Campbell	100%	79	\$1,420	839	\$1.69	\$1,880	1,210	\$1.55	-	-	-
TOTAL	94%	772	\$1,285	\$0	\$1.80	\$1,683	1,120	\$1.58	\$2,447	\$1,517	\$1.62

Preliminary Strategies

The following list summarizes preliminary strategy ideas relating to housing and real estate development. These ideas can be shared at the upcoming meetings and refined as we move forward and hear from stakeholders.

- 1. Create a land lease policy for KU Endowment-owned land that is aimed at reducing development cost, promoting affordable housing, and creating high-quality development.
- 2. Partner with developers experienced with high-quality urban redevelopment/infill projects that use multiple funding sources to create successful mixed-use and mixed-income properties.
- 3. Create an affordable housing fund that is funded by a portion of the incremental revenue gain that will be generated by new market-rate development.
- 4. Leverage existing housing and development programs.
- 5. Adopt an affordable housing policy that requires a certain percentage of new housing units meet defined affordability requirements. For instance, 10 percent of all new housing units in Rosedale UTC shall be affordable to households earning at or below 60 percent or 80 percent of the area median income. In return, developers would receive density bonuses or other public incentives.

Affordable housing set aside requirements are typically tied to the county or regional area median income as documented by the U.S. Department of Housing and Urban Development (HUD).¹ The following table summarizes median income data for different income levels.

Area Median Income Documentation: Wyandotte County							
Description	AMI Level	Persons In Household					
		1	2	3	4	5	6
Very Low Income	50% AMI	\$26,200	\$29,950	\$33,700	\$37,400	\$40,400	\$43,400
Low Income	60% AMI	\$31,440	\$35,940	\$40,440	\$44,880	\$48,480	\$52,080
Low Income	80% AMI	\$41,900	\$47,900	\$53,900	\$59,850	\$64,650	\$69,450
Median Income	100% AMI	\$52,400	\$59,900	\$67,400	\$74,800	\$80,800	\$86,800

Source: HUD User FY 2017 Income Limits

At 60 percent of AMI, the income threshold for a 4-person household is \$44,880 and is \$59,850 at 80 percent of AMI.

¹ The median income in Rosedale UTC is significantly lower than in Wyandotte County; however, almost any affordable limit is tied to areas for which HUD publishes rent and income limits, which are primarily county or metropolitan areas. Local officials could stipulate a lower AMI level, such as 50 percent or even 30 percent, to ensure set aside units are affordable at the current neighborhood level. That is a local policy decision.

Date: December 15, 2017
RE: Update to Real Estate and Strategy Memo

The preceding income data can be used to calculate maximum rents that would be considered affordable, as summarized in the following table.

Area Maximum Rent Documentation: Wyandotte County*						
Description	AMI Level	Bedrooms in Unit				
		0	1	2	3	4
Very Low Income	50% AMI	\$540	\$550	\$670	\$790	\$850
Low Income	60% AMI	\$670	\$690	\$840	\$980	\$1,060
Low Income	80% AMI	\$930	\$970	\$1,180	\$1,370	\$1,500
Median Income	100% AMI	\$1,190	\$1,260	\$1,510	\$1,760	\$1,930

*Rents based on paying up to 30% of income for rent, minus utility costs. Utility costs estimated based on Kansas City, Kansas Housing Authority *Utility Allowance Schedule* for 2018

Monthly Utility Estimates: Studio-\$119, 1 BR - \$147, 2 BR - \$170, 3 BR - \$184, 4 BR - \$239

Affordable Housing Set Aside Precedents

Affordable housing set aside ordinances have been implemented in many areas in the U.S. The following table summarizes details from programs in Chicago, Detroit, and Nashville. Additional details can be found in the actual ordinance documents for those municipalities.

Summary of Example Affordable Housing Requirements			
Location	Chicago	Detroit	Nashville
Date Enacted:	2003/2007/2015	2017	2015/2016
Affordable Requirement:	10% affordable set aside at 60% to 100% of AMI.	20% affordable set aside at (10 percent at 80 percent AMI; 10 percent at or below 50 percent AMI)	Depends upon number of units and rent or sale prices. Ranges from 10 percent of residential units to 15 percent total residential floor area. Income requirement ranges from 60% to 100% of AMI. See matrix from ordinance for details.
Ordinance Applies if:	1. Council approves rezoning, 2. City land sale, or 3. Development receives city financial assistance	1. Developer receives more than \$500,000 in public incentives (city, state, or federal). 2. Sale of city-owned land below market rate.	1. Council approves rezoning, 2. City land sale, or 3. Development receives city financial assistance
Exemptions:	Not specified	Nursing homes, residential care and assisted living facilities, dormitories	Null if development is less than 5 units or if average unit sale price or rent rate is between 95% and 105 % AMI
Developer Incentives:	Density Bonus (council approved rezoning). Developer can make up the set aside obligation through off-site units. Financial Incentives (TIF/etc.)	Public Incentives, sale of city-owned land below market rate	Density (rezoning), financial incentives
Duration:	30+ years	30+ years	30+ years
Reference Hyperlink:	Ordinance	Detroit Free Press Article	Ordinance

MEMORANDUM

To: Matt Maranzana, Forum Studios
From: Andy Pfister, Development Strategies
Date: December 18, 2017
Re: Rosedale UTC Economic Development Tools

The purpose of this memorandum is to summarize existing economic development tools that could be utilized in Rosedale UTC to support quality new development that meets the primary goals for this area.

ECONOMIC DEVELOPMENT TOOLS

The following provides a “toolkit” of resources that might be utilized in the implementation of the plan.

Cities have available a variety of fiscal tools to induce private investment. These generally fall under the following five categories:

- **Bond financing** (based on anticipated future revenue)
 - Key Program: Tax Increment Financing (TIF)
- **Supplemental taxes**
 - Key Programs: Community Improvement District (CID)
- **Tax reductions**
 - Key Programs: Neighborhood Revitalization Area (NRA), Industrial Revenue Bonds (IRB), Constitutional Exemption (EDX)
- **Grants**
- **Tax credits**
 - Key Programs: Low Income Housing Tax Credits (LIHTC), New Markets Tax Credits (NMTC), Historic Tax Credits (HTC)

Anticipated Future Revenue

In certain instances, future taxes generated by real estate investments can be used to finance current costs of facilitating those improvements. This mechanism is referred to generically as Tax Increment Financing (TIF). The capture of taxes resulting from increased assessed value (the increment) is used to pay debt service on bonds issued to fund selected costs of development.

This would involve the creation of a new TIF districts in Rosedale UTC. TIF revenue would be generated through the capture of net new property taxes, and could be used to finance public infrastructure and site acquisition and clearance.

To determine the efficacy of a TIF strategy, the level of taxable investment that is likely to be attracted to the selected areas has been evaluated as part of this project's market study—as has the value, or increment, that can be created for the larger TIF district. It would be critical for school district representatives to agree on an appropriate level of tax capture because property taxes provide significant funding for the school district.

Supplemental Taxes

This section focuses on improvement districts which are sometimes also referred to as special tax districts. In general, an improvement district generates a steady source of revenue to finance services and project costs that are considered “special” to landowners, residents, and businesses within a designated geographic area. Therefore, a separate tax is levied only on those properties within defined boundaries that will be benefited by these expenditures.

Community Improvement District (CID)

A CID (or similar program) typically involves a special sale tax or property tax that supports an array of needed supplemental programs and services. These often include marketing, maintenance, security, and limited capital improvements, including streetscape enhancements. It is important to note that the imposition of such supplemental taxes or fees do not have to be limited to businesses and commercial properties but can also come from residents and residential properties. In the case of condominium owners, this could be incorporated into the monthly condo fee if arranged for at the outset of the development or billed directly to each unit along with the property tax bill from the assessor.

Tax Reductions

Personal and real property tax reductions, or abatements, are common economic development incentives, particularly where significant new real estate investment occurs or new jobs are created. In most instances, the abatements act to reduce operating costs of investment real estate (office, industrial, retail, or rental apartment buildings) for a designated period of time. In Kansas City, Kansas, the primary tax reduction program is the Neighborhood Revitalization Area (NRA), and there are separate programs for residential and commercial uses.¹ For both, there are different criteria for minimum increase in assessed value (e.g., 5% to 15% minimum increase in

¹ NRA for Residential Projects: <http://www.wyecd.org/wp-content/uploads/2016/07/WYCO-NRA-Residential-Brochure.pdf>

NRA for Commercial Projects: <http://www.wyecd.org/wp-content/uploads/2016/07/2015-NRA-Commercial-Brochure.pdf>

value), percent of rebate (50% to 100%), and the term of the rebate (5 to 20 years) based on the location and scale/cost of the development.

Industrial Revenue Bonds (IRB) and Constitutional Exemption (EDX) primarily apply to companies that create significant new employment or export goods. The targeted development for Rosedale UTC is primarily residential, so these mechanisms would not apply.

Grants

While far less available than in the past, there remain opportunities to obtain grants and soft loans from a wide variety of both public and private sources. Private corporate and charitable foundations do target their support to different aspects of urban investment and revitalization such as economic development, environment enhancement, historic preservation, and open space and parks. Most government grants are ones resulting from legislators' capacity to target appropriations to special community needs and high profile projects of wide public benefit. Foundations might be compelled to participate (financially or otherwise) in the project—particularly if a component of the project is consistent with a particular mission. For example, efforts to support entrepreneurship and business start-ups might garner the interest of the Kauffman Foundation. KU Endowment might also participate in specific programs that also benefit KU Medical Center and University of Kansas Hospital.

Tax Credits

Because the private market alone cannot deliver the products that are proposed as part of this development plan, public support is necessary to make development economically viable. Tax credits are one form of public participation that can be used to reduce the costs of development, thus making projects viable that otherwise could not be developed.

Three types of tax credits would be particularly useful: Low Income Housing Tax Credits (LIHTC) New Markets Tax Credits (NMTC), and Historic Tax Credits (HTC). LIHTC are used to provide affordable housing, defined broadly as rental units offered at below market rents to households that earn below 60 percent of area median income (AMI). New Markets Tax Credits are used for the development of commercial properties in distressed areas. Historic Tax Credits, as the name implies, can be applied toward the preservation, renovation, and rehabilitation of historic buildings.

There are many similarities in the broad ways in which the tax credits work. They provide tax credits for a percentage of eligible costs (which consist of most building hard and soft costs; infrastructure costs are rarely included). Once awarded, the future value of these tax credits can be bought and sold on the private market, usually at a discounted rate. This discounted rate becomes the "equity value" of the tax credits.

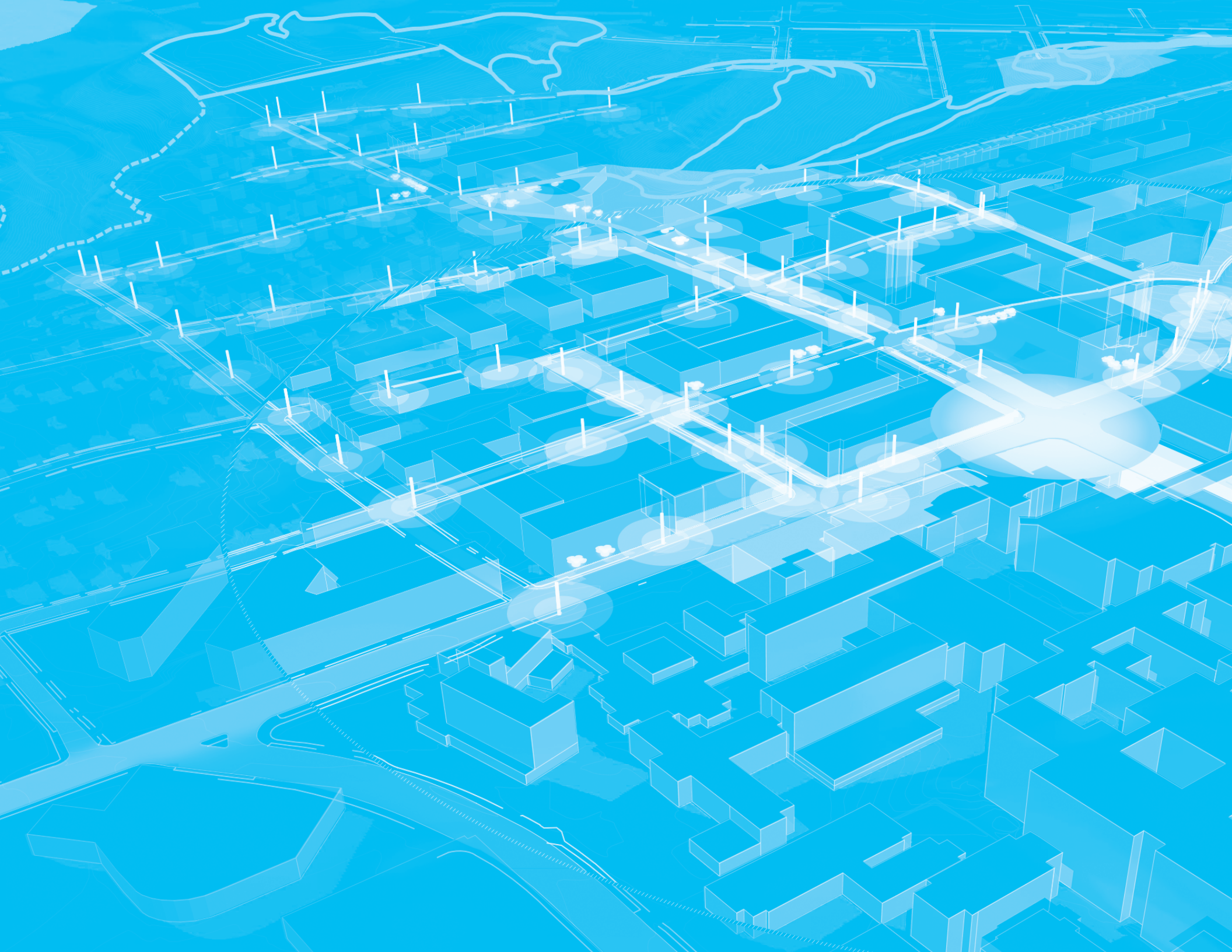
Date: December 18, 2017
RE: Rosedale UTC Economic Development Tools

Impact of Tax Credits on Phasing

The state of Missouri places limits on the amount of tax credits that can be awarded to a project on an annual basis. This can have a significant impact on the phasing of a development. Further, tax credits are not necessarily awarded to the same project in consecutive years. In this way, an affordable project that could technically be absorbed into the market in two years might actually take five to seven years—or more—to develop, due to the constraint of limited tax credit allocations.

Impact of New Markets Tax Credits on Location

New Markets Tax Credits can only be allocated in qualifying census tracts; the chief criterion for this designation is median household income. Rosedale UTC is wholly located in qualifying census tracts.



An aerial architectural rendering of a city, overlaid with a semi-transparent blue layer. The rendering shows a dense urban layout with various building footprints, streets, and green spaces. The blue overlay is a solid, vibrant color that covers the entire image, creating a modern and futuristic aesthetic. The text is centered in the middle of the image, in a clean, white, sans-serif font.

MULTI-MODAL TRANSPORTATION AND SUSTAINABLE INFRASTRUCTURE



142 West Monroe Ave
Kirkwood, Missouri 63122
(314) 403-7460

MEMORANDUM

To: Matt Maranzana,
Project Manager – Forum Studio

From: Paul Wojciechowski, Alta Planning + Design

CC: Chip Crawford, Forum Studio

Date: June 17, 2017

Re: Area Connectivity Plan Memorandum

The vision for the Rosedale University District is a connected, walkable, transit-oriented development that attracts residents, students, workers, and visitors to a vibrant mixed-use environment in the eastern side of heart of Kansas City, Kansas. Of key importance in the success of the redevelopment of the Rosedale University Town District will be achieving a high level of connectivity through site design and the creation of a transportation that places a priority on walking, bicycling, and the use of transit and is complemented by automobile transportation that is thoughtful in the placement of travel lanes, pick-up and drop off areas, and a system of parking - both on and off-street - that is integrated with all other land uses.

Each mode of transportation that feeds the District is its own layer that should be continuous, connected, and visible as it travels through the development. Each layer is added to the overall network as it joins and intersects the other modes. It is important to establish a priority for each user in various contexts so as to elevate and support different users at different places in the network. Users of each mode should be supported in traveling to the District, and the design of the Center should allow for a welcoming "park once" culture that encourages walking once a visitor has arrived.

To encourage this, the development of the District should reflect a hierarchy of modes that are accommodated in the design. Fine-grained, two-way networks for each mode helps to increase visibility and familiarity, and helps to distribute traffic for each more efficiently than grouping traffic into peak directional flow. The sections below identify the needs for each mode, starting with the modes that require the greatest amount of accommodation:

- Pedestrians
- Transit Users (and operators)
- Bicyclists
- Automobile users



Network Connectivity

Pedestrian Network

The pedestrian is the indicator species of a walkable, mixed-use environment. The presence of pedestrians should highlight that there is street-level activity, where the District's visitors and residents feel safe and comfortable walking, and that walking is both pleasant and efficient as a choice of transportation. Sidewalks should be present and continuous at all locations within the development on both sides of all streets. The width of the sidewalk should expand in areas where streetscape and storefront activity are desired, and pedestrians should be provided with a buffer from automobile traffic wherever feasible through the use of on-street parking. Pedestrian crosswalks should be marked at all intersections with an emphasis on making crosswalks highly visible at unsignalized crossings. Signalized intersections should be designed with the pedestrian first in mind to minimize crossing distances (which shortens signal clearance phases) and include

pedestrian signals complete with countdown timers. Pedestrians should be provided with WALK signals during every signal cycle, which eliminates the need to provide push buttons.

Transit Network

The transit network includes a series of bus routes, some of which begin and end their trips within the Rosedale University District. The proposed transit center, to be located on 39th Avenue west of Rainbow Boulevard, should be designed to serve as a major transit hub for transfer activity as well as a mobility hub for people traveling to and from the District. Whether those users arrive and depart by transit, automobile, by bicycle, or on foot, the transit center should serve as a gateway to the District. For the purposes of promoting transit and making it a more visible component of the District, transit routes that terminate nearby should be extended to start and end their trips at the new transit center, thereby strengthening its place as a main hub of activity. This includes extending Routes 11, 23 to the transit center (to provide direct service to downtown KCMo) as well as Routes 35, 39, 51, 107, and 405. With headways ranging from 10 to 30 minutes during a typical weekday, a transit center with buses arriving and departing every 2-3 minutes would provide frequent opportunities for transfers while also concentrating bus operations for transit operators and make more efficient use of bus operator facilities (e.g. bathrooms). As opposed to extending the 11/23 Bus line to downtown the shuttle can provide service to the end of the 11, 23 Routes on Southwest.



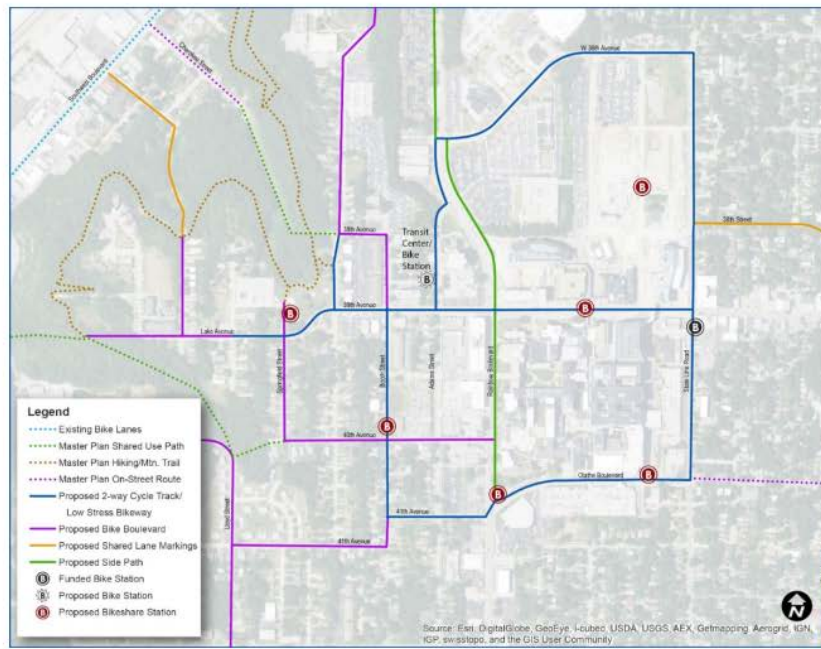
In considering the circulation of vehicles to and from the District, the development's two north-south routes; Rainbow Boulevard and Adams Street were identified as a potential two-way pair. However, transit networks in small and medium-sized cities benefit greatly from networks that operate in both directions on a single street, reducing the potential confusion to occasional or first-time users, while also providing better support for bus stop amenities and pedestrian infrastructure to support pedestrian crossings on round trips. For this reason, it is recommended to consider two-way transit vehicle operation along streets that are connected to the transit center. While peak period traffic for automobiles would use Rainbow Boulevard, the transit center would be a transit focus for the University Town Center on Adams Street, as opposed to Rainbow that will allow for efficient movement of transit vehicles and minimize delays to automobile traffic from transit pick-up and drop off activity on Rainbow Boulevard.

Bus stop amenities should include shelters, signage, and bus stops located near key activity generators also should serve as transfer points for “last mile” trips by walking or biking. Bus stops with shelters should be designed to accommodate bike parking and bike share stations as a single facility. The key is to provide a more permanent nature to the bus stops for enhancing comfort and security at all stops.

Bicycle Network

A connected bicycle network within the District should consist of bike share stations as well as a network of on-street bicycle facilities to provide door-to-door connectivity for those using a bicycle. Bike share stations should be located near key activity generators such as the library and the commercial retail establishments along the east side of Rainbow Boulevard. Bike share stations, whether located at bus shelters or at other locations, should be located so as to be highly visible and conveniently close to building entrances.

Bike infrastructure should be conveniently located, should emphasize comfort and safety of the bicyclist. A “spine” of high-quality bicycle facilities can help to attract and concentrate bicycle traffic to a certain point of the corridor, and if designed accordingly, can help to mitigate potential conflicts between pedestrians, automobiles, and transit vehicles. It is for this reason that the bicycle spine should be located along Rainbow Boulevard. Designed either as a two-way facility on one side of Rainbow Boulevard helps to assign bicycle traffic to the land uses that benefit from this facility, the campus. Transit service, located along side but integrated into the design, supports the use of round trip and daily transit ridership, most likely suited to work and school trips.



Bike Connectivity Network

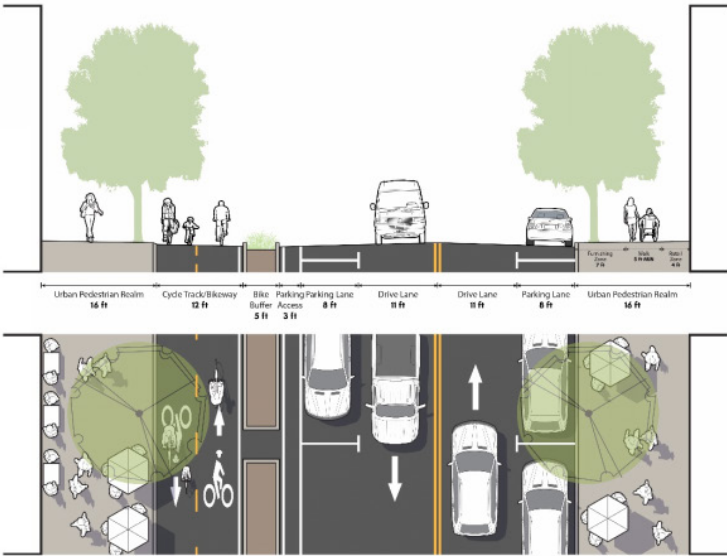
Automobile Network

The automobile network consists of the roadway grid and automobile parking. Automobile parking should consist of on-street parking located on every street where space permits, and strategic placement of off-street parking lots and/or structures. As a matter of policy, on-street parking should encourage turnover, and should be priced to encourage those seeking long-term parking to park in off-street lots or structures. As the District is developed over several phases, surface parking may give way to parking structures to keep up with demand.

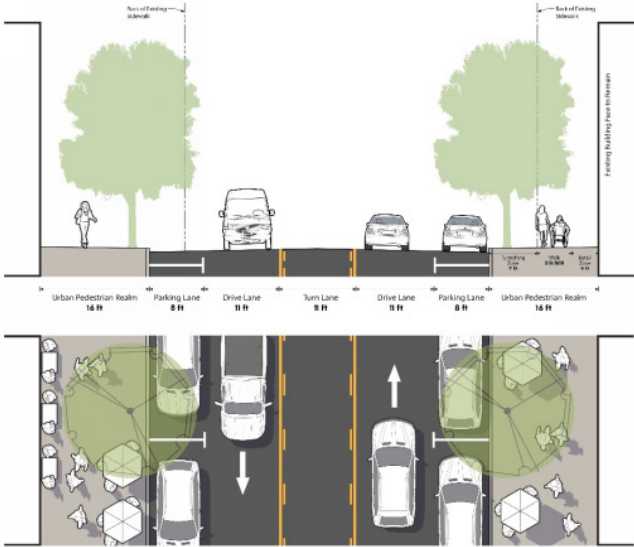
The design of off street parking should emphasize the need to accommodate the motorist arriving at the District, and should help the motorist become a pedestrian as soon as possible after parking. To achieve this, parking lots or structures should have a street-level entry and exit that accommodates both automobiles and pedestrians at the same location, and should discourage the use of direct entry to adjacent buildings. This helps encourage shared parking is accessible to all visitors, and supports a “park once” culture that allows visitors to travel around the District as a pedestrian rather than having to move the vehicle for each stop during a trip chain.

The roadway grid should emphasize the distributed network approach to accommodating traffic volumes during typical weekdays and peak periods. Rainbow Boulevard and Adams Street currently accommodate 90% and 10% of north-south travel, respectively. As the District develops, Adams Street can be rebuilt to accommodate a larger share of current traffic levels and help to absorb the impact of future traffic growth. Instead of a one-way pair, it would be possible to design both north-south streets to accommodate two-way traffic. Bicycle travel would be prioritized along Rainbow Boulevard through the design of the buffered sidepath, and motor vehicles would be prioritized on Adams Street, providing more consistent predictable travel times for circulation in the town center that are less affected by peak period congestion on Rainbow Boulevard.

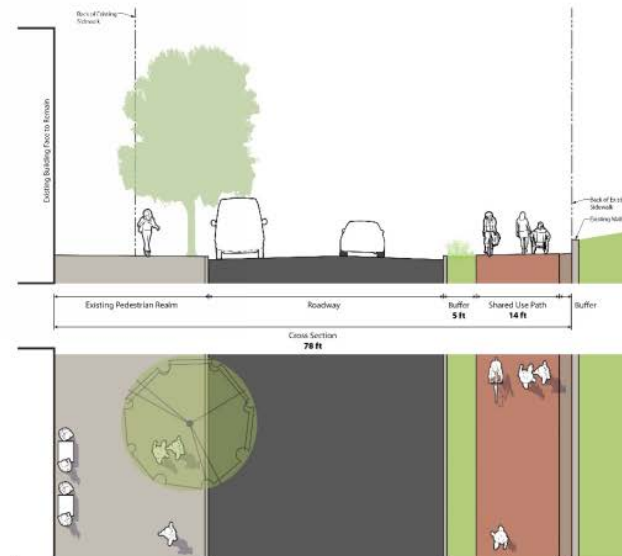
From a traffic capacity standpoint, two facilities of similar width and traffic volume can be optimized to balance traffic volumes and minimize delay at intersections, which provides network. Keeping intersections two- way traffic provides for better pedestrian accessibility through the use of shorter signal cycle lengths, and WALK phases during every signal cycle, eliminating the need for additional push-button infrastructure.



39th Street West of Rainbow Option



Adams Two-Way Option



Rainbow Two-Way (Left Turns at Intersections) Option



142 West Monroe Ave
Kirkwood, Missouri 63122
(314) 403-7460

MEMORANDUM

To: Matt Maranzana,
Project Manager – Forum Studio

From: Paul Wojciechowski, Alta Planning + Design

CC: Chip Crawford, Forum Studio

Date: December 15, 2017

Re: **Bike Circulation and Bikeshare Expansion Memorandum**

Introduction

As stated in the Rosedale Master Plan and Traffic Study document, street and transportation goals focus on creating a safe transportation system that accommodates pedestrians, cyclists, transit, and motor vehicles. It also must ensure that the local street network is configured to accommodate future traffic needs as the neighborhood grows and the hospital expands. As transportation networks are reimagined, Rosedale's streets must contribute to image, character, and redevelopment goals. Taking a ride through the Rosedale University Town District on any given day, and it quickly becomes clear: people want to bike in the study

area, but the transportation environment it focused on cars. Change must take place in order to provide the mode shift towards increased biking, walking, and transit. The following is an assessment of the bike level of travel stress and recommendation to enhance biking in and to the district, as well as using biking and bike share as an extension of the transit network. While the Rosedale University Town Center District is just a part of the overall master plan, it will set the tone for development of a connected bikeway network that is low stress and focuses on a wide range of bicyclist skill levels and ages. In

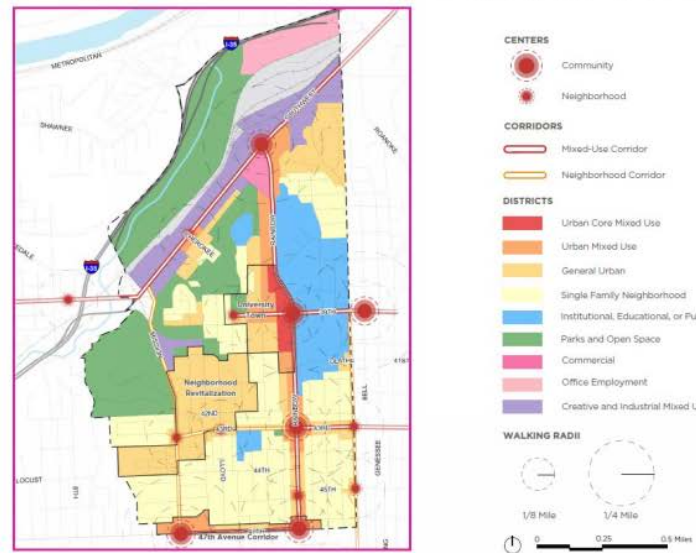


Figure 1: Centers, Corridors and districts in the Study Area (From Master

order to assess the existing and proposed network, we must look at the land use corridors and the nodes of development that are envisioned. This will set the tone for development of a connected bikeway network.

The Existing Bikeway Experience - Facility Types

For the purposes of establishing the existing network in the Rosedale University Town Center Area, bicycle facilities are broken into two categories: off-street trails and paths, and on-street bikeways. Off-street trails and paths are generally located in parks and along natural features like rivers or along other transportation infrastructure like arterial roads. On-street bikeways are located on the roadway pavement itself, often in the form of bike lanes such as along Southwest Boulevard or simply identified as signed bike routes. The following bicycle facility types are present in and around the Rosedale University Town Center study area.

Shared-Use Paths (Trails)

A shared-use path or trail, also called a multi-use trail, allows for two-way, off-street bicycle use and may be used by pedestrians, skaters, wheelchair users, joggers and other non-motorized users. These facilities are frequently found in parks, along rivers, and in utility corridors where there are few conflicts with motorized vehicles, except at roadway crossings. The Rozarks Trails in the study area are single track dirt nature trails that run along the ridge connecting the Rosedale Arch, Fisher Park, and the Mission Cliffs area. These trails are recreational in nature and are volunteer-driven facilities. These trails are an asset to the active transportation network, and the City should continue to support the development and maintenance of these trails; however, they are not standard for inclusion into the transportation network by function or standard. The Regional trails network must be connected by shared-use paths that connect destinations or other bikeway facilities with paved trails of at least 10' wide, paved surfaces. The American Association of State Highway Transportation Officials (AASHTO) *Guide for the Development of Bicycle Facilities, 4th Ed. (2012)*, often referred to as the AASHTO Bike Guide, includes details of minimum standard trail design guidance that can constitute this segment of the bikeway network. The Rozarks Trails are an important destination and a part of the Rosedale Regional Nature Trail.

Because of their separation from motor vehicle traffic, shared-use paths appeal to the widest variety of user types, from families with children to adult recreational riders to everyday commuters. When these linear shared-use paths lead to popular destinations like the Rozarks Nature Trails, or connect to the on-street bikeway network, their utility expands greatly, offering a comfortable, low-stress bicycling environment for people to use for everyday trips.

Sidepaths

Sidepaths along arterial and collector roadways combine the design characteristics of a shared-use path with the directness and convenience of the roadway system. Sidepaths are generally at sidewalk level and separated from the road by a curb and a planting strip, providing at least a minimum separation from adjacent motor vehicles. Sidepaths are preferred by many bicycle users due to their separation from the roadway; however, without appropriate design, they can become a source of crashes and negative interactions with both motor vehicles at street and driveway crossings, and with pedestrians as well.

Sidepaths can be an integral component of the bike network, and if designed appropriately can provide a comfortable, low-stress bicycling environment for people of all ages and abilities, and expand the off-street trail system into neighborhoods, schools, and other community destinations.

Consistent with the AASHTO Bike Guide, path width is generally a minimum of 10' wide, but reduced to 8 feet for constricted areas. In cases where there is significant activity on a side path or shared use path, widths can be increased to 12' or greater, depending on usage by pedestrians and bicyclists, if they are to be a part of the bikeway network.

Bike Lanes

Bicycle lanes designate an exclusive space for bicyclists with pavement markings and signage. The bicycle lane is located adjacent to motor vehicle travel lanes, and bicyclists ride in the same direction as motor vehicle traffic. Bicycle lanes are typically on the right side of the street (on a two-way street) between the adjacent travel lane and curb, road edge or parking lane. Standard bicycle lanes can be found on Southwest Boulevard, to the north of the study area. On one-way streets, bicycle lanes may be located on either the right or left side of the street. Currently, there are no bike lanes that directly serve the study area. Bike lanes can also include travel way or parking side buffers that can increase a level of comfort for people bicycling. There are no buffered bike lanes in the study area.

Signed Routes

Shared streets in Kansas City, Kansas, near the study area are where bicyclists and motor vehicles use the same roadway space. Signed shared roadways in the area add guide signs as well as warning signs to provide identification of bike routes in the overall bikeway system and are prominent the east in Kansas City, Missouri. Guide signs provide information to people riding bicycles and alert people driving motor vehicles to be aware and respectful of other road users. Signed shared roadways are often installed on streets that have constraints prohibiting a more separated bikeway type, and are essential for addressing gaps in the bikeway network or serving as the final leg of a bicycle route on a low-volume, low-speed roadway. While these types of bikeways have their place in the network, they cannot constitute the network if the network is intended accommodate a wide range of ages and abilities. If these types of signed routes are used on low-speed, low-volume local roadways in the area, they should include additional traffic calming and diversion measures to increase bicycle comfort and prioritize bicycle traffic.



Figure 2: ADT Graphic for From Master Plan

Bikeway Level of Travel Stress Assessment

A look at Bicycle Level of Traffic Stress (BLTS) on arterial and collector roadways in the study area reveals the extent to which the current transportation network is limited in its ability to serve a wide variety of bicyclist types. Using the Bicycle Level of Traffic Stress methodology established by the Mineta Transportation Institute's (MTI) *Report 11-19: Low-Stress Bicycling and Network Connectivity* published in 2012, the Plan analyzes levels of bicycle traffic stress on arterial and collector roads in within the study area. Most people bicycling in the study area must travel on or across these major roadways to reach their destinations. The analysis combines individual roadway characteristics, like the presence of dedicated bicycle facilities, number of travel lanes, presence of parking, and posted speed limit, to assign a level of traffic stress to the roadway. Table 1 provides definitions for each of the four levels of traffic stress, as defined in the MTI Report 11-19.

Table 1: Bicycle Level of Traffic Stress Category Definitions

Level of Traffic Stress	Definition
BLTS 1	Presenting little traffic stress and demanding little attention from cyclists, and attractive enough for a relaxing bike ride. Suitable for almost all cyclists, including children trained to safely cross intersections. On links, cyclists are either physically separated from traffic, or are in an exclusive bicycling zone next to a slow traffic stream with no more than one lane per direction, or are on a shared road where they interact with only occasional motor vehicles (as opposed to a stream of traffic) with a low speed differential. Where cyclists ride alongside a parking lane, they have ample operating space outside the zone into which car doors are opened. Intersections are easy to approach and cross.
BLTS 2	Presenting little traffic stress and therefore suitable to most adult cyclists but demanding more attention than might be expected from children. On links, cyclists are either physically separated from traffic, or are in an exclusive bicycling zone next to a well-confined traffic stream with adequate clearance from a parking lane, or are on a shared roadway where they interact with only occasional motor vehicles (as opposed to a stream of traffic) with a low speed differential. Where a bike lane lies between a through lane and a right-turn lane, it is configured to give cyclists unambiguous priority where cars cross the bike lane and to keep car speed in the right-turn lane comparable to bicycling speeds. Crossings are not difficult for most adults.
BLTS 3	More traffic stress than BLTS 2, yet markedly less than the stress of integrating with multilane traffic, and therefore welcome many people currently riding bikes in American cities. Offering cyclists either an exclusive riding zone (lane) next to moderate-speed traffic or shared lanes on streets that are not multilane and have moderately low speed. Crossings may be longer or across higher-speed roads than allowed by BLTS 2, but are still considered acceptably safe to most adult pedestrians.
BLTS 4	A level of stress beyond BLTS 3.

At its core, the BLTS scoring decreases in comfort (1 is the highest comfort level) as the number of lanes, posted speed limit, and traffic volumes increase. Scoring in BLTS is based off of the four basic categories defined in the MTI report. This scoring methodology is summarized in Table 2.

Table 2: Segment Scoring Matrix for Bicycle Level of Traffic Stress

Number of Lanes	Traffic Volume	Mixed Traffic		Street with Bike Lane		
		<= 30 mph	>= 35 mph	<= 30 mph	35 mph	>= 40 mph
2 - 3 lanes	<=3k	1.5	2.5	1	2	2.5
	3k - 10k	2	3	1.5	2.5	3
	10k - 20k	3	3.5	2	3	3.5
	>20k	3.5	4	2.5	3.5	4
4 Lanes	<=3k	2.5	3.5	1.5	2.5	3
	3k - 10k	3	4	2	3	3.5
	10k - 20k	3.5	4	2.5	3.5	4
	>20k	4	4	3	4	4
6+ Lanes	All volumes	4				

The BLTS scoring decreases comfort (1 is the highest comfort level) as the number of lanes, posted speed limit, and traffic volumes increase. Traffic volumes reduce comfort more where bicyclists share the road with motorized vehicles, but comfort also decreases in bicycle lanes as traffic volumes next to those bicycle lanes increase. It is important to note that the presence of wide sidewalks along arterial and collector roadways was not factored into this analysis in order to represent on-road level of traffic stress for bicycling. Wide sidewalks and shared-use paths along roadways generally earn higher scores than adjacent on-street facilities, but those higher scores are often reduced when the path crosses a busier roadway with a lower BLTS score, reflecting the impact of major roadway crossings on a facility's safety and comfort.

**Table 3: Segment Scoring for Bicycle Level of Traffic Stress
in the Rosedale University Town Center Area**

Street	Bike Facility	Speed Limit (MPH)	ADT	BLOTS
Southwest	Bike Lane	40	27000	3.5
Rainbow (N/O 36 th)	Shared	40	28400	4
Rainbow (S/O 36 th)	Shared	30	24500	4
Oletha	Shared	15	3600	2
39 th (E/O State Line)	Shared	30	9800	3.5
39 th (State Line to Rainbow)	Shared	20	12400	3.5
39 th (W/O Rainbow)	Shared	20	2700	2
State Line	Shared	30		2
36 th (Rainbow to State Line)	Shared	30	5900	2
Mission	Shared	30	21400	4
47 th	Shared	30	20000	4

The analysis of key streets in the study area are shown in Table 3. The ability of these streets to achieve a high level of comfort for a significant number of people traveling in and to the corridor will either enhance the ability of new trips to be made by biking and a mode shift to biking from cars, or it will maintain or worsen the mode split as trips increase with new development. Our goal is to enhance the potential mode split and shift to biking, and transit-supportive biking trips.

Proposed Bikeway Plan from the Master Plan

Figure 4 shows the proposed bikeway network as included in the Rosedale Master Plan and Traffic Study document. The goal of the bikeway network is to provide connectivity and offer an alternative to traveling by car to destinations in the Town Center. Based on our assessment of the level of traffic stress in the study area, the planned network of routes that was included in the Master Plan Document will not provide the types of facilities and the connectivity to serve the study area, nor will it effectively create the mode shift envisioned by the plan. Much of the trail network included as existing are nature trails and not a formal part of the transportation network. Other elements like bike lanes, or even buffered bike lanes do not provide the separation that will draw people out of their cars and onto a bike, or to multimodal trips combining transit and the proposed bikeshare expansion into the study area.

On-street signed bike routes offer connections, but the shared environment will not substantially attract new bicycle traffic, especially where there are significant conflicts and motor vehicle access to parking garages and medical center facilities. 41st Avenue could also benefit from a more separated bikeway type that will allow service to a low stress bikeway loop for the area. Bike boulevards on Lloyd and Fisher will benefit from enhanced wayfinding, signing, markings and traffic calming, as noted, but directly serving separated bikeways.

Consistency in bikeway types is important to the overall plan and to providing low stress to low stress connections where we want to encourage bike travel, and connections between transit and destinations, as well as from bike share locations and transit or destinations.

Proposed Bikeway Facility Types

Bicycle facilities vary greatly in character, context, and intended user. The bicycle facility types described here in this chapter are recommended in the Plan and are described in greater detail in the Bicycle and Pedestrian Facility Design Guide in the appendix of this document. These facility types can best be understood when positioned along a spectrum that moves from *most integrated* with motor vehicle traffic to *most separated* from motor vehicle traffic. The illustration below depicts this concept.

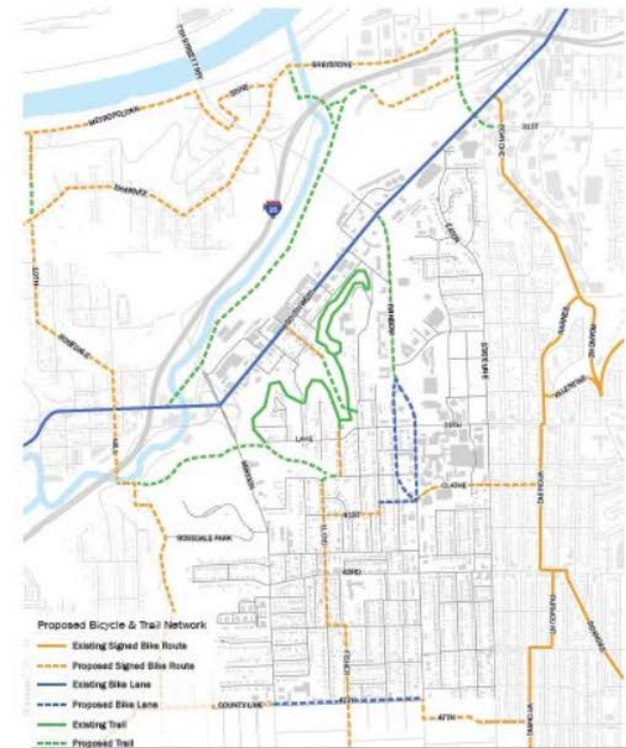


Figure 4: Bikeway Plan from the Master Plan



Figure 5: Marked On-Street Bikeway Continuum

Although the diagram above does not include all on-street bicycle facilities recommended in this plan, most notably “Share the Road” and “Bikes May Use Full Lane” signage, but it conveys the various strategies to accommodate bicycle travel that respect the contexts, constraints, and opportunities of each roadway. The facility types described below are also listed in order from *most integrated* to *most separated*.

Bikes May Use Full Lane Signage

“Bikes May Use Full Lane” signs are used on roadways in which travel lanes are intended for shared use by motor vehicles and bicyclists and are too narrow for motor vehicles and bicyclists to travel side by side. Unlike “Share the Road” signs, “Bikes May Use Full Lane” signs provide clearer, more descriptive information regarding the positioning of bicyclists within the travel lane. These signs are often placed along roadways that do not permit a more separated facility like a bike lane, yet provide an important segment of the bicycle network.

Shared Lane Markings

Shared lane markings, or “sharrows”, are road markings used to indicate a shared lane environment for bicycles and automobiles. Shared lane markings remind drivers of bicycle traffic on the street and recommend proper bicyclist positioning within the travel lane. These markings are often coupled with Bikes May Use Full Lane signs to reinforce the shared lane environment, and with wayfinding signage to guide people bicycling to popular destinations.

Bicycle Boulevard

Bicycle boulevards are non-arterial streets with low motorized traffic volumes and speeds, designated and designed to give bicycle and pedestrian travel priority. Bicycle boulevards use signs, pavement markings, and traffic-calming measures to discourage through trips by motor vehicles, while accommodating local access. These facilities provide people of all ages and abilities with comfortable and attractive places to walk and ride a bicycle. Intersection crossing treatments (particularly at arterial crossings) are used to create safer, more comfortable, and convenient bicycle- and pedestrian-optimized streets. People riding bicycles should feel comfortable bicycling two abreast or “conversation riding” while traveling on a bicycle boulevard.

Bike Lane / Buffered Bike Lane

Bike lanes designate an exclusive space for bicyclists with pavement markings and signage. The bike lane is located adjacent to motor vehicle travel lanes and bicyclists ride in the same direction as motor vehicle traffic. Bike lanes are typically on the right side of the street (on a two-way street), between the adjacent travel lane and curb, road edge or parking lane. Buffered bike lanes are conventional bicycle lanes paired with a designated buffer space, separating the bike lane from the adjacent motor vehicle travel lane and/or parking lane.

Cycle Track/Separated Bike Lane

Of all on-street bicycle facilities, separated bike lanes, also referred to as cycle tracks or protected bike lanes, offer the most protection and separation from adjacent motor vehicle traffic. Separated bike lanes are physically separated from motor vehicle traffic and typically provide bicycle travel in the same direction as motor vehicle traffic. They may be at street level, or raised above street level, yet still distinct from the sidewalk or pedestrian facility. In situations where on-street parking is allowed, protected bike lanes are located adjacent to the curb and sidewalk, with on-street parking repositioned to provide additional separation between people bicycling and people driving.

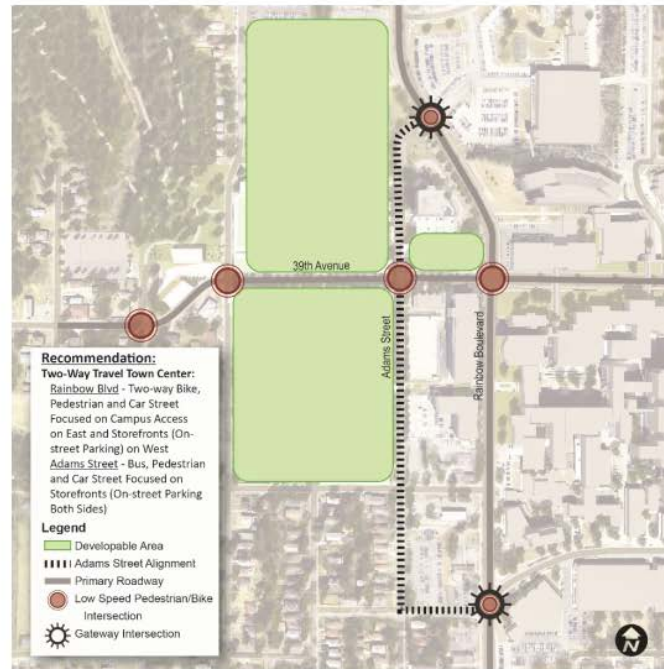
Some separated bike lanes are bi-directional and support bicycle movement in both directions on one side of the street. A two-way separated bike lane may be configured at street level with a parking lane or other barrier, or as a raised facility to provide vertical separation from the adjacent motor vehicle lane. Two-way separated bike lanes must provide clear and understandable bicycle movements at intersections and driveways. Education is important to inform people how to travel in a safe manner.

Sidepaths

Sidepaths, provide for bi-directional travel on one or both sides of the road. Because of their location adjacent to the roadway (but separated by a five-foot minimum tree lawn or landscaping buffer), this type of shared use path offers the most comfortable bicycling or walking experience along a roadway, however the potential for conflict with motor vehicles at street and driveway crossings makes the design of the sidepath at these crossings of utmost importance. Their importance within the overall bikeway network is critical and are integral to the functionality and connectivity of the network and provide vital connections to important destinations throughout the Rosedale Town Center area. This makes the engineering of crossing points critical for these trails to be low-stress travel ways for active transportation.

Bike Circulation and Network

While people in Kansas City, Kansas are legally permitted to bicycle on all public roadways except interstate highways, most people bicycling prefer to travel on trails, designated bike lanes, and low-speed/low-volume local streets. This national preference for separated facilities and calm local streets is common across the Midwest and in the Kansas City Region. Together, trails/sidepaths and on-street bikeways can comprise a great bike network, which is shown in the map below. However, merely providing bike lanes does not adequately reach the largest population of individuals who ride bikes.



Together, the trails, wide sidewalks, and on-street bicycle facilities described above will make up the Rosedale University Town Center District bike network. To better understand how the network currently functions, the Plan examines the key network characteristics of quality, connectivity, comfort, safety, wayfinding, and support facilities.

Quality

The quality of roadway and trail surfaces, pavement markings, wayfinding signage, and bicycle parking facilities is critical to the safety of people bicycling and the functionality of the bicycle transportation system. Network quality cannot vary through the district. Shared-use path and wide sidewalk surfaces should be in good condition and offer smooth, accessible surfaces for bicycling, walking, skateboarding, inline skating, and other trail activity. Pavement quality on the road network and associated on-street bikeways is more variable. Road surfaces in poor condition can deter bicycle activity and create safety hazards. Materials used for shared lane markings and bike lane striping points should be durable markings and striping products to reduce the need for annual scheduled maintenance to extend the life cycle for on-street bikeways.

Connectivity

Strong network connectivity is critical to the success of any bike network. Intersecting trails and low-stress bikeways can extend the distance that people feel comfortable bicycling and can better help people reach nearby destinations. The Kansas City, Kansas bike network has notable linear and area gaps that limit opportunities there are bike lanes present on several roads, but none of these bike lanes intersect. In

addition, major barriers like Rainbow Boulevard, Mission Road, and I-35 create challenges to bicycle mobility. As we enter the district, we must pay close attention not only to segments and bikeways in those segments, but we must address how people negotiate intersections in order to reach destinations in the district. While the one-way/two-way pair concept is still open, we must address separated bikeways on Rainbow and 39th Street, as well as connection of these bikeways to the transit center on Adam. This focus will work in whatever configuration Rainbow ultimately takes in the future. Figure 6 shows the bikeways along Rainbow that will address either roadway configuration, as well as gateways to the development area, and focus intersections to prioritize transit, bicyclists and pedestrians.

The Network

While our focus on this planning activity for the University Town Center District is limited, connections to the town center are challenged by several barriers that are both linear and perpendicular, like Rainbow Boulevard. These challenges are addressed in the Proposed Bikeway Network shown in **Figure 7**. The network incorporates the base ideas included in the Master Plan, but focuses on low-stress connectivity along and across active transportation barriers that restrict desired mode shift and reduce the level of

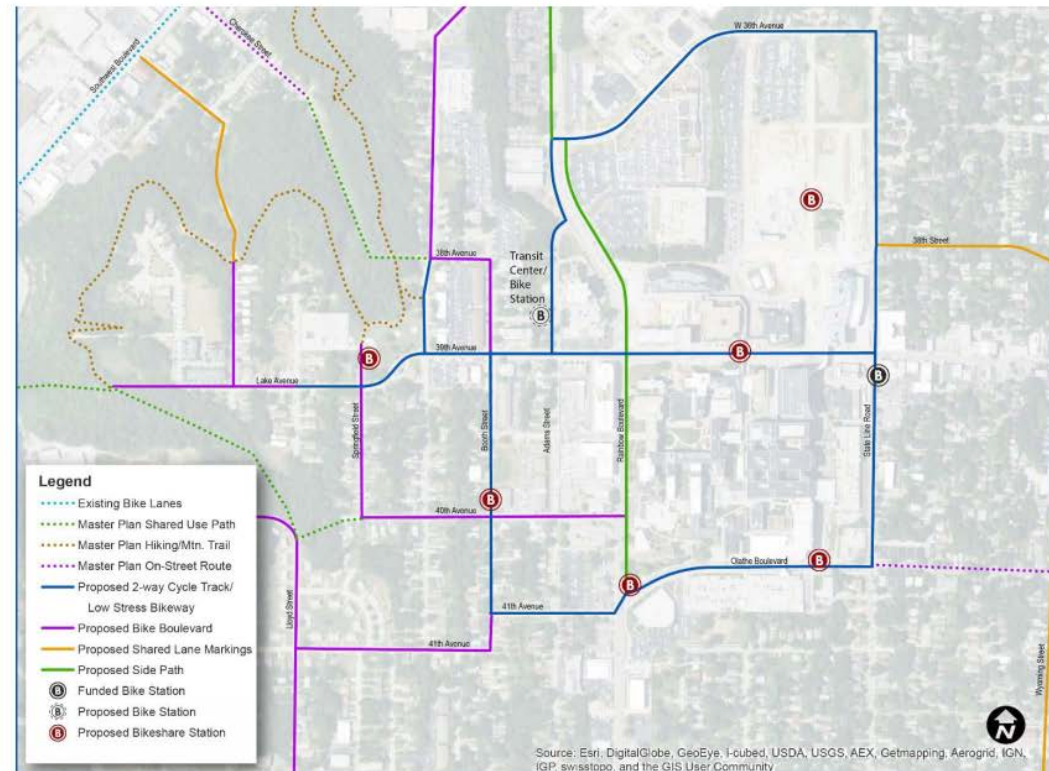


Figure 7: Proposed Bikeway Network

Our recommendations are as follows for the bicycle circulation and facility planning:

- Maintain the connection from the Southwest Avenue Bike Lanes to the district along the west side of Rainbow through a shared-use path/Cycle Track to 36th Street.
- Develop a two-way cycle track south of 36th Street along Rainbow on the west side of the roadway and transition to the east side at 39th Street.
- Locate the wide sidepath south of 39th Street on the east side of the road to serve the University all the way to Olathe Blvd. This spine can continue on Rainbow to the south or run on parallel streets as bicycle boulevards. The reason the sidepath is positioned on the east side is to make sure parking could possibly be included along the west side of the street that will serve retail and the pedestrian realm can be enhanced to serve the retail frontage.
- Add cycle tracks to connect to Rainbow on 36th Street, 39th Street, Booth, Olathe and State Line, creating a low-stress separated bike loop to link all areas of the district to the core at 39th and Rainbow, the transit center along 39th, and the community center/library to the west of Rainbow. While these bikeways would be best served as cycle tracks/separated bikeways, a phased approach should be considered in which less-separated facilities are installed first to define these roads as bicycle corridors, and then replaced to meet growing demand and capitalize on redevelopment opportunities. The increase in development will yield additional demand that will likely increase traffic volumes and require a separated facility. This plan looks at the ultimate build-out of the area.
- Bike boulevards and trail connections in the heart of the district allow for connectivity between cycle track segments, and connections to the trail network. The bike boulevards in this network plan are envisioned to support residential land use and calm streets for all ages and abilities. The shared-use path connections allow connectivity from the regional network to the town center.

A key element of this bikeway network will be wayfinding. Between the on- and off-street bikeways and connections between bikeways, wayfinding will serve the district and bikeway users and will allow branding of the network with other branding in the district. The wayfinding plan will also serve bikeshare stations and transit users as they use biking for their last mile connection to destinations in the district and adjacent destinations. These signs provide critical information to people bicycling, including directional guidance to key destinations and districts, as well as distance and time to reach these locations by traveling the designated route. The addition of travel times to wayfinding signage is more common in cities across the country for its ability to counter the perception of travel times as a significant barrier to bicycling, especially for utilitarian and commuter purposes.



Rainbow Section with Sidepath

Kansas City B-Cycle Bikeshare

The expansion of bikeshare to the Rosedale University Town Center District is clearly envisioned as a way to serve this development node of activity. As with the City of Kansas City, it is likely that bikeshare expansion occur in advance of the bikeway network development. Bike Walk KC has secured federal funding for expansion of Kansas City B-Cycle station to Kansas City, Kansas and into the State of Kansas. With this opportunity come challenges, including how to navigate the state process with the KDOT for securing equipment, with securing local funding to match the federal funds, and with identifying funding sources to operate the stations as part of the overall Kansas City B-Cycle network. This section of the memo will focus on station locations as part of the bikeway network to get the most benefit of the bikeshare system, and the bikeway network. Existing locations are shown in Figure 8, below, which a figure from the Master Plan document.



Figure 8: Bikeshare locations proposed in the Master Plan

As the network in the Master plan was proposed, the bikeshare stations were not served well by the bikeway network. Past experience with bikeshare systems indicates that low-stress bikeway infrastructure helps bikeshare dramatically, as well as the focus on using bikeshare as a support system to the transit network. We are proposing an additional two stations to serve the district more effectively and locate the stations along low-stress bikeways in the proposed network.

Stations we have added or adjusted are as follows:

- 39th and Fischer St. – The station will be located at the Library/Community Center. This is a key destination that will need to be served by the bikeshare system.
- 39th at Transit Center (Adams) – A bikeshare station will need to be located at the transit center, along with a bike storage station for the integration of bikes and transit.
- 40th Street and Booth – This bikeshare location is located on the edge of the mixed use district and provides for access to bikeshare that can access low stress routes that connect to the transit center, University and medical areas of the district.

- Olathe west of state Line – This station will serve the parking garages along Olathe and allow people to grab a bike and travel to other destinations in the district.
- 39th and state Line – This station has been secured by Bike Walk KC in the southeast corner of the intersection in Kansas City, Missouri. Another station to the east along 39th Street will provide two key steps of connection to Rosedale a reality.
- 37th and Cambridge – this station was noted in the original Master Plan document and will serve the parking and new construction in this part of the district. This location or adjusted location to keep parking to the north, yet connect an alternative through biking to the district will be critical. An additional station may be needed to the north.
- 39th at the A.R. Dykes Library – this will be a core station but stations to the east and west will be critical for people to use bike share around the district.

It will be critical to get key stakeholders to provide local match for bikeshare stations in the district to provide the concentrated density of stations to make bikeshare functional for the success of the district.

The Six E's Framework – A Foundation for the District

Building a culture that supports and encourages bicycling within the Town Center will require focus on actions and programs beyond infrastructure. It will require the addition of low-stress bikeways that support bicycling by people of all ages and abilities; programs, training, and organized rides to give people the exposure to cycling in the district and confidence to travel by bike; enforcement programs and laws that create an environment of mutual respect among all road users; and guidelines and policies to guide staff and elected officials to enable smart, responsible choices. It takes a comprehensive approach, and above all, it takes ambition, will, and perseverance.

The Unified Government has many of these assets and characteristics already, but it is a focus on the **“Five E’s” or the Building Blocks of a Bicycle Friendly Community: Education, Encouragement, Engineering, Enforcement, and Evaluation** that will create the transportation environment for the District to succeed. Equity is the sixth key indicator, thereby creating the “Six E’s” that will be used for assessing and planning the bikeway network and supporting programs.

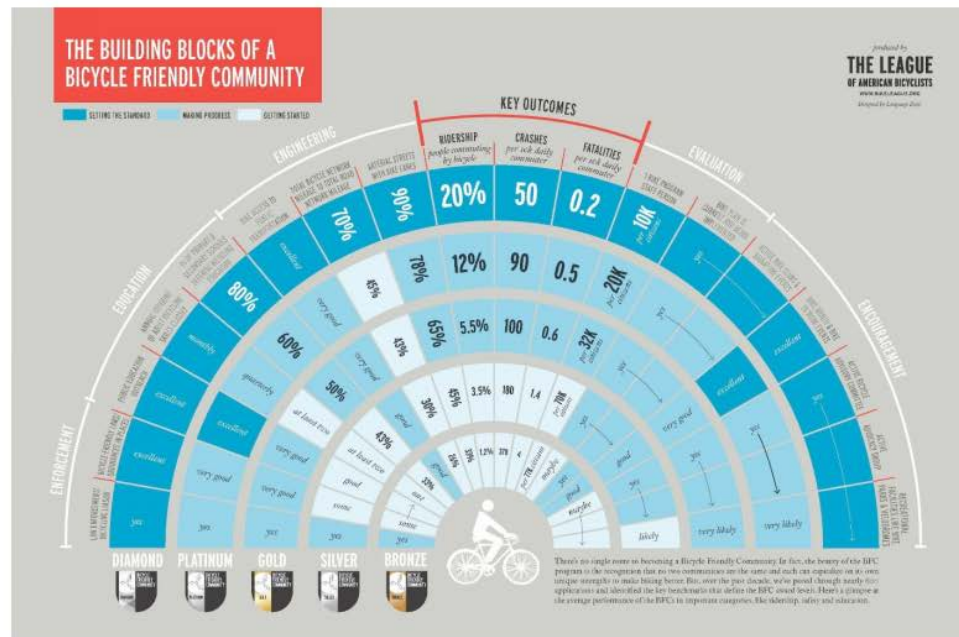


Figure 9: The Building Blocks of a Bicycle Friendly Community

When looking at the area being bike friendly, we must use best practices for creating bike culture in the area. This planning effort is a chance to get the process started in the area that can provide all facets of a bike friendly community. One of the major weaknesses was the lack of dedicated on-street bicycle facilities, particularly on arterial and collector roadways that feed the District and can circulate bicyclists in the area. Based on LAB guidelines we can enhance the bicycling environment through the following actions:

- **Engineering:** Provide bicycle facilities on arterial and collector roads to help bicyclists of all skill levels reach their destinations quickly and safely. Consider protected infrastructure like cycle tracks and buffered bike lanes on roads with posted speed limits over 30 miles per hour, as well as low speed streets that carry significant vehicular traffic.
- **Education:** Develop public education campaigns to encourage respectful and responsible travel behavior among all road and trail users in the area.
- **Enforcement:** Use targeted information and enforcement to encourage all road users to safely and respectfully share the road and provide information about road users' rights and responsibilities.
- **Encouragement:** Coordinate with the University of Kansas, and Medical Center to promote cycling in and around the campus, university and town center district to educate visitors, residents and students on safe cycling practices.
- **Evaluation & Planning:** Develop a coordinated Bicycle Advisory Committee that includes the University, Medical Center, Unified Government, business owners and Bike/Walk KC meet regularly to support plan implementation and build broad public support for bicycle improvements. Encourage law enforcement to participate on the Bicycle Advisory Committee.

Early action recommendations to get bike implementation off the ground can range from offering more training opportunities for engineering and planning staff on accommodating bicyclists, to hosting events in which a major corridor is closed to auto traffic and programmed for bicycling, walking, group exercises, and other outdoor fun and games.

Support Facilities

End-of-trip facilities like short-term bike racks, bike lockers, and long-term secure bike parking areas are essential to the success of the bike network. A lack of secure parking can deter people from bicycling to destinations, even for short trips. The Unified Government and major institutions like the University of Kansas and KU Medical Center, should provide short- and long-term bicycle parking at popular destinations like the university campus, parks, the proposed Library/Community Center, and businesses in the area. Bicycle parking should be designed into streetscape projects and new developments in and around the district in the form of bike corrals or individual bike racks, depending on needs of the land use in that area. In addition, the district should offer long-term parking in developments, in city-owned facilities, and at the transit center in the form of a bike station. Locker rooms and showers can be located at the bike station and in developments across the city, as well as in university buildings to better support bicycle trips by staff, faculty, and students. Bicycle repair stations, or “fix-it” stations, have become an important part of the bicycle landscape in recent years. Each station along the bike network can provide a bike stand, tools, and in most cases tire pumps for people to fix a flat or make other basic adjustments to their bikes.

A bike parking ordinance using a model ordinance should be developed immediately to set the stage for development and the support of bicycling in the district. Attention to this element of bicycling will increase the bicycle parking supply and reduce this perceived barrier to bicycling.



142 West Monroe Ave
Kirkwood, Missouri 63122
(314) 403-7460

MEMORANDUM

To: Matt Maranzana,
Project Manager – Forum Studio

From: Paul Wojciechowski, Alta Planning + Design

CC: Chip Crawford, Forum Studio

Date: December 17, 2017

Re: Parking Management Memorandum

In taking a holistic approach to creating a district that supports multi-modal transportation and encourages biking, walking and the use of transit, parking must be managed in a way that will support these efforts, not undermine them.

First, the concentration of parking lots to the north-east quadrant of the district will focus parking to an area that is more central to the Medical Center Area as well as further away from the district where we are hoping to have an increase in density and activity without expanses of parking lots. These parking lots will be well connected to the district by transit and bicycle routes. The bike station located at the parking ramps should be connected with clear, direct access from the bike station to the town center. If right of way permits, this could be a dedicated corridor prioritizing bicycles and pedestrians. The thought behind this is that once you arrive to the area you can leave your vehicle in the lot and easily and conveniently get around the district by walking, biking or taking a local transit option (shuttle).

Additionally, parking will be available within the district in mid-block ramps, surface lots or in on-street parallel parking. It is important to the success of the district to activate the street with pedestrians and not to have the primary arrival and activity happen on the backside of the businesses at the parking lot. Construction and design of the parking lots that are located mid-block should require that visitors are connected to the street and public sidewalk, rather than the backsides of the buildings and businesses. This will serve to active the sidewalk and street, and also encourage the use of the parking lots as a park-once area where they park their car and walk throughout the district, rather than feeling like they have parked near their only destination and must move their car for each local trip within the district that day.

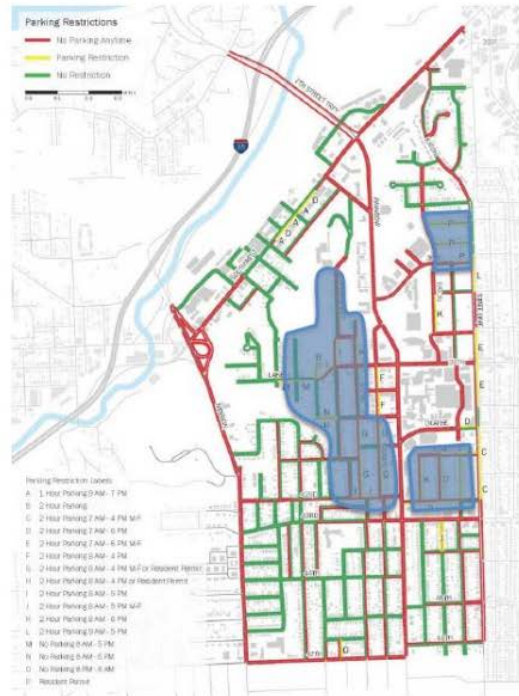
On-street, parallel parking provides the benefit of offering convenient parking as well as provides a buffer between the sidewalk and cafe area and vehicular traffic on the roadway. This parking should be priced higher than the lot/ramp parking in order to encourage quick turnover and pricing in line with the

convenience it offers. It should be short duration parking with enforcement, as failure to enforce this will be detrimental to nearby businesses.

Parking requirements for businesses should be reduced when land uses or building uses with different peak patterns are able to share parking lots. This provides round the clock usage of the parking lots which benefit the safety and vibrancy of the area along with providing a cost savings for construction.

Finally, the design of the parking ramps should require some space for covered, secure bike parking for employees and visitors that are not comfortable leaving their bikes in racks in front of businesses. These spaces should be secure, however also convenient to access and visible from the parking lot entrance. Additionally, parking ramps should also accommodate in policy for parking spaces for carshare vehicles such as Zipcar, if such a service were to be active in the area and request space. It will not require anything special in terms of design except signage and striping indicating the reserved space.

Providing bike parking and space for car share vehicle parking supports the notion that each visitor, employee and nearby resident has a variety of transportation options at their fingertips and they can use each mode seamlessly through convenient access and plentiful options. They do not have to rely on having their own vehicle as the only mode of transportation throughout their day.





142 West Monroe Ave
Kirkwood, Missouri 63122
(314) 403-7460

MEMORANDUM

To: Matt Maranzana,
Project Manager – Forum Studio

From: Paul Wojciechowski, Alta Planning + Design

CC: Chip Crawford, Forum Studio

Date: December 17, 2017

Re: Transportation Demand Management (TDM) Strategy Memorandum

The Transportation Demand Management strategy works hand in hand with the Parking Management philosophy as well as the connectivity and bike circulation plans.

The transportation demand management strategy of the University Town District is to provide a layered network of transportation options and a dense, vibrant district. With an easily accessible network of fixed route bus, shuttle service, vehicle, pedestrian and bicycle routes, all visitors to the University Town District will adjust their mode to fit their destination and day.

Because the area is looking to increase in density and reduce single occupancy vehicle trips, we will be looking to keep the vehicular access to the University Town District to just the minimum required. Through design and densification, it will be easier to take a shuttle, walk or bike within the University Town District, so visitors, students and employees are more likely to leave their car in a ramp and get around locally by foot, bike or shuttle. Creating better modal connections will facilitate this process. Once parked, a person arriving to the University Town District or parking lot will have convenient access to a shuttle stop, bike share bike or network of sidewalks. The mode they choose will depend on their personal preference and the distance they need to travel.



Accomplishing these connections and networks will be achieved by following the recommendations for the parking strategy and the recommendations in the connectivity plan memorandum. In addition to formulating design changes, implementing the densification and land use changes described for University Town in the Rosedale Master Plan and Traffic Study will be critical to the success of reducing single occupancy vehicle trips.

Businesses in the University Town District as well as KU should implement additional TDM strategies within their own operations. Ideas such as staggering work hours to avoid shift changes adding to congestion at peak times, managing, limiting and pricing parking permits to reduce demand as needed and encouraging carpooling, biking and walking through incentive programs and infrastructure design. Smaller businesses can operate bicycle friendly business programs where they provide their employees or customers with rewards based incentive programs for arriving by bike.

To: *Matt Maranzana,*
Project Manager – Forum Studio

From: *Paul Wojciechowski, Alta Planning + Design*

CC: *Chip Crawford, Forum Studio*

Date: *August 11, 2017*

Re: **Bus and Bike Circulation Strategy**

As part of the development of the Rosedale University District concept plan, there is a need to plan for the movement of bicycles and transit vehicles in a manner that maximizes access to the district while mitigating potential conflicts between these modes.

The following circulation strategy is recommended to accommodate the movement of bicycles and transit vehicles based on the proposed location of a transit center in the northwest corner of the intersection of Rainbow Boulevard and 39th Avenue. In addition to the proposed transit center at this location, the northwest corner also is the site of a proposed bike share station. As users of both modes wish to reach the heart of the Rosedale University District, it is important to consider the pathways of both users, and mitigate potential conflicts through network design and operations.

When planning for high-quality bicycle facilities in the presence of transit routes, it is important to consider three key objectives:

- Separate turning movements between bicycles and transit vehicles
- Separate paths of travel for both modes through the use of separated facilities
- Where feasible, place bicycle facilities on the left side of one-way streets, allowing buses to use the curb zone on the right side of the street

The following circulation diagram shows the pathways of travel for bicycles (in blue) and transit routes (in red). A two-way separated bicycle lane is proposed on the west side of Rainbow Boulevard north of 39th Avenue. South of 39th Avenue, the two-way separated bike lane is placed on the east side of the roadway. A two-way separated bike lane is proposed on the north side of 39th Avenue. Whenever a bicyclist crosses from one side of the roadway to the other along Rainbow Boulevard, or when traveling on 39th Avenue across Rainbow Boulevard, all turning movements occur on the north side of 39th Avenue.

Transit vehicles would enter and exit the transit center using Adams Street, and bus turning movements at the intersection of Rainbow Boulevard and 39th Avenue occur away from where bicycle turning movements or crossings are located. Transit vehicles would travel in both directions on Rainbow Boulevard and 39th Street.

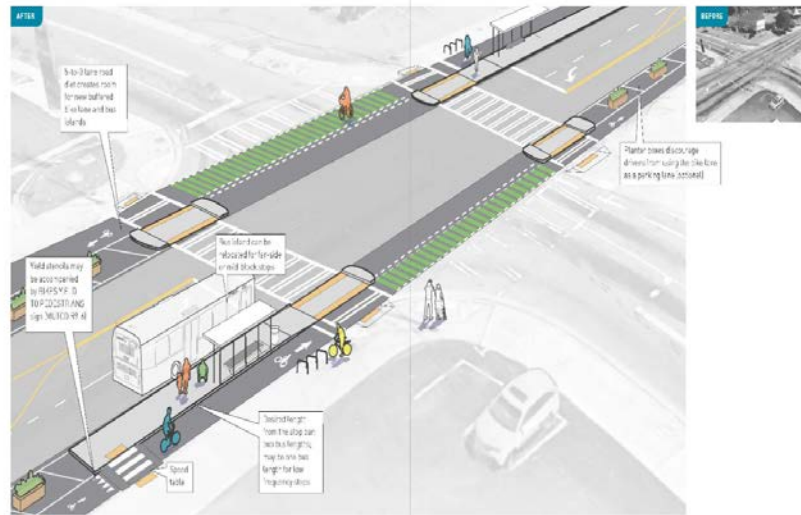
While the circulation plan separates potential conflicts by placing bike and transit vehicle pathways onto different streets or by separating turning movements, there are three points where pathways for these two modes cross:

- Adams Street & 39th Avenue
- Rainbow Boulevard and 39th Avenue
- Adams Street & Rainbow Boulevard (north)

The following images illustrate potential design solutions for where bicycle and transit vehicle lanes cross paths at intersections, showing the separation of modes and the mitigation (or elimination) of turning conflicts.



MITIGATING BIKE-BUS CONFLICTS

IDEA:
Buffered Bike Lanes with
Floating Boarding Islands

ACCOMMODATING BIKE + TRANSIT TRIPS FOR PEOPLE OF ALL AGES AND ABILITIES

IDEA:
Separated Bike Lanes with
Integrated Green Infrastructure

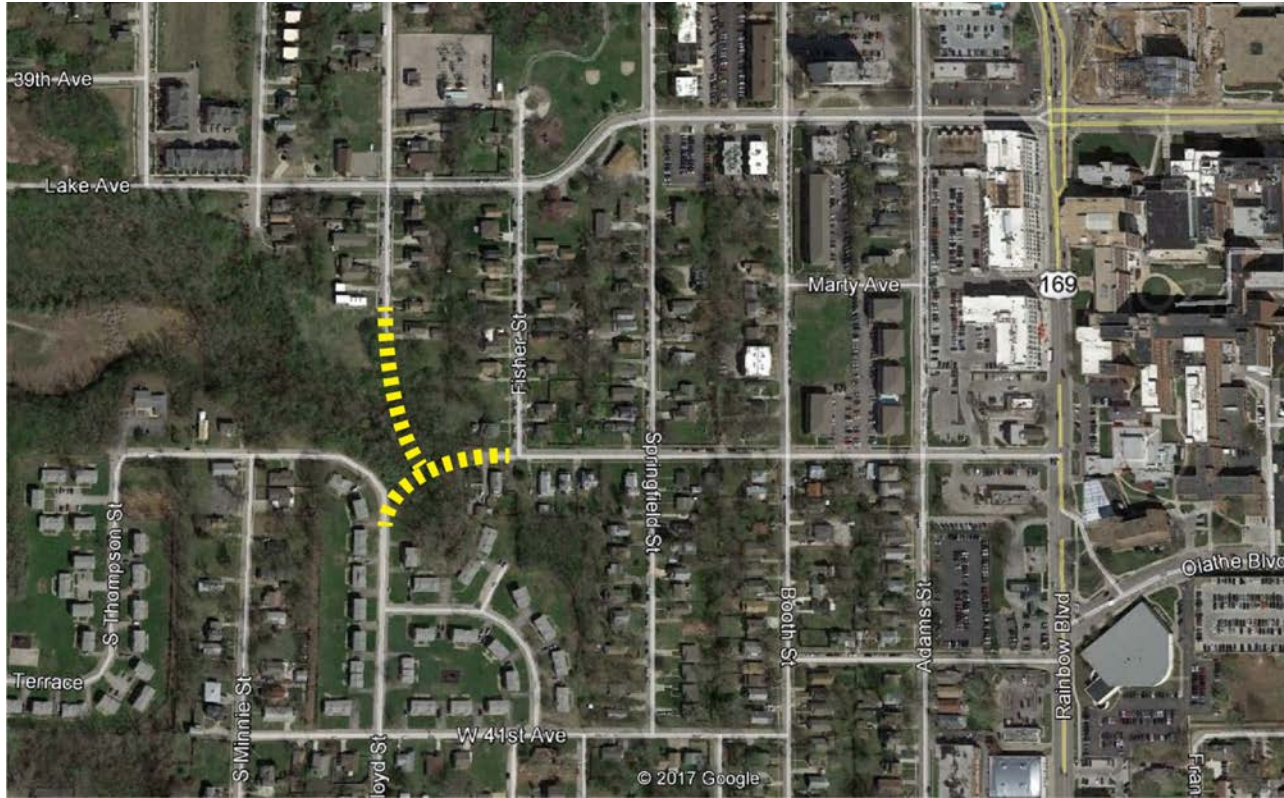
Above Left: Separated bike lane behind a bus boarding platform. Above Right: Protected intersection concept.

Source: *Bike To Ride: An Idea Book of Regional Strategies for Improving Bicycling Access to Transit*. Atlanta Regional Commission.

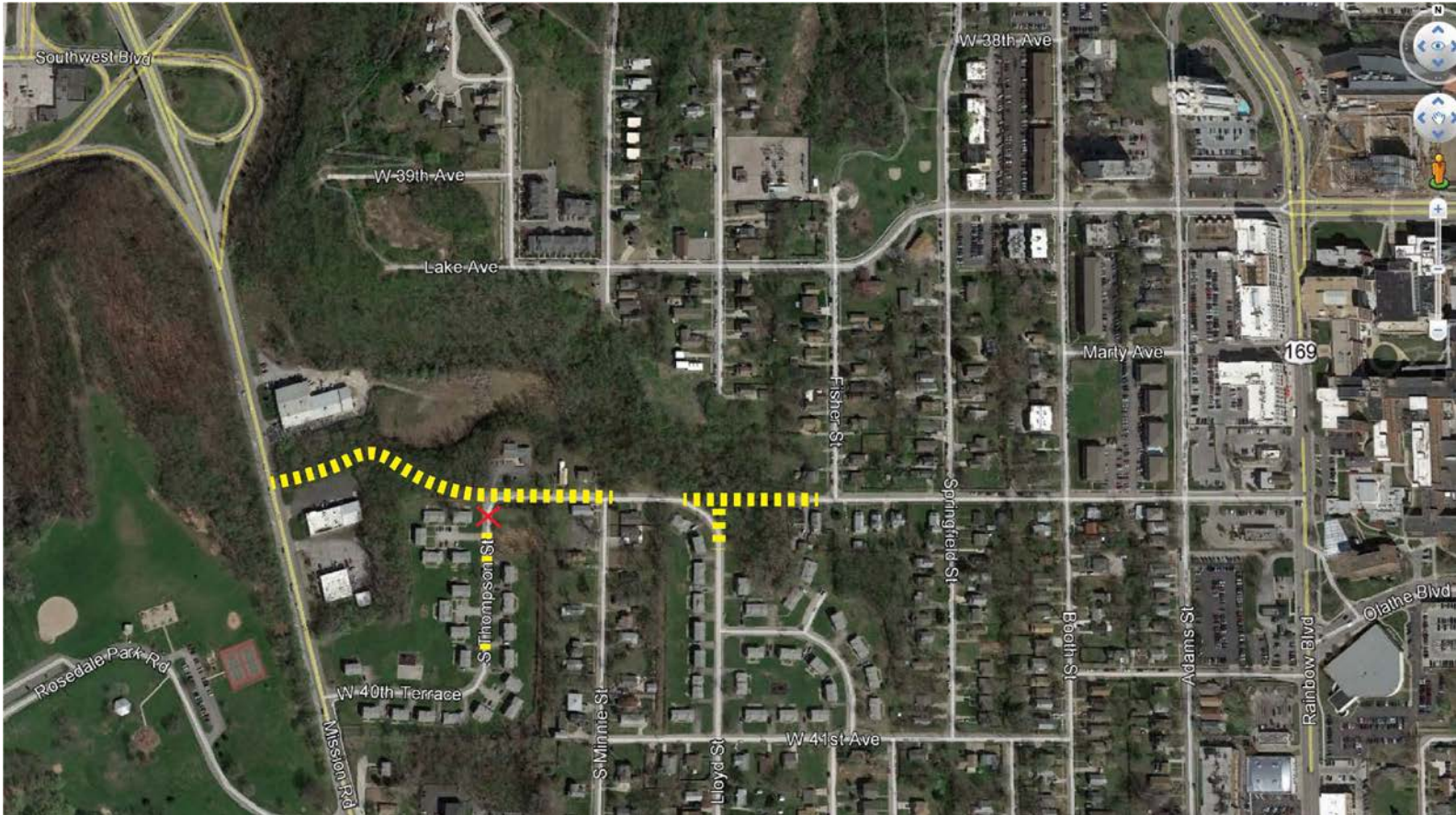


Above: Protected intersection of two one-way bike lanes and a bus-only lane in Chicago. Source: San Francisco Bicycle Coalition.

