

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

**PLANNING AND ZONING AND
REGULAR SESSION
JULY 26, 2018**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, July 26, 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: Doug Bach, County Administrator; Gordon Criswell, Joe Connor and Melissa Sieben, Assistant County Administrators; Ken Moore, Chief Legal Counsel; Carol Godsil, Deputy Unified Government Clerk; Kathleen VonAchen, Chief Financial Officer; Rob Richardson, Director of Planning; Zach Flanders, Planner; Janet Parker, Administrative Assistant; Lynn Melton, Assistant to the Mayor; Emerick Cross, Commission Liaison; Chris Slaughter, Land Bank Manager; and Captain George Sims, Sergeant-at-Arms.

Mayor Alvey called the meeting to order.

ROLL CALL: Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Alvey.

INVOCATION was given by Reverend George Kemper, Ebenezer Ministries.

Mayor Alvey asked I'd ask the Clerk if there are any revisions to tonight's agenda. **Carol Godsil, Deputy UG Clerk,** said there are no revisions.

Carol Godsil, Deputy UG Clerk, read the statement, required by law, governing the Planning and Zoning portion of the meeting.

PLANNING AND ZONING AGENDA

Carol Godsil, Deputy 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 McKiernan said I've received communication from opponents of #A-2018-3. I've received communication from proponents of #PR-2018-19. **Commissioner Bynum** said I had communication with proponents of Item A-1, #3155 Change of Zone, and B-1, Special Use Permit #SP-2018-62. **Commissioner Townsend** said on the Non-Consent Agenda I had contact with proponents of #PR-2018-5. **Commissioner Johnson** said I've had contact with proponents of #PR-2018-19.

Ms. Godsil 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. Are there any set asides? **Chris Kuzila, 601-603-605 Central Avenue**, said 10 S. Tremont is the property. **Mayor Alvey** asked which item would you like to set aside. **Mr. Kuzila** said Vacation Application No. A-2018-3. **Mayor Alvey** said I'd like to set aside item MP-2018-2, Amendment to the Rosedale Master Plan. That will allow Zach Flanders to give a presentation on the Complete Street Plan, which also means we'll set aside F-1. That's an ordinance affirming approval.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve all the items except the ones set aside, subject to stipulations.** Roll call was taken and there were ten "Ayes," Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

CHANGE OF ZONE APPLICATION

ITEM NO. 1 – 18328...CHANGE OF ZONE APPLICATION #3163 – RONALD D. JURY REVOCABLE TRUST

Synopsis: Change of Zone from C-3 Commercial District to M-1 Light Industrial and Industrial Park District for a private storage facility at 952 Kansas Avenue, submitted by Robin Richardson, Director of Planning. The applicant is requesting to build a new 10,000 square foot warehouse with a 20,000 square foot parking lot. The Planning Commission voted 7 to 0 to recommend approval of Change of Zone Application #3163, subject to:

Urban Planning and Land Use Comments:

Please provide additional information about the operations of the facility and business.

Staff Note: This will be a private warehouse. Hours will be limited as will all other activities due to the personal nature of the warehouse.

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. Plan Engineering is currently reviewing the same application through the Development Review Committee process i.e. DRC 18300-00271. Applicant shall review, revise, and resubmit plans in accordance with the comments provided through the DRC process.
 - b. 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.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Application #3163, subject to the stipulations.** Roll call was taken and there were ten "Ayes," Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

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SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 18326...SPECIAL USE PERMIT APPLICATION #SP-2018-47 – RAFAEL CASTILLO-CARRERA

Synopsis: Renewal of a Special Use Permit (#SP-2015-29 - expired 6/25/2017) to park a work vehicle in his driveway at 2903 Shearer Road, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-47 for two years, subject to:

Urban Planning and Land Use Comments:

Below are the stipulations from #SP-2015-29:

1. Approval for two years.
2. Property owner increase shrubbery along west side of driveway to shield truck from public view.
3. A business license must be obtained for this business.
4. What is the proposed timespan of this action?

Applicant Response: Within this year.

5. What landscaping screening measures are in place to screen truck from public view?

Applicant Response: I asked all of the neighbors if they were bothered by having the truck parked in the driveway of my home at 2903 Shearer Road. All of them said that they were not bothered by the truck being parked in the driveway since it did not inconvenience them. One of them even said that they wouldn't be bothered by having the truck parked in the street.