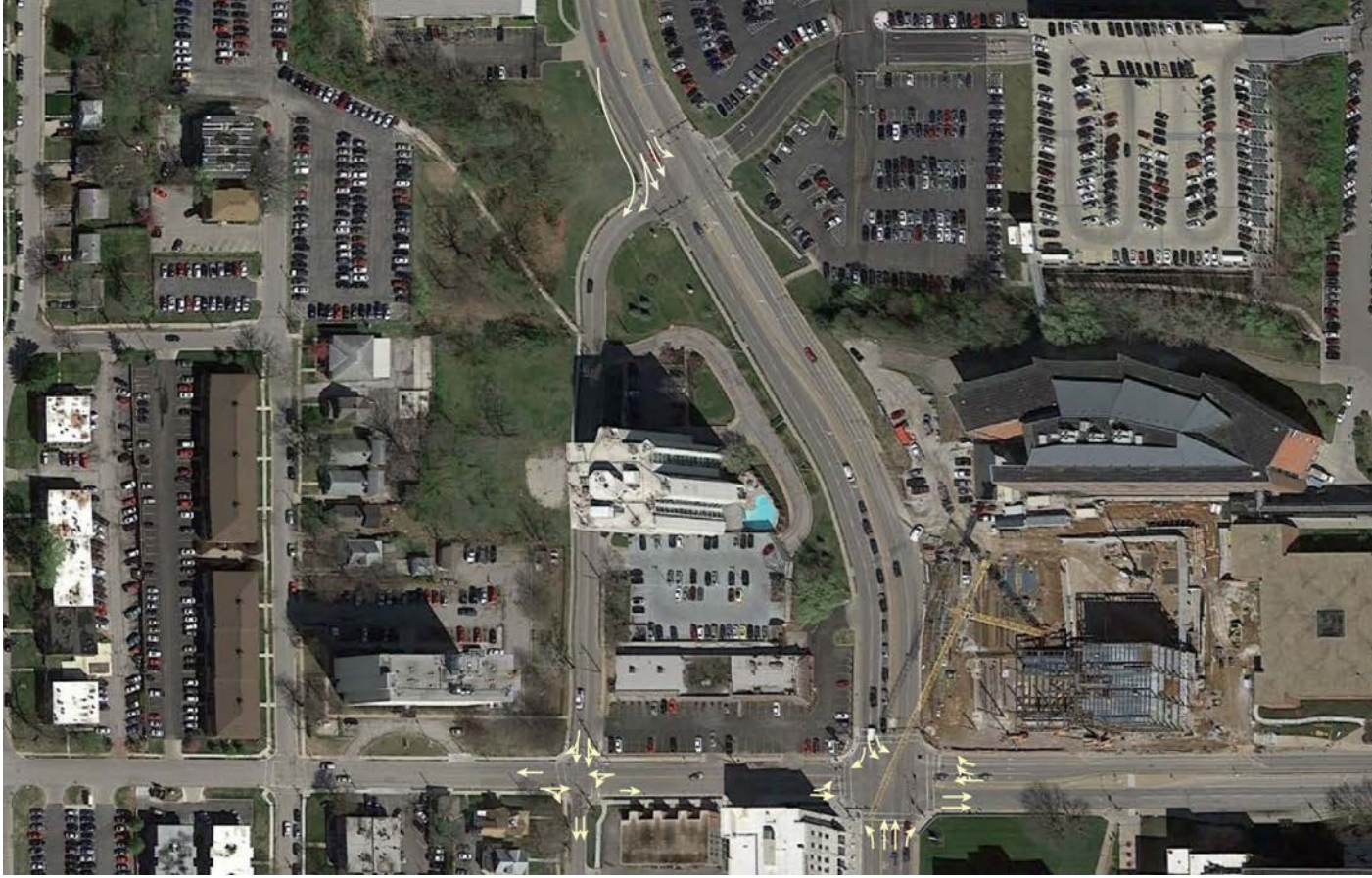
Residential Grid Connection Only



Connection to Mission Road



One-Way Pair on Adams Street



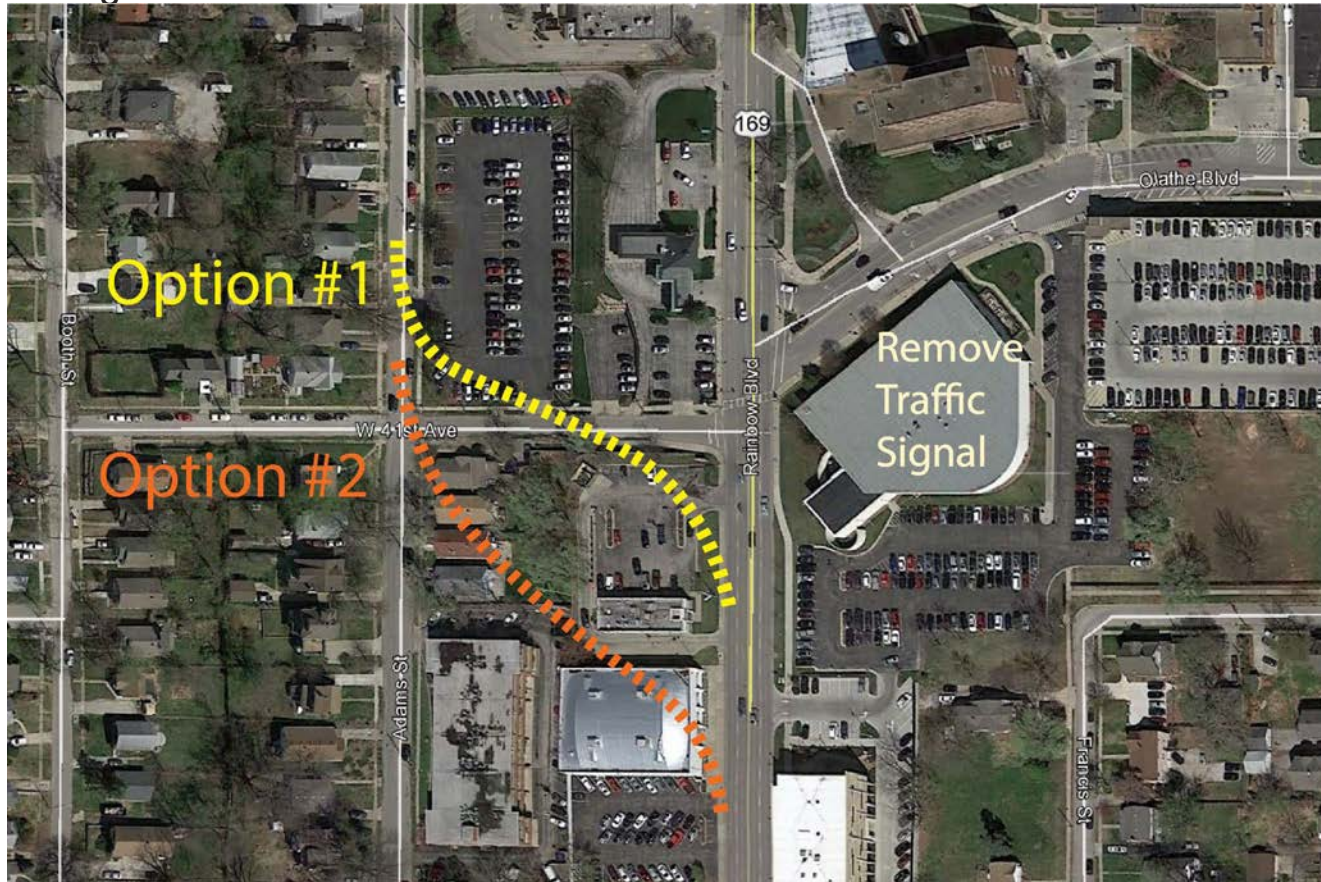
Maintain Adams Street as 2 Way till 39th Street



New Connection to Southwest Boulevard Through Fisher Park



Realignment Back to Two Directions on Rainbow



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 Lawrence, Kansas
 Holton, Kansas
 Topeka, Kansas
 Wichita, Kansas
 Branson, Missouri
 Springfield, Missouri
 Jefferson City, Missouri

MEMORANDUM

To: Matt Maranzana,
 Project Manager – Forum Studio

From: Andrew Robertson, P.E., CFS Engineers

CC: Chip Crawford, Forum Studio

Date: August 25, 2017

Re: Alternative Roadway Connections

For the Rosedale University District concept plan, there is a need to assess alternative roadway connections to improve vehicle circulation and access. The main existing connections from KU Medical Center to I-35 include Mission Rd/43rd Ave/Rainbow Blvd and 7th St Trafficway/Rainbow Blvd. Southwest Blvd can be accessed via Rainbow Blvd, Mission Rd, or Minnie St. The current 7th St Trafficway interchange is heavily congested during peak hours compared to the Mission Rd interchange.



Existing Routes that Connect I-35 to the KU Medical Center

Board of Directors:
 Kenneth M. Blair, P.E.
 Robert S. Chambers, P.E.
 Kevin K. Holland, P.E.
 Daniel W. Holloway, P.E.
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Associates:
 Aaron J. Gaspers, P.E.
 Michael J. Morrissey, P.E.
 Gene E. Petersen, P.E.
 Todd R. Polk, P.E.
 William J. Stafford, P.E.
 Richard A. Walker, P.E.
 Lucas W. Williams, P.E.

In this memo, alternative connections to provide improved access to the Mission Rd interchange where vetted. Possible alternative roadway connections to accommodate the movement of passenger vehicles includes alternative 1, East Connection to Mission Road, and alternative 2, North Connection to Southwest Boulevard.

East Connection -

The East Connection to Mission Road includes extending 40th Avenue from Thompson Street to Mission Road and three options to provide a connection to the University District. The benefit of this connection is that vehicles headed to and from the KU Medical Center can make use of the interchange at Mission Road & I-35 with a more direct route compared to the heavily congested interchange at 7th Street Trafficway & I-35.

In the figure below, three possible street grid connections are possible. The 40th Avenue Connection (shown in yellow), the Lloyd Street Connection (shown in blue), and/or the Minnie Street Connection (shown in red) can provide the connection to the hospital area when used in combination with the 40th Avenue Extension (shown in green). The 40th Avenue Extension, as laid out in the alignment below, would have a 9.3% grade. This grade is steeper than most similar residential collector roadways which have a recommended maximum grade between 6-8%. One remedy would be to build a cul-de-sac on Thompson Street at 40th Avenue and to reconstruct an additional 250 ft roadway segment of 40th Avenue to the east of the extension thus creating a vertical profile of less than 8%. The 40th Avenue Extension would affect the driveways of one business, one residence, and would most likely require land acquisition of the business along Mission Road (shown in pink).

The 40th Avenue Connection would have a 1.4% slope, the Lloyd Street Connection would have a 0.5% slope, and the Minnie Street Connection would have a 2.5% slope, but each of these options would require substantial fill and culvert design to account for the low point in the topography or a bridge. For the 40th Avenue Connection, the max elevation difference between the new roadway and the existing low point would be 38 ft. For the Lloyd Street Connection, the max elevation difference between the new roadway and the existing low point would be 44 ft. For the Minnie Street Connection, the max elevation difference between the new roadway and the existing low point would be 60 ft. Considering the relative cost of each of these connections, the 40th Ave Connection is preferred to be constructed with the 40th Avenue Extension (shown in yellow).



East Connection to Mission Road

North Connection -

The North Connection to Southwest Boulevard includes connecting Fisher Street from Lake Avenue to Cherokee Street. The benefit of this connection is that vehicles headed to and from the KU Medical Center can make use of another connection to Southwest Boulevard and avoid traffic on Rainbow Boulevard.

In the figure below, the Fisher Street Connection (shown in orange), as laid out in the alignment below, would have a 8.3% grade. This grade would require reconstruction of the existing portion of Fisher Street to the north of Lake Avenue which would affect one residential driveway and one utility access driveway. This option would require substantial fill, water management, and utility alignment. For the Fisher Street Connection, the max elevation difference between the new roadway and the existing low point would be 26 ft.



North Connection to Southwest Boulevard

Summary of Alternative Connections -

The East Connection and North Connections present design challenges due to the drastic changes in topography. The benefits of the alternatives are increased access to the main arterials in the area and commuters would greatly benefit using the new routes during congested times. In addition, the new connector routes open up new land for development. The predicted cost to construct the east and north connections may mean these alternatives are infeasible; however, the value added for new development and improved connectivity could be substantial.

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MEMORANDUM

To: Matt Maranzana,
 Project Manager – Forum Studio

From: Andrew Robertson, P.E., CFS Engineers

CC: Chip Crawford, Forum Studio

Date: August 25, 2017

Re: **Rainbow Complete Street Pros and Cons Evaluation and Traffic Analysis**

Pros and Cons -

The following concepts demonstrate improvements for Rainbow Boulevard which benefit more modes of travel and accommodate a healthier retail environment. These options are centered on pedestrian roadside and crossing safety enhancements, new multimodal facilities, and incorporation of ideas into a larger area multimodal plan.

Option 1 - "Retail" Boulevard

Description Add On-street Parking for businesses on west side of Rainbow Boulevard.

Pros

- New on-street parking in front of businesses provides direct access to storefronts
- New on-street parking provides a buffer between flowing traffic and sidewalks
- Shorter distance for pedestrians to cross Rainbow Boulevard
- Bus turnouts are easy to implement to keep traffic flowing
- Works within existing width constraints on Rainbow Boulevard

Cons

- Reduction in number of Thru-Lanes; Rainbow Boulevard cross-section configuration changed from 2-lanes each direction to 1-lane each direction with a center turn lane and parking along the west side
- No designated space for bikes



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Option 2 - "Bicycle" Boulevard

Description Add Two-Way Cycle Track on east side of Rainbow Boulevard.

Pros

- New two-way cycle track for bicycles in front of the Medical Center provides direct access to the hospital
- New two-way cycle track for bicycles provides a buffer between flowing traffic and sidewalks
- Shorter distance for pedestrians to cross Rainbow Boulevard
- Works within existing width constraints on Rainbow Boulevard

Cons

- Reduction in number of Thru-Lanes; Rainbow Boulevard cross-section configuration changed from 2-lanes each direction to 1-lane each direction with a center turn lane and a two-way cycle track along the west side
- No designated space for on-street parking
- Bus turnouts are hard to implement with two-way cycle track



Option 3A - One-Way Pair (Parking and Bicycling on West Side)

Description Rainbow Boulevard is two lanes headed north and Adams Street is two lanes headed south between 39th Avenue and 41st Avenue. On-Street Parking and Two-way Cycle Track on west side of Rainbow Boulevard.

Pros

- New on-street parking and two-way cycle track in front of businesses provides direct access to storefronts
- New on-street parking and two-way cycle track provides a buffer between flowing traffic and sidewalks
- Shorter distance for pedestrians to cross Rainbow Boulevard
- No reduction in number of Thru-Lanes
- Bus turnouts are easy to implement to keep traffic flowing
- Space for additional street landscaping and street trees
- Works within existing width constraints on Rainbow Boulevard

Cons

- Reduction in commercial visibility on Rainbow Boulevard due to redirected vehicles
- Facilities for bus stops are spread out
- Adams Street would need to be widened because the design does not fit within existing width constraints



Option 3B - One-Way Pair (Parking on West Side and Bicycling on East Side)

Description Rainbow Boulevard is two lanes headed north and Adams Street is two lanes headed south between 39th Avenue and 41st Avenue. On-Street Parking on west side of Rainbow Boulevard and Two-Way Cycle Track is on the east side of Rainbow Boulevard.

Pros

- New on-street parking in front of businesses provides direct access to storefronts
- New two-way cycle track in front of the Medical Center provides direct access to the hospital
- New on-street parking and two-way cycle track provides a buffer between flowing traffic and sidewalks
- Shorter distance for pedestrians to cross Rainbow Boulevard
- No reduction in number of Thru-Lanes
- Space for additional street landscaping and street trees
- Works within existing width constraints on Rainbow Boulevard

Cons

- Reduction in commercial visibility on Rainbow Boulevard due to redirected vehicles
- Facilities for bus stops are spread out
- Bus turnouts are harder to implement with two-way cycle track
- Adams Street would need to be widened because the design does not fit within existing width constraints



The following concept is for Adams Street.

One-Way Pair Follow-up Option - Parking on Both Sides of Adams Street

Description Adams Street is two lanes headed south with On-Street Parking on east and west side between 39th Avenue and 41st Avenue.

Pros

- New on-street parking

Cons

- Requires additional roadway width which could impact adjacent properties.

Use of the One-Way Pair Option with improvements to Adams Street is accomplishes the goals for new multimodal facilities and on-street parking in front of businesses. Going one step further would be a Two-Way Pair Option.

Option 4 - Two-Way Pair

Description Rainbow Boulevard is 1-lane each direction with a left-turn lane as needed and Adams Street is 1-lane each direction with a center turn lane. On-Street Parking on west side of Rainbow Boulevard except in areas with left-turn lane and Two-Way Cycle Track is on the east side of Rainbow Boulevard. Transit would be designated to use Adams Street.

Pros

- New on-street parking in front of businesses provides direct access to storefronts
- New two-way cycle track in front of the Medical Center provides direct access to the hospital
- New on-street parking and two-way cycle track provides a buffer between flowing traffic and sidewalks
- Shorter distance for pedestrians to cross Rainbow Boulevard
- Bus turnouts are easy to implement on Adams Street
- Works within existing width constraints on Rainbow Boulevard
- Splits demand of thru traffic for road network by substantially directing traffic to use an improved Adams Street

Cons

- Reduction in commercial visibility on Rainbow Boulevard due to redirected vehicles
- Adams Street would need to be widened because the design does not fit within existing width constraints



Two-Way Pair Follow-up Option - Parking on Both Sides of Adams Street

Description Adams Street is 1-lane each direction with a center turn lane with On-Street Parking on east and west side between 39th Avenue and 41st Avenue.

Pros

- New on-street parking

Cons

- Requires additional roadway width which could impact adjacent properties

Two-Way Pair Follow-up Option - Incremental Improvements to Adams Street

Description Adams Street is currently a southbound one-way 1-lane road with parking on the east side. An interim step for the Two-Way Pair option is to widen the existing pavement to be 1-lane each direction.

Pros

- Maintains the existing housing stock along Adams Street for time being

Cons

- Requires additional roadway width which could impact adjacent properties

Two-Way Pair Follow-up Option - Improvements to Booth Street

Description Booth Street is currently a northbound one-way 1-lane road with parking on the east side. To improve traffic flow at the network level, Booth Street could be improved to be 1-lane each direction with on-street parking on both sides and a two-way cycle track on the west side.

Pros

- Improves the traffic flow for the roadway network and better serves the University Town District

Cons

- Requires additional roadway width which could impact adjacent properties

Traffic Impact Analysis of the Four Options -

While traffic counts were not part of the scope of this study, the capacity versus the demand of vehicles was checked. To the right is an image of 2013 yearly traffic published by KDOT. The values represent the average annual daily traffic (AADT) in units of vehicles per day (vpd). Rainbow Boulevard has approximately 19,900 vpd.

For Option 1 and 2, Rainbow Boulevard would have a reduction in number of thru-lanes thus the capacity of the road will decrease; Rainbow Boulevard cross-section configuration changed from 2-lanes each direction to 1-lane each direction with a center turn lane. The upper limits of capacity for this lane reduction configuration is around 20,000 to 22,000 vpd, therefore this option is feasible.

For Option 3, the capacity of Rainbow Boulevard will not have a reduction capacity. Adams Street will have a large increase in traffic demand but will be improved to accommodate meet the traffic flow capacity needs. This option would provide the most capacity compared to the other options with a lot of room for growth.

For Option 4, Rainbow Boulevard would have a reduction in number of thru-lanes thus the capacity of the road will decrease, but some of the demand will be split with an improved Adams Street. This would provide more capacity than Options 1 and 2 but less than Option 3.

A comprehensive traffic impact study is needed to check the level-of-service, delay, and queue lengths along Rainbow Boulevard and Adams Street with regards to the proposed options.



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MEMORANDUM

To: Matt Maranzana,
 Project Manager – Forum Studio

From: Andrew Robertson, P.E., CFS Engineers

CC: Chip Crawford, Forum Studio

Date: November 29, 2017

Re: **Fisher Park Community Center and Transit Routes Connection**

Fisher Park Community Center -

Preliminary concepts for a community center in Fisher Park are currently under consideration for the near future. The community center building would possibly include activity rooms, meeting rooms, event space, and/or exercise facilities while the park grounds would include upgrades to playground equipment and possible relocation, new sidewalks that would integrate with the connecting walking trails, and a sizable parking lot. A lot of care will go into the design process leaving space for a comfortable walking environment and improved maintenance of landscaping. One of the ultimate goals for the facility is connectivity and the promotion of facilities that encourage less dependence on driving.

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Inclusion of a new transit stop at the community center would allow for increased local ridership and would allow bus drivers to stop as needed to utilize the community center's bathrooms. The transit stop would need to be well designed with safety enhancements in a open, well-maintained, and well-lit environment. This stop would be phased in after completion of the community center and would require an extension of the larger KCATA Route 39 (east-west) and/or Route 107 (north-south).





For the extension of the above transit routes to the community center, five options are presented below starting and ending at Adams Street & 39th Street. These extension routes could be utilized in a variety of ways with service ranging from every 30 minutes to service only during part of the day or upon request. To allow for bus maneuverability along 39th Street, travel lanes should be 11 ft wide and radius for curb returns at intersections along the route should be 15 ft at a minimum.

Option 1 - Turn Around using Community Center Parking Lot

1. Does not require additional investment in infrastructure
2. Integrates with new parking lot



Option 2 - Construct Circulation Drop off around the Proposed Building

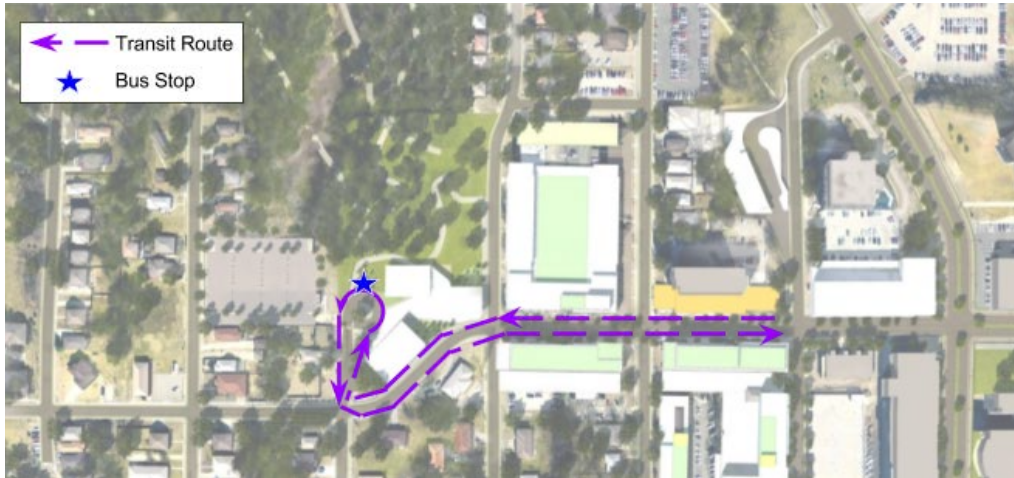
- Shorter circulation path than Option 1 by 35%
- Requires construction of pavement that reduces green space of the park



Option 3 - Reconstruct the Park Cul-de-Sac

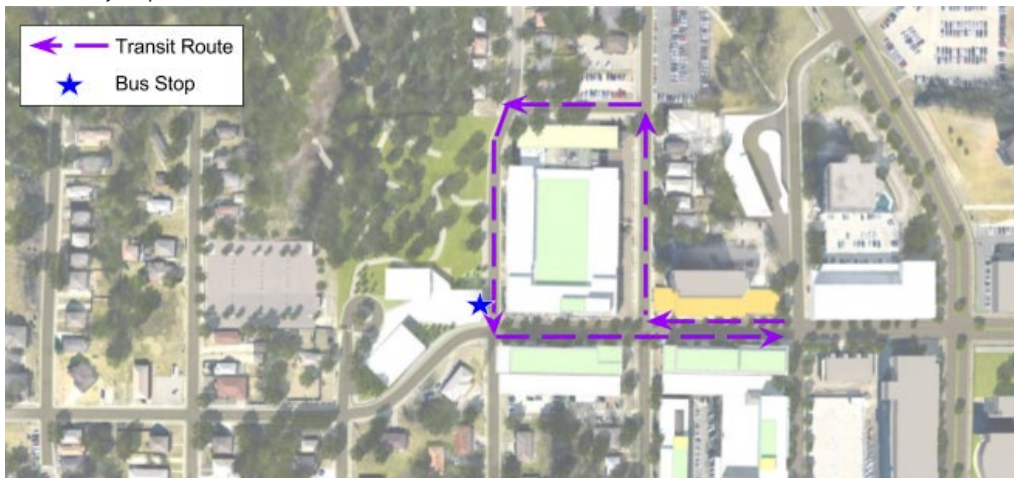
1. Shorter circulation path than Option 1 by 25%
2. Requires construction of pavement that reduces green space of the park

The cul-de-sac with an island that currently exists in the park has an outside radius of 42 ft which would present a challenge for bus maneuvering and is not ideal for bus unloading/loading since the bus could not pull up adjacent to the circular curb. Redesign of this turnaround in coordination with the parking lot could provide sufficient space for bus maneuvers.



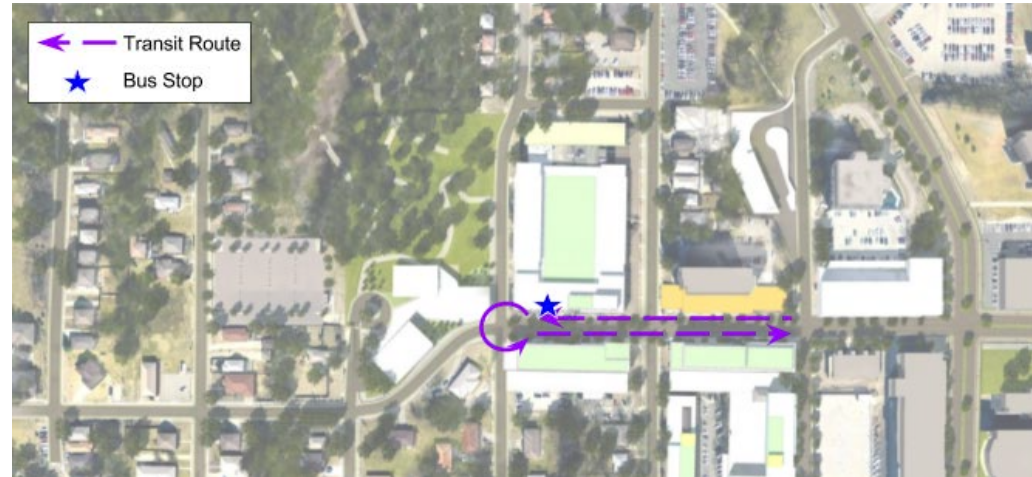
Option 4 - Turn Around via Booth Street to W 38th Avenue to Springfield Street

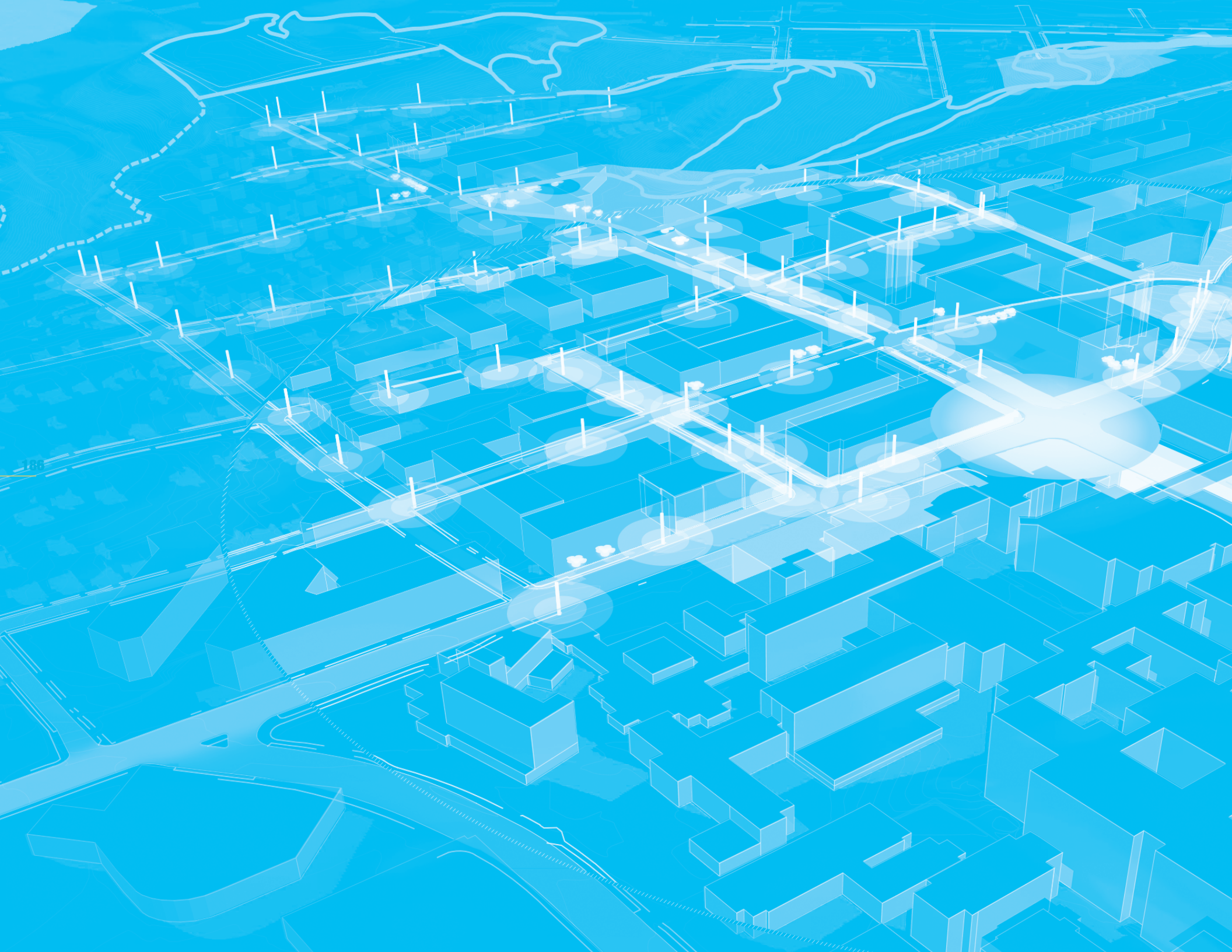
1. Shorter circulation path than Option 1 by 40%
2. May require additional investment in infrastructure



Option 5 - Construct Roundabout at 39th Street & Springfield Street

1. Shorter circulation path than Option 1 by 85%
2. Requires construction of roundabout that may not fit within planned roadway space
3. Bus stop would be further away from community center





An aerial architectural rendering of a city block, overlaid with a solid blue color. The rendering shows various building footprints, streets, and a river or canal winding through the area. The text "PUBLIC OUTREACH AND COMMUNITY ENGAGEMENT" is centered in white, uppercase letters.

PUBLIC OUTREACH AND COMMUNITY ENGAGEMENT

Rosedale Public Meeting #1

Meeting Summary

Monday, June 26, 2017

6:30-8:00 PM

Rosedale Development Association

1403 Southwest Blvd.

Kansas City, KS 66103

Project Team Members

Chip Crawford, Forum

Matt Maranzana, Forum

Tyler Meyr, Forum

Jim Schuessler, CFS

Paul Wojciechowski, Alta Planning

Zach Flanders, Unified Government

Lauren Garrott, Shockey Consulting

Erin Dougherty, Shockey Consulting

Welcome and Project Introduction - Unified Government of Wyandotte County (UG) / Mid America Regional Council (MARC)

Zach Flanders welcomed the meeting attendees and introduced the consultant team. Following introductions Zach presented background information on how this planning project came to fruition. He stated that this one of the projects that is an implementation step of the Rosedale Master Plan. This is a grant funded project that is part of MARC Planning Sustainable Places (PSP) program. The following are the goals of this project:

- Create a transit oriented development plan that allows Rosedale's population to grow, increase amenities and services available to residents, and promotes a walkable, vibrant, urban neighborhood.
- Improve the area's parks, trails, and recreational amenities including options for a community center or library branch.
- Pursue housing strategies to accommodate diverse housing needs including students, professionals, families, seniors and affordable housing.
- Refine multimodal transportation strategies that accommodate pedestrians, cyclists, transit and vehicles.
- Promote high quality development that enhances the Rosedale image

Design Team Introductions - Forum Studio, Alta Planning & Design, CFS Engineers, Development Strategies, Shockey Consulting

1. Project Presentation

- The team gave a presentation discussing goals and ideas related to the Discovery and Analysis phase.
- See Attachment A for full presentation

2. Questions & Concerns

- KU Med is parking throughout the neighborhood
- Don't develop into our neighborhood
- Existing land use
- Rozarks trails removed?
 - We like this green space
 - substations cause cancer
 - Has environmental impact study been done?
- What would go where the substation is?
- Timetable on the substation?
- No need for parking in front of Five Guys.
- KU Med influence, employees live in Johnson County, I don't want to live in suburbia
- We don't have mass transit
- Will KU provide housing for students? How much residential?
- What is fairness? In the past that meant 70/30.
- We have affordable housing now, but what's next?
- Have you done comparable projects?
- Can you project our rental rates?
- Master Plan- increase population, accommodate other housing types
- Is 39th going to be wider?
- Minnie has no bike connections
- Car and traffic control from Johnson County
- Funding?

- KU Med Center and the University are parking throughout the neighborhood. Residents feel that KU growth and development has been bad for the neighborhood in increasing traffic and parking problems
- With any new development, infrastructure issues need to be addressed such as for electric service and water and sewer.
- Do not want wider street for cars. Additional street width in neighborhoods is not appealing.
- ADA accessibility is critical to residents.
- Tree removal is a concern. We need to maintain the trees we have. Preserve park areas.
-

3. Breakout discussions

Group 1

- Keep
 - Affordability- property taxes and multiple bedroom houses
 - Community center behind school?
 - Mission Cliffs- green connection along 39th
 - Where is the critical mass?
 - Diversity and longevity of neighbors- how do we encourage people to stick around
- Create
 - BPU substation
 - Transit- KCATA route plans
 - Fairness for families that live here in terms of affordability- rental rates and affordability

Group 2

- Bring in local businesses
 - Services- barbershops, sandwich shops etc
 - No more chain fast food
 - Need to cater to existing residents-not just KU professionals

- Want to be able to stay in single family houses
- We are comfortable with the density in the area
- Parks need better amenities
- Reassurance that plan will last and not be revised to be more dense in 10 years
- What is your goal on percentage apartments vs. houses?
- Make "our" 39th 10x better in appearance- not shabby
- Neighborhood service uses
- Parks with amenities that draw people
- Schools
- Sidewalks need improvement
- Quality of infrastructure needs to improve. This includes both water and sewer

Group 3

- Project Goals
 - The goal needs to be high density on 39th and Rainbow with residential Fisher Park and west
 - Develop Fisher Park into a central hub it should be a connection between high density and residential
 - It should be a park that serves everyone
 - Small library and community center similar to Roanoke
 - Small gym with membership
 - Keep it at the community scale
 - Expand the park and cut down on traffic speed
- Keep
 - Fisher Park
 - Biking trails
 - Rozarks
 - Residential feel on the edges

- Create
 - Library
 - Community center
 - Bikeable/walkable sidewalks and streets
 - Develop area off Rainbow add mixed use
 - hotel
- Lose
 - Nonexistent businesses and empty buildings on Rainbow
- Challenges
 - Educating people on the benefits of the project
 - Fix the perception of the schools in order to attract new young families to the area
- What can we do right?
 - Keep high density near arteries and keep single family separate

Group 4

- Project Goals
 - Need to create spaces for students because it appears that the area is not catering to students. Ex. \$900 per month rent
 - Low rent housing for anyone including students
 - Create assisted living housing retirement housing
 - Create more stores and shops
 - Create a community center with a pool
 - Children amenities
- Change (Lose)
 - More parking on KU's property
 - Better sidewalks
 - Good acceptable streets
 - Need to replace street lights that are broken

- o More amenities for existing apartments
- Biggest challenge
 - o Traffic is a huge problem
 - o Parking
- Single most important tasks to accomplish
 - o Have meetings to get people talking
 - o Transit at 39th & Rainbow
 - o How do we fix security along 39th?
 - o Need to present timelines
 - o Fix slide- P & R is waiting to fix until the plan is complete
 - o Affordable housing- provide data on current rent rates
 - o Add subsidized housing

Final Thoughts

CONNECTIVITY

- o We don't have mass transit. 107 Transit Route is limited in service at one bus per hour. Attendees noted that they would like to see more service to the south.
- o Some attendees want some type of connectivity for vehicular traffic of 39th Street and 40th to Southwest and Mission respectively, and let access occur to I-35.
- o Stakeholders feel that a retail corridor will have more success if 39th street does not dead end - connection to Mission, Southwest, Cherokee? Possibly via 40th Ave, but may require a bridge over the valley.
- o Residents feel that there are not enough regional transit lines that serve the neighborhood
- o Children walking home from Rosedale Middle School through neighborhood, cause some vandalism
- o Currently medical students are parking on residential streets and cutting through the neighborhood (along Minnie St., Fisher Park)

HOUSING

- o Residents are very concerned about being displaced, that rental rates and property taxes will increase... what specific policies and incentives for affordable housing will address this problem?
- o Projected impacts on rental rates? Property Values? Property Tax Increase?
- o Numbers would be appreciated for allocation of program - housing types and number of units
- o BPU's plans are unclear; residents and property owners are concerned the location of the substation will adversely impact views, property value, and public health.
- o Has environmental impact statement been completed for relocation of BPU substation?
- o Plans should show continuity and development from previous Rosedale Master Plan effort, most of the same residents were engaged.
- o Most in attendance were looking for diverse housing types with reasonable rental rates, home ownership, and price of housing for a wide range of people.

ENGAGEMENT SUMMARY

Rosedale University Town Plan – Public Meeting No. 2 September 14, 2017

Summary

The public meeting was attended by approximately 30 people. The meeting consisted of an open-house where attendees could view 14 informative display boards. The displays were dedicated to: project goals, housing strategies, open space and amenities, density and character, circulation and the Transit Center. Attendees were greeted, encouraged to sign in and take a meeting guide and comment cards. The project team was available near the displays to answer general questions from the attendees. Attendees were encouraged to submit written comments on the forms provided. Comment forms were collected that night.

Highlights of Comments Submitted (Summarized to Determine Major Themes)

Housing Strategies

- The majority of the group was in favor of higher density along the edge of the community.
- There isn't clear guidance on whether the community wants to keep a community scale.
- The majority of the group was in favor of keeping higher density along the edge of the community.

Open Space & Amenities

The majority of residents want Fisher Park to be protected and remain a park.

What should Fisher Park offer to the community? (Choices ranked from most dots to least)

- Reading rooms (3)
- Trail head (3)
- Meetings paces (2)
- Outdoor basketball courts (2)
- Open Lawn (1)
- Auditorium (1)
- Library shelves (1)
- Meeting rooms (1)

Should Fisher Park have an indoor recreation center? (Choices ranked from most dots to least)

- Meeting spaces (3)
- Seating areas (3)
- Lobby space (2)
- Fitness room (2)
- Wooded trail (1)
- Auditorium (1)
- Reading rooms (1)
- Gym (1)

- Indoor basketball court (1)

Density and Character

- The community likes the idea of locating higher density development on the edges of the neighborhood & near major roads

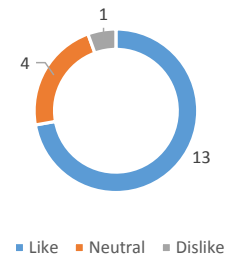
Circulation and Transit Center

- Consensus on keeping locating the transit center at 39th and Rainbow. The community feels Fisher Park should remain a green space.

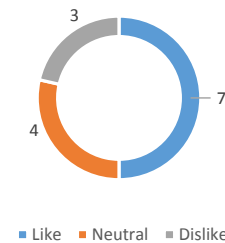
Housing Strategies

Tell us what you think about the following strategies.

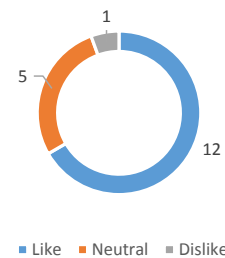
Maintain diverse neighborhood while providing a range of affordable housing.



Maintain community scale



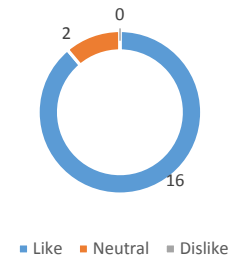
Higher density along the edge of the community.



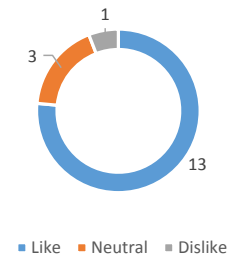
Open space & amenities

Tell us what you think about the following strategies

Connecting 39th Ave corridor by green space



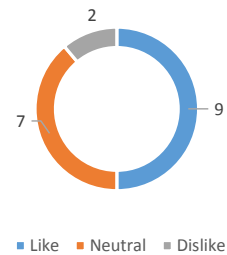
Create a central hub at Fisher Park with community center, open space and trails.



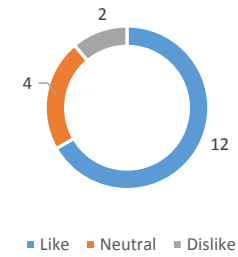
Density & Character

Tell us what you think about the following strategies

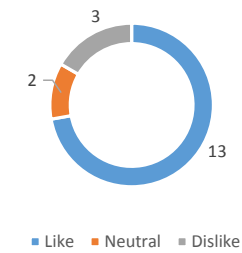
Improve neighborhood by rezoning to reflect current land ownership



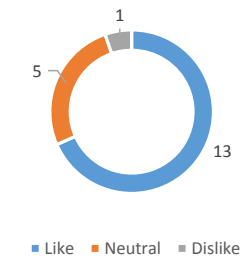
Improve existing neighborhood—by connecting 39th Avenue corridor by retail



Keep single family separate—transition from University/Business to single family by using missing middle housing.

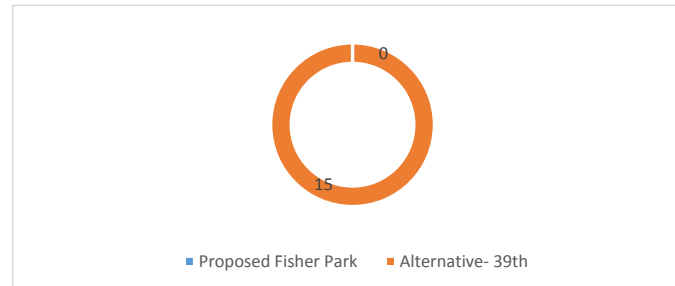


Locate higher density development on the edges of the neighborhood & near major roads (39th and Rainbow)



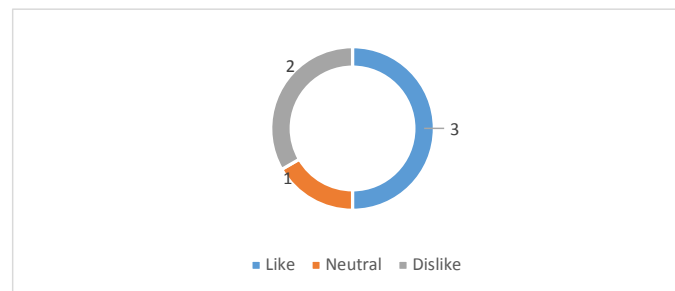
Circulation & Transit Center

Which location do you like for the transit center? Why?

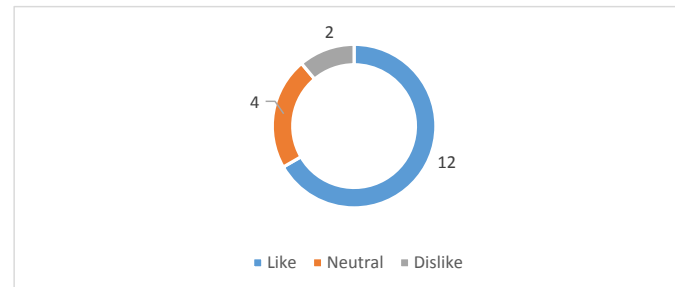


Tell us what you think about the following strategies

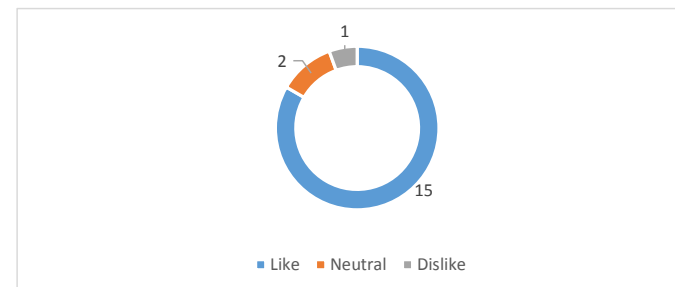
Increased on-street parking-
39th, Rainbow, Adams.



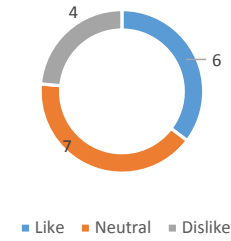
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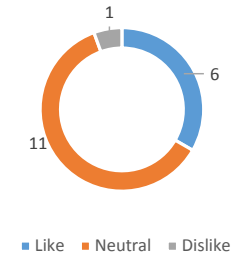
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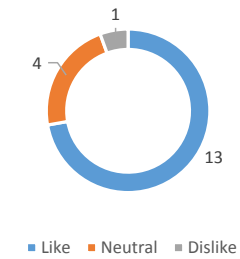
Transit Center with people living above it



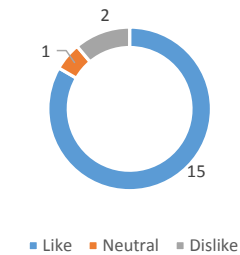
Transit Center with people working in offices above it



Bike share stations



More street trees



HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like neutral dislike

Why?

- Maintain community scale
- like neutral dislike
- Why? I WANT DENSITY

- Higher density along the edge of the community
- like neutral dislike
- Why?

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why?

- Maintain community scale

like

neutral

dislike

Why?

- Higher density along the edge of the community

like

neutral

dislike

Why?

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why? *There's too much division already going on in housing.
Mix housing areas are more human centered and desirable*

- Maintain community scale

like

neutral

dislike

Why? *don't understand the question*

- Higher density along the edge of the community

like

neutral

dislike

Why? *High density near KU Med makes sense.*

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why?

- Maintain community scale

like

neutral

dislike

Why?

- Higher density along the edge of the community

like

neutral

dislike

Why?

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like neutral dislike

Why? This is an essential aspect but difficult for new construction eh? \$90⁰⁰sqft = \$900⁰⁰ Mortgage mo or \$1300⁰⁰ rental

- Maintain community scale = We must plan for inevitability!

Why? Why would KC KS not want to benefit from continued concentration of population -

I used to rent to 2 adults - added bedrooms that qualify & the place now rents to 5 adults - ^{they} send it

- Higher density along the edge of the community

like neutral dislike

Why?
= this makes a good use of multi-use development -

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why?

This is essential to preventing ghettos and displacement and to strong public schools

- Maintain community scale

like

neutral

dislike

Why?

It displaces fewer people and keeps the area diverse in terms of student, family & elder housing

- Higher density along the edge of the community

like

neutral

dislike

Why?

It's aesthetically pleasing and makes sense logistically

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why?

- Maintain community scale

like

neutral

dislike

Why?

- Higher density along the edge of the community

like

neutral

dislike

Why?

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like neutral dislike
 Why? can't explain,

- Maintain community scale
 like neutral dislike

Why?

- Higher density along the edge of the community
 like neutral dislike

Why? maybe in the future (due to technology (mostly) the people in their 20s, 30s & 40s won't want anything but high-rise buildings & no green space.

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why? Can't keep the lower end when trying to upgrade neighborhood. Raise it all!

- Maintain community scale

like

neutral

dislike

I don't understand what this is asking

Why?

- Higher density along the edge of the community

like

neutral

dislike

Why?

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why?

- Maintain community scale

like

neutral

dislike

Why?

I'm neutral because I'm not sure I understand the intent of the ?

- Higher density along the edge of the community

like

neutral

dislike

Why?

As long as higher density stays East of Fisher Park

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like neutral dislike

Why? Who doesn't want this?

- Maintain community scale

like neutral dislike

Why? Scale + intensity on edges - Rainbow, 39th
could increase - inner neighborhoods remain similar

- Higher density along the edge of the community

like neutral dislike

Why?

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like neutral dislike

Why?

- Maintain community scale

like neutral dislike

Why?

- Higher density along the edge of the community

like neutral dislike

Why?

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why?

- Maintain community scale

like

neutral

dislike

Why?

- Higher density along the edge of the community

like

neutral

dislike

Why?

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like neutral dislike

Why? Affordable housing to keep the neighborhood diverse and not making it unaffordable/unattainable. Also, reserving some affordable housing for non-students

- Maintain community scale

like neutral dislike

Why? It would be nice to have more multi-unit housing to try to bring more KU employees/students closer to the area to reduce traffic

- Higher density along the edge of the community

like neutral dislike

Why? Keeping single family neighborhoods, but keeping an "urban feel" in an area for those who like it

HOUSING STRATEGIES

connect before
maneuver to Fisher Park

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why?

- Maintain community scale

like

neutral

dislike

Why?

- Higher density along the edge of the community

like

neutral

dislike

Why?

Please integrate our PCHA buildings
seamlessly into amenities

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like neutral dislike

Why? VERY STRONG EXISTING COMMUNITY THAT SHOULD BE RESPECTED AND NOT OVERWHELMED

217

- Maintain community scale

like neutral dislike

Why?

- Higher density along the edge of the community

like neutral dislike

Why? I THINK THIS IS A NECESSITY AND PROBABLY THE BEST WAY TO MINIMIZE THE IMPACT TO THE SINGLE FAMILY HOME

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like

neutral

dislike

Why? provides for all socioeconomic statuses
generates revenue

*as long as you stick to the plan of diverse & range

- Maintain community scale

like

neutral

dislike

Why?

Disperses people & keeps green space & a healthy community

- Higher density along the edge of the community

like

neutral

dislike

Why?

keeps a community feel
accommodates for locals, students & ~~travel~~ visitors

HOUSING STRATEGIES

Tell us what you think of the following strategies....

- Maintain diverse neighborhood while providing a range of affordable housing

like neutral dislike

Why?

- Maintain community scale

like neutral dislike

Why?

- Higher density along the edge of the community

like neutral dislike

Why?

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

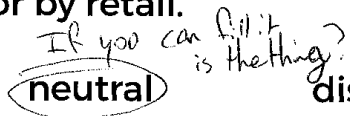
DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like  neutral dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like  neutral dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

 like neutral dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

 like neutral dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like neutral dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like neutral dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like neutral dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like neutral dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership. *This wording is confusing to the average resident.*

like neutral dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like neutral dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like neutral dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like neutral dislike

→ as long as Rosedale Towers' residents aren't displaced or otherwise negatively affected

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like neutral dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like neutral dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like neutral dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like neutral dislike

as long as
higher density is
close to 39th &
Rainbow & not
past Fisher
Park

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership. *- Rezone to reflect Masterplan goals*

like neutral dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like neutral dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like neutral dislike → *more multi-family.
Step down - 3-4 units*

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like neutral dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like neutral dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like neutral dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like neutral dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like neutral dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

*no more
fast food*

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like

neutral

dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like

neutral

dislike

bringing in more traffic by adding shops might be a bad idea

preferred local shops & not upscale shops that people in the area will not participate in

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like

neutral

dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like

neutral

dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like neutral dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like neutral dislike

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like neutral dislike

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like neutral dislike

DENSITY & CHARACTER

Tell us what you think of the following strategies....

- Improve neighborhood by rezoning to reflect current land ownership.

like → multi family verses single family mix
neutral dislike

- Improve existing neighborhood -- by connecting 39th Avenue corridor by retail.

like neutral dislike
unclear about this strategy --
approach retail travel --
needs improved communication.

- Keep single family separate -- Transition from University/Business to single family by using missing middle housing.

like neutral dislike
this is now happening now → \$ 115⁰⁰ - 130⁰⁰ sq. ft.

- Locate higher density development on the edges of the neighborhood & near major roads (39th & Rainbow)

like neutral dislike

Can we add a grocery store in this new development? Having something like that close by could help people become more active / walk to the store / not need a vehicle. Even a small one on the ground level of one of the mixed retail / residential buildings planned on 39th west of Rainbow

ENGAGEMENT SUMMARY

Rosedale University Town Plan – Mobile Meeting

September 26, 2017

Summary

The mobile meeting was attended by approximately 25 people. The meeting consisted of an open-house where attendees could view 14 informative display boards. The displays were dedicated to: project goals, housing strategies, open space and amenities, density and character, circulation and the Transit Center. Attendees were greeted, encouraged to sign in and take a meeting guide and comment cards. A project team member was available near the displays to answer general questions from the attendees. Attendees were encouraged to submit written comments on the forms provided. Comment forms were collected that night.

Highlights of Comments Submitted (Summarized to Determine Major Themes)

Housing Strategies

- The majority of the group was in favor of maintaining a diverse neighborhood while providing a range of affordable housing
- There isn't clear guidance on whether the community wants to keep a community scale.
- The majority of the group was in favor of keep higher density along the edge of the community

Open Space & Amenities

The majority of residents want Fisher Park to be protected and remain a park.

What should Fisher Park offer to the community? (Choices ranked from most dots to least)

- Reading rooms (5)
- Meetings spaces (3)
- Library shelves (2)
- Trail head (2)
- Open Lawn (1)

Should Fisher Park have an indoor recreation center? (Choices ranked from most dots to least)

- Gym (6)
- Indoor basketball court (5)
- Fitness room (4)

Density and Character

- The community likes the idea of locating higher density development on the edges of the neighborhood & near major roads

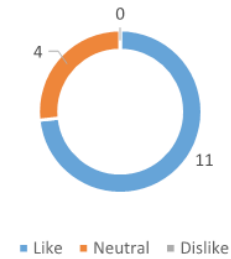
Circulation and Transit Center

- Consensus on keeping locating the transit center at 39th and Rainbow. The community feels Fisher Park should remain a green space.

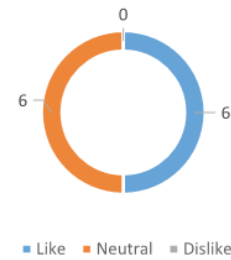
Housing Strategies

Tell us what you think about the following strategies.

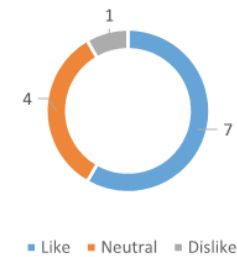
Maintain diverse neighborhood while providing a range of affordable housing.



Maintain community scale



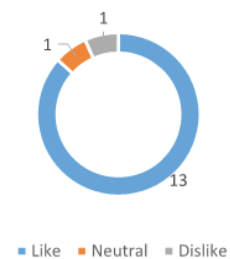
Higher density along the edge of the community.



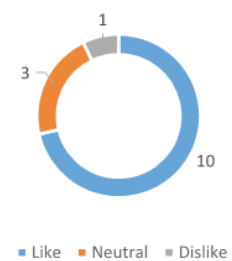
Open space & amenities

Tell us what you think about the following strategies

Connecting 39th Ave corridor by green space



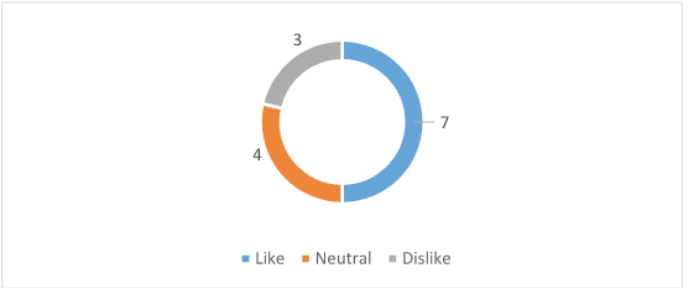
Create a central hub at Fisher Park with community center, open space and trails.



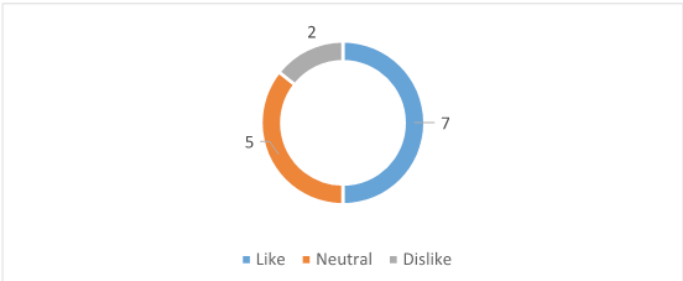
Density & Character

Tell us what you think about the following strategies

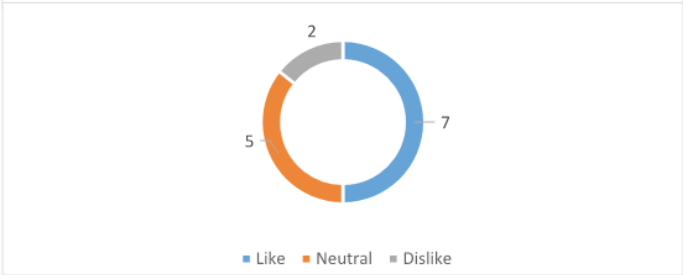
Improve neighborhood by rezoning to reflect current land ownership



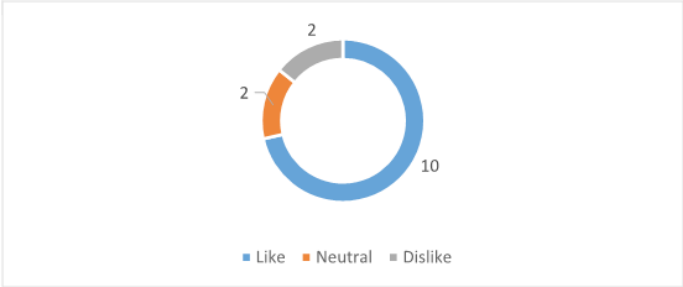
Improve existing neighborhood—by connecting 39th Avenue corridor by retail



Keep single family separate—transition from University/Business to single family by using missing middle housing.

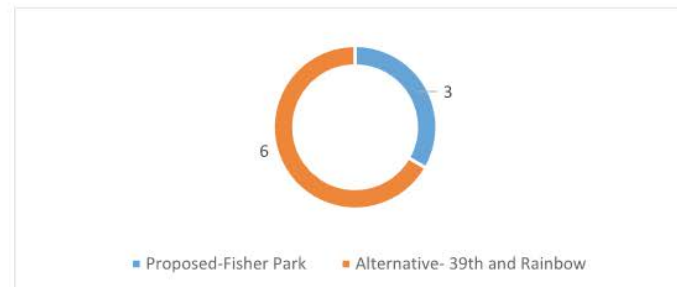


Locate higher density development on the edges of the neighborhood & near major roads (39th and Rainbow)



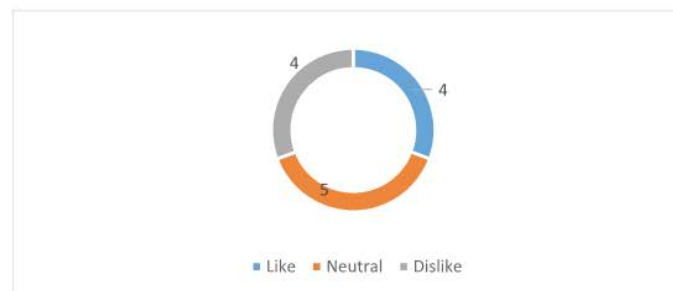
Circulation & Transit Center

Which location do you like for the transit center? Why?

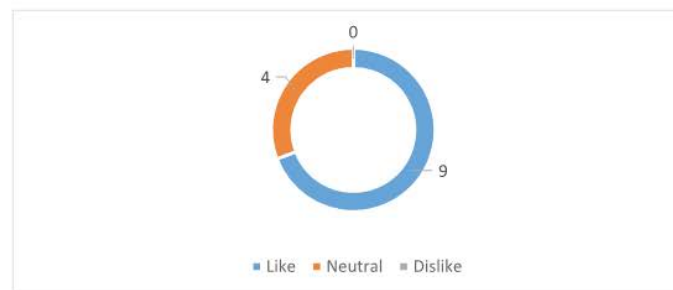


Tell us what you think about the following strategies

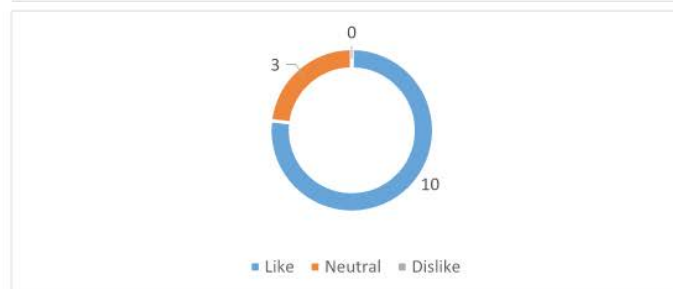
Increased on-street parking- 39th, Rainbow, Adams.



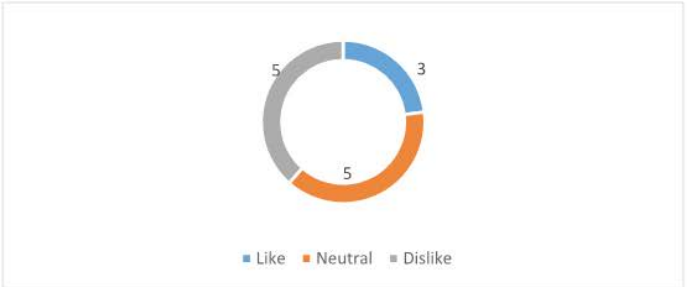
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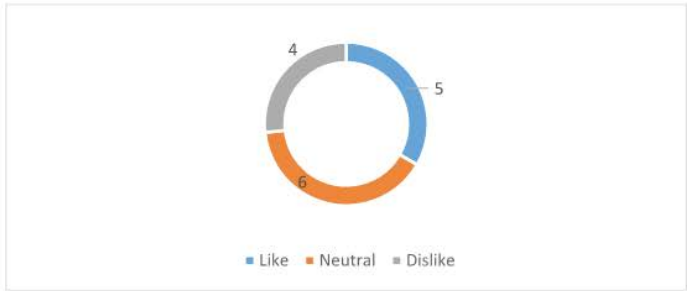
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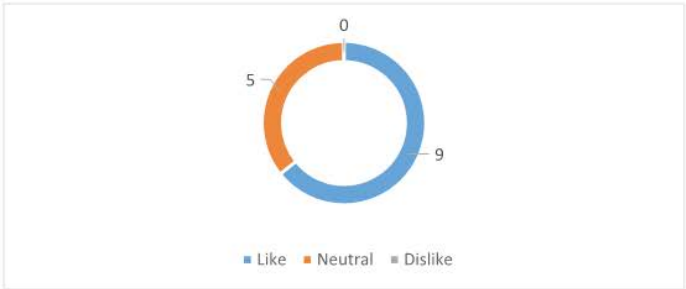
Transit Center with people living above it



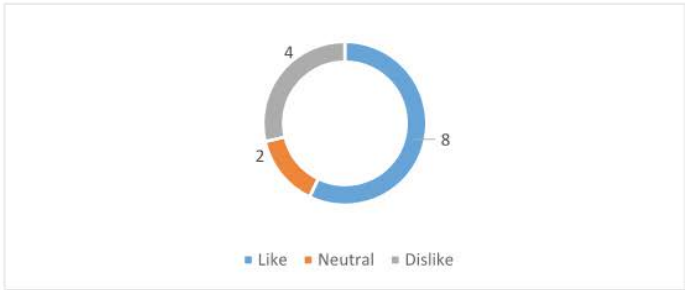
Transit Center with people working in offices above it



Bike share stations



More street trees



OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name Greg La Rue Email Address LARUEGT@GMAIL.COM
 Address 4600 Cambridge Phone Number 816-489-8984

Anything else you would like to share with us about Rosedale University Town?

Looks great - I hope we can see more density and infrastructure
and public transportation soon!

How did you hear about this meeting?

- ☐ Email
- ☐ Mailer
- ☐ Website
- ☒ Word of mouth
- ☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name BETH CIPERSON Email Address bethcipererson@gmail.com
 Address 4535 CAMBRIDGE ST KCK 66103 Phone Number 913-262-1942

Anything else you would like to share with us about Rosedale University Town?

1- DEVELOP MORE PHOTO REALISTIC RENDERINGS
2- MORE FUTURE PROOFING
3- HOW MUCH OF JOBS # IS ~~LOC~~ & BECOMES LOCAL

How did you hear about this meeting?

- ☒ Email
☐ Mailer
☐ Website
☐ Word of mouth
☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM**Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church**Name Sheila Sanders Email Address sewbeit02@yahoo.comAddress 3729 Thompson Circle Phone Number _____

Anything else you would like to share with us about Rosedale University Town?

I love the concept and appreciate all the hard
work that has gone into planning this. I really
hope that this project goes thru.

How did you hear about this meeting?

- ☐ Email
- ☒ Mailer
- ☐ Website
- ☐ Word of mouth
- ☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name BETH CIPERSON Email Address bethciperson@gmail.com
 Address 4535 CAMBRIDGE ST KCK 66103 Phone Number 913-262-1942

Anything else you would like to share with us about Rosedale University Town?

1- DEVELOP MORE PHOTO REALISTIC RENDERINGS
 2- MORE FUTURE PROOFING
 3- HOW MUCH OF JOBS # IS ~~LOC~~ & BECOMES LOCAL

How did you hear about this meeting?

- ☒ Email
☐ Mailer
☐ Website
☐ Word of mouth
☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name Ryan Spaulding Email Address rspaulding@kumc.edu
 Address KUMC Phone Number 9135885000

Anything else you would like to share with us about Rosedale University Town?

GREAT CONCEPT TO CREATE "CAMPUS" ATMOSPHERE FOR
COMMUNITY AND STUDENTS, HOPEFULLY WILL INCLUDE
LOCAL RETAIL AND DINING ENVIRONMENT

How did you hear about this meeting?

- ☐ Email
- ☒ Mailer
- ☐ Website
- ☐ Word of mouth
- ☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM**Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church**Name Janelle Friesen Email Address jfriesen@wycokck.org

Address _____ Phone Number _____

Anything else you would like to share with us about Rosedale University Town?

Clarify criteria for affordable housing (Why 10% of housing?
"below 80% of median income in the area" — what area? Rosedale?
KCK?). Excited for changes to Fisher Park (as long
as we include giving Grove trees in plan)!

How did you hear about this meeting?

- ☐ Email
☐ Mailer
☐ Website
☒ Word of mouth
☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Ch

Name Rebecca Garza Email Address rebeccadiar

Address 3133 W 44 Terr Phone Number _____

Consider connecting Fisher Park to Frank Roshten Sch.
Anything else you would like to share with us about Rosedale University Town?

Please maintain our fruit trees in Fisher park!, I like
idea of making housing affordability a policy it is ver
important to maintain a high amt of affordable qu
housing. Love the amount of bike infrastructure pr

How did you hear about this meeting? Please make sure that is tied
appropriate bike parking at v

- ☐ Email
- ☐ Mailer
- ☐ Website
- ☒ Word of mouth
- ☒ Other RDA

**THANKS FOR YOUR
FEEDBACK!**

love
the



OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name Robert Christian Email Address rchristian@kumc.edu

Address 3133 W 44th Ter KCK Phone Number 785-341-7111

Anything else you would like to share with us about Rosedale University Town?

Don't destroy the trees in Fisher park (the fruit trees / giving grove). I like the walkability and bikeability, but please be sure to put bike racks for personal bikes close to the bike lanes. Currently, KU's bike parking (especially at the new Health Education Building) does not easily transition to the road, making it difficult to get back on the road (See Back!)

How did you hear about this meeting?

- ☐ Email
- ☐ Mailer
- ☐ Website
- ☒ Word of mouth
- ☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name +Debbie Jerry D Sullivan Email Address jdsullivan56@gmail.com
~~816 506 1569 Cell~~
 Address 1231 Lanton LN Phone Number 913 677 4533 Home
913 304 0106 Cell

Anything else you would like to share with us about Rosedale University Town?

Thank you, your plans look good for the future,
If you ever decide to run a bus route in all of the
Rosedale Area - please let me know.

How did you hear about this meeting?

- ☐ Email
- ☐ Mailer
- ☐ Website
- ☐ Word of mouth

☒ Other walk my club.

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM**Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church**

Name Cathlin McReynolds Email Address ajollyyarn@gmail.com
 Address 4000 Adams St Phone Number 620-229-1956

Anything else you would like to share with us about Rosedale University Town?

I love the idea of a library + gardening space + meeting rooms +
getting the Farmer's market a better home. I'm concerned about making
sure that housing stays affordable for my neighbors + friends + family.

How did you hear about this meeting?

- ☐ Email
☒ Mailer
☐ Website
☐ Word of mouth
☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM
Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name Terry Rouse Email Address ~~trb~~ trbikerke@gmail.com
Address 2303 S. Early St Phone Number 816 810 0987

Anything else you would like to share with us about Rosedale University Town?

I like the basic concept. It is aggressive and if it becomes
reality could really improve the area. Adding walkability and
bikability are desirable features. Adding a community center
should increase use of Fischer Park and attract more (often) side

How did you hear about this meeting?

- ☐ Email
- ☐ Mailer
- ☐ Website
- ☐ Word of mouth
- ☒ Other Facebook invitation from RDA

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name Billy Brame Email Address billybrame@gmail.com

Address 3925 Fisher St Phone Number 913-206-3527

Anything else you would like to share with us about Rosedale University Town?

Playground before everything else at Fisher Park

How did you hear about this meeting?

- ☒ Email
- ☐ Mailer
- ☒ Website
- ☐ Word of mouth
- ☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name Gil Pinter Email Address gillbearkc@gmail.com
 Address 4278 Cambridge Phone Number 913-314-2403

Anything else you would like to share with us about Rosedale University Town?

Since the Fisher Park area is in the plan area
and ~~the~~ shows the existing B&E sub as parking, I would
think you'd show/discard/point out that the need
sub station is further west/north and how I
 How did you hear about this meeting?

- ☒ Email
☐ Mailer
☒ Website
☐ Word of mouth
☐ Other _____

an extended chevron st
could

**THANKS FOR YOUR
FEEDBACK!**

be off a

major addition to the
access entire area.
event

OPEN HOUSE FEEDBACK FORM

Tuesday | December 12, 2017 | 5:30-7:30 PM | Rainbow Mennonite Church

Name Andrea Carlson Email Address andrew.m.carlson@gmail.comAddress 4540 Adams St. Phone Number 413-669-8665KCK 66105

Anything else you would like to share with us about Rosedale University Town?

Great plan. Plan was well thought out and is
a good start towards improving an area that has
so much promise. KU Med is a great community
asset and its stakeholders should be supported from
development perspective.

How did you hear about this meeting?

☒ Email☐ Mailer☐ Website☐ Word of mouth☐ Other _____

**THANKS FOR YOUR
FEEDBACK!**

(Published in *The Wyandotte Echo* on _____, 2018)

RESOLUTION NO. _____

A RESOLUTION adopting the Rosedale Master Plan Amendment – Rosedale University Town.

WHEREAS, on March 12, 2018 the Planning Commission for the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”) recommended approval of the Rosedale Master Plan Amendment – Rosedale University Town, a copy of which is on file with the Unified Government Clerk; and

WHEREAS, a public hearing on the Rosedale Master Plan Amendment – Rosedale University Town was held on March 12, 2018; and

WHEREAS, pursuant to K.S.A. 12-747(b) the governing body may adopt the recommendation of the Planning Commission with respect to a master plan amendment by resolution.

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

Section 1. The Board of Commissioners hereby adopts the recommendation of approval made by the Planning Commission and hereby adopts the Rosedale Master Plan Amendment – Rosedale University Town.

Section 2. This Resolution shall take effect and be in full force after its adoption and publication.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS 5th DAY OF APRIL 2018.**

Unified Government Clerk



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: April 5, 2018
Re: Petition #SP-2018-15

GENERAL INFORMATION

Applicant:
Casey Bond

Status of Applicant:
Property Owner
35 South 7th Street Trafficway
Kansas City, KS 66101

Requested Action:
Approval of a Special Use Permit

Date of Application:
December 29, 2017

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

Property Location:
35 South 7th Street Trafficway

Commission Districts:
Commissioner At Large: Tom
Burroughs
District Commissioner: Brian McKiernan



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

Existing Surrounding Zoning: **North:** R-1(B) Single Family District
South: C-3 Commercial District
East: R-1(B) Single Family District
West: C-3 Commercial District

Existing Uses: **North:** Single Family Residences
South: Commercial Auto Sales
East: Single Family Residences
West: Commercial Retail, Parking Lot

Total Tract Size: 0.04 acre

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

Major Street Plan: The City-Wide Master Plan designates 7th Street Trafficway as a Class A Thoroughfare.

Advertisement: The Wyandotte Echo – January 18, 2018
Letters to Property Owner – January 17, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and February 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Casey Bond, is applying to use the property at 35 South 7th Street Trafficway as a Bed and Breakfast. This is the applicant's primary residence, and the applicant is listing up to four bedrooms.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is a mix of commercial districts and urban residential.

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

The zoning and uses of the properties is 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 and that two surrounding uses are commercial in nature 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 as noise and parking are mitigated to a large extent by the fact that this property is the primary residence of the host and is surrounded by commercial use on two sides.

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

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 landowner would not be able to use the property as a bed and breakfast but 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 February 21, 2018. A copy of the meeting sign-in sheet, minutes, and affidavit are attached to this report. According to the applicant, no one attended the meeting.

KEY ISSUES

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

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 1 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-15, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

***Applicant Response:* 1 year and 5 months. First reservation was in August 2016.**

2. Were neighbors consulted prior to opening the business?

Applicant Response: The neighbors next door was.

3. Do you have a business license?

Applicant Response: No, but I have recently paid the city a fee for it.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes, AirBNB takes taxes out before paying me

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: 1 to 4 depending on the reservation.

6. How often are guests in the residence?

Applicant Response: An average of 9-12 days per month. Typical stays are Friday through Sunday.

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

Applicant Response: 8, one couple per bedroom, however the typical number is 2-4.

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

Applicant Response: 0-1 vehicles is the normal. I have never had more than 2 vehicles. Yes, my driveway is on the North side of my house and fits 2 cars, front to back, and there is room for 2 more vehicles on the street in front of my house. I share this double wide driveway with my neighbors.

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

Applicant Response: I think so, I recently paid a fee to the UG for this.

Staff Note: Rental Licensing does not have record of a rental license at this address.

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

Applicant Response: I rent my whole home, meaning my guests have access to my entire house. My fully furnished home has an eat in kitchen, a living room, laundry room, and a half bath on the first floor. The second

floor has a full bath, a linen closet, two bedrooms, and an office nook, the third floor has 2 bedrooms. Other details include: Central heat and air, smoke detectors on each floor, and in each bedroom, GFCI outlets in the bathrooms, all windows are unobstructed and in proper working order, keyless entry keypad lock on front door, handrails on both sets of stairs, and a fire extinguisher in the kitchen. Rules guests must agree to are: no guests under the age of 21, no smoking indoors, no parties, no pets, and no children.

Business License Comments:

1. If approved applicant will need to file the occupation tax application with our office for the occupying business activity.

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 5 people.
4. Approval is for 1 year.

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-2018-15 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Site Photos
Floorplan
Applicant Submitted Additional Information
Aerial Image
Parking Image
Zoning Map
Neighborhood meeting sign-in sheet and minutes
Neighborhood meeting affidavit

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: **Kylie Wyatt**
 kwyatt@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-15** 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-2018-15**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 55:00

SPECIAL USE PERMIT APPLICATION #SP-2018-15 – CASEY BOND – SYNOPSIS:

Home Occupation Special Use Permit for an AIRBNB at 35 South 7th Street Trafficway.

Detailed Outline of Requested Action: The applicant, Casey Bond, is applying to use the property at 35 South 7th Street Trafficway as a Bed and Breakfast. This is the applicant's primary residence, and the applicant is listing up to four bedrooms.

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 March 12, 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 January 18, 2018; and
7. The Notices to property owners dated January 17, 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:

- ❖ Casey Bond, applicant, 35 South 7th Street Trafficway, Kansas City, Kansas
- ❖ There were 15 persons present that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts at 59:05 - Director Richardson stated that this is a different case than staff thought it was coming into night. The staff has been recommending approval of the cases where people were present (in the home.) There was one that sometimes they were gone, and this case seems to be more of the ones where the applicant is not there and is not in town. There have not been any complaints and when she comes back he supposes that the neighbors would say something if there was an issue. He is not sure that he would recommend approval of this type of case in many locations, but this is on 7th Street Trafficway which is a very busy thoroughfare. One of the neighbors is commercial so it is less likely to have more significant issues with neighbors since there are only two residential neighbors. The staff would recommend approval for one (1) year (in lieu of the two (2) year approval) and get some more data behind it as the applicant is not there most of the time it is rented, subject to the stipulations in the staff report.

The Commission directed questions to the staff and applicant.

Motion and Vote starts at 1:05:05

On motion by Mr. Ernst, seconded by Dr. Serda, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-15 subject to the applicant securing a responsible party for emergencies or issues that occur in her absence:**

Carson	Aye
Childress	Aye
Connelly	No
Ernst	Aye
Pauley	Aye
Serda	Aye
Huey	Chairman
Gonzalez	Not Present
Jones	Not Present
Mose	Not Present
Reasons	Not Present

Motion to recommend APPROVAL Passed: 5 to 1

Subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: 1 year and 5 months. First reservation was in August 2016.

2. Were neighbors consulted prior to opening the business?

Applicant Response: The neighbors next door was.

3. Do you have a business license?

Applicant Response: No, but I have recently paid the city a fee for it.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes, AirBNB takes taxes out before paying me

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: 1 to 4 depending on the reservation.

6. How often are guests in the residence?

Applicant Response: An average of 9-12 days per month. Typical stays are Friday through Sunday.

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

Applicant Response: 8, one couple per bedroom, however the typical number is 2-4.

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

Applicant Response: 0-1 vehicles is the normal. I have never had more than 2 vehicles. Yes, my driveway is on the North side of my house and fits 2 cars, front to back, and there is room for 2 more vehicles on the street in front of my house. I share this double wide driveway with my neighbors.

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

Applicant Response: I think so, I recently paid a fee to the UG for this.

Staff Note: Rental Licensing does not have record of a rental license at this address.

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

Applicant Response: I rent my whole home, meaning my guests have access to my entire house. My fully furnished home has an eat in kitchen, a living room, laundry room, and a half bath on the first floor. The second floor has a full bath, a linen closet, two bedrooms, and an office nook, the third floor has 2 bedrooms. Other details include: Central heat and air, smoke detectors on each floor, and in each bedroom, GFCI outlets in the bathrooms, all windows are unobstructed and in proper working order, keyless entry keypad lock on front door, handrails on both sets of stairs, and a fire extinguisher in the kitchen. Rules guests must agree to are: no guests under the age of 21, no smoking indoors, no parties, no pets, and no children.

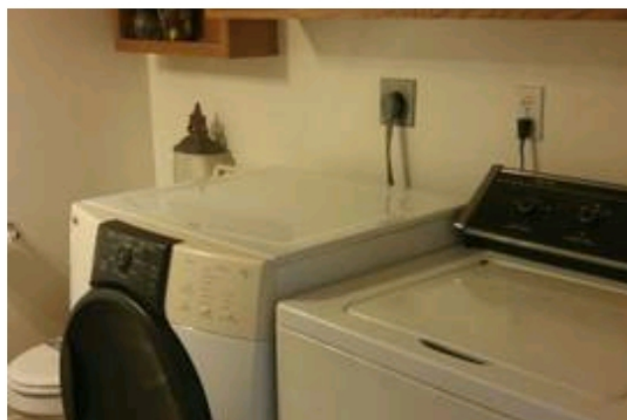
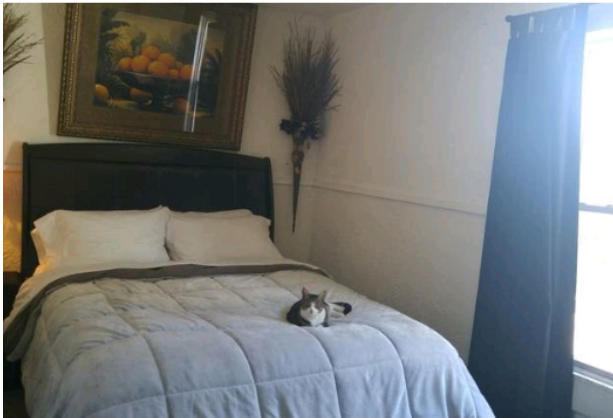
Business License Comments:

1. If approved applicant will need to file the occupation tax application with our office for the occupying business activity.

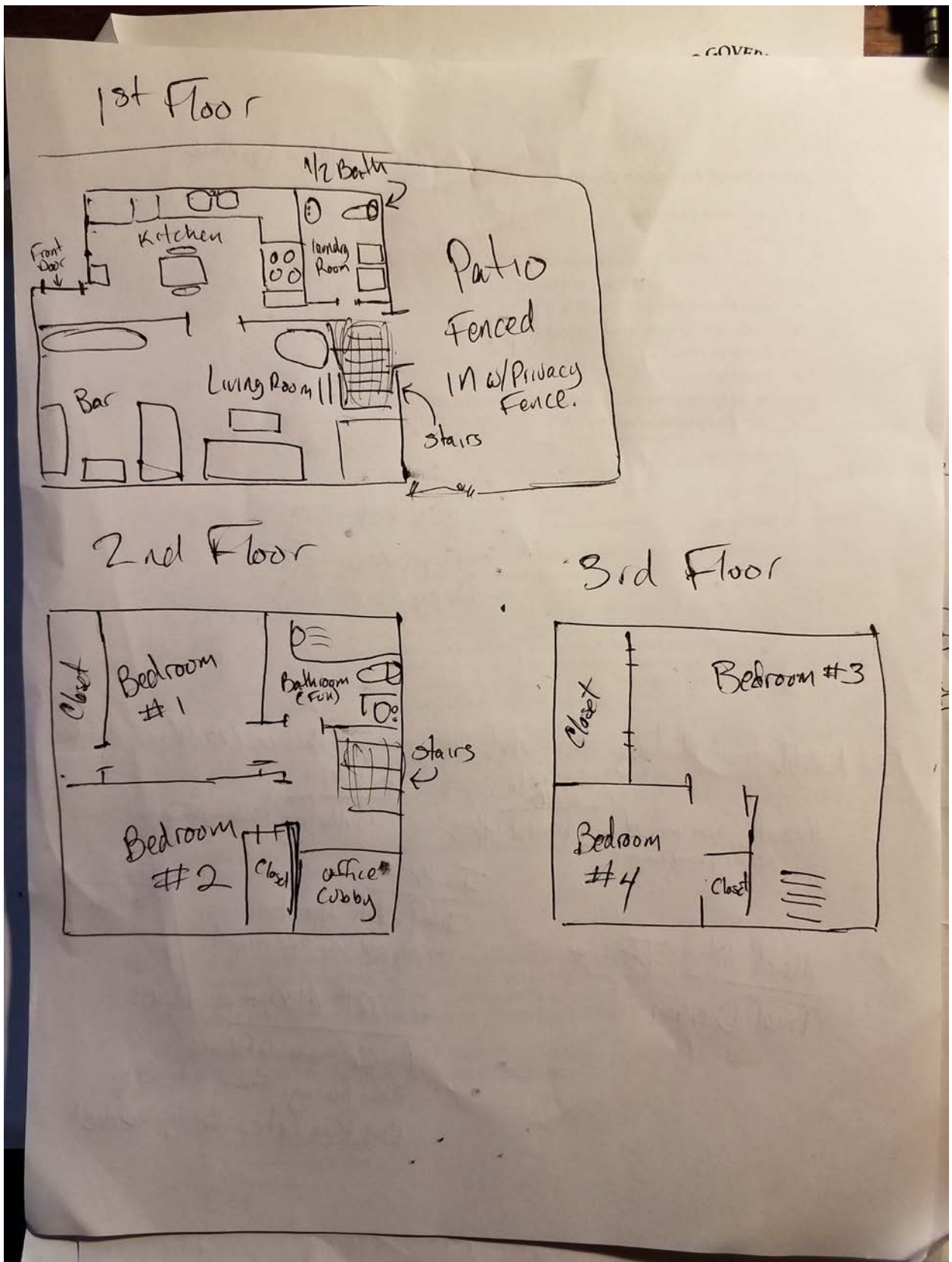
Stipulations of Approval:

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 5 people.
 - 4. Approval is for 1 year.



Site Photos



Floorplan

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

In the past 14 months I have operated a short term rental of 17 bedrooms in my house w/zero complaints. Positive attention from out of town visitors brings more business to our city, and those folks say what a great time they had here. I have 2 off-street parking spots in my driveway, and even though I have room for 3 cars on the street in front of my house, it's rare for those spots to be parked in.

Applicant submitted additional information



Aerial Image



Parking in driveway and street



Zoning Map

Host: Casey Bond

Neighborhood Meeting

App# SP-2018-33

Date: Feb 21st, 2018

Time: 5:30 pm

Location: 403 Club
614 Reynolds Ave
KCHS 66101

For: Airbnb at 35 S. 7th St.
Kansas City KS 66106

Sign In:

Casey Bond - Host

* No One Showed Up

Meeting Minutes:

Ø

* No One Showed Up

Neighborhood meeting sign-in sheet and minutes

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Connecticut)
COUNTY OF Hartford) SS: Farmington

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

1. That I am the petitioner for Petition # SP 2018-33
2. That I conducted a neighborhood meeting on Feb 21st 2018.
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.

Casyn Bond
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 2nd day of March, 2018.

My commission expires 31 of 07, 2020

Jesse M. Minella
Notary Public

JESSE M. MINELLA
NOTARY PUBLIC
MY COMMISSION EXPIRES 07/31/2022



Neighborhood meeting affidavit



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: April 5, 2018
Re: Petition #SP-2018-32

GENERAL INFORMATION

Applicant:
Reginald Keith Davis

Status of Applicant:
Representative
Egyptian Cobra
750 Ann Avenue Suite B
Kansas City, KS 66101

Requested Action:
Approval of a Special Use
Permit

Date of Application:
January 26, 2018

Purpose:
To operate a private club

Property Location: 2519
Park Drive



Existing Zoning: C-1 Limited Business District and R-1(B) Single Family District

Existing Surrounding Zoning: **North:** C-1 Limited Business District
South: R-1(B) Single Family District
East: C-1 Limited Business District and R-2(B) Two Family District
West: City Park

Existing Uses: **North:** Single Family Residence
South: Single Family Residence
East: Single Family Residence
West: City Park

Total Tract Size: 0.48 acre

Master Plan Designation: The City-Wide Master Plan designates this property as 'Urban Density' residential.

Major Street Plan: The City-Wide Master Plan designates Park drive as a Class C thoroughfare and 26th Street as a local street.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: A number of neighborhood residents expressed concerns at the neighborhood meeting. There were three (3) people present in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Reginald Keith Davis representing Egyptian Cobra, has applied for a special use permit to operate a private club at 2519 Park Drive. The property includes a single-story building with less than 2,000 square feet and a parking lot. It is surrounded on three sides by single family residences and a public park to the west.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This property is in the downtown area on a mixed use commercial street. There are duplexes and single-family houses to the east. The municipal office complex and parking area are to the west.

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

The zoning and uses of the nearby properties are documented above. The proposed use would likely create compatibility with the surrounding single-family residences related to noise, traffic, parking, and other issues related to a commercial use within a single-family neighborhood.

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 compatibility issue discussed above.

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

The property is not vacant, it has been operating as a private club for the Egyptian Cobras without a permit.

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

The proposed use is not compatible with the City-Wide Master Plan. The Urban Residential land use district allows residential, institutional, and park uses.

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 the amount of vehicular traffic. However, it will not exceed the capacity for 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. It may substantially injure the appropriate use, visual quality, or marketability of adjoining property due to the compatibility issues discussed above.

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

Noise and illumination associated with the proposed use could create problems for near-by property.

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

This is not an issue with the proposed use.

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

This is not an issue with the proposed use.

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 relative gain to the public health, safety, and welfare associated with the proposed use. Denial would be a hardship on the landowner because they could no longer operate a private club at this location. However, the landowner could use the property for a use permitted in the C-1 Limited Business District.

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

This proposed use may result in the overcrowding of people and vehicles in a residential neighborhood.

PREVIOUS ACTIONS

This property previously had special use permits for a drinking establishment approved in 2012 and 2013. (#SP-2013-3 & #SP-2012-1). Prior to this the property operated as a private club with live music (karaoke) a few nights a week in 2010 under a special use permit (#SP-2010-43).

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting February 26, 2018. The meeting minutes are attached to this report.

KEY ISSUES

Neighborhood compatibility

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 4 to 1 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-32, subject to:

Urban Planning and Land Use Comments:

- 1. The previous special use permit stated that “Should the applicant renew this special use permit in two years, the applicant and owner shall close the west entrance by submitting plans to the Public Works Department and obtain the necessary right-of-way permit to conduct the work.” Has this work been completed? If not please provide a development plan illustrating how the work will be completed.**

Applicant Response: No, the applicants were just made aware of this requirement by the question being proposed to them in the staff comments.

My Clients informs me that this is an easy fix! The plan is simple. One of the members works for a concrete company. The organization plans to purchase two concrete barriers and place them in a position where egress and ingress into the parking lot from the west entrance is blocked. Of course, this is subject to UG approval.

2. What are the proposed hours of operation?

Applicant Response: The organization is not operating as a place of business. The organization considers the building as a clubhouse. When they use the word private club its usage only implies that it's a member only social networking organization which is created for the sole purpose of the members being able to fellowship and enjoy riding their motorcycles together.

Nevertheless, the organization is willing to set and abide by the following hours as to when a club member may use the clubhouse. They propose that Sunday through Thursday that the clubhouse will be available for usage during the hours of 2:00 PM until 10:30 PM and that on Friday and Saturday the Clubhouse hours will be 1:00 PM until 12:00 AM. There may be sometimes when a member may come earlier and stay later but they are in agreement to holding these hours. In addition, please be informed that the Clubhouse is not opened every day. The members come and go as they see fit. Most likely than not, they expect to be presented in the clubhouse two to three times a week.

Planning Commission Stipulation: No congregating in the parking lot or music being played in the parking lot.

3. Are you proposing to serve alcohol at this site? Are you proposing to have live entertainment of any kind? A separate special use permit is required for live entertainment.

Applicant Response: No, the organization does not plan to sell or serve alcohol at the clubhouse. However, there may be some members who might bring in alcohol to consume while at the clubhouse to enjoy themselves.

No, the organization has no plans to provide live entertainment at the clubhouse.

4. Please provide a security plan that demonstrates how you will keep club patrons and the public safe.

Applicant Response: The clubhouse is not open to the public. The Egyptians Cobras are a members only organization which permits only members, friends, family and other motorcycle club members into the clubhouse. However, the organization does provide security at the clubhouse in the form of two sergeants at arms, one is posted outside the door of the clubhouse, he monitors the parking lot and questions everyone including members who enter the clubhouse as to anything he deems to be dangerous or illegal. The other sergeant at arms is posted inside the clubhouse and he, assisted at times by a female member checks everyone including members for weapons before they are allowed to enter.

5. One off-street parking space is required for each 50 square feet of seating area in the building and an additional space for each additional 200 square feet of total floor area. Please provide a floor plan of the building that designates the seating area and a plan for the parking lot that shows how the required parking will be accommodated on site.

Applicant Response: In accordance with our previous conversation in your office, I am providing the measurement as taken by the membership. My understanding was that the measurement was 22 feet by 40 feet. Once again, I inquire as to what was presented to the UG by the previous applicant and if there are records kept? And if so, is it fair to assume that there is adequate parking at the clubhouse now?

6. Has the applicant been in contact with the neighborhood group, Wyandotte Countians Against Crime (WCAC) prior to your neighborhood meeting?

Applicant Response: Yes, the attorney, Reginald Davis for the organization phoned Mr. Paul Soptick and they had a quite lengthy conversation concerning the application for the special use permit.

7. If approved, the applicant will comply with the security codes, ordinances related to alcohol, and all other relevant ordinances.

Applicant Response: The organization does not plan to sell or serve alcohol at the clubhouse. However, if approved they are willing to comply with all Federal, State, and Local laws, codes and ordinances.

8. Why did the applicant attempt to hold an event after being told they were prohibited?

Applicant Response: The organization never attempted to hold not did it hold an event at that location of 2519 Park Drive after being instructed to cease all activities at the clubhouse by both the Department of Planning and Zoning and the Kansas City Kansas Police Department; who visited there twice. The visits included on visit by Sergeant Jeff Miskec and another visit by Captain George Sims, who indicated that he was dispatched there by Major Ken Anderson on a request which came directly to him from Mr. Robin Richardson.

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) If there will be a kitchen, a grease interceptor shall be provided.
- 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 does not agree with the recommendation of the City Planning Commission. The staff agrees with the neighbors that the use is not appropriate for the neighborhood and recommends **denial** of this application.

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-2018-32 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Site Photos
Responses to Staff Comments
Neighborhood Meeting Minutes

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

STAFF CONTACT: Zach Flanders
zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition #SP-2018-32, 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-2018-32** 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. _____.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing starts at 2:51:40

SPECIAL USE PERMIT APPLICATION #SP-2018-32 – REGINALD DAVIS FOR EGYPTIAN COBRA – SYNOPSIS: Special Use Permit for a private club at 2519 Park Drive. **Detailed Outline of Requested Action:** The applicant, Reginald Keith Davis representing Egyptian Cobra, has applied for a special use permit to operate a private club at 2519 Park Drive. The property includes a single-story building with less than 2,000 square feet and a parking lot. It is surrounded on three sides by single family residences and a public park to the west.

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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (Planning Commissioner Pauley stated that she needs to recuse herself from this application at 2:52:40.)

Present in Support:

- ❖ Reginald Davis, attorney/applicant representing the Egyptian Cobras, 750 Ann Avenue, Kansas City, Kansas 66101
- ❖ Lori Burnett, 2112 North 75th Terrace, Kansas City, Kansas 66111
- ❖ Lorenzo Johnson, President of Egyptian Cobras, 10629 Clubhouse Drive, Kansas City, Kansas

- ❖ There were 2 persons present that did not speak

Present in Opposition:

- ❖ Paul Soptick, Wyandotte Countians against Crime, 65 South 24th Street, Kansas City, Kansas 66102
- ❖ Jorge Vasquez, 2319 Riverview Avenue, Kansas City, Kansas 66102
- ❖ There was one person present that did not speak

Staff Recommendation starts at 4:08.45 - Director Richardson stated that if this were open to the public, given the history of this organization he would recommend denial of this case. The two situations had people that were there and came back. Gun fire and people dying are hard to overcome when looking at an operation and how it goes forward. It does not jive with some of the earlier testimony given by Mr. Davis. In the 2012 incident someone was inside their former establishment and came outside and got a gun. They were chased by police and arrested for having a gun because they were a felon. He does not know how they were in the club given the testimony about club members. In 2013 there was another shooting. It has been five years and some time has passed and it appears that the membership has largely changed over. He further stated that the city applied for and received authority to use Federal grant monies in this area as a NRSA - neighborhood revitalization and stabilization area and significant funds can be funneled into this neighborhood. If someone googles the Egyptian Cobras, they can see that there have been issues and he is not sure this is a good way to start reinvesting in the neighborhood. If it was at a different location away from the residences, that might work better. He cannot see doing this with many neighbors around this location and the staff recommends denial.

Discussion and questions ensued between the Commission and staff concerning the revitalization funds and this area.

Motion and Vote starts at 4:20:22

On motion by Mr. Connelly, seconded by Mr. Childress, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-32 for one (1) year:**

Carson	No
Childress	Aye
Connelly	Aye
Ernst	Aye
Pauley	Not Present
Serda	Aye
Huey	Chairman
Gonzalez	Not Present
Jones	Not Present
Mose	Not Present
Reasons	Not Present

Motion to recommend APPROVAL Passed: 4 to 1

Subject to:

Urban Planning and Land Use Comments:

1. The previous special use permit stated that "Should the applicant renew this special use permit in two years, the applicant and owner shall close the west entrance by submitting plans to the Public Works Department and obtain the necessary right-of-way permit to conduct the work." Has this work been completed? If not please provide a development plan illustrating how the work will be completed.

Applicant Response: No, the applicants were just made aware of this requirement by the question being proposed to them in the staff comments.

My Clients informs me that this is an easy fix! The plan is simple. One of the members works for a concrete company. The organization plans to purchase two concrete barriers and place them in a position where egress and ingress into the parking lot from the west entrance is blocked. Of course, this is subject to UG approval.

2. What are the proposed hours of operation?

Applicant Response: The organization is not operating as a place of business. The organization considers the building as a clubhouse. When they use the word private club its usage only implies that it's a member only social networking organization which is created for the sole purpose of the members being able to fellowship and enjoy riding their motorcycles together.

Nevertheless, the organization is willing to set and abide by the following hours as to when a club member may use the clubhouse. They propose that Sunday through Thursday that the clubhouse will be available for usage during the hours of 2:00 PM until 10:30 PM and that on Friday and Saturday the Clubhouse hours will be 1:00 PM until 12:00 AM. There may be sometimes when a member may come earlier and stay later but they are in agreement to holding these hours. In addition, please be informed that the Clubhouse is not opened every day. The members come and go as they see fit. Most likely than not, they expect to be presented in the clubhouse two to three times a week.

Planning Commission Stipulation: No congregating in the parking lot or music being played in the parking lot.

3. Are you proposing to serve alcohol at this site? Are you proposing to have live entertainment of any kind? A separate special use permit is required for live entertainment.

Applicant Response: No, the organization does not plan to sell or serve alcohol at the clubhouse. However, there may be some members who might bring in alcohol to consume while at the clubhouse to enjoy themselves.

No, the organization has no plans to provide live entertainment at the clubhouse.

4. Please provide a security plan that demonstrates how you will keep club patrons and the public safe.

Applicant Response: The clubhouse is not open to the public. The Egyptians Cobras are a members only organization which permits only members, friends, family and other motorcycle club members into the clubhouse. However, the organization does provide security at the clubhouse in the form of two sergeants at arms, one is posted outside the door of the clubhouse, he monitors the parking lot and questions everyone including members who enter the clubhouse as to anything he deems to be dangerous or illegal. The other sergeant at arms is posted inside the clubhouse and he, assisted at times by a female member checks everyone including members for weapons before they are allowed to enter.

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6. Has the applicant been in contact with the neighborhood group, Wyandotte Countians Against Crime (WCAC) prior to your neighborhood meeting?

Applicant Response: Yes, the attorney, Reginald Davis for the organization phoned Mr. Paul Soptick and they had a quite lengthy conversation concerning the application for the special use permit.

7. If approved, the applicant will comply with the security codes, ordinances related to alcohol, and all other relevant ordinances.

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Applicant Response: The organization never attempted to hold not did it

hold an event at that location of 2519 Park Drive after being instructed to cease all activities at the clubhouse by both the Department of Planning and Zoning and the Kansas City Kansas Police Department; who visited there twice. The visits included on visit by Sergeant Jeff Miskec and another visit by Captain George Sims, who indicated that he was dispatched there by Major Ken Anderson on a request which came directly to him from Mr. Robin Richardson.

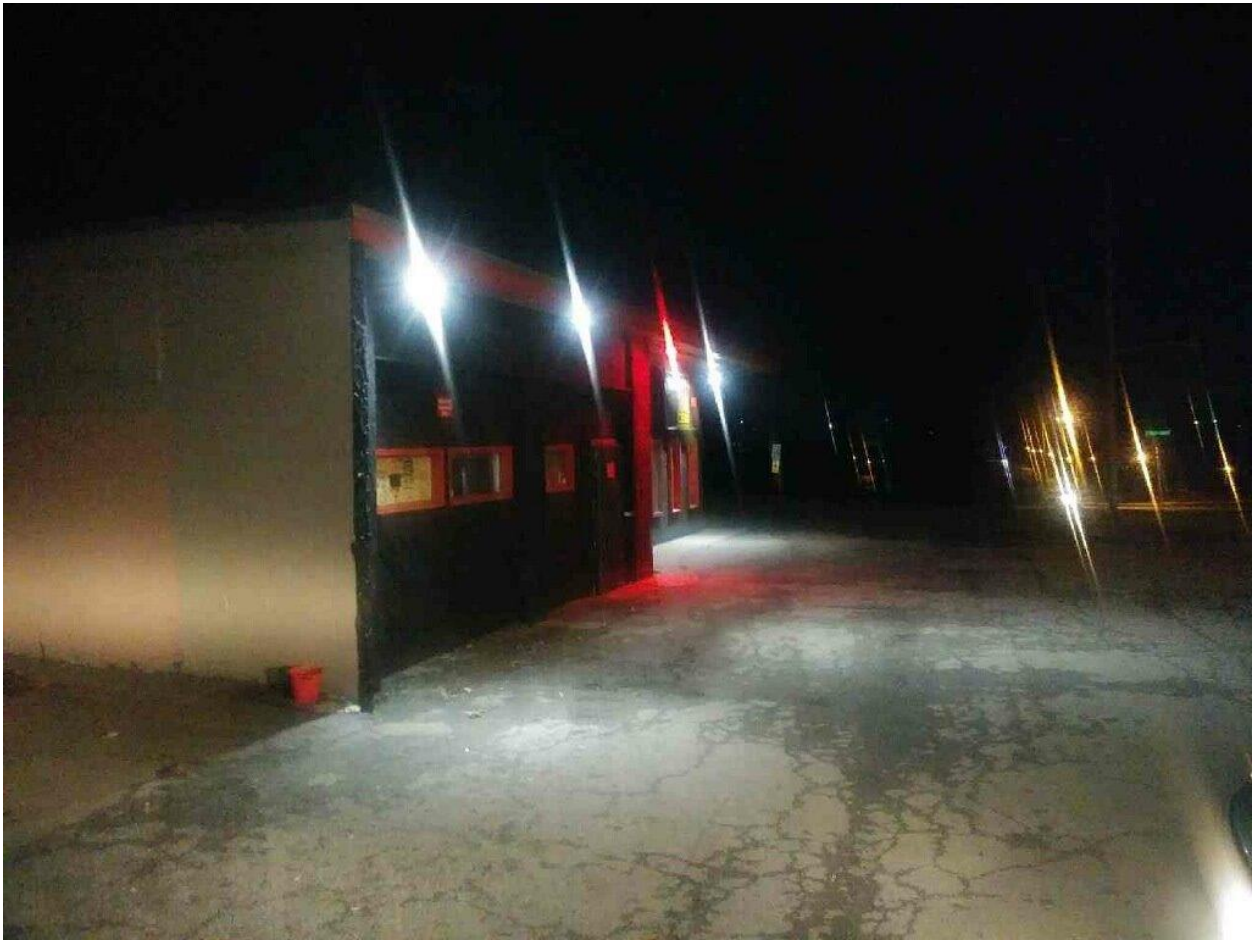
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- A) Items that require plan revision or additional documentation before engineering can recommend approval:
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- B) Items that are conditions of approval (stipulations):
 - 1) If there will be a kitchen,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

Planning Commissioner Pauley rejoined the Commission at 11:00 p.m. (4:23:30)









Licensed to practice in Kansas and Missouri

Law Offices of Reginald Keith Davis, Esq.
750 Ann Ave Ste B
Kansas City KS 66101
Office: (913) 299-8789
Fax: (913) 371-8790

February 26, 2018 Monday

Urban Planning and Land Use
Attn: Zach Flanders
701 N 7th Street 4th Floor Room 423
Kansas City Kansas 66101

Re: Egyptian Cobras' Application for a Special Use Permit

Dear Mr. Flanders:

Although, I had previously addressed most of the concerns you have regarding my clients' application for a special use permit. I have been informed that I must answer these additional questions and or suggestions which you have proposed to us.

Urban Planning and Land Use Comments:

1. The previous special use permit stated that "Should the applicant renew this special use permit in two years, the applicant and owner shall close the west entrance by submitting plans to the Public Works Department and obtain the necessary right of way permit to conduct the work." Has this work been completed?

No, the applicants were just made aware of this requirement by the question being proposed to them in the staff comments.

If not please provide a development plan illustrating how the work will be completed.

My clients informs me that this is an easy fix! The plan is simple. One of the members works for a concrete company. The organization plans to purchase two concrete barriers and place them in a position where egress and ingress into the parking lot from the west entrance is blocked. Of course, this is subject to the UG approval.

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The organization is not operating as a place of business. The organization considers the building as a clubhouse. When they use the word private club its usage only implies that it's a member only social networking organization which is created for the sole purpose of the members being able to fellowship and enjoy riding their motorcycles together.

Nevertheless, the organization is willing to set and abide by the following hours as to when a club member may use the clubhouse. They propose that Sunday through Thursday that the clubhouse will be available for usage during the hours of 2:00 PM until 10:30 PM and that on Friday and Saturday the Clubhouse hours will be 1:00 PM until 12:00 AM. There may be sometimes when a member may come earlier and stay later but they are in agreement to holding these hours. In addition, please be informed that the Clubhouse is not opened every day. The members come and go as they see fit. Most likely than not, they expect to be presented in the clubhouse two to three times a week.

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I In accordance with our previous conversation in your office, I am providing the measurement as taken by the membership. My understanding was that the measurement was 22 feet by 40 feet. Once again, I inquire as to what was presented to the UG by the previous applicant and if there are records kept? Did the UG approve the parking lot before? And if so, is it fair to assume that there is adequate parking at the clubhouse now?

6. Has the applicant been in contact with the neighborhood group, Wyandotte Countians Against Crime (WCAC) prior to your neighborhood meeting?

I Yes, the attorney, Reginald Davis for the organization phoned Mr. Paul Soptick and they had a quite lengthy conversation concerning the application for the special use permit.

7. If approved, the applicant will comply with the security codes, ordinances related to alcohol, and all other relevant ordinances.

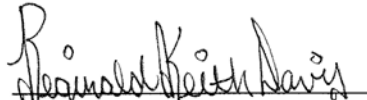
I The organization does not plan to sell or serve alcohol at the clubhouse. However if approved they are willing to comply with all Federal, State, and Local laws, codes and ordinances.

8. Why did the applicant attempt to hold an event after being told they were prohibited?

I The organization never attempted to hold nor did it hold an event at that location of 2519 Park Drive after being instructed to cease all activities at the clubhouse by both the Department of Planning and Zoning and the Kansas City Kansas Police Department; who visited there twice. The visits included one visit by Sergeant Jeff Miskec and another visit by Captain George Sims, who indicated that he was dispatched there by Major Ken Anderson on a request which came directly to him from Mr. Robin Richardson.

I want to thank you in advance for your attention to this matter and your assistance in helping the Egyptian Cobras obtain a special use permit.

Yours Respectfully,

A handwritten signature in black ink, appearing to read "Reginald Keith Davis". The signature is written in a cursive style with a horizontal line underneath.

Reginald Keith Davis

Attorney At Law

750 Ann Ave Ste B

Kansas City Kansas 66101

Fax: (913) 371-8790

Phone: (913) 299-8789

E-mail Address: davisrk1@sbcglobal.net

Attorney for Egyptians Cobras



Licensed to practice in Kansas and Missouri

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Kansas City KS 66101
Office: (913) 299-8789
Fax: (913) 371-8790

Neighborhood Meeting

Application Number #SP-2018-32
February 26, 2018 Monday
Kansas City Kansas Public School HQ
2010 N 59th Street Room 134

Names of the People in Attendance:

Reginald Keith Davis
Attorney At Law
Attorney for the Petitioners

Lorenzo Johnson
Charles Jackson
Allaroy Gunnells Jr
Paul Soptick
Jorge Vasquez
Rose Vasquez
Nicolas Martinez
Deanna Bracken

Meeting Called to order at: 4:00 P.M.

Introductions: By Reginald Keith Davis

Presentation: By Reginald Keith Davis and the three Club Members who were presented. Mr. Lorenzo Johnson, President of the Club answered most of the questions on behalf the Club members.

Questions and Answers:

Mr. Paul Soptick first made comments and proposed questions once the floor was opened for questions. Mr. Soptick stated that he had heard a large group of motorcycles take off late one night in October 2017. He further mentioned that he observed a large crowd which had gather at the Clubhouse one night and that they parked cars and bikes on both sides of the Park Drive. He ended his comments by stating that he lived two and a half blocks away from the Clubhouse and that he was awoken late one night by loud music coming from the Clubhouse.

Mr. Lorenzo Johnson responded to his concerns about first the extremely loud noise due to motorcycles, traffic, crowds, and music. Mr. Johnson explained that the large number of motorcycles which was heard by Mr. Soptick were from other motorcycle clubs, who had come over to the Clubhouse in October 2017 to help them with the renovations at the Clubhouse. He explained to the neighborhood group that the Egyptians Cobras are a small group, who membership is around or about 30 peoples. The youngest member in the club is 40 years old. Most of the club is made of retirees and that there are only 12 active members in the club. Mr. Johnson stated that most likely than not there will never be a time when more than a handful of motorcycles will be presented at the Clubhouse.

The next issue Mr. Johnson addressed was the large crowd, which Mr. Soptick made reference to. He explained that the Club holds two major events each year and that those events are held at other facilities. However, the Club had sent out flyers back in the latter part of 2017 with the Clubhouse address on it to where the out of town motorcycles' club members where to come for dinner. The dinner was moved to another location, but a lot of the out of town folks had no idea that the dinner had been moved so many of them stopped by the Clubhouse for a brief period of time, where they were instructed to go to the another location where the dinner was held. Finally, Mr. Johnson explained to the neighborhood group that the chance of a large crowd gathering again at the Clubhouse was doubtful. He stated that in the future they will be able to give better notice to the other motorcycle club members.

Mr. Johnson then addressed the loud music issue by expressing doubt as to whether or not it was coming from the Clubhouse. He stated that the stereo equipment which the Club has is not capable of producing a high enough volume to be heard two and a half blocks away. He continued by pointing out that he personally, when he is presented in the Clubhouse goes outside into the parking lot to ensure that the music is not too loud as to disturb the neighbors. The Club has expressed that they planned to sound proof the Clubhouse so that their music will not be an issue with the neighbors.

Mr. Jorge Vasquez also made comments and proposed questions to the group after Mr. Soptick had rested. Mr. Vasquez stated that in addition to the loud noise issue he was concerned about large crowd partying and drinking into the night. Mr. Vasquez indicated that he believed that the Clubhouse could pose a safety threat to the neighborhood. Mr. Vasquez was concerned about possible shootings and fights between the Club members themselves and or rival motorcycles clubs.

Mr. Lorenzo Johnson addressed Mr. Vasquez's concerns by stressing that the Club was a quite small Club, and that the Club was not a partying and drinking type of organization. He explained that the two main events where there is a lot of partying and drinking will be held at other locations. Mr. Johnson informed the neighborhood group that the capacity of the Clubhouse would only accommodate around 60 people at one time and he had no reason to believe that the Clubhouse would ever be filled to

capacity. At this point, Mr. Johnson referred to the Club's past history and informed the neighborhood group that in the 33 years that the club has existed, the organization has never had a shooting or a fight and that they are a motorcycle club not a gang, in other words they have no rivals.

Attorney Reginald Davis pointed out the age of the Club membership and he ensured the neighborhood group that the gentlemen, who are mostly over 50 years of age are not looking to get into any fights and or shoot outs, and that as to the best of his knowledge none of the Club members were felons or had any type of criminal history. Mr. Davis informed the neighborhood group that the Club does provide security at the Clubhouse with two sergeants at arms, one who is posted outside of the door and the other inside the door.

Mr. Lorenzo Johnson confirmed the presence of security at the Clubhouse and added that there are signs posed inside the Clubhouse which states, no weapons, no drugs and no violence.

Mrs. Deanna Bracken also made comments and proposed questions to the group. Mrs. Bracken stated that she recalled where several cars which she believed belonged to the Club parked outside of her home one night. Mrs. Bracken stated that she felt that having the Clubhouse in the neighborhood that there was going to be a parking problem. Mrs. Bracken also stated that she observed where a large food truck which she believed belonged to the Club parked on the grass in City Park. She ended her comments by stating that she had also heard gun shots over at the Clubhouse not so long ago.

Attorney Reginald Davis had to step in at this point to restore order as many of the neighborhood group and Club members begun to speak out of order in an effort to address the issues expressed by Mrs. Bracken. Since, Mrs. Bracken was late arriving to the neighborhood meeting, for her edification Mr. Davis gave a short recap of the previous issues raised by the neighborhood group and the answers presented on those issues by the Club members.

Mr. Charles Jackson addressed Mrs. Bracken's concerns about the parking. He stated that it was doubtful that the cars parked outside of Mrs. Bracken's home belonged to the Clubhouse since there was sufficient parking for the Club membership. Mr. Jackson explained that he was in charge of the cook out for the neighborhood and that no one who belonged to the club parked on the grass in City Park since there was plenty of room in the back of the Clubhouse for them to cook and grill the meat. Mr. Jackson assured Mrs. Bracken and the neighborhood group that the Club members had good intentions and that they could be good neighbors. He pointed out the fantastic job they had done on restoring the Clubhouse.

All of the Club members denied that there had been a shooting at the club and Attorney Davis inquired of Mrs. Bracken if she knew whether or not that the KCK Police Department had a report of this incident on file? Mrs. Bracken stated that she didn't phone the police but will do so in the future. Nevertheless, Mrs. Bracken insisted that there was some type of altercation which had taken place at the Clubhouse because she witnessed two EMS vehicles parked outside of the Clubhouse one evening.

Mr. Lorenzo Johnson informed her that the two vehicles which she saw outside of the Clubhouse belonged to two Club members who are Kansas City Kansas Firefighters.

Mr. Nicolas Martinez also made comments and proposed questions. Mr. Martinez was mainly concerned with the hours in which the Clubhouse would be opened. He expressed that he didn't want loud music and folks partying and drinking into the late night in the neighborhood.

Attorney Reginald Davis informed the neighborhood group that the Club members had agreed to hold certain hours as to when the club membership could be presented in the Clubhouse in attempt to be good neighbors. The Club members have agreed to be out of the Clubhouse by 10:30 P.M. Sunday through Thursday nights and to be out at 12:00 A.M. on Friday nights and Saturday nights respectfully. However, there may come a time or two where they may linger pass the proposed hours.

Mrs. Rose Vasquez also made comments and proposed questions. Mrs. Vasquez question to the Club members was why they had opened up the Clubhouse without first retaining a special use permit? And why are they still going in and out of the Club when Robin Richardson had informed them not to be in the Club? One of the neighborhood group members, I don't recall who, indicated that these questions which Mrs. Vasquez were raising came to their attention from communications which they were having with Robin Richardson via e-mails.

Mr. Lorenzo Johnson stated that he had once operated a liquor store. He gave an example to which he asked the neighborhood group to compare it with. Mr. Johnson stated that when he applied for his liquor license that it just meant that he couldn't sell liquor until he received his license. However, it didn't prevent him from going in and out his liquor store to check on things and or to do other tasks. Mr. Johnson also stated that they were not doing anything in the clubhouse as far as selling anything or conducting some type of business activities, therefore the club was not violating any laws.

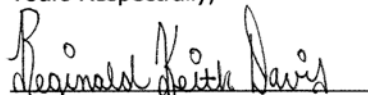
Mrs. Vasquez insisted that the Club somehow was conducting an illegal operation; she stated that she felt that the Club was out of line by starting something up without first seeking the permission of the UG.

Attorney Reginald Davis once again intervened to restore the order as many of the neighborhood group and Club members begun to speak out of turn concerning this issue. Mr. Davis expressed surprise that Robin Richardson was communicating with the neighborhood group via emails. Nevertheless, Mr. Davis stated that the issues being raised by Ms. Vasquez were legal issues. Mr. Davis stated that it was not fair to ask the Club members to answer those questions because they were not trained in the law. Mr. Davis informed the neighborhood group that the Club members was doing everything to comply with the UG and the KCK Police Department demands, and that the Clubhouse is not being utilizing in the same manner now as it was before, since the time that the Club had been informed of the need for a special use permit.

In Closing the meeting went well. There was a lot of constructive conversation and discussion concerning the Club and its application for a special use permit. I personally think that the stereotypes, half-truths and lies were all dispelled by this intense neighborhood meeting. Needless to say, this meeting could have went on for a least another two to three hours.

Meeting adjourned at: 4:55 P.M.
Minutes taken by: Reginald Keith Davis

Yours Respectfully,

A handwritten signature in cursive script, reading "Reginald Keith Davis", written over a horizontal line.

Reginald Keith Davis
Attorney At Law
750 Ann Ave Ste B
Kansas City Kansas 66101
Phone: (913) 299-8789
Attorney for the Egyptian Cobras



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: April 5, 2018
Re: Petition #SP-2018-37

GENERAL INFORMATION

Applicant:
Chad Bartlett

Status of Applicant:
Owner
7221 West 79th Street #107
Overland Park, KS 66204

Requested Action:
Approve of a Special Use Permit

Date of Application:
January 29, 2018

Purpose:
To operate a Short-Term Rental/Bed and Breakfast/AIRBNB at a residence owned by the applicant

Property Location:
4448 Booth Street

Commission Districts:
Commissioner At-Large: Tom Burroughs
District Commissioner: Ann Brandau Murguia



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

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

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

Total Tract Size: 0.16 acre

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

Major Street Plan: The Major Street Plan classifies Booth Street as a local street.

Advertisement: The Wyandotte Echo – February 15, 2018
Letters to Property Owner – February 14, 2018 and March 28, 2018

Public Hearings: March 12, 2018 and April 5, 2018

Public Opposition: No one appeared in opposition at the March 12, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Chad Bartlett is applying to use a single-family home, located at 4448 Booth Street as a short-term rental space, rented through sites such as AIRBNB and VRBO. This home is not the applicant's primary residence.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is comprised exclusively of single-family homes.

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

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

properly. Operating this property as a short-term rental has the potential to create issues related to noise, parking and other concerns related to overcrowding if improperly managed.

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 so long as the property owners properly manages the operation.

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

The property has not had an active rental license.

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 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 landowner would not be able to use the property as a short-term rental but may continue to use the property as a single-family residence.

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

This is foreseen to be an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on February 15, 2018. According to the applicant, those in attendance did not appear in opposition.

KEY ISSUES

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

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 1 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-37, subject to:

Urban Planning and Land Use Comments:

1. How long has the short-term rental business been in operation?

Applicant Response: The short term began in October 2017.

2. Were neighbors consulted prior to opening the business?

Applicant Response: I did talk about it with the neighbors on either side of me.

3. Do you have a business license?

Applicant Response: No.

Staff Response: You are required to obtain a business license from Business Licensing.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes, they are calculated and paid via AIRBNB.

5. How many rooms are rented?

Applicant Response: The whole house is rented.

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

Applicant Response: 8 guests.

Staff Response: 8 guests staying in a two-bedroom, one-bathroom home is too many. As with other AIRBNB/bed and breakfast applicants, we have limited it to two occupants per bedroom, so in this case five (5) adults should be the maximum.

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

Applicant Response: Unknown, probably 3.

Staff Response: Will vehicles be able to park in the driveway?

8. How often are guests in the residence?

Applicant Response: On average, once or twice a week.

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

Applicant Response: Not for this property.

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

Applicant Response: This house has two (2) bedrooms, one (1) bathroom, living, dining, kitchen, basement and garage.

11. As this is not your primary residence, where are you located?

Applicant Response: I live in Overland Park and my office is in Overland Park, Kansas.

12. How often do you visit the property?

Applicant Response: I have a team member visit the property at least twice per week.

13. Who is responsible for issues that may arise when tenants are renting the house, if neighbors have concerns, or to clean and prepare the house between tenants?

Applicant Response: Those are my responsibility.

14. Have you provided your surrounding neighbors with your contact information should they have concerns?

Applicant Response: Yes, both neighbors on either side have my number, as well as everyone I mailed.

15. Please provide a floor plan as the one submitted with the application cannot be read by any format we have on our computers.

Applicant Response: See attached.

16. Please provide interior/exterior photos of the residence.

Applicant Response: See attached.

AIRBNB and other short-term rental operators do not fall into the same category. In this instance, Mr. Bartlett rents out the entire home, while he lives 8 miles from the property and his team/company will visit the site at least twice per week. Staff has not received reports of issues from neighbors, and Mr. Bartlett appear to have sufficient parking to accommodate any tenants.

If approved, the following will be 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 (not including an infant/child).

- 4) Only one additional (guest) car is permitted.
- 5) House rules must include provisions indicating no parties or events to be hold on site.
- 6) Approval is for one (1) year.

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-2018-37** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

March 12, 2018 City Planning Commission Minutes
Zoning Map
Aerial Photograph
Applicant Response Letter
Floor Plan
Photograph of home

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	March 12, 2018	April 5, 2018
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-37** 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-2018-37**, 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.

MARCH 12, 2018 CITY PLANNING COMMISSION MINUTES:

Hearing Starts at 4:34:35

SPECIAL USE PERMIT APPLICATION #SP-2018-37 – CHAD BARTLETT WITH HOME REMEDY INVESTMENTS, LLC – SYNOPSIS: Special Use Permit for an AIRBNB at 4448 Booth Street. ***Detailed Outline of Requested Action:*** The applicant, Chad Bartlett is applying to use a single-family home, located at 4448 Booth Street as a short-term rental space, rented through sites such as AIRBNB and VRBO. This home is not the applicant's 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 March 12, 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 February 15, 2018; and
7. The Notices to property owners dated February 14, 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:

- ❖ Chad Bartlett, applicant, 7221 West 79th Street, #107, Overland Park, Kansas 66204
- ❖ There were 15 people present that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 4:38:55 - Director Richardson stated that in accordance with what has been done for other applications, the staff would recommend approval for one (1) year subject to the stipulations.

Motion and Vote starts at 4:40:13

On motion by Ms. Pauley, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit Application #SP-2018-37:**

Carson	Aye
Childress	Aye
Connelly	Aye
Ernst	No
Pauley	Aye
Serda	Aye
Huey	Chairman
Gonzalez	Not Present
Jones	Not Present
Mose	Not Present
Reasons	Not Present

Motion to recommend APPROVAL Passed: 5 to 1
Subject to;

Urban Planning and Land Use Comments:

1. How long has the short-term rental business been in operation?

Applicant Response: The short term began in October 2017.

2. Were neighbors consulted prior to opening the business?

Applicant Response: I did talk about it with the neighbors on either side of me.

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Applicant Response: No.

Staff Response: You are required to obtain a business license from Business Licensing.

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Applicant Response: Unknown, probably 3.

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 - 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 (not including an infant/child).**
- 4) Only one additional (guest) car is permitted.**
- 5) House rules must include provisions indicating no parties or events to be hold on site.**
- 6) Approval is for one (1) year.**

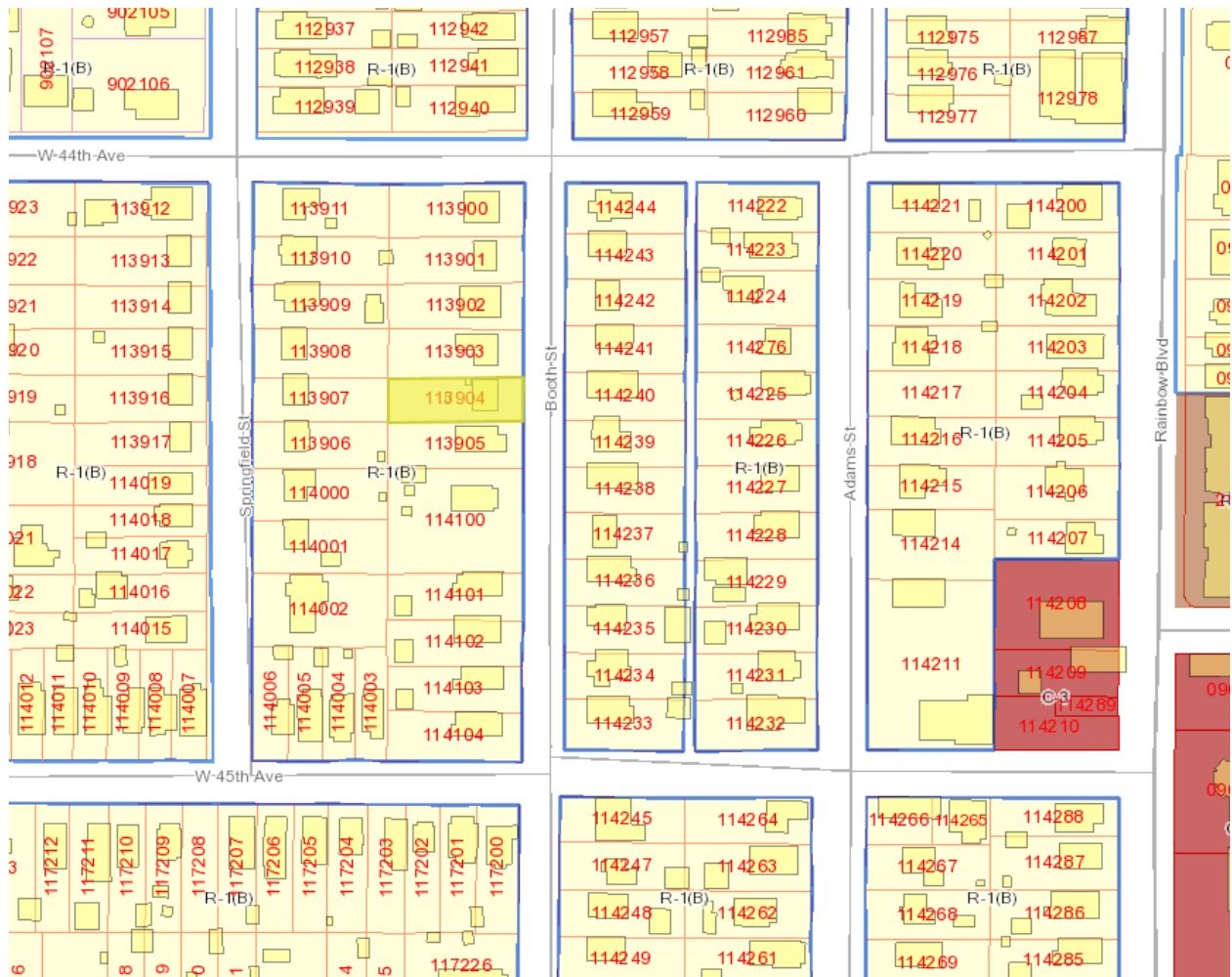




Figure 2. Aerial photograph of 4448 Booth Street, as indicated by the shaded box (provided by UG Maps).

- **Written Response to the following questions:**

- How long has the business been in operation?

The short term rental began in October 2017.

- Were neighbors consulted prior to opening the business?

I did talk about it with the neighbors on either side of me

- Do you have a business license?

No

- Have you paid appropriate lodging taxes?

Yes, they are calculated and paid via Airbnb

- How many rooms are rented?

Whole house

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

8

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

Unknown, 3?

- How often are guests in the residence?

Once or twice a week on average

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

Not for this property

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

2 bedrooms, 1 bath, living, dining, kitchen, basement and garage

- Describe how you will maintain a safe environment including:

- Working smoke detectors in each bedroom plus each level of the unit/house.

Yes

- GFCI outlets are required in bathrooms.

Yes, and kitchen

- Double keyed locks are not allowed

Nope

- Copper cannot be used for gas supply lines

Nope

- Windows must be operable, not blocked or boarded

Yes

- Handrails are required at sets of 4 or more stairs/risers

Yes

- Hot water tank and furnace must be vented properly and operational.

- Electric panel and circuits must be safe

Yes

NEIGHBORHOOD MEETING MINUTES

Application Number:

#SP-2018-37

Date and Location:

2/15/2018 6:30 p.m.
Greater Revelations Church
4473 Adams Street
Kansas City, KS 66103

Meeting called to order at: 6:44 p.m.

Names of people in attendance:

Ljupka Schwantes, Airbnb Host – 2309 W. 45th Avenue Kansas City, KS 66103
Taryn Glidewell, Airbnb Host – 2914 W. 44th Avenue Kansas City, KS 66103
Travis Underwood, Neighbor & Airbnb Host – 4523 Adams Street Kansas City, KS 66103
Sara Bartlett, Airbnb Host – 4448 Booth Street, Kansas City, KS 66103
Tracy McCarthy, Owner of Rainbow Pet Hospital - 4468 Rainbow Boulevard, Kansas City, KS 66103

Introductions:

- Reason for meeting was given. Ms. Schwantes introduced herself and explained the SUP application process, when it began and how the neighborhood meeting was one of the steps to complete the application.
- Mrs. Bartlett provided the history of short term rental operation at 4448 Booth Avenue Kansas City, KS 66103 to include begin dates, notification given to neighbors, application for rental license and timeline of SUP process and notices issued to neighbors of meeting.
- Mrs. Bartlett then asked if there are any questions.

Questions and answers:

Ms. Tracy McCarthy asked question of what is the next step in the application. Ms. Schwantes responded that there is a meeting to be held before the Urban Planning Commission on March 12, 2018 at 701 North 7th Street Kansas City, KS 66103 at 6:30 p.m. Ms. McCarthy was invited to the meeting and she noted she will try to attend.

Meeting adjourned at: 7:30 p.m.

Minutes taken by: Ljupka Schwantes

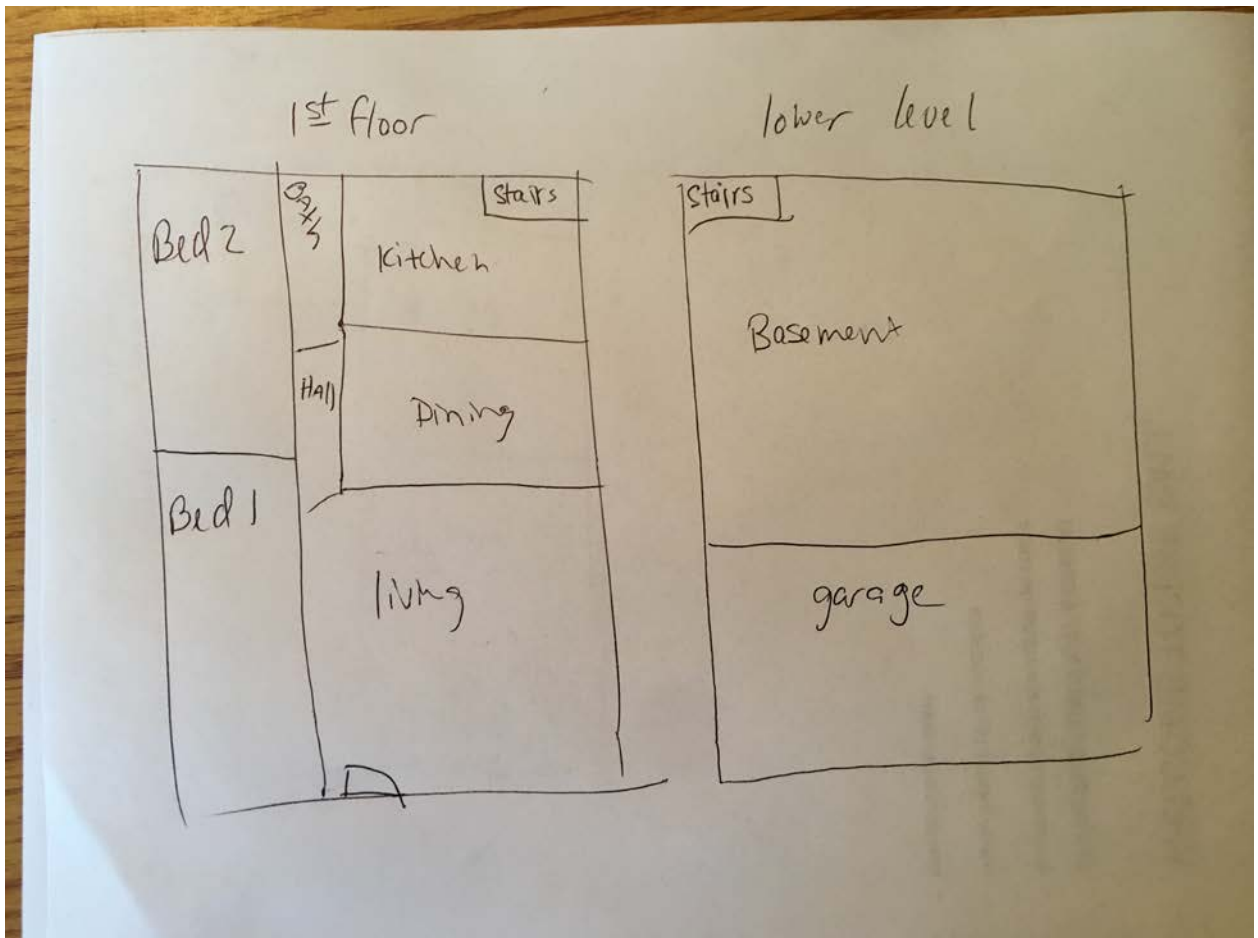


Figure 3. Floor Plan of 4448 Booth Street (provided by the applicant).



Figure 4. Photograph of 4448 Booth Street (provided by Google Street View).



Staff Request for Commission Action

Tracking No. 18137

Full Commission Meeting Date: 4/5/18

Committee: Administration & Human Services

Date of Standing Committee Action: 3/19/18
--

(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>
03/20/2018	Melissa Sieben	x5017	msieben@wycokck.org	Administrator's Office

Item Description:

Request to apply for the maximum amount of \$1M for a Bloomberg Public Art Grant for a downtown art project and market. An undefined match is required.

Action Requested:

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



**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

March 26, 2018

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for: LEGENDS AUTO MALL 4TH PLAT

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of LEGENDS AUTO MALL 4TH PLAT, located at 99th Street and Parallel Parkway, being developed by Car Bax, KS. Par L.L.C.

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
Director of Engineering
/County Surveyor

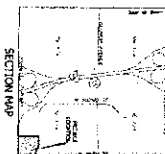
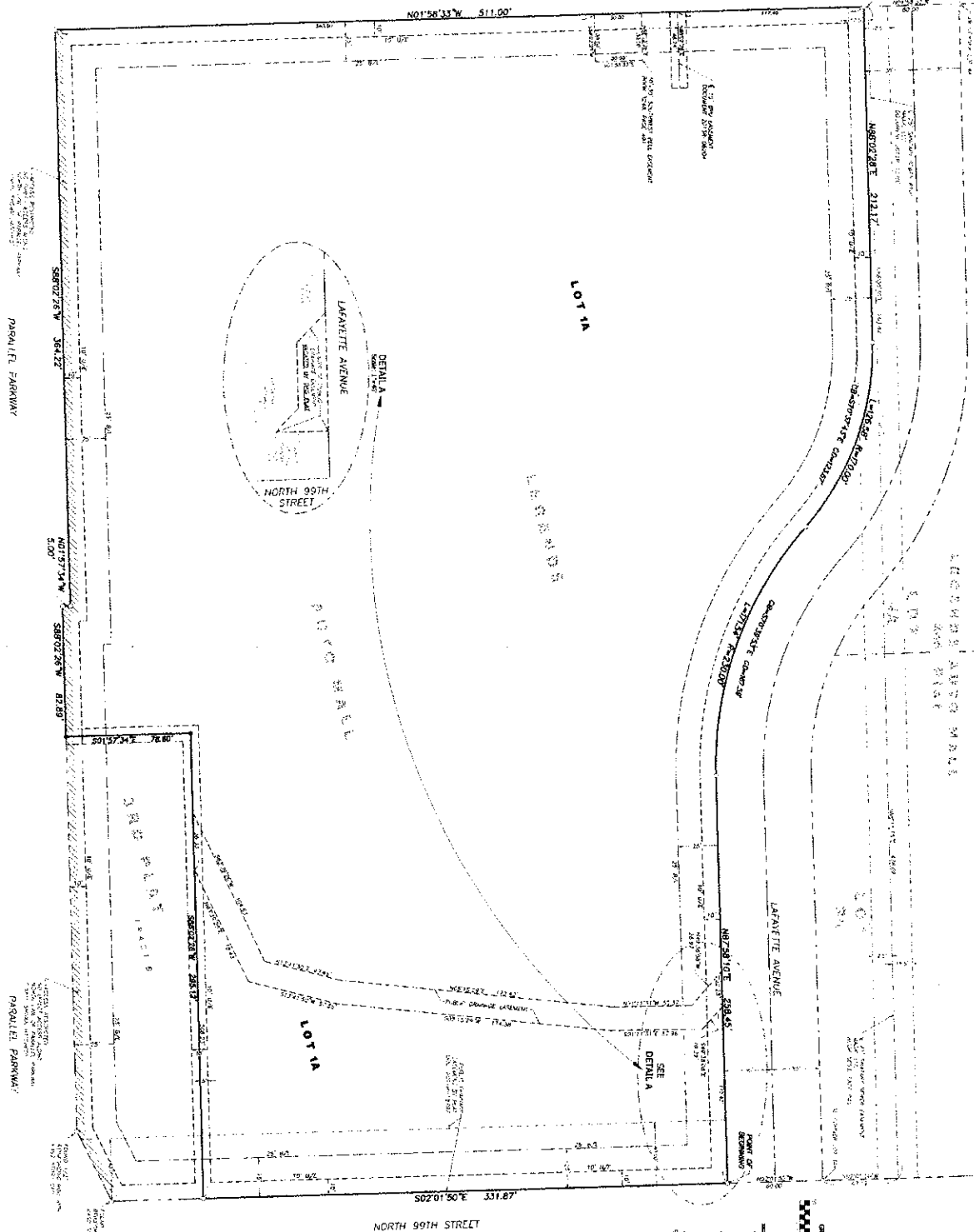
FILED
MAR 29 2018
UNIFIED GOVERNMENT CLERK

Troy Shaw, P.E.
County Engineer

Attachments

NORTH 150TH TERRACE

Final Plat of:
LEGENDS AUTO MALL 4th Plat
A Replat of LOT 1A, LEGENDS AUTO MALL 3rd Plat



LEGEND

- [illegible]

WEATHERCAST.COM/ENR

Dr. Jochen S.
E: 227515.0
East Southeast 19.45 feet to center of secondary water
mainline.

CAD

West Point 14.3 feet in 1870.
West Point 22.9 feet in the foot of clouds of
dark clouds.

E: 221.7515.9

Scarp 2, 40 feet to north edge of crestive streambed directly north of scarp rim.

Wing: Northwest 20.75 inch to 50.

to the South.

SOUTHWEST CORNER LOT 4A
N: 705.707 0
E: 2216774.8

High Range Notes.

South 2.00 feet to North edge of concrete sidewalk
across North of ADA ramp.

AREA TABLE
Lot 1A: 315,405 square feet or 7.2402 acres

SURVEYORS CERTIFICATION

THIS IS TO CERTIFY that the "Tribal Order" shown is a true and correct copy of the original as filed with the Bureau of Indian Affairs, Department of the Interior, Washington, D.C. 20546.

(See Title Block for unit, unit and segment)

W. Burt C. ARKINSON, LS-1527

Figure 1

FINAL PLAT: LEGENDS AUTO MALL 4th Plat
A REPLAT OF LOT 1A
LEGENDS AUTO MALL 3rd Plat
SE 1/4 SEC 35 T10S-R23E 6TH PM
KANSAS CITY, WYANDOTTE CO., KS

CAR BAX KS PAR L.L.C.
ATTN: Chloé Lewis
Capital Automotiva Real Estate Services, Inc.
8484 Westpark Dr. Suite 200
McLean, VA 22102



1	3/5/2016	Removal of 350 surveillance cameras	JDS	WCA
Rev.	Date	Description	Drawn	Checked



**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

March 26, 2018

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for: CEDAR PALMS

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of CEDAR PALMS, located along Hurrelbrink Road, east of 99th Street and west of WyCo. Lake, being developed by Mark Moser.

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
Director of Engineering
/County Surveyor

Troy Shaw, P.E.
County Engineer

FILED

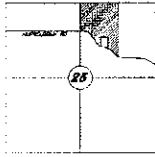
MAR 29 2018

UNIFIED GOVERNMENT CLERK

Attachments

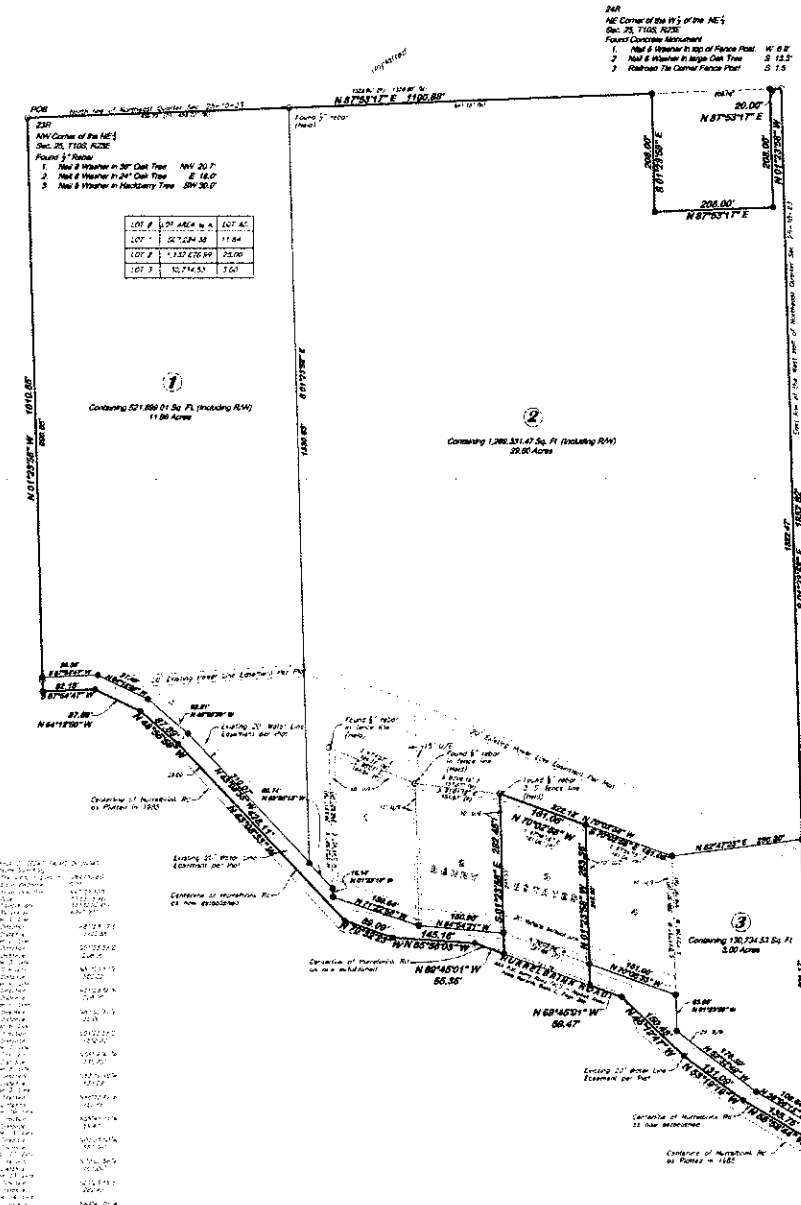
CEDAR PALMS

PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 10 SOUTH, RANGE 23 EAST, AND A REPLAT OF LOTS 1, 2 & 4 OF BERRY ESTATES, A SUBDIVISION IN WYANDOTTE COUNTY, KANSAS FINAL PLAT



Scale: 1" = 2000'
Section 25, Twp 10 S, Rng 23 E.

A tract of land in the Northeast Quarter of Section 25, Township 10 South, Range 23 East of the 6th P.M. City of Kansas City, County of Wyandotte, State of Kansas, described as follows:
Beginning at the Northeast corner of said Section 25, thence N 87°15'17" E along the north line of said Quarter a distance of 1100.00 feet; thence S 12°25'35" E a distance of 208.00 feet; thence N 87°15'17" E a distance of 308.00 feet; thence N 01°23'55" W a distance of 208.00 feet to the North line of said Quarter; thence N 87°15'17" E a distance of 20.00 feet to the Northeast corner of the West Half of the said Northeast Quarter; thence S 01°23'55" W along the East line of the West Half of said Quarter a distance of 1052.00 feet to the Southwest corner of said Quarter; thence N 87°15'17" E along said quarter line a distance of 135.75 feet; thence N 53°15'15" W a distance of 131.00 feet; thence N 48°12'47" W a distance of 150.44 feet; thence N 88°45'01" W a distance of 69.47 feet; thence N 01°23'55" W along the East line of Lot 3 of Berry Estates, a Subdivision in Wyandotte County, Kansas recorded November 10, 1985 in the Wyandotte County Register of Deeds Office in Book 28, Page 38, a distance of 283.36 feet to the Northeast corner of said Lot 3 of BERRY ESTATES; thence N 70°12'58" W along the North line of said Lot 3 a distance of 161.00 feet to the Northeast corner of said Lot 3, thence S 01°23'55" E along the West line of said Lot 3 a distance of 263.43 feet to the Southwest corner of said Lot 3; thence N 87°15'17" E along said quarter line a distance of 65.00 feet; thence N 01°23'55" W a distance of 145.16 feet; thence N 70°12'58" W a distance of 85.06 feet; thence N 45°18'32" W a distance of 428.11 feet; thence N 48°12'47" W a distance of 87.80 feet; thence N 64°12'50" W a distance of 87.80 feet; thence S 01°23'55" W a distance of 62.18 feet along said quarter line; thence N 72°35'15" W a distance of 1010.65 feet to the Point of Beginning. Real property containing 4.26 acres.



The undersigned proprietors state that all of the above described tract of land have been paid for and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and is known as "CEDAR PALMS".

Exemptions shown on the plat are hereby declared for public use. The rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to access and maintain roads, water lines, gas lines, power lines and any other form of public utility now and hereafter used by the public over, under and along the plat herein fully.

Shades shown on the accompanying plat and not hereafter declared for public use are hereby acknowledged.

ACKNOWLEDGMENTS.

IN TESTIMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this 11th day of March, 2018.

By [Signature] City App. - Landowner By [Signature] County App. - Landowner

STATE OF Kansas

COUNTY OF Wyandotte

Be it remembered that on this 11th day of March, 2018, before me, a notary public in and for said County and State, came City App. and County App. in me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written (SEAL).

IN TESTIMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this 11th day of March, 2018.

By [Signature] City App. - Landowner By [Signature] County App. - Landowner

STATE OF Kansas

COUNTY OF Wyandotte

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IN TESTIMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this 11th day of March, 2018.

By [Signature] City App. - Landowner By [Signature] County App. - Landowner

The plat of "CEDAR PALMS" has been submitted to and approved by the Wyandotte County Planning Commission, Kansas Planning Commission.

Dated this 11th day of March, 2018.

Wyandotte County Planning Commission, Kansas Planning Commission.

By [Signature] Chairman By [Signature] Secretary

The declarations shown herein, if any, are accepted this 11th day of March, 2018.

David Avery, Mayor/CEO Bridgette Giddens, Limited Clerk

Recommended for approval by the Wyandotte County, Kansas, Engineer, on this 11th day of March, 2018.

By [Signature] County Engineer - Troy Stone, P.E.

NOTES:

- The Basis of Bearing system for this survey is Kansas North Zone, U.S. State Plane, NAD 83.
- All distances shown hereon are measured ground distances in feet unless otherwise stated.
- Origin of monuments are unknown unless otherwise stated.
- No Title Commitment furnished to this survey.
- Kansas One Call was not called on this project.
- Flood Plain Note: Property as described, does not lie within any Flood Zone as per Flood Insurance Rate Map Community Map No. 20209C0043D, Dated September 2, 2011.

I hereby certify that the plat made the requirements of K.S.A. 82-1211 through 82-1215. The lines of the plat are shown along the South of September 2017 and the lines are shown in the plat as of that date.

By [Signature] Surveyor

For the Surveyor by [Signature] Deputy Surveyor

By [Signature] Register of Deeds - Henry M. Burns

By [Signature] Deputy Register of Deeds - Brian M. Moore

LEGEND:

- DENOTES FOUND CORNER 1/2" ANGLE
- DENOTES SET 1/2" ANGLE W/OD
- DENOTES TELEPHONE POLE
- DENOTES ROAD SIGN
- DENOTES POWER POLE

I hereby certify that the survey was made in full, within the stated boundaries, on the ground along the South of September 2017 and the lines are shown in the plat as of that date.

By [Signature] Surveyor

For the Surveyor by [Signature] Deputy Surveyor

By [Signature] Register of Deeds - Henry M. Burns

By [Signature] Deputy Register of Deeds - Brian M. Moore

Prepared For:

Mark Moore
9410 Humboldt Road
Kansas City, Kansas 66109

Date of Preparation:
October 24, 2017 - WDC Comments
February 22, 2018 - WDC Comments

CEDAR PALMS

REPLAT BERRY ESTATES LOTS 1, 2 & 4, AND PART OF NE 1/4 SEC. 25-10-23

ATLAS SURVEYORS, LLC.

207 South 54th Street | Leavenworth, Kansas 66048 | 913.718.1001 | 913.882.9800 (F)



Staff Request for Commission Action

Tracking No. 18175

Full Commission Meeting Date: 4/5/2018

Committee: Full Commission

Date of Standing Committee Action:

(If none, please explain):

Publication Required: No

<u>Date:</u> 03/19/2018	<u>Contact Name:</u> Emerick Cross	<u>Contact Phone:</u> x6784	<u>Contact Email:</u> ecross@wycokck.org	<u>Department/Division:</u> Commission Liaison
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Item Description:

Nomination for Board & Commission:

Golf Advisory Board, Dan Duncan, 04/5/2018 to 3/31/2022, submitted by Commissioner Burroughs.

Self-supported Municipal Improvement Board, Jerrell Royal, 4/5/18 to 3/31/20, submitted by Commissioner Markley.

Action Requested:

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

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

SPECIAL SESSION, THURSDAY, MARCH 1, 2018

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, March 1, 2018, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District (arrived at 5:03 p.m.); Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District (arrived at 5:19 p.m. and left at 6:38 p.m.); Markley, Commissioner Sixth District (arrived at 5:34 p.m.); Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. Townsend, Commissioner First District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Joe Connor and Melissa Sieben, Assistant County Administrators; Kathleen VonAchen, Chief Financial Officer; Mike Grimm, Management Analyst; Alan Howze, Chief Knowledge Officer; Lynn Melton, Assistant to the Mayor; Emerick Cross, Commission Liaison; Rob Richardson, Director of Planning; and Officer Dave Hopkins, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

ROLL CALL: McKiernan, Johnson, Walters, Philbrook, Bynum, Burroughs, Alvey.

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, March 1, 2018, at 5:00 p.m. in the 5th floor conference room of the Municipal Office Building, for a presentation on the Community Survey. At 6:00 p.m. is the North Loop Linkages Study by MARC.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Alvey said tonight we will hear a presentation on the Community Survey. I will turn it over to Administrator Bach.

Interim Community Survey Findings

Conducted for
The Unified Government of Wyandotte County/Kansas City, KS

Presented by
ETC Institute

March 1, 2018



Doug Bach, County Administrator, said we're pleased to bring forward our initial findings that are coming back on the survey. This is the third survey we've done in consecutive fashion. We modified some when we started back in 2014 and we decided to put them on a two-year cycle going into '16 and now '18 which allows us to start to get some comparable data to kind of show some patterns of what we're doing with things. Again, this year we hired ETC to come forward and stay consistent with the survey they've done. The survey was led by the Finance Department and I will turn this over to Kathleen VonAchen, our CFO, and let her introduce our presentation this evening.

Kathleen VonAchen, Chief Financial Officer, said this evening we have with us Chris Tatum with the ETC Institute to present the preliminary 2018 Community Survey results for Wyandotte County. In addition to the current survey, Chris and his team at ETC have also assisted the Unified Government with completing a Community Survey during 2016 and 2014 and back in 2000. Sitting with Chris is also Mike Grimm with the UG Research Division of the Finance Department who was instrumental in getting the survey completed working closely with Chris. Mike has been the lead on this project.

The survey asks questions regarding satisfaction with various government services and the quality of life in the County. The results of the survey will be used as part of our upcoming

March 1, 2018

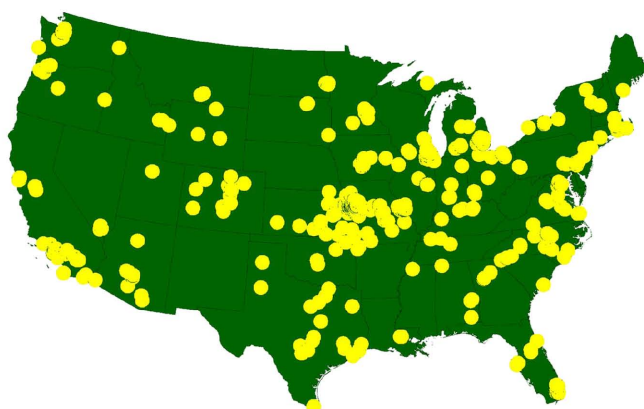
budgeting process to prioritize spending and it also will be used to form the future initiatives related to SOAR.

At this point I would like to let Chris take it over from here.

Chris Tatum, ETC Institute, said if you're new and you don't know much about ETC Institute, we're based here in the Kansas City area. We now have offices in several places around the country and we've actually started doing work in countries like Ethiopia and India to help them use some of these same techniques to make better decisions based on what their residents and stakeholders need.

A National Leader in Market Research for Local Governmental Organizations

...helping city and county governments gather and use survey data to enhance organizational performance for more than 30 years



**More than 2,150,000 Persons Surveyed
for more than 850 cities in 49 States**

2

Over the past two decades—this is I guess just in the past few years, we've surveyed over 2M people in the United States so some of my comments tonight are just going to be how things have changed and what's going on nationally and it's really based on the fact that I have been doing this about 25 years. Our firm has been doing it for 35 years. It was actually started by my parents and we maintain some of the best databases for interpreting what results mean.

Agenda

- Purpose, Methodology, and Demographics
- Summary of Major Findings
 1. Neighborhood/Community Service Ratings/Priorities
 2. County Level Service Ratings/Priorities
 3. Overall Priorities
 4. Public Safety Ratings and Priorities
 5. Maintenance Ratings and Priorities
 6. Code Enforcement Ratings and Priorities
 7. Parks and Recreation Ratings and Priorities
 8. Other Issues
- Summary
- Questions



3

As far as tonight, I'm just going to walk you through what we found to date. The survey is pretty much completed at this point and time. We haven't finished all the analysis, but the results won't change much, at least the overall results. I'll walk you through the major categories of questions and give you what we found and certainly if there are questions, I will try to answer them while we're here this evening. A follow-up to this, if there is additional information or analysis you would like, we would be happy to include that as we wrap-up the reports.

Purpose

- **To gather objectively assess resident satisfaction with the delivery of city and county government services**
- **To gather input from resident to help set budget priorities for the Unified Government**
- **To objectively assess service performance and understand short and long term trends**



4

I think most of you are familiar with the purpose for doing the survey. We actually did a survey a few years ago to find out how many people in the community actually show up to public meetings. In a national survey 7% responded they have been to a public meeting in the last year and you think whoa, that's sounds like it's high, when we did a follow-up question we found out people

overstated how recently they had been. Truly, about 3% of people go to a public meeting in any given year and of those 3% the number one reason they go is to get rewards and recognition or to see people get rewards and recognition. Number 2, is they don't like what's being done or Number 3, they want to change how you do things. The average person who doesn't get satisfied or, frankly, is just busy with their life just doesn't show up. Without a tool like this sometimes it's hard to think or know what the average resident thinks and it doesn't mean public processes and end processes aren't important, they're very, very important, but this helps you balance a lot of the decisions to make sure that the average person's input is incorporated into your decision.

We also use this to help set budget priorities and really see how things are changing over time. One of the nice things is these results suggest you're moving in the right direction from the last time I was here.

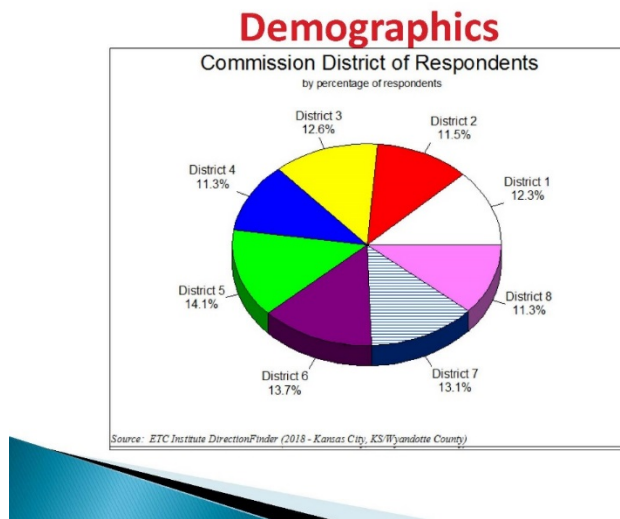
Methodology

- **Survey Description**
 - A core set of questions, including district specific questions
- **Method of Administration**
 - Conducted by mail, phone and the internet
 - Sample was stratified to ensure the completion of at least 300 surveys in each of the County's 8 Districts
- **Conducted late January and February 2018**
- **Total number of completed surveys as of the time this report was prepared: 2,118**
- **More than 2,400 will be completed, but the final results will not change much at this point in time**
- **Margin of error: +/- 2% at the 95% confidence level**
- **Distribution of sample compares well to Census estimates**



5

As far as the methodology, it's a large sample. It's setup so that each of the Commission districts is statistically represented. Our goal is to get at least 300 surveys per district. We also target specific neighborhood areas as well. This year at the time these surveys were finished we had completed a little over 2,100 surveys. When we're all finished we will have over 2,400 surveys, but statistically the results I share won't be more than a percent or two different than what you see today.



6

As far as the distribution, you can see this is the current distribution and you can see it's very even so one district isn't counting more than another. We also looked at the demographics of the current sample with regard to race, Hispanic ancestry, age and other factors and it looks very good so we feel like this is really going—the results I share with you today are representative though they're not final.

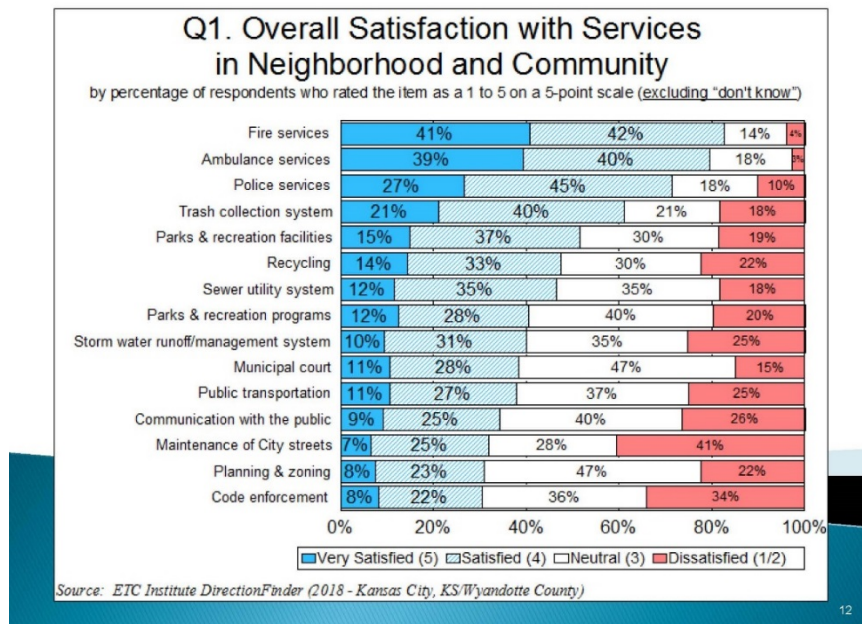
Topic #1: Neighborhood and Community Services



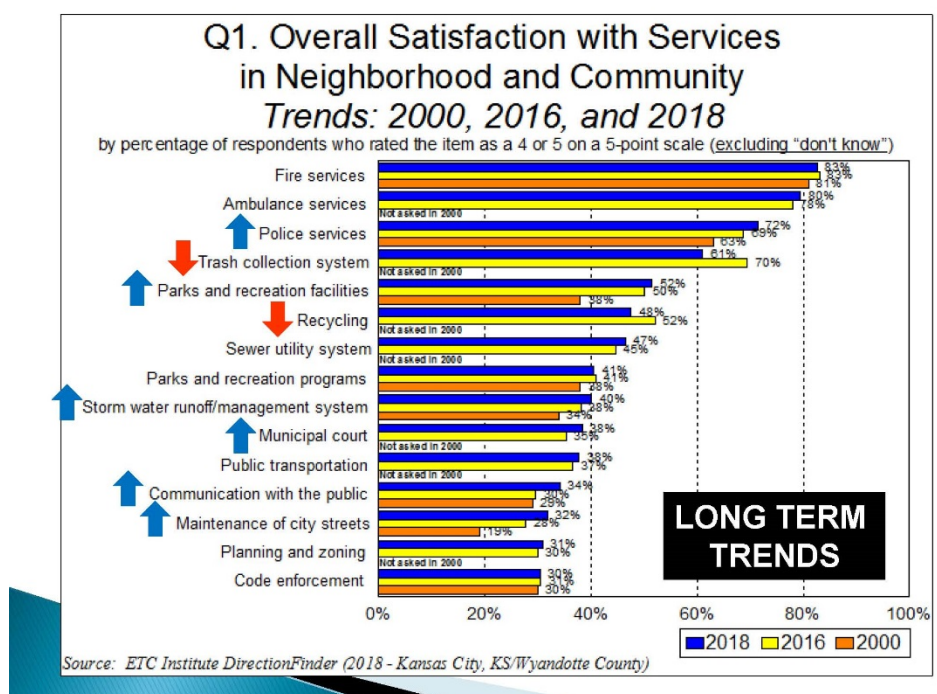
7

As far as the things we took a look at, the first set of questions on the survey looks at your neighborhood and community services.

March 1, 2018

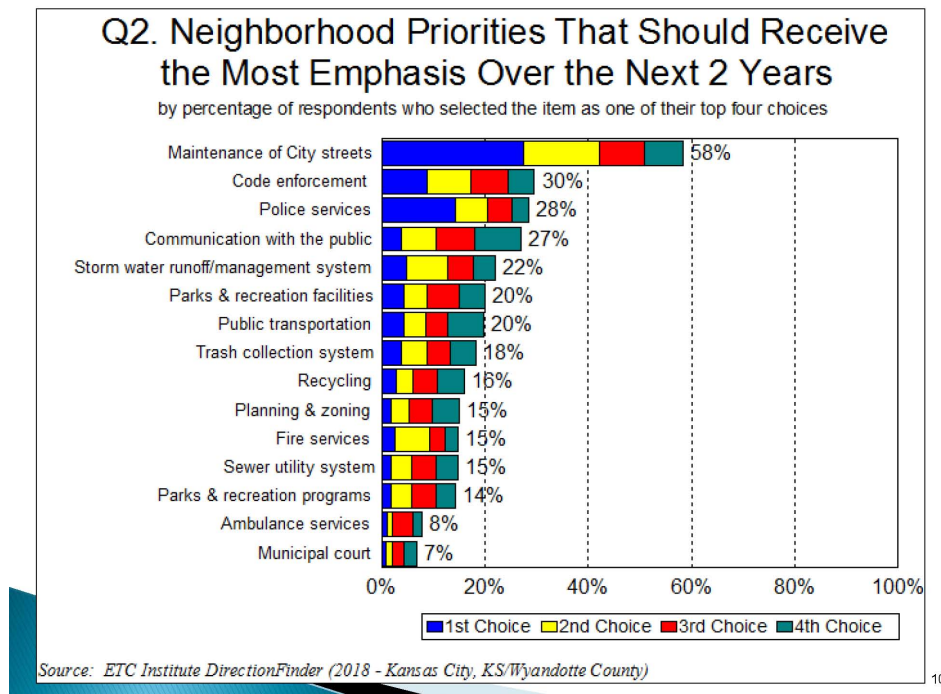


You can see we looked at things like Fire, Ambulance, Police. I won't read the entire list to you, but as you go through the report you will see things that are in blue and that typically means good ratings, very satisfied/satisfied. The white is a neutral response. People don't actually say I'm neutral. That's basically is a rating of three out of five points scale. In other words, when we ask people to rate these items they're giving a scale and response of one to five and so if they say three, it really means okay. We've done research to see what people mean. They're not upset, they're not really happy, you're doing alright but if they give us a negative response, that's what you see there in red and you will see the areas that have some of the most negativity are maintenance of streets and code enforcement; each have over 30% of the respondents giving negative ratings. You will notice your Fire, your Public Safety service, Ambulance, Police; all of those rates very, very highly with over 25% of folks giving ratings of five on a five point scale so very, very strong in the Public Safety side of the house.



When we look at how things have changed from the last survey, you will see a few things have stayed about the same, but I flagged the ones that are statistically different. You take a look at Police services, you've now gone from a 69 to 72 and if you look where you were when we did the first survey, you're up almost 10 points over the past decade or so which is great. Parks and Recreation facilities went up from the last survey and you can see how much it has increased from when we did the first survey back in 2000. Stormwater, you can see significant improvements. Municipal Courts, Communications which was one of your high priorities last time has gone up significantly and Streets, look how much that has improved and that was your number one priority last time around so it really shows you're doing things that are important to residents and they're noticing that.

Your Solid Waste, Trash Collection and Recycling are the two areas that we've seen sort of a decrease from when we did the last survey.



As far as the top priorities we then asked folks of all these items what's the most important and streets is still the number one. You've got a ways to go there, that's the one that has the most dissatisfaction, but you've made lots of progress. That's not a cheap area to move in the right direction so you're certainly doing it. Code Enforcement, Police and Communication kind of round out the top four, but you will see the percentage of people who picked streets as a top choice is almost as much as the top four choices for any other service. It's really important when you see so many folks picking that. You're moving in the right direction, but there is still opportunities to do better.

Priorities for Improving Neighborhood/Community Services by District

Rank	Overall Priorities	# of Districts ranked in top 4	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8
1st	Maintenance of City streets	8	Maintenance of City streets	Maintenance of City streets	Maintenance of City streets	Maintenance of City streets	Maintenance of City streets	Maintenance of City streets	Maintenance of City streets	Maintenance of City streets
2nd	Code Enforcement	6	Police services	Code enforcement	Storm water runoff	Code enforcement	Police services	Code enforcement	Communication	Communication
3rd	Police Services	7	Code enforcement	Communication	Police services	Police services	Communication	Police services	Code enforcement	Code enforcement
4th	Communication	6	Communication	Police services	Public Transit	Communication	Parks & rec facilities	Storm water runoff	Trash collection system	Police services



11

One of the things I put here was just to share with you what the priorities were by district and you will see in all eight districts Maintenance of City Streets as the number one neighborhood and community level service. You see overall Code Enforcement was next, but you will see it kind of varies where you're at. Communication, Police, Stormwater also made the list in some areas. Police Services was third overall, but you can see generally most of the same sets of services are in the top three or four in all districts even though in some cases one might be second and in another place, it might be fourth. The overall priorities are generally pretty similar.