6. When the previous application was submitted, staff was under the impression that the business was not owned by the applicant and that the business was not currently in operation.
 - a. What is the current status of the business?
 - b. Is the applicant the owner of this business?
 - c. If the business is in operation, do they have a business license per the stipulation above?

Applicant Response: The business operates during the weekend at soccer fields in Missouri.

7. It does not seem from photos that any shrubbery was planted along the west side of the driveway to shield truck from public view. Is there an explanation as to why this stipulation was not met? Do you plan on any future landscaping?

Staff Note: Applicant did not respond to this question.

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8. Please provide details as to when the truck is in operation:

- a. How many days in a week does the truck leave the property?
- b. How many times in a day does the truck come to and from the property?
- c. What times of the day does the truck come to and from the property?

Applicant Response: The truck is used on the weekend in Missouri at soccer fields during the youth soccer games.

9. Do you intend for this to be a permanent situation, or are you working to find a commercial property to serve as a permanent location to park the truck?

Per the Business License Division:

We currently find no business registered as operating at that address or by the applicant name. If the applicant is engaged or would be engaged in a business activity from the home, they will need to register and file the occupation tax application with this office. If they are to be an employee of a business and the work vehicle would be used as dispatched to a job site, that business should be registered and filed with our office to conduct work in the city.

Public Works Comments: none.

Staff Conclusion:

The applicant responded to some comments in a meeting with Director Richardson and did hold a valid neighborhood meeting.

June 11, 2018 Staff Update:

The applicant nor his interpreter contacted Janet Parker after the meeting to set up an appointment with Director Richardson. A staff member stated that a couple of weeks after the meeting he was contacted by the interpreter who stated that they had lost the business card and she was given Director Richardson's number, which was called but no message was left. Staff reached the applicant and interpreter on June 1, 2018; they stated that the email listed on the application was not the applicant's email but belonged to someone else that had helped him. Staff was provided with another email and sent all correspondence to the new email address. (Staff has not had any further contact with the applicant.) The applicant has not had a valid neighborhood meeting; and, therefore this applicant cannot be approved.

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Staff still supports its original recommendation of denial of this application for the reasons stated in the staff report.

The Planning Commission has the following options:

1. Recommend denial of the application.
2. The applicant can request that it be held over for one month, so he can have his neighborhood meeting and address the comments in the staff report.
3. The application cannot be approved because a valid neighborhood meeting has not been held.

July 9, 2018 Staff Update:

The applicant submitted a valid neighborhood meeting affidavit and answered some of the staff comments with Director Richardson. If there is truly no neighborhood objection to this truck, then staff recommends approval for one more renewal. However, it should be considered that parking commercial trucks in residential areas is not in conformance with SOAR goals.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-47 for two years, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

ITEM NO. 2 – 18329...SPECIAL USE PERMIT APPLICATION #SP-2018-57 – LUKE OLENICK WITH SUNFLOWER TOW SERVICE, LLC

Synopsis: Application for a special use permit for the temporary use of land for a modular office trailer at 452 South 26th Street, submitted by Robin Richardson, Director of Planning. The previous office was broken into and burned, and this will be a temporary solution until a future plan is developed. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-57, subject to:

Urban Planning and Land Use Comments:

1. By what date do you plan on reconstructing a permanent office building?

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Applicant Response: Within five calendar years of taking up full occupation of the modular office trailer. Our business has steadily grown over the past five years, and I expect with a “manned” lot that demand for our services to the community will increase. As business increases, increased revenues will permit building a modern full use office building.

2. Are there any insurance proceeds available to apply to new construction?

Applicant Response: No. I did not submit a claim to my insurance following the destruction by fire of the previous office building. All cleanup was paid for out of pocket. When the time comes to build the new office building, we will most likely seek federally backed SBA style funding.

3. Approval would be for two years.

Conservation District Comments:

1. There is one major soil type identified: Eudora-Urban land complex, rarely flooded. This soil type is considered erodible when the surface is denuded of a protective cover.
2. Fluids that might get spilled in the operation needs to be cleaned up immediately. In rainfall events the contamination can quickly be washed into the storm sewer.

Applicant Response: We have an EPA complaint spill cleanup procedure on file for employees to follow attached to this document.