2018 Importance-Satisfaction Rating

Kansas City, Kansas & Wyandotte County Community Survey

Neighborhood/Community Services

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Maintenance of City streets	58%	1	32%	13	0.3970	1
Code enforcement	30%	2	30%	15	0.2060	2
Communication with the public	27%	4	34%	12	0.1783	3
Storm water runoff/management system	22%	5	40%	9	0.1324	4
Public transportation	20%	7	38%	11	0.1232	5
Planning & zoning	15%	10	31%	14	0.1043	6
Parks & recreation facilities	20%	6	52%	5	0.0965	7
Parks & recreation programs	14%	13	41%	8	0.0849	8
Recycling	16%	9	48%	6	0.0844	9
Police services	28%	3	72%	3	0.0809	10
Sewer utility system	15%	12	47%	7	0.0786	11
Trash collection system	18%	8	61%	4	0.0712	12
Municipal court	7%	15	38%	10	0.0419	13
Fire services	15%	11	83%	1	0.0258	14
Ambulance services	8%	14	80%	2	0.0160	15

Greatest Opportunities for Improvement:

(I-S Rating Above 0.15)

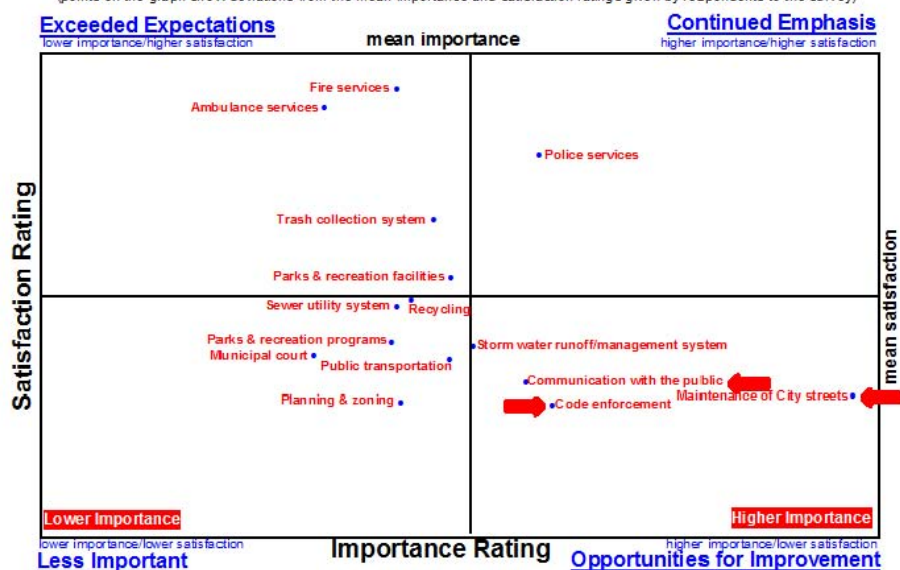
12

When we look at this as far as the opportunities to do better what we take a look at is not just how important people say it is, but also how well you're doing. The reason this is important is, let's say that everybody in Wyandotte County was dissatisfied with the service. Well, if nobody cared about it, you probably shouldn't spend millions of dollars in that area. On the other hand, if something is really important to folks and they're not satisfied, that's likely to be one of your top priorities. What we look at is most important, how many people picked that and we also look at the satisfaction percentage and we have an equation to identify where you're likely to have the most return on investment. This can be in your messaging, it could be in actual spending, but letting folks know you care and on the issue, you can see the top three are streets and has a .39 rating which is almost double Code Enforcement and Communication. This doesn't mean the other areas aren't important, but if you're going to continue moving forward, Streets is going to give you the highest return as far as improved service areas. I know that's an expensive one to do, but right now that's the one residents care a lot about and there is also the most dissatisfaction with it.

2018 Kansas City, KS/Wyandotte County Community Survey Importance-Satisfaction Assessment Matrix

-Neighborhood/Community Services-

(points on the graph show deviations from the mean importance and satisfaction ratings given by respondents to the survey)



Source: ETC Institute (2018)

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This is for those of you—I should explain, if you're a left-brain learner and you like a list and if anyone here on the Commission is a right-brain and likes a nice picture, this is the same information that you will have in the report. What it does is show from left to right how important things are so things on the right side are more important than average and as you go from the bottom to top, that's the satisfaction so things on the bottom half have lower satisfaction ratings and that's where you will see Streets, Code Enforcement, Communication are down there in the bottom left. That's kind of really to give you a sense if you're prioritizing investments, prioritizing your messages to the public; those are the places you're going to get the most return on investment when it comes to neighborhood and community services.

Topic #2: County Level Services



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Interim Community Survey Findings

Conducted for
The Unified Government of Wyandotte County/Kansas City, KS

Presented by
ETC Institute

March 1, 2018



2018 Importance-Satisfaction Rating Kansas City, Kansas & Wyandotte County Community Survey

Codes and Ordinances

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance- Satisfaction Rating	I-S Rating Rank
Enforcing clean-up of junk, trash, & debris (blight) City-wide	51%	1	30%	7	0.3555	1
Enforcing mowing & trimming of weeds on private and/or vacant property City-wide	39%	2	32%	6	0.2684	2
Enforcing clean-up of junk, trash, & debris (blight), in your neighborhood	37%	3	39%	3	0.2237	3
Enforcing maintenance of residential property (houses) in your neighborhood	27%	4	39%	2	0.1629	4
Enforcing mowing & trimming of weeds on private and/or vacant property in your neighborhood	26%	5	38%	4	0.1627	5
Enforcing maintenance of business property	20%	7	38%	5	0.1238	6
Enforcing removal of inoperable or junk cars in your neighborhood	21%	6	40%	1	0.1236	7

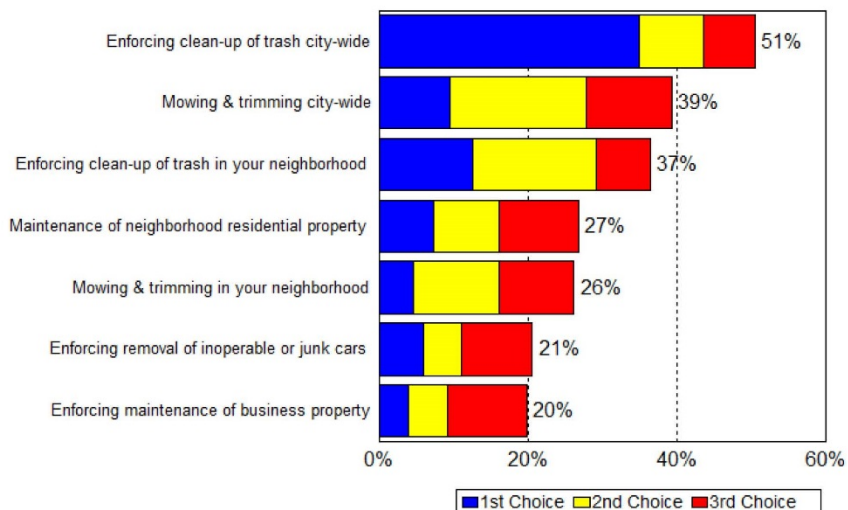
Greatest Opportunities for Improvement:

(I-S Rating Above 0.15)

March 1, 2018

Q11. Codes and Ordinances That Should Receive the Most Emphasis Over the Next 2 Years

by percentage of respondents who selected the item as one of their top three choices

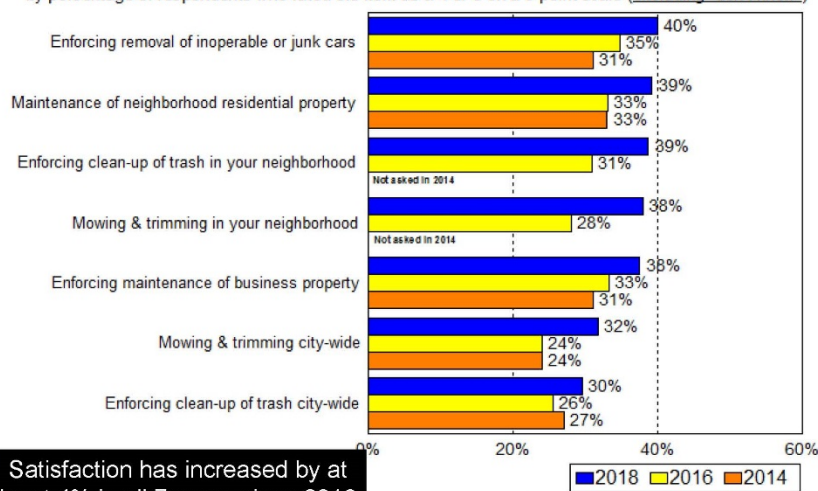


Source: ETC Institute DirectionFinder (2018 - Kansas City, KS/Wyandotte County)

34

Satisfaction with the Enforcement of Codes and Ordinances From 2014-2018

by percentage of respondents who rated the item as a 4 or 5 on a 5-point scale (excluding "don't know")



Satisfaction has increased by at least 4% in all 7 areas since 2016

(City, KS/Wyandotte County)

33

Topic #6: Code Enforcement Ratings and Priorities

32

2018 Importance-Satisfaction Rating Kansas City, Kansas & Wyandotte County Community Survey Maintenance Services

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Maintenance of streets in your neighborhood	42%	1	32%	9	0.2856	1
Maintenance of sidewalks in your neighborhood	26%	4	21%	12	0.2054	2
Overall cleanliness of streets & other public areas	26%	3	33%	8	0.1762	3
Maintenance of major City streets	28%	2	41%	5	0.1652	4
Snow removal on neighborhood streets	25%	5	44%	3	0.1422	5
Maintenance of alleys in your neighborhood	15%	8	16%	13	0.1215	6
Maintenance of curbs in your neighborhood	16%	7	24%	11	0.1187	7
Maintenance of stormwater drainage system in your neighborhood	17%	6	36%	7	0.1063	8
Overall appearance of Downtown	11%	9	37%	6	0.0699	9
Maintenance of Downtown parking lots	6%	13	30%	10	0.0440	10
Maintenance of City buildings	7%	11	42%	4	0.0427	11
Snow removal on major City streets	10%	10	63%	1	0.0374	12
Maintenance of street signs/traffic signals	7%	12	53%	2	0.0308	13

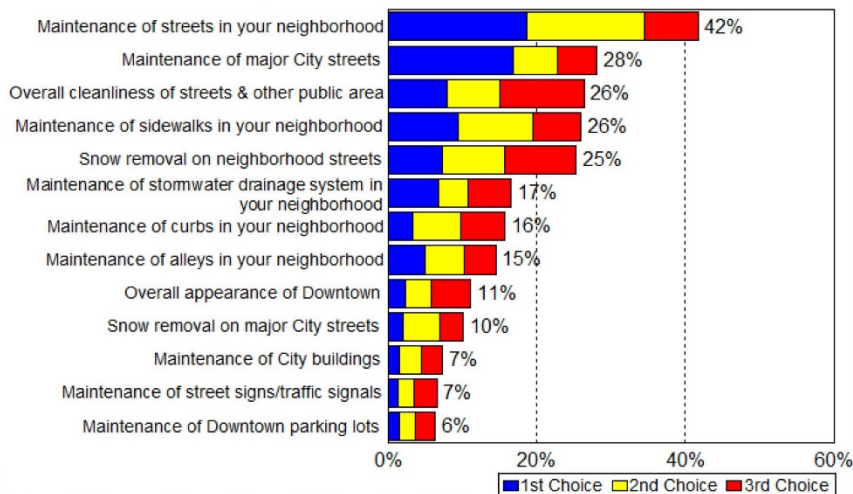
Greatest Opportunities for Improvement:

(I-S Rating Above 0.15)

31

Maintenance Services that Should Be Emphasized Most Over the Next Two Years

by percentage of respondents who selected the item as one of their top three choices

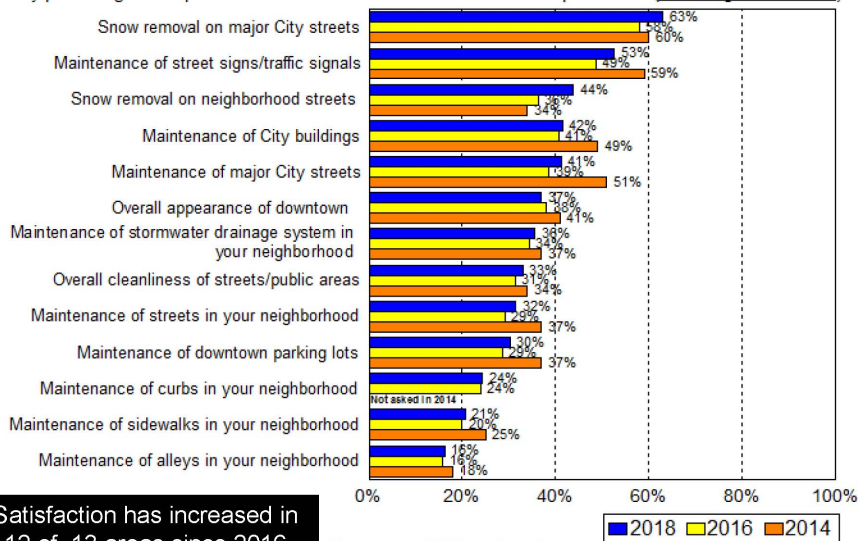


Source: ETC Institute DirectionFinder (2018 - Kansas City, KS/Wyandotte County)

30

Satisfaction with Maintenance Services From 2014-2018

by percentage of respondents who rated the item as a 4 or 5 on a 5-point scale (excluding "don't know")



Satisfaction has increased in 12 of 13 areas since 2016

Kansas City, KS/Wyandotte County)

29

Topic #5: Maintenance Ratings and Priorities

28

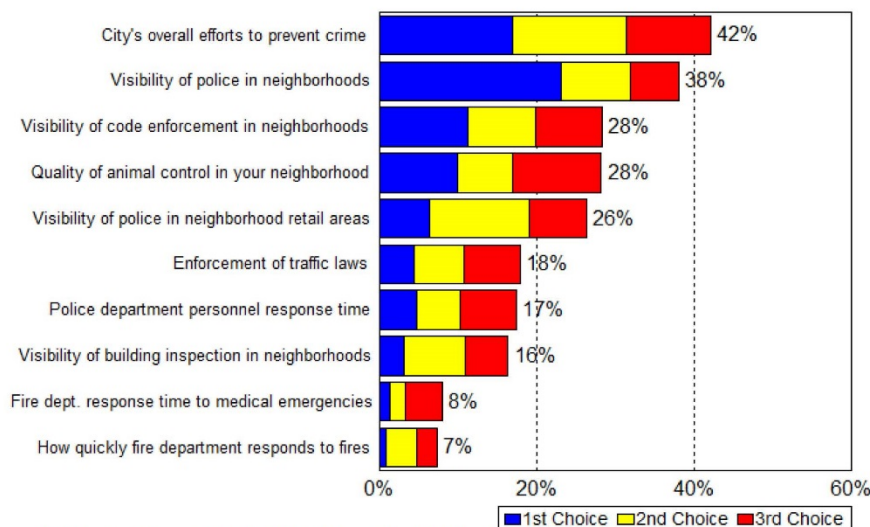
2018 Importance-Satisfaction Rating Kansas City, Kansas & Wyandotte County Community Survey Public Safety Services

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
City's overall efforts to prevent crime	42%	1	34%	8	0.2779	1
Visibility of code enforcement in your neighborhood	28%	3	29%	9	0.2021	2
Quality of animal control in your neighborhood	28%	4	35%	7	0.1841	3
Visibility of police in neighborhoods	38%	2	53%	4	0.1771	4
Visibility of police in neighborhood retail areas	26%	5	48%	5	0.1360	5
Visibility of building inspection in your neighborhood	16%	8	25%	10	0.1221	6
Enforcement of traffic laws	18%	6	43%	6	0.1022	7
How quickly police department personnel respond to emergencies	17%	7	57%	3	0.0741	8
How quickly fire department responds to medical emergency calls	8%	9	79%	1	0.0171	9
How quickly fire department responds to fires	7%	10	77%	2	0.0167	10

Greatest Opportunities for Improvement:
(I-S Rating Above 0.15)

27

Public Safety Services that Should Be Emphasized Most Over the Next Two Years

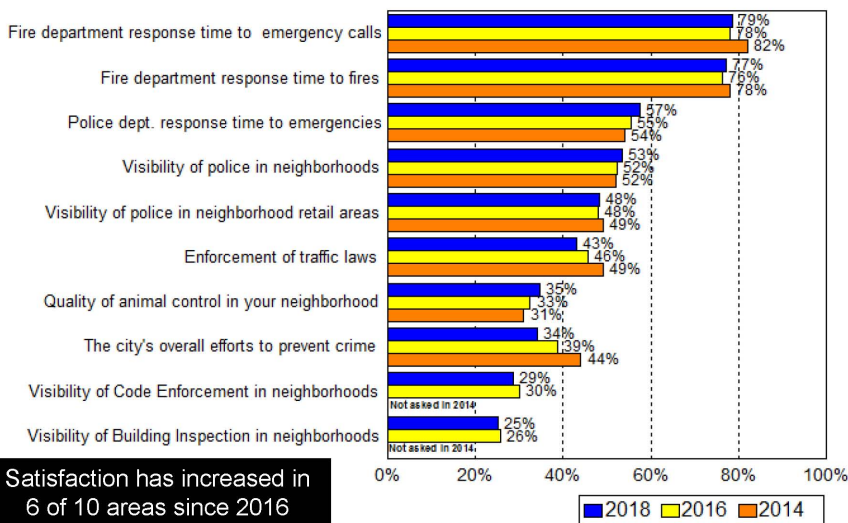


Source: ETC Institute DirectionFinder (2018 - Kansas City, KS/Wyandotte County)

26

Satisfaction with Public Safety Services Trends: 2014, 2016, and 2018

by percentage of respondents who rated the item as a 4 or 5 on a 5-point scale (excluding "don't know")



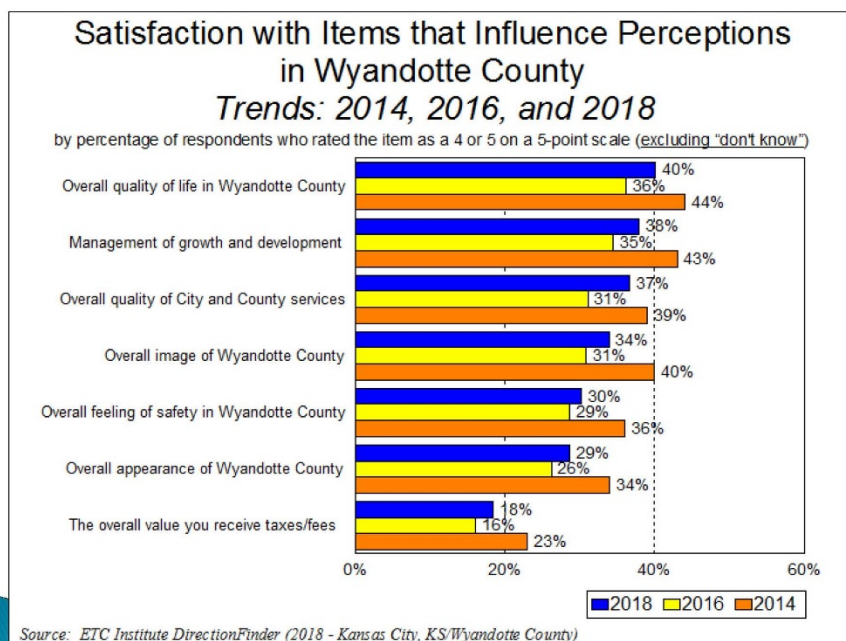
Satisfaction has increased in 6 of 10 areas since 2016

Source: ETC Institute DirectionFinder (2018 - Kansas City, KS/Wyandotte County)

25

Topic #4: Public Safety Ratings and Priorities

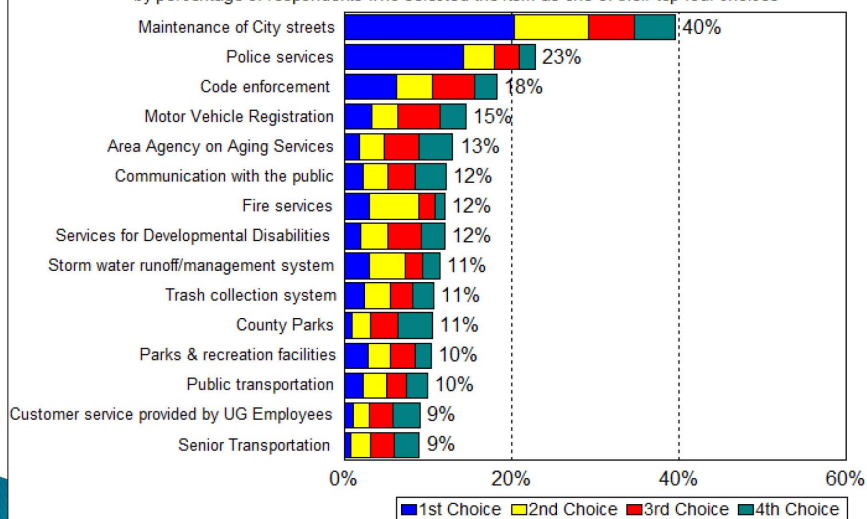
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23

Q5. Overall Services That Should Receive the Most Emphasis Over the Next 2 Years

by percentage of respondents who selected the item as one of their top four choices



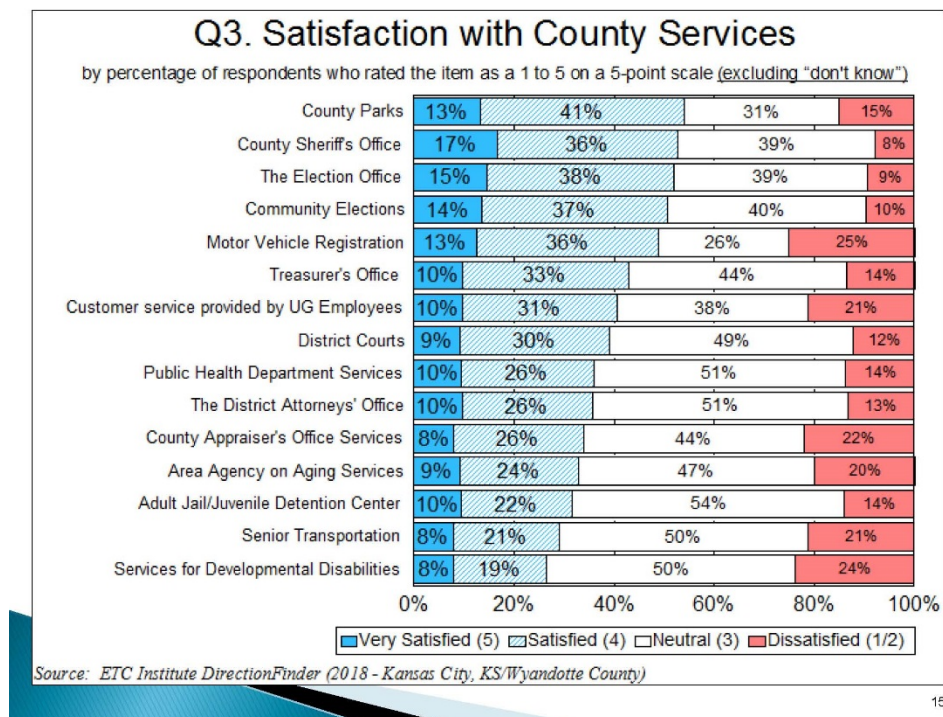
Source: ETC Institute DirectionFinder (2018 - Kansas City, KS/Wyandotte County)

22

Topic #3: Overall Priorities

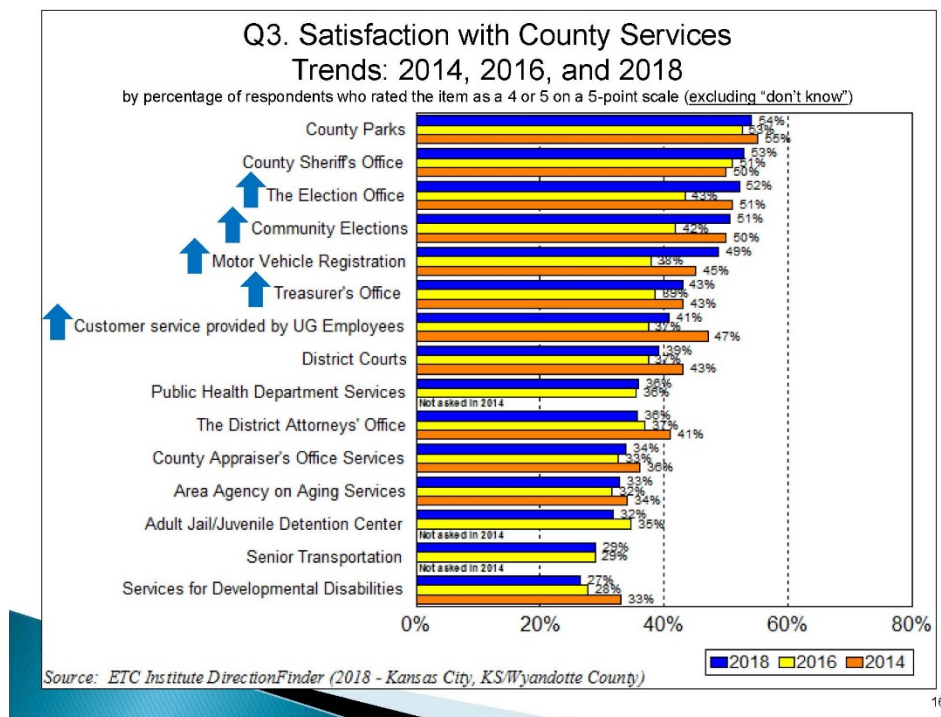
Shifting to County Level Services.

21

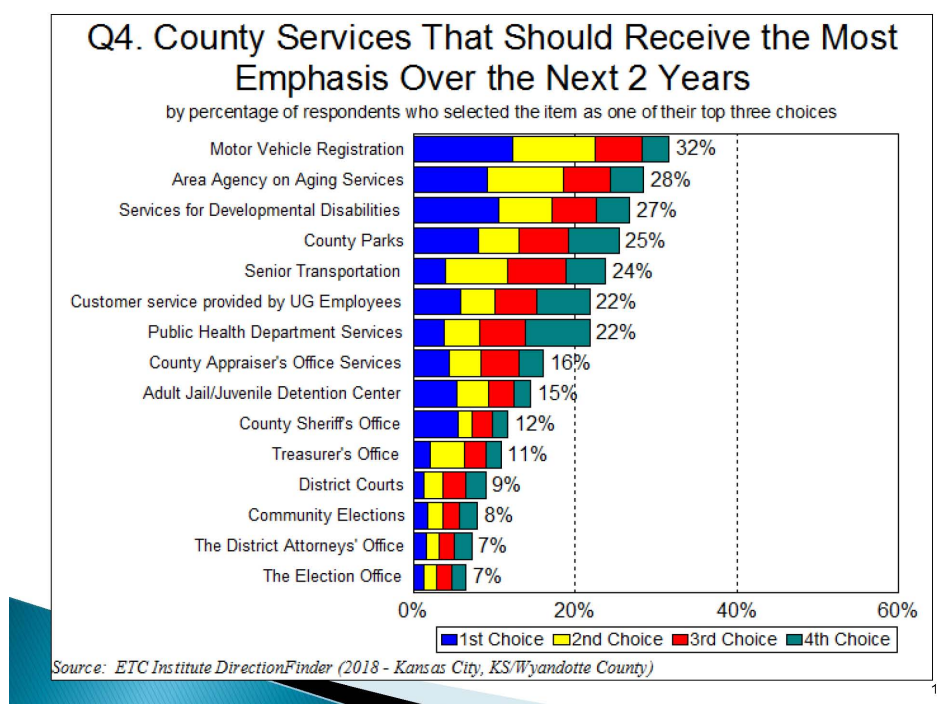


15

You can see again we have a number of services that were assessed; Parks, Sheriff Office, the Election Office were rated the highest. You can see services for Developmental Disabilities, Transportation, Senior Transportation; a lot of these services people, frankly, are not that familiar with and that's why you tend to see a lot more of the three rating. There's not a lot of dissatisfaction here, but at the same time, people may not know what you're really doing or have a real strong opinion about it which is why you have so many three ratings. You will notice Motor Vehicle Registration 25% and the Customer Service at 21% were two of the areas that had some of the highest levels of dissatisfaction, but what's great is those are two of the areas you've made the most improvement over the last two years.



In fact, when you look at the changes from two years ago or really over the last couple of years, you will see the Election Office is up significantly, the Community Elections is up, Motor Vehicle Registration, which you just saw had some of the highest dissatisfactions, actually made more than a 10% improvement in satisfaction. The Treasurer's Office is up significantly and the Customer Service has also rebounded which is great. There were no significant decreases either. All in all both on the Neighborhood and also on the County Level Services you're definitely moving in the right direction.



When we did the analysis here to identify the top priorities, you'll see the Motor Vehicle Registration is near the top and that's not uncommon to be near the top because it's a service that so many people use and since there is the most dissatisfaction, people are probably paying a little more attention to that, but like I said you're moving in the right direction. Aging Services, Developmental Disabilities, your Parks and Senior Transportation kind of round out the top issues, but there is not just one item that stands head and shoulders above the others like Streets does on the Neighborhood and Community Level Services.

Priorities for Improving County Services by District

Rank	Overall Priorities	# of Districts ranked in top 5	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8
1st	Motor Vehicle Registration	6	Area Agency on Aging Services	Services for Developmental Disabilities	Area Agency on Aging Services	Motor Vehicle Registration	Motor Vehicle Registration	Motor Vehicle Registration	Motor Vehicle Registration	Motor Vehicle Registration
2nd	Area Agency on Aging Services	8	Services for Developmental Disabilities	Area Agency on Aging Services	Motor Vehicle Registration	Services for Developmental Disabilities	County Parks	Area Agency on Aging Services	Area Agency on Aging Services	Area Agency on Aging Services
3rd	Services for Developmental Disabilities	7	County Parks	Senior Transportation	Services for Developmental Disabilities	Area Agency on Aging Services	Area Agency on Aging Services	County Appraiser's Office Services	County Parks	Senior Transportation
4th	County Parks	7	Senior Transportation	Public Health Department Services	Senior Transportation	County Parks	Services for Developmental Disabilities	County Parks	Senior Transportation	Services for Developmental Disabilities
5th	Senior Transportation	5	Adult Jail/Juvenile Detention Center	County Parks	County Parks	Public Health Department Services	County Appraiser's Office Services	Services for Developmental Disabilities	Customer Service	Customer Service



18

When we look at the priorities, overall you will see number one was Motor Vehicle Registration, but you see in a couple districts Developmental Disabilities or Aging Services rank as number one. You can see Motor Vehicle Registration was in most of the areas, but not all. You can see Parks is fourth overall, but pretty scattered among most of the different areas. Senior Transportation was also scattered but in many of the districts, but you can see there is a little more difference when it comes to County Level Service priorities compared to Neighborhood Level Service priorities where they're generally the same throughout the county.

2018 Importance-Satisfaction Rating

Kansas City, Kansas & Wyandotte County Community Survey

County Level Services

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Services for Developmental Disabilities	27%	3	27%	15	0.1962	1
Area Agency on Aging Services	28%	2	33%	12	0.1908	2
Senior Transportation	24%	5	29%	14	0.1685	3
Motor Vehicle Registration	32%	1	49%	5	0.1618	4
Public Health Department Services	22%	7	36%	9	0.1397	5
Customer service provided by UG Employees	22%	6	41%	7	0.1293	6
County Parks	25%	4	54%	1	0.1166	7
County Appraiser's Office Services	16%	8	34%	11	0.1066	8
Adult Jail/Juvenile Detention Center	15%	9	32%	13	0.0990	9
Treasurer's Office	11%	11	43%	6	0.0617	10
County Sheriff's Office	12%	10	53%	2	0.0552	11
District Courts	9%	12	39%	8	0.0541	12
The District Attorneys' Office	7%	14	36%	10	0.0463	13
Community Elections	8%	13	51%	4	0.0390	14
The Election Office	7%	15	52%	3	0.0311	15

Greatest Opportunities for Improvement:

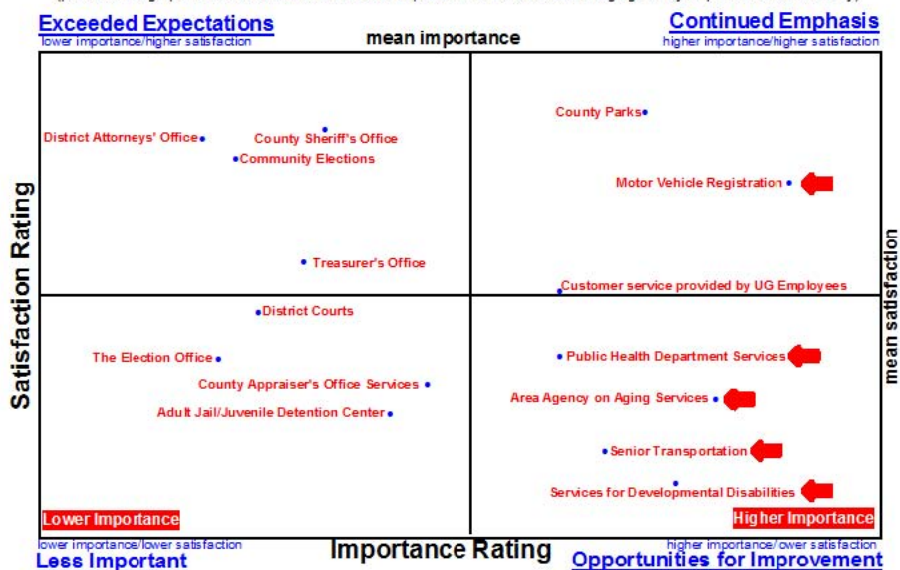
(I-S Rating Above 0.15)

When did the analysis overall, you'll see services for Developmental Disabilities, Aging Services, Senior Transportation, and Motor Vehicle Registration were at the top of the list. Those are four of the five most important and you can see most of them have lower ratings. The one difference is Motor Vehicle Registration is so important to people that even though you're doing well, people want you to keep focusing on and so there are opportunities to do even better because your satisfaction rating still though has gotten higher it's still at 49% so it can get better.

2018 Kansas City, KS/Wyandotte County Community Survey Importance-Satisfaction Assessment Matrix

-County Level Services-

(points on the graph show deviations from the mean importance and satisfaction ratings given by respondents to the survey)



Source: ETC Institute (2018)

20

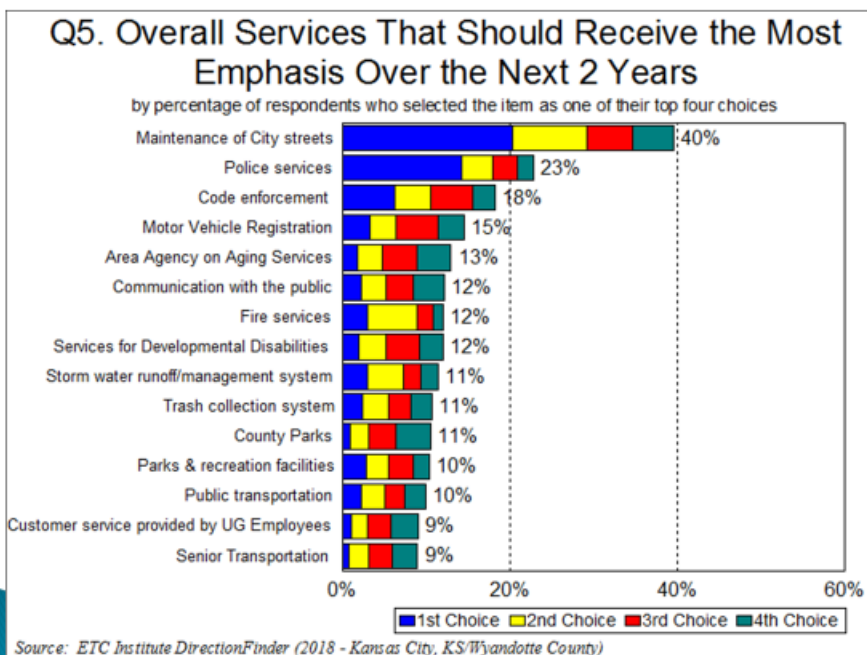
You can see that on this chart. If you're looking at the things in the bottom right, you will see Developmental Disabilities Service, Senior Transportation, Aging Services, and Public Health are on the bottom right and Motor Vehicle Registration is just so important that's one of the reasons it's important to keep focusing on that as you move forward.

Topic #3: Overall Priorities



21

As far as Overall Priorities...

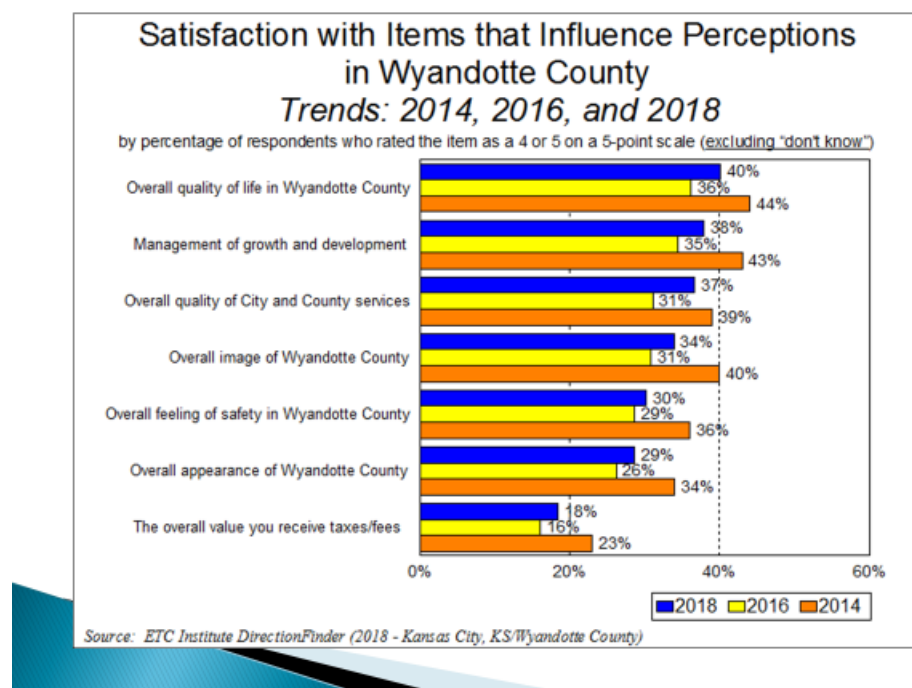


22

Maintenance of Streets, when we said okay, of all the county, all the Neighborhood and Community Services, we then have folks say well which of these are the most important to you

March 1, 2018

and you will notice that the Neighborhood and Community Services three of the top four are in that area. Streets, Police, and Codes are at the top of the list and then you can see Motor Vehicle Registration is fourth and then you have really almost everything else is more or less statistically equal and so that really depends and shows you how diverse the needs are of the community. Again, the emphasis on Streets is certainly there.



23

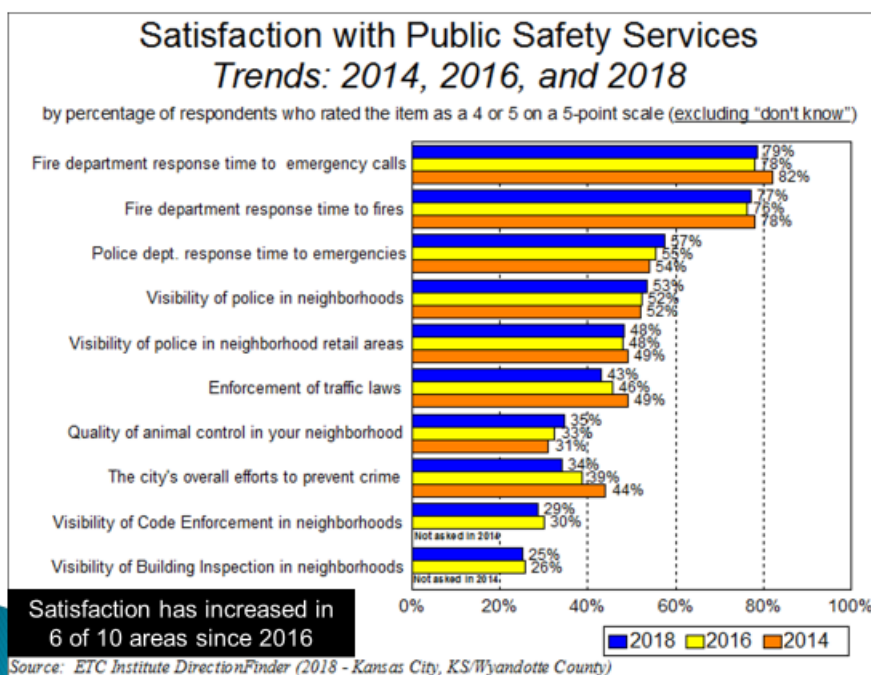
One of the things I thought was great is when I was here last time we had seen decrease in the overall perceptions of the county, but since 2016 we've seen some significant rebounds in several areas. You see Perceptions of Quality of Life is up 4% from 2016. The ways you're managing your growth and development is up 3%. The overall quality of city and county services is actually up 6% compared to two years ago. The image of the county has improvement, feeling of safety is up a little bit, the appearance is up and then the overall value for taxes has also improved and so all in all I know there were some concerns arise here last time that things had decreased, it seems you have turned the corner around and you are back to moving in the right direction.

Topic #4: Public Safety Ratings and Priorities



24

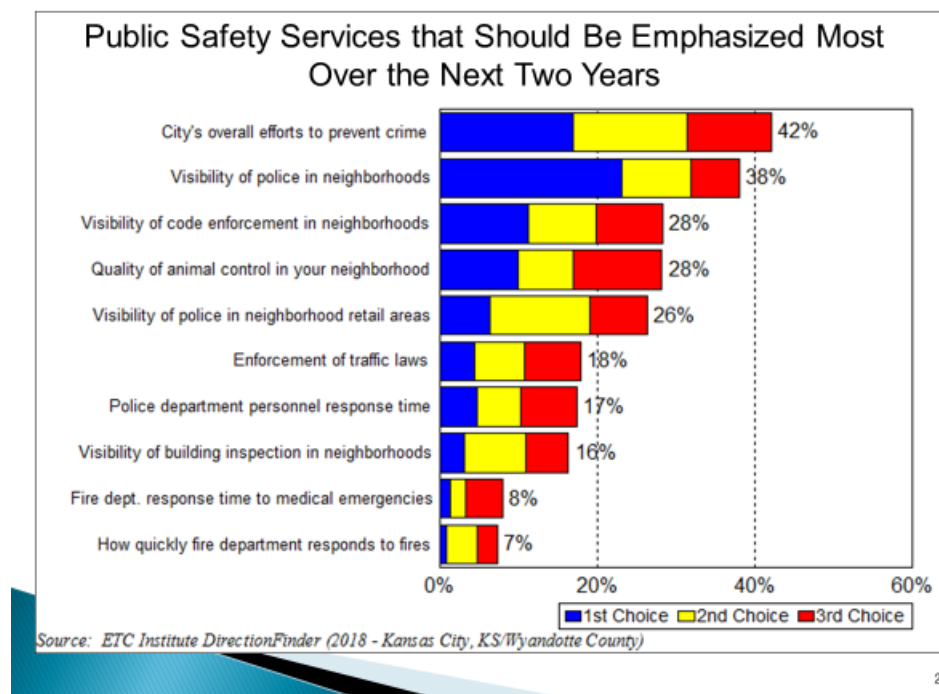
As far as some of the specific things we looked at on the survey one was just to drill into Public Safety issues and try to better understand what was going on there.



25

March 1, 2018

You can see here are the trends over the last three times we've done the survey. Fire Department issues, response times to emergency calls to fires; you can see have not changed a whole lot. In fact, for the most part there haven't been many statistically significant shifts for some of the specific aspects of Public Safety. You can see though that the overall efforts to prevent crime has trended a little bit down and that's usually not a function necessarily of crime itself, it's also perceptions, education. Sometimes what can happen is media stories and things like that can cause people to feel less safe and so sometimes we've found that the strategies to address concerns about crime prevention are actually a public education effort.



When we look at the top priorities, you can see that the efforts to prevent crime is at the top of the list and close second is visibility of police in neighborhoods and you will notice that's the one that has the most first choices. Those are clearly kind of your top two choices followed by the Visibility of Code Enforcement in Neighborhoods, Animal Control and Police in retail areas kind of our second tier of responses.

2018 Importance-Satisfaction Rating

Kansas City, Kansas & Wyandotte County Community Survey

Public Safety Services

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
City's overall efforts to prevent crime	42%	1	34%	8	0.2779	1
Visibility of code enforcement in your neighborhood	28%	3	29%	9	0.2021	2
Quality of animal control in your neighborhood	28%	4	35%	7	0.1841	3
Visibility of police in neighborhoods	38%	2	53%	4	0.1771	4
Visibility of police in neighborhood retail areas	26%	5	48%	5	0.1360	5
Visibility of building inspection in your neighborhood	16%	8	25%	10	0.1221	6
Enforcement of traffic laws	18%	6	43%	6	0.1022	7
How quickly police department personnel respond to emergencies	17%	7	57%	3	0.0741	8
How quickly fire department responds to medical emergency calls	8%	9	79%	1	0.0171	9
How quickly fire department responds to fires	7%	10	77%	2	0.0167	10

Greatest Opportunities for Improvement:

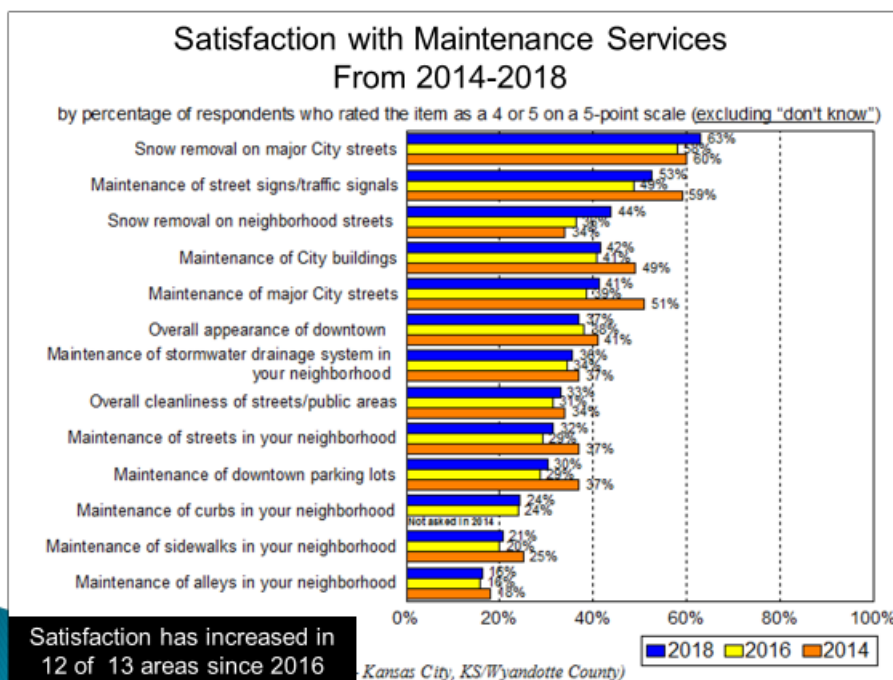
(I-S Rating Above 0.15)

27

When we did the analysis, you can see the top two are the overall efforts to prevent crime and then the visibility of Code Enforcement in neighborhoods followed by Animal Control and visibility. There's not just one thing to do, there are several different things to do and that's where some of the analysis that we're going to provide by neighborhoods may help you target your efforts in different parts of the county to get the most return on your investment.

Topic #5: Maintenance Ratings and Priorities

28



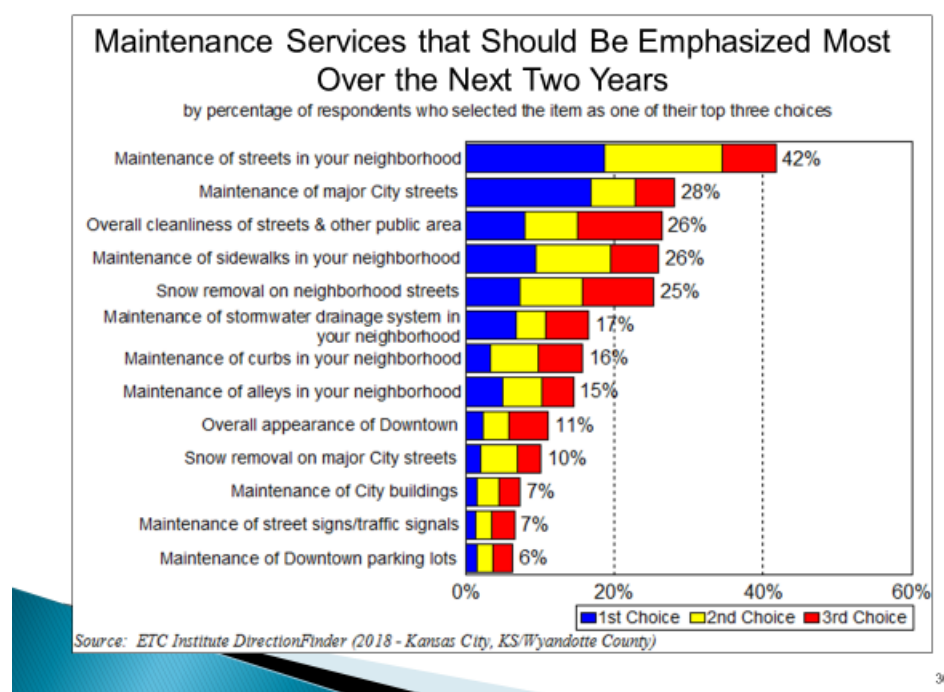
29

When it comes to maintenance issues, you can see here there has been progress in a number of the areas. Snow removal on neighborhood streets, I know we didn't have a whole lot of snow this year, that may have helped a little bit but that's up significantly. More importantly, you can see

March 1, 2018

the maintenance of street, signs and traffic signals rebounded in a great way. You can see the maintenance of your major streets is up and some of these items take a long time to turn. In fact, I've been in a number of communities where they had maintenance of streets as their top issue and as they invest in the streets sometimes their ratings tend to go down because streets are getting torn up, traffic starts being a problem and so sometimes while you're making the investments you don't initially see all the returns. The fact that we've seen a positive movement pretty much involves areas of maintenance and just that you're doing a good job of managing it. Actually, sometimes when you're really tearing things up it's not even the maintenance itself, it's the impact it has on neighbors.

I know like in the city of Olathe, they've seen their ratings go down sometimes when they do a neighborhood street restoration project and people when it's all done like the street, but they're mad at the company for blocking their driveways and things like that. So, sometimes really understanding where the project went and how people respond and that's where the mapping and the fact that you have such a large sample will probably help you understand some of this detail a little bit more.



You can see it in this case, neighborhood streets is the number one thing at 42%, closely behind that you can see is major streets and that's kind of the cleanliness, sidewalks in neighborhoods,

snow removal are all kind of the second tier, but taking care of neighborhoods is clearly at the top of the list for folks in the county.

2018 Importance-Satisfaction Rating Kansas City, Kansas & Wyandotte County Community Survey Maintenance Services						
Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Maintenance of streets in your neighborhood	42%	1	32%	9	0.2856	1
Maintenance of sidewalks in your neighborhood	26%	4	21%	12	0.2054	2
Overall cleanliness of streets & other public areas	26%	3	33%	8	0.1762	3
Maintenance of major City streets	28%	2	41%	5	0.1652	4
Snow removal on neighborhood streets	25%	5	44%	3	0.1422	5
Maintenance of alleys in your neighborhood	15%	8	16%	13	0.1215	6
Maintenance of curbs in your neighborhood	16%	7	24%	11	0.1187	7
Maintenance of stormwater drainage system in your neighborhood	17%	6	36%	7	0.1063	8
Overall appearance of Downtown	11%	9	37%	6	0.0699	9
Maintenance of Downtown parking lots	6%	13	30%	10	0.0440	10
Maintenance of City buildings	7%	11	42%	4	0.0427	11
Snow removal on major City streets	10%	10	63%	1	0.0374	12
Maintenance of street signs/traffic signals	7%	12	53%	2	0.0308	13
Greatest Opportunities for Improvement: <i>(I-S Rating Above 0.15)</i>						

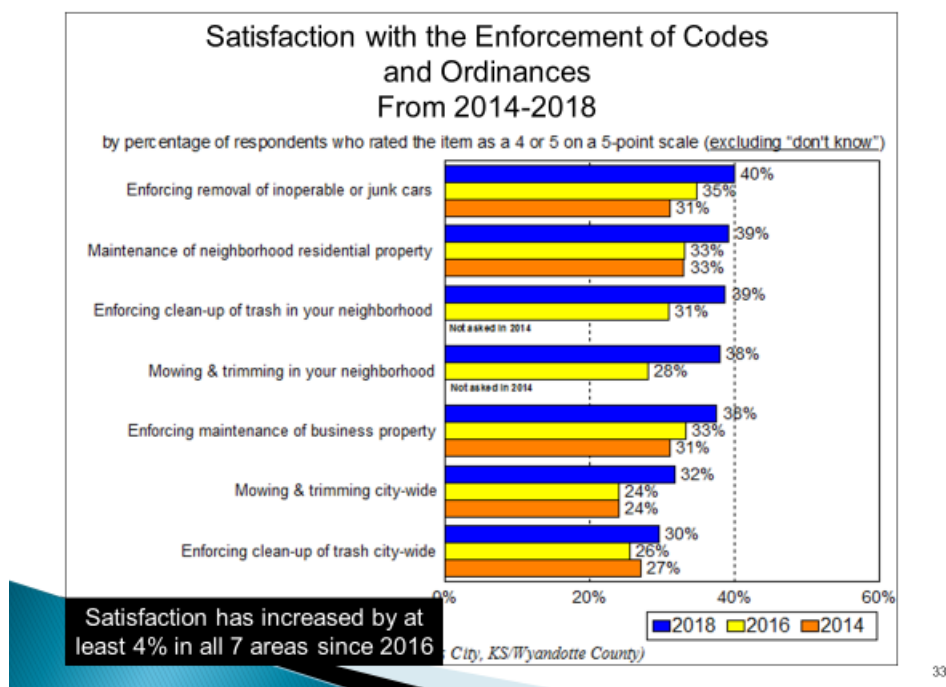
You can see that all of those items I just mentioned are generally in the area that we call either the most significant opportunities for improvement in red, but you will see the maintenance of streets in neighborhoods as the highest important satisfaction rating and so that's probably where you're going to have the greatest return on investment when it comes to street improvements.

Topic #6: Code Enforcement Ratings and Priorities



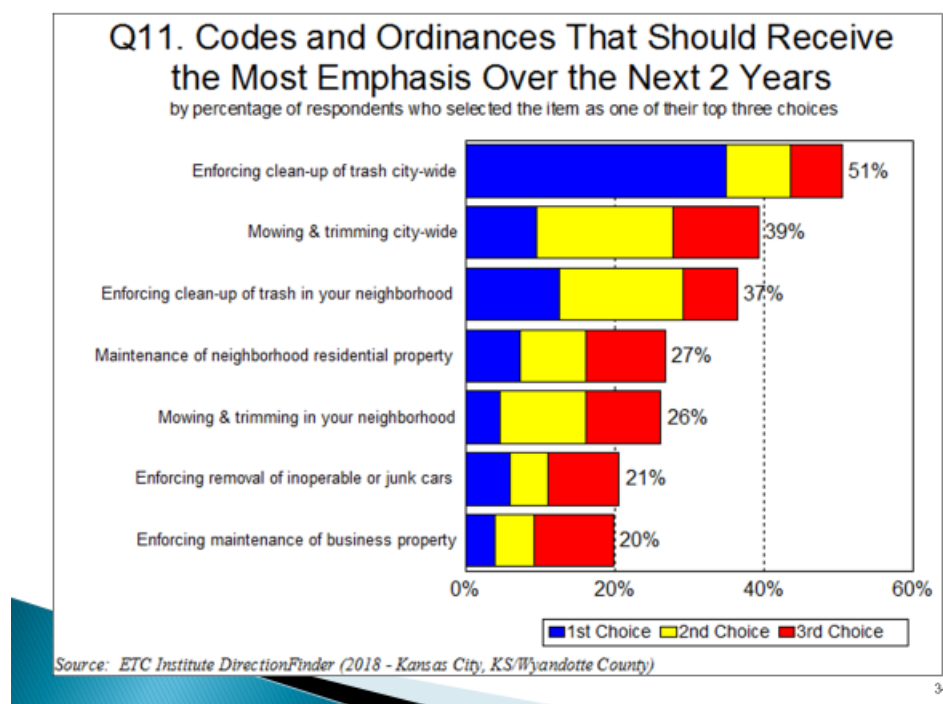
32

On the Code Enforcement side, you might have noticed earlier there wasn't really a dramatic increase overall in Code Enforcement, but I think the specific things you're doing on code enforcement are being noticed. Sometimes it takes a while because people can start using a team of code enforcement just to blame everything that's wrong in the city. They don't really understand what code enforcement is, but that term can be negative.



33

When we actually looked at the specific things you are doing, you're making really good progress in a number of areas and so it might be you need to link what you're doing with the term code enforcement even how you do your education and the information. Check this out, it could be removal of inoperable and junk cars, that's up 9% just over the last four years. Maintenance of neighborhood residential property is up 6% compared to just two years ago. Enforcement of clean-up of trash in neighborhoods is up 8%, the mowing and trimming of neighborhoods is 12%, enforcement of business property maintenance is up long-term 5% from last time, 7% from four years, mowing and trimming city-wide is up 8% and the clean-up of trash city-wide is up 4% from just two years ago. You have made tremendous improvement in code enforcement so even though the overall rating hasn't changed, I think it shows that the specific efforts you are doing are being noticed and it make take a while before people start really understanding what the general term code enforcement really means doing all of these things so great job in this arena.



Things that people care the most about, cleaning up trash city-wide, 51%. I know some communities have relied on volunteers. This has been a way to reach out to the community sometimes when it's hard to clean-up the whole community, but I know some communities that have had challenges with the trash effort have reached out to the volunteer groups and things like that in the community to assist with this to help move it forward. Whatever you're doing, you come back here, 8% in just two years. You're definitely doing something right when it comes to the clean-up of trash and things like that.

2018 Importance-Satisfaction Rating Kansas City, Kansas & Wyandotte County Community Survey

Codes and Ordinances

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Enforcing clean-up of junk, trash, & debris (blight) City-wide	51%	1	30%	7	0.3555	1
Enforcing mowing & trimming of weeds on private and/or vacant property City-wide	39%	2	32%	6	0.2684	2
Enforcing clean-up of junk, trash, & debris (blight), in your neighborhood	37%	3	39%	3	0.2237	3
Enforcing maintenance of residential property (houses) in your neighborhood	27%	4	39%	2	0.1629	4
Enforcing mowing & trimming of weeds on private and/or vacant property in your neighborhood	26%	5	38%	4	0.1627	5
Enforcing maintenance of business property	20%	7	38%	5	0.1238	6
Enforcing removal of inoperable or junk cars in your neighborhood	21%	6	40%	1	0.1236	7

Greatest Opportunities for Improvement:

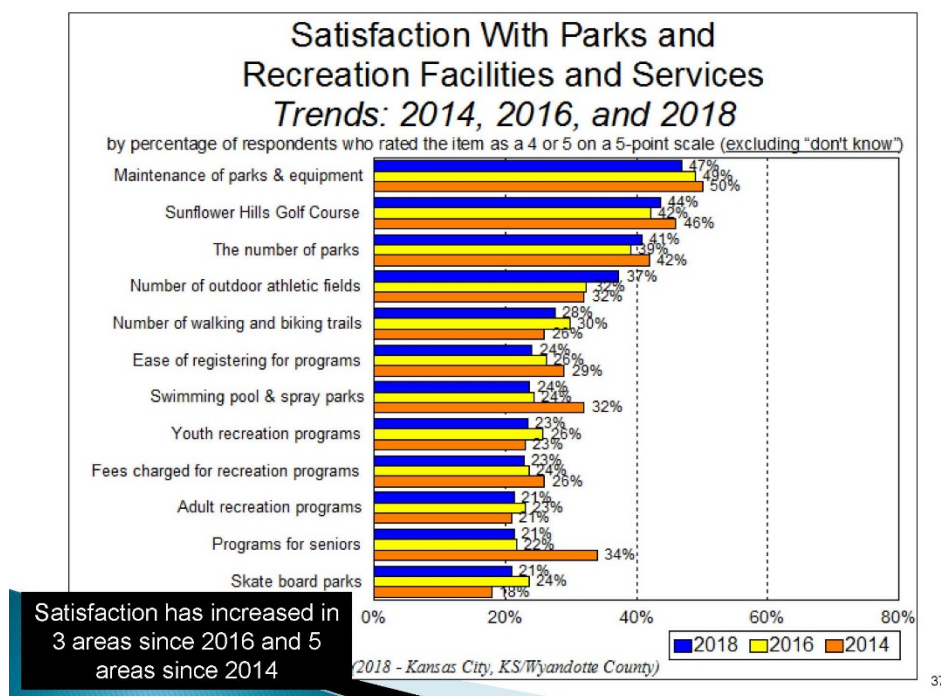
(I-S Rating Above 0.15)

Overall you can see you still need to work in all the areas so you're moving in the right direction, but you can see in most cases there are still opportunities to do better given that the satisfaction ratings in most areas are below 50%. In fact, they're all below 50%, so that's one of the reasons you see so much red on this. Code Enforcement, you're moving in the right direction but still opportunities to do better.

Topic #7: Parks & Recreation Ratings and Priorities

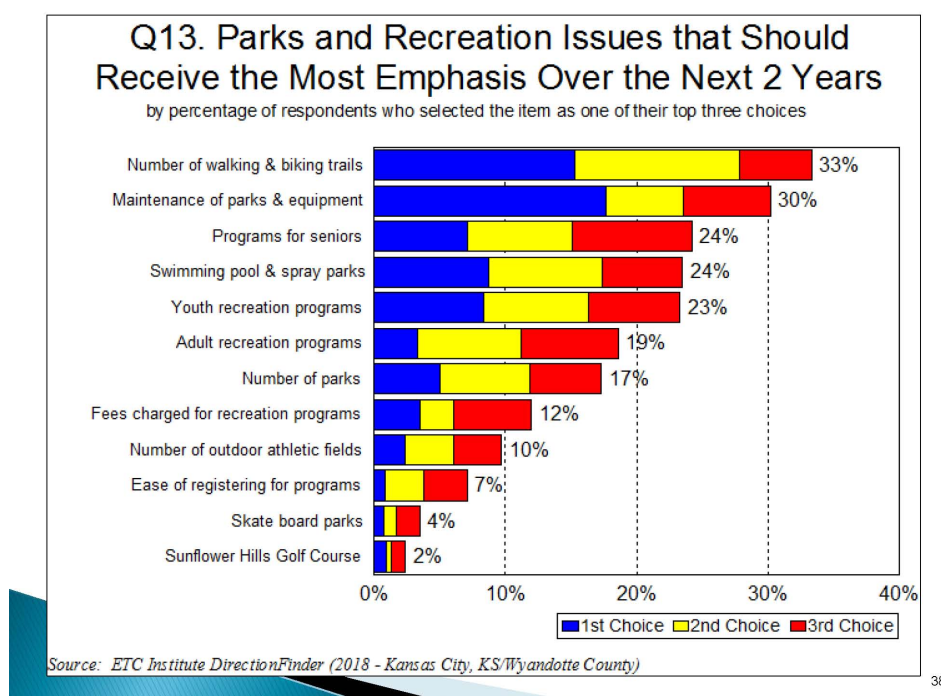


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On the Parks and Recreation side, you can see, again, here not a lot of significant changes from two years ago. There have been some decreases if you look back to 2014. Programs for seniors has dropped from where it was at 34%. It has been the same from 2016. Swimming pools, you can see dropped from 32 to 24, but we've also seen as far as the number of outdoor athletic fields that's up actually 5% over the last four years and most of the other items are statistically about the same as where they were before.



38

When it comes to opportunities to do better, the number one thing that people care about are your biking and walking trails at 33% followed by taking care of your parks and equipment at 30%. Again, there's not just one item. You can see if you look at the percentages between 23 and 33, you've got five different things and so that means having a diverse response, there's not just one simple thing to do.

2018 Importance-Satisfaction Rating

Kansas City, Kansas & Wyandotte County Community Survey

Parks and Recreation

Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	I-S Rating Rank
Number of walking & biking trails	33%	1	28%	5	0.2411	1
Programs for seniors	24%	3	21%	11	0.1905	2
Swimming pool & spray parks	24%	4	24%	7	0.1793	3
Youth recreation programs	23%	5	23%	8	0.1785	4
Maintenance of parks & equipment	30%	2	47%	1	0.1604	5
Adult recreation programs	19%	6	21%	10	0.1462	6
Number of parks	17%	7	41%	3	0.1024	7
Fees charged for recreation programs	12%	8	23%	9	0.0925	8
Number of outdoor athletic fields	10%	9	37%	4	0.0608	9
Ease of registering for programs	7%	10	24%	6	0.0539	10
Skate board parks	4%	11	21%	12	0.0277	11
Sunflower Hills Golf Course	2%	12	44%	2	0.0135	12

Greatest Opportunities for Improvement:

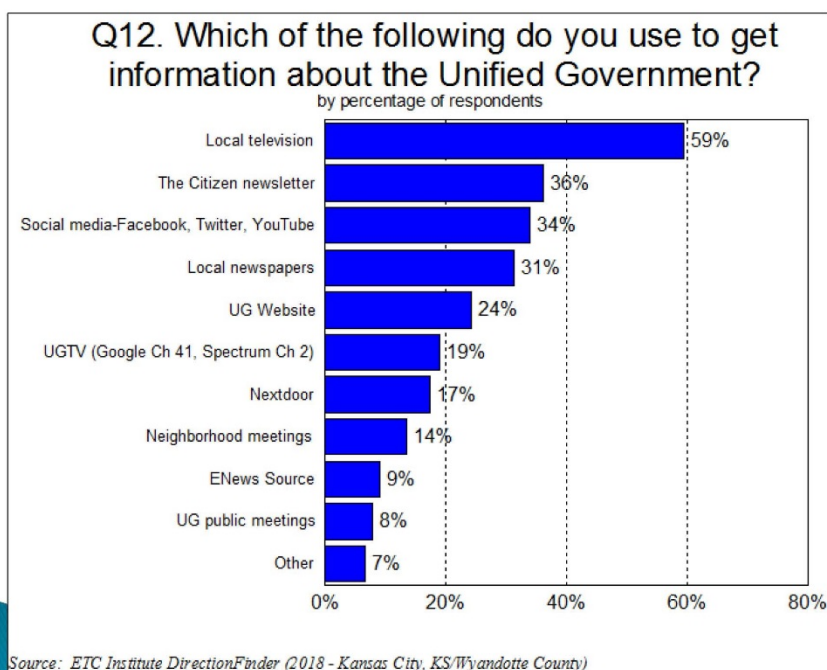
(I-S Rating Above 0.15)

39

When we did do the analysis the places you will get some of the biggest returns as far as infrastructure on Parks & Recreation will be from your walking and biking trails and your pools and also continued maintenance of your parks and equipment. On the programming side, it's going to be youth programs and senior programs are the two areas to take a look at.

Topic #9: Other Findings

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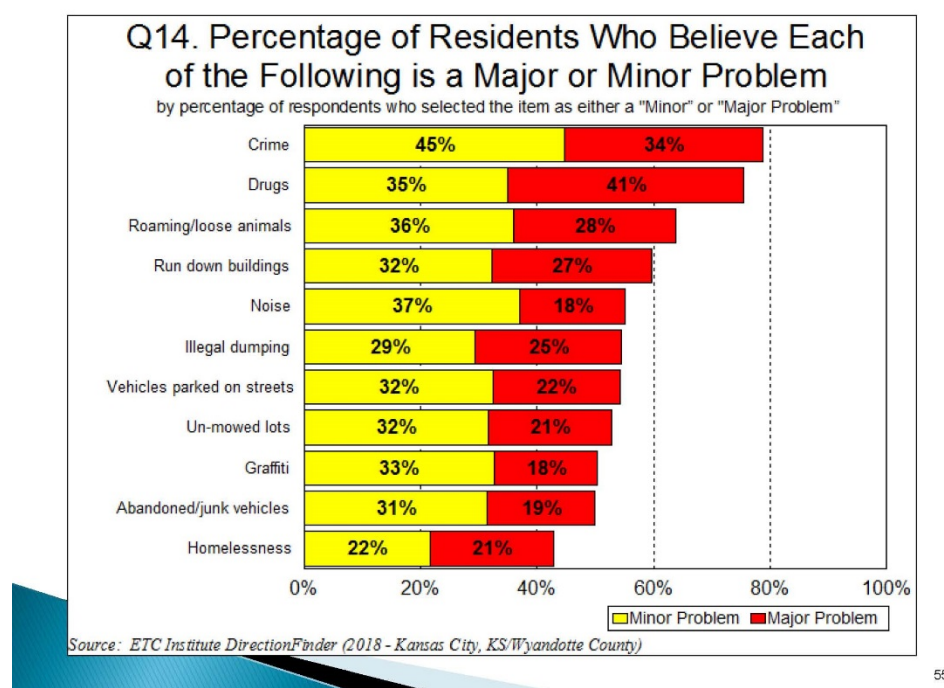


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Some of the other things that we took a look at in the survey just to let you know, and these aren't necessarily your performance questions, but they're some of the attitudes about issues you're looking at. One is just how people get information. You can see local television at 59%, the top

story unfortunately. That means you're responding to 15 second stories about sensational things and that's why sometimes something like crime prevention can be such a concern for folks because they're getting a lot of information from the media that's on tv. Your *Citizen Newsletter*, take advantage of that. That's actually the number two source of information, social media-Facebook is third, local newspapers is fourth and the UG website has about 24% which is good, but anymore most communities are having about a third of their residents rely on their website so there are opportunities to do better. That could even be the demographics of the community that are driving it being slightly lower usage given the demographics that exist here.

Commissioner Philbrook said on that local television question, how was that worded? **Mr. Tatum** said it just says local television. **Commissioner Philbrook** said it just says local television so that's not very helpful because we have UGTV. **Mr. Tatum** said we have that separate, 19%. **Commissioner Philbrook** said if you have it separated, okay, so UGTV is separate about halfway down, channel 2. Only 19%, darn, it seems like there are more patients coming in than that watching it.

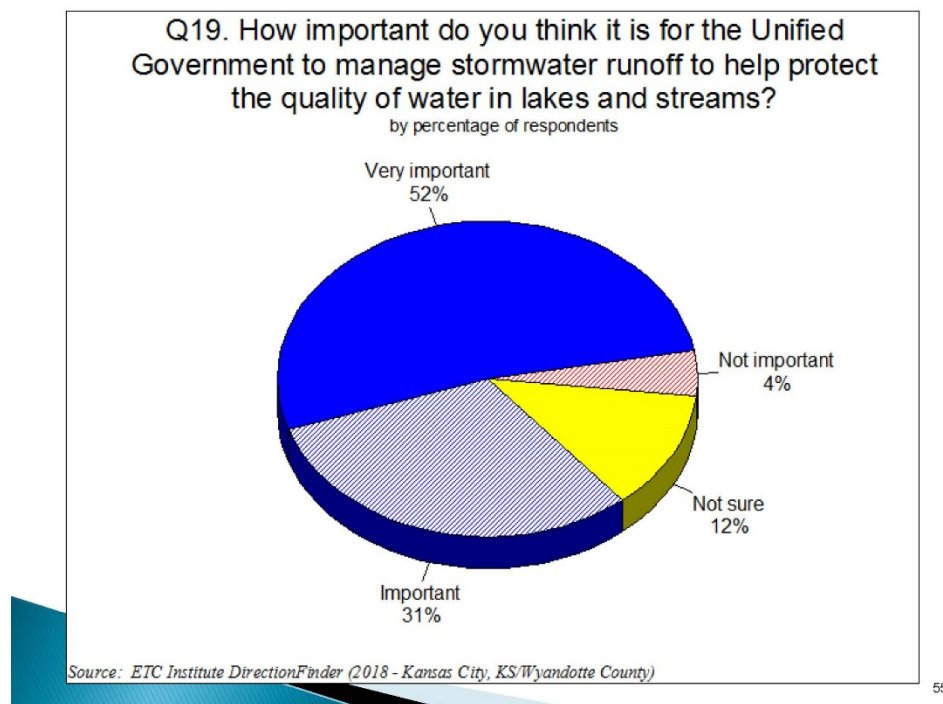


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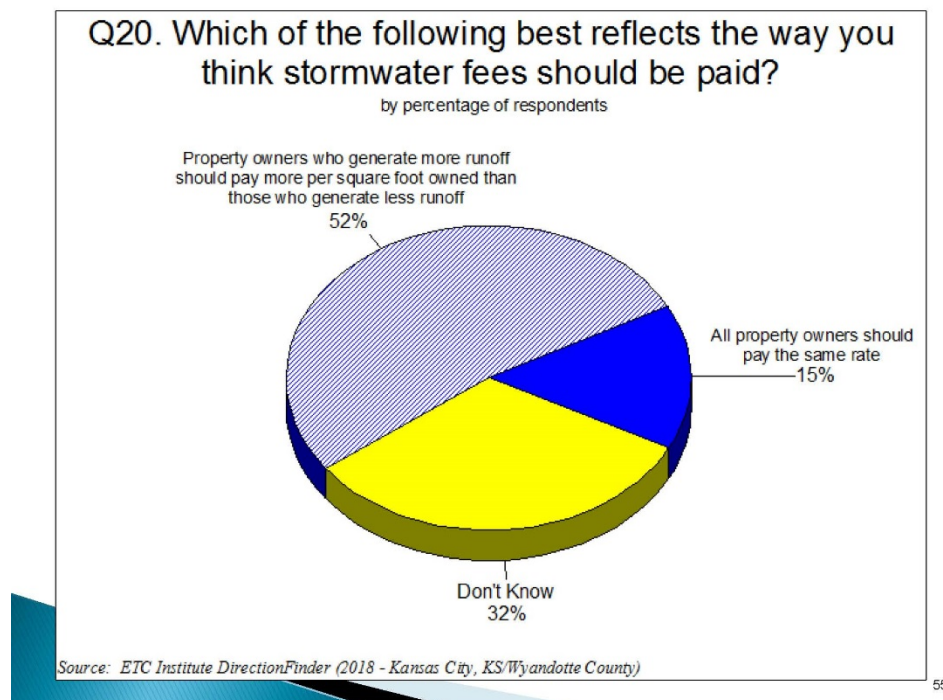
Another thing we're tracking, we will actually prepare some maps so you can see where the greatest concerns exists. We actually ask people whether something was a major or a minor

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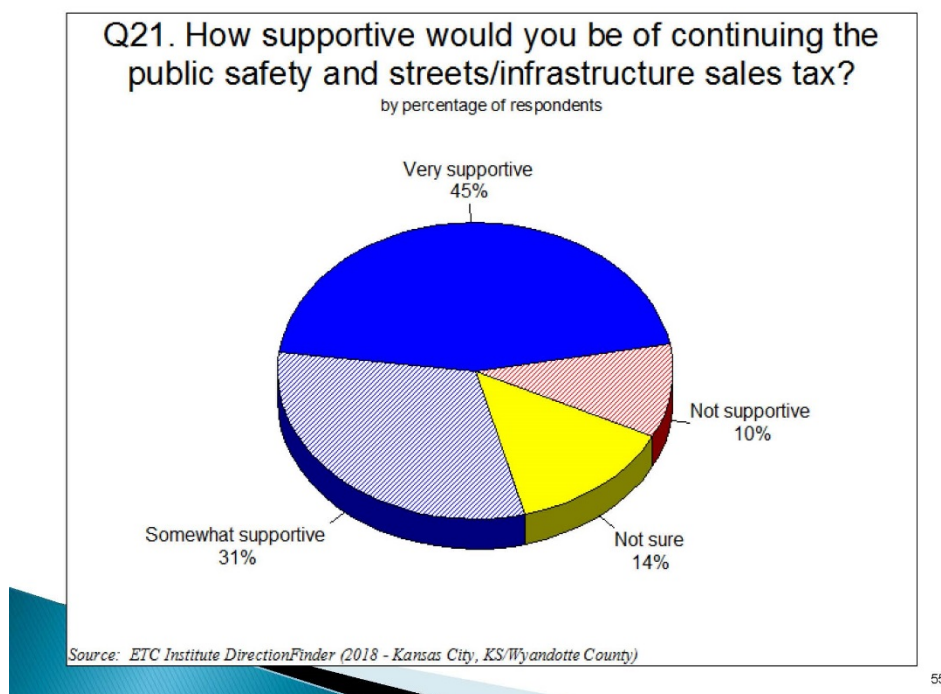
problem in the area where they live. You can see crime, drugs, the percentage reporting it as a problem is rather significant so you do have a number. You have 34% identified crime as a major problem, 41% said drugs were a major problem so these are things that hopefully the mapping that we do will help you pinpoint to see where they are, but you can see there are a significant number of folks in the county that are reporting different issues or concerns.



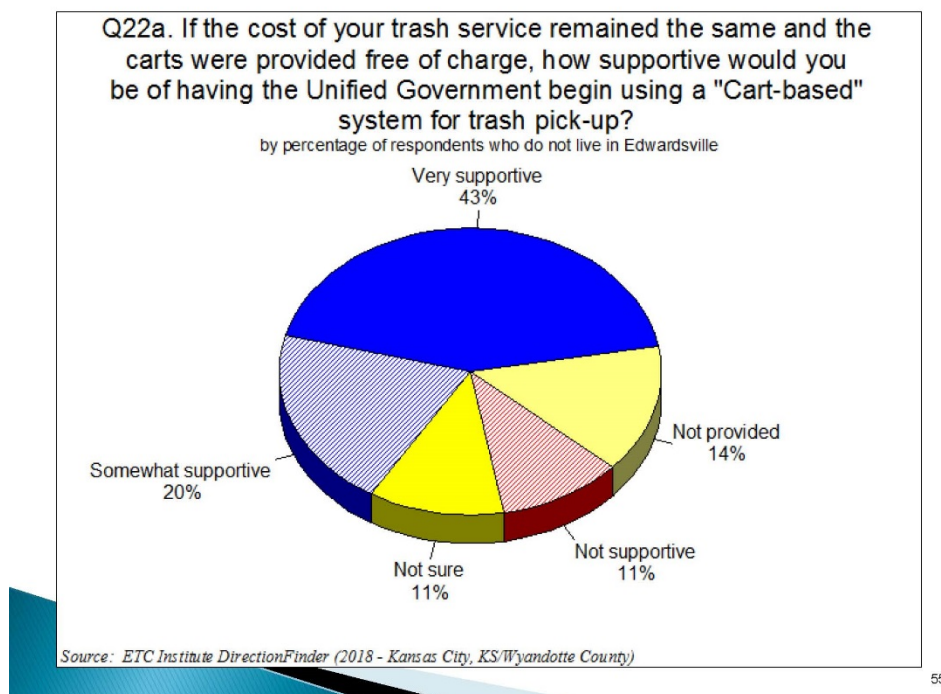
The nice thing is we asked folks a stormwater question. I know one of the things you're trying to assess do people actually think it's important to do this. Well, without a doubt, they do. We asked people how important they think it is to manage stormwater runoff to protect the quality of water in lakes and streams. A whopping 52% didn't just say it's important, but said it's very important and that's an intense positive response to that. If you add on the other 31%, you've got 83 or more out of the 8 or 10 folks that think this is important. Only 4% said it's not important so it's a 20:1 ratio that thinks this is something important to do.



We then asked folks how you should pay for stormwater fees. You see over half thought the people who generate more should pay more. You can see everybody paying the same was at 15% and 32% had no idea what that really means, but you can see a majority at least thought those who generate more should pay more.



We also asked people how supportive they would be of continuing the Public Safety and Streets and Infrastructure Tax and very strong support here, 45% very supportive; just 10% not supportive so you've already got those groups tend to be solid in their answers so you have a very good opportunity here picking the right projects and things like that, that this would be reapproved or continued by the voters at 45%. You can't count on the 31% that are somewhat. I've done enough of these survey's, what that means you don't have to win a lot of the somewhat supporters to move it forward so you can pretty much bank on most of the very supportive folks to actually go to the polls and vote yes.



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We also asked questions about if the cost of trash service remained the same and carts were provided, how supportive would you use a cart-based system. You will see 63% said they would be very or somewhat supportive. Only 11% said not supportive. We did this with Olathe a few years ago and all 11% of the people who didn't like it showed up to every single meeting. Since Olathe went to the cart service, they have seen a 20% improvement in satisfaction because at the end of the day some nice people are used to what they have and they don't like change, but it's actually improved their satisfaction to being among the very best in the nation as a result of the change.

That's a lot of information I know I have dumped on you in a half hour. I know there is some time for questions so I wanted to make sure you had time to ask them.

Summary of Trends

- ❑ Since 2000, Overall Satisfaction Has Improved in Most Areas
- ❑ There have been notable improvements in many areas since 2016

Notable Increases from 2016

- Satisfaction with the maintenance of City streets
- Satisfaction with City communication with the public
- Satisfaction with motor vehicle registration
- Satisfaction with the election office and community elections
- Satisfaction with maintenance of street signs and traffic signals
- Satisfaction with number of outdoor athletic fields
- Overall image of Wyandotte County
- A 4% or more increase in all Code Enforcement areas



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Just to kind of summarize things, overall the last few years, you're definitely moving in the right direction. You have a lot to be proud of as a county especially when you look back to 2000, but just in the last two years we've seen significant improvements in many areas; your Streets, Code Enforcement and Communication which really your top issues last time have all improved significantly. That shows me that you're paying attention to resident concerns. You're investing in communicating what residents need to know and the things they care the most about. Some of the most notable are listed there. I won't read the whole list to you, but you can see you've got a lot of things that have improved and really not many significant decreases. The only areas I flagged for you from last time were related to your solid waste, recycling, and trash services.

Summary of Priorities

□ Opportunities for Improving Neighborhood/Community Services

- Quality of maintenance of City streets #1
- Quality of City Code Enforcement
- Quality of communication with the public
- Quality of stormwater runoff/management system
- Quality of public transportation

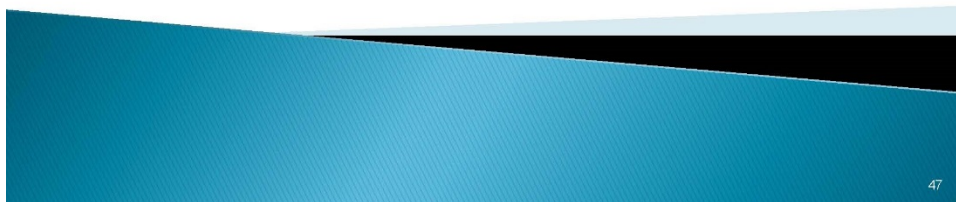
□ Opportunities for Improving County Services

- Quality of services for developmental disabilities- #1
- Quality services from the Area Agency on Aging
- Quality of senior transportation
- Quality of motor vehicle registration
- Public health department services

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What it looks for priorities; Streets is number one overall, Code Enforcement, Communication; continue to be in the top list. Then, you can see for County services, Development Disabilities, Aging, Senior Transportation, Motor Vehicle Registration, and Health Department services kind of round those out. Overall, the top three are Streets, Codes, and Public Safety issues.

Summary



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When it comes to next steps, we should be finishing up the survey really in the next few days. We plan to have all the surveys done next week. We will have the draft report to the County leadership probably within a couple of weeks and from there we will develop individual reports that shows the results for each of your districts so you can actually see how the residents that you're serving and accountable to actually think about the priorities overall.

Questions ?

THANK YOU



With that, I don't know if there are any questions or anything, but I've tried to leave some time so you could ask some if you have any.

Commissioner Bynum asked did the respondents of the survey tell you their age and if they did, do you have that breakdown. **Mr. Tatum** said I didn't present it tonight, but it's about 20% and it's nicely distributed, but we have about a fifth that's over 65, a fifth who 55 to 64, a fifth who are 45 to 54, a fifth who are 35 to 44, and about a fifth who are 18 to 34. It's nicely distributed.

Mayor Alvey said if we could go to Topic 2, County Level Services, Question 3-Satisfaction with County Services. I notice that if we start let's say at the District Attorney's Office, County Appraisers Office, Services, Area Agency on Aging, etc.; it would seem to me for those who are accessing those services they would tend to be very high need. It would seem to me that you would

expect those to be rated lower because the need is so great. Is that a consistent—is that accurate and does that tend to drive those lower? **Mr. Tatum** said sometimes it can, but you'll see in Senior Transportation and Developmental Disabilities were also really important so a lot of people pick those whether or not there's that many people using Developmental Disabilities, I doubt that's one of your widest used services. Sometimes it's a matter of people being aware of what's out there, what they talk to. I do know that oftentimes the District Attorney's Office is used by fewer folks, but what can happen with the District Attorney's Office is just depending on where you are. Sometimes the District Attorney's Office is very visible to folks and people have lots of opinions about it. The fact that you see a lot of neutral on here are okay, it means people aren't having really great experiences, but they're not upset about it either. That's an okay place to be. You know you obviously want to increase the overall satisfaction, but what's nice here is if you look at the ratio satisfaction to dissatisfaction, across the board in most cases you have more satisfaction than dissatisfaction. In a lot of cases it's 2:1 or greater being satisfied so you lean favorably in all of these, but as I pointed out Motor Vehicle Registration and Customer Service, which were two of the areas rated with the highest dissatisfaction, you actually made some of the greatest improvements. You will see Motor Vehicle Registration was up 11 points and Customer Service is up 4 points from the last survey, so you're definitely doing some things right.

Mayor Alvey said I will ask you, compared to other municipalities that you would ask the similar questions, would these results be consistent? **Mr. Tatum** said as far as the distribution of having more neutrals, they're definitely similar as far as—if you look at Johnson County, you will have more people giving ratings of three for some of these services than you will things like libraries or county parks because people tend to be more opinionated about those because they tend to use them. You can see even those you will have in the thirties, but across the board as you work your way down, a lot of times it is a function of usage that impacts peoples' perceptions.

Commissioner Burroughs said we have a 311 system, does any of the information corollate or tie into our 311? **Mr. Tatum** asked in what regard. **Commissioner Burroughs** said utilizing information that comes into 311, community needs, to report issues within their neighborhoods and countywide. Is there a cross marriage in any of that information at all? **Mr. Tatum** said we haven't done that. One of the things we could take a look at, we will have the address of respondents so it's possible that we could take a look if any of the respondents have used it, that

sort of thing. We didn't use 311 data though to pull our sample, if that's what you're asking. **Commissioner Burroughs** said I'm new to the Commission so I don't know how long our 311 has been out there, but I would think the reporting process of 311 identifies specifically what the issues are and be able to follow-up with those individuals to determine the level of service or satisfaction might help even shed a little more light moving forward. **Mr. Tatum** said it's not uncommon when you do have some of those to do perhaps a post-contact survey with folks immediately after they interact with you. Sometimes that's the next stage and that will help you get more feedback from folks about how they were treated for—a good example is the metropolitan St. Louis Sewer District. They have been doing it for almost 20 years, a follow-up survey, they just contact 100 people who contact them every month and then they asked them what they thought about it and then they tie all the information about what was the work order, what was the project, where was it, and then they actually even know who talked to them on the phone. They use that to basically assess the customer service and understand are people more upset when there is a sinkhole somewhere or is it when they have backups in their home and that sometimes help you understand the customer service ratings are good or bad, are they tied to certain types of interactions that people might have, but we don't have that from this data. It's not that specific.

Commissioner Burroughs said I think it gives us an opportunity to reflect back to the public customer service aspect and the impression they get from their government, their local government, in the communication and the concern of satisfaction with not only being heard, but the issue being addressed. It might help us correlate those numbers a little even, even to a higher percentage of satisfaction.

Commissioner McKiernan said I want to go back real briefly to the Code Enforcement. I have always appreciated these data's and of course I will look at these in much greater detail when we get the full report, but I think this is a lesson for all of us exactly to say that in the area of Code Enforcement, although we are far from where we want to be, we have made the demonstrable progress. I think that's a lesson for all us that when we identify a priority and when we assign specific and thoughtful funding to it and when our staff embraces that priority as they have done in the SOAR initiative, we can absolutely make positive improvements and progress on issues that are of great importance to our citizens. I think we should take some measure of satisfaction although we're not where we want to be, we are making progress and it has been systematic and

methodical on the part of mainly our staff in embracing SOAR and going after this. So, I think that is a wonderful testament to what we can do.

Commissioner Markley said we were just having that same side conversation over here. You know 4% doesn't seem like a lot, but the fact that we're seeing consistent increase in all of these areas shows it isn't just some weird statistical anomaly, this is real progress and if we could keep up this level of progress year over year on our priority areas, that's pretty incredible.

Mr. Tatum said what I like to do is put in measure, sometimes when you look at these in percentages you think of the population of the county, if you go up 8,000 and you have 150,000, that's 12,000 more people that are satisfied that weren't satisfied just two years ago. It doesn't seem like big numbers, but it's lots of people.

North Loop Linkages Study by MARC



Doug Bach, County Administrator, said this is a topic that we have had some discussion with the Commission as we've had the opportunity to allow MARC to continue their study where they're looking at changing the highway structure and such as it moves through downtown Kansas City, MO. They finished up some of their work earlier this week and they are here this evening. I'm going to turn this over to Rob Richardson, Director of Planning, who has been on point in

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working with them as they have been going through this process, to introduce it and then go from there.

Rob Richardson, Director of Planning, said with me tonight is Ron Shockovich, Burns & McDonnell. They are the consultant working for the Mid-America Regional Council on this project. It's considering alternatives for how to address I-70 & 670 as they go through downtown Kansas City, MO and the impacts they have well beyond that area. Obviously, it's a very important corridor. I'm going to turn it over to Ron to let him go through the presentation and at the end he has some simulation models that kind of show you how the traffic would move under certain circumstances in the future. After the presentation, if you have comments beyond what you would say here, if you would give those to Mr. Bach so we can get those into the process with the Study team and then there will be some public meeting opportunities for the public coming up. Those meeting dates are not set, but we will have them out in ENews when they are available.

Ron Shockovich, Burns & McDonnell, said on behalf of the Mid-America Regional Council, Missouri Department of Transportation, and Kansas City, MO with our partners from the Unified Government and KDOT, we have been working on this Planning and Environmental Linkages Study since fall of 2016 with the intention of having this thing wrapped-up around early to mid-May. The focus of this study actually started several years ago with the need for the replacement of the current—with Broadway Bridge or the Buck O'Neil Bridge, and basically, this project has been expanded to make sure that whatever is plan can work in the long run with long-term plans for the North Loop Kansas City, MO.

Agenda

- **Study Overview**
- **Review of Strategies**
- **Traffic Update**
- **Evaluation Matrix Criteria**
- **Public Meetings**
- **Next Steps**

What I want to do is kind of do a very brief study overview, review of the strategies developed to date and will be presented in a couple of weeks in a public meeting. I will give you all an update on where we are with regard to the traffic relating to some of the strategies that we're looking at, how we're evaluating these different strategies, the public meetings coming up, and then the next steps to complete the study.

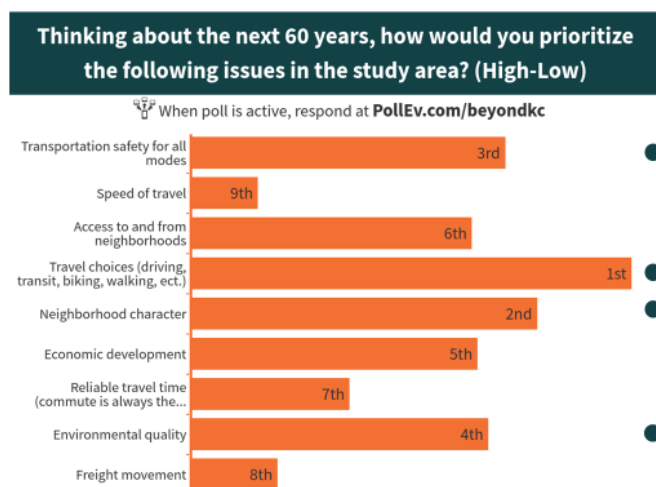


Last year we invoked and did what's called a Visioning Study where we brought in people from all over the region.

What will our region look like 60 years from now?

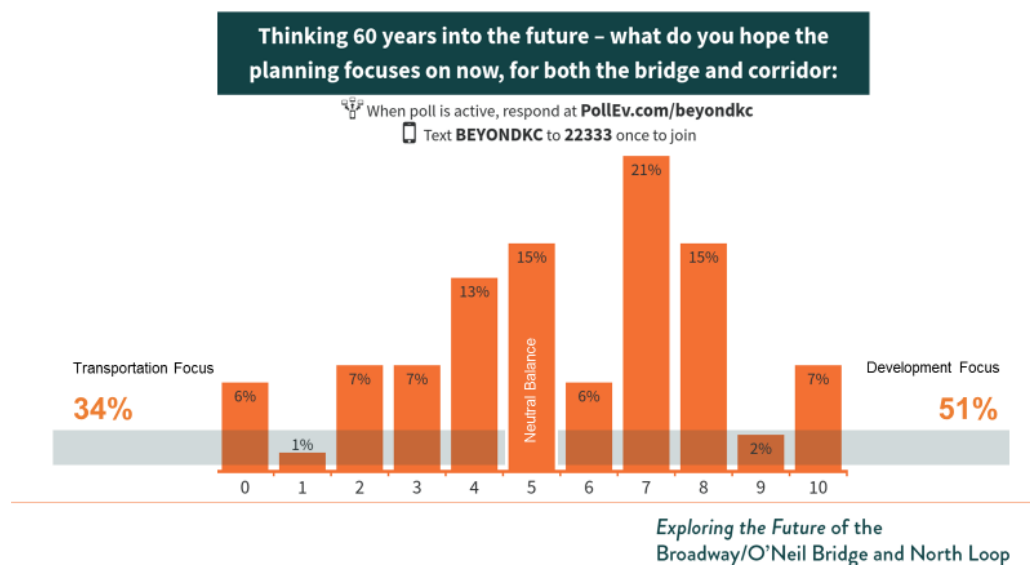
*Exploring the Future of the
Broadway/O'Neil Bridge and North Loop*

We basically asked the simple question, what do you think the region should look like in about 60 years from now. We're trying to get our arms around long-term visions for downtown and that's strictly from a transportation standpoint, from a land use standpoint, from a quality of life standpoint.



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We surveyed a whole bunch of questions, but the bottom line was we actually saw the number one the number one response to the public that was there was choice in travel, neighborhood character, and transportation safety for all modes was the top three that came out of that visioning.

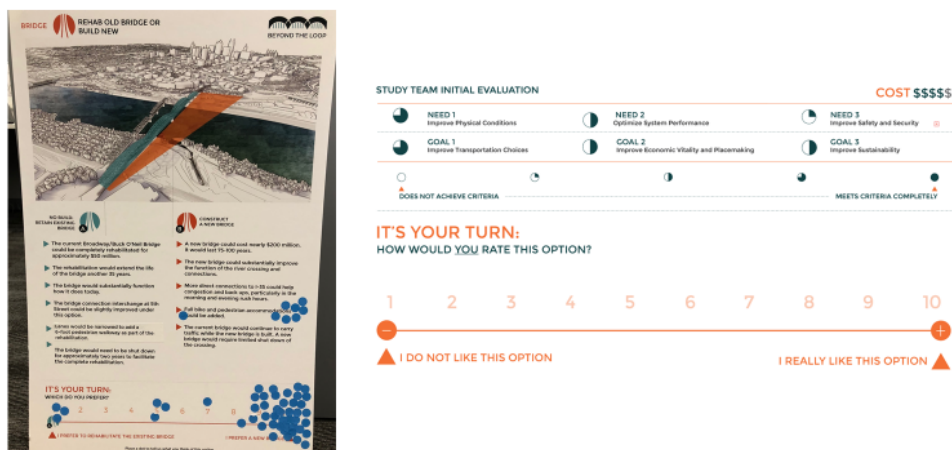


We also kind of looked at a focus between transportation on the left side and development on the right side. The highest percentage in the number seven meeting was leaning toward the development side with regard to transportation.

Mayor Alvey asked was there a particular question or impediment to asking the question? Was there a desire or a need to reclaim the space that is currently occupied by I-70 as it goes to the north? **Mr. Shockovich** said not to that level of detail with this initial visioning, no. A lot of people that had participated in this knew that this was not a new concept with regard to that. At the time when we did this visioning, this initial visioning, there were no concepts, there was no strategies; it was just a big picture of what's your vision of downtown. With that said, I'm sure there were members of the audience that were aware of previous studies that were done way back, probably over 20 years, when this idea was first floated and by no means is that the focus of the study, but it is certainly one of the strategies and we will get into that.



After that, we went through a series of development of some strategies pretty farfetched, everywhere from making the loop a one-way circulation to a series of collector distributor roadways to strategies that modified the north side of the loop. Strategies that might have done things with the Lewis & Clark Viaduct.



Exploring the Future of the Broadway/O'Neil Bridge and North Loop

We basically narrowed the strategies down through a series of more in sync strategies that were based on the ideas of meeting the needs and the goals that we had established for this study that will be carried forward and NEPA the studies that requires a Statement of Purpose and Need. **Mr. Richardson** said you might explain NEPA. **Mr. Shockovich** said Environmental Impact

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Statement or Environmental Assessments or categorical exclusions and those are the studies that would happen subsequent to this study being completed.

To back-up a little bit, when we complete this Planning and Environmental Linkages Study, there will be no selected strategies that will be advanced. It was just a series of strategies that could be advanced for subsequent studies. The only study that is going to be advanced for sure is the Environmental Assessment for the new 1-69 Bridge and MDOT is in the process right now working on that. All the other strategies in the areas that we looked at will basically be limited to just a series of possibilities and high-level evaluation of what they could be, but no selection will be made.

Going back to the purpose and need of what will be established as part of this—all the strategy that we're looking at, are the needs to improve physical condition of the infrastructure. That means, are we maintaining old roadways, do we have to replace roadways. We want to optimize system performance and that's predominately from a traffic and safety standpoint and also basically improve safety and overall security to the area. We also have goals that we would like to look at as far evaluating these strategies and those relate to our transportation choices, economic vitality, and basic overall sustainability. I know those are hard to read but that information is availability throughout documents that we provided on the website as well as throughout the rest of this study. Those are basically the benchmarks that we're using for establishing these criteria.



Ina Anderson • Jonathan Arnold • Suzie Aron • Bobbi Baker-Hughes • Susan Barry • Nick Benjamin • Bob Bennett • Rosie Privera Biondo • George Birt • Eric Bosch • David Brain • Scott Brown • Jared Campbell • Lynn Carlton • Jean-Paul Chaurand • Scott Christen • Deb Churchill • Melissa Clark • Chris Cline • Michael Collins • Melissa Cooper • Jon Copaken • Tim Cowden • Evie Craig • Bruce Cramer • Megan Crigger • Pam Curtis • Michael DeBacker • Peter DeVeau • Bill Dietrich • Kyle Elliott • John Fairfield • Cathleen Flourey • Ed Ford • Steve Foutch • Michelle Freed • Dana Gibson • Mike Gootman • Leonard Graham • Chris Handle • Evelyn Hornaday • Mayor Sylvester "Sly" James • Russ Johnson • Dean Johnson • David Johnson • Crosby Kemper • Johnathan Kemper • Gib Kerr • Brian Kidwell • Vladimir Krstic • Chris Lee • Frank Lenk • David Macoubrie • Kevin McGinnis • John McGurk • Mark McHenry • Edward Meeriman • Charlie Miller • Steve Miller • Wes Minder • Thomas Morefield • Daniel Musser • Sean O'Bryne • Andrea Repinsky • Martin Rivaola • Danny Rotert • Tim Saxe • Chuck Schlittler • Kathryn Shields • Paul Shofer • Kite Singleton • Craig Slawson • Cathy Smith • Matt Staub • Doug Stockman • Steve Swanson • Jason Swords • Jim Thomas • Matt Webster • Buzz Willard • Gerald "Bo" Williams • Jeff Williams • Debbie Williams • Erik Wullschlegler

Exploring the Future of the
Broadway/O'Neil Bridge and North Loop

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Back in September, you all may recall the Urban Land Institute was convened, a National Advisory Panel, a Technical Advisory Panel came in and kind of looked at the North Loop and they did look at opportunities for development there with the strategies of either modifying I-70 or the strategy of possibly removing I-70. A very high-level and it was done from an economic development standpoint and from a land use standpoint and some of the data points that came out of there we used to kind of form our development of the strategies that we worked on to date. There were some consistencies in what we had worked on up until that time and basically with some conformation of the work that they did.



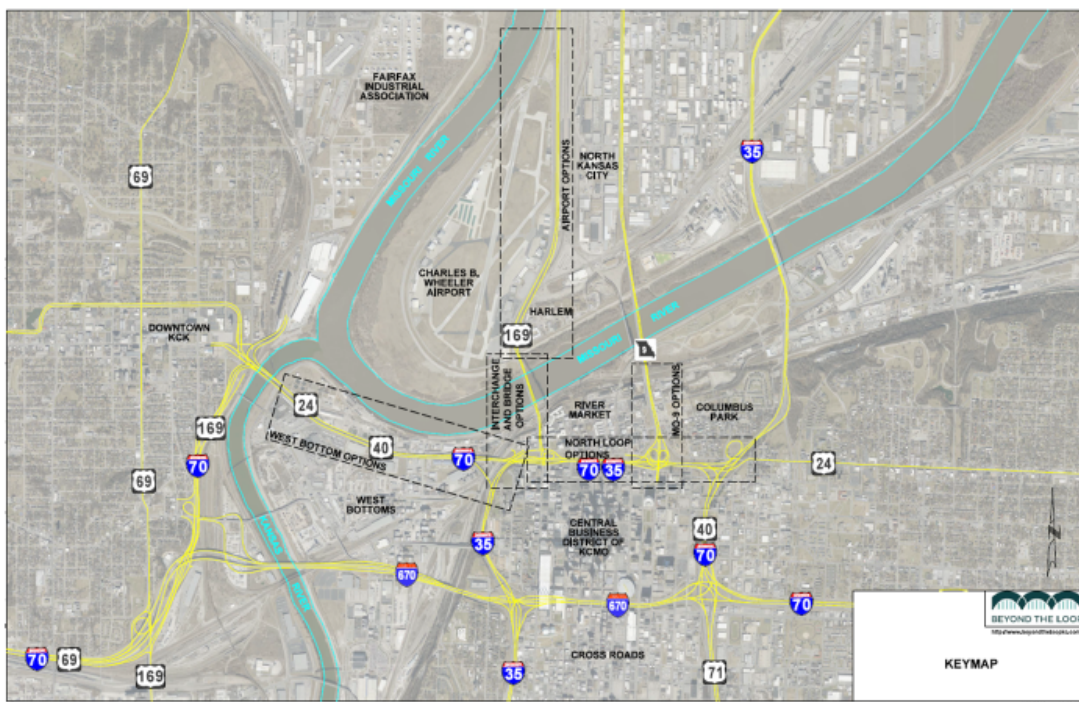
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Up until about two months ago we had about 1,700 responses online from our survey from when we did our first initial visioning and did the initial narrowing. These are 1,700 responses to the first set of strategies that we had rolled out and we basically saw varying degrees of acceptance for certain things and promotions of others. We will kind of go into the results of that. The point being made there is that we have got quite a bit of input and we're still soliciting input and it's rather consistent.

(This graphic was not available to copy and paste).

This graphic that you have before you, we're going to revisit it again and the purpose of this is once again to reemphasize how we evaluate it and the strategies from the three needs that I mentioned and the three goals that I mentioned. These are very qualitative assessments and very

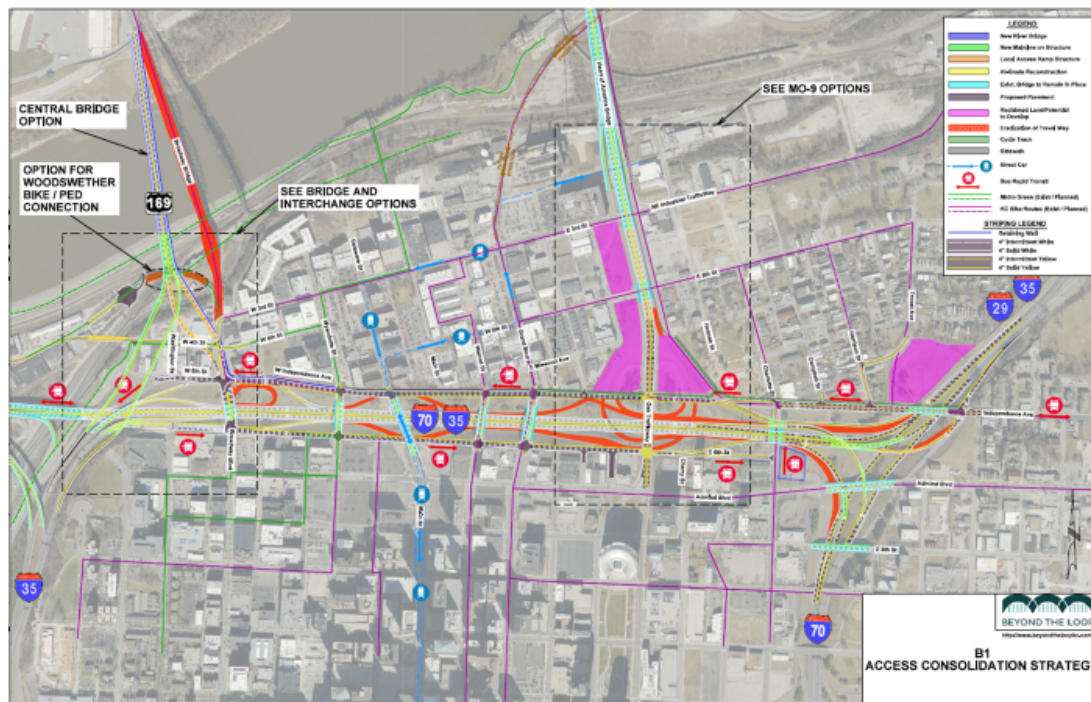
draft and we're still in the process of refining this. The point of this is, the needs and goals that are being used to assess these and not necessarily the grading and scoring because we're still in the process of finalizing that particularly with input from the public coming up in the next couple of weeks.



Into the bones of the study itself, we've basically taken the study area and have broken it into five different segment of area that are kind of independent from each other. The one that we're going to be speaking about most today that's going to have the biggest impact is that with regard to the North Loop options. We did look at some options along the Lewis & Clark Viaduct. We revisited some options that were looked at several years ago when the current Lewis & Clark Viaduct Study was done while regarding access into the West Bottoms, but also how access could be affected by removal of the Woodsweather Viaduct that may have to happen to build the bridge in some of the locations that we're looking at.

We've looked strategies in the North Loop area, we've looked at strategies in the West Bottoms, we've also looked at different options for the bridge, and then north of the bridge we've looked at options for how to make better connections into the airport off of the bridge. Each of those five segments are independent of each other. Once again, we're focusing this study on the North Loop.

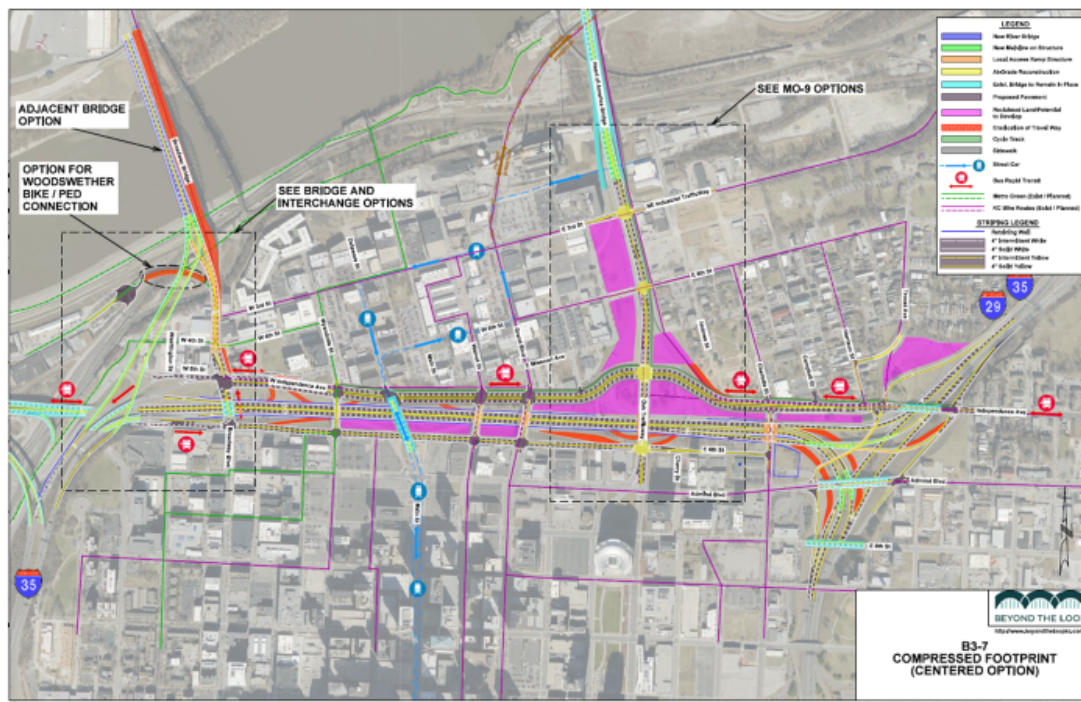
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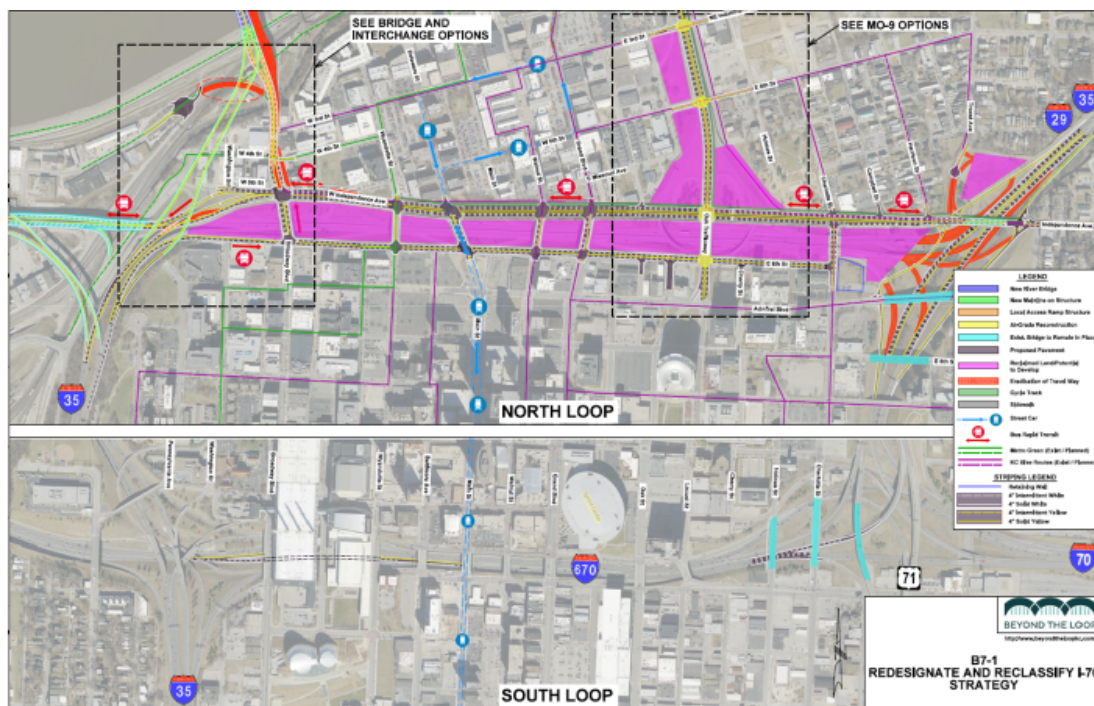
What we have before you here is one of three of the basic strategy types for the North Loop itself. The first one is what we're calling the Access Consolidation Strategy. All the red ramps that you see are the existing ramps that are there today that would be removed to maintain better through movement of I-70 on the North Loop. Today, we see a lot of congestion through there because of all of on ramps and off ramps moving through each other. This also brings Route 9 down to grade and extends Independence Avenue, basically between Grand Blvd. and Charlotte, to maintain a continuous connection on the north side. This basic strategy was the concept that was actually floated and approved about 12 or 13 years ago when the Environmental Impact Statement was done for the Bond Bridge that was built. There were questions about how diversion of traffic to the Bond Bridge with a new facility would impact the North Loop and as a result a possible traffic diversion onto I-70. This concept was developed in case traffic got so bad they had to do something to mitigate it so this was actually a concept that was floated and approved about 15 years ago.

The access point to Broadway at the west end off ramp to Broadway going westbound and the on ramp from Broadway going eastbound is still maintained in here, but all the other access points would be from the east side of the loop. A point to note, when we did traffic on this, about 40% of the traffic on the North Loop is either destined to or originating from those ramps into

downtown Kansas City, MO. The other 60% is through traffic and it's actually pretty heavy volume of traffic.



The second strategy that we looked at was kind of similar to the first one except we removed that ramp on the east side of Broadway and this is the beginning of starting to possibly reclaim some land. We actually compressed the footprint of I-70 and kind of built it in a similar fashion conceptually to what 670 is today with some walls and then reclaiming the land on either side of it between 6th Street and between Independence Ave. on the north. Those areas in purple are possible areas for reclaimed land. We looked at this strategy from three different perspectives. One and the one you see before you which is on the existing alignment of the roadway, but we also looked at it is pushing it to the south and also looked at pushing it to the north. One of the changes in this one from the previous one that we just mentioned was that on this we're actually using Independence Avenue and converting it to a two-way arterial, a boulevard on the north side and 6th Street on the south side is converted to a two-way arterial also, so that provides better access back and forth along both sides of the interstate with the removal of all the ramps and the connections. That's what we're calling the Compressed Footprint Strategy.



The third strategy and the one that seems to have gotten the most attention from a concerned standpoint is what we call the Redesignate and Reclassification Strategy. This is a strategy that would remove the North Loop, would maintain Independence Ave. on the north and 6th Street on the south as two-way boulevards for maintaining local traffic. Under this strategy the south loop would be designated as 35 and as I-70 and along the west side of the loop 670 would basically be routed up the west side and then the Lewis & Clark Viaduct would be designated as 670 back down to where it connects back to 70. From a designation standpoint, under this strategy, 70 would basically be connected from one end to the other as a straight shot straight across. The Lewis & Clark Viaduct would still be maintained as 670 as an interstate on the interstate system.

The purple area is that area that would be reclaimed for possible redevelopment and Route 9 is brought down to grade as a full boulevard with full intersections at places where it's now grade separated. The advantage to this from a land use standpoint besides available development space, is also the reconnection of Columbus Park to the east with the River Market to the west. When they built Route 9 20 or 30 years ago that kind of severed that neighborhood so this idea kind of brings that neighborhood back together, but also the removal of the interstate kind of brings the grid back together from the Central Business District back up to the River Market area.

Commissioner McKiernan said I'll just go back on record with major concern. This is a neat idea on the north side of the loop, but for those people who are eastbound on I-70 where the traffic at the southwest corner of the loop already backs up two or three miles on a good day, this would just really throw a whole monkey wrench into eastbound I-70 traffic. **Mr. Richardson** said there is a fourth strategy that is the No-Build strategy where we do nothing and so from this point forward in the presentation we're really evaluating this alternative against the No-Build because the other two strategies, the access control and the compressed footprint are really neutral to Kansas City, Kansas and the Unified Government. In fact, under a couple of those it gets a little bit better for us as far as traveling through downtown, but as you noted, this is the area of concern. The rest of the presentation up here will focus on the difference between the No-Build strategy and this strategy and the impacts and we will address that southwest corner in a few minutes.

Mr. Shockovich said as a matter of fact, when we did run the traffic model on this, what we did we started—and we will have some stimulations, and we use these models for trends. It's like flying an airplane and instruments as best you have and we rely on that for trends, not for hard numbers. The first thing we try to do is duplicate the trend that we see today and if we can duplicate the trend we see today gives us some credibility and some confidence that we can somewhat project what we think is going to happen. When we ran the trends, exactly what you said Commissioner, when we routed that extra traffic down there from the No-Build condition, in 2040 as well as 2016 we certainly saw that backup. What we did is we actually have a couple—a part of this is to widen locally 670 underneath Bartle Hall and we will get into details of that. You kind of see some lines dashed through there and we've modeled that. We actually worked with MODOT on that.

Another source of the backup, what we found out was 670, I'm getting ahead of myself, but you brought the question up, so be careful what you ask for, I like to say. 670 itself isn't the issue from a capacity standpoint, the first problem is exactly what you said. The second problem is far to the east where all the traffic is shifting over to go I-35 to the north or making the decision to go to 71 to the south and all the weaving and the shifting exactly. We also looked at some opportunities to reconfigure the lanes in there without spending half billion dollars on weeds and making ourselves look like the Great Way Project. We actually reviewed this with MARC traffic people as well as MODOT traffic people for concurrence with them and at first blush we look like we got some things that help. As I said, the end of this study we're not going to be making any recommendations for anything and before anything ever happens there is going to be some

technology and some things in place that are going to inform a data point at that point. With that said, you led right into the traffic which is the rest of this presentation.

Traffic Model Results

- **Baseline 2016 Conditions**
- **Future Year 2040 No-Build Conditions**
- **Future Year 2040 N-B with Autonomous/Connected Vehicle Technology**
- **Future Year 2040 Under Strategy Build Conditions**
- **Future Year 2040 with Autonomous/Connected Vehicle Technology**

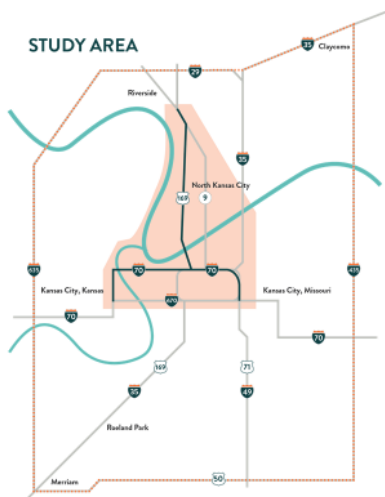
The first thing we look at is baseline 2016 conditions. We also look at the future 20-year—2040 baseline conditions of what things are going to look at and this is based on everything that's programmed in the long-range plan for 2040. Then we looked at—**Mr. Richardson** said there is one addition to that, on the base No-Build there are some improvements they had to make just to make 2040 work and those are included in the—there are a couple land additions we had to make in the loop to make 2040 by itself. It's 2040 No-Build, plus program, plus the absolute minimum you had to do to keep it from blowing up in 2040. **Mr. Shockovich** said specifically I-35 coming into and out of the loop, on 2040 right now with the programmed improvements traffic is pretty bad on 35 because of certain constrictions to the point that it was diverting traffic totally away—unrealistically. We actually had to make some assumptions and work with MARC on what looked like a reasonable assumption with regard to additional capacity on 35 above and beyond what's currently programmed in the long-range plan so good point Rob.

Something else we looked at as part of this study, and I think everyone around here at the table can appreciate this, and that is we are at that cutting edge of technology where we are actually seeing the effects of the economist and connected vehicle technology and how do we account for that in the planning in the long-range plans. We're already seeing people driving hands free to certain extent, we're seeing platooning of cars, what's the fleet going to look like in 2040, we really don't know; but we have a better idea now than we did say 10 years ago so we made

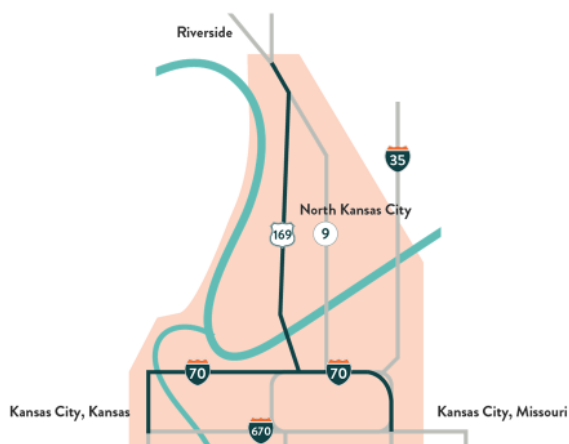
some assumptions with regard to how—I'll use the term ABCD technology we'll have on capacity and how we will plan traffic to make sure we don't overbuild or plan on overbuilding our infrastructure in the future.

We've also looked at 2040 No-Build with that technology in place and we looked at 2040 with the strategies that we just put before you and then how 2040 with the ABCD technology could possibly affect how operations are. We did look at the ABCD technology impacts at a much more regional holistic level matrixs there without really diving into too much detail of it because it is such an unknown, but we could look at least at the regional level.

DTA Network Extents



Study Area Cordon



To do this study effectively we created what's called a Dynamic Traffic Assignment model. Without getting into too much technicality, MARC has always had a regional Travel Demand model that's always used for its long-range transportation plan. It's used for a long-term plan for its facilities, air quality and testing of major strategies, but for the purposes of this study because we're looking at such possible drastic shifts in diversion in traffic, particularly for the reclassification one, we developed a very robust, dynamic traffic assignment model that is built at the link level to really better evaluate how traffic will respond to some of the changes in these strategies that we looked at. So, we took metrics at the regional level, but we also developed metrics at that study area level as well because just looking at metrics at the regional level sometimes we saw, what I would say diluted affects, because it is weighted and I-35 and 635 and 435 that's part of the DTA network, we didn't want the effects of those of the travel volumes on

that to affect how we look at the metrics with regard to the city study area so we kind of measured in two ways.

2040 Traffic Analysis Summary of Conclusions

- Access Consolidation (AC) appears to improve conditions all around, especially north/south across the river.
- Compressed Footprint (CF) appears to also improve conditions in many areas, especially north/south across the river, but does have some challenges.
- Redesignate and Reclassify (RR) appears to also improve conditions north/south across the river, but diverts traffic to I-670 which results in increased congestion requiring capacity mitigation.
- Mitigations were analyzed and added to incrementally improve performance in the loop area.
- Congested conditions and delays are limited to peak hours.
- In year 2040, operation of Connected and Autonomous Vehicles (CV/AV) on the freeway system alone can potentially offset and reverse the resulting incremental traffic delays related to the strategies.

In conclusion, and we will go over the details of this shortly, but in conclusion the access consolidation strategy appears to improve conditions all around. All of these improve north/south across the river because they all include a new Missouri River bridge on US 169 so all the strategies include a new bridge with an improved connection to the west loop as well as improved connection to downtown so that's a given.

The Compressed Footprint also improves conditions, but because we've eliminated that connection at Broadway, we started to see a shift in traffic to 670 and other locations so that has some of its challenges as you can imagine. Then, of course, the Redesignate and Reclassify it also has the same north/south improvements across the river, but the diversion does result to increase congestion and that does require capacity mitigation as was pointed out.

We did look at some of these mitigations and I will share those with you and they did incrementally improve performance in the loop area. Our congested conditions are limited to the peak hours. We actually looked at congestion over a 3-3.5-hour period actually in the morning. We actually did a three-hour period in the afternoon, a 4-hour period, and what we saw was the beginning and ending of those periods the congestion kind of dissolved itself and we still had a half-hour, one-hour peak. Kansas City, in a recent study, is 74th in the nation for congestion in urban areas during peak hours. We do have an issue during peak, wait 45 minutes, and it seems to go away. Being conservative we still looked at everything at a peak hour condition.

We did find out in 2040 that the CV/AV technology on the freeway system alone can offset some of these incremental traffic delays and we will go over some of the numbers on that. Once again, we looked at that technology, we applied it only on the freeway system and we looked at the metrics of how it could affect the overall system and that was really at the individual link level.

Base Year 2016 vs 2040 Full Network Statistics (Morning Peak Period)

AM Peak Period (6-9AM)	Vehicle Miles Travelled			
	Freeway & Expressway	All Ramps	Arterials	System Total
Existing 2016	1,381,960	128,822	574,171	2,084,952
No Build 2040	1,580,254	138,616	601,108	2,319,979
Change vs Existing Conditions				
No Build 2040	14.3%	7.6%	4.7%	11.3%
AM Peak Period (6-9AM)	Vehicle Hours Travelled			
	Freeway & Expressway	All Ramps	Arterials	System Total
Existing 2016	25,537	4,101	25,987	55,625
No Build 2040	30,042	4,424	30,387	64,853
Change vs Existing Conditions				
No Build 2040	17.6%	7.9%	16.9%	16.6%
AM Peak Period (6-9AM)	Vehicle Hours of Delay			
	Freeway & Expressway	All Ramps	Arterials	System Total
Existing 2016	1,867	567	7,838	10,273
No Build 2040	3,035	652	11,418	15,105
Change vs Existing Conditions				
No Build 2040	62.6%	15.0%	45.7%	47.0%
AM Peak Period (6-9AM)	Average Harmonic Speed			
	Freeway & Expressway	All Ramps	Arterials	System Total
Existing 2016	54	31	22	37
No Build 2040	53	31	20	36
Change vs Existing Conditions				
No Build 2040	-1.9%	0.0%	-9.1%	-2.7%

Some of the numbers to share with you. This is how we're growing from 2016 to 2040 and this is before we do any of the strategies. This basically comes directly from the MARC Travel Demand model and then the trips it generated in the MARC model were assigned to this Dynamic Traffic Assignment model so we can measure things like vehicle miles traveled, delay, and metrics of what we call average harmonic speed. The one I want to concentrate on is the third section down and that's the vehicle hours of delay. We're seeing in the morning that a systemwide total delay for the entire DTA network is anticipated to go up almost 50% between 2016 and 2040 and over 60% strictly on the freeways itself. That's pretty significant and that is before we do any of the strategies that we're talking about. That's right out of the MARC baseline projections.

Base Year 2016 vs 2040 Full Network Statistics (Evening Peak Period)

PM Peak Period (3-7PM)	Vehicle Miles Travelled			
	Freeway & Expressway	All Ramps	Arterials	System Total
Existing 2016	1,950,179	190,480	983,511	3,124,170
No Build 2040	2,247,398	205,661	1,041,454	3,494,513
Change vs Existing Conditions				
No Build 2040	15.2%	8.0%	5.9%	11.9%
PM Peak Period (3-7PM)	Vehicle Hours Travelled			
	Freeway & Expressway	All Ramps	Arterials	System Total
Existing 2016	37,398	6,349	53,611	97,357
No Build 2040	45,429	7,160	63,342	115,931
Change vs Existing Conditions				
No Build 2040	21.5%	12.8%	18.2%	19.1%
PM Peak Period (3-7PM)	Vehicle Hours of Delay			
	Freeway & Expressway	All Ramps	Arterials	System Total
Existing 2016	3,993	1,099	22,223	27,314
No Build 2040	7,076	1,528	30,149	38,753
Change vs Existing Conditions				
No Build 2040	77.2%	39.0%	35.7%	41.9%
PM Peak Period (3-7PM)	Average Harmonic Speed			
	Freeway & Expressway	All Ramps	Arterials	System Total
Existing 2016	52	30	18	32
No Build 2040	49	29	16	30
Change vs Existing Conditions				
No Build 2040	-5.8%	-3.3%	-11.1%	-6.3%

In the afternoon, similar characteristics, 42% increase in delay and this is in the entire three to seven-hour period that these are measured from. System total, over 40% and close to 80% of delay on the freeways with regard to total system delay. That's our benchmark that we're starting from with regard to growth from 2016 to 2040

CV/AV Considerations

Assumptions

- Increase Capacity on Freeways and Expressways
- Matches Approach Used for Los Angeles Study

Findings

- Significant Reduction in Delay on Freeway System
- Reduces total growth of system delay in morning peak for 2016 to 2040 from 47% to 11%
- Reduces total growth of system delay in evening peak for 2016 to 2040 from 42% to 15%
- Approach is Conservative and Additional Benefit is Likely

When we looked at the connected vehicle and automatus vehicle, we took an approach with our consultant that did the DK modeling, Cambridge Systematics, a global firm that does this work and they're actually looking at an application of this technology in Los Angeles and other major

urban areas. What we did was we took the approach of adding 20% of the capacity on existing freeway systems today so if a freeway system has say a typical number of about 2,000 cars per hour per lane under free condition, we basically added 20% of that under the presumption that the technology will allow cars to platoon and drive closer to each other and be able to drive in a much efficient manner, but strictly on the freeways. We took the technology and did not apply that basically to the arterial system so we basically assumed that once you get to the arterial system, you're going on your hands as well as going to the ramps. It's a conservative approach, but we wanted to see what those effects would be. We did see a delay on the freeway system from the 47% number down to 11% and total growth in the evening period from 42 down to about 15%. I think this is a conservative approach and is probably an additional benefit is likely. This is kind of the important information that MARC would use moving forward as its developed its LRTP. Once again, this is before we do anything with the strategies. **Mr. Richardson** said that's the Mid-America Regional Council Long-Range Transportation Plan.

2040 No-Build VS RR Build Strategy Study Area – PM Peak Period (With & Without AV/CV)

Total Vehicle Hours of Delay - Study Area				
Evening Peak Period (3 pm - 7 pm)	Freeways and Expressways	All Ramps	Arterials	System Total
No-Build 2040	1,129	370	4,189	5,689
Reclassify and Redesignate Strategy 2040	1,949	805	6,767	9,521
Reclassify and Redesignate Strategy 2040 with AV/CV	989	526	4,787	6,302
Change from 2040 No-Build				
Reclassify and Redesignate Strategy 2040	72.6%	117.6%	61.5%	67.4%
Reclassify and Redesignate Strategy 2040 with AV/CV	-12.4%	42.2%	14.3%	10.8%

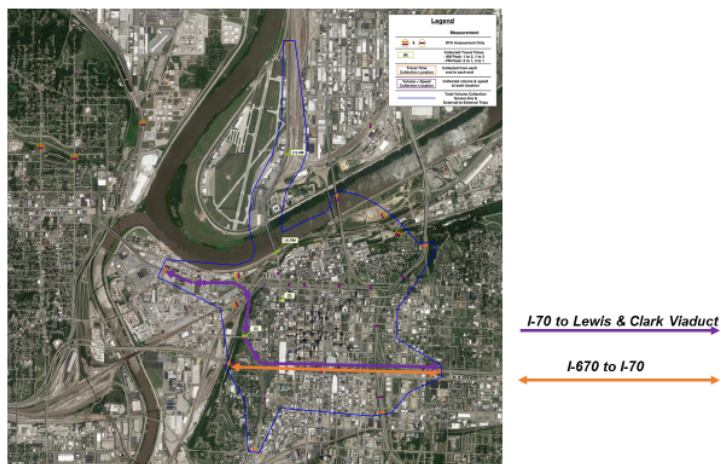
What we did was because of the concerns regarding that reclassification and redesignated strategy, we kind of focused our analysis in this presentation because we knew that was kind of the one that had the most concern for you. When you see the term RR, that's is the strategy of removal and redesignation of the interstate system. This is the impact in that smaller study area and we looked at just the afternoon period.

We looked at morning, but afternoon was the worse one so I'm just reporting that. What we have actually found in the 2040 that 72% increase that I told you earlier, goes to actually a 12% reduction in comparison with the No-Build. This is 2040 No-Build to 2040 Build with the removal of the interstate system. Systemwide total, we're still showing a net increase of about 11% in delay, but in comparison with 67% under 2040. Now we're looking at what the impacts of delay are in the study area in 2040 for removal versus the No-Build condition so we're definitely seeing significant increase in congestion of about 67%, but reduced to about 11% with the CV/AC technology applied to the freeway system.

Mr. Richardson said you'll note that on the previous slide where you looked at PMP with the blue slides, the No-Build was 77.2% right there and then if you go back over here to this slide, you see that the remove and reclassify without CV/AV is almost exactly the same as the No-Build and that includes the mitigation strategy. This shows that if they were to remove the North Loop, the delay to those of us that drive through downtown would be the same as it would be under the No-Build strategy. Then, if you apply AV/CV to it, it gets better.

Mr. Shockovich said however, you said it correctly, but these are regionwide metrics. It still doesn't—we haven't answered the question yet about spot specific locations where congestion occurs. This is at the study area metric level. We did not apply—what I'm going to show in a little while with regard to some of the mitigation strategies does not account for the CV/AV technology. I think that's a little too much detail to try to project that level of detail that we do the modeling on. From a trend standpoint, we definitely see some advantages of the CV/AV technology and this makes a certain assumption of infiltration of the fleets and switchover of the fleets from current fleet to what's going to be happening in 2040 with regard to technology.

Gate-to-Gate Travel Speeds



The next thing we looked at was, and this is probably one of the most telling impacts with regard to downtown traffic into Kansas City, Kansas, we looked at a series of what we call Gate-to-Gate Travel Speeds and for the purpose of reporting here, I've got two to share. The purple line is basically I-70 to the Lewis & Clark Viaduct and then we also have the orange line which is I-670 to I-70, those two connections there.

2040 Gate-to-Gate Travel Times I-70 and I-670 Connections

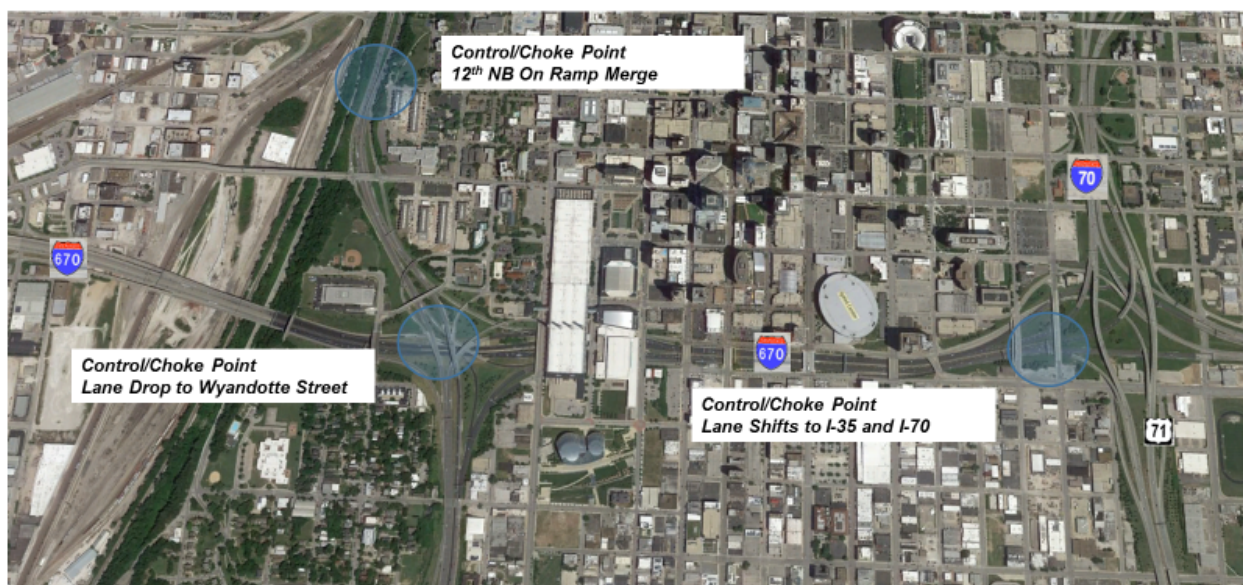
Movement	2040 Base		Access Consolidated		Compressed Footprint		Redesignated Reclassified	
	AM	PM	AM	PM	AM	PM	AM	PM
WB I70_East to WB LCViaduct	04:35	04:15	05:42	04:12	04:22	04:05	06:22	05:42
EB LCViaduct to EB I70_East	04:22	04:46	04:12	04:30	04:06	04:51	05:20	09:53
EB I670_West to EB I70_East	02:49	06:14	02:43	09:04	02:56	06:36	04:52	10:06
WB I70_East to WB I670_West	03:20	02:35	03:41	02:38	03:43	02:33	04:30	02:45

The results that we have, this is before we did any type of mitigation. This is raw data out of the traffic assignment model and what we'll do is kind of look at 2040 as a base condition, what I

would call the No-Build and the reclassification. Probably one of the biggest impacts that we're seeing is I-670 eastbound to I-70 eastbound, the third line down, in the afternoon. Today's time to make that trip is about 6 minutes and 14 seconds and we're seeing that going by almost 4 minutes in delay, 10 minutes and 6 seconds as a result of the phenomena of basically forcing all that traffic on through Bartle Hall, underneath Bartle Hall, and that piece there. That's a very telling piece of information there.

We also saw that the eastbound Lewis & Clark Viaduct to eastbound I-70 in the afternoon goes from 4 minutes and 46 to 9 minutes and 53 seconds so there are a couple of big delays there. The one in the morning—well morning and afternoon, there's two sources of delay. The source of delay from eastbound 670 to eastbound 70, it has to go through both of the two chokepoints. We have a chokepoint at the east end as well as a chokepoint at the west end. You can see there are definitely some trends there where traffic is being affected.

I-670 Constrain Points



There's three basic constraints that we found we saw relief. I will concentrate on two of them. The first one is at that choke point underneath Bartle Hall where there are basically three lanes on I-670 eastbound. A fourth lane comes up from the Wyoming Interchange. That lane is committed to I-35. The third lane is also committed to I-35. The second lane is the only lane that goes through from I-670 and then the fourth lane on the inside—or the first lane, is actually committed to go up

Central Avenue and that's a choke point because what's happening is you have a lot of weaving and movements of folks coming up from the right and you have a lot of folks on the left side that are trying to avoid that, but they get to that point where they eventually have to move over or they get stuck going up Central Avenue. That's the first choke point we looked at.

The other choke point is at the east end where there is an interior lane on the left that is shared to go up I-35 to the north and a lane on the exterior where Grand Blvd. actually comes in eastbound onto 670 and it goes down to 71 Highway so those folks have a very short distance to merge over to get onto 70 and as many as three lanes if those folks want to go up to I-35. Those two choke points together is what contributes to a lot of the delay, not the fact that there's not enough lanes on 670 itself.

We also found a choke point on northbound on I-35 where when we look at some of the strategies to get up to the new bridge extension of the northbound on-ramp from 12th Street gave us a lot of relief with regard to that movement, but it really didn't do that much with regard to that movement going continuously to the Lewis & Clark Viaduct. But, nonetheless, it was still a strategy in the overall scheme of things that we've incorporated.

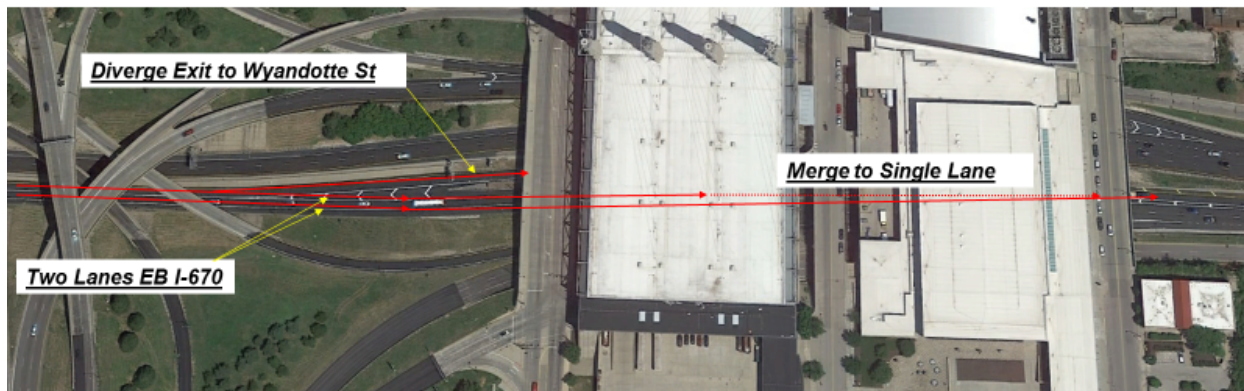
EB I-670 Approaching Bartle Hall (SW Quadrant)



That basically explains the existing condition that we have today.

Do you want to do simulations now or wait until the end? **Mr. Robinson** said at the end.

EB I-670 Approaching Bartle Hall (SW Quadrant) With Widening Under Bartle



What we've proposed here and we cleared this with MODOT and we talked to the Federal Highway Administration and we definitely need some design exceptions to do this with regard to shoulder and clearance widths, but basically keep that inside lane as a through lane up underneath Bartle Hall and we still have the merge to make, but that merge will be occurring well downstream of where the merging happens upstream at I-35. We would still pull a diversant lane directly right off to go to—I call it Wyandotte, but that's actually Central, so pardon the typo there. That movement is still there, but you're not trapped in that lane. You just have to be in that lane and you splitoff to do that. So, that's the first mitigation point and we will show the affects of the traffic on that and how it affects the eastbound 670.

Mitigation – Eastbound I-670 Under Bartle Hall



When we modeled it up, that's basically how we put it in the travel demand model so that green in the traffic operations model is an extension of that lane underneath Bartle Hall.

EB I-670 at Southeast Quadrant (Existing Lane Configuration)



The other point that I mentioned was at the east end that, I will go from the bottom up, that bottom lane goes Grand, it goes directly to 71 Highway, those folks have to move over at least one lane to

stay on 70. The two lanes after that are 670 to 70 and then the third lane on the top is committed to 35 northbound or I-70 eastbound. Here's where the plot thickens. If under the strategy for the removal, I-35 would be designated on the southside of the loop as would I-70. All I-35 northbound traffic would have to shift over at least two lanes of traffic to make that move to get all the way over there to I-35 and that's an issue.

EB I-670 at Southeast Quadrant (Reconfigured Departure Lanes)



We looked at some reconfigurations of the lanes. What we did was going from the south up, we took the lane coming off of Grand and made that what we call a decision lane to either stay on 70 or to go 71 southbound so those folks don't have to move over if they want to stay on 70. The next lane is still committed to 70. The third lane is 35 to 70 as a decision lane and then that fourth lane is also 35 in and of itself a committed lane. Under this strategy folks coming up 35 from Johnson County that want to continue up north only have to move over one lane to get onto I-35 and make that movement. Conversely, folks coming in on the left lane that merged in underneath Bartle Hall on 670, they still have to move over one lane to stay on 70. So, there is still one lane shift requirement, but it beats the heck out of what's out there today. From a lane continuity standpoint, it's not perfect, but we've demonstrated solid traffic or improved traffic improvements under this.

The other option is to build what's called structured grated ramps which would cost—**Mr. Richardson** said there's not room. **Mr. Shockovich** said it would be a very expensive and unreasonable application of funds and we will go over the results of this. **Mr. Richardson** said the other possibility there is they are talking about closing the on-ramp from Grand which would make that better as well. **Mr. Shockovich** said we could actually close the Grand Ave. on-ramp, but that's the only way out to eastbound 70 or 35 out of Crown—folks from Crown Center come up that way, the Crossroads District, even folks out in the northside of the loop actually crossover to Truman and they get on that way. If we were to close that, because Truman is a six-lane road, it would send folks up to Paseo and then folks that want to go 35 north would have to go to Paseo and up north or to go south going 71 Highway. It is an option. There is plenty of capacity on Truman. It was actually MODOT that made that suggestion as a possibility. We did not test it, but it's a secondary possibility that could happen in other studies. That's basically how we showed in our model and we will go over the simulation.

2040 Gate-to-Gate Travel Times I-70 and I-670 Connections with Mitigation

Movement	2040 Base		Access Consolidated		Compressed Footprint		Redesignated Reclassified		Redesignated Reclassified - Mitigated	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
WB I70_East to WB LCViaduct	04:35	04:15	05:42	04:12	04:22	04:05	06:22	05:42		5:41 ***
EB LCViaduct to EB I70_East	04:22	04:46	04:12	04:30	04:06	04:51	05:20	09:53		7:51 **
EB I670_West to EB I70_East	02:49	06:14	02:43	09:04	02:56	06:36	04:52	10:06	4:24 *	7:17 **
WB I70_East to WB I670_West	03:20	02:35	03:41	02:38	03:43	02:33	04:30	02:45		
	* Mitigation for EB I-670 (Under Bartle Hall)									
	** Mitigation for EB I-670 (SE Corner)									
	*** Mitigation for NB I-35 (NW Corner)									

So, the results of that it did not bring us back to the No-Build condition, but we definitely saw improvement. The biggest piece of improvement in the afternoon at that 670 one that I just showed you, we went from 10 minutes and 6 seconds from 6:14 to 10:06 so about a four-minute delay. We cut into that to decrease that delay from 6:14 to about 7:17 or about one minute. We did show

a definite marked improvement there. We also dropped a couple of minutes on the eastbound Lewis & Clark Viaduct down to eastbound I-70 and, once again, that's because of that southeast corner mitigation that we did. We take that from 9:53 down to 7:51; now granted, it's still three minutes more delay, but we've cut into it quite a bit, but this does not account for, like I said, the possibility of continuous vehicle and autonomous vehicle technology. We have demonstrated a significant amount of improvement on that when we ran the traffic models on it and we think these are actually pretty conservative numbers. There is a good chance they would be better than that.

Coming out of the study, we're not make any recommendations. This is just a data point with regard to this. Because we did see what I call the bang for our buck on these, both of these strategies at both ends is about a million dollars each by the time we do an overlay, restripe and some overheads signage that would have to be done, but for the benefits of it we actually included that as part of the strategy, the removal strategy.

Evaluation / Screening Materials

- Detailed Evaluation Matrix
- Summarized Material for Presentation Boards
- Contains measures for all project needs and goals for each of the five segments
- Contains all major elements considered as part of the study
- Attempts to provide quantitative measures, where reasonable.
- Qualitative measures should be used for relative comparisons of strategies

Moving into the completion of the study we developed a very detailed evaluation matrix and that matrix, the traffic that I showed before you is only one piece of that matrix. The traffic is part of the need to optimize system performance, but we are also looking at other things regarding infrastructure, land use, quality of life, sustainability, transportation choices, and we broke our matrix into each of the five segments. We have quantitative measures where we can measure stuff, costs, traffic, safety from a standpoint of removal of connections and what I call conflict points and then in other places we have quantitative measures where we kind of did a subjective view of

opinion of what we think one is better than the other with regard to meeting a specific need or goal and it's just for comparison.

North Loop Evaluation Matrix

			NORTH LOOP LONG-TERM EVALUATION MATRIX		MS	BP-65	BP-66	BP-7	BP-7
			REMARKS	SCORE	Non-Build	Compressed Construction (Years)	Compressed Post-Open (Years)	Compressed Post-Open (Years)	Compressed Post-Open (Years)
IMPACTS	PHYSICAL	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
	ENVIRONMENTAL	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
IMPACTS	ENVIRONMENTAL	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
	ENVIRONMENTAL	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
		IMPACTS TO EXISTING LOCAL LIFE OF PLACE	IMPACTS TO EXISTING LOCAL LIFE OF PLACE	Score	100	100	100	100	100
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The intention here is not to read that. Don't even try, but the point being—what we have are the needs so we have our three basic needs that I went over and our three goals and we actually have feasibility costs and for each of the needs and for each of the goals, we actually have subsets in that. We've gone through a very comprehensive scoring of this and these are not weighted. We did not weight anything. We just kind of did the numbers as they are. The little beige areas are those measures that we saw would differentiate one particular strategy from another because some of these are a wash. We kind of picked out those that kind of differentiate it. The intent was to basically take that and to kind of roll it up into what we call a Harvey Ball quantitative measure with regard to how these strategies measured up to each other in relative comparison.

We as a team and the Study Management Team just reviewed this earlier this week. It's still a work in progress. These values are by no means final. We will give the public an opportunity to provide their input because, like I said, these are quantitative, and these are based on no weighting so depending on how you weight any particular sub strategy, you can certainly come up with different values of this. We are by no means married to these. **Mr. Richardson** said I suggested a few ways that might be modified already. **Mr. Shockovich** said right, we're taking

input on this right now. There are positives for some, there's negatives for some. If we saw that a particular strategy had absolutely no redeeming features with regard to meeting goals or meeting needs, we screened them out and we did that in a preliminary screening several months ago. These are kind of the remaining ones that are in there.

At the end of this study this is all that's going to be a part of the Planning Environment Linkages and we will complete one of these for each of the five segments that I reviewed. This is only the North Loop that we're looking at right now. We've also done one for the bridge, we're doing one for the West Bottoms access, we're doing one for the different ways of connecting up to Route 9 as well as the different interchange strategies to connect into the downtown airport. This study covers a lot of area but the focus of this presentation.

Mr. Richardson said I would say related to the screening out process, the decision point for us is whether or not we would ask them to screen out, remove the North Loop option and that would be where I see we have a decision that is potentially detrimental to us if the CV/AV doesn't come through.

Mayor Alvey said to that point, Rob, it seems to me what I understand of traffic studies that have been done, it's usually trying to find ways to reduce the delays and to handle increased volume of traffic rather than to examine options that, from what I can tell, except for No-Build and improvement with connected and autonomous vehicles, that's the only one that actually will reduce that unless we did some other major changes. I guess I'm coming back to the original question, what else is generating this because it doesn't seem to me this is actually improving traffic flow. **Mr. Shockovich** said that's why this study is different. When we first started this study with the Mid-America Regional Council and we did our very first traffic review, one of the first comments we got from the traffic people at Mid-America Regional Council was, well, for except for the access consolidation strategy, none of these do anything to improve traffic from what we have. Given the nature, I think we're starting to learn that building ourselves out of congestion and moreless kind of learning and living with technology and different lifestyles in different places of how we live and commute, traffic is but one need or, if you will, of this without a need of improving what's out there today. That was an objective that was basically part of kind of the ground rules that we set with the Mid-America Regional Council set with MODOT and with KCMO when we started doing this. The fact that we're not improving what's out there today is

not necessarily total detriment to a strategy. It used to be we would just build our way out and we looked for level service D and that was it and if we didn't accomplish that, so this is a different study in that respect.

To your point and to Rob's point, before any of these strategies would garner your support or KDOT support because KDOT and Federal Highway Administration have expressed similar concerns. Secondary impacts and other impacts would have to be considered before anything would be advanced any further and those studies would be done as part of what we call NEMI, the Environmental Assessment or the Environmental Impact because we did see spots in traffic that kind of backed up areas. We saw what I call hot spots and those are secondary impacts on traffic and those would certainly have to be addressed in much more detail than the high-level that we did for this Planning and Environmental Linkages Study. Until Kansas City, MO or MODOT decides to do something significant with the interstate system, those studies will happen then. This study could be reopened and revisited or depending on where we are with regard to implementation of the long-range plan and technology and traffic, they could use part of this study, they could use quite a bit of this study, they could start all over again. This basically sets the framework for future studies.

Mayor Alvey said to kind of come back, since the purpose of the study is not trying to find ways to elevate traffic congestion or build our way out, it means there's another set of values that's at work here and based upon this third slide, thinking about the next 60 years, how would you prioritize the following issues in the study area. Number one was travel choices that is driving transient, biking, walking. Second is neighborhood character and third is transportation, safety for all modes, but it seems to me those first two are really more about how do you build a walkable city. That seems to be the value that is driving this study and this study then is presenting options to how to accommodate that goal. Is that accurate? **Mr. Shockovich** said very well said. One thing that I did not mention and we can go back to the strategies, you made a great point, and this is a different setting. I'm a traffic guy, I'm a transportation guy, so it took my awhile to get my arms around the fact that we're not seeing significant improvements in traffic.

As a matter of fact, we're looking at communities right now in Rochester and in parts of Detroit where they're actually taking the interstate out. They are doing the same thing in Seattle right now with the Alaskan Viaduct. People are figuring out where to go. On the other hand, the

idea here isn't just closing the North Loop and then let people figure it out. There still has to be some mitigation without a doubt.

On this strategy, one thing that you see on here, just north of Independence Extension is a two-way cycle track and that two-way cycle track connects up to a cycle track that's actually on the east side of Route 9 and Route 9 goes up to the existing Heart of America—right now has a trail on it and North Kansas City is developing a plan to give Burlington a road dive from six lanes to four lanes counting on the diversion of traffic from Burlington to the new bridge. They are going to use that space to build a cycle track there. The other thing that is being planned right now, the little red icons to the north, right now the ATA is planning a Rapid Bus Transit on Independence Avenue serving basically to the east of the loop and the reconnection of the grid and extension of Independence and converting it to two-way provides that expansion of the ATA system as well. That plays to your point there. **Mayor Alvey** said so, you just said it in a different way that what we're really talking about is for the folks who live in that locality in those neighborhoods, what was taken from them when I-70 was built, North Loop, is the attempt to restore that so we now have a neighborhood again.

Mr. Richardson said I think it's beyond that. I mean there is a lot of economic development opportunity. They want to connect downtown to the River Market—**Mayor Alvey** said well sure, but I mean it is still about how those people who live there experience that area and how they experience it now is they've got this canyon running through that is not accessible easily by walking, it's not easily accessible by biking, and even with the street car and some other options, this is really another grand attempt then to address that. **Mr. Shockovich** said however—**Mayor Alvey** said I'm not opposed to that. **Mr. Shockovich** said oh no, no, it's funny being me devil's advocate here because usually Rob is my devil advocate and we've had a great relationship. **Mr. Robinson** said he would never understand that would happen with me. **Mayor Alvey** said do you think we could take a vote on that? **Mr. Shockovich** said we temper each other.

If the closure of the loop from a traffic standpoint is really not determined to be feasible and this study doesn't determine what is and isn't truly technically feasible. Right now, we're just kind of dreaming. What we call the Compressed Footprint Strategy is kind of the next best thing. We still have space available, we still reconnect the grid. One thing that came out of this study was just reconnecting Columbus Park to the east with the River Market and bringing Route 9 down to grade. That, plus the space available for that, that in and of itself could be incorporated. That

actually could be incorporated with very simply under this strategy which is the Access Consolidation. So, actually if we build the bridge first, we collectively as a community, build the bridge first; we live with that and the next step could be going to this Access Consolidation and bringing Route 9 down. We've demonstrated how we can reconnect the grid. Yes, the convenience of being able to get right off the interstate into the River Market, you might have to drive a mile on an arterial system to get there, but people do that. So, from a phasing standpoint we could go from bridge to this to possibly either this or this, but from a phase implementation standpoint we're just kind of setting the stage for what could happen.

In the design of the bridge, if I may, the design of the bridge that's going to be started in the next couple of years, MODOT is in the process right now soliciting consultants with the Environmental Assessment, they want to make sure that whatever interchange design for the bridge coming into downtown doesn't preclude any of these opportunities. They are not going to set the stage for a particular one, but they're not going to preclude any of them as well.

Mr. Richardson said I think it would be a mistake to assume that even on the Kansas City, MO side there aren't any concerns because this dumps a lot of traffic onto the arterial street system which might require them to rebuild a tremendous number of traffic signals at great cost that's not federally eligible. There is a lot of concern about the remove and replace all around, but it also has a lot of interesting advantages. The decision to screen it out now is kind of an important one if you do or you don't.

I would say given our time if there are we ought to probably—after this question, maybe the simulation so you can kind of see how the traffic really works at those chokepoints.

Commissioner McKiernan said this is really somewhat rhetorical, but does KDOT and MODOT ever talk to each other? **Mr. Richardson** said yes. **Commissioner McKiernan** said because KDOT embarks on this multiyear plan for Lewis & Clark which results in a multiyear multi-million-dollar plan and then it appears from the outside that MODOT shows up and goes no, that's okay, we're closing the north side of the loop anyway. It appears from the outside to someone who doesn't do these studies and study this stuff that there is no communication, that we're not planning together around this north/south thing call the State Line. **Mr. Richardson** said Mr. Shockovich is retiring in a month. I'm going to let him answer that one. **Mr. Shockovich** said I can say anything now. What are you going to do, fire me? No, I appreciate that. Actually, they

communicate a lot more than meets the eye and you're not the first person I've heard say that and MODOT and KDOT have both heard it. When you say KDOT embarked on this plan to reconstruct the Lewis & Clark Viaduct and then MODOT is going to say that's okay, we're going to close. First of all, they're not going to close the north side of the loop. What we're seeing here is the possibility of closing the north side of loop, if it would come to fruition, would be well beyond 10 years in the future at least. That's after the subsequent studies and planning and everything is done. I know they had talked quite a bit during the planning of the Lewis & Clark Viaduct along with Kansas City, MO because a lot of the detour routes that's being used to rebuild the Lewis & Clark Viaduct is on their system and they work very closely together with each other.

It's my understanding on Lewis & Clark that was a strictly structural situation on that, the bridge from a structural standpoint just had to be taken down now. To digress a little bit, when we first started this study there was a rumor that was circulated that this study was going to recommend dropping the Lewis & Clark Viaduct to grade as well and it was just going to turn into an arterial on the street with bikes and things on it. That was a rumor that was started that was never ever part of this study. Lewis & Clark was always to be maintained as part of the interstate system. As a matter of fact, under the strategy of the removal, it's that much more important that it has to still stay to maintain interstate access into downtown, but designated as 70, instead it will be swapped out. Those type of rumors are out there too that first we're going to drop the north side of the loop and then we're going to drop the Lewis & Clark Viaduct and that was just never ever part of the study as well. **Mr. Richardson** said it wasn't part of the study, but it was definitely on plans that I've seen that we're not part of the study. **Mr. Shockovich** said but not part of this study. It got tied to this study initially and we dissuaded that.

Mayor Alvey said we should probably run the stimulations.

(There were no PowerPoint slides for the stimulations. This was a video)

Mr. Shockovich said everything you're going to see is based on 2040 projections of traffic. Fortunately, the difference between 2016 and 2040, in the immediate area of the loop the growth isn't huge. It's significant, it's probably 20-25% but it's not like the explosion of growth that we're seeing in Johnson County, but nonetheless this is still all 2040 traffic.

This is No-Build at the Bartle Hall area in 2040 and that's pretty close to what we see today. This is in the morning so this stimulation—the morning is actually worse than the evening from what we saw incrementally. One thing that's absent from this simulation just from a budgeting and from a time standpoint is that we do not have the traffic coming up out of Wyoming that's merging over there and going down into 35. That kind of adds to this a little bit. What we concentrated on here was the folks that are coming in on 670 and those folks that are in the left lane to get tracked and have to get over to maintain their movement underneath Bartle Hall and then merge the rest of the 35 traffic that's coming in. The focus of this is where that backup occurs almost to the end of the bluffs there. I think we've kind of reconciled that. Now, day to day it varies. I drive the loop a different way depending on what lane I'm in when I get there. I mean there is so much redundancy in the system, but generally speaking this is a pretty good replication.

Now, let's create Armageddon. Now, to your point Commissioner, we've routed all that traffic from the Lewis & Clark Viaduct that would have normally gone up and come down, now they're going straight across. The folks that would have typically gone on I-70—typically the folks that were on I-70 are still here, the majority of this diversion of traffic are the folks that would have probably gone to 35 because the folks that would go up and go eastbound on I-70 and then come back down again, they're probably going to come across 670 anyway. The biggest diversion here is the folks that would have gone up 35 and now you can see that traffic really backing up. **Mr. Richardson** said it backs up past Genessee. **Mr. Shockovich** said this is a video. When we actually ran the one-hour simulation of this we had times where it almost backed up to Central. It kind of ebbs and flows just like real traffic. We just did a 60 second screen capture here. Once again, you can kind of see that traffic and, once again, that Genessee coming in would only make this even worse. We play the game of adding those lanes, like I mentioned, underneath Bartle Hall and as I explained to Rob we did not do anything except add the lanes in here. We did not change any of the perimeters. Our credibility is traffic engineers and professionals. You know we could change this thing and make it do whatever we want, but that's not what the intention of this is.

By adding a simple lane through there, we still get the occasional folks stopping and if you look, you'll see occasionally someone gets stuck in that lane, in the right lane, that wants to go to the left, but we really open that up quite a bit so this is under 2040 traffic. We're still showing time delays overall from the model but you know we look at this and you say there shouldn't be any delay at all. Realistically, there's still going to be other delays from other factors besides this

location here. The sum total of that four-minute delay that I showed you, this is just one component of it and this component drops maybe up to two minutes. That's the first mitigation.

The other one we looked at for the purpose of this is this is at the southeast corner, this is at 670, that's No-Build so you kind of see the folks coming out right there southwest of the Sprint Center. That's the ramp from Grand that's kind of dumping all the people on and every now and then you will get someone that will go to the—if your eyes are good enough, you can actually watch and every now and then someone will stop there and jump across three lanes of traffic. What we do is when we develop these models we want to calibrate them to real life conditions and we can actually change the perimeters because if I put this traffic, let's say in Los Angeles or Boston, where more aggressive drivers are, we wouldn't see this phenomena so we actually have factors in there that reflect the type of drivers that we have in the Midwest. The type of folks, I'm going to go to the end and then cut people off or I'm going to merge back here so there is a lot of thought that goes into these modeling's and also how the signage is. How much advance signage have we've given folks with regard to information and then how they process that information, that all goes into these models.

This is kind of what we're seeing in the afternoon, would one agree. Then, we close the north loop and routed traffic all through it. So now this is all that traffic that is on 35 that normally would have gone up the west side of the loop and gone over to the north side of the loop and gone to 35. Now, all these folks coming in from Johnson County and coming from the southwest side of the loop have to jump over two lanes of traffic to make that move and to get to that one lane to go up I-35. It's even worse. Now, I think you can kind of appreciate the idea of closing that ramp and sending folks out on Independence Avenue possibly, and granted, for those folks it would be some inconvenience. We had not evaluated that as part of this strategy, but it is a secondary strategy that could be considered beyond this study.

Going back to that reconfiguration of the lanes such that now we took the left lane and made it a committed lane to 35, but the lane next to that we made what we call a shared lane so now it's a double lane that's going around now so I've got two lanes coming around 35 and merging to one. If the north loop is removed, we would actually have space on that ramp to merge that traffic because we don't have to worry about the lanes coming around to the north side of the loop. We also committed this lane on the outside to not just go down 71, but to also be able to

make the decision to go to 70 so there is a lot less lane shifts in doing this. Once again, we're seeing under 2040 traffic and the diversion we're seeing much better traffic operations.

Once again, I'm not sitting here blowing sunshine saying this is the catchall fix all, but in sharing this with MODOT, both of these are strategies that they could implement next week with funding, money and time of course that they would get an immediate benefit from. Like I said, the intention is well. We could do this and shutdown the north side of the loop. That is not what we're trying to say here, but we do have some ideas of what to mitigate. There are traffic spots, if you will look at our results of the metrics that into KCK we're moving some of the traffic that we're seeing right now that's happening because of the westbound Lewis & Clark Viaduct. There is some mitigation that would still have to happen above and beyond this to basically satisfy everybody.

Mr. Richardson said one of things that this doesn't show, if you drive eastbound on I-70 very much, you know there's a lot of traffic coming from the north that's coming I-70 this way and there's a double merge over here from 35, 29 coming to I-70 eastbound and so that merge out here that actually slows down out here at Paseo would actually be mitigated by this as well. You might be a little more choked here, but you're going to get relief on this side a little bit that you don't have today that's not shown on this. **Mr. Shockovich** said to that point, that outside lane on 70 does drop at Paseo so it's a trap lane so there is a little more congestion that's happening on the east side here, but that congestion doesn't really spill back into this area of influence here. **Mr. Richardson** said it does that today. That's still a trap lane today and so is Cleveland. **Mr. Shockovich** said right and so there is some lane usage that—the point of this is by reconfiguring some lanes and not by just widening 670, we feel comfortable saying there is a measurable amount of mitigation that would occur. Nothing sets this back to the No Build condition, but as we said as part of this study this is not strictly to mitigate and improve conditions we have. This project is not to fix the whims of the world, but basically to look at a lot of facts with regard to Kansas City, the north loop and how it relates to possibilities with the Broadway Bridge in long-term plans.

Mr. Richardson said one last thing I would say that needs to be considered with these strategies, we all know if there is an accident on the southside, we all go around the northside or if there is an accident on the northside, we come around the southside. That option goes away when you take the north loop out so if there are accidents, we have to be better about clearing them and getting

people out of the way, but we are also reducing weaves and things that cause accidents in some of these as well. When we're considering whether or not we ask them to screen or not screen this alternative out from our community standpoint—I think Ron has covered everything except that one part about there's not an alternative way through.

Next Steps

- On-Going Stakeholder Meetings and Presentations
- Public Meetings/Charrettes (Neighborhood and Commuter) – March 15-22
- Complete PEL Including Segments for Independent Utility – May 2018
- Environmental Assessment (EA) for new Buck O'Neil Bridge – May 2018 thru Fall 2018
- Buck O'Neil Bridge Construction Complete (Tentative) – 2022
- Independence Avenue Extension and Route 9 to Grade Advanced NEPA Studies – ??
- North Loop Advanced NEPA Studies – ??

Mr. Shockovich said let me wrap up the presentation with the final slide. We are moving toward the end of this study. The month of March we have a whole bunch of ongoing stakeholder meetings, presentations. As a matter of fact, I'm presenting next week to the Fairfax Industrial Association at their lunch. The week of March 15-22 we are planning a series of public charrettes, public meetings. You are certainly welcome to come to participate. We will be planning on completing this study by early to mid-May and that includes defining what we call Segments for Independent Utility. Different segments that independence studies could be done and of course that first one is ongoing right now and that's the Buck O'Neil Bridge. The timeline for that is tentatively 2022 timeframe, a very aggressive schedule on that. As you know, MODOT is going to be starting a project this summer to do about a five-year rehabilitation on that bridge to get five more years of life out of it while the proposal to design and build a bridge takes place. The next thing that could possibly happen after that is maybe the extension of Independence Avenue and that Route 9, you know the implementation of that. We don't know when that's going to happen

as we don't know when the North Loop and the Advanced NEPA Study for that is going to happen. That's the timeline of things that are going on.

MAYOR ALVEY ADJOURNED
THE MEETING AT 6:45 p.m.

dt

Bridgette D. Cobbins
Unified Government Clerk

March 1, 2018

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

SPECIAL SESSION, WEDNESDAY, MARCH 7, 2018

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Wednesday, March 7 2018, with eleven members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District (arrived at 5:13 p.m.); Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District (arrived at 5:03 p.m.); Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell and Joe Connor, Assistant County Administrators; Kathleen VonAchen, Chief Financial Officer; Reginald Lindsey, Budget Director; Budget Staff; Mike Tobin, Deputy Director of Public Works; Alan Howze, Chief Knowledge Officer; Mike Taylor, Public Relations Director; Maurine Mahoney, Chief of Staff in Mayor's Office; Lynn Melton, Assistant to the Mayor; Emerick Cross, Commission Liaison; Rocki Mayes, Executive Assistant to County Administrator; and Officer Lobner, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Townsend, McKiernan, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Alvey.

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Wednesday, March 7, 2018, at 5:00 p.m. in the 5th floor conference room of the Municipal Office Building, for a budget retreat.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in

such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Alvey said I will turn it over to Administrator Bach to start us off.

Doug Bach, County Administrator, said it's that time of year again, time to start getting excited, get into where we are on the finances. Tonight, we put together a program fairly similar to what we've done in the last couple of years where we've developed our interactive model for you to work with. We spent a little bit of time putting it together. I think what we're after tonight as we go through this is to really talk about kind of—we will do the setup of where we are on the budget, kind of walk back through some of the things we have laid out for goals, look at where we are from a financial forecast modeling, tell you what's within the budget and how we developed it and why we're at where we are today. Then, we will show you the model and we will go through the initiatives that we've laid out. There will be room for you to kind of work through some of the initiatives and this is higher level. You know, we're not in this saying well we need a budget for \$50K or something. Quite frankly, we're trying to stay at the \$500M to the \$1M level so if you're looking at it from a perspective of where we want to reduce the mill rate, or we go after debt, or here's a big initiative we want to include like we did with the SOAR or fund that at different levels, like we threw in demolition last year, and things like that. It's kind of hitting some of those big level projects that we want to target or just directions you want me to go after as we start building the budget this year.