3. Ideally, there would be a rainfall collection system that could trap any liquid contaminates from leaving the property.

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. Prior to construction permit acquisition, a valid private on-site wastewater permit is required to be obtained from the Wyandotte County Health Department for construction, alternation, extension, or replacement of private on-site wastewater system.
 - b. 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.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-57 for two years, subject to the stipulations. Roll call was taken and there were ten "Ayes," Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

ITEM NO. 3 – 18330...SPECIAL USE PERMIT APPLICATION #SP-2018-58 – TOM ELLIOTT AND MERRITT BOLD WITH ALL AMERICAN TRAILER, LLC

Synopsis: Special use permit to sell semi-trailers at 2330 State Line Road, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-58, subject to:

Urban Planning and Land Use Comments:

If approved, the special use permit will be valid for two years.

Business License Comments:

If approved, All American Trailer will need to file the occupation tax application with this office.

Public Works and Engineering Comments:

1. Items that require plan revision or additional documentation before Engineering can recommend approval: Engineering comments are listed as stipulations below.
2. Items that are conditions of approval (stipulations):
 - a. The special use permit requires final site plans prepared by a professional engineer licensed in the State of Kansas. Provide a final site plan showing property lines, dimensions to existing building, proposed parking spaces, drive aisles, utilities, contours and/or elevations, etc. in accordance with UG standards and criteria. Further discussion or a meeting with staff may be needed prior to a resubmittal.

- b. The existing parcel is with FEMA floodplain. Show existing floodplain lines, base flood elevation, and floodplain note referencing FEMA map number and applicable information, and existing building floor elevation, etc. on the site plan.
 - c. Please coordinate with Kim Portillo, CFM regarding UG floodplain requirements, as applicable.
 - d. On the site plan, indicate the existing and proposing impervious areas in SF, and indicate net increase in impervious area, even if it is zero or negative SF.
 - e. Any proposed land disturbance activities shall be indicated on the site plan, with the area and SF depicted on the plan or a note indicating no land disturbance activities. If land will be disturbed, indicate applicable erosion control bmps's on the site plan in accordance with UG standards and criteria.
 - f. 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.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-58 for two years, subject to the stipulations. Roll call was taken and there were ten "Ayes," Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

ITEM NO. 4 – 18331...SPECIAL USE PERMIT APPLICATION #SP-2018-61 – DAROLD BUNCE WITH CROSSWIND FELLOWSHIP CHURCH

Synopsis: Application for a special use permit a temporary storage container for the church at 2101 West 43rd Avenue, submitted by Robin Richardson, Director of Planning. The applicant wants to keep a shipping container in the rear of the property to store classroom materials because the church is out of space and unable to build an addition onto the building. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-61, subject to:

Urban Planning and Land Use Comments: none.

Public Works Comments: none.

Action: Commissioner McKiernan made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-61 for one year, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

VACATION APPLICATIONS

ITEM NO. 1 – 18333...VACATION APPLICATION #A-2018-3 – REZEK MUSLET WITH MUSLET LLC

Synopsis: Vacation of an alley between 609 and 631 Central Avenue, submitted by Robin Richardson, Director of Planning. The representative, Wil Anderson of BHC Rhodes, on behalf of the applicant wants to vacate a portion of the alley in between 609 Central Avenue and 631 Central Avenue to connect adjoining properties to continue construction of two commercial retail buildings. The Planning Commission voted 7 to 0 to recommend approval of Vacation Application #A-2018-3 for the following reasons:

1. Due and legal notice has been given by publication as required in this act.
2. No private rights will be injured or endangered by such vacation or exclusion.
3. The public will suffer no loss or inconvenience thereby.
4. In justice to the petitioner or petitioners, the prayers of the petitioner ought to be granted.

Rob Richardson, Director of Planning, said the item before you is the partial vacation of an alley that runs northwest between Central Avenue and the alley to the south of it. The portion being vacated is wholly contained. The vacation request is wholly on the property of the applicant. The vacation request goes up to a new retaining wall which is in front of an old retaining wall. You could never go through this alley because of the wall and the grade separation there. We recommended approval of the alley vacation wholly on this property because you couldn't access any other property from this portion of the alley as it's currently described.