I've laid out an agenda that kind of runs through this minute, play by play, as we work through this and I'm going to take it from this point. This is broke out. It shows the different areas we have. The goals review, the financial forecast and such that I've just kind of walked through and then we will get down and talk about our calendar at the end of the day.

We're going to move through this first hour, it will be more of staff presenting to kind of get everybody up to where we are and if there are questions about that, if we can get through it in less than hour, then we will just move on to dinner that much quicker and then move right into the policy discussion regarding the initiatives.

With that, I'm going to turn this over to Joe Connor and he is going to start walking through the—I'll ask, are there any questions of the Commission before we move through this? Okay, I'm going to turn this over to Joe.

Strategic planning process

November 5, 2016



- Look at where the UG wants to go
- Access UG's current situation
- Develop and implement approaches for moving forward

March 15, 2018

3

Joe Connor, Assistant County Administrator, said the first thing that we've been reminding ourselves of as we prepare budgets and do programs and just kind of move the organization forward is the strategic planning process we did in November of 2016. You can see we've got the color wheel with our six major areas in it. This is the policy document that we're asking all of the departments to justify what they are doing in their departments every day to meet these six criteria. Getting into our strategic planning, that's how we're going about it.

As a reminder for you all, these are the concepts that we're going by that you all have approved and so as we get into, as Doug said, the high-level planning we're trying to keep these things in mind. Again, as we're developing and implementing our approaches to move forward, these are always kind of at the front of our thought process.

Commission's Strategic Direction – 11/5/2016

vision	mission	Our Values
Uniquely Wyandotte - A vibrant intersection of diversity, opportunity, and distinctive neighborhoods. An engaged community: healthy, fulfilled and inspired.	To deliver high quality, efficient services and be a resource to our residents. We are innovative, inspired public servants focused on our community's wants and needs.	Service Delivery Responsive and Solution-Driven People Centered Fair, Respectful, Servant-Leaders Decision Making Honesty, Integrity, Inclusive, Transparent, Bold, Nimble Resource Management Sustainable, Stewardship

March 15, 2018

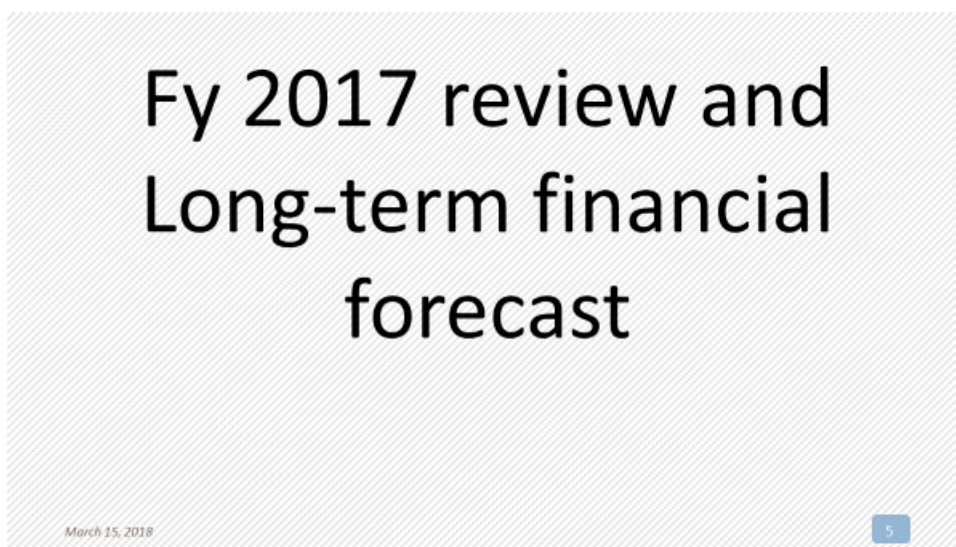
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March 7, 2018

I don't need to read these necessarily, but we set some really good vision, mission and our values as we're developing our programs and setting our budgets and trying to meet the needs of our citizens. I just wanted to show you these as we go through the other information and we break into the small groups. As part of the facilitator job which is me, Gordon and Emerick, is to try to keep you focused and reminding you this is the overall direction we want to try to get to.

I know this is may be a little bit new to you, Mayor, you weren't part of that process in November, but I think it's fairly self-explanatory.

Now, it's time for Kathleen to get into the financial forecast.



Kathleen VonAchen, Chief Financial Officer, said we're looking forward to the conversation and discussion of the policy direction we hope to take the Unified Government into the next future years. We're going to start off by doing a brief review of the 2017 Budget and that just ended at the end of December and then we're going to take a look at the future five-year forecast that begins in '19 through 2023.

general fund 2017 performance

(\$ in millions)	2015 Actuals	2016 Actuals	2017 Estimate	2018 Budget	2017E % Change	2018E % Change
Revenues	\$ 190.7	\$ 193.0	\$ 207.8	\$ 210.8	8%	1%
Transfers in	2.5	2.4	2.8	2.3	14%	-18%
Sale of capital asset	9.8	-	-	-		
Total Revenues & Transfers	203.1	195.4	210.6	213.0	8%	1%
Expenditures	181.8	186.1	192.9	202.5	4%	5%
Capital outlay	2.9	4.6	6.6	5.9	44%	-11%
Transfers out	3.2	4.6	3.9	1.5	-16%	-61%
Total Expenditures & Transfers	187.9	195.3	203.4	209.9	4%	3%
Net Margin	15.2	0.1	7.2	3.1		
Beginning Fund Balance	\$ 16.3	\$ 31.5	\$ 31.6	\$ 38.8	0%	23%
Ending Fund Balance	\$ 31.5	\$ 31.6	\$ 38.8	\$ 41.9	23%	8%
% of Expenditures	17%	16%	19%	20%		

March 15, 2018

Modified accrual (cafr) Accounting

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We're reviewing 2017. Just to give you a feel for how much available resources we have within the Consolidated General Fund. Remember, the General Fund is three funds. It's the City, County, and the Consolidated Parks Fund. This is all combined together.

What I've provided here is four years of a little bit history and information to provide you some context. We have the revenues on the top, less the expenditures in the middle, and then how much available Fund Balance is provided here.

I want to point out, this is on a modified accrual basis which are the numbers we report in our CAFR. It's not on the Kansas Cash Basis so tonight we're going to talk modified accrual basis. When we start doing the budget process and those workshops that start in June, those will all be on a cash basis just so you know.

As you can see here in 2015, we ended the year with \$31.5M in our Fund Balance and I'm going to remind you that there was a net margin of \$15M debts mainly because of this \$9.8M one-time resource because we sold the Cerner property. That money carried forward into '16, '16 we ended up pretty much at the same point as we did in '15 because our net margin was only about \$100K, you see that, so that resulted in the Fund Balance being 16% of expenditures. Currently, our official policy is 10% of expenditures, we've clearly reached that already, and we're going to have a conversation about that.

We started 2017 and we received \$210M in revenue and we only expended \$203M with a net margin of \$7.2M and that \$7.2M is going into our Fund Balance and growing it from 31.6 to 38.8. It also improves our Reserve from 16% to 19%.

March 7, 2018

Then lastly, I've got here what our 2018 Adopted Budget is. By the way, the 2018 Adopted Budget includes some revisions to the 2018 revenue estimates based on additional information I've been reviewing over the past few months. As a result, I'm expecting to collect \$213M in revenue less expenditures of \$210M for a net margin of \$3M coming into the fund. If we were to collect all that money and spend it all, then our Fund Balance would be roughly \$42M which is 20% of expenditures.



I'm going to talk a little bit about why our 2017 revenues and expenditures performed as they did to give you a little background information. This slide is the 2017 revenues and one of the biggest revenues is Sales & Use Tax. We assumed that the Sales & Use would increase by 2.5% over the 2016 Actual, plus we were going to collect that \$9.4M in new STAR Bond revenue. What actually happened was that our Sales & Use Tax increased 5.5% over the 2016 Actuals and that is partially due because not only there was improved retail activity, but there was also this one-time collection of \$850K in Use Tax paid by the Amazon Company as a result of their acquisition although all the robotics they acquired in order to bring the distribution center online. That's a one-time additional revenue I hadn't planned on, good news.

In addition, we collected instead of \$9.4M for STAR Bond revenue we got \$10.3M and that's because we paid off the STAR Bonds one month before the end of the 2016 fiscal year so we got 1/12th of the STAR Bond base, but we didn't get that until April of the subsequent year so that's why it got all lumped into '17.

Some good news, obviously the performance of sales tax is better than I anticipated and we have incorporated that new information into our estimate for '18 and '19 in the forecast.

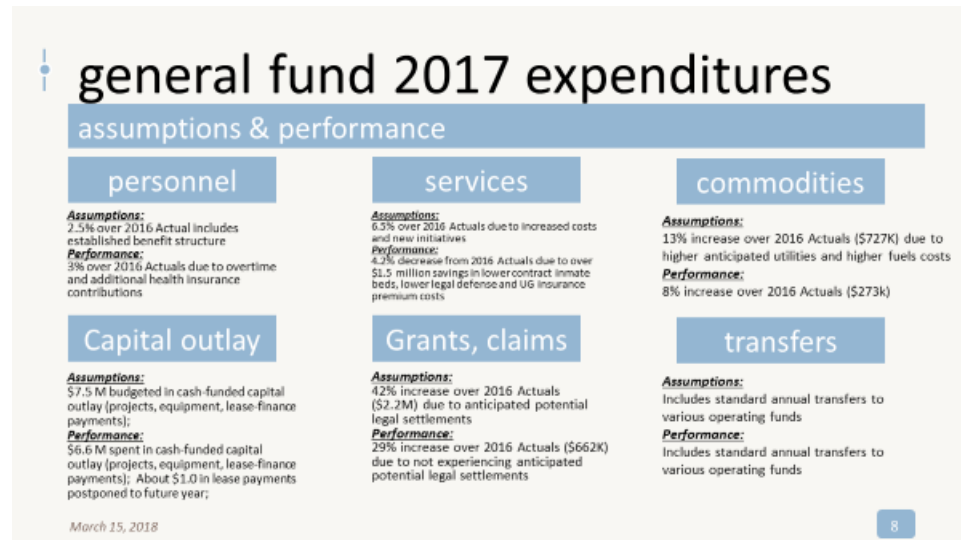
Property Tax, I had AV growing by 2.5% as was certified by the Clerk and I also—we had a 2-mill reduction built in and I also estimated that our delinquency rate on our collections was only going to be 5%. Usually, in the past, it has been between 6% and 7% so I was hoping it was going to come down. It turns out I was wrong, it's still at 6%, 6.8% so that was money that we didn't collect that I had anticipated so there is a little bit of an offset between these two where this was coming in higher and this came in a little lower.

The BPU PILOT; I estimated a 2.4% increase in the franchise tax payments from the Board of Public Utilities for electric and 1.1% increase over 2016 for water. This assumption included the fact they were increasing their rates. Instead, and we're still analyzing it, but instead the payments coming in from the BPU represented a 7.9% increase over '16 which was greater than the 2.4 that I anticipated. We're still studying that. It may have been some utilization issues. It also might have been a timing issue. Perhaps maybe December payment last year didn't come until February or March so there is a little bit of timing issue maybe involved there too.

On Motor Vehicle; more good news here. I anticipated a 3.6% decrease over the '16 Actuals and that was due to the fact that revenue—it jumps around a lot, but it looked like it was trending downward. The estimates are also provided by the State so I went with the States estimate and they were kind of wrong. They came in 21% higher than the 2016 and 21% seems like a lot, but we're talking the difference between \$6.6M and \$7.9M. I think that was partly due to you know the economy is pretty hot, there's greater vehicle sales amongst our residents and they ended up having to pay more taxes on their higher valued vehicles. Also, we had noted that there's increased enforcement for the UG thanks to the personnel in the Sheriff's Department so I think a combination of all those things.

A couple other noteworthy revenues, they're not real big, but they've draw some attention is Mortgage Registration. We're estimating, because of some legislation that occurred several years ago, we are anticipating we're going to have a loss on that revenue source. The loss is expected to be about \$500K between 2015 and 2018 and, by the way, this revenue source right now is estimated at—or in '17 is estimated at \$750K, but it actually came in at \$887K which is a lower drop than I anticipated. Maybe the loss is not as great or trending as great as I had anticipated.

On the Casino revenue they are pretty much are flat. You know we've got a 3% gross revenue which represents \$3.37M, that's a 3.6% increase over the Actuals and that was achieved during the budget and the same goes for the initial 1% contribution. Then, also that hotel penalty that they pay to us.



On the Expenditure side; Personnel, we anticipated a 2.5% increase over '18 Actuals and that includes all the built-in increases in our labor contracts as well as the benefit structures laid out by our contracts and instead the cost came in about 3% over actuals partially due to overtime and some additional health insurance contributions we made.

On the Services side; we anticipated a 6.5% increase over Actuals due to inflationary costs, but also some various new initiatives. What happened was, a 4.2% decrease over the '16 Actuals and that was due to over \$1.5M in savings in the lower contract inmate beds, lower legal defense fees and lower insurance premium costs. There was just a little bit of contractual services money that had been appropriated that ended up not getting spent.

On the Commodity side; we anticipated a 13% increase over '16 due to higher anticipated utilities and some higher fuel costs, but that increase was only 8%. The variance isn't a lot of money here.

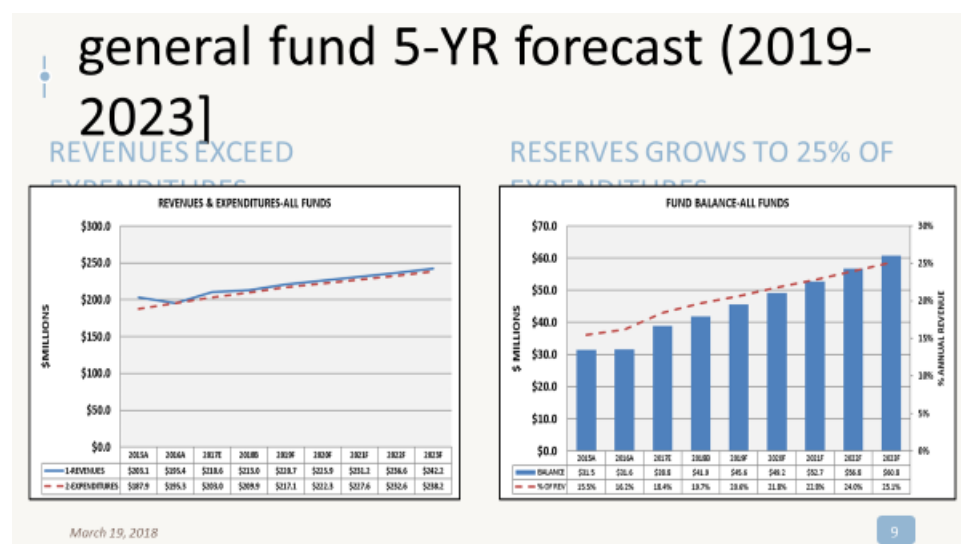
Capital Outlay; we budgeted \$7.5M for cash-funded capital outlay projects which also includes equipment, it also includes lease-finance payments on vehicles, and the performance that we—our departments for the most part spent all that. They spent \$6.6M and the difference between

7.5 and 6.6 is largely due to the timing of the lease-financing payments which were postponed to the subsequent year due to the delays in the acquisition of the equipment.

Grants; we anticipated increases in grants but they didn't quite come in as high as we had expected and then Transfers were pretty standard with we're budgeting.

Any questions on that? That's why we ended up the year '17 with about \$7M more going towards our fund balance.

Commissioner McKiernan said our debt service, our debt payments, principal and interest; did that pretty much match what we had expected it to in '17? **Ms. VonAchen** said oh yes. It's hard not to go wrong there because they are all sitting in bond documents. **Commissioner McKiernan** said I will circle back to that later and then I will want to know the value of that, but that's good. **Ms. VonAchen** said yes, and our debt payments are not reflected in these numbers. There in a separate Bond & Interest Fund.



Now I'm going to skip over to the next future 5-6 years. Based on the experience we saw in '17 and then I've incorporated some of that experience into revising our 2018 revenue estimates leaving 2018 expenditures alone as adopted. You see that we are expecting to end our 2018 Budget around \$4.9M. That's our Fund Balance. Fund Balance, you will remember is also, if you look over on the balance sheet, it's all assets minus all liability; that's what Fund Balance so it includes receivables, payables, and all kinds of things.

When we do our long-term financial planning, we like to use that modified accrual approach and so you can see we're looking here on the income statement, you've got the revenues which is that blue line and the red line is the expenditures. Of course, what we all want to see is that expenditure line just below the blue line and it turned out that way and, honestly, I didn't have to play with it at all. It worked out that way just fine. I've worked for a lot of communities when that red line was way above the blue line, just so you know. Now, this is a baseline so we don't necessarily have any kind of policy decisions built-in, it's the existing statuesque. For example, we haven't built-in an additional mill reduction in '19. We haven't augmented our Capital Outlay, our Capital Investment; we've kept it all pretty much the same. The only thing we've built-in is anticipated increases in sales tax, property tax, given the current information we have in place as well as the anticipated inflationary increases and then also what our labor contracts have. On the salary side, we did include 2%--well, I will talk about the assumptions in a minute, but we did include increases in Personnel for those out years.

On the Fund Balance side, given that baseline, this is how our Fund Balance is growing so right now at the end of '18 we're anticipating a Fund Balance Reserve 19.7% of total expenditures. If we all just went home and did not touch the budget at all, adopted it just as it is, by the end of 2023 we would have a Reserve of 25% in five years.

Mayor Alvey said, Kathleen, if you would describe—are you going into later the advantages of moving up to 25%? **Ms. VonAchen** said I certainly can. **Mayor Alvey** said because I think it's important, at least for those who are watching to understand that—when people look at this they are going to say well, we add this increasing Fund Balance which could be used for either more services or reduced taxes, but you've already built-in assumptions for reducing the mill levy and cost-of-living increases, etc. for personnel and other expenses. But, if we just allow this to trend as it's been trending over the past several years, we would still be able to achieve an improvement in our revenue balance, I mean our Reserve Balance, to 25% which has advantages long-term for the fiscal sustainability of the city. **Ms. VonAchen** said yes.

Mr. Bach said I want to clarify, Mayor, you said—she has not built-in additional mill rate reductions. **Mayor Alvey** said I thought she said 2019. **Ms. VonAchen** said no. No bill reduction,

it's all the same. **Mayor Alvey** said I'm sorry. I thought you said a 1%. **Mr. Bach** said modest COLA in this at the 2%. **Mayor Alvey** said thank you for the clarification.

Ms. VonAchen said I kind of briefly explained the benefits of the 25% and we are going to touch on it later on, but so right now the Government Finance Officers Association, GFOA, recommends that organizations of our size have at least two months of operating reserve and two months, if you divide two into 12, you get roughly about 17%. The reason is because you want to have enough cashflow to be able, you know, to pay your bills. Sometimes the revenue doesn't always come in evenly throughout the year so there is that seasonality you want to prepare for, but also, there is a lot of unexpected things that can happen with an organization our size and you want to be able to have enough cash to meet all those needs. They recommend two months, but then they also provide cities with this risk assessment tool to determine whether an additional month is probably a good idea. I went through that risk assessment tool myself and I kind of factored in the fact that we could have a tornado go right through our retail activity, but other things that are probably more likely are, for example, there's probably some legislation coming down the pipe that may dramatically affect the appraised value of our property and that may impact our revenue generation dramatically. Then, there are also other tax measures that we have on our list that are up for renewal. If those didn't renew, then we would have to come up with some other contingencies. Just a lot of reasons for getting an extra month.

I would recommend definitely, at a minimum, stay at the two months of expenditures which is that 17% and we've already achieved that so that's great. The credit rating agencies are very happy with that. Now, I'm telling you all our neighbors—I looked it over and most of our neighbors are at the 25 to 30% range. There are a few that are lower than that, are we here, and of course, the credit rating agencies are wanting us to bump it up to be the same as our neighbors or the median. **Mayor Alvey** said if we were to go to the 25% level the third month, does that change the borrowing costs for the Unified Government? **Ms. VonAchen** said it does. So, if we were to get up to 25 and if both Moody's and S&P, S&P still has us at AA, if we got up to 25, there's a good chance that Moody's would bring us up to that same level as well. We could experience—well, a 50-basis point reduction in our General Obligation interest rate and that 50-basis point reduction equates to roughly an annual savings of around \$375K per year on every \$20M bond

issue we do. If you do a \$20M bond issue one year, then you're going to save \$375K in interest in that year and then for the next 20 years.

If you do a second bond issue for \$20M in the next year, then you're going to save another \$375K so you kind of understand. Over that period, it really grows, the savings really grows and of course you can then take that savings and pay cash for other projects. In addition, you also—I'm estimating, if we added another month to our Reserve, then you could also improve our investment earnings on our portfolio which is about another \$400K a year.

Commissioner Walters asked is this the question, answer time now. **Ms. VonAchen** said no, but you can ask questions. **Commissioner Walters** said no, I'll wait. **Ms. VonAchen** said I didn't mean to talk so much about the Reserves. Let me move forward to the next slide.

Consolidated general fund
Long-term financial Forecast REVENUE assumptions

- Sales and use tax revenue estimated to grow 5.0% in 2019; 2019-2023 has 5-yr avg. growth rate of 3.3%
- \$12m new sales tax revenue due to early retirement of STAR bonds
 - Annual \$9m in General Funds beginning 2017; Remains flat per bond documents
 - Annual \$3m in other funds (EMS and Dedicated Sales Tax funds) beginning 2017; Grows with economy
- Property Tax revenue projected to grow 5.5% in 2019; 2.5% thereafter based on avg. AV growth of 2.5% between 2013-2018; Delinquency rate 6.5% for 2018 and 6% for 2019-2023
- Franchise Taxes include various assumptions:
 - BPU Electric – increased 5% in 2018 reflecting rate increase; 1.6% thereafter based avg. utilization
 - Other Franchise Taxes – increased based on economic trends correlating to the commodity; average of 1.5% annually
- Charges for services revenue projected to increase 1.9% annually

March 20, 2018 10

Here are the assumptions for the forecast and the reasons we want you to understand the forecast assumptions is so that later on we're going to break you out into small groups and give you an exercise that would plan out the available resources that fall to the bottom assuming that we're staying at the 17% General Fund Reserve. We're going to get to that point later, but first let me show you the assumptions that I have put together in order to determine the baseline of the forecast.

First off, for Sales & Use Tax I'm estimating, which is a substantial revenue source, I'm estimating—this is only the revenue page here; I'm estimating that they are going to grow 5% actually in '18 and '19 and that's based on a 5-year average growth rate. I think I meant to say

that—there's a little typo. It's 5% in '20—this should be 2020 so it's 5% in 2018 and 2019 and then between 2020 and 2023 I have it at—the 5-year average growth rate of 3.3%.

Just a reminder, the \$12M in new sales tax revenue as a result of the STAR Bonds, \$9M of it is going to the General Fund, the other \$3M is going to EMS and Dedicated Sales Tax. This portion that's going to the General Fund, it has to remain flat because that's required in the bond documents, but the portion that's going to EMS and Dedicated Sales Tax are allowed to grow. Tonight, we're really only talking about the General Fund, but I just wanted to make that clear. Property Tax revenue is projected to be 5.5% in 2019 and then a 2.5% increase thereafter based on an average growth rate of 2.5 between—the average growth rate during that prior period of 2013-2018. The delinquency rate, I have it at 6.5% for '18 and then 6% for 2019-2023. Hopefully, we can get that and we can achieve that through better collections.

The Franchise Taxes I have the BPU Electric PILOT increasing by 5% in '18 which reflects the rate increase that they adopted and then dropping down to a 1.6% thereafter to just reflect average utilization of the watt hours and how much that is and then cost-of-living.

Other Franchise Taxes have all been adjusted accordingly based on their respective commodity or service and based on economic trends. They average around 1.5% annually. All charges for services which roughly is about \$12M or \$13M have been increased by about 1.9 which is the average inflation rate.

Consolidated general fund

Long-term financial Forecast EXPENDITURE assumptions

- Personnel costs for 2018 at budgeted level; 2019 and beyond based on projections by category
 - Salary increases 3% for law enforcement; 2% for other; annual increase beginning in 2019
 - Retirement benefits 2.5% annual increase beginning in 2019
 - Additional \$1 million per year projected for KPERS "penalty" payments; "silver tsunami"
 - Health and workers comp increased by 5.7% in 2019, then annually by 2.5% consistent with salaries
 - Assumes GF health care claims will remain contained between \$25-\$27 million per year
 - Extra \$500K annually in 2018-2020 for workers comp to repair negative liability position
- Contractual services and commodities at prior year actual levels plus inflationary adjustments
 - Several categories increased based on agreements (ATA, Trash collection)
 - Contract inmate housing held flat at \$2 m (any savings be re-classified towards debt service)
 - Commodities increased based on economic trends correlating to the service
- Capital outlay for 2019 and thereafter set at \$6 million per year
 - Include \$2 million lease financing payment obligations
 - Remainder set aside for new equipment or other cash-funded capital projects per CMIP program

March 20, 2018

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On the Expenditure side, we have Personnel costs for '18 at the budgeted level that you approved and then '19 and beyond we're basing them on the following projections by category. Salary

increases are 3% for law enforcement personnel; 2% for all other; and annual increases begin in 2019 so we have built into the model 3% in '19, '20, '21, '22; every year so that's already built-in as a cost. We've also built-in an annual increase of 2.5% for retirement benefits just to meet those obligations that we have with KPERS and KP&F.

We've added an additional \$1M per year into the retirement line in order to accommodate expected penalty payments to KPERS as a result of what we anticipate to be the silver tsunami. I've already talked a little bit about this last year, but what happens is many of our Public Safety employees when they're ready to retire they have the ability to cash in various accrued leave, vacation and sick leave, and that payout is added to their income for that year which makes the income higher than they had been paying into KPERS and as a result KPERS then turns around and sends the UG a bill to make up that difference on an actuarial basis. That's what those penalty payments are. We already have built into the forecast—the '18 year has about \$1.5M of those sorts of payments. We've added another \$1M just in case.

Health & Workers Comp increases by 5.7% in '19 and then annually by 2.5% consistent with salary increases. We've assumed that healthcare claims will remain contained between the \$25-\$27M per year total and then an extra \$500K annually between '18, '19 and '20 have been included in workers comp in order to repair negative liability position we have in that fund. We need to do that in order to keep our permit with the State.

Contractual Services and Commodities at the prior year actual levels plus a little bit of it inflationary adjustments. For example, we've entered into contracts that require us to give cost-of-living adjustments, for example, our Transit Authority contract or the trash collection contract; we've left contract inmate housing flat. We expect that if there's a \$2M savings—if there's any savings there, then we're going to divert those savings or reclassify it toward the repayment of the juvenile center debt service which we issued just a few weeks ago. Commodities have been increased based on economy trend.

Lastly, Capital Outlay for 2019, we've set at \$6M which is the current level and that includes \$2M in lease obligations that we already have so the difference is \$4M in various one-time Capital Projects that are programmed into the CMIP program.

General fund LTFP – Detail by

ca¹

UNIFIED GOVT WYANDOTTE COUNTY

SELECT FUND GROUP: ALL FUNDS

FINANCIAL SUMMARY

	2016A	2017E	2018B	2019T	2020T	2021T	2022T	2023T
REVENUES & SOURCES (BY ACCOUNT GROUP)								
01-TAX REVENUE	143,056,489	176,409,781	176,973,987	183,775,439	188,144,088	193,403,088	197,338,559	203,113,148
02-FEE/FINANCE AND LICENSES	2,323,793	2,243,789	2,246,789	2,323,439	2,404,062	2,409,523	2,577,769	2,609,819
03-INTERGOVERNMENTAL REVENUES	4,042,970	4,420,144	4,403,689	4,512,334	4,538,081	4,549,968	4,905,375	4,985,317
04-CHARGES FOR SERVICES	11,952,769	12,689,186	11,213,589	11,473,134	11,746,975	14,930,461	14,912,665	14,617,047
05-INTS, FORFEITS, FEES	6,984,893	6,647,947	6,763,989	6,943,559	7,107,039	7,275,384	7,447,769	7,424,145
06-INTEREST INCOME	2,943,879	2,168,763	2,358,089	2,387,046	2,434,362	2,445,377	2,592,086	2,545,425
07-ASCENDANT REVENUE	2,104,914	2,248,664	2,938,589	3,963,689	3,907,934	3,954,172	3,101,495	3,145,909
08-REIMBURSEMENTS	2,729,690	2,064,874	2,748,387	2,899,596	2,971,649	3,045,959	3,123,313	3,195,769
09-OTHER FINANCIAL SOURCES	2,487,970	2,763,555	2,957,089	2,473,795	2,534,464	2,597,642	2,667,445	2,739,895
TOTAL REVENUES & SOURCES	195,416,887	218,686,675	213,622,548	236,749,566	225,888,679	231,189,562	236,629,955	242,736,421
ANNUAL CHANGES	-1.0%	7.3%	1.2%	8.6%	-5.3%	2.3%	2.4%	2.4%
EXPENDITURES & USES (BY ACCOUNT GROUP)								
01-PERSONNEL	143,636,569	148,228,185	152,953,199	158,178,894	162,996,924	166,726,422	170,682,492	175,146,526
02-SERVICES	32,688,687	31,568,489	35,558,687	36,911,522	37,903,065	37,710,289	38,433,685	39,170,422
03-SUPPLIES	5,534,095	5,969,724	6,458,259	6,543,189	6,627,512	6,733,275	6,836,492	6,925,185
04-GRANTS, CLAIMS	5,086,794	6,585,722	6,729,889	7,122,287	7,395,021	7,487,136	7,679,962	7,865,268
05-TRANSFERS, OTHER	4,598,675	3,866,529	3,507,889	3,507,889	3,507,889	3,507,889	3,507,889	3,507,889
06-CAPITAL OUTLAY	1,979,174	6,631,451	5,963,859	6,900,089	6,900,089	6,900,089	6,900,089	6,900,089
07-DEBT SERVICE	143,191	645,913	648,859	648,459	639,259	639,489	639,563	639,575
08-RESERVES			778,089	787,481	908,143	913,093	926,148	939,449
TOTAL EXPENDITURES & USES	195,280,873	203,438,890	209,923,966	217,996,847	222,263,179	227,617,488	232,904,828	238,202,252
* Transactions amongst the general funds have not been included in the above totals.								
REVENUES OVER/UNDER EXPENDITURES	\$ 136,014	\$ 7,247,785	\$ 3,698,582	\$ 3,652,719	\$ 3,666,589	\$ 3,564,081	\$ 4,034,938	\$ 4,034,169
UNRESTRICTED FUND BALANCE, YEAR END	35,630,840	38,886,634	41,093,213	45,072,529	48,179,829	52,743,081	56,778,019	60,812,174
Reserve - % of Expenditures	18.2%	19.1%	20.8%	21.8%	22.1%	22.2%	24.4%	25.5%

March 20, 2018

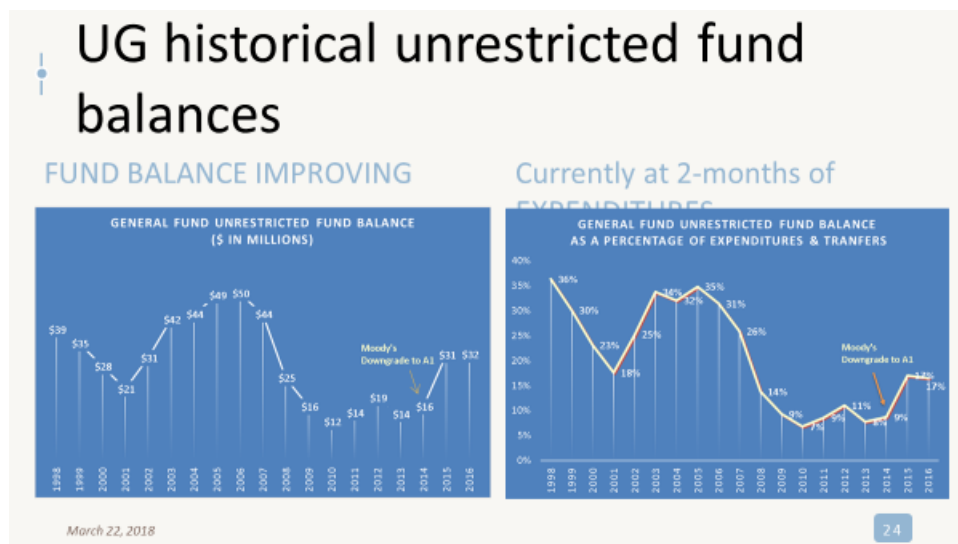
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Overall all of these adjustments result in this final kind of summary here by category and this is the baseline. This is the summary of lots of financial information. There is over 40K accounts and they've all been condensed into these 15 lines.

Now, of course, I know all of you are very high level so we're going to get right to the bottom line which is how much is the difference between the revenues minus expenditures. As you can see, again, I will take you back to the '17 number which is \$7.1M; that's the net positive, net margin, the positive net margin. Then, as you can see in '18 I'm anticipating it to be \$3.1M. In '19 \$3.6M and so on. These are annual additions to the fund balance so this number is accumulative, this one down below here, that's an accumulative number. All these numbers up here are not accumulative. As I mentioned before, if we just didn't do anything and kept going, then we would end up with a 25% fund balance at the end. Right now, we're sitting at 19% of our total expenditures which is better than what we've been in the past for sure.

Commissioner Philbrook said, Kathleen, you remember looking to see where we were in 2013, 2014 as far as percentagewise? Do you remember or have you looked at that? **Ms. VonAchen** said I do. I have it at the end here. **Commissioner Philbrook** said I'm sorry. I didn't mean—**Ms. VonAchen** said these are just some back-pocket slides in case we need to refer to them.

March 7, 2018

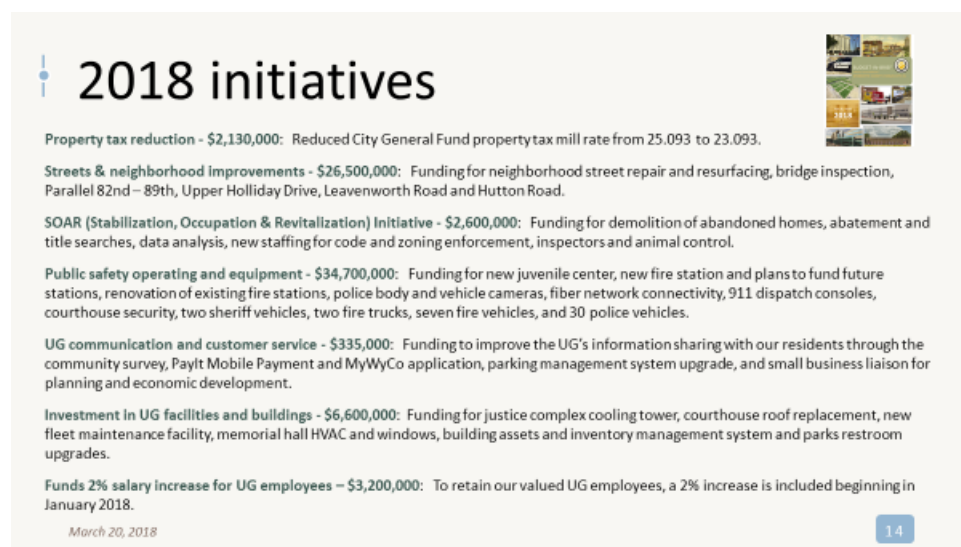


Here's the history of our fund balance since we initially consolidated starting in 1998. Here's the percentage and we started out at 36 and there was a recession then. It went back up and then it came down and this is where we are now.

Mr. Bach said we are ready to jump into the next part. **Commissioner McKiernan** said is this the next part? **Mr. Bach** said yes, going towards the initiatives. **Commissioner McKiernan** said okay, because there are a couple of very fundamental things that have been left out of or not included in her assumptions. You know the red and blue line they match each other, revenue and expenses really well, but there are a couple of assumptions that have been made that kind of run counter to what we've been discussing for a while so I want to make sure—it looks like we're going to talk about those now. **Mr. Bach** said you can ask questions. **Commissioner McKiernan** said I mean you've got your revenues and expenses and they parallel each other perfectly, but they don't include any sort of mill rate reduction in any year which we've always said we're going to reduce that mill rate and they don't include any sort of PILOT reduction and we've always said we want to reduce the PILOT as well. It's a great place for jumping off, but there is no margin for error so if PILOT revenues don't exceed historic—or don't meet historical, we're going to have to cut expenses. If we want to reduce the mill rate, we're going to have to cut expenses somehow or assume a growth greater than you've projected and I think, frankly, your projections are really good. They're pretty conservative projections on both income and expense, but it doesn't anticipate any sort of PILOT or mill rate reduction. **Mr. Bach** said that's right and that's exactly where we wanted to go tonight because we feel like those are policy directives that we wanted to

build ourselves into normal. I think one thing that is different is previous years we've walked in here and even had flatline on salary adjustments. We at least have a modest COLA for our employees here if we want to do some kind of salary increase that's different, but we didn't want to go after PILOT so I think that's a great transition.

I'm going to jump in here now and I know I told you all we were going to go to dinner if we got done early, but I just did that so you wouldn't ask many questions. Sorry, we're not quite ready for it so we have to wait another 15 minutes and then we will transition to that. I'm going to grab it from this point.



2018 initiatives

Property tax reduction - \$2,130,000: Reduced City General Fund property tax mill rate from 25.093 to 23.093.

Streets & neighborhood improvements - \$26,500,000: Funding for neighborhood street repair and resurfacing, bridge inspection, Parallel 82nd – 89th, Upper Holliday Drive, Leavenworth Road and Hutton Road.

SOAR (Stabilization, Occupation & Revitalization) Initiative - \$2,600,000: Funding for demolition of abandoned homes, abatement and title searches, data analysis, new staffing for code and zoning enforcement, inspectors and animal control.

Public safety operating and equipment - \$34,700,000: Funding for new juvenile center, new fire station and plans to fund future stations, renovation of existing fire stations, police body and vehicle cameras, fiber network connectivity, 911 dispatch consoles, courthouse security, two sheriff vehicles, two fire trucks, seven fire vehicles, and 30 police vehicles.

UG communication and customer service - \$335,000: Funding to improve the UG's information sharing with our residents through the community survey, PayIt Mobile Payment and MyWyCo application, parking management system upgrade, and small business liaison for planning and economic development.

Investment in UG facilities and buildings - \$6,600,000: Funding for justice complex cooling tower, courthouse roof replacement, new fleet maintenance facility, memorial hall HVAC and windows, building assets and inventory management system and parks restroom upgrades.

Funds 2% salary increase for UG employees – \$3,200,000: To retain our valued UG employees, a 2% increase is included beginning in January 2018.

March 20, 2018

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As Kathleen and her team have developed a really good exercise that I think grows on a little bit from where we've done that those of you who have been through it, but I wanted to walk through this. Commissioner McKiernan, this is exactly what you're talking about so we have our initiatives that are up here so we have property tax reduction. This is what we did in 2018 so let's just hit some of these big ones. Some of them are ongoing, some are new, so we did a property tax reduction, that accounts at \$2.1M. Two years in a roll equals over \$4.2M, but last year's amount—that much taken out of the budget, that goes on forever.

Streets & Neighborhood Improvements; we had about \$26.5M built in our budget to go towards that kind of initiative this year.

SOAR; we're spending \$2.6M and those go through various things. The big one we did was adding into the Demolition Budget for this year.

Public Safety Operating and Equipment; \$34.7M, the big one we had there that hits this year's budget but it falls over into the debt side of the equation was for the Juvenile Center. Remember, that was about a \$23M one.

UG Communication and Services; we spent \$335K. Investment in buildings; that's \$6.6 and that just went from cooling tower complex, roof replacement, stuff like that; HVAC and then we funded 2% salary increases for UG employees, actually the 3% we built in we moved it up to our law enforcement personnel.

Those are the big, big higher-level initiatives that are in this year's budget that are working. There are a lot of granular type things underneath each one to get into.

Commissioner Markley said when we say the projections keep everything the same, are these all considered one-time expenses in the projections or are some of them—**Mr. Bach** said it's a mix I think. Some of these things like Capital, yes that's in there, but it's not. The additional money in some areas—we've got our Capital still based at debt line of \$15M so that's below. We went above that last year. We anticipated some things to where we would cover the cost of that, but we went back to the 15 going forward. **Ms. VonAchen** said when I built the long-term financial forecast I took out one-time items so one-time items are not carried toward the future and the only one-time or kind of discretionary, like he's mentioned, is the cash funded resources we're dedicating for Capital. We kept that at \$6M. **Mr. Bach** said SOAR, the \$2.6M, the demolition is not built-in as a continual, that's where we're in debt, but the \$1.6 or \$1.5M somewhere in that neighborhood that we're spending so the additional mowing and things like that, that's anticipated that we're going to keep doing that. **Ms. VonAchen** said yes, exactly.

Commissioner McKiernan said that brings up—we're kind of mixing debt and cash here. Do I understand correctly, we've got numbers up on this screen that are borrowing numbers, but that's not our cost, our annual cost of that debt. We're kind of mixing \$2.6M, that's an annual or \$1.6 of that is an annual cash cost, City General Fund, for SOAR but \$1M of that borrowed and while we in fact incurred \$1M worth of debt we aren't paying \$1M in budget year 2018. **Ms. VonAchen** said the purpose of this slide is just to remind you of the things that you approved in general as a policy direction. You know, because it's been six or seven months since we adopted the budget, it's just a reminder. **Commissioner McKiernan** said I absolutely get that, but I want us to not

Mr. Bach said this kind of jumps into the point where we were at. As we built our model we looked at a couple of the big ones to say City Mill Levy Reduction. I think that's one that we built-in there. The SOAR Blight Reduction program; if we want to add to that in any way or put more debt in. Street Infrastructure and that could be saying let's spend an extra million cash on Street Infrastructure. Parks Master Plan; do we want to put some money in that. We put zero toward the Parks Master Plan so far. We did that, studied it and said boy, there are a lot of good initiatives in there. We put a little bit of money toward Operations, but we didn't go after this \$60M program. Capital Funding "Pay Go" (Debt Reduction); here's one to say we've got so much money programmed every year to spend, we can do this one of two ways. Instead of doing \$15M worth of debt, let's only do \$14M but we still want to do all the projects, so it's kind of—it's not additional money toward infrastructure, it's taking some out of debt putting it there or an alternative would be to go after our Temp Notes, we have \$65M in Temp Notes we can fund those down now. As Kathleen went through the debt, you could come to those and say let's payoff a couple million and then we don't roll those into, not real flashy because you've already spent the money or we're spending it right now, but it takes it away from future debt service.

Department Special Initiatives; here I just put this out as I don't know what all those are yet, but do we allow for that. You know, this could be something to come forward. Say we wanted to add seven or eight new police officers, that adds up to \$500K, somewhere in that neighborhood. We get up to 15, you're at \$1M so that equates to a mill rate. When you start looking at things like that or you know you've had some departments like the DA I think talked to all of you about some initiatives he's working on. I'm going to do \$250-500K worth of initiatives, I've got to have some money to go after that so I'm not going after \$50K, \$100K items, I'm talking about things that really impact some of these other trends.

PILOT; if we want to do reductions on that, there's one to go after. Economic Development Gap Fund; that's one that has been discussed several times in the Economic Development & Finance Standing Committee. If we want to put money into that program, this is the time to identify that as an initiative. Increase our General Fund Reserves to the three months so we're going to build this as a baseline, but you're going to see that Kathleen has programmed it in and we stay at the 17%. If you want to build it and get it up there, you can do nothing or you can put some money toward it every year to move towards. Then, Water Pollution Loan

Repayment; most of us recall that, that we borrowed a lot of money from that fund back in 2010-2011, we've been slowly paying it back and we've got some more detail on that.

In fact, I'm going to reference right now and I think this is a really good guide for you. It's one of the handouts you received. It says the Budget Initiatives Information Packet and when you go into your sessions you may want to reference different sections in here. **(This was a handout paper packet and was not on the PowerPoint.)** Like if you go to the second page in there where it's under the property tax, you see where it says General Fund Revenue per mill, so if you're doing a City mill rate reduction it says \$1,075,000 so that's generally \$1.1M. If you do it on the County side, it's \$1.2M.

There is some comparison data on here that talks about the mill rates with other cities and what the county levies are to show all different taxing jurisdictions. That's not as much for the workshop, it's just information of comparables. The SOAR initiatives are listed here. Commissioner Markley, you mentioned those. You can see, here's the one-time items we built in, but on the ongoing items are ones we're continuing to fund year-to-year so if we want to throw some of those other things back in, this is where we would do it. We also listed the STAR initiatives and what's still in that group. On page 10, I referenced the Parks Master Plan listed as unfunded. I do note, that we spent \$550K was added for Parks operations and that was really to catch us up from what we were trying to spend out there and then we put \$200K into some rehab that paying like for a restroom or a few things like that. Generally, what you have is that plan said we need to put \$4.3M into operations and \$64.5 into Capital. I have no money in that program right now going for that.

Next page on that is the Capital Pay-Go or debt reduction. I think this demonstrates a little bit our target that's been for a number of years was to keep that in the 12-15. We've always pushed it right up there towards the 15 mark so in 2016 we issued \$14.8M, in '17 \$14.3 and then in 2018 we went to \$16.2 and part of the push on that was in relation to the Leavenworth Road project and the ultimate deal we struck with BPU and we decided we would take some of the increased revenues we were getting in for projection that were coming off their rate increase and said we will use that to pay for this and then it covered that cost. I think that was part of the discussion as we went through that. Since we're getting the money back through the PILOT we would use it to pay for that and not have the BPU pay for that piece of it.

Ms. VonAchen said to that second point, just to clarify, we do have a number of General Obligation Bonds outstanding, but the bond documents restrict us from actually, you know, just paying them off. We can't pay them off until they reach their redemption date which we noticed the next one that we could payoff would be in 2021. If we want to reduce debt, the best way to do it is either borrow less in the future or payoff our temp notes before we roll them into a permanent financing.

Commissioner Bynum said if we ask the public to renew the Public Safety and Infrastructure Sales Tax, what year would that be on a ballot? **Mr. Bach** said it could be on the ballot later this year or the first part of next year. What you want to do is have it done before we go through the budget process in 2019 because it ends in 2020 so if we lose \$12M from our budget, that would be a drastic change to any of the discussion we're having right now and we're not really even factoring for that. We're working toward the assumption and fortunately the survey said that's just a renewal of something that's been, I think, fairly positive on the impact on the community that that would stay in play. If we lose that \$12M, that would be 6 that will fall off halfway through 2020, we would drop \$6M in '20 and \$12M from years going forward. That will be a different kind of retreat next year if we don't have that renewal in place. We will be talking about where we're cutting.

Commissioner Johnson said when we talk about the Fund Balance Reserve, and I'm kind of mumbling my way through this trying to get to the point of understanding and its effect on our cost of borrowing, I think you said for \$20M it's a savings of \$360 some thousand roughly. Is there a systematical way to equate that to what that would mean relative to a reduction in the mill levy net present value? In other words, if I'm thinking about—if we keep more in the bank, so to speak, if we keep our fund balance and we go to 25% and that saves us \$360 some thousand per 20 million, how do I look at that relative to okay, well, we can then—how does that direct the logic relative to the lowering or the stagnation of a mill levy? **Mr. Bach** said I will take Kathleen's numbers, after three and four years of continuing debt cycle of \$15-\$20M, you would be able to correlate that to a one mill reduction. After you did that about four years, because you're saving \$365K a year, she said 20, on \$20M we're trying to stay at 15 so I will use it somewhere in the 3.5 to 4-year range, that's going to save you cumulative \$1M a year and \$1M is a mill. If you did

achieve that—is that about right? **Ms. VonAchen** said yes, I mean I'm looking at my slide, I was kind of talking off the top of my head before, I said \$350K. It's actually \$312K—**Mr. Bach** said so four years. **Ms. VonAchen** said yes, and as you know, we have 16+ mills dedicated over in our City Bond & Interest Fund so basically if we didn't issue as much or we got a better interest rate, a lower interest rate and our interest costs were down, then we could reduce that mill but a mill is a mill regardless for the taxpayer wherever it's funded at. **Commissioner Johnson** said that helps me a little. **Ms. VonAchen** said it equates to a third of a mill.

Mr. Bach said the next page in the group was about the Franchise Tax so that shows the BPU electric, water and then the UG sewer so we have 11.9% franchise tax on the BPU and we have a 12.9% franchise tax on our service. If you were to cut 1% off of those three areas or 2, however you look at it, that's about \$4.6M annually so that's one area you could after and look what the target would be to make that change. It is important to note that we probably keep these close as far as—I mean between what we're doing on the sewer and what we're doing with the BPU because that issue comes up as we have discussions with the EPA.

The last two pages we have the increase in Reserves, Kathleen has already talked about that quite a bit of going to three months' worth of Reserves vs. two months and it shows the dollar figures that can make that happen. The last page talks about our Water Pollution Control Loan. I think she did a good job of breaking that out in the last two bullet points on that page where you look at it and say, we're structuring to go after \$300K a year; that's what we built-in, it takes seven more years to pay that loan back. If we increase it to \$500K, we would pay it back in four years. We could obviously pay it back all at once if we wanted to make it a major initiative.

Commissioner Philbrook said we just passed approval to do some franchise tax on some additional folks. Right? You know, charging people that wanted to use our—**Ms. VonAchen** said right-of-way. **Commissioner Philbrook** said yes, thank you, and I was wondering are we even thinking about what that could possibly bring in. None of that is figured in yet because we have no idea. Right? **Ms. VonAchen** said I heard it was around \$25K a year. **Commissioner Philbrook** said it's not a big amount. That's why I'm asking, but I just wanted to mention, but \$25K is \$25K and it fills a few potholes. **Mr. Bach** said matter of equity of where you charge the people, but in the overall budget it's not one that really influences a lot today.

Mr. Bach said alright, that sets the stage for us. We can have more questions. I think now, Mayor, if it works, I think it's a good time to take our break and when we come back we will set the exercise out so you have all the initiatives and we will be able to run through how the game will work and plug it in and go from there. **Ms. VonAchen** said Reggie is going to talk about the rules of the game when we get back.

Dinner break began at 6:02 p.m.

Mayor Alvey reconvened the meeting at 6:31 p.m.

Mr. Bach said I will recognize Reginald Lindsey, our Budget Director, who is going to walk us through the exercise that we have set up unless there are any questions as we went through and laid out the initiatives. You have your information booklet with you so the next part we're just going to walk through how—all of you except two have done this before, so you know how it works and we will show any of the tweaks we've done to it and how those work and then take it from there.

Reginald Lindsey, Budget Director, said our exercise includes going into our MuniCast model. We're going to breakout into three small groups. Those groups are going to be facilitated by Emerick, Gordon and Joe. We're going to have one group right here and then we will have one group in the breakout conference room here and then we're going to have a group go down to the Budget Office. The MuniCast model consists of the financials that Kathleen just went through and also the initiatives that Doug went through. What we will do is build a 5-Year Plan and you get to put numbers to the initiatives that we've seen and also add initiatives that you feel might be deemed for this project. **Mr. Bach** asked you're not going to walk through it? **Ms. VonAchen** said I can walk through it.

Commissioner McKiernan said go back to your previous slide. Again, this is what I've been saying for a long time now. Take item #3, Street Infrastructure, to build an annual projection model we need to use the amount that we're going to pay in cash. If you're thinking about borrowing to do street infrastructure, you've got to work backwards to the annual cash outlay for

the principal and the interest. I want to make sure we think in terms of annual cash here so it goes back to what I said before, we can't mix debt and cash even conceptually or we don't come up with any valid projections. We've got to think in terms of annual cash necessary to pay off any borrowing or annual cash necessary to pay for any service we want to buy. **Mr. Bach** said yes, and so that is right for that standpoint. If you want to say—if you think in broad terms, if you have so much out there that's in debt now or we go toward \$15M and there is a combination of things that go into it. If you say we want to add another million to that, but we will do it in cash to knock that off, that's what it is. Unfortunately, a million dollars doesn't buy you a whole lot of street infrastructure, that's why we end up having to debt a lot of things, but that's how that's intended. We will use the simple method of, I guess, I've used before; maybe I will mix it up next year if you start moving your seats, but I will give you a one, two and three and ask you to go to that group.

Group 1 included Commissioners Johnson, Markley, Philbrook, and Townsend.

Group 2 included Commissioners McKiernan, Kane, Murguia, and Burroughs.

Group 3 included Commissioners Bynum, Walters, and Alvey.

Mr. Bach said let's put Group 1 down in the Budget Office down the hall, we will put the two's—**Commissioner Markley** said are we each getting a budget person like last year that's in there with us. **Mr. Lindsey** said there will be a person from the budget staff and then also a person from the County Administrator's Office. **Mr. Bach** said Kathleen and I will be roaming around so if there is a question that comes up that can't be addressed by the two staff members working with you, then we will figure out what the answer is.

Commissioner Bynum said I have a question before we break up into our groups. On the Budget Initiatives Key Information slides on page 5 where it breaks down our mill levies for all the taxing districts in the all the cities and school districts, on the third line KCK, USD 500 to the far right is the column Drainage District at 16 mills, but not everybody in KCK pays that, do they, only if you live in a drainage district or have your business—**Mr. Bach** said that's correct. **Commissioner Bynum** said so, that wouldn't be everybody. **Mr. Bach** said that is correct. That is not everybody,

that is just those that are part of the—**Commissioner Bynum** said the drainage district so that total levy at the far end column of that is actually lower for most people in KCK. **Mr. Bach** said yes.

Ms. VonAchen said I put this together. I was trying to piece it together. I realize some of the jurisdictions don't necessarily overlap 100%. **Commissioner Bynum** said okay, that's fine, I just wanted to make sure I was correct.

Mr. Bach said two will be down the hall in the breakroom and three will be right here at this table in this room. For the facilitator's, we're at 45 minutes from now. We're ahead of time, so if we need more time we can work with that, but we will anticipate being ready to breakout in 45 minutes.

The group session began at 6:38 p.m. and ended at 7:33 p.m.

Mayor Alvey said welcome back from the fund budget policy group exercise. **Mr. Bach** said I hope everybody had fun. What we're going to try to do now is build consensus from how easily it was for the three or four of you to build consensus to build consensus among the 11 of you at least to get some direction going from this point. If we can break this out to each group and let you do your reporting, so who had Group 1? Who is going to report for Group 1?

Commissioner McKiernan said what would really be nice is if he had it live on the screen. **Mr. Bach** said I think that's what they're—alright, Commissioner Johnson, I think we have your group onboard.

Commissioner Johnson said with the City Mill Levy Reduction we went with a one mill reduction for the first three years. We did it 2019, 2020 and 2021, one mill per year. We invested a half mill the first year for SOAR, \$300K and \$200K for the subsequent years in 2021, 2022, and 2023, that would come out of cash and/or debt but with the preference from cash over and above what we're spending. Streets & Neighborhoods, the same philosophy with that as well, but we're open to alternative programs for that so we're a \$500K for 2019 and 2020 and then \$250K for the subsequent years. Parks, \$250K straight across and the thought process with that, and you all help me with that, this can be looked at a couple of different ways. If it's for restroom improvements I

think then we would just pay for that out of cash. If it was for a larger overall program for all of the parks say a \$20M bond deal, then that could be our debt reduction so we would look at it both ways. It could be either/or.

We talked about the Capital Funding to do a one-time payment of \$500K because we know it reduces some number of time relative to our debt obligations. We don't know exactly how long that is, but we know it does reduce some period of time in terms of our debt obligation. Then, we said we would put a \$1M investment into economic development. If you look at how that impacts the overall, even by the end of 2021 we are still \$1.2M above the threshold of 17% which, in my opinion, then helps to improve our overall rating thereby reducing our cost of funds when our borrowing is going forward.

Mr. Bach said I will just say when I look up there and see it, I see it's kind of a balance attack toward the mill rate, putting more emphasis toward our blight reduction and infrastructure which were top on our list, funding a plan we put in place at least to some degree. What you've done is set up a budget that is, according to the current projections, in the out years our expenditures will outpace the revenues, but that's something in that third mill rate reduction in 2021, you could evaluate at that point if you didn't do it or you wouldn't have to keep spending all these other things because you haven't committed yourself beyond what you can afford. So, that's logical. That could be implemented and it can work. **Commissioner Johnson** said we deferred to the Citizen Survey so that is what kind of drove us from the top-level piece particularly with SOAR and Street and Neighborhood Infrastructure.

Mayor Alvey said I have a question on the SOAR piece, \$500K the first year, \$200K the second year and then 200, 200, 200. **Mr. Bach** said 500, 300, and then they're doing 200 each year going forward over and above what we currently spend. **Mayor Alvey** said over and above, thank you.

Commissioner Johnson said we know there's a threshold there somewhere where we feel like we will have fund to SOAR and it's going kind of take on its own life. We feel at some point we're probably going to back off from that because of that threshold. **Mayor Alvey** said and to reduce the number of houses, that burden won't be there. **Commissioner Johnson** said yes, exactly.

Mr. Bach asked, Logan, have you guys been able to capture all that on the flipcharts? Okay.

Commissioner Johnson said and we improve our bond rating.

Commissioner McKiernan said you have to take the 650 in 2023 out of Street & Neighborhood Structure, it's going to have to come out. That last one, don't turn it off, just take the 650 out of 2023, zero that. Now, scroll back up and we should be over, yep, we're right there. We actually spent our time having a lot of very good substantive rational discussions about how we approach this and we came up with basically we've got four prerogatives that we think the citizens want. 1) property tax reduction. Then, again, to go back to my bic analogy, blight removal, infrastructure improvements and communications which are the three things that are the highest priority that have the lowest satisfaction out of the items, at least on the City part of our survey. What we did was we took a 2-mill reduction in property taxes for fiscal year 2019. We let that ride for one-year and then we added another 2 mills in 2021. With a total of 4 mills of reduction over the six years of this time. We assume that SOAR will be funded at its current level of 1.7. It will continue to be funded, we're not going to cap that, we're going to depend on that to continue with the progress we've already started and kind of back to what Angela said a moment ago, we start to reach the point of accelerating returns with SOAR as the number of problems are chipped away; at least that's the thought.

Neighborhood & Street Infrastructure; this was really hard for us because we wanted to just borrow a whole bunch of money, but if we put 650 a year for four years into that, we can start to chip away at some of the sidewalks whether they're not there or whether they need to be replaced. It could be a cap onto either our cash or our debt financing for some Public Works improvements. That \$500K in the Economic Development Gap Fund is actually not there. You see that it's turned off, it is not factoring in.

Parks Master Plan; we didn't put any funding towards that because, again, if you go back to the Citizens Survey, although it's high importance, the satisfaction is fairly high so we decided not to put money towards that.

We decided not to take anything out of—Pay-as-you-Go effectively is our Street & Neighborhood Infrastructure. We didn't borrow that, we're paying cash for it, but up there rather than some other.

Department Special Initiatives; none. PILOT reduction; none. Gap Fund; I will get to that in a moment. Increase Reserves to 3-months of Expenditures. We thought 2-months was fine. The 17% was what we were shooting for. If you will now scroll up to where we can see the Reserves, Commissioner Burroughs had a really nice idea here. Go to 2019 please and he knows right where it is, right there. If you see that there is \$45M worth of Reserves right there, Tom said why don't we consider taking a percentage of that. For example, take 1% of those Reserves, taking 1% doesn't drop us below our 2-months of Reserves, our 17%, but it is a way that can fund, kind of variably even, some of the economic development. Our thought was—our trajectory eventually gets rid of, or takes us right down to the 2-months of Reserves, but for those first four years of this plan there's theoretically a lot of cash that could be available in a Gap Fund Policy. What we said was, we will take 1% so for that one-year now we've got \$450K in 2019. There would be \$490K, that can't be the right unrestricted fund balance. **Ms. VonAchen** was inaudible. What you're saying is 1% of this, that's actually what you're saying. **Commissioner McKiernan** said it's 1% of whatever is over the 17% of annual expenses. **Ms. VonAchen** said that's what all this is. That's the \$20M, you already spent that, the blue, it's the same thing. **Commissioner McKiernan** said what we're saying is if you take—you've got a decrementing—1% gives you a decrementing amount of cash over the next four to five years that could be used to spur economic development, close gaps but with cash and not with borrowing which was always my concern about the Gap Fund Policy. We brought it forward, we're going to borrow to grant, this gives us cash to grant and the idea was we stimulate it in the first few years, so anyway.

Ms. VonAchen said if you do want to dedicate 1% of the Reserves, because you've already spent all of it, then what you're saying is that you want the Reserve target to be 16%, not 17. **Commissioner McKiernan** said I guess I don't know how to read this chart.

Commissioner McKiernan said once again, it would be nice if I could look at these things ahead of the meeting so I can wrap my brain around what numbers are where on this. There are a lot of numbers on this. What we decided was in our first year, my understanding was, that we had dollars in excess of what it would take to have 2-months of 17% of Reserves. **Mr. Bach** said that is correct. **Commissioner McKiernan** said and we would take 1% of the dollars in excess of whatever it took. **Ms. VonAchen** said that is this \$20M right here. That is all the money available after the 17% Reserves.

Commissioner Markley said isn't he saying he only wants 1% of the 5.8 that's the red bar after he spent all the other money. Is that what you're trying to say Brian? **Commissioner McKiernan** said it was, but evidently, I don't understand this—**Commissioner Markley** said he wants 1% of the \$5.8M that's above the 17% on the bar graph. Go down to the bar graph, 1% of that and then 1% of the 5.7 and 1% of the 3.3 and 1% of the 1.4. **Ms. VonAchen** said but you spend it the next year and next so—**Commissioner McKiernan** said that's what we said. We said every year it is 1% of the red bar so it's 1% of 5.8, it's 1% of 5.7, it's 1% of 3.3, it's 1% of 1.4, and then it's done; four years of cash incentive to close gaps. **(someone spoke but was inaudible)**. **Commissioner McKiernan** said bingo. **Ms. VonAchen** said well, there's no more money so you need to get into the table below in order to account for it.

Mr. Bach said okay, I understand what you said so let's just make sure we're accounting for that down below. **Commissioner McKiernan** said I put in my request again to get materials ahead of time so I can look at them. **Mr. Bach** said this is an interactive model, Commissioner, I understand. You want to turn this on at a certain number for each of those. If you do that, it takes away some of that Reserve each year so I think that's the only point that has to be modified is that we need to adjust it and then your model will just eat up the rest of that money. It will eat up a little faster and that's all. **(there was talking but was inaudible)**. **Mr. Bach** said the good part about that too is hopefully by doing that you're also investing in something that brings revenue back in. Now, the revenue that returns probably is off this chart somewhere before we see it really start to see it come back in, but it is working to grow our community. **Commissioner McKiernan** said that's another thing that we discussed, but we didn't work in here was we're going to have assessed valuation increases, we're going to have potentially all sorts of increases spurred by this, but we didn't want to count on any of those. We wanted to take the conservative estimates for moving forward. Conceptually, that's what we want. If I ever do get that spreadsheet in my email, I'll give you one that shows the exact numbers we talked about. **Mr. Bach** said do we want to turn this on to follow that 1%? **Someone** said well, I'm good with it. **(Commissioner Markley was inaudible)**.

Commissioner Murguia said I think the other thing to keep in mind also is that the way I interrupted this is that this is just the Gap Fund so it has to be an economic development project that's coming in front of us that has a gap in it. There has to be an existing project. Otherwise,

that money will never be spent so you could go two or three years without ever spending any money at all and this is only the Gap Fund for a project coming in front of us. This isn't for any special initiatives that the Commission would want to do in the way of economic development.

Mayor Alvey said I know we're not going to get down into the details on that, but my only concern, again, on a Gap Fund that we say is only there for existing projects. Once you do one Gap Fund of an existing project that has a gap, the word is going to get out. Everybody will expect that and they will find the gap. That's my concern that—**Commissioner Murguia** said, Mayor, I'm sorry I didn't mean to interrupt you, I hope that happens because right now nothing is coming forward. Serving on the Economic Development & Standing Committee for the last four years, in particular, this targets the areas east of 635. At least people will take an interest and we will get projects to the table. Right now, nothing on its own is coming forward in the way of economic development for the neighborhoods east of 635. So, yes, I hear what you're saying and there might be some concern, but I view it the opposite that you do. I don't think that's a bad thing. I think it's at least going to get people to pay a little bit of attention to it and then start bringing stuff forward. Right now, we've got nothing to look at.

Mr. Bach said I will just clarify too, I mean 1% of \$5M is \$50K so just a perspective of what we're working with. **(someone spoke but inaudible)**. **Commissioner Murguia** said what we all did agree on, I can't speak to this spreadsheet either, but what we all did agree on is that if we were going to do this fund, that an amount like \$50K would not be enticing and we would be in the same position that we're in. That's where we came up with at least \$500K or it's not worth anybody's time, especially on a quality project. I mean you might get— **(someone was speaking but was inaudible)**.

Commissioner Burroughs said what they're saying is that I just read the spreadsheet that's in there, there was only \$50K. The 1% was only going to generate—**Commissioner McKiernan** said \$50K, if it's \$50K, then you just said what's the point and I agree so misread the spreadsheet and we don't have that kind of money. We've still got our 4 mills of tax reduction, we've still got our infrastructure improvements, we may or may not have Gap Fund.

Commissioner Murguia said that's where our group of four, we had a little different perspective. Everybody had their different opinions sort of on this is that if we don't do anything, that's what we've been doing and that's not working because there really hasn't been any development in the urban core area, any significant amount of development without another party going out and getting their own Gap financing from somewhere else. Some people in the group were very concerned and group members can jump in, were very concerned about debt financing this line item. I was not as concerned about that but others made good arguments for why they would be concerned about that. Others too, it wasn't just Brian. I do think if we don't do anything, we're going to just keep getting what we're doing which is nothing.

Mr. Bach said the focus here, obviously, you went after the mill rate a little more aggressive than the other group, one more mill. I mean it still takes us to 2021 and give yourself a little bit of room if things went a different direction, you could correct and take an emphasis toward the Street & Infrastructure is your number one area to spend more money per the survey.

Mr. Bach said how about group 3? **Commissioner Bynum** said I will kick off group 3. We had myself, Mayor Alvey, and Commissioner Walters and we started from the starting point of the STAR Bond payoff philosophy from the beginning had been mill levy reduction. Our mill levy reduction is 2 on the City side, 1 on the County side across the five years which represents \$3.4M.

We funded the Parks Master Plan at \$500K annual with the potential that could be debt service on borrowing \$15M and upward to fully fund our Parks Master Plan.

The line 6, Department Special Initiatives, is actually a \$7M reduction in projected 2019 expenditures and the conversation was that we should hold 2019 expenditures to our 2018 level. I will also just add briefly that we had a brief conversation around the topic of when and if we renew our Public Safety and Infrastructure Sales Tax that we dedicate a portion of that revenue directly to the Parks Master Plan funding. It's not really represented here on the model, but we had that conversation. I think that's my portion of it. Mayor, if you want to chime in. **Mayor Alvey** said I'm going to defer to Commissioner Walters.

Commissioner Walters said we had a lot of involved conversations probably more so than show up on this chart. One of the things that concerns me is our growth in spending over the past several years that exceeds the cost-of-living.

As an exercise we suggested what if we start instead of figuring out how much money we're going to get and figuring out a way to spend it, what if we start at the other end and say this is what we spent last year, can we achieve the same things if we don't have an increase. We may not be able to obviously, but we can't solve all the problems in 45 minutes. The only way to do that on this chart was to have a \$7M expenditure reduction in the Department Special Initiatives which I guess \$7M evidently is the, according to this worksheet, the expected increase in expenditures so it's 3.5% increase over 2018. I don't know what the exact percentage is, but I think we do need to think about stopping the trend of increasing our expenditures so far in excess of the cost-of-living increases. That was the emphasis for starting where we did. If you go up to the top, we also had a long discussion about not increasing the Reserves, but I think we actually did that and I think if we had more time, we would have probably directed some of that Reserve increase to debt reduction. **Someone** spoke but was inaudible. **Mayor Alvey** asked is that correct. **Commissioner Walters** said we definitely had a conversation about priorities, priority being investing money wisely where it makes tangible impact on property valuations to cutting taxes to help grow our overall tax base and then just the actual growth of the tax base through strategic investment. Those were our priorities and then another priority of reducing debt to improve our overall balance sheet.

Mayor Alvey said we felt that the promise of the trend was to continue to reduce the mill levy and we thought it would be helpful to distribute that also as well to the residents and citizens of Edwardsville and Bonner, at least to some extent, and so that's why we dedicated 1% reduction to that side of it. We also were concerned that we've completed the Parks & Rec Master Plan and we do these master plans and then don't follow it through, come right on with funding, what's the point of that. We've expended the money and created a vision and then said well, that would be great but now we're not going to bring funding to that so we feel that's a concern.

Again, the hope is that we have to be very cautious with a look at all expenditures as an investment in our neighborhoods and that we're really seeking to improve the quality of life for our residents and as we do that, that will be reflected in property values and as property values rise

that allows us then to distribute that tax burden on more people, on higher value and so continue to reduce that. It's a long-term play but the property tax rate is an inverse proportion to property value and the higher the property tax rate goes, that causes a decrease in property values. If you want to get that down, you've got to reduce the property taxes and at the same time try to bring values up to bring those into balance.

Commissioner McKiernan said on your \$700K--\$7M rather, in the first year, you've got to grab for your increasing. You blunted that increase for one year and then it continues to increase after that year, right? **Commissioner Bynum** said only because we—**Commissioner McKiernan** said because the model has increments built-in for every year so you flatten it off for one year, but then it's going to go up after that. To truly flatten it down you would have to have an accelerating amount. **Commissioner Walters** said I don't think we think we could hold expenditures level forever. **Commissioner McKiernan** said exactly, that's interesting.

Commissioner Kane said we've have done a lot of studies. We waste a lot of money and we have the expectation of the people goes up there and then said my God we've got this plan, but we have no funding to perform the plan. That's why we left that one alone and the reason we went after lowering the mill levy is that's what everybody wants us to do. I love the way you did this this year. This makes it easier especially I hope for the new guys, but we're going to make his life miserable. Somewhere in the middle of this you've got to gel it altogether and I hope we've given you enough guidance or misguidance today to get that done, but the people still want their taxes lowered down. We can have this great big plan and when we did it across the board, then everybody feels it and I think that's the most important thing we need to focus on.

Commissioner Burroughs said I'm new to this process as you all know and we're being prudent in addressing what the constituents have clearly stated they want and that is a mill levy reduction to lower the property taxes. Unfortunate side to that, we come in prepared to do that with valuations going up simultaneously so the hard part is how do we communicate that to our constituents so they understand that we took their concerns to heart and addressed it in this budget. I do commend those that talked about the County and the City mill reduction. I would just ask this body, are we prohibited from sending a letter to the other taxing entities that raised the mill levy

of our ratepayers to hold the line on their expenses? **Mr. Bach** said no, you're not. **Commissioner Burroughs** asked are we prohibited from doing that. **Mr. Bach** said no, you're not prohibited; you have no legislative authority to tell them what to do, but you certainly can express your wishes upon them if you so desire. **Commissioner Burroughs** said I know how difficult that can be and I know the challenges they face, but ultimately, we're all in this together and if we erase the mill levy and lower it only to have somebody else come in and take advantage of that, we're all painted with the same brush. We should be partners in this process, we're all community members, and we're all community leaders. I would hope we would give strong consideration to sending a strong message to those entities that levy a tax base, a mill, to hold the line on their spending at least through the first year so the residents absolutely have a chance to be educated on the lowering of the mill and the increase in valuation and that we continue to work as partnership here to look how we can reduce the cost of taxation on our ratepayers.

Mayor Alvey said I think as an individual any of us could do that. My only concern is, look at Piper, they knew that they had a very serious need for new facilities that they have been delaying for a long time and have not had success in passing a mill levy. Now, they were finally able to develop the commitment, the consensus in the community, and it was a low voter turnout to move that project forward which is going to be a significant investment in the community because investments in education really do result in increase in property values. I think, as you said, it's a very difficult thing and we know the decisions they have to make and they don't have the same control over revenues perhaps as we do because we can—you know in terms of sales tax and PILOT, they don't have those same accesses to resources that the Unified Government has.

Commissioner Bynum said just to comment to Commissioner Burroughs request of visiting with our other taxing entities, I want to put something forward that I've put forward to several of you individually and I put it forward to you, Mayor, and I think it might be a difficult task but not an undoable task. When we convene in a convocation every taxing entity including the State, including the Board of Public Utilities, every school district, Bonner, Edwardsville, Turner, Piper, but the cities of Bonner and Edwardsville and the college into a session with us that's a facilitated conversation around seeing if we share priorities particularly priorities around budgeting and spending because right at the moment it is a fact that we are not watching other taxing entities

lower their mill levy rates. We have not seen that occur, to my knowledge, in the last three or four years among other taxing entities and if we're truly seeking real tax reduction, I would think that might be a priority for everybody. But, what also might happen if we were to have that facilitated convocation of all taxing entities, we might identify two or three priority areas that all of those groups agree are priorities. Then we might find ourselves willing to work more collaboratively toward how can we do those things more efficiently. I just want to put that forward as just something worth thinking about that speaks directly to the point that you are making.

Mayor Alvey said I think we want to get back to our budgeting retreat.

Commissioner McKiernan said thank you, Reggie, for sending me the spreadsheet. Now that I fully understand how it's built, our idea still holds except we go with 10% rather than 1% and it still holds and you get \$600K in 2020—you get \$580K in 2020 and then 570 and then 330 and then 140 in decrements just as we had imagined it would when we sat in the other room now that I know what actual line of this thing to look at. So, our model would still work as originally proposed with a decrementing pool of Gap Funds to be there. **Someone** was speaking but was inaudible. **Commissioner Burroughs** said that is a ceiling for a year. We as a body have the right to determine if the project warrants any Gap Funding and if we have more than one or two projects, we can decide if we want to build a full gap, partial gap and encourage them to find additional dollars and resources elsewhere, but it's not a mandatory gap. If you come up with a gap, you're not going to get all of that money. It will be determined on the project itself and actually we could leave that up to the Administrator to do that or we can look at it individually through the Economic Development Committee and make the recommendation back to the full Commission. That's something we can hammer out later, but at least we're frontloading it. We have that money there and we know how much every year it's going to run us and by the time the fourth or fifth year comes around it should be paying for itself in new development and new revenue without borrowing the money.

Mayor Alvey said if there's not any other comments or questions, I think we're at the time—Mr. Bach, do you feel like you have the direction you need? **Mr. Bach** said I probably feel the need to comment a little bit on this last sheet that's up here because you guys have a rather aggressive

reduction in expenses. You've identified \$7M in reduced expenses and I just appreciate the challenge to say where we're at for normal cost-of-living, but I just want to look at on this page we're showing—you took this number to say 2018 to 2019, is that kind of what you were looking at? **Mayor Alvey** said correct. **Mr. Bach** said take 7 out of that so we have about an \$8M increase, not really, that's about 7, 210 to 217 so it's about a \$7M difference. Generally, if you look at my expenses that we built-in this year, you know we've got a little bit more in Services, some of those are fixed contracts that come into play. Right here is my \$6M number in Personnel, that's labor contracts and KPERS. If you give me that direction to cut \$7M, I'm either cutting out service contracts, supplies—I mean I'm going to cut 7 out of these categories, that's pretty severe or I'm reducing something we're doing because I'm cutting a lot of bodies. That's kind of a direction I need to understand especially when 55% of our budget is in Public Safety.

Commissioner Bynum said can I ask a question to that because what we were looking at was the increase in expenditures kind of year over year. So, from 2015 to 2018 it's about \$20M. In total expenditures and transfer the increase is about \$20M and so is that—based on what you're saying would that be primarily in people, in Personnel? **Mr. Bach** said when you look at Personnel, here's '16, 143, in '19, 158. **Commissioner Bynum** said mostly people. **Mr. Bach** said that's the biggest portion of the increase in Operating that I have and that's driven by—and you know we haven't been aggressive, our COLA's have been 2% and just finally doing a little 3%. The years before we were at zero. **Commissioner Bynum** said I will just say for my part that helps me feel better about seeing that level of increase year over year in expenditure because that's giving people raises if I'm understanding you correctly about the items that are in the Personnel line item, that's paying into retirement funds—**Mr. Bach** said which are fixed that are given to us by the State of Kansas so we can't state what those are and we still have our buyouts. I just want to bring that into perspective. If that's a direction we go, I would need a lot more guidance because I would need to stop doing something that we're doing would be the only way to go about that. Only one group brought that up so it kind of narrows it down to where we would go in that direction.

Commissioner Kane said I'm not for eliminating anybody's job and, in fact, we have several openings, correct? **Mr. Bach** said yes, we always do. **Commissioner Kane** said we don't have

enough employees to perform the job function we want to perform so I would be wholeheartedly and red faced and really pissy if we laid anybody off.

Commissioner Walters said I think the point we were trying to evaluate, and understand we can't solve all the problems in 45 minutes. We came up with a number in this exercise that was about a 3.5% increase in expenditures, I think, from '17 to '18; whatever \$7M of 202 is and I guess we were just trying to challenge that to say where did that number come from. Is it the real number? A lot of these numbers we don't know, like Capital Outlay, goes from 3.3 in the first column to 6.5 in the current year. I don't know how to explain what's in that number, but it looks like it's had some rigor put to it, I just want to challenge do we really need to increase our expenditures as much as we are shown on this chart. **Mr. Bach** said if I can hit Capital Outlay to just mention, 3.3 was severely underfunded and from the days we were trying to make—we cut our Capital to the point we weren't buying hardly anything new and that put us in a bad way. **Mayor Alvey** said I think that was the other part of discussion, that a lot of the rate increases over the years, part of that was due to the fact that after the economic emergency expenses were reduced and a lot of this was catch-up especially and perhaps on expenditures for equipment and so forth.

Commissioner McKiernan said, Doug, it sounds to me like you want hard budget direction out of this exercise and I will tell you I think that is foolish for us to try to do this. This is a great exercise. It's a good mental exercise, but to come back and take three separate groups who have three separate approaches and try to melt that all into a 20-minute discussion and come up with hard direction for you, I think you've seen there are a lot of different ways to skin this cow, cat, thank you. I will just speak for myself. I think for us to say this is hard budget direction, this is a little dangerous and I'm just on the record.

Mayor Alvey said I guess, and I don't know, maybe our group took it a little bit differently. It seemed to me what we were trying to do is, let's dig down to what are the priorities here and what really is coming clear to me is mill reduction and there is some commitment to, as your group said, streets, parks, capital improvements and our group was parks and rec. Those investments that are really going to make a difference in improving the quality of life for citizens. We kind of know what they are, we know we don't have enough money, but we know we want to do mill reduction;

to what level, that still has to be worked out. We know we have to put money to infrastructure and improvements to neighborhoods, okay, where and how; we know we're committed to that. If that's sufficient direction, we're done. **Mr. Bach** said I would agree. I mean I really do feel like across the board every group came back saying mill reduction. That still needs to come into play and pushing toward getting a couple in there this year seems to be the emphasis between one and two, but that there is the ability to keep that steady decline going with it. Streets was still a continual theme, at least two of the groups put those up. Some emphasis towards SOAR. I think only one group identified it as an out-year thing. Two out of the three came back with emphasis towards funding of the Parks Master Plan and then a couple of you identified some money toward the Gap Fund. If I take and look at all the categories that were out there that we've discussed over the last year or time, you know here comes—and obviously you spend a fair amount of time with the one group talking about ways we could be efficient. Maybe that numbers not \$7M, but it's some number it's trying to continue to be efficient with where we're going so that does help us a lot because if I'm scattering over 10 or 12 categories and trying to put a half million or a million into all those, that's a little harder to do.

It didn't leave a lot of room probably for Department Initiatives. That's probably one thing that kind of holds the line that's kind of like if we're not doing it now, I didn't get probably a lot of latitude back for me to come and say here is something we want to add to the budget.

Mayor Alvey said I think the other message that I heard was that there was not a commitment necessarily to really get into that 3-month Reserve Fund. I think that was—**Mr. Bach** said I would agree.

Commissioner Murguia said I just have a suggestion or a comment to make. It's great for all of us to get together and give you our opinion about what the priorities are, and I know the Commission has changed since we had this discussion initially, but I thought when we started the Community Survey process with ETC, we were spending money on that and outsourcing it so that the community could drive what our priorities were here at the government. That's my first comment. I'm just sort of throwing it out there. My second sort of comment/suggestion, I guess, and I tried to explain this in my group and I'm not sure I did a good job so I'm going to try it again. What's great about Wyandotte County is that all of our Commission districts are different and I

would bet, and I think we did do this or have paid to have this done, is that we break the survey data down by district. Then, staff meets with the commissioners of that district with the survey and the priorities of the community to determine how funding is allocated in that district.

The reason I think this could be an effective way to keep our cost down to be more efficient, to maintain those incremental improvements for a better Reserve Fund, and I don't know anything else to do other than give you an example. Some districts the emphasis may be on sidewalks and in some districts the emphasis might be on a grocery store or some districts the emphasis might be on drainage. Instead of, and I don't know if you've done this in the past, but instead of trying to make sure that each district gets 1/10th of every budget line item when it may not necessarily be a priority in their district; in order to create some impact and to develop some momentum in order to make some significant visible change and improve the quality of life in people's specific neighborhoods, I think it would be easier if we looked at those in-district surveys and we moved the greatest amount of money to the highest priority areas in those districts. Does that make sense? Do you see what I'm saying? I don't know that we already do that, but I don't want to give anything away out of my district, but I am going to give a physical example. If there is a million dollars in Curb & Sidewalk and that isn't one of my top three items, but it's Commissioner Townsend and Commissioner Kane's one of their top three items, then and I can only speak for myself, I have no issue with the bulk of that funding going to them where the bulk of the money that would come to my district would be one of my top three items. I just think when we—you know if I get it then Commissioner Walters gets it, if we have that mindset, there is never any momentum developed, there is never any real difference that takes place. We have to learn as commissioners in our district to prioritize what's important for that area, fund it, fund it well, make a difference, have something that we can point to and show people this is significantly different now. It's significantly better and then work on the next item in the following year. I don't know if that helps you at all, and that's just my opinion, but I really think that would make a substantial difference.

Commissioner McKiernan said I agree, we could use some great direction in things we would like to happen, but I will pick on in particular Department Initiatives, you just mentioned that. What were they? I mean, there's nothing in this PDF document. That's the one line item that actually doesn't have any flash to it. We didn't hear any pitch from any department that if we had

this we could make magic happen. That's why I say that sometimes this is a really hard exercise because it is mostly theatrical or in large part theatrical. I think you're right in terms of mill rate reduction, in terms of infrastructure improvement, I think you're hearing clear from all of the groups that those are things we want. To get down and say well you guys didn't say fund any Department Initiatives, well, I didn't know what they were.

Commissioner Bynum said I think there are Department Initiatives that we may have on our wish list so if we at some point want to get into those or maybe once we get into budget workshop time when we begin hearing from departments, we may chime in with items that are on our wish list so to speak. I think another thing that's going to happen is as we move closer and closer to a product with our Northeast Master Planning effort, there are going to be some real things that we're going to be wanting to ask to spend money on and we aren't going to know that for three or four more months maybe. So, we can't really speak to that today in this exercise, but I think we can all agree that once that plan is closer and closer to a product that is adopted by this Commission, there is going to be dollar amounts that we're going to be asking to be allocated for that plan, just as an example.

Commissioner Burroughs said, Doug, my position on not building the 3-months Reserves, I think that's a very prudent thing to do for us to get there, but I also think if we can reduce some of the debt. I think we heard from some of the other commissioners that if we can reduce some debt, we will get to the end, we will be able to build our Reserves quicker in the long run but that's that balance there. You know, in going through this exercise, what I seek from it is that the commissioners are committed to lowering the tax burden on citizens of our community, our employees are getting a pay raise, services are doing well. We've seen in the last two weeks that the services and programs that your administration and the commissioners before this year put into place are working and it's making a difference in the community. To back off of that would be foolish for financial reasons. We are making strides and it takes a little at a time, but the only way we're going to do this is to control some of this spending. I'm one that wants to find that balance where we have enough in Reserves to meet our 2-month criteria and I think it's a novel approach to put away to 3-months.

I commend you to have those rainy day funds, but we're also coming out of the time when we drained those rainy day funds and at the same time we implemented programs and we have that momentum and we should keep it going. I really think our employees should be cognizant of the fact that they are getting a pay and I would like to have it be more, but maybe if we continue on being fiscally responsible in how we approach this budget and not spend all the money that we see coming in, but be responsible in paying down some of that debt and slowly move into these programs. I would like to be able to cut the mills even deeper and I hope that in two years we have this discussion again to cut it another three or four.

Mr. Bach said I appreciate that and I think in one of the things Ms. VonAchen has pointed out that every year when we go through this you know we budget—and we come in fairly close on the revenues. Sometimes we have some things that pop in one way or another, but our expenses we always expend less than what we budget and that's where we have to be because I can never expend more. That allows some room for money to fall to the bottom line and that's kind of one thing when we're doing an exercise like this, it doesn't really afford that opportunity so there is going to be some money left every year. I think Kathleen is really also pushing—you know you're at 17% and if you kind of just don't spend what you don't use each year, then you slowly go towards that 25% and we may not get there in five years, but we did by making great strides really by doing that by not spending what we didn't do and had some bigger chunks of money fall to that bottom line and that got us back at the 17 where we were down at 8% not very long ago.

Commissioner Markley said I was just going to point out most of you were here, but some of you weren't, remember when we were desperately trying to get to 10%. Remember that? Desperately trying to get to 10% so we should pat ourselves on the back a little bit because that was not very many years ago. I haven't been here that long that we thought we would never get to 10% and now we're talking about how do we keep it at 17% so we did better than we thought we could. Good job.

Mayor Alvey said, Mr. Bach, can we talk about Next Steps and the calendar.

Budget calendar and next steps

Budget issues and decisions



2019 Board of Commission Budget Planning	
March 1, 2018 (Thursday)	Special Session - Community Survey Results Presented(5PM)
March 1, 2018 (Thursday)	2019 Budget Public Hearing (7PM)
March 7, 2018 (Wednesday)	Commission Budget Retreat
May 2018	CMIP – Committee of the Whole workshops
June 2018	Administration 3 x 3 with Commission (Budget forecast/input)
County Administrator's Proposed 2019 Budget Presentation/Workshops	
July 12, 2018 (Thursday)	County Administrator's Budget Presentation (5PM)
July (Mondays & Thursdays)	Budget Workshops
July 16, 2018	Set Maximum Mill Levy
July 19, 2018	Publish Maximum Mill Levy
July 30, 2018	2 nd 2019 Budget Public Hearing (5PM)
August 2, 2018	Budget Adoption (7PM)

March 22, 2018

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Mr. Bach said certainly. As far as next steps, the next big items that come before us are when we start to move into CMIP so from a staff perspective right now Mr. Lindsey just issued out to the organization today to have all departments start turning in their Capital Projects so we start going through those. They get them in the month of March. My office spends some time reviewing them in April so we can come back in May for the CMIP process. I think we've already got a couple of meetings on your calendar, they should be on there and then we will develop from there to try to get that in play and try to work within that debt ratio that we're working with and then how much money we're looking at as projected for cash based on our projections. We will build the budget and as we move through June, that's kind of that opportunity, we will have some of those special initiatives that can't be defined today, but get some feedback from commissioners whether there are some things there that we want to do or try to build in and go through those and probably some on-threes with you all, some feedback toward the end of June and then present the budget in July and we will go into workshop stage. As it's been the last couple of years, I really hope that the budget that I can present to you in July is one that has a lot of input. This isn't the last conversation I will have with you. We won't sit down in this kind of format as much, but I will work from this and then try to get more one-on-one or group feedback as we go through the different things we're working on so when I do present a budget on July 12th, I'm hoping it will be in line with what you all are thinking. Then, what we do through the workshops is hopefully more just tweak some of the stuff and move on from there.

March 7, 2018

Mayor Alvey said I want to thank all of staff and obviously the commissioners, great work tonight and I think we made great progress. **Mr. Bach** said thank you for your time and thank you staff.

MAYOR ALVEY ADJOURNED
THE MEETING AT 8:33 p.m.

dt

Bridgette D. Cobbins
Unified Government Clerk

March 7, 2018

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

PLANNING AND ZONING AND
REGULAR SESSION
MARCH 1, 2018

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, March 1, 2018, with eleven members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. The following officials were also in attendance: Christal Watson, Deputy Chief of Staff; Lynn Melton, Assistant to the Mayor; Doug Bach, County Administrator; Gordon Criswell, Joe Connor and Melissa Sieben, Assistant County Administrators; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Kathleen VonAchen, Chief Financial Officer; Jon Stephens, Director of Economic Development; Patrick Waters, Senior Attorney; Wilba Miller, Community Development Director; Emerick Cross, Commission Liaison; Rob Richardson, Director of Planning; Zach Flanders, Planner; Janet Parker, Administrative Assistant; and Major Kent Anderson, Sergeant-at-Arms.

Mayor Alvey said I want to thank all of you for coming out this evening. Before we begin, I want to announce that anyone who's interested in addressing the Commission on the public hearing agenda regarding the proposed 2019 Unified Government Budget and the 2018 Community Development One-Year Action Plan may sign up at either of the tables located at the chamber doors. If you have not yet signed up on your way in and wish to address the Commission on that item, please go to one of those tables and sign up.

When that item is up for discussion, the Clerk will call the names in order according to the sign-up sheets. She will also announce who's on deck, which means you'll be next to the podium. When you come to the podium, located by the railing up front, please state your name and city of residency for the record. You will be given up to three minutes to state your comments. The Clerk will announce when you have one minute remaining to allow you time to conclude your comments.

Mayor Alvey called the meeting to order.

ROLL CALL: Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Alvey.

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

Mayor Alvey asked are there any revisions to tonight's agenda. **Bridgette Cobbins, UG Clerk**, said yes, Mr. Mayor, a blue sheet has been distributed. We have two new items under the Administrator's Agenda. Item #1 is a resolution regarding the MOU for the United Brotherhood of Carpenters. Item #2 is a resolution regarding the MOU for the FOP Lodge #4.

Mayor Alvey said tonight we have two distinct parts to our meeting, the Planning and Zoning portion will be handled first, followed by the regular Commission meeting. I'll ask the Clerk to read the statement, required by state law, governing the Planning and Zoning portion of our meeting followed by the items on the Planning and Zoning Consent Agenda.

Bridgette Cobbins, UG Clerk, read the statement, required by law, governing the Planning and Zoning portion of the meeting.

PLANNING AND ZONING AGENDA

Bridgette Cobbins, UG Clerk, asked if any members of the Commission wished to disclose any contact with proponents or opponents on any item on the Planning and Zoning Agenda. **Commissioner Bynum** said I have had contact with proponents of Change of Zone, Item #1, #3151. I have had contacts with opponents of Special Use Permit #SP-2017-55. **Commissioner Philbrook** said I have had contact on Item #3151 and #SP-2017-74. **Commissioner Walters** said I've had contact on Item A-1, #3151. **Commissioner Kane** said same contact, Petition #3151. **Commissioner Townsend** said I've had contact with proponents of Change of Zone Application #3151, and also with proponents of the Miscellaneous Ordinance Amendment concerning the mobile markets. **Commissioner Johnson** said proponents of A-1, #3151, and opponents of #SP-2017-55. **Commissioner Markley** said I've also had contacts on Item #3151, A-1. **Commissioner Burroughs** said I've had contact with proponents of #3151, Item #1. **Commissioner McKiernan**

said I've had contact with proponents of A-1, #3151. **Commissioner Murguia** said I've had contact with proponents for #3151. **Mayor Alvey** said I also have had contact with proponents of #3151.

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

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight wish to set aside any item on the Planning and Zoning Consent Agenda. If an item is not set aside, all items on the Planning and Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission.

Tyler Edwards said I'm the applicant for Item A-1, #3151. I would request that this is removed from the Consent Agenda so we can discuss.

Commissioner Townsend said I'd like to have a fuller discussion and, therefore, I'm asking it be set aside, the proposed ordinance regarding the mobile grocery operators. **Mayor Alvey** asked the number of that is. **Commissioner Townsend** said E-1.

Unidentified speaker said for XM Automotive, we wanted to ask that you please remove from the Consent Agenda to be discussed. **Rob Richardson, Director of Planning**, said that's B-2.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve all other items as submitted.** Roll call was taken and there were ten "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

Mayor Alvey said first of all, I failed to recognize Chuck Stites in the audience, an elected official for Edwardsville City Council. We always have to lead with that.

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 18106... CHANGE OF ZONE APPLICATION #3151 – TYLER EDWARDS WITH MENARDS, INC.

Synopsis: Change of zone from A-G Agriculture District to CP-2 Planned General Business District for a Menards home improvement retail store at 1301 North 98th Street, submitted by Robin Richardson, Director of Planning. Applicant is seeking a rezoning to build a 210,754 square foot home improvement store retail building (Menards) at 1301 N. 98th Street on 29.57 acres. The development will include the retail store, outdoor landscape and garden area, a lumber warehouse, external sidewalks connecting to 98th Street and a multi-purpose trail behind the property. The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application #3151, stipulating that the staff and applicant continue to work towards compromise on the issues in the staff report (for final plan review) regarding masonry columns, landscaping, and maintenance of materials, subject to:

Urban Planning and Land Use Comments:

General Planning

1. Sec. 27-466(c)(1) all sales, services and storage shall be conducted within a totally enclosed building. No product may be handled or service rendered which cannot be accommodated within a building always, except that accessory sale and storage of landscaping and gardening supplies, Christmas trees, and vehicles for sale may be kept outside. No sales will be allowed from the parking lot.

Applicant Response: Outdoor storage and pickup and limited sales area will exist within the fenced in lumberyard. This is standard at all Menards retail stores and this site will be no different. Outside of the propane station and a limited number of trailer sales (not to exceed ten per year), it can be agreed that no sales be conducted in the parking lot.

Staff Response: The applicant is asking for a variance from the Board of Zoning Appeals for a reduction in parking. Based on the 210,254 square foot store, 843 parking spaces are required. The applicant is providing 412 spaces, a violation of 431 spaces. Staff has concerns about the trailer sales on the property which will occur in the parking lot, further reducing the 412 spaces already proposed in the parking lot.

The traffic study indicates the ingress/egress volumes are higher than the proposed parking available on-site. During the Saturday peak, there are 403 vehicles coming into the site and 387 vehicles leaving the site. There are 412 parking stalls in the lot, so the parking lot is at full capacity if 9 vehicles do not leave during the Saturday peak; therefore, additional parking is needed. Staff cannot support the variance at the level requested and this application cannot be finally approved without the parking variance.

2. Over the road trucks and trailers may not be kept on the property overnight.

Applicant Response: It can be agreed that no trucks and trailers will be kept in the parking lot overnight; however, it is requested that trucks and trailers be allowed overnight in the outdoor lumberyard as it would be shielded from the general public due to the Menards store and fence. Essentially, the general public would not even know if a truck or trailer is sitting back there or not. Idling overnight will not be allowed in any event.

Staff Response: Sec. 27-466(c) no use is permitted that involves the parking, keeping, storage, or continued presence of trucks over 30,000 GVWR rating, semitrailer rigs or portions thereof or outside storage of contractor's equipment or large-scale items or materials. This does not apply to vehicles making normal deliveries or trips to serve the property.

Trucks (cabs) and their trailers are not permitted to be parked overnight anywhere on the property. As stated above, trucks that make normal deliveries do not apply but, again, they may not be kept on the property overnight. In order to have trucks and trailers parked on the property, a change of zone to MP-1 Planned Light Industrial and Industrial Park District is required.

3. Sec. 27-466(e) uses in this district require paved off-street parking at a ratio of not less than four spaces per 1,000 square feet of floor area in the building.

The building is 210,754 square feet, so 843 parking spaces are required to be code complaint. A variance from the Board of Zoning Appeals is required to have a reduction in parking than the Code allows, in this case 412 spaces.

Applicant Response: A variance will be requested to reduce the required parking.

Staff Response: The traffic study indicates the ingress/egress volumes are higher than the proposed parking available on-site. During the Saturday peak, there are 403 vehicles coming into the site and 387 vehicles leaving the site. There are 412 parking stalls in the lot, so the

parking lot is at full capacity if 9 vehicles do not leave during the Saturday peak; therefore, additional parking is needed. Staff cannot support the variance at the level requested and this application cannot be finally approved without the parking variance.

4. Sec. 27-575(e)(8) parking should be divided into blocks of 40 to 50 spaces. Where this is not easily defined, groups of 20 spaces should be divided by a landscape island at least the size of one stall.

The parking lot has numerous locations, for example along North 98th Street and along the north property line where parking rows are longer than 20 continuous spaces. Please revise the site plan to include the parking lot revisions.

Applicant Response: We have added parking lot islands to address this concern.

5. Sec. 27-575(e)(10) cart corrals should be low-profile, created with pavement (e.g. curbs), may include a bollard to deflect parking, and should have low-profile signs, no taller than four feet.

Applicant Response: A detail of a standard cart corral has been attached.

Staff Response: The proposal is acceptable provided a masonry base similar to Walmart is provided. No signage is allowed on the covers.

6. Sec. 27-565(f)(1) there should be a designated walkway or clear pathway to the main entrance of a building so that pedestrians are not required to walk through parking lots.

Applicant Response: A sidewalk has been added to the south end of the parking lot which will connect to the sidewalk running along North 98th Street.

Staff Response: The designated walkway begins in the parking lot extending to the main entrance of the building. The pathway is internal to the parking lot and does not connect to 98th Street. For examples, please look at Walmart and Sam's Club at Plaza at the Speedway or Target in the Village West area. This must be revised.

7. It appears as though off-site grading is proposed for this development. Do you have the necessary cross-access easements to perform the work?

Applicant Response: An easement for the off-site grading is currently being worked on and will be obtained prior to the performance of any work.

Staff Response: If the easement is not granted, a retaining wall will need to be substituted. This could alter the site plan.

8. How will on-site OSHA back-up warning noise be mitigated?

Applicant Response: Landscaping and the lumberyard fence will mitigate any noise that is generated.

Staff Response: Please provide a sound study for the Final Plan Review to prove this assertion.

Building Architecture

1. Sec. 27-576(d)(6) building elements must not function as signage. The appearance of “franchise architecture” where buildings function as signage is discouraged. Incorporation of franchise or business design elements unique or symbolic or a particular business must be unobtrusive and secondary to the overall architectural design.

Applicant Response: We believe we are in compliance with this comment.

Staff Response: This is a classic example of corporate architecture. There is no other common retailer that uses this design. The building architecture must be significantly enhanced, and the corporate identifying portions of the building removed or significantly altered. Examples of this in the past are the Best Buy store that got a deviation from this requirement. It now sits empty. Reuse requires major reconstruction. It is not surprising it has been vacant except for a temporary Halloween store since closing. A positive example would be Dollar General and other Dollar Stores significantly modifying their architecture of significant objections but now with one just closing, we have a nice building ready for immediate reuse.

2. Sec. 27-576(d)(8) accessory structures must incorporate matching design and materials of the primary building.

The outdoor yard area and warehouse are accessory structures and, therefore, must match the design and materials as the primary building.

Applicant Response: The material of the accessory building does match the accents on the front of the Menards store as well as the material for the rear overhang enclosure. This building is located in the lumberyard and the only neighbor that will see the building likes the design as proposed.

Staff Response: Staff has no indication of support from neighbors other than the property seller. In the past, we have relieved the standards on areas not visible to neighbors such as the rear of Sam’s Club. However, there are significant areas of concern open to and visible

to the public and neighbors. In those visible areas, Menards must comply. Modification based on Planning Commission's verbal recommendation: applicant and staff will continue to work together on an acceptable compromise.

3. Sec. 27-575(c)(1) commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of a building.

Applicant Response: Revisions to the façades have been made. Please see revised store elevations.

Staff Response: The elevations are still not in compliance with the Overlay Zone. Further revisions are necessary at Final Plan.

Modification based on Planning Commission's verbal recommendation: applicant and staff will continue to work together on an acceptable compromise.

4. Sec. 27-576(c)(2) in order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of at least three of the following techniques:

- a. Divisions or breaks in materials;
- b. Building offsets (projections, recesses, niches);
- c. Window bays;
- d. Separate entrances and entry treatment; or
- e. Variation in rooflines.

While the west elevation incorporates some of the aforementioned techniques, there remain large sections of the façade that do not integrate these features into the design of the building.

When discussing 360-degree architectural design, all elevations must include these elements, not just the façade that faces the street. In the future, there may be development to the south or redevelopment to the east, so quality design is of the utmost importance.

Applicant Response: Revisions to the façades have been made. Please see revised store elevations.

Staff Response: The north building elevations have been revised to add columns and an external staircase from the second floor; however, the distance between the 18" columned

step in walls is 130 feet. As stated above, a building wall not more than 45 feet in length should be divided into increments of no more than 45 feet through articulation. The proposed distance is almost three times the length of the standard.

The automotive dealerships in Legends Auto Mall and Legends Auto Plaza, Dairy Farmers of America, the medical office building, Premier Automotive all have complied with breaking up their façades into 45-foot increments. Again, a deviation such as this has never been asked for by any other applicant. Modifications must be made. Modification based on Planning Commission verbal recommendation: applicant and staff will continue to work together on an acceptable compromise.

5. Sec. 27-576(e)(1) building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality prestressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.

Please review other developments in the area that have used these materials in their building, such as Legends Auto Mall, Plaza at the Speedway and Legends Outlets Kansas City.

Applicant Response: Revisions of the façades have been made. Please see revised store elevations.

Staff Response: The elevations are still not in compliance with the Overlay Zone. Further revisions are necessary at Final Plan.

Modification based on Planning Commission verbal recommendation: applicant and staff will continue to work together on an acceptable compromise.

- 5.5 Please described how this development compares with approved design guidelines for the development.

Applicant Response: We are not aware of any design guidelines that have been approved for this property. That master developer has approved our proposed design and plans have been submitted to the Unified Government.

Staff Response: The original development plan had design guidelines and themes still applicable to this area from November of 2005. However, with the change of zone and landowner support, we will consider any modifications as the specific guidelines for this

site, but no other. The landowner should make themselves aware of their requirements prior to future submissions.

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

Overall, the building does not comply with our Commercial Design Guidelines. The largest non-conformity would be the proposed metal exterior. Several past cases such as Performance Toyota, some tenants within Plaza at the Speedway and every casino application staff reviewed, originally proposed metal. Staff did not support any of those proposals.

The Cerner office building was approved by the City Planning Commission to have precast panels on the ground level and a metal panel skin on the subsequent eight stories. The panels were a high-quality, durable stainless steel that did not require any maintenance. The panel will not rust and due to the nature of the rain screen, it will not weep (drip marks that occur over time). The City has continuously denied any substantially metal buildings in the past and forced applicants to use alternatives.

Staff was concerned about precedence, but what distinguished Cerner's building from other buildings were the two nine-story towers and that they utilized high-quality, stainless steel that needed no maintenance over time. Lesser quality stainless was available but was not allowed in that application or any other.

Metal accent, similar to EIFS, should not exceed 15 percent per facade. A metal building for the warehouse and outdoor yard area does not comply with the standards in the Commercial Design Guidelines. Under the Commercial Design Guidelines, no development has been permitted to construct a building using steel siding as their exposed, exterior material.

Applicant Response: It should be noted that the situation at this site is unique compared to many other sites. The front (west) and left (north) elevations are the only elevations completely visible to the public and the green steel on these elevations only serves as accents to the main building material. The right (south) and rear (east) elevations contain non-structural overhangs that are enclosed with green steel, but the fence around these façades impair the visibility of this material to the general public. By allowing the exterior materials as proposed, the Menards store will be consistent with other Menards stores in the area while not comprising the intent of this restriction.

Staff Response: The site is not unique, as their site is and will be surrounded by development on three sides. 360-degree architectural design shall be taken into account when designing this building. Metal paneling is considered an accent material and may comprise only 15 percent of each façade. One development in the area, Nissan automotive dealership, sought a deviation from the City Planning Commission to have 17 percent metal cladding on their building.

The elevations will need to be revised during the final plan review process to comply with the requirements in the Commercial Design Guidelines.

Modification based on Planning Commission verbal recommendation: applicant and staff will continue to work together on an acceptable compromise.

7. Sec. 27-576(e)(4) all building facades shall be at least 50 percent masonry. Cementitious siding may be used to meet 50 percent of the total masonry requirement.

Applicant Response: We believe we are in compliance with this comment. Please approve the current elevations.

Staff Response: The main building is close, but the exterior warehouse does not comply.

Landscaping and Screening

1. The site plan is unclear as to any exterior fencing around the perimeter of the building. Any privacy fencing shall be eight feet in height and have masonry columns every 32 feet.

Applicant Response: The portion of the fence adjacent to the parking lot will be comprised of wrought iron. The remaining fence will be 14 feet tall. There will be extensive landscaping around the fence to supplement the appearance.

Staff Response: A variance from the Board of Zoning Appeals is required in order to have a 14-foot tall fence in the CP-2 Planned General Business District. An eight-foot tall fence is permitted in the district. Any approval is not complete until the variance is granted.

2. Sec. 27-466(g) a reasonable amount of landscaping is required on all projects in this district, all to be depicted on a properly prepared plan. Trees are required to be provided at not less than one per 7,000 square feet of site area.

Based on the site plan, the store property and outside yard areas comprise 21.06 acres. The district regulation requires 131 trees to be planted. The site plan/landscape plan must be revised to include 80 additional trees to meet the base code requirement. If that cannot be accomplished, a variance must be applied for and approved by the Board of Zoning Appeals. Staff will not support the appeal, as all developments in the area have been able to comply with the district requirement.

Applicant Response: See revised landscape plan – an additional 80 trees have been added to the landscape plan to comply with this requirement.

Staff Response: There has been no attempt to meet the Overlay Zone landscape requirement. This is unacceptable and additional landscape is required. We understand that there are plans to do more work adjacent to the site. Some portion of that work could be counted towards this requirement. Full details and design plans will be required at Final Plan.

3. Sec. 27-577(a)(5) landscaping shall exceed the typical code requirements by at least 75 percent.

Based on the 75% multiplier, the Commercial Design Guidelines require a total of 229 to be planted on the site. To seek a deviation from this requirement, the City Planning Commission must approve the request. The vast majority of the developments in the surrounding area have not sought a deviation from the Commercial Design Guidelines.

Applicant Response: Additional trees have been planted throughout the site in an attempt to accommodate this requirement. Due to the site of the improvements and necessary spacing between trees, 173 trees can be on the property. The applicant respectfully requests that the Planning Commission approve a deviation from the Commercial Design Guidelines to allow 173 trees to be planted for this project.

Staff Response: Staff has never encountered such a substantial deviation request from the Commercial Design Guidelines as what the applicant is asking for with a deficit of 56 trees.

Other developments in the Legends Auto Mall and Legends Auto Plaza have complied with the guidelines. The Chrysler Dodge Jeep Ram and Ford dealerships received a small deviation from the Commercial Design Guidelines to reduce the required to landscape 75% of the foundation. Some effort on this issue must be made. As to the greater requirement, we understand that there are plans to do more work adjacent to the site. Some portion of that work could be counted towards this requirement. Full details and design plans will be required at final plan.

Modification based on Planning Commission verbal recommendation: applicant and staff will continue to work together on an acceptable compromise.

4. All parking lot islands shall be curbed and landscaped. Please revise the site plan by removing the painted hatched islands and replace them with islands that are curbed and landscaped (with trees.)

Applicant Response: Revisions to the site plan to accommodate these comments have been made. Please see revised site plan.

Staff Response: Thank you.

5. All trees must be planted at two-inch caliper. All shrubs along the exterior of the site must be planted at a minimum of five gallons. Internal shrubs must be planted at a minimum of three gallons.

Applicant Response: No issue with this comment. It has been taken into account.

6. All landscaping shall be irrigated.

Applicant Response: No issue with this comment. It has been taken into account.

7. All rooftop mechanical units shall be screened on all sides by the parapet.

Applicant Response: We agree to screen the rooftop units; however, it will not be screened by a parapet as one does not exist.

Staff Response: The roofline shall screen the mechanical units. Metal panels will not be instrument to which the rooftop equipment will be screened.

8. Utility boxes (including green transformer boxes) are screened from public view by landscaping that is evergreens and the same height as the box. As an alternative, the applicant could build a screen wall and use shorter landscaping plantings around the perimeter of the wall.

Applicant Response: No issue with this comment. It has been taken into account.

9. Utilities close to the building or mounted on the wall shall be screened by an architectural wall or landscaping. The wall mounted utilities should be tucked in a corner and painted to match the building.

Applicant Response: No issue with this comment. It has been taken into account.

10. Since this building has high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers should be designed so that they are reasonably screened, and all downspouts shall be internalized.

Applicant Response: All downspouts and scuppers are located within the lumberyard area and will be screened by the 14-foot tall fence. Please approve.

Staff Response: Staff will further evaluate this issue during the final plan review. Staff requests site line study from the west to illustrate that the dumpster will not be seen from view.

11. Trash enclosures shall match the building and use the same materials in its construction.

Applicant Response: Trash enclosures are located within the lumberyard and will be screened by the 14-foot tall fence, store, and warehouse. Please approve.

Staff Response: Staff will further evaluate this issue during the final plan review. Staff requests site line study from the west to illustrate that the dumpster will not be seen from view.

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

Applicant Response: Appropriate landscape zones have been established along North 98th Street. Please approve.

Staff Response: This will be verified at Final Plan.

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

Applicant Response: Trees have been added along North 98th Street. Please approve.

I: Shrubs must be added to meet the criteria as well.

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

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

Applicant Response: Trees have been added to the site plan along North 98th Street.

Staff Response: This will be verified at Final Plan.

Lighting

1. All lighting should be decorative lighting and have 90-degree cutoff fixtures to ensure that residual light is not spilling across the property lines. Any light cast may not exceed one footcandle at the property line.

Applicant Response: Standard 90-degree cutoff fixtures will be utilized. See attached cut sheets. Please approve

2. Exterior parking lot lighting shall have 90-degree cutoff fixtures.

Applicant Response: Standard 90-degree cutoff fixtures will be utilized. See attached cut sheets. Please approve.

3. Wall pack lighting is not permitted. Any lighting mounted on the building shall be decorative.

Applicant Response: No wall packs are proposed for the site.

Trail and Pedestrian Circulation

The eight-foot sidewalk that complies with the Sidewalk and Trails Master Plan must be completely installed upon completion of the realignment of 98th Street between France Family Drive and Parallel Parkway.

Applicant Response: Sidewalk will be extended across the property.

Staff Response: The applicant has also provided an exhibit depicting a walking trail behind their property, extending from the medical office building from the north along the Schlitterbahn river to the Schlitterbahn ticket building to the southeast.

Signage

Signs are reviewed separately and are not part of this approval. When the applicant is prepared to discuss on-site signage, staff requests that the applicant submit an overall sign package for ease of review.

Applicant Response: Agreed.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval:
 - a. Comments are listed as stipulations below.
2. Items that are conditions of approval (stipulations):
 - a. The change of zone will require final development plans to be approved by the Planning Commission prior to construction permit acquisition, and at this time, only preliminary development plans have been submitted as indicated on the application. Final development drawings require construction level drawings and shall include all applicable construction notes, details and final engineering design in accordance with UG standards and criteria.
 - b. Public improvements are required as part of this project. Separate public improvement plan sets shall be submitted with the final development plan submittal and shall meet all applicable UG and state requirements (KDHE, KDOT, etc.).
 - c. With the final development plan submittal, provide CCTV to verify the existing sanitary sewer and manholes which are proposed to be reused are accessible and of satisfactory condition.
 - d. All stormwater quality requirements shall be met in accordance with UG standards and criteria. Additional site area may be required for stormwater BMP's to meet MARC BMP manual and UG requirements. Applicant shall coordinate with Engineering and Planning in order to meet landscaping and stormwater quality requirements.

- e. Existing soil percolation tests shall be provided at proposed stormwater BMP locations, with the final development plan submittal.
- f. Provide documentation on the existing KCP&L easement vacation prior to final development plan approval.
- g. The lot line adjustment shall be approved by the UG prior to final development plan approval.
- h. Obtain a KDHE sanitary sewer extension permit and submit to the UG prior to final development plan approval.
- i. Obtain all necessary temporary and permanent easements and submit to the UG prior to construction permit acquisition.
- j. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- k. The proposed full access entrance at Menards, i.e., Drive 11 in the traffic memo, shall provide a longer throat length, i.e., a minimum of 150 ft, or length required per an updated traffic study/memo approved by UG staff. In addition, the full access shall provide two exit lanes and one entrance lane. The proposed design and layout shall be approved by UG prior to engineering approval of final plans.
- l. The proposed full access entrance at Menards shall provide shared access for the proposed lot to the south, as originally planned in the Schlitterbahn 2015 traffic study and for access management along the 98th Street corridor. An additional full access will not be allowed between Drive 11 at Menards and Drive 13 at Schlitterbahn entrance.
- m. The Schlitterbahn 2015 Traffic Study shall be updated with the existing, and planned development, including an update on all applicable figures, trip generation, traffic re-assignments, level of service (LOS), analysis, and recommendations and approved by UG staff, prior to Menards construction permit acquisition.
- n. An updated Schlitterbahn 2015 Traffic Study shall identify if, and when signalization or other traffic measures will be required at the following intersections, and when design and construction of improvements will be planned and executed:
 - 1) 98th Street and Troup Avenue (Drive 4)
 - 2) 98th Street and France Family Drive
 - 3) 98th Street and Drive 11 full access at Menards

4) 98th Street and Drive 13, Schlitterbahn entrance

It should be noted that the Unified Government will expect improvements to be made when any movement in the intersection is projected to fail.

- o. The proposed public street improvements, including the signalization of State Avenue and 98th Street, and removal of temporary signal at Schlitterbahn and State Ave., shall be designed and constructed by the Unified Government per the development agreement (modified per staff recommendation.)
- p. The proposed public street improvements, including signal upgrades and turn lane modifications at Parallel Parkway and 98th Street, shall be constructed and in operation prior to the issuance of a Temporary Certificate of Occupancy (TCO), or a Certificate of Occupancy (CO) for the proposed Menards project (modified per staff recommendation.)
- q. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: None.

Staff Conclusion:

The applicant has proposed a development that does not comply with the district requirements, which will require variances, but also deviations from the Commercial Design Guidelines. Staff recommends approval of this petition subject to the stipulations outlined in the staff report in addition to the following that must be accomplished for the application to be considered approved:

1. Approval of a variance for a parking reduction of 431 spaces from the Board of Zoning Appeals.
2. No overnight parking of trucks or trailers on the property, including those delivering directly to Menards.

The building and warehouse shall comply with the Commercial Design Guidelines, both architectural design and building materials, and landscaping (per staff verbal recommendation.)

The staff concurs with the recommendation of the City Planning Commission. Please see updated **highlighted** staff comment below:

Landscaping and Screening

1. The site plan is unclear as to any exterior fencing around the perimeter of the building. Any privacy fencing shall be 8' in height and have masonry columns every 32 feet.

***Applicant Response:** The portion of the fence adjacent to the parking lot will be comprised of wrought iron. The remaining fence will be 14 feet tall. There will be extensive landscaping around the fence to supplement the appearance.*

Staff Response: A variance from the Board of Zoning Appeals is required in order to have a 14-foot tall fence in the CP-2 Planned General Business District. An 8-foot tall fence is permitted in the district. Any approval is not complete until the variance is granted.

The applicant has revised the color of exterior perimeter metal fence from emerald green to tan and incorporated 4-foot wide Sierra brick columns spanning every 69'-6" on the metal and wood fences that encloses the Garden Center and outside storage area around the warehouse to the loading docks. This is an upgrade from what was presented to the City Planning Commission. In lieu of using a traditional metal panel for fencing, staff has allowed other developments to use a flat panel stucco.

Rob Richardson, Director of Planning, said this comes before the Board of Commissioners tonight recommended for approval with several stipulations from the Planning Commission. I believe Mr. Edwards has a few points related to those stipulations he'd like to discuss so I'd turn it over to him at this point.

Tyler Edwards, Real Estate Representative with Menards, said we are excited to be here tonight. We're working on our fifth Kansas City regional store. We've been looking in this area for quite a long time. We're excited to find our spot, get constructed later this spring, and open about a year later from that. We are handing out some materials related to our project so you can follow along as we discuss some of these items, and as such handing them out, add them to the official record.

The first group in that packet is a set of Menards' site plans. The first three pages are the most updated plans that we have submitted. The last two pages were the first set that we submitted. Based on the two, you can see we've come a long way from the prototypical store that was the

second two pages. That's the store the same as built in the Kansas City, Missouri market; a very good store for us.

We have, over the process of this review, made a lot of changes, compromises, concessions to get to the store that you see on your pages. Those include parapet on the front of the building, sienna columns on the front of the building, a sienna knee wall on the front of the building, additional windows that no other Menards' store has yet, columns on the north side of the building, a lot of additional landscaping. After the Planning Commission meeting, we added columns to the back of the warehouse facing east as well as the fence and changed the color of that warehouse to tan.

All of this was done in an attempt to get everybody comfortable with how our store operates in relationship to the ordinance. I hope Rob doesn't think I'm picking on him, but he is a great example because he's told me several times he has visited the St. Joseph, Missouri Menards store frequently, and so do thousands of other Wyandotte County residents. That's a large outflow of retail shoppers to other Menards stores, so this will help bring all those thousands of people back to the county sharing trips, spending their sales dollars here.

Now all that being said, there are a few outstanding issues that we want to talk about. Those are the items in the packet that are under the red lettering, the last few issues that we need to discuss. Tonight, we are asking for not a recommendation that aligns with the Planning Commission, but in fact, a recommendation that approves the plans we have submitted 100% so we have a clear direction going into building, plans, and the final development plan process.

With that, the first issue is the wood screening around our lumberyard. This is a feature that every single Menards store has. It will be a treated wood fence. We have agreed to a maintenance program that will keep this updated and looking fresh. There's probably millions of square feet of board fence around the area that looks nice. We're going to continue doing that on our store. We're asking that that wood screening is approved.

There is a truck trailer that is stored in our yard that we are asking is approved. It is not an over-the-road truck. There's a picture of it in the back of that packet. You'll see on the second couple of pages, not a full length semi-trailer. We're asking that that is allowed to be stored within the enclosed yard, not visible to the public.

Parking is a BZA issue we've submitted for, but I do have some figures in that packet related to parking spaces at stores in the area and other new Menards stores. Some of them have 100 less

spaces and we operate very well. We are comfortable with our own parking situation and we're going to the BZA for that. We're asking that you accept our parking as it stands.

Cart corrals is one of the photos that I took a picture of because I was told that everyone else has complied with this ordinance section. There is a picture of the Target, of the Nebraska Furniture Mart, of the Cabela's, all with cart corrals almost identical to what we're proposing, minus the cover. We won't put signage on it. We are asking you to approve our cart corrals because we move them around seasonally, closer to the Garden Center during the spring and summer and then closer to the front doors in the winter, depending on the busy season. Those cannot be permanent structures in our parking lot; asking you to approve those as proposed.

There's a request for a sidewalk connecting 98th Street to our store. That was made on the south side. That is apparent on the plan. However, we were asked to add another sidewalk through the parking lot. Those sidewalks don't get used very often unless you are parked right next to them. Nobody walks through a bunch of cars to get to a sidewalk and then up towards the door out of the way. Same with coming out of the store. Nobody pushes their cart down the sidewalk, over the curb, through the cars, to get to your vehicle. I've attached pictures of examples. You'll see the rows in the middle. They don't benefit. This isn't something we need. Our aisles are 26 feet wide, plenty of room for pedestrian and vehicle traffic without any sort of conflict.

We have covered noise issues with the neighbors. There's no need for any sort of sound study. Our forklifts do not have back-up beepers on them at the new stores. That is not an OSHA requirement for our forklifts, so there's no sound issue. We've cleared that with the neighbors. We're asking that you approve that without the need for a sound study.

Almost to the end. The columns on the north side of the building, the ordinance says they need to be 45 feet apart. That is a long expansive wall. We added them where the roof changes pitch. There's a few of them on that façade. The neighbors are in agreement. We think it looks nice. We're asking you to approve that façade as presented.

Landscaping — I think we are 100% covered. There's additional landscaping added to the neighboring property. We have an agreement with them. We're asking you to combine those additional trees on their property. We've already filled out all the landscaping on our property. It's full. It looks nice. I think we're there on that issue.

Rooftop mechanical screening — we are screening the rooftop mechanical units almost identical to the DFA building, our neighbor. They are all individually screened. You cannot see

them from any side. So, from their property, it will be perfectly screened. There is a parapet on the front wall already, so that'll just aid in that screening.

Those are the issues that we are asking you to approve based on how we presented them, how the plans show them, so we get 100% guidance moving forward. The end of the Planning Commission was rather confusing. There was no clear consensus on where we were going. We are asking that the plans we have submitted are approved so we can go get our final development plan and start construction.

Mayor Alvey said I'll now open the public hearing and ask if there is anyone present who would like to speak in favor of #3151. If so, please step to the podium at this time and give us your name and address for the record. You'll be given up to three minutes to state your comments.

Curt Peterson, on behalf of the master developer, said I just wanted to address a couple of items. Mr. Richardson's passing out a couple of sheets of paper. Before you get overly frustrated, I will say I hope commissioners understand this is something that we don't, I'm a repeat player here, we don't usually pass things out this like.

The reason is, as Mr. Edwards said, coming out of Planning Commission, I do this for a living, and I don't know what got approved. Honest to goodness. What we did is we took the exact numbering from the staff packet so you can follow along. As Mr. Edwards did, he marched through and put comments next to each item in the staff packet that needs to be addressed to show why we would ask you to support the plans as submitted. We hope that's the easiest way for you to understand, to ask questions, to take notes. We'd ask at the end that the motion that would be made, if the vote is in favor of this proposal, and we hope there is, that the motion would be the plans, as submitted, and that that would be in the record that Mr. Edwards gave you, and then this packet that I'm giving you right now would also be in the record. We hope that is the best way to bring clarity to what is being voted on.

With that, the only items I'm bringing up are those that are on behalf of the master developer that really have nothing to do with Menards. Marching through that, Comment B.13, which is on the first page in front of you, is a comment where staff asks for an updated traffic study; I'd call it an updated global traffic study.

What we would point out to the commissioners is we did do, with Menards, an updated traffic study that specifically looked at the Menards' situation. Staff has had that and reviewed that. What we would ask, instead of having this B.13 read that an updated global traffic study needs to be done in addition to the study we just did, and this would be a condition for the construction permit which, as Mr. Edwards said, he wants to get to work here in the next 6-8 weeks after the final plan is approved, we would ask that you change this and say when the rest of the development moves forward south of Menards, we would do a global traffic study. Then we'd know everything that's going in and it would make more sense and be efficient. That's the change we would ask for there.

Comment B.14 is exactly the same. It's just talking about what would be in that traffic study. We agree to that. We'd just like to do it again with the rest of the master development south of Menards and not hold Menards up for yet another traffic study.

Comment B.15, on the second page, is just saying that 98th and State would get a signal. As many of you may remember, as part of the development agreement, that money's already been set aside from the bond issuance. The UG, whenever they want to move forward with that signal, the UG will do it and we're supportive of that. We would just ask that it not have any tie to Menards in any way.

The last one is B.16 and that's traffic improvements at 98th and Parallel. This is something that the design has already been approved by the UG, which is great. This is something that soccer, the master developer and the UG will coordinate with and pay for and get done. Right now, it's a condition of TCO for Menards. We would ask that you de-couple Menards from that because as the updated traffic study said that was just done, Menards has no impact on that intersection. Let's get this done and tied to the development as it moves forward south of Menards.

Really, with that, again we'd ask that you incorporate this into, hopefully, a motion in favor of this project tonight to bring clarity to these points as we move out of this meeting. On behalf of the master developer, thank you for all the support that you've given this development and the master developer. We are thrilled that we have one of the nation's leading retailers, really the most sought after in the country, that is poised to come to the UG. Thank you for time.

Eric Gentry, Victory Chrysler Dodge Jeep Ram, Victory Ford and Premier Auto Outlet at the Legends, said first of all, I'd just like to apologize that you have a car dealer following an attorney. I know that's maybe not the best thing for your night.

I'm here in support of this project. I'm not just here on behalf of myself, but the roughly 150 employees that with your vision and the Commission's vision, we have brought to the Legends Auto Plaza. I've taken some informal surveys of those people. Every single person has been incredibly in favor of the Menards coming and being our neighbor.

I've stood up here a few different times when we were in the process of building these dealerships out there and invested millions of dollars in this area. I can tell you, I'm extremely excited for what that can bring and what can follow along behind that. My ultimate goal is to be standing up here in front of you within the next 12 months and be asking to build another car dealership in this exact same area. I think you guys have demonstrated incredible foresight and it's benefited us. I think that this partnership and the synergy that Menards would bring would be a big benefit.

Mayor Alvey asked is there anyone else. Seeing none, if there is anyone in opposition who would like to speak on this item, please come forward. No one appeared in opposition.

Mayor Alvey closed the public hearing.

Commissioner McKiernan said anybody who watches any commission meetings on television knows I don't like stuff at the last minute. I don't like stuff ten minutes before the meeting. I like stuff with enough time that I can actually look at it and make an informed decision because that's what I've been asked to do.

What I look at right here, and I'm not going to make any comment about the project, the project's great. I'm going to make a comment about process.

I'm looking here at the—what date, Mr. Richardson, was this brought forward to the Planning Commission, February 12? **Mr. Richardson** said correct. **Commissioner McKiernan** said on the February 12 report that's in my agenda packet, and I'll just go with General Planning Item No. 1, Section 27-466(c) (1). That comment is the same, but the applicant response that was in my agenda packet differs from the applicant's response that's in this handout, let alone what's in

red here. What's in red isn't an addition, the whole thing, it's a substantive re-writing of what I had in my agenda packet. I don't know that we should, I will just say I depend on the Planning Commission, my representative to the Planning Commission, to make an informed decision about what they are presented with. It appears that what we are being presented with differs substantially from what the Planning Commission was presented with.

If that's the case, that bothers me that, it bothers me that a wholesale revision is potentially being given to us without enough time for us to go what about this. There are about 32 items on this list. There's a number of items on this list. I'm just frustrated with the process that we are undergoing here tonight because I don't feel like I'm being given time to make a thoughtful decision about what appear to be some substantial changes. That's all I have to say.

Commissioner Bynum said I just wanted to, for the public that's here and for myself, talk about the process a little bit.

Tonight is a rezoning of the area for the project. If that's approved, will there later be a development agreement for this project that would be a separate item? **Doug Bach, County Administrator**, said yeah. We're currently working on—the development agreement we're working on for this project is not one we're doing directly with Menards. The development agreement is one we do directly with Schlitterbahn and EPR, the master developers for the overall project area. We are still in the process of working on that and that would be a separate agreement that would come before you at a later date.

Commissioner Bynum asked this is a just a part of that bigger project. This is specifically about rezoning this property for a Menards? **Mr. Bach** said strictly a Planning and Zoning item. It has nothing to do with the business, with the exception of there's some notations made on this one sheet that came out about the intersection improvement. That's where Mr. Petersen had noted that he thought that should be separated from this deal. I don't know that.

Commissioner Bynum said that's what I want to clarify because we're being asked, again I think kind of with what Commissioner McKiernan is saying, we were brought forward what was agreed to at the Planning and Zoning level. That's what's in our packet. We can modify or change that tonight with a vote on this change of zone. He's correct, what's been given to us is different in parts than what we've been given in our agenda packet that was passed and approved by our

Planning Board. **Mr. Bach** said that's what it appears. I haven't had time to review everything in detail, but that's what it looks like.

Commissioner Townsend I'm just going to echo what Commissioner McKiernan has already said. I know that we take a lot of pride up here in doing the best we can to represent our constituents. It is disheartening to me to spend the time to go through these presentations and then at the eleventh hour being asked to consider something else. I don't think I can adequately do that tonight. I would like to see this delayed or sent back just to consider what we've just been given. I don't think I'd do justice to my constituents because I'm not quite sure what I'm being asked to look at at this late hour.

Ken Moore, Chief Legal Counsel, said, Mayor and Commissioners, the changes are significantly different than those that were advanced by the Planning Commission. They are beyond what would be considered during a final plat review or some other action of the Commission. I just wanted to advise that it would take eight votes to approve the proposal that the applicant has advanced.

Commissioner McKiernan said now that I have expressed my dissatisfaction and displeasure with this, my bigger question is how much of this is actually germane to the change of zone application that is the real business that's brought before us tonight. This seems like a lot of stuff that would be in a development agreement, in a final plan review, not in a change of zone. How much of this should have been actually handed at this time to the Planning Commission? How much should have been handed to me to make me get all focused on this because as I sit and think about things like fences and cart corrals, I ask myself, is that actually germane to changing the zone. Isn't that what is before us?

Mr. Richardson said, Commissioner, it's also the preliminary development plan. When we are presented with a preliminary development plan, we do a code review on that. The comments that we generated were based on the review of the code. The applicant, at this time, wants more certainty than just working it out at Planning Commission in the final plan review. Is that fair, Tyler?

Mr. Edwards said that is. I can comment on that. At the Planning Commission meeting, there was the staff report which listed every deviation from code that we had; standard practice.

We talked for about an hour and one-half about all sorts of issues. Got to one issue at the end, which was a change to the back of the warehouse and fence, columns on the back of the warehouse and fence facing the trail. Great. We're done. We covered all the issues.

The motion that was approved recommended every single one of those conditions in the staff report. All of a sudden we go back from one issue. that we agreed to, to thirty. There are issues that we needed to talk about because we can't just agree to what was swept in front of us after we talked for that long and came up with one issue which we agreed to.

Mr. Richardson said I wouldn't say that there was an agreement. They expressed their opinion as to those parts of the staff report and those comments. The Planning Commission chose to adopt them despite what had been testified to by the applicant at the meeting.

Mayor Alvey said if I could clarify this. Tyler, what I think you're saying is that your understanding was that the Planning and Zoning Commission approved what was presented with one outstanding issue. That's your understanding? **Mr. Edwards** said no. The other items that we asked them to approve weren't discussed. What came down to the final issue that made them all seem to be comfortable with our project was the exterior elevations, which then came down to the elevation facing the public walking trail behind. I had asked them to approve, based on that condition, and I thought that was, but one commissioner made a motion to approve everything.

That's why you got a packet of stuff because Menards, frankly, isn't going to agree to those 30 conditions. We have to talk about that. You guys are the governing body. That's why we bring it to you. We are out of time because we submitted this in September. Our Planning Commission meeting was two weeks ago.

Commissioner Kane asked how many stores have you built prior to trying to build this one. **Mr. Edwards** said 306 plus the ones we've remodeled, so probably close to 400. **Commissioner Kane** said alright, so 400 of them are all the same? **Mr. Edwards** said yes. **Commissioner Kane** asked or close to. **Mr. Edwards** said all in the last 20 years have been the same.

Commissioner Kane said so there wasn't a bunch of add-ons when you went to those other municipalities to get this done until you got here. **Mr. Edwards** said certain cities have different nuances that we tend to agree to, like the front of the building which we have agreed to. The

columns in the back which we have agreed to, landscaping. They're not all identical. There's changes which we're agreeable to.

Commissioner Kane said a question for Schlitterbahn. Have you guys reached out to staff or no to talk about this stuff? **Mr. Petersen** said even during this week, and I wish Mr. McKiernan wasn't disappointed, because we try so hard to be clear in this whole effort. Literally, all of it was going point by point in the staff report making it red. It was all intended to make the Commission's job easier to analyze everything that's gone on, as Tyler said, including to get to your point, this week working with staff trying to compromise and figure out certain points. We had a back-and-forth, Mr. Richardson, on, help me, today is Thursday, Tuesday, I think. That's what led to this very last draft with the red comments.

We thought, and this isn't pointing a finger, maybe we should have communicated better with Mr. Richardson but, Dr. McKiernan, the red is on top of the black because we thought that was going to be distributed with the staff packet, the underlying. We thought we were helping by putting the red in so you'd only have to look at those changes. It's earnestness, 100%, to try to make everything super clear. Much of what's repeated in Tyler's packet that he handed out is simply getting everything down in order even though most of it's okay. We even have agreement with staff. It was trying to make sure that it was the whole and you weren't looking at bits and pieces. I fear this is, largely perhaps, a misunderstanding. Ending, Commissioner Kane, we worked even through this week with Mr. Richardson and his office. We were constantly trying to refine and get the final product.

Commissioner Kane asked are we trying to vote on passing this, one, and then two, having them get together to resolve their issues. Is that what we're doing? **Mr. Bach** said I believe they are asking to incorporate all the changes they're bringing forward tonight as part of what they are seeking to be approved. **Commissioner Kane** said this comes back into I don't know if either side has done a good enough job to communicate to each other what's required and what's not required. In some of the other stuff that we went out there, staff said this. Then we were given the opportunity to say no, we'll go ahead. Frontier Justice is an example I'm talking about. Staff said they wanted this. We came up with a solution to that.

I guess part of my confusion is, I think you're right, Commissioner McKiernan, that a lot of this should have been worked out to getting here. The question is, who's at fault for us not knowing

what we're supposed to be voting on. **Mr. Richardson** said, Commissioner, let me maybe step back to the Planning Commission meeting and how we got to this point.

Tyler's right. They went through and they asked for several deviations, whatever that number was, from the Planning Commission. The Planning Commission, with the exception to the items, there was confusion related to what the development agreement said for stoplights. The motion allowed me to correct that based on what was in the development agreement, which I did before it came to you. They voted to uphold the overlay zone and the requirements of the overlay zone.

We've been working through this for a long time with the overlay zone. Basically, every time we've said this is what our code requires, we've been told no, which is fine. It happens.

After Planning Commission, Tyler sent me a letter and the hard copy of that data got lost in the mail, through no fault of his. We went through that. Curt and I worked to figure out, I got a digital copy on Tuesday. I read it on Tuesday. That's generally what you have here that was presented to you on Tuesday. I sent it back with my comments to Curt. They took my comments and their comments and incorporated them here. I believe in red is where they feel like that we still have a disparity between staff and Menards.

We've agreed to a resolution for many of the items that Planning Commission said to resolve. After the Planning Commission said no, we want you to uphold that, they went through this whole list with me and we came up with resolutions to almost everything. The items that they have in red and the items that are in yellow that Mr. Petersen handed out are the remaining items where staff and either the developer or the applicant are not in agreement.

These items, if you want to approve this tonight with the way that they've requested, it would be to have a motion that would approve the change of zone, subject to the two items that were handed out this evening, one from Mr. Edwards, one from Mr. Petersen. Then we would follow that through the final plan and move forward with the final plan that way.

Commissioner Kane asked are we close enough to make a decision or no. **Mr. Richardson** said there are probably two things that I am not sure about at this point in time.

From the front of our retail stores when you're standing in the street, you're looking in the street. Anything that's been built since the overlay zone, you can't see the rooftop units because of the screening of the front parapet. I understand that from the sides that may be different. I don't know that from the street you can't see it. I don't know if you'll see half of it or six inches of it.

Six inches of it you can't tell; we don't even really deal with that. I don't know where that line is. I'd like to know where that line is and make sure that they've, from the front view, do what everyone else has done.

Related to the traffic, their engineers used general traffic numbers for what they did on the traffic study. Menards has since provided us 500 pages of data related to their stores that we got on Friday, is that correct? It's not incorporated into their traffic study. We're asking that that data be incorporated into the traffic study at this time so we know for sure if we need to do any improvements before they open to make sure the streets are safe.

I think that those two items, and I think we can do that. I think that their numbers are going to make the traffic situation appear better so that the delays they are asking for are reasonable. I'm not the one that analyzes that, and I can't do it from Friday to Monday. **Commissioner Kane** asked let me ask a different question. Can we get there from here? **Unidentified Speaker** said yes.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Petition #3151.**

Commissioner Walters said I was going to ask Rob kind of the same question that Mike did, which was have you had a chance to even look at the recommended modifications to know whether your staff could stand behind them and recommend them to us for approval. Maybe since you kind of told us the two elements that come to your mind immediately, I might change what I ask and ask for clarification just what the motion was. Is the motion to approve what's on our agenda and adopt the recommendations of the Planning Commission or to adopt the Planning Commission recommendations, incorporating all the comments in these handouts that we received a few minutes ago? **Commissioner Kane** said Planning and Zoning on all the documentation that was turned in to us because Rob said he's only got a couple that he's worried about. I don't want to stop a project on just a couple of items.

Commissioner Walters said I guess we're kind of in a bind here, Rob. We're really relying on you having digested these comments thoroughly. **Mr. Richardson** said if I understood Commissioner Kane correctly, the motion would be to approve the project as submitted and amended by the applicant's statements tonight. We will look at the front elevation to make sure that it's screened from the front on the rooftop units, and that we would get the traffic study revised.

Those things would happen before final plan review is completed, they're in that process right now, just to make sure that there's nothing that we have to do immediately for Menards to make sure that the traffic safety issue is resolved when Menards opens. **Commissioner Kane** said that's exactly what I'm saying.

Commissioner McKiernan said it is useful that they give us all this information ahead of time because I just went back and I read from the Planning Commission recommendation. The Planning Commission voted 8-0 to recommend approval of the change of zone stipulating that the staff and applicant continue to work towards compromise on the issues in the staff report for final plan review.

Basically, as I see it, if we approve this, we are telling staff and the applicant to do exactly what Commissioner Kane said, keep working because we still have final plan review. This has not gone through a final review and final approval. That, if I'm not mistaken, would be our opportunity to still address any issues that have not been resolved.

Mr. Petersen said, Commissioner, I really don't want to stand up because everything, this is the right move. It's as submitted. The motion on the table would be as submitted by Menards with two exceptions, both of which—I was just talking with Tyler—we can work with this. This is a perfect solution, but I'd be remiss if I didn't say this doesn't come back to you at final. I would say a big corporation like Menards does take comfort with having certain details that really, if you're not hearing it, really, really matter to the company, to be finally up or down by this body.

By airing it at this level, issues that were in the staff report, Dr. McKiernan, these aren't things that were just brought up. The comments are made by staff in the staff report. We responded in a specific way so that you all can hear. This is your only shot to hear it. We appreciate this motion because it will do exactly what we ask, and we'll have two more issues to compromise on.

Commissioner McKiernan said I go back to the original requested action. The applicant, Tyler Edwards with Menards, Inc., seeks a change of zone from A-G Agriculture District to CP-2 Planned General Business District. **Mr. Petersen** said and a preliminary development plan. That's where all the details come in. **Commissioner McKiernan** asked where in this requested action does it say preliminary development plan.

Mr. Richardson said, Commissioner, on a change of zone, it's incorporated in a plan district. It's part of the plan district. **Commissioner McKiernan** asked its part of the CP-2 Planned General Business District. **Mr. Richardson** said correct. **Commissioner McKiernan** said which is why Planning Commission should make these.

Mr. Petersen said final plan won't come back to you. I'm sorry if I didn't make that point. This is it.

Commissioner Murguia said, Mr. Petersen, is what you're trying to tell us is there is not an opportunity, there was not an opportunity to discuss the discrepancies between what Menards wanted and what our staff wanted at any point in our process. **Mr. Petersen** said this is the one shot we have for you and the other commissioners to hear it which is why, again, I know it's painful, we tried to identify those details once and for all for you to give an up or down. The motion on the table would move those forward subject to two points that we're good with. At this point, we're very content with the motion.

Commissioner McKiernan said I'm just going to say that I don't like the fact that we have unresolved issues that will never come back before this Commission. **Mr. Richardson** said, Commissioner, that's quite frankly regularly what we do. We always get them worked out. **Commissioner McKiernan** said Commissioner Kane asked are you confident you can work these out to the satisfaction of both parties. **Mr. Richardson** said yes. **Commissioner McKiernan** said I'm done.

Commissioner Murguia said I'd just add that this is the first time in over a decade that I've been on the Commission that I've ever seen this happen. We are setting a precedent for future developers to come in front of us. I agree, Mr. Petersen, that, and I forget your name, I'm sorry sir, from Menards, that there needs to be a step in the process that if there is a discrepancy between what staff is recommending and the developer is recommending, that there is an opportunity to be heard either by our Planning and Zoning Commission or by the Commission, itself.

I don't know how that happens whether that's through executive session or some sort of process. It doesn't seem like there's as much—I have very little objection to the requested changes. I have some concerns. There are other places where there are block cart corrals that are required.

Much less lucrative businesses than Menards are made to have that requirement. I have little concern about that, more about setting precedent about our process.

I appreciate you bringing that we have this problem in our system. I do think we need to address it before it continues to happen again.

Mr. Bach said, Commissioner, just to clarify. These items were all presented at Planning Commission. I think what the issue is, the Planning Commission did not incorporate any of what they recommended or what they asked them to do at Planning Commission, so they just forwarded what Planning staff did because Planning Commission did not incorporate any of these.

It was heard. A public hearing was done on it. They addressed a couple of issues as Mr. Tyler said. They went through, they spent most of their time on a couple of the issues, didn't work many of the other ones that they brought up. It did have its chance to go through the process.

Commissioner Murguia asked if they didn't agree on the details of the deal, then why was there a vote on it. **Mr. Bach** said the Planning Commission can elect to advance a project however they deem. They deemed to put in place all the overlay zone requirements. **Commissioner Murguia** asked if the developer is not agreeing to the conditions, what project are they advancing.

Mr. Richardson said, Commissioner, I would say that 95% of the time when we have stipulations and folks disagree with it when the Planning Commission recommends approval, they just go ahead and do the stipulations. The only two I can recall are the building materials on Frontier Justice and this one where we had such a significant disagreement related to what the overlay zone required. We discussed this at length and there was no compromise. It was either yes or no. Even other alternatives that were offered, it's been a very unusual process on our side.

Commissioner Murguia said I'll just close with if Commissioner Kane, as the in-district commissioner, does not have concerns with the recommended changes, I would support that decision. However, I'll just remind everyone, again, we are setting precedent and we will see this again if we don't develop some sort of process. **Mayor Alvey** said I think the other way that could play out is it may be an exception, a precedent. It could also be simply an anomaly and we simply treat it as an anomaly.

Commissioner Philbrook said I was present for the whole Planning and Zoning. It was very enlightening. I did learn a lot and I was glad I was there. That's why I haven't been asking questions. I've been listening.

I believe that the intent of the Planning and Zoning Commission was to move things forward so this group could have their development and wholeheartedly believed that all of the problems would be worked out and they would be able to move forward. I believe that's what Planning and Zoning thought.

Past that, I have no comment because I'm not involved in their conversations as to what they've agreed to. I didn't hear a lot of pushback about a lot of the things that Menards was asking for from the Commission. I don't think they wanted to stipulate anything because they believed it would be worked out between both sides and move forward.

I do want to thank the group for coming forward to present to us because it gives us a good feeling, even though it's a precedent that we've created, it let's us know that maybe we need to change things a little bit, as Commissioner says, to make things work a little smoother for our process. Thank you for listening.

Commissioner Johnson said, again, I'm not very comfortable with this kind of process. I think I've heard enough tonight to be able to make a decision. I would say to staff that I'm going to err on the side of an anomaly and not a precedent, that we not have to be put in this kind of position as a Commission to make these on a regular basis. I think it really sets a bad precedent. It sets a bad optic as well. I'd like to make sure that we use this as a learning opportunity for us all because this is a great opportunity in terms of a business development opportunity, but with things being presented to us at the spur of the moment, it just makes it very uncomfortable. I just want that to be appreciated in this conversation.

Mr. Richardson said, Commissioner, if I might just for a moment. We're in a rock and a hard place because you all, not necessarily you all, but the Commission in days past adopted a code. We're trying to enforce that code and that's our job. When people say no, it puts us in a hard position. The Planning Commission is the first arbiter. They said well, we think you're going to work it out. Then it came here.

This is an unusual position with this applicant where they wanted more certainty than most do in the process that it would be worked out and fully baked before they moved on in the process. This is very atypical. I don't think we'll see this regularly.

Commissioner Johnson said I think that the bottom line is the fact that you said that these are things that we can work out means a lot, Mr. Richardson, and we trust in your expertise in this process. **Mr. Richardson** said thank you.

Commissioner Burroughs said my question is of Mr. Richardson. Mr. Richardson, were all members of the Planning and Zoning thoroughly informed about any potential changes that may be coming forward? **Mr. Richardson** said Mr. Edwards, Mr. Petersen and Mr. Knapper, I believe, went through the changes they were requesting very thoroughly at the meeting. They went through point by point similar to what they did tonight, but I think it's fair to say in more detail at the Planning Commission. They were informed and aware of that. They had our staff report with the code requirements and our recommendation. They had the counter point by point from the developer of what the developer and the applicant were requesting.

Commissioner Burroughs said committee members, it sounds like the Commission did it's work and made its recommendations. I appreciate that, Mr. Richardson. Thank you

Roll call was taken and there were nine "Ayes," McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs; and one "No," Townsend. (Prior to Commissioner Townsend's vote, she said I want Menards to come, but I'm voting no just for clarity.)

ITEM NO. 2 – 18107... CHANGE OF ZONE APPLICATION #3153 – DON GRAY WITH BOARD OF PUBLIC UTILITIES

Synopsis: Change of zone from A-G Agriculture District and R-1 Single Family Districts to MP-3 Planned Heavy Industrial District for an existing power plant at 4240 and 4240R North 55th Street and 4400 and 4800 North 47th Street, submitted by Robin Richardson, Director of Planning. This rezoning of the Nearman Power Plant is intended to more accurately represent the intended use of the property. The use of the property is not proposed to change. The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application #3153 to MP-3, subject to:

Urban Planning and Land Use Comments:

1. Board of Public Utilities' facilities are a permitted use in the current zoning districts, R-1 Single Family District and A-G Agriculture District. In general, our Zoning Code uses a cumulative organization where all uses in a less intense zone are allowed the more intense zones. Board of Public Utilities' facilities are permitted in MP-3 Planned Heavy Industrial District because they are permitted in R-1 Single Family District and A-G Agriculture District under the requirements of those districts. Rezoning would not change any of the zoning requirements for Board of Public Utilities' facilities. The list below demonstrates how Board of Public Utilities' facilities fit in the hierarchy of permitted uses.
2. Approval of the January 3, 2018 letter by the BPU General Manager.
 - Sec. 27-470. - M-3 heavy industrial district.
 - Any use permitted in the M-2 general industrial district.
 - Sec. 27-469. - M-2 general industrial district.
 - Any use permitted in the C-3 commercial district except dwellings, under the standards and requirements of that district.
 - Sec. 27-467. - C-3 commercial district.
 - Any use permitted in the C-2 general business district.
 - Sec. 27-466. - C-2 general business district.
 - Any use permitted in the C-1 limited business district.
 - Sec. 27-464. - C-1 limited business district.
 - Services such as all uses permitted in the C-0 district under the requirements and performance standards of that district, including offices for administrative functions, medicine, dentistry, law, philanthropic organizations, counseling, insurance, real estate, securities, and preschools and day care centers.
 - Sec. 27-463. - C-0 nonretail business district.
 - Any use permitted in the RP-4 garden apartment district under the standards of that district, except that single-family and two-family dwellings are not permitted in this district.
 - Sec. 27-459. - R-4 garden apartment district.
 - Any use permitted in the R-2 two-family district, under the requirements of that district.
 - Sec. 27-456. - R-2 two-family district.

Any use permitted in the R-1 single-family district, under the standards and requirements of that district.

Sec. 27-454. - R-1 single-family district.

Board of public Utilities facilities.

Public Works Comments: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Application #3153, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 18108...SPECIAL USE PERMIT PETITION #SP-2017-55 – VERONICA WESSELHOFT

Synopsis: Special use permit for a party hall at 2120 Park Drive, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 8 to 0 to recommend denial of Special Use Permit Application #SP-2017-55, based on the applicant’s failure to respond to the staff comments and public hearing comments. (The applicant was also not present at the meeting.)

Urban Planning and Land Use Comments:

NOTE: The applicant did not respond to staff questions.

1. Sec. 27-464(c)(9) retail business with parking areas or other outside customer-oriented areas within 100 feet of any residence shall restrict hours of operation to between 6:00 AM and 1:00 AM of the following day.
All operations shall cease and doors must be closed by 1:00 AM, no later.
2. Based on the supplied information, staff cannot determine the size of the interior of the building and, therefore, perform an analysis of the parking required for the party hall. Additionally, staff cannot determine the total number of parking spaces in the parking lot. The site plan must be revised to show all legal, parking spaces in the lot and the floor plan

needs to be drawn in darker, as it is difficult to define the seating area(s) from the back-of-house (kitchen, bathrooms, etc.).

3. What are the proposed days and hours of operation?
4. The business plan lists family events, so will the party hall be rented to only family members or are the events “family” type events?
5. Will food and alcohol be provided by the host or will these items be catered in by a third party/vendor?
6. How will security be provided? Will there be a guest list for each event? Will the applicant and/or her spouse be present at each event?
7. Doors shall remain closed at all times as not to project sound through the parking lot to the surrounding residences.
8. Provide an ID scanner and scan all IDs of those entering the facility.
9. Applicant complies with security codes, alcohol ordinance and other ordinances of the City.
10. Cease operating the party hall. Staff received a complaint that events have been held prior to obtaining a special use permit. Failure to do so will result in denial of this application.

Public Works Comments: None

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to recommend denial of Special Use Permit Application #SP-2017-55. Roll call was taken and there were ten “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 18109...SPECIAL USE PERMIT PETITION #SP-2017-72 – DIEGO TOTO WITH XM AUTOMOTIVE

Synopsis: Renewal of a special use permit (#SP-2016-67) for an automotive repair shop at 4439 Shawnee Drive, submitted by Robin Richardson, Director of Planning. The applicant wants to continue to operate a mechanic and heavy automotive repair shop. The Planning Commission voted 8 to 0 to recommend denial of Special Use Permit Application #SP-2017-72, for the reasons outlined by the staff. (The applicant also was not present at the meeting.):

Urban Planning and Land Use Comments:

1. Please provide updated photos of the site, including parking area and any signage on the site to prove compliance with previous stipulations.

Staff has received no contact on this case and has no ability to verify compliance with the ordinance or stipulations put in place at the time of the previous approval (2015).

Comments and Stipulations from 2015 approval:

1. Subject to approval, this special use permit shall be valid for two years.
2. How large is the tenant space that you are leasing? Please provide the square footage of the building.

Applicant Response: It is 2,700 square feet.

Staff Response: Based on the 2,700-building square footage, 10.8 parking spaces, or 11 parking spaces are required for this building. Even though the property is zoned MP-1 Planned Light Industrial and Industrial Park District, automotive uses or commercial uses require four spaces for every 1,000 square feet of building area.

3. Looking at the photographs, the south and west sides of the parking lot do not have any striping. Staff cannot determine how many parking spaces are required if we do not know the building square footage. Also, per your landlord, how many parking spaces have been allocated to you in the parking lot?

Applicant Response: Stated by the landlord, the parking availability is on a first come first serve basis. With that being said, all but one of the other tenants in the building use this facility as a storage unit only. They do not have customers or cars parked outside except for the times they come to get items from their space and those are only their own personnel car.

Staff Response: Since there is adequate space on the south side of the building, five 90-degree head-in parking stalls shall be striped to accommodate additional parking.

The industrial businesses have a parking ratio of one space for every 500 square feet up to 20,000 square feet. The parking lot located on the east side of the building is needed for all of the various businesses/tenants on the property, not just the proposed mechanic shop.

4. Per Sec. 27-593(b)(20)d.1-3.

- a. Parking of the automobiles under heavy service repair, or mechanics shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by Sections 27-466 through 27-470.
- b. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
- c. Each automobile shall be in a striped, designated parking space.

The ends of the row of parking stalls shall be curbed and landscaped that complies with the Commercial Design Guidelines. The asphalt inside the islands shall be removed prior to the landscaping being planted.

Please provide a more detailed drawing that shows the parking allocated for 4439 Shawnee Drive. Additionally, please show on the drawing that at either end of each row of parking a curbed, landscaped island.

There shall be at least one shade tree (minimum 2" caliper when planted) shown in each parking lot island. Lastly, where the curb is poured around the perimeter of the island, the asphalt shall be removed inside the island and replaced with topsoil so the plantings will adequately grow.

Applicant Response: I believe my landlord stated he was getting in contact with someone at the office to speak about the parking and about the whole permit itself, since they stated that this building already has a permit for auto repair since it was built back in the 1990s. I am unsure of what the process is with this. My landlord said he was looking into it.

Staff Response: The code requires these improvements to be made to the property. The special use permit will not become valid until all stipulations are met. Curbed islands shall be installed at the end of the parking row and landscaped as previously stated.

5. In order to have legitimate signage, a sign permit must be filed with the Urban Planning and Land Use Department by a licensed and bonded sign company with the Kansas City, Kansas Business Licensing Department.

Applicant Response: We will follow getting a sign once and if the application is approved. Thank you.

6. No displays on the sidewalk, this includes signs, pennants, attention-attracting devices, etc.

Applicant Response: Understood.

7. Will any vehicles or materials be stored outside?

Applicant Response: Yes, some vehicles will be parked outside while awaiting service. Cars will be in running condition, with current tags and all appropriate paperwork. The heavy repair will not be parked outside or towed in, vehicles will be inside.

Staff Response: Cars that are awaiting service shall be parked in a code compliant parking stall. Salvaged or wrecked vehicles are not permitted to be on the property as this is not a salvage operation.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: verify/clarify that no new exterior construction, parking lot improvements, etc. is none.
2. Items that are conditions of approval (stipulations):
 - a. Verify and confirm that there is an existing oil/water separator on-site for the automotive business so that oil and other fluids do not enter the sanitary sewer system.
 - b. It appears that an automotive repair shop may include work on wrecked vehicles. Will wrecked vehicles that potentially leak fluids be worked on or stored on-site? Provide an analysis of MARC BMP Hotspots as it may apply to this site and indicate any necessary improvements on a site plan, if required. Further discussion with staff may be needed.
 - c. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: None.

Staff Conclusion:

Due to the lack of response from the applicant and the inability of staff to verify compliance with prior stipulations, staff recommends denial of the renewal of this special use permit.

Rob Richardson, Director of Planning, said, Mr. Mayor, members of the Commission, in this case, the communication was spotty between staff and the applicant following their application. We did not have responses to the staff comments or evidence of the neighborhood meeting at the Planning Commission meeting. The applicant did not attend the Planning Commission meeting, although they were provided notice of such meeting. We would recommend, at this point, that if

the applicant is interested in pursuing this, it needs to be sent back to the Planning Commission so Planning Commission can hear the full evidence.

Action: **Commissioner Murguia made a motion, seconded by Commissioner Kane, to return the matter to the Planning and Zoning Commission to hear the full evidence.**

Mayor Alvey opened the public hearing. If there is anyone present who would like to speak in favor of this petition, only if you're speaking in favor of the petition. I'm sorry, the applicant should speak first.

Diego Toto, 7924 Carter Drive, Overland Park, Kansas, said like he said, it was a misunderstanding, miscommunication mostly on my side, for not having the neighborhood meeting, which we did now. That's all I have to say.

Mayor Alvey asked if anyone else would like to speak in support. No one else appeared in support.

Mayor Alvey asked if anyone would like to speak in opposition. No one appeared in opposition.

Mr. Richardson said if you were to return it back, the date would be March 12 for Planning Commission to return it.

Mayor Alvey closed the public hearing.

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

ITEM NO. 3 – 18110...SPECIAL USE PERMIT PETITION #SP-2017-74 – WIL ANDERSON WITH BHC RHODES FOR WINIFRED ANDERSON

Synopsis: Renewal of a special use permit (#SP-2015-2) for recycling of pavement, truck weigh scale and fill site at 626R North 47th Street, submitted by Robin Richardson, Director of Planning.

March 1, 2018

The applicant, on behalf of the owner, Winfred Anderson of RMR, seeks to renew a special use permit to continue to operate a dirt fill and recycling materials site in conjunction with a truck weight scale. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application #SP-2017-74 for six months subject to the remediation plan being implemented prior to the owner restarting operation, and subject to:

Urban Planning and Land Use Comments:

1. A Stop Work Order was issued for 626R North 47th Street on October 27, 2017, for failure to comply with codes and regulations related to dirt fill operations. A Remediation Plan has been submitted and is under review. It must be approved and implemented before the Stop Work Order is rescinded.

Applicant Response: *A Remediation Plan for 626R North 47th Street was submitted on November 27, 2017.*

2. Per Business License Department:

- a. Comments were made on the companion special use permit request #SP-2017-60 at 822 N. 49th St. Applicant has no current occupation tax for any type of recycle activities.

Applicant Response: *No material recycling is planned for the adjacent site at 822 North 49th Street. An occupation tax application will be filed for this site (626R North 47th Street) if needed.*

3. While a grading plan has been issued by Building Inspection Department, which is required for all dirt removal and fill sites, engineering plans were not submitted so Building Inspection, Planning, Public Works and Planning Engineering could review and approve the plans.

Applicant Response: *The Remediation Plan set submitted November 27, 2017, are engineering plans submitted for review of the aforementioned departments.*

4. Dust has been a significant issue for employees at the Neighborhood Resource Center (NRC) and others who reside in the area. Additionally, the North 49th Street and Armstrong Avenue are covered with dirt which, when dried, exacerbates the dust issue. What is your current watering plan to minimize dust and what will you do to correct the problem that it will not occur again?

Applicant Response: BHC Rhodes has proposed a relocation of the truck traffic entrance to the north edge of the property along Armstrong Avenue (see sheet C4 – Remediation Plan set) which will reroute truck traffic to access the recycling site via North 48th Street and Armstrong Avenue which will prevent truck traffic from driving alongside the Neighborhood Resource Center (see Remediation Plan Outline Keynote 04 on sheet C6 – Remediation Plan set).

The owner/operator of the recycling site has also provided to rinse and sweep the streets with a water truck and street sweeper, respectively, daily and as needed (see Remediation Plan Outline Keynote 05 on sheet C6 – Remediation Plan set). Material crushing and screening machinery shall not be operated when wind is out of the south (see Remediation Plan Outline Keynote 06 on sheet C6 – Remediation Plan set).

5. How many daily truck trips are there to the site?

Applicant Response: There will be an estimated 24 daily truck roundtrips to/from the site.

6. How long will it take to achieve the final grades needed to close the permit?

Applicant Response: It will take approximately 24 months to achieve the final grades needed to close the permit.

7. Rubble and construction material that is brought to the site is much larger than the allowable fill material. Per the International Building Code, Appendix J, Section J107.4 Fill material shall not include organic, frozen or other deleterious materials. No rock or similar irreducible material greater than 12 inches (305 mm) in any dimension shall be included in fills. How do you intend to resolve this issue?

Applicant Response: Fill material larger than 12 inches in diameter will not be allowed as fill to achieve the proposed contours shown on sheet C3 of the Remediation Plan set (see Remediation Plan Outline Keynote 05 on sheet C3 – Remediation Plan set).

8. Note that 3:1 is the maximum allowable slope for maintenance of turf.

Applicant Response: Acknowledged.

9. This operation significantly exceeds any previous requests and appears to be operating in violation of several ordinances. Staff support will be difficult to achieve.

Applicant Response: Please advise on specific violations so all concerns can be addressed to meet all applicable ordinances.

Code Enforcement Comments:

This operation has ruined the road, trucks not adhering to the traffic signs, leaving dust and dirt everywhere in the neighborhood. When they do clean the streets, they do not use water, and all it does is create more dust. This creates not only a nuisance but a health hazard as well. Code Enforcement does not recommend renewal of their special use permit.

***Applicant Response:** The owner/operator has proposed to repair road surface deficiencies due to large truck traffic as they arise (see Remediation Plan Outline Keynote 09 on sheet C3 – Remediation Plan set).*

The owner/operator of the recycling site has proposed to rinse and sweep the streets with water truck and street sweeper, respectively, daily and as needed (see Remediation Plan Outline Keynote 05 on sheet C6 – Remediation Plan set).

Additional Code Enforcement Comments: Inspector Overton - This plant has had trucks not following traffic laws. There have been several close calls on the street behind the Neighborhood Resource Center (NRC). There are also some safety concerns with dirt settling on the road, cars, and buildings that may cause breathing problems. This company has torn up the roads around the plant and not maintaining them. They have been a nuisance.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: None.
2. Items that are conditions of approval (stipulations):
 - a. The owner/contractor did not comply with approved engineering plans on two sites at 626 R North 47th Street, parcel 404400, and 626 North 47th Street, parcel 404401. This northern site (RMR), parcel 404400 is a recycling center and fill site, operated by Winfred Anderson. The southern site, parcel 404401, is owned by a different party with a business named Twin Traffic and Special Use Permit #SP-2016-61 for a fill site operated by Winfred Anderson. A Stop Work Order was issued on Friday, October 27, 2017.
 - b. During site visits prior to the stop work order, it was observed that the fill site was a dump site with construction debris, large chunks of concrete, rebar, pipe, and steep slopes, i.e., 1.5:1 or 2:1. There was evidence that fill material was pushed off into trees, fill placed on vegetation, and fill was not placed per typical construction practices with lifts and

compaction. The fill material and construction methods are unknown with approx. 50-70' fill heights. Furthermore, there was large cracking at the top of the fill and evidence for potential slope failure.

- c. The Engineer, BHC Rhodes, met with a geotechnical engineer for recommendations of existing site conditions and proposed remediation. Due to the unknown fill material and construction methods, the Geotech indicated that slope failure could occur regardless of proposed 2:1 or 3:1 slopes. Although the Geotech recommended letting the slope fail, they indicated that inclinometers can be installed to monitor any movement in the slope regarding potential slope failure. The UG expressed concerns of letting the slope fail because it could damage nearby residential houses, fill-up the creek, plug-up a downstream culvert, and cause potential flooding issues. Therefore, the UG requested a minimum of two inclinometers to be indicated on the remediation plan, in line with each of the two residential houses at 4733 and 4738 Ann Avenue.
- d. Public Works and Planning required the owner/contractor and his engineer, BHC Rhodes, to prepare a remediation plan to bring the site into compliance. The approved plan requires installation of two inclinometers to monitor fill movement in the vicinity near the houses of 4733 and 4738 Ann Avenue, with monthly monitoring for one year. Depending on results, additional monitoring and/or requirements may be required as determined by the Geotech, Engineer, and/or the UG.
- e. The owner/contractor shall follow the approved remediation plan and bring the site into compliance. Upon reaching compliance, the owner/contractor shall coordinate with the Engineer and Public Works for an inspection and approval prior to the release of the stop work order.
- f. Upon approval by UG staff and/or Planning Commission, the following stipulations shall apply for the remediation plan and this special use permit:
 - 1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
 - 2) The applicant, owner, and/or contractor shall obtain a land disturbance permit from KDHE and Unified Government Public Works Department, a hauling permit from Public Works, and a grading permit from Building Inspection Department prior to the start of any construction work.

- 3) The owner and/or contractor shall install erosion control devices and coordinate an inspection with Public Works Department prior to any land disturbance activity on the site.
 - 4) The RMR site at 626 R North 47th Street shall be the access to the Twin Traffic site at 626 North 47th Street, and an adjacent site at 822 North 49th Street, if approved by #SP-2017-60. The RMR site at 626 R North 47th Street site, shall have a construction entrance and exit in accordance with the approved remediation plan, which includes a dry wheel cleaning structure and 200' asphalt for exiting trucks and vehicles. If the dry wheel cleaning structure proves insufficient, a wet system and/or other method approved by the UG will be required.
 - 5) The owner and/or contractor shall keep streets free of mud, debris, and dust.
 - 6) The owner and/or contractor shall provide third-party inspection services during the construction operations to ensure compliance with approved remediation and engineering plans.
 - 7) The owner and/or contractor shall repair, replace, clean up damage to streets, utilities, adjacent properties and shall coordinate with Public Works Department for inspection and approval.
3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: None.

Staff Conclusion:

This site has received approval of their special use permit (renewal) since 2013; however, in the preceding years, the owner/operator has not adhered to the stipulations that were approved to ensure the site was, in fact, going to operate properly.

Prior to the Stop Work Order issued on October 27, 2017, Mr. Winfred Anderson of RMR continued to allow trucks to deliver earthen material on 626 North 47th Street without a grading permit, dump recyclable materials greater than 12" with rebar, which is a direct violation in the International Building Code, Appendix J. The slopes on the site do not meet the approved 3:1 ratio, filled within the creek and over topped erosion control, as depicted on the site photographs. The applicant has done little to improve the dust issues that adjacent neighbors have had to deal with when this site has been operational.

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There can be no material sales from this site. This is only approved for fill (if approved).

Staff cannot continue to support this petition for failing to comply with the stipulations. Staff is going to enforce the Remediation Plan and previous stipulations, and no fill or removal of earthen material from the site shall occur.

Update – February 12, 2018:

At the December 11, 2017 City Planning Commission meeting, the applicant's representative, Patrick Joyce with BHC Rhodes, was directed to submit a remediation plan for this property and the adjacent property, 822 North 49th Street (#SP-2017-60) for the recycling operation. While the remediation plan has been reviewed and approved by Planning Engineering and Public Works, the lack of compliance with the approved grading plans, proper fill compaction on site, and continued dumping of fill material larger than 12 inches causes concern for staff about this site, which has been closed due to the Stop Work Order issued on October 27, 2017.

To bring this site into compliance, some work must be performed on site. The remediation plan shall be implemented and strictly followed until completion. At that point, third-party inspections shall be submitted to Planning Engineering staff and the site is closed.

The special use permit renewal (#SP-2017-60) for the recycling operation was withdrawn at the February 12, 2018 City Planning Commission meeting; it is anticipated that it will be resubmitted at a future date.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2017-74 for six months, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 4 – 18111...SPECIAL USE PERMIT PETITION #SP-2018-6 – BLAIR A. THEDINGER

Synopsis: Special use permit for two goats at 411 Stine Avenue, submitted by Robin Richardson, Director of Planning. The property is 0.14 acres. The applicant owns the three properties to the

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east and south (444 Shawnee Road, 448 Shawnee Road, and 1417 South 5th Street). 448 Shawnee Road is the applicant's primary residence. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-6, subject to the following:

Urban Planning and Land Use Comments:

1. Approval is for two years.
2. Please describe how you plan to enclose the animals and where the fence will be built.

Applicant Response: The fence will be constructed out of treated wood posts. The posts will be eight feet long and will be buried at least two feet in concrete. They will be spaced every eight feet on runs. Corner posts will be at least six-inch diameter and there will be bracing on each side. Same for the posts on either side of the gates. There will be a top and bottom cross bar on the outside of the fencing material to reinforce the fence and prevent climbing. The fencing will be welded wire, "red-brand". It has 2" by 4" spacing. It will be six feet tall. Usual goat fencing is four feet tall, but I am going to make it six feet to be extra sure that no goat can get over it. The gate latch will be on the outside of the pen. My plan was to set the fence back from Stine Ave by at least 20 feet and from the alleys and Dean Realty's property by at least three feet.