It was requested once, maybe twice before, but it included the whole alley or a portion of the alley adjacent to the adjoining property owner's property, which gave them certain rights related to requesting denial. Those rights don't exist on this particular request and so we've recommended approval.

Wil Anderson, BHC Rhodes, 712 State Avenue, Kansas City, Kansas, said representing Rezek Muslet for the vacation of his portion of the alley. The alley, as Mr. Richardson has said, it's been an on again/off again. You cannot pass through there. Currently, we have development plans going through on that site to clean up that corner. Basically, the vacation or the lack of vacation has held up that application for the development to move forward.

If we get the application approved for vacation, then we'll be able to shoot for and finish off that corner and make it look a lot better.

Mayor Alvey opened the public hearing. I will now ask if there is anyone present who would like to speak in favor of this petition. Seeing none, I would ask is there anyone who would like to speak in opposition.

Chris Kuzila, 601-603-605 Central and 10 S. Tremont, said our son lives in the apartment above 601 and our plumbing business is in 603. 603's the white building on the new roof and the corner building is 601.

We understand from previous hearings and subsequent denials that no action was to be taken on this project until the litigation is done, and that has yet to be fulfilled. Mr. Muslet sued me for, us for adverse possession. That's still February 23, 2016. It's been pushed because of Mr. Muslet's attorney asking to have it continued until January of 2019.

Mr. Richardson said prior that the alley would need not be abandoned, even part of it, since it was already included in the plan. Why now is the reason to abandon this alley? Is it because the new retaining wall is in the wrong place and this is the easiest way to remedy the situation. If that's the case, why not sell it rather than give it to the guy.

On the vacation applications that the legal staff brought up at the Planning Commission, this was handed out at the Planning Commission, number three says the public will suffer no loss or

inconvenience thereby. Well, no suffering a loss – we’re giving up a piece of property rather than selling it to the man.

The city staff did the research of the Kansas statutes for the prior vacation applications, not Mr. Muslet. Owning more than 50% of the real estate surrounded by this public property adjacent to this project, we pray that the Commission deny this request to abandon the alley between 609 and 631 Central.

Mayor Alvey asked is there anyone else who would like to speak in favor or offer any comments. If there are no further questions or comments from the public, I will close the public hearing. Would the petitioner like to make any additional comments, closing comments? No, alright. Do any members of the Commission have questions or comments?

Commissioner McKiernan asked, Mr. Richardson, does the vacation of this alley depend on the outcome of the litigation, hinge in any way on the outcome of the litigation. My understanding is that Mr. Muslet contractor did, in fact, cross a property line that was the initial basis for the litigation. Does that have a bearing on this case? **Mr. Richardson** said I think Mr. Moore should answer that question.

Ken Moore, Chief Legal Counsel, said it’s difficult to know without, I don’t fully appreciate the private litigation. In vacating an alley, the typical result is that the parcels divided, the alley would be divided between the adjoining property owners. Whoever the outcome of that litigation, whatever that is, if they’re an adjoining property owner they would get half of the vacated alley. In that regard, I don’t believe it would make any difference. **Commissioner McKiernan** said because the applicant has the properties on either side of the alley to be vacated. **Mr. Moore** said correct.

Commissioner McKiernan said my initial instinct is to follow the Planning Commission and to say since this alley is entirely contained within property owned by the applicant, to go ahead and overturn. But, if in fact, any aspect of this hinges on the outcome of the current litigation, then I would be hesitant to move forward until I was clear that this litigation had no bearing on our ability to vacate this alley. **Mr. Moore** said if it’s totally surrounded by one property owner, it’s hard to image how it would make a difference.

If one property owner has the property on both sides of the portion to be vacated, there's no benefit to a non-owner. **Mr. Richardson** said I might clarify that previously when that statement was made, it was related to a different type of application that included the whole alley. This application stops right about here. The previous applications either included the whole north side of the alley or came up to the property line.

Commissioner Kane asked, Mr. Moore, does this, would we be affected one way or the other by a lawsuit. **Mr. Moore** said no, we're not a party to the lawsuit. **Commissioner Kane** asked if we vote one way or the other could we get in trouble. **Mr. Moore** said I don't believe so, not that the action can't be appealed in District Court for review by District Court. It'd be the same standards as any other planning and zoning decision, whether it's arbitrary and capricious.