Staff Note: Fences are limited to four feet in height in the R-2(B) zoning district. Six-foot fences are permitted within an area demarcated by the property side line from the front of a residence or other main building to the rear property line. Because this property has no residence of main building, the fences are limited to four feet.

3. All animals must be totally enclosed at all times and shall not be at large on the property or neighboring properties.
4. The shelter shall not exceed 120 square feet. If the shelter exceeds 120 square feet, the applicant shall obtain a zoning variance for an accessory structure with no primary structure and a building permit.

Public Works Comments: None.

Conservation District Comments:

1. There is one major soil type identified: Knox complex, 18 to 30 Percent slopes. This soil type is considered highly erodible when the surface is denuded of a protective cover.
2. The lot is heavily covered with trees making it unsuitable for pasturing animals. The steepness of the property is going to cause erosion when animals are allowed to roam the hillsides. Animal traffic destroys the mulch cover and allows more runoff. There is no fence at this time. One will be required if animals are placed on the lot after improvements are completed.
3. Grading work done now will increase erosion from the area.
4. Shrink swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to buildings, roads and other structures and to plant roots. Special design commonly is needed.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to recommend approval of Special Use Permit Application #SP-2018-6, for two years, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 5 – 18112... SPECIAL USE PERMIT PETITION #SP-2018-13 – LEE RYHERD WITH UHL ENGINEERING

Synopsis: Special use permit for a lot to be used as overflow storage and staging area for a used car lot at 1401 State Avenue, submitted by Robin Richardson, Director of Planning. This property has been operating as an unlicensed used car lot for some time. It is commonly used to store wrecked and inoperable vehicles. It has not had a business license for this use for more than two years. Therefore, it is now required to have a special use permit and to meet the requirements outlined in code, including meeting the commercial design guidelines, for continued operation as a used car dealership. It is associated with the used car dealership, Credit Motors, to the north of the property. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-13, subject to:

Urban Planning and Land Use Comments:

1. Street Trees

Street trees are required for every 30' of street frontage. The site plan states that "trees have been omitted for safety and security to maintain maximum visibility of the site." The purpose of the special use permit requirements is to mitigate the negative effects of used car dealerships on the appearance of the community. Street trees have multiple benefits including:

- Reduced and more appropriate urban traffic speeds
- Safer walking environments
- Aesthetic and placemaking improvements
- Increased security
 - Trees create a more pleasant walking environment and pride of place, which results in greater natural surveillance of businesses by the neighborhood.
- Improved business
 - Businesses on treescaped streets show 12% higher income streams
- Stormwater benefits
- Rain, sun and heat protection
- Reduction of air pollution
- Added value to adjacent homes, businesses and tax base

Please revise the site plan to include a street tree for every 30' of street frontage.

Applicant Response: Ten street trees have been added to the plan along State Avenue and N. 14th Street.

2. Parking Layout

The parking layout must meet the standard dimensional requirements in Sec. 27-669 – Dimensions of parking areas. All cars must be in a striped, designated parking space. All cars must be operable. Please revise the site plan to meet these requirements.

Applicant Response: Plan has been modified to show pavement markings meeting the standard dimensional requirements of Sec. 27-669. All vehicles will be in working order, please refer to notes on plan sheet.

3. Screening from Residential Property

Architectural screening is required from residential property. Please revise site plan to include a six-foot opaque fence with masonry columns every 32 feet on center screening the property from the residence to the west.

4. While a variance was approved for an eight-foot fence, the fence is in the sight triangle and must be moved out of the sight triangle.
5. Approval is for two years.

Public Works Comments: None.

Business License Comments:

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

Applicant Response: *Understood.*

Action: Commissioner Kane made a motion, seconded by Commissioner Johnson, to approve Special Use Permit Application #SP-2018-13 for two years, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook.

ITEM NO. 6 – 18113... SPECIAL USE PERMIT PETITION #SP-2018-14 – COREY R. FISCHER

Synopsis: Home occupation special use permit for an Airbnb at 4451 Eaton Street, submitted by Robin Richardson, Director of Planning. This is the applicant’s primary residence and is listing for one bedroom. The applicant remains on site when tenants are renting the bedroom. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-14, subject to:

Urban Planning and Land Use Comments:

1. How long has the short-term rental business been in operation?
Applicant Response: Four months
2. Were neighbors consulted prior to opening the business?

Applicant Response: No

3. Do you have a business license?

Applicant Response: My wife, Micah, does for photography.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes

5. How many rooms are rented?

Applicant Response: One

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

Applicant Response: Two

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

Applicant Response: Two, driveway

8. How often are guests in the residence?

Applicant Response: Sporadically; not full time.

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

Applicant Response: No

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

Applicant Response: There is a private bedroom with a half-bath that the renters have access to. The kitchen, living room and full bathroom (all on first level) are common areas.

Airbnb and other short-term rental operators do not all fall into the same category. In this instance, Mr. Fisher rents out only a portion of his home and is present when there are tenants. Staff has received no reports of issues from neighbors, and Mr. Fisher appears to have sufficient parking to accommodate any tenants. Staff feels there is minimal effect on the surrounding neighbors, no more than traditional guests of an owner/occupant would have. Staff recommends approval, subject to the stipulations listed below.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval:
 - a. What is the maximum number of people that will be staying at any one time, at each address?
Two

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- b. What is the maximum number of vehicles and where will they park? Two, driveway
2. Items that are conditions of approval (stipulations): None.
3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: 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 two people (not including an infant/child).
4. Only one additional (guest) car is permitted.
5. House rules must include provisions indicating no parties or events to be held on site
6. Approval is for two years.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-14 for two years, subject to the stipulations. Roll call was taken and there were ten "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 7 – 18114... SPECIAL USE PERMIT PETITION #SP-2018-16 – ADRIENNE BORTZ WITH GABEL RENTALS LLC

Synopsis: Special use permit for a short-term Airbnb at 1101, 1103, 1107 and 1109 North 79th Terrace, submitted by Robin Richardson, Director of Planning. The applicant is applying to use

her four townhouse properties located at 1101, 1103, 1107, and 1109 North 79th Terrace as short-term rental spaces rented through sites such as Airbnb and VRBO. These properties are not the applicant's primary residence. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-16, subject to:

Urban Planning and Land Use Comments:

1. How long has the short-term rental business been in operation?

Applicant Response: Since January 2017

2. Were neighbors consulted prior to opening the business?

Applicant Response: A few neighbors were consulted, but since it was zoned rental and we are renting the units, we did not foresee any complications.

Staff Response: There is no "rental" zoning district

3. Do you have a business license?

Applicant Response: No. It was our perception that we were renting and they are rentals already.

4. Have you paid appropriate lodging taxes?

Applicant Response: Yes. We did not start the Airbnb partnership until the state of Kansas and Airbnb completed the agreement for taxes.

5. How many rooms are rented?

Applicant Response: These are not individual rooms, they are townhomes. We have one leased full-time. We have two that have been rented via Airbnb. The fourth has been, until November, as owner-occupied by Adrienne Bortz and her family.

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

Applicant Response: We have a maximum of four adults per unit selected as our criteria.

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

Applicant Response: There is a maximum of two vehicles and they park in the drive and garage.

8. How often are guests in the residence?

Applicant Response: Occupancy is at 60% on the two units that were on Airbnb.

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

Applicant Response: Yes, our inspection is scheduled for Feb. 1, 2018.

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

Applicant Response: These are individual townhomes. Each is two-bedroom, two-bathroom with kitchen and small living area. There is also a garage for each unit. The units are unusually large on the bedroom space and small on the living space, making them difficult to rent for traditional homes but perfect for corporate and short-term rental.

11. As you do not live on site, how are the properties managed? How often do you visit the properties? Who meets the tenants, cleans when they leave, and is available if there are any issues (either for the tenants or neighbors)?

Applicant Response: Adrienne Bortz is the managing partner and is available by phone, text or email in 10 minutes or less. Airbnb has a great platform of care of the renters. They will call direct if texting does not get attention on an immediate issue. The cleaning service is provided by a person from Wyandotte County and they are also easily communicated with by Ms. Bortz or the renters. Renters are communicated with on daily basis and visits to the property are weekly or multi-weekly visits.

12. Is there a homeowner's association or homes associated restrictions?

Applicant Response: There is no HOA.

This application is slightly different from others that are primary-residence occupants. The applicant lives in Lake Quivira, a short distance from the rental properties. According to the applicant, most of the tenants are longer-term, business type travelers, averaging closer to one month stays, rather than the faster turnover of many other short-term rentals. If the application were to be denied, or choose to do so, they could require a 29-day minimum stay, obtain a rental license, and avoid the special use permit requirement altogether. As it is, this provides the applicant with more flexibility in securing tenants for the houses. At time of final draft, the applicant had been approved for rental licenses for all units.

The floor plan of these townhomes does not lend itself to a family type tenant as the living space is quite small. Couples or single adults seem to be a better option for such units. Since there is no recorded neighborhood opposition, the applicant is readily available to neighbors and tenants and lives nearby. There is sufficient garage and driveway parking to accommodate the tenants. Staff does not feel that this is a problematic use in this neighborhood at this time.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval:
 - a. What is the maximum number of people that will be staying at any one time, at each address?
Applicant Response: See above
 - b. What is the maximum number of vehicles and where will they park?
Applicant Response: See above
2. Items that are conditions of approval (stipulations): None.
3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: 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 for each address.
3. The maximum number of guests is limited to four people per unit (not including infants/children).
4. Neighbors shall be provided with contact information for the owner/operator in case problems arise.
5. House rules must include provisions indicating no parties or events to be held on site
6. Approval is for two years.

Further neighborhood comment could impact the staff opinion.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-16 for two years, subject**

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to the stipulations. Roll call was taken and there were ten “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

VACATION APPLICATION

ITEM NO. 1 – 18115...VACATION APPLICATION #U/E-2018-1 – EARL FREEMAN

Synopsis: Vacation of utility easements at 12940 and 12934 Hubbard Road, submitted by Robin Richardson, Director of Planning. The applicant has applied to vacate the utility easements on the shared side of the following properties in the Freeman Farms North Phase 1 Subdivision: 12940 Hubbard Road and 12934 Hubbard Road. The applicant intends to construct a large single-family house on the two lots. The Planning Commission voted 8 to 0 to recommend approval of Utility Easement Vacation Application #U/E-2018-1, subject to:

Urban Planning and Land Use Comments: None.

Public Works Comments

1. Items that require plan revision or additional documentation before engineering can recommend approval: None.
2. Items that are conditions of approval (stipulations): The County Surveyor makes separate technical review of the vacation documents and submits comments directly to the preparer of the documents/exhibit. Provide revised exhibit/vacation documents in accordance with County Surveyor comments.
3. Comments that are not critical to engineering’s recommendations for this specific submittal but may be helpful in preparing future documents: None.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Vacation Application #U/E-2018-1, subject to the stipulations .** Roll call was taken and there were ten “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

PLAN REVIEW APPLICATION

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ITEM NO. 1 – 18116...PLAN REVIEW APPLICATION #PR-2017-36 – KEVIN QUINN

Synopsis: Preliminary and final plan review for expansion of Legends Honda parking on Lot 2 and Lot 4 for a private car wash and detailing facility to be used by the car dealership at 2200 North 99th Street and 10010 Lafayette Avenue, submitted by Robin Richardson, Director of Planning. The applicant is with KCK Development II and wants to build a car wash and detailing facility at 10100 Lafayette Avenue, build a parking lot for overflow vehicles for Honda at 2200 N. 99th Street and re-design detention basins at 9900 Parallel Parkway. The Planning Commission voted 8 to 0 to recommend approval of Preliminary and Final Plan Review Application #PR-2017-36, subject to:

Urban Planning and Land Use Comments

General Planning:

1. Any wind turbines shall comply with the wind turbine ordinance.

Applicant Response: Acknowledged.

2. Because 99th Street is part of the trail network, specifically the On-Street Bike Route Connections (Share the Road), all new trails shall subscribe to the following:

- Provide at least a 10-foot-wide path and will include enhanced pedestrian amenities including wayfinding and interpretative signage, benches, litter receptacles and generous landscaping.
- All trails will be illuminated with pedestrian lights with a consistent spacing.
- All sidewalk and trails should meet the requirements of the American with Disabilities Act Accessibility Guidelines (ADAAG).

Applicant Response: A trail has been provided, the south portion had to be eight feet due to existing storm box interference, but we widened to ten feet once possible. Each connection to the street uses ADA compliant ramps per UG standard details.

3. Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R-Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted street right-of-way abutting

the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided.

Applicant Response: A sidewalk has been provided per the Public Improvement Plans.

4. All overhead doors shall be closed when automobiles are being detailed.

Applicant Response: Acknowledged.

5. Indicate how KCKFD will have access to the rear of the building if a drive is not provided for them.

Applicant Response: After further discussions with the Fire Marshal, our layout was approved with a revised entrance.

6. The applicant is seeking a deviation from the Commercial Design Guidelines to construct an nine-foot cast in place concrete retaining wall, which will not be terraced. See attachments for deviation request letter.

Staff Response: The retaining wall is along the south property line, adjacent to Lafayette Avenue. The wall is internal to the development, facing the front of the building, so it will not be visible until one enters the site to park their vehicle. The wall shall be textured and integrally-colored to match the modular block walls within the Legends Auto Mall development.

Building and Architectural Design:

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

The techniques in addition to building articulation need to be integrated into the design of each façade. While Lot 4 is the furthest setback from Parallel Parkway, Lafayette Avenue is a thoroughway for residents south of Georgia Avenue to access I-435 through North 100th Terrace. The same level of architectural detail for Legends Toyota and Legends Honda should be incorporated into this building.

Applicant Response: We have incorporated three of the techniques listed above as follows:

- *Our elevations include material variations such as precast concrete panels with two levels of sandblast finish, brick, along with anodized clear aluminum storefront with reflective blue glass.*
- *Our revised elevations include an additional building offset when the carwash portion of the building shifted to the east, creating a building offset required for the north elevation on the east side, please refer to revised sheet A-1 attached.*
- *Our elevations include variation in rooflines while maintaining visual screening of rooftop units and equipment as required.*

Staff Response: While the precast concrete panels will have a sandblasted finish, they shall be integrally-colored, darker than typical, ashen gray concrete and match B-Street Collision Center once their paneling is approved.

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

Applicant Response: Please refer to revised sheet A-1 for the addition of architecturally compliant screen wall along the east face of the building, covering all utility boxes, meters, and connections.

3. Since the building will have high visibility from various angles, scuppers and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened, and all downspouts shall be internalized.

Applicant Response: We do not indicate scuppers or downspouts in the design of this building to be exposed. We intend to internalize roof drain lines and to provide lambs tongues for roof overflow. Please refer to revised sheet A-1 for locations of lambs tongue locations.

4. Overhead doors shall be painted to match the building.

Applicant Response: We intended for these doors to match the finish out of the southwest aluminum storefront as clear anodized aluminum. Please refer to revised sheet A-1 for finish of overhead doors intended.

5. The gas canopy columns shall be wrapped in the same thin brick used in the construction of the Legends Reconditioning Center.

Applicant Response: Please refer to revised sheet A-1 for thin, brick faced columns at fuel canopy.

Landscaping and Screening:

1. Based on the landscaping requirements in the CP-2 Planned General Business District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 25 trees are required to be planted for the Honda parking lot and 21 trees are required to be planted for the car wash and detail facility. These totals do not include the street tree requirement or trees to be planted in parking lot islands.

Applicant Response: Landscape plans have been updated to include the required quantity of trees.

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

Applicant Response: A continuous row of shrubs is proposed between all parking areas and public streets.

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

Applicant Response: Street trees have been updated per requirements.

4. Sec. 27-577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces.

The parking lot expansion for Honda needs to have two landscaped islands, one located along the row of parking facing North 99th Street and the other facing Parallel Parkway.

Applicant Response: All parking lot islands have been landscaped.

5. All landscaping shall be irrigated.

Applicant Response: Irrigation ID plans have been updated to show all landscape areas receiving irrigation.

6. All shade trees shall be at least two-inch caliper. All evergreens shall be at least six feet in height. All shrubs shall be five gallons, external to the development and three gallons internal to the site when planted.

Applicant Response: Plant sizes have been updated.

7. Only decorative lighting can be used on the exterior of the building. No wall pack lights or flood lights are permitted. This includes lights over the exit doors as required by the International Building Code (IBC).

Applicant Response: Agreed.

8. All lighting, whether mounted on the building or in the parking lot, shall have 90-degree cutoff fixtures.

Applicant Response: Agreed.

9. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Agreed.

Staff Response: The lighting plan does not comply with the code. There are numerous areas on the site where the lighting exceeds the one-foot candle requirement at the property line.

The lighting plan must be revised prior to the issuance of a building permit to comply with the lighting requirements.

10. The trash enclosure for the car wash and detail facility shall be heavily landscaped and screened with an architectural wall that is comprised of the same building materials as the primary structure.

Applicant Response: Heavy landscaping is proposed around the trash enclosure.

11. All roof-mounted units shall be screened by the parapet of the building.

Applicant Response: Agreed.

12. The wood privacy fence around the perimeter of the car wash and detailing facility, abutting the agriculturally zoned property to the north and west, shall be six foot in height and have masonry columns every 32' on center.

Applicant Response: Agreed.

Signage:

Shall comply with the sign ordinance.

Applicant Response: Agreed.

Public Works Comments

1. Items that require plan revision or additional documentation before engineering can recommend approval: None.
2. Items that are conditions of approval (stipulations):
 - a. A global stability analysis and report for proposed retaining walls shall be provided and addressed prior to construction permit acquisition.
 - b. A proposed Legends Auto Mall 4th Plat shall be approved by the UG and the Planning Commission prior to construction permit acquisition.
 - c. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: None.

Staff Conclusion:

March 1, 2018

The applicant has worked with staff to resolve the majority of planning and engineering questions and comments. The site lighting cast at the property line shall be reduced. The applicant wants to match the color of their tilt-up concrete panels as B-Street Collision Center to the east; however, staff is still working with B-Street's representatives to darken the color on their paneling. Staff requests allowing administrative approval by the City Planning Commission to let staff continue to work with the applicant regarding the color of the integrally-colored, tilt-up concrete panel, as B-Street Collision Center's paneling has yet to be finalized.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Plan Review Application #PR-2017-36, subject to the stipulations.**
Roll call was taken and there were ten "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

MISCELLANEOUS-ORDINANCE AMENDMENT

ITEM NO. 1 – 18117...ORDINANCE AMENDMENT

Synopsis: An ordinance amendment removing the special use permit requirement for mobile grocery markets and a new definition for "mobile market," submitted by Robin Richardson, Director of Planning.

Commissioner Townsend said I'm going to try to speak loudly. There's something wrong with this mic.

This is a proposed ordinance to define, I guess, what a mobile market is and where the stipulations for how it would operate and where it would go.

Mayor Alvey said, Commissioner Townsend, if I may I should have waited. We're on Item E.1 on the set-aside if Commissioner would like to take it up. I just need to make clear that everyone knew we were on Item E.1.

Commissioner Townsend said as I said, this mobile market proposed amendment would clarify definitions of what a mobile market is and where and how it can operate. I think it's a good idea

concept. I just need some clarifications and have some concerns about the details. As we know, the devil's in the details.

Regarding the section of the amendment, 27-340 Definitions. It says, "Mobile Market, means the selling of food products, including, but not limited to: fresh produce and dry goods out of a bus, truck, trailer, or other mobile unit."

My first question is what are we anticipating with regard to a trailer. I have in mind 20-foot, 35-foot trailers, 40 plus that you see over the road. Is that one of the things contemplated here in the plain language of it? It could be, but that wouldn't be good for a residential neighborhood.

Rob Richardson, Director of Planning, said an over-the-road trailer would be contemplated in that. The things we've seen are more of a trailer you would pull with a pickup truck and not a semi-trailer. You are correct, that trailer would be a pretty broad interpretation. **Commissioner Townsend** said okay, I have a concern with that honestly.

With regard to the sections that deal primarily with the residential areas, Sections 27-609, 27-610 and to the extent it may apply to traditional neighborhoods, maybe 27-614, but I'll concentrate primarily on the language in 27-609. The first thing that caught my attention with 27-609, in a.1. it talks about vending operation, the mobile marketing "takes place in a designated parking lot with sufficient space to accommodate the operation and not reduce any required parking for the permanent tenant at that location." What and who designates these parking lots? Are there locations in mind already?

Mr. Richardson said, Commissioner, this was brought forward to us from the folks that do the mobile vending. Last year they tried this at a couple of locations with special use permits and it was really not tenable for staff or them to figure out every location in advance and do a special use permit and go through that process. They suggested these changes. They're not all exactly as they were submitted to us with their request. We don't know what locations they are going to pick, so we tried to craft stipulations and requirements in the ordinance that would make it work in any location that they pick. We tried to think of the potential downsides of this and what were those downsides and create criteria which would allow them to operate throughout the city without having to have a special use permit or go through particular review on each particular one.

Commissioner Townsend said I have a concern with not knowing what these designated parking lots are or where they would be. How can someone in the neighborhood challenge this? If this were still a special use permit process, a resident would have the right to challenge that. If

we're going this route with the ordinance, I'm not sure they even have that right. That gives me pause that we don't know what these designated parking lots are, who would designate them, and if someone wanted to challenge them, a process for that.

The second thing I wanted to draw attention to is the distance that we're saying these mobile entities would be parked from a single-family home in a residential neighborhood. Currently, the language calls for 100'. There may be some out there who are kind of visual like I am, so I ask that staff identify wall-to-wall what's the distance in here for a visual. Thank you, Mr. Cross. It turns out to be 76'9", so let's just call it wall-to-wall here 76' and add another 24', maybe a third, one of these sections. That's the distance from which one of these mobile markets could park to a residence.

The purpose of the mobile market, obviously, is to attract people to give them a convenient method in sections of the city where a brick and mortar store is not readily available. However, let me proceed on to Item 10. We're talking about a seven-day-a-week operation for essentially a commercial operation in a residential neighborhood. I don't know how many people would want to see that distance plus a little more seven days a week.

I would recommend that that distance be increased because our homeowners are entitled to 24/7, the peaceful enjoyment of their own property. Again, when we think about the convenience we're trying to afford our citizens, you still have to consider you've got the truck in whatever size or configuration that might be, with people coming up maybe by car or on foot, to do their shopping. I don't think that's going to be the most enjoyable situation for a homeowner that close.

I'd like to see days reduced, certainly not on a Sunday, and I said the distance increased between parking of the vehicle in whatever form that is and the distance from single-family homes. Let me say another thing, because of the food deserts that we know are located in the predominantly eastern end, this is going to impact some districts more than others. I don't care where you live in the city, you should be entitled to the quiet enjoyment of your property.

Then the last, designated parking lot, hours of operation — another question I had about just the process for selling. Is it contemplated, or will we control by ordinance or that's up to the individual mobile grocer, whether these are cash only sales? Will state-issued vouchers be accepted or your Mastercard, Visa, or American Express? **Mr. Richardson** said that's up to the sellers, but I think that they take all forms of currency for food. **Commissioner Townsend** said okay. This didn't address it. I was just asking.

I would really like to see changes along the lines of the concerns I had brought forward. Let's hear from the other members of the Commission on that point.

Commissioner Burroughs said I'm reading the definition of mobile market and it says it's the "selling of food products, including, but not limited to: fresh produce and dry goods out of a bus, truck, trailer, or other mobile unit." Then I go back here in the ordinance and I see "Mobile Market Vending for Healthy Foods." Is there a reason why we don't have a definition of what is healthy foods? Unless you are going to include it as under the mobile market definition, then I would just call it a mobile market and not necessarily talk about the healthy foods. I would say if we're going to use vending for healthy foods, we should have a definition of what classifies healthy foods.

Commissioner Kane said I don't normally say something when another commissioner's talking about their area, but there are a lot of people that work six days a week and they will want to get groceries on the seventh day. I have been here for 12 years and for 12 years we've asked for some sort of grocery down here, anything. I don't want to have somebody say I only want to limit you to six days, but you can make a profit on seven. I'm telling you, I've heard a lot of people talk. They don't care what it is, just bring it. I don't want to limit somebody as they're trying to be an entrepreneur, they're trying to make it where it's no longer a food desert, where we say you can't do that on Sunday because I was one of those guys that worked six days a week.

Mr. Richardson said, Mr. Mayor, to Commissioner Burroughs' point, the "for healthy foods" in Sections 609 and 610 should be stricken. That was just an error. We got part of them removed in that fashion, but we missed those two.

Action: **Mayor Alvey made a motion, seconded by Commissioner Townsend, to return the item back to the Planning Commission for further consideration to incorporate comments.**

Commissioner Bynum asked if we send it back, then we're sending it back to the standing committee that brought it forward to us, Planning Commission? It also came to a standing committee but that must have just been a courtesy. **Mr. Richardson** said it came to standing

committee for approval to move forward with an ordinance in this regard and the procedure so that we make sure that the Commission is aware of ordinance work that's going on. Then it went to the Planning Commission for consideration of the zoning ordinance as required by state law. Then it comes to this body.

Commissioner Johnson said I guess trying to get this to where we are right now, I'm not going to say a tedious process, but it's been a step-by-step process. All I care is that we don't have another Dollar Store model through a mobile market. I'm satisfied with this, with the language. I haven't heard any opposition from my constituents about a mobile market. I'm just trying to, I do recognize the concern about 100' distance, but I just, I don't know we should push this back. We've been progressing this through. We've talked about it in standing committee. I didn't see any opposition from standing committee or any of the members that were there when we brought this through. I would like to see this thing move forward myself.

Commissioner Townsend said with regard to the standing committee, maybe they saw detail. I think as a courtesy, proponents of the mobile market also came to the Economic Development Standing, but it was a concept. I agree with the concept, but I don't think because we may have a food desert that we need to enact basically legislation that's going to, and I can see this coming, be problematic in other areas. Plus, this has no sunset on the provision. We're just trying this for the first time. There's no way to appeal. I can imagine that I'm going to get some calls because someone has parked one of these mobile vans or whatever they are, we've already heard the definition is very broad, 100' in front of them seven days a week.

Now, I am particularly troubled by the particular sections that I mentioned. I can appreciate what Commissioner Kane is saying. If this were a commercial endeavor in a commercial area, yeah, we can go to the grocery store seven days a week. I don't think that's appropriate for mobile vans that can infiltrate into the neighborhoods. People have a right to peace and quiet in their homes 24/7, seven days a week. We can live with some of this, but I would adhere to in those sections that I mentioned, it's not appropriate.

Commissioner Philbrook said I've kind of been involved with this for quite a while, the food desert thing and the mobile unit because the community health group that's located right down,

Community Health Council, has been working hard with the Episcopal Church and some other community people to create what would be a very, very organized group to come forward to help with this issue. I've talked to them. If we can get somebody to build different types of standing buildings that will give us produce and that sort of thing up north and in the northeast, then they'll just move to a different area that needs them. Right now, their whole focus is to produce healthy food for people that is easily accessible, so folks don't have to worry about getting—old folks don't have to worry about trying to get on a bus, trying to get a ride to get their food. Right now, we're facing transportation crunches and trying to come up with more money to take care of that. I think we need to take care of our community.

We can come back, if I understand, if we don't like something that we've passed, we can change it. We created this ordinance. We can tear it apart and fix it.

Commissioner Townsend said I agree with what Commissioner Philbrook says. Instead of trying to put forward an ordinance that clearly has flaws in, and from my perspective, the present language. Let's fix it now. Let's not be in a hurry to create more problems where we already have one. We're aware of the food desert.

As I said before, this is going to impact certain districts more than others. I would still recommend that we send this back to Planning and Zoning. I would be more than happy to help with specifics. Like I said, this is the first time we've dealt with specifics, and try to more narrowly tailor this. It would be pretty easy, I think, with some of the things I've recommended, particularly with residential communities. I note that they are very generous with the distances for commercial retailers. I think at least as much consideration should be given to homeowners and residences.

Commissioner McKiernan said first of all, my understanding is that a lot of this was, if not based on, at least referenced to, ordinances that have been successful in other communities. Is that correct? **Mr. Richardson** said that's correct. This was presented to us by the folks that worked on the mobile market that existed at some point last year. We were working on this last year and then it went away. I didn't understand why. With all of our other work, I put this on the back burner. Then they came back and presented an ordinance that they thought would work for our community that would allow them to provide food service to the community. With a couple of minor changes from the staff, that's what we've presented to you tonight.

Commissioner McKiernan said I certainly was one of the ones who was concerned about unintended consequences when this very first came to my attention, but because it appears to me that they have tried to take best practice from other communities.

With specific regard to the R-1, R-1(B) section, Item (7)a.1. says that the operation “will take place in a designated parking lot with sufficient space;” then, 2. compounds that and says and not within 100’ of a single-family home. This operation, as I look at it, doesn’t concern me as much because it’s going to take place in a parking lot where cars are parked at least some days during the week. It does not concern me as much because of what it says in the first item, “in a designated parking lot with sufficient space to accommodate the operation.”

All the other stipulations on top of this in terms of not blocking the sidewalk, enough stacking space, it’s not a no-parking zone, it doesn’t infringe on other businesses, seem to actually make it even a little bit better. Also, because the hours of operation do not exceed 7:00 p.m. Sunday through Thursday and 8:00 p.m. on Friday and Saturday, I don’t see this as a late-night operation.

I’m guessing that this is not a business model where you can make several million dollars because if there was, certainly there’d be trucks flying all over the city. I’m guessing that the number of trucks here is not going—and I definitely appreciate what Commissioner Townsend is saying. She does not want to have a consistent intrusion on a residential neighborhood. I don’t see, as it’s written, that it’s going to induce that.

Commissioner Townsend said, again, we are not clear here by definition of what may roll up in any location as a mobile trailer. You might get something that looks like a Chevy Suburban or you might get something that looks like an 18-wheeler.

With regard to the designated parking lots, again, this does not say who designates or how you can challenge the designation. I’m not sure how this even allows for or addresses a designated parking lot. Could it be a church? I don’t know.

There are just too many unknowns here for me to support this as written. Like I said, I am with the concept, but with these particular sections, I could not support it and would be willing to help try to craft something with more specificity.

Mayor Alvey said to be clear, this does require a public hearing. I’ll open the public hearing. Is there anyone present who would like to speak in favor of this item?

Matt Kleinman, 906 Ford Avenue, Lawrence, KS, said I'm a doctoral student at the University of Kansas. I've been working on this mobile market project for two years. Thank you all for the discussion. I do appreciate the concerns you have, Commissioner Townsend. I agree there are some nuances to that.

I don't think the distance as was determined, I don't believe that came from our group. I do think that's a good point to have in consideration. I don't think it would necessarily impact our particular project, though certainly in a future scenario that could be an issue. I do believe, though, at least the way it's proposed and to the question you had about locations, churches, for example, R neighborhood, R-1 residential zoned most often. Parking in a church would be a viable scenario, certainly in an area where a church was so close to a home that it could create a nuisance, I think that'd be a question. I don't believe that's something that would prevent us from working through that scenario. If it's something that the Planning or the Commission believe needs to be resolved, that's fair. We'll defer, but from our perspective all of this makes sense. We can find a way to work through that. We'd love to be able to have it in place sooner just so we're able to open when we were hoping to open later this year.

In summary, it makes sense to bring up some of the concerns you have, and I appreciate the comments. I do think we're not far off on the number of distance and some of the other concerns. I think the trailer one is apt. I also know that trailers for mobile markets wouldn't be feasible just based on the length of a super-long trailer. You wouldn't be able to walk through it. The rolling grocery one had struggles with a 24' long trailer.

The other point about seven days a week, mobile markets wouldn't be parked at a location every single day, 24 hours. The concern of having it in multiple, separate days would be our goal. Again, it's a zoning ordinance so it's not tailored to us alone. Thank you for the concerns.

Broderick Crawford, 824 State Avenue, Kansas City, Kansas 66101, said thank you, again, for even broaching this subject as a resident in an area that is a food desert. I think it is imperative that we try to do something to provide fresh produce, healthy foods, in this area. Certainly, Commissioner Townsend, I understand some of the concerns, but as the gentleman who just spoke, I think those are some things that could be worked out. I think it's been too long that we have not had an opportunity for individuals in this area not to have access to fresh, healthy food.

Mayor Alvey asked anyone else in support. Seeing none, I'd ask if there is anyone in opposition.

Stephanie Kimbrough, 2919 Stewart Avenue, Kansas City, Kansas 66104, said I'm very disappointed that my elected officials have decided to put a band-aid on a wound in the northeast section. Too long we've been neglected and underrepresented and underfunded. To hand me something as superficial as a food truck instead of an actual economic investment in that area is very disappointing.

Who is going to regulate to make sure that my safety or the safety of the people who are purchasing from this truck is going to be insured? Who's going to take the responsibility of the citizens in that area with the increased amount of people, debris, and public safety? Are we expecting our over-taxed police officers to continue helping us with surveying and supervising? Who's going to take over the responsibility and to use the overstatement of "anything is acceptable" is insulting to the taxpaying citizens of that area. No, I don't want anything.

I want a sound, economic plan that also, just like we would do at the Legends, just like we would do at 78th Street, just like we've done on 47th Street, I deserve it too right there on 29th and Stewart. Who's going to take care of the debris? Remember, we're on a beautification project because we want our area to look just as fabulous as any other areas.

I am disappointed immensely to say here is a token, here's the crumbs off the table, instead of a purposeful economic plan to help the northeast section when we have a plan. We sat there for several months talking about what we wanted in our area and how we want to revitalize our area. It's disappointing and disheartening.

What happened to the healthy campus that we were planning at Big Eleven Lake? What happened to the economic revitalization that we spent months working on and we came to every meeting. What happened here? What happened to the money? It is disappointing that you are okay with saying it's okay just to hand you anything instead of saying let's work together.

Mayor Alvey said we have a motion to return this to the Planning Department, and a second. **Mr. Richardson** said that would need to go to April 9 because we need time to work that. We couldn't get that done, I don't think, before the 12th.

March 1, 2018

Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Bynum, Burroughs; and one “No,” Philbrook.

REGULAR CONSENT AGENDA

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight wish to set aside any item on the regular Consent Agenda. If an item is not set aside, all items on the Consent Agenda will be voted on by one vote.

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

ITEM NO. 1 – 18118...ORDINANCE: 55TH STREET BRIDGES 109 AND 111 – CMIP 2134

Synopsis: An ordinance authorizing the Chief Counsel to commence legal proceedings to acquire property necessary for the 55th Street Bridges 109 and 111, CMIP #2134, submitted by Ryan Haga, Assistant Counsel. On June 19, 2014, the Commission unanimously adopted Resolution No. R-39-14, declaring the project to be a necessary and valid public improvement, and authorizing a survey of land for said project.

Action: **ORDINANCE NO. O-8-18**, “An ordinance condemning lands and/or rights or interests in lands for road improvements to N. 55th Street, including the replacement of two existing bridges over Nearman Creek and Nearman Creek channel improvements, in Kansas City, Wyandotte County, Kansas (CMIP Project No. 2134); and directing the Chief Counsel to institute proceedings as provided by law to acquire said lands as described in this ordinance by exercise of the Unified Government’s right of eminent domain.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – MINUTES

Synopsis: Minutes from regular session of January 25, 2018.

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

ITEM NO. 3 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated February 22, 2018.

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

PUBLIC HEARING AGENDA**ITEM NO. 1 – 18121...PUBLIC HEARING: 2019 PROPOSED UNIFIED GOVERNMENT AND COMMUNITY DEVELOPMENT BUDGETS**

Synopsis: Conduct the first public hearing to receive citizen comments on:

- UG 2019 Proposed Operating and Capital Budget
- Community Development Block Grant Budget

Doug Bach, County Administrator, said as we’ve done over the last couple of years, we’ve begun our public budget process several months in advance of when we present our budget in July. That’s done so we can come together in front of the public, get input well advance of the time that we have to go and start formulating how we will make everything balance at that time.

Public Hearing
March 1, 2018



2019 Budget Process 2018 Community Development One Year Action Plan

Just to note that, we started this process, actually, in the fall. That's when we start moving through many of our capital projects, presenting those to the governing body as we go through and we have detailed discussion about what's going on in 2018. Then we look at the 2019 calendar and through that for the next five years and set our capital projects.

PROPOSED 2019 BUDGET CALENDAR FOR 2018 PRELIMINARY

2017 Board of Commission Budget Planning	
November 13, 2017 (Monday)	Review of CMIP Projects - Public Works & Safety Standing Committee
2018 Board of Commission Budget Planning	
March 1, 2018 (Thursday)	Special Session - Community Survey Results Presented (SPM)
March 1, 2018 (Thursday)	2019 Budget Public Hearing (7PM)
March 7, 2018 (Wednesday)	Commission Budget Retreat
May 2018	CMIP - Committee of the Whole workshops
June 2018	Administration 3 x 3 with Commission (Budget forecast/input)
County Administrator's Proposed 2019 Budget Presentation/Workshops	
July 12, 2018 (Thursday)	County Administrator's Budget Presentation (SPM)
July (Mondays & Thursdays)	Budget Workshops
July 16, 2018	Set Maximum Mill Levy
July 19, 2018	Publish Maximum Mill Levy
July 30, 2018	2 nd 2018 Budget Public Hearing (SPM)
August 2, 2018	Budget Adoption (7PM)



As you see, this calendar sets out where we are with the presentation today. Then we'll move through and have our retreat next week where we get into a lot of details. We can discuss some of the input that's brought forward to us tonight. We'll finalize where we are with our capital in May.

March 1, 2018

I will present the budget to you in July for a recommendation. You'll be able to go through it at that point with your final workshops until we go to a recommendation in August.

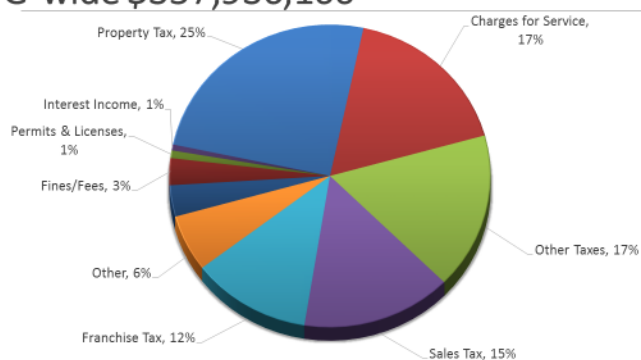
I'm going to have a presentation on two parts of the budget. One is regarding our General budget as we have for our overall operations. The other is regarding Community Development.



2018 Budget

At this time, I'd like to recognize Reginald Lindsey, our Budget Director, who will just briefly run through what we have as far as terms of dollars in the areas that we spend our money in currently.

2018 Approved Budget
Revenues
UG-wide \$357,936,100

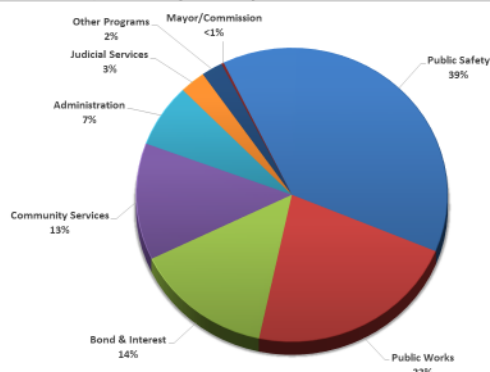


Reginald Lindsey, Budget Director, said last summer our governing body approved a \$357M budget that was balanced on both the expenditure and the revenue side.

Currently on the screen we have the Revenue budget. The largest portion of the revenue budget is the property tax, which is followed closely by charges for services and other taxes.

2018 Approved Budget

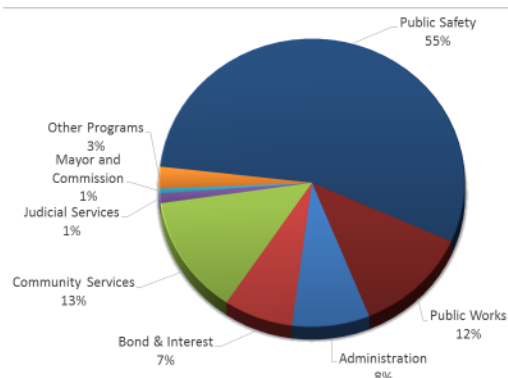
Expenditures
UG-wide \$ 357,936,100



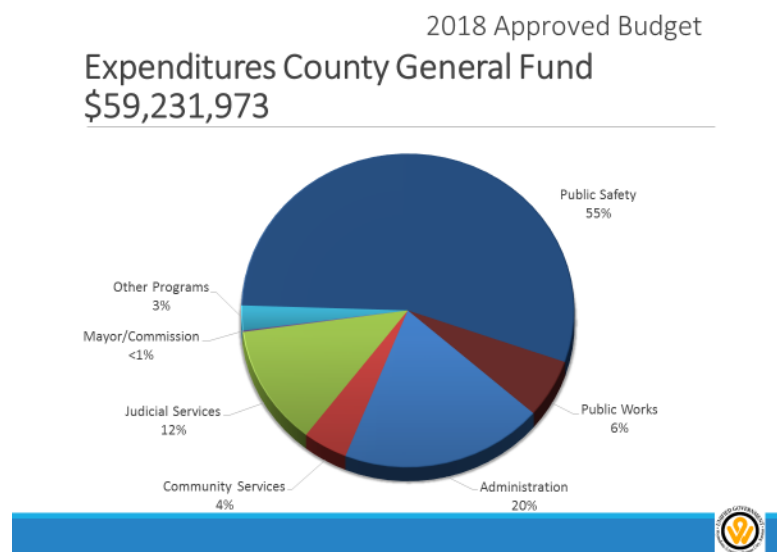
On the expenditures side, we also had a \$357M budget. 39% of that budget is for Public Safety. 22% of it is for Public Works.

2018 Approved Budget

Expenditures City General Fund
\$154,006,219



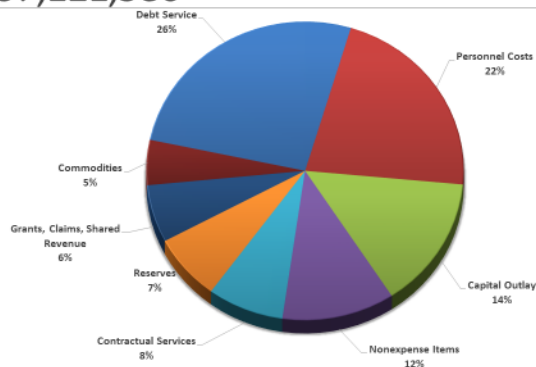
The City General, which is one of the funds within the \$357M budget, we have 31 funds in there and this is one of the funds, is a \$154M budget. 55% of it funds Public Safety, 12% of it funds Public Works.



Also, part of the General Fund, we have a County General Fund which also funds services in Edwardsville and Bonner Springs. Public Safety is 55% of this budget also. Also, we have administration which consists of departments such as Finance, which has a big portion of the County General Fund, which is the Treasury Department. Also, we have the Legal Department which is part of Administration.

Then, also, we have Public Works and Judicial Services. Judicial Services consists of Community Corrections, District Courts and District Attorney.

2018 Approved Budget Other Government Funds \$137,121,586



We have 29 other funds out of the 31 funds that consist of the \$357M budget. Those 29 other funds tally \$137M. Those funds consist of Water Pollution. Also, we have EMS in that fund, which is Emergency Medical Services Fund. We also have Dedicated Sales Tax which is also in that fund.

2019



Citizen & Community Stakeholder Budget Input Form

Prepared by the Budget Office

PLEASE RETURN TO:
Unified Government Budget Office Ringgold Lindsey 701 N. 7th Street, Suite 510 Kansas City, MO 66101 (913) 573-5271 Or by email to: judgelindsey@wycokck.org
APPLICATIONS ARE DUE by Noon March 29, 2018

Form available online @ www.wycokck.org

Also available for citizens or community stakeholders who weren't able to make the public hearing tonight, we have a form out on our website where citizens can download and fill out the form and submit it back to us via email. Also, the form is available in the Budget office. It would need to be returned to the Budget office by Thursday, March 29.

Now I'm going to turn it over to Wilba Miller, our Community Development Director.

March 1, 2018

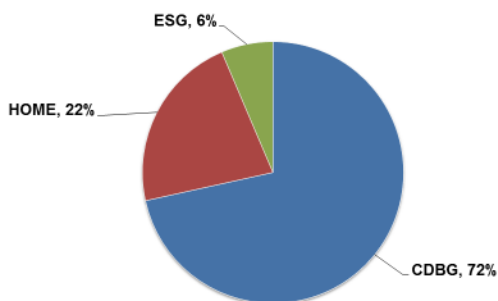
Public Hearing
March 1, 2018



2018 Community Development One Year Action Plan

Wilba Miller, Community Development Director, said the Unified Government receives an annual allocation of entitlement funds from the U.S. Department of Housing and Urban Development, or HUD, for the following programs: Community Development Block Grant, HOME Investment Partnership, and the Emergency Solutions Grant Program. HUD provides these resources for the purpose of meeting the needs of low to moderate income citizens. We are waiting for our annual allocation notification from HUD and do not know at this time if there will be a reduction or increase of funds.

2017 CDBG SOURCES OF SUPPORT \$2,824,950

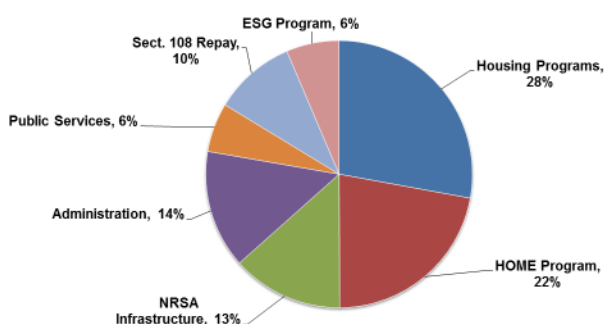


March 1, 2018

The estimated fiscal year 2018-2019 allocations are based on previous year's allocations, or \$2,020,849 for CDBG, \$593,000 for HOME, and \$181,000 for ESG. The following pie chart shows these sources of support reflecting our allocations along with some program income for a grand total of \$2,824,950.

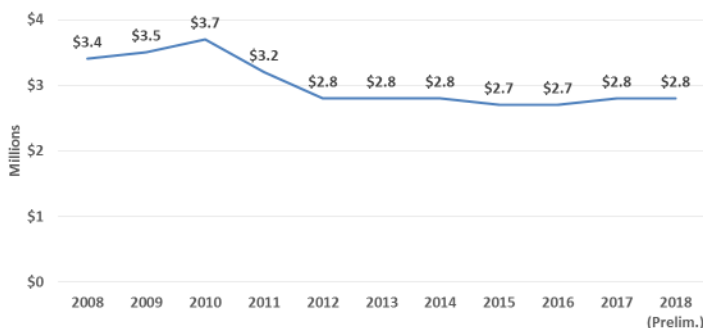
2017 CDBG APPROVED EXPENDITURES

\$2,824,950



As you can see, the approved expenditures for those funds include the following activities: Community Development Housing Programs, the Neighborhood Revitalization Strategy Area Infrastructure, Administration, Public Services, Section 108 Payment, and the Emergency Shelter Grant and HOME Programs. Please note that no CDBG funds will be set aside for demolition activities.

HUD Allocations CDBG, HOME & ESG Combined 2008-Preliminary 2018



Finally, the line graph as shown here reflects the changes to HUD allocations for the last ten years. As you can see, we actually got a little bit of an increase, but it's been staying fairly even.

In order to receive these funds, we are required to submit an Annual Action Plan. Examples of other eligible CDBG activities include demolition, public services, public facility improvements, economic development, and rehabilitation of housing. Examples of HOME activities include down payment assistance and construction or rehabilitation of affordable housing. Examples of ESG activities include rapid rehousing and homeless prevention.



Public Comment

March 1, 2018

This evening we are fulfilling the HUD requirement to obtain comments from citizens and other stakeholders prior to developing the budget and the draft Annual Action Plan. We are seeking to assure citizens that they participate and understand that the proposed Annual Action Plan will address housing and community development needs, the development of proposed activities, and review of program performance.

The draft Annual Action Plan will be published in June to meet the 30-day citizen comment period. A second public hearing is scheduled for July in conjunction with the Board of Commissioners' meeting prior to the adoption of the Unified Government budget.

The final Annual Action Plan must be submitted to HUD no later than August 15. Failure to do so will automatically result in a loss of CDBG funds. This concludes my portion of the presentation.

Mr. Bach said, Mayor, with that I'd recommend that you hold the public hearing regarding the budget and CDBG.

Mayor Alvey opened the public hearing. Before we take public comments, I'll ask Ms. Cobbins to read the statement governing this public hearing.

Bridgette Cobbins, Unified Government Clerk, read the statement required by law.

Kerry Ross, PO Box 13047, Edwardsville, Kansas 66111, said I live in Kansas City, Kansas. I'm not sure if I'm in the right forum to discuss what I brought. I might have misunderstood because I'm not very versed in this. I came to talk about the budget because I thought this would be an opportunity for us to present what we would like for you to spend the budget on. Am I in the right place? I was a little confused when she read the statement, so I don't want to take up your time if I'm not in the right place.

I'm here as a resident of Kansas City, Kansas, a certified volunteer from the Kansas 4-H Program, and a member of the 4-H Horse Advisory Board. I've lived in this county for more than 50 years. I am well aware and familiar with Wyandotte County.

My family has been involved in the 4-H Program since the 1960s. My children are fourth generation 4-H alum and we are still actively involved because we see firsthand the successes that 4-H brings to our youth. It nurtures, encourages, teaches and develops productive and healthy kids.

What better way to get them off the couch and put down their electronics to get some physical exercise. Studies like the report from the *Frost Valley YMCA* in New York shows that horseback riding provides a lot of healthy benefits.

The study states that horseback riding can improve physical and emotional health. It can also help and benefit children and adults with disabilities and other therapeutic needs. It improves their overall wellbeing and quality of life. It molds kind adults, the ones that know how to give back to their community and treat others with respect.

Parliamentary procedure is also a big part of 4-H. This enables our youth to go on in the workforce knowing how to run meetings, work as a team and how to civically be engaged like we are tonight.

In this county when the fairgrounds were located at 98th and State where Schlitterbahn is now, the 4-H Program was always allowed to utilize that fairground. We had weekend horse shows, clinics and almost every Sunday was open arena, permitting weather. The 4-Hers were allowed to use the fairgrounds even though the Fair Board and Extension have struggled to work together since the 1990s. Nothing compares to the struggles we have now.

The fairgrounds are not centrally located anymore and making it difficult for families east of the Turner Diagonal to get to the fairgrounds. It's a long way away.

In the spring of 2017, the horse project scheduled 20 dates to use the fairgrounds for 4-H activities. The 4-H only retained two of the scheduled dates, being bumped from all others, some nonpaying, some rentals, for the entire year. The Extension Office communicated with the Fair Board in April 2017 before the shooting range opened. The Fair Board then, at that time, had not opened the shooting range.

They discussed that it was not in the best interests of risk management or positive youth development.

Ms. Cobbins announced your time is up, ma'am. **Commissioner Murguia** said, ma'am. We can move to extend. Do you need a couple of more minutes? **Ms. Ross** said yeah, I said it at home in five minutes. I practiced all day. Yes, I would really like to continue. If not, I can have another member come up and finish. **Commissioner Murguia** said take your time. Just wait a minute. I have to make a motion. So, hold up.

Action: **Commissioner Murguia made a motion, seconded by Commissioner Bynum, to provide the speaker three additional minutes.** Motion carried unanimously.

Ms. Ross said the Extension Office communicated with the Fair Board in April of 2017 before the shooting range opened that 4-H events at the same time that the shooting range was open would not be in the best interest for risk management and it would not be positive youth development.

The 4-H project then scheduled a benefit horse show in August of 2017 for October 8 of that year, assured by the Fair Board there would be no shooting that day. Then the shooting range opened September 17. The Fair Board then decided to have the shooting range open on October 8, causing us to cancel the show and turn away our corporate sponsor.

The Extension staff and I had a conference call with the chairman of the Fair Board asking the Fair Board to honor the date without active shooting as promised. He said, I quote “We were gonna let you guys have your show with no shooting, but one of your people sent a letter to the commissioners, so now we’re not going to.” My response was so you’re retaliating against us. He said no, we just decided not to suspend the shooting because of the letter. Well, I hope the children of the program or the 4-H Program, itself, is not retaliated against after tonight because I have come before this Board to voice my opinion.

The proceeds of this show were to pay for the youth to attend the statewide educational competition panorama. This caused the project a financial hardship. Our youth only participated in one day of the event but placed second in the state as a team for their equine knowledge. We had members on the first and third place Quiz Bowl teams. They placed in the top 15 for individual score. One placed fifth overall. What an accomplishment.

They work hard in the classroom. They should be able to work just as hard with their animals. Who knows what our youths’ potential could be if they had a facility they could access twice a week, including the weekends when the families are available.

What I hope from this conversation is that the youth who participate in all 4-H projects have a home with an arena. Somewhere for them to meet, spend time in a safe, welcoming, positive environment. Somewhere to flourish and to continue to work hard toward the 4-H model to make the best better, especially the animal projects. We can’t just sign up for a meeting room and load our animals in the parking lot and walk into the building.

The Fair Board, after several planning meetings and negotiation with the Extension Office, has ruled that the only time the 4-H Program, as a whole, and the Extension Office can use the fairgrounds for positive youth development without the shooting range being active, is the first Saturday of each month from 8:00 to 2:00, six hours a month. That's the time for the whole 4-H Program.

This prevents the projects from hosting any kind of show or clinic. We cannot guarantee that the event would be complete at that timeframe. It's not even a whole day. I also brought up to the chairman asking him what do I do at 2:00 if the show isn't over. He said to give them their money back. I said I wouldn't do that because that's not ethical.

The Fair Board has clearly made their priority the shotgun range, not the youth of the community. I realize that the Fair Board needs to make money. I am told at every Fair Board meeting that we, the Fair Board, need to make money.

The Fair Board Foundation and Association, through the Fair Board Foundation, receive a lot of money from the Unified Government. I would hope that this money was given to the Fair Board believing it would filter to the education of the youth through the 4-H Program. That's clearly not happening.

I hope this doesn't go on deaf ears. Our 4-Hers in this community deserve to pursue their passion just as the baseball, soccer players and shotgun shooters. When you budget your funds intended to go to the youth of the 4-H, please contact the Extension Office and speak to those who have the boots on the ground who are really trying to get the experience to the kids. These wonderful kids in this county deserve a place to call home, somewhere where they're not set aside, somewhere where they're not pushed to the bottom of the list, somewhere where they can flourish and not be tarnished by the politics, egos and personal agendas of the few holding all the cards and making the decisions. These children are the future and they deserve the best that we can give them.

I came to speak to you tonight because I feel that silence is acceptance. I'm not accepting it anymore.

Murrel Bland, 8311 Garfield Avenue, Kansas City, Kansas 66112, said thank you for the opportunity to address the Commission. As in past years, I am here on behalf of Business West. This organization represents more than 80 members, mostly small businesses. Property taxes are a

major consideration for most of these businesses. We would urge all units of government to hold the line when it comes to property taxes. We're very much aware that the Unified Government is only one local taxing unit.

Property taxes are a major consideration when it comes to residential development. Although last year saw an improvement in housing development numbers, Wyandotte County still lags when compared to other area counties. High taxes are to blame.

Daniel Harris, 447 Sheidley Avenue, Bonner Springs, Kansas, said I come here on behalf of the 4-H Program as well as Ms. Ross. I've been involved with the 4-H Program for a couple of years now on the Horse Advisory Board. I've also recently moved over to the Executive Council of the K-State Research and Extension Office here in Wyandotte County. We hear from the 4-H and as well as the Extension Office the issues with the Fair Board and everywhere else.

What I'm asking this Commission to do is when you do your budgetary, let's set aside some money. If we give it to the Fair Association, put some type of checks and balances in place, not just the honor system, that this money is actually going to the kids of Wyandotte County.

I grew up playing sports here in Wyandotte County. I went to Sumner Academy. I played baseball. I played basketball. I did the Fall programs out at 3&2. You do the basketball, baseball, soccer, there's places all over the city for these people to go to practice. When it comes to the Horse Program, the 4-H Program, Dog Project, anything that's in it, they don't have a home. We need a home.

Granted, if we can work something out with Parks and Rec out somewhere, give us a few acres. I plan on filling out the budget grant here and maybe get a little money I could put toward that to put toward a horse arena, work with somebody with some land. Maybe we can work with Parks and Rec to have a home for these kids to go to. That's what's most important. We need to not give up on these kids, and from what I've seen, these kids have been given up on. That's not how I grew up and I know that's not how this county operates.

Marcia Rupp, 2816 N. 46th Street, said I'm back on Parallel again. I just went to the 5:00 meeting and I heard great raves about the Street Department and what a great job they've done, but as we know, their job is never done.

Parallel is still a problem where the asphalt has moved and there's bumps all the way down it. I have a list here, going to give it to Bridgette, of the exact places. I know about money because I've been coming here for 25 years, so I know what you guys are going through.

All you have to do is grind those places down and put some asphalt. Mike already knows about it because you already did a good job on the other side going west from east. Now it's coming from west going east in the inside line. It's just one lane and one of them goes all the way across by the filling station and 62nd Street. That is a big one.

I wonder why all the lights on the median strip are down. Is that because somebody's drunk and they're hitting the bumps and their car's going out of control and knocking all the lights down, the streetlights. I don't know.

I just want to say, throw in real quick, I want a new fire department out west. I want the Fire Department to get what they want. They are for our protection. I want the Police Department to get what they want because that is for our protection.

There are three departments that are the most important departments, they're all important, but I mean life-saving departments, and that is Police, Fire and Sheriff. Somebody's got to keep those people locked up.

Also, I have talked to Melissa about SOAR. We had a good conversation. I asked her, I saw that the two departments that were still in demand to get things done were the Street Department and Code Enforcement. I mentioned to Melissa that maybe they could have meetings with a lot of the neighborhood watch leaders from each area to find out where their problems are at, just kind of like the Police Department does but more for the code enforcement and debris and stuff.

Also, there was something else I was going to mention. I can't think of it, must not have been that important. Anyway, please take care of Parallel. The other thing I did want to mention, and usually I don't get after you guys. I'm usually complimenting you all the time.

The one thing that you need to do is please do not pave a street and then turnaround and tear it all up again to do work. I know sometimes you have to do a little bit of work, but I'm talking about Leavenworth Road. It was just paved in 2017. Now we're turning around and tearing it up and spending all that money. I'll tell you, that is the worst thing is throwing away taxpayers' dollars and wasting them.

Mayor Alvey said I'll take this opportunity just for us all to recognize members of the Piper Schools: Tim Conrad, Board President Jeb Vader, members Lisa Sullivan, Theresa Fisette, and Piper Optimist Representative Steve Buff. Thank you for coming.

Tim Conrad, Piper Schools Superintendent, said we have a couple of members that have left, so I appreciate the introduction as well. I appreciate the opportunity to speak before you tonight.

Just a couple of things as you're developing your budget and having your preliminary discussion on planning. The purpose of us being here this evening is just to give you maybe an insight, something to consider as you're developing a budget.

Representing the Piper School District and over 2,400 students, and as you well know, Piper is a community of about 1,100 patrons. We have a growing need for space, green space, in our community for our youth. For example, we've got a Youth Soccer Club that started four years ago with nine teams. They currently have 42 teams and soon to have in the upper 50s. Optimist has anywhere from 10 to 20 to 25 teams depending on the sport and that's continuing to grow.

I know there was some preliminary discussions back in the fall in exploring maybe the use or developing the Wolcott area as maybe some green space. As representing the School District, I'd like for you to consider the fact that the School District has 75 acres of property in Piper of which, with our recent bond issue that was passed a week ago tonight, we're going to be utilizing about 40 acres of that for a 3, 4, 5 building. Hopefully, it'll expand into a high school building.

My point is this — there is some land, there's some opportunity for you to consider perhaps joining in a shared partnership again with Piper, similar to the Kane Center partnership, similar to the Eisenhower shared agreement that you have, in developing that land, some land that we have on our campus and turning that into some green space for practice fields, for soccer, for football playing fields. Then, being a part of the development plan as we begin to do site development and budget work that we could partner and lock arms together to help develop this area.

I'd just like for you to consider that as you develop your budget and have further conversations. We're certainly willing to partner with you and explore additional opportunities and conversations.

Lynn Kuluva, owner of Rental City at 833 Minnesota Avenue, and Chairman of the Advisory Board of the Downtown Improvement District (SSMID), said before talking about the budget, I

want to introduce Jason Norbury. Jason Norbury is now our Executive Director for the Downtown Shareholders and Downtown Improvement District. You all know Chuck Schlittler. He has retired. We're all going to miss Chuck, but we're very glad to have Jason with us. Also, we have Tim Ryan who works and lives in the downtown area, been a member of our Board for a number of years. We hope he'll be the next Chairman.

Regarding the 2019 Budget, as you will see in the letter that we presented to you, the Advisory Board of the Downtown Improvement District, or the SMID, is recommending that you allocate \$125,000 next year to pay for your portion of the District's costs in that year. I'll remind you that the Unified Government is a major property owner in the District. This building, courthouse, jail, Memorial Hall, Reardon Center and parking lot, are all within our District.

Our District provides clean and safe services throughout the District, including at your properties. What we do is assure that you and your employees when they come and go, when residents come to your facilities, whether they're coming to register a vehicle at the courthouse or coming to attend a meeting here, or coming to the Mayor's Holiday Lighting, or when people from throughout the metro area come to an event at the Reardon Center, Memorial Hall, that they find downtown KCK to be a clean, safe, and pleasant place to come.

That costs money. When we formed the District, finances were different, and the property owners were told that the UG would pay \$150,000 per year to cover their share of the expenses. Situations changed. You haven't been able to do it. Things are a little better. For next year, we want the \$125,000.

Last year we also recommended \$125,000. In the end, you approved \$100,000 and directed staff to increase the mill levy on the private property owners such as myself to make up that \$25,000. That really wasn't right. It's detrimental to our efforts to try and rebuild the downtown. We want the downtown businesses to succeed, thrive. We want to attract more businesses. Increasing the tax load on them is counterproductive. Thank you very much for this opportunity.

Mayor Alvey said I'd like to thank each of you for coming out tonight to make comments during our public hearing process.

STANDING COMMITTEES' AGENDA

Mayor Alvey said we have three items under the Standing Committee Agenda. Those items were presented to the Administration and Human Services Standing Committee this past Monday and received a unanimous vote of approval to be fast tracked to tonight's meeting.

ITEM NO. 1 – 1864...GRANT: “BEAT THE PACK” PROGRAMS

Synopsis: Request acceptance of a \$107,000 Special Initiative Grant from the Health Care Foundation of Greater Kansas City for "Beat the Pack" programs, submitted by Terry Brecheisen, Health Department Director. No match is required, though in-kind support will be provided from the Health Department's FY2018 Chronic Disease Risk Reduction grant. This item was scheduled to appear before the Administration and Human Services Standing Committee, chaired by Commissioner Markley, on February 26, 2018. It was requested, and approved by the Mayor, to fast track this item to the March 1, 2018 full commission meeting.

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

ITEM NO. 2 – 1891...RECOMMENDATION: BIKE SHARE EXPANSION PLAN

Synopsis: Recommended strategies and specific grant opportunities to expand a regional bike share system, operated by Bikewalk KC, into Kansas City, KS, submitted by Rob Richardson, Planning Director. The Rosedale Master Plan and additional planning work includes the expansion. This item was scheduled to appear before the Administration and Human Services Standing Committee, chaired by Commissioner Markley, on February 26, 2018. It was requested, and approved by the Mayor, to fast track this item to the March 1, 2018 full commission meeting.

Commissioner Markley said there was confusion, I think, because we, as a standing committee, had to be difficult and create our own option out of the options staff presented. I do have sort of a revised motion I want to read to make sure that staff has clarity on what we're requesting. Committee please step in if you think I'm misstating.

March 1, 2018

Action: Commissioner Markley made a motion to enter into a 5-year contract with BikeWalk KC to provide 3 kiosks with 60 bike racks and 30 bikes for the Unified Government's use in its Downtown, and 2 kiosks with 40 bike racks and 20 bikes for the University of Kansas Medical Center, seconded by Commissioner Philbrook. Roll call was taken and there were ten "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 3 – 18101...GRANT: CONGESTION MITIGATION/AIR QUALITY, SURFACE TRANSPORTATION BLOCK GRANT PROGRAM, TA SET-ASIDE

Synopsis: Authorize staff to apply for federal funding through MARC to construct new sidewalks, submitted by Rob Richardson, Planning Director. The \$500,000 grant would require a 20% match (\$100,000) to be paid from the 2018 budgeted sidewalk funds. This item was scheduled to appear before the Administration and Human Services Standing Committee, chaired by Commissioner Markley, on February 26, 2018. It was requested, and approved by the Mayor, to fast track this item to the March 1, 2018 full commission meeting.

Commissioner Markley said this is just a fast track item. It was approved by the standing committee.

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

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 18122...RESOLUTION: MOU WITH THE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, ST. LOUIS-KANSAS CITY CARPENTERS REGIONAL COUNCIL

Synopsis: A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with the United Brotherhood of Carpenters and Joiners of America, St.

March 1, 2018

Louis-Kansas City Carpenters Regional Council, effective January 1, 2018 through December 31, 2019, submitted by Doug Bach, County Administrator. This represents the sixth of 12 union labor contracts to be ratified.

Doug Bach, County Administrator, said I have put two items as a blue sheet on the Commission agenda tonight. They are both memorandums of agreement that we have negotiated with unions within the Unified Government that are both done in accordance with the direction of the Commission. The first one is with our Carpenters' Union. I would recommend this for approval.

Action: **RESOLUTION NO. R-18-18**, "A resolution authorizing the County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas, to execute in the name of the Unified Government of Wyandotte County/Kansas City, Kansas, a Memorandum of Understanding between the Unified Government of Wyandotte County/Kansas City, Kansas, and the United Brotherhood of Carpenters and Joiners of America, St. Louis-Kansas City Carpenters Regional Council, effective January 1, 2018, through December 31, 2019." **Commissioner Kane made a motion, seconded by Commissioner Bynum, to adopt the resolution.** Roll call was taken and there were ten "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 18123...RESOLUTION: MOU WITH FRATERNAL ORDER OF POLICE, LODGE #4

Synopsis: A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with the Fraternal Order of Police, Lodge #4, effective January 1, 2018, through December 31, 2019, submitted by Doug Bach, County Administrator. This represents the seventh of 12 union labor contracts to be ratified.

Doug Bach, County Administrator, said the second item is with FOP #4, the Police Union.

Action: **RESOLUTION NO. R-19-18**, "A resolution authorizing the County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas, to execute

in the name of the Unified Government of Wyandotte County/Kansas City, Kansas, a Memorandum of Understanding between the Unified Government of Wyandotte County/Kansas City, Kansas, and the Fraternal Order of Police, Lodge #4, effective January 1, 2018, through December 31, 2019.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

COMMISSIONERS' AGENDA

No items

LAND BANK BOARD OF TRUSTEES' AGENDA

No items

PUBLIC ANNOUNCEMENTS

No items

**MAYOR ALVEY
ADJOURNED THE MEETING
AT 9:10 P. M.**

Bridgette D. Cobbins
Unified Government Clerk

mls

March 1, 2018



Unified Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: March 22, 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

Weekly Business Material for March 22, 2018

1. REPORT:

Audit report for Water District No. 1 of Johnson County, December 31, 2017.

Action: Received and filed

2. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received March 21, 2018, for Project ID #4425 – “Wyandotte County Lake Water Main Phase II.”

Action: Received and filed. Copies previously forwarded to County Administrator, Public Works, Emma Scovil and Legislative Auditor.

3. COMMUNICATION:

Pam Kahao, Interim Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Issue Date</u>	<u>Amount</u>	<u>Fund</u>	<u>Reason</u>	<u>Vendor</u>	<u>Reissue Date</u>
833970	3/21/2018	\$ 274.08	110	Wrong Vendor	Edwards	3/21/2018
833972	3/21/2018	\$ 274.08	110	Wrong Vendor	Ellis	3/21/2018
834041	3/21/2018	\$ 274.08	110	Wrong Vendor	Porter	3/21/2018

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED MARCH 20, 2018:

Section I - Appointment

Name	Department/Division	Eff. Date	Job Title
Miranda N Schindel	Police/Animal	3/22/18	Animal Services Officer

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Telesha M Bennett	Finance/Treasury	3/8/18	Admin Supt Asst	Fiscal Supt Asst
Cori M Bond	Finance/Treasury	3/8/18	Programs Specialist	Fiscal Supt Asst

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Latoya J Atkins	Sheriff/Detention	4/12/18	Deputy
Venetia I Delgado	Finance/Treasury	3/21/18	Fiscal Supt Asst
Maria Hernandez	Sheriff/Admin	4/23/18	Warrant Clerk
Erik A Sage	Sheriff/Detention	4/12/18	Sergeant
Reginald C Shields	Sheriff/Juv	4/19/18	Juv Care Worker I
Ernesto C Terrazas	Sheriff/Detention	4/12/18	Sergeant

Section VII - Reclassification

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Stanley E Bartley	NRC/Bldg Inspection	2/14/18	Bldg Inspector I	Bldg Inspector I Certified

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Jeffrey Fisher	PW	ACD code change effective 1/1/18
Gerald Fillmore	Clerk's Office	ACD code change effective 1/1/18
Paul Goudy	Clerk's Office	ACD code change effective 1/1/18
Todd Grasmick	Parks/Rec	ACD code change effective 1/1/18
Mario Guess	Parks/Rec	ACD code change effective 1/1/18
Sir Schad Hampton	Parks/Rec	ACD code change effective 1/1/18
Bruce Pointelin	Parks/Rec	ACD code change effective 1/1/18
Vacant	Sheriff	ACD code change effective 1/1/18

Action: Received and filed. Copy previously forwarded to Payroll.

5. PERSONNEL ACTION COMMUNICATION, DATED MARCH 22, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Michael A Achens	B&L	3/22/18	Bldg Trades Plumber
Brian D Finney	Parks/Rec	3/22/18	Caretaker
Daniel E Kuhn	Legal	3/22/18	Attorney I
Samuel T Nixon	PW/WPC	3/22/18	Intern Operations
Luther Walker	PW/Street	3/22/18	Supervisor
Tyrone T Weaver	Comm Corr	3/22/18	Program Aide
Megan A Ziesler	NRC/Code	3/22/18	Inspector I

Section II-Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Brenda L Harris	PW/Parking	3/8/18	Parking Attendant	Parking Attendant

Section IV - Leaves of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Daniel R Everhart	Sheriff/Detention	4/3/18	5/2/18	unpaid
Justin M Folsom	Health	3/26/18	4/25/18	unpaid
Broderick T Henderson	PW/WPC	3/16/18	4/15/18	unpaid
Jorge V Lamas	Police	3/16/17	3/19/18	unpaid

Action: Received and filed. Copy previously forwarded to Payroll.

6. CLAIM FOR DAMAGES:

LaShawn Bradford, 1205 N. 12th, alleging vehicle was taken without notice.

Action: Received and filed. Copy previously forwarded to Legal.

7. TRAVEL REQUESTS:

Kelly Herron, Shawn Magee and Ronald Schumaker, Police/Operations/SOU, travel to Arlington, VA, July 16 – 20, 2018, to attend the Active Shooter Level 1 Train the Trainer Conference, Training and Travel.

Adriana Hernandez, DA's Office, travel to Wichita, KS, May 20 – 25, 2018, to attend the KS Academy for Victim Associate, County General Fund.

Victoria Meyer and Margaret Thomas, Legal Department/VAWA Grant, travel to Dallas, TX, April 16 – 19, 2018, to attend the Conference of Crimes Against Women, VAWA Grant Fund/Prosecutor's.

Njeri Mwangi, DA's Office, travel to Dallas, TX, April 15 – 19, 2018, to attend the Crimes Against Women Conference, County General Fund.

Njeri Mwangi, DA's Office, travel to Wichita, KS, March 26 – 27, 2018, to attend the KS Coalition Against Sexual & Domestic Violence Conference, County General Fund.

Daniel Obermeier, DA's Office, travel to Colby, KS, April 9 – 10, 2018, for oral arguments on an appeal case, County General Fund.

Crystalyn Oswald and Sharron Villegas, DA's Office, travel to Dallas, TX, April 15 – 19, 2018, to attend the Crimes Against Women Conference, County General Fund.

Misty Brown-Polo, Legal Department, travel to Portland, OR, March 20 – 23, 2018, to attend the Design-Build in Transportation Conference, Sewer System Fund.

Rance Quinn, Police/Services, travel to Arlington, VA, March 26 – 29, 2018, to attend the Body Worn Camera National Meeting & Training, BWC Grant.

Lindy Russell and Sharron Villegas, DA's Office, travel to Topeka, KS, April 10 – 12, 2018, to attend the 21st Annual Crime Victim's Rights Conference, County General Fund.

Melissa Sieben, County Administrator's Office, travel to Washington, DC, March 3 – 8, 2018, to attend the Nat'l Waterways Conference '18 Legislative Summit Conference, Training and Travel.

Greg Talkin, NRC, travel to Manhattan, KS, April 3 – 6, 2018, to attend the KACE/HOA Spring 2018 Conference, Training and Travel.

Action: Approved by the Administrator's Office and received and filed.

8. APPLICATION FOR CATERER/DRINKING ESTABLISHMENT

R.I. Heritage Inn of KC, LLC /Thomas Rehorn, III DBA Residence Inn Kansas City at the Legends, 1875 Village West Pkwy.

Action: Referred to License.

9. APPLICATIONS FOR PRIVATE SECURITY BUSINESS:

Whelan Event Staffing Services, Inc./Joshua Edwin Field DBA Whelan Event Staffing Services, Inc., 1699 S. Hanley Rd., Suite 350, St. Louis, MO.

Whelan Security Company/James Schwartz DBA Whelan Security Co., 1699 S. Hanley Rd., Suite 350, St. Louis, MO.

Action: Referred to License.

10. APPLICATIONS FOR PRECIOUS METAL DEALER'S LICENSE:

Central Pawn, Inc. DBA Central Pawn, Inc., 1000 Central Ave.

Metro Pawn Inc. DBA Metro Pawn, 2005 W. 43rd Ave.

Metro Pawn Inc. DBA Metro Pawn, 5030 State Ave.

Action: Referred to License.

11. APPLICATIONS FOR PAWNBROKER'S LICENSE:

Central Pawn, Inc. DBA Central Pawn, 1000 Central Ave.
Metro Pawn Inc. DBA Metro Pawn, 2005 W. 43rd Ave.
Metro Pawn Inc. DBA Metro Pawn, 5030 State Ave.

Action: Referred to License.



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: March 29, 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.

tpl

Attachment

Weekly Business Material for March 29, 2018

1. COMMUNICATION:

Pam Kahao, Interim Accounting Manager, regarding warrant cancellations:

Warrant #	Issue Date	Amount	Fund	Reason	Vendor	Reissue Date
829078	1/5/2018	\$42.26	790	Stale Dated	Ruiz	3/29/2018
		\$ 22.50	160			
833019	3/2/2018	\$250.00	990	Wrong Vendor	Zerillo	3/29/2018
834053	3/21/2018	\$227.88	110	Stolen	Smith	3/23/2018
782220	1/22/2016	\$151.25	750	Stale Dated	Treasurer Local 64	4/6/2018
782221	1/22/2016	\$363.00	750	Stale Dated		4/6/2018
782272	1/29/2016	\$12,281.50	750	Stale Dated		4/6/2018
831157	2/7/2018	\$274.08	110	Lost Warrant	Meggerson	4/6/2018
825628	11/17/2017	\$300.00	113	Stale Dated	Chronister	3/16/2018
827478	12/8/2017	\$500.00	110	Stale Dated	Gerding	3/16/2018
827494	12/8/2017	\$500.00	110	Stale Dated	Parkwood	3/16/2018
827513	12/8/2017	\$500.00	110	Stale Dated	West Wyand	3/16/2018
827515	12/8/2017	\$500.00	110	Stale Dated	Wyand Vill	3/16/2018
829347	1/12/2018	\$126.17	790	Stale Dated	Osuna	3/16/2018
		\$20.00	160			
829451	1/19/2018	\$396.22	790	Stale Dated	Rieke	3/16/2018
829707	1/19/2018	\$160.10	790	Stale Dated	Hines	3/16/2018
830252	1/26/2018	\$51.56	790	Stale Dated	Krumvieda	3/16/2018
		\$17.50	160			
830296	1/26/2018	\$23.81	790	Stale Dated	Rangel	3/16/2018

Action: Received and filed.

2. PERSONNEL ACTION COMMUNICATION, DATED MARCH 22, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Michael A Achens	B&L	3/22/18	Bldg Trades Plumber
Brian D Finney	Parks/Rec	3/22/18	Caretaker
Daniel E Kuhn	Legal	3/22/18	Attorney I
Samuel T Nixon	PW/WPC	3/22/18	Intern
Luther Walker	PW/Street	3/22/18	Operations Supervisor
Tyrone T Weaver	Comm Corr	3/22/18	Program Aide

Section II-Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Brenda L Harris	PW/Parking	3/8/18	Parking Attendant	Parking Attendant

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Craig R Carpenter	PW/WPC	3/21/18	Prof Asst
Nina L Davidson	Register of Deeds	3/21/18	Admin Supt Spec Engineer
John M Menkhus	PW/Engineering	3/22/18	Supervisor
Steve G Miller	Fire	3/14/18	Sr Fire Captain Sr Master
Curtis E Murphy	Police	3/13/18	Patrolman
Ronald J Woolley	Sheriff/Admin	3/21/18	Deputy

Section IV - Leaves of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Daniel R Everhart	Sheriff/Detention	4/3/18	5/2/18	unpaid
Justin M Folsom	Health	3/26/18	4/25/18	unpaid
Broderick T Henderson	PW/WPC	3/16/18	4/15/18	unpaid
Jorge V Lamas	Police	3/16/17	3/19/18	unpaid

Action: Received and filed. Copy previously forwarded to Payroll.

3. PERSONNEL ACTION COMMUNICATION, DATED MARCH 27, 2018:**Section II-Transfers**

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Jasmine A Calloway	Sheriff/Admin	3/22/18	Juv Care Worker I	Clerk
Deana M Logan	NRC/Codes	3/22/18	Admin Supt Spec	Inspector I
Turina L Lopez	Transportation	3/22/18	Inspector I Construction	Dispatcher II Construction
Kyle A Ring	PW/WPC	3/22/18	Worker I	Worker II
Monica S Tyrrell	Comm Corr	3/22/18	ISO	Prof Prog Asst

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Carrie N Hajdukovich	NRC/Codes	3/16/18	Inspector I
Anne P Phillips	Parks/Rec	3/21/18	Prog Coordinator
Dakota L Stuart	PW/WPC	3/23/18	General Maint Worker

Section IV - Leave of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Samantha A Cordova	PSBO	4/16/18	5/24/18	unpaid

Section V - Increase per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Edmundo Calderon	B&L	3/24/18	Facilities Maint Tech

Section VII - Reclassification

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Vacant	Comm Corr	3/22/18	Intensive Supervisor	Program Coordinator

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Daniel T Flanders	Transit	ACD code change effective 4/1/18
Sherry L Johnson	Transit	ACD code change effective 4/1/18
Andrew L Williams	Transit	ACD code change effective 4/1/18
Rebecca A Wroblewski	Transit	ACD code change effective 4/1/18

Action: Received and filed. Copy previously forwarded to Payroll.

4. TRAVEL REQUESTS:

Elizabeth Burniston and Jason Felton, DOTS/Geo Spatial Services, travel to Omaha, NE, April 24 – 26, 2018, to attend the MidAmerica GIS Symposium (MAGIC), Employee Training & Travel.

Dusty Carver and Robert Peck KCKPD/Operations/Traffic, travel to Washington, DC, May 9 – 17, 2018, to attend a police memorial, SLETF.

Matt Cross, Phillip Schwery and John Whaley, KCKPD/Operations/Traffic, travel to Washington, DC, May 10 – 16, 2018, to attend a police memorial, SLETF.

Richard Harris, Police/Services/Detective Bureau, travel to Kansas City, MO, September 10 – 14, 2018, to attend the Force Science Analysis Certification, Employee Training & Travel.

Alan Howze, Knowledge Division, travel to Redlands, CA, April 3 – 5, 2018, to attend the ESRI CIO Summit.

Dustin Dierenfeldt, Richard Harris, Chris O'Neill, Steve Super, Dennis Vallejo and Chad Williams, KCKPD, travel to Washington, DC, May 11 – 16, 2018, to attend a police memorial, Employee Training & Travel.

Kristen Love, Parks & Recreation, travel to Manhattan, KS, April 3 – 6, 2018, to attend the Kansas Association of Code Enforcement (KACE), Employee Training & Travel.

Action: Approved by the Administrator's Office and received and filed.

5. APPLICATION FOR CMB LICENSE (PKG):

La Bendicion 2, Inc./Sara Rodriguez DBA La Bendicion 2, 2711 S. 47th St.

Action: Referred to License.

6. APPLICATION FOR CMB LICENSE (OP):

Lakeside Speedway, Inc./Donald Heinzman DBA Lakeside Speedway, 5615 Wolcott

Action: Referred to License.

7. APPLICATION FOR DRINKING ESTABLISHMENT:

Yard House Kansas City, LLC/Ada Yang DBA Yard House, 1863 Village West Pkwy.

Action: Referred to License.

8. APPLICATIONS FOR CATERER/DRINKING ESTABLISHMENT/HOTEL:

Michael Johnson DBA 7th St. Event Center, 735 Minnesota Ave.

Midwest BBQ Ventures Overland Park, LLC/William Hutton DBA Famous Dave's, 1320 Village West Pkwy.

Miriam Rivera DBA Club Nereidas Club, 46 Kansas Ave.

Action: Referred to License.

9. APPLICATION FOR MASSAGE THERAPY BUSINESS LICENSE:

Debra Singer-Hanson DBA Blue River Casino Massage, 1225 N. 78th St. #G

Action: Referred to License.

10. APPLICATION FOR MASSAGE THERAPY BUSINESS LICENSE – IN OFFICE:

Debra Singer-Hanson DBA Blue River Casino Massage, 1225 N. 78th St. #G

Action: Referred to License.

11. APPLICATIONS FOR PRIVATE SECURITY BUSINESS:

Champion National Security/Northwest Registered Agent DBA Champion National Security, 1616 Gateway Blvd., Richardson, TX

Daniels Security Service/Alice M. Banks DBA Daniels Security Service, Inc., 630 Minnesota Avenue

Whelan Security Co./James Schwartz DBA Whelan Security Co., Inc., 1699 S. Hanley Rd. Ste. 350, St. Louis, MO

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 18203

Full Commission Meeting Date: 4/5/18

Committee:

Date of Standing Committee Action: NA
(If none, please explain):

Publication Required: No

<u>Date:</u> 03/29/2018	<u>Contact Name:</u> Doug Bach	<u>Contact Phone:</u> x5027	<u>Contact Email:</u> dbach@wycokck.org	<u>Department/Division:</u> Administrator's Office
<u>Item Description:</u> Administrator's Update				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				