Action: **Commissioner Philbrook made a motion, seconded by Commissioner Markley, to approve Vacation Application #A-2018-3.**

Commissioner Bynum said my question is, the motion then would be to approve the vacation application? **Mayor Alvey** said correct.

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

ITEM NO. 2 – 18334...VACATION APPLICATION #U/E-2018-4 – MARK CHRISTIAN WITH ACCU-SURV SURVEY COMPANY

Synopsis: Vacation of utility easements at 4807 North 124th Court, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Vacation Application #U/E-2018-4, for the following reasons:

1. Due and legal notice has been given by publication as required in this act.
2. No private rights will be injured or endangered by such vacation or exclusion.
3. The public will suffer no loss or inconvenience thereby.
4. In justice to the petitioner or petitioners, the prayer of the petitioner ought to be granted.

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Urban Planning and Land Use Comments

1. What is the purpose of this vacation, will the lots be combined in order to build over the parcel line? There is a house planned to be built over the property line. The property owner will need to consolidate the two lots in order to build in such a manner.

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 and survey exhibit documents and submits comments directly to the preparer of the vacation. Provide revised vacation and survey exhibit documents in accordance with County Surveyor comments.
3. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
4. 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-2018-4, subject to stipulations. Roll call was taken and there were ten "Ayes," Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

PLAN REVIEW APPLICATION

ITEM NO. 1 – 18337...PLAN REVIEW APPLICATION #PR-2018-19 – MONSIGNOR STUART W. SWETLAND WITH DONNELLY COLLEGE

Synopsis: Preliminary plan review for a building addition and parking at 608 North 18th Street, submitted by Robin Richardson, Director of Planning. The applicant is seeking approval of a preliminary plan review for a 5.02-acre site that currently features an academic building, residential tower, and supporting parking, to be redeveloped as a new academic building, open space and parking deck with surface parking. The Planning Commission voted 6 to 0 to recommend approval of Plan Review Application #PR-2018-19 for everything west of 18th Street, subject to:

Urban Planning and Land Use Comments:

If approved, the following stipulations shall apply:

1. All concrete used for above ground structures must be integrally colored.
2. Any signage must comply with the sign code and be permitted through the Urban Planning and Land Use Department.
3. All streets must have sidewalks and landscape.

Fire Department Comments:

1. Provide plans showing method of providing emergency vehicle access to the structure. Plans to be stamped by a Kansas registered qualified design professional.
2. Provide sprinkler plans for review if structure is to be sprinkled at time of building permit review.
3. Provide location of fire hydrant within 400 feet of structure if unsprinkled, or 600 feet of sprinkled.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: Engineering comments are listed as stipulations below.
2. Items that are conditions of approval (stipulations):
 - a. The sanitary sewer memo shall be P.E. sealed and shall evaluate flow calculations and sewer analysis, i.e. existing and proposed sanitary sewer flows, in accordance with the UG Minimum Design Standards for Sanitary Sewers. The sanitary sewer memo shall also evaluate the capacity of the existing system and determine if any improvements are needed downstream to accommodate the proposed sanitary sewer flows.
 - b. Final development plans shall include final engineering, calculations, studies, and complete construction level drawings with construction notes and details, in accordance with UG standards and criteria and shall be reviewed and approved by UG prior to being placed on the Planning Commission agenda
3. Comments that are not critical to engineer'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 Plan Review Application #PR-2018-19, subject to stipulations. Roll call was taken and there were ten “Ayes,” Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

MASTER PLAN AMENDMENT

ITEM NO. 1 – 18340...MASTER PLAN AMENDMENT PETITION #MP-2018-2 – ROSEDALE MASTER PLAN

Synopsis: Master Plan Amendment to the Rosedale Master Plan to include the 47th Avenue Complete Street Plan, submitted by Robin Richardson, Director of Planning. The Rosedale Master Plan includes the recommendation to establish a ‘47th Avenue Cultural Corridor’ on 47th Avenue between Rainbow Boulevard and Mission Road. The Planning Commission voted 7 to 0 to recommend approval of Master Plan Amendment #MP-2018-2.

Mayor Alvey said, again, I asked that this be set aside in order that we could apprise the Commission of the Complete Street Plan. Apparently, there was quite a bit of good discussion at Planning and Zoning. It seemed appropriate for the Commission to see the presentation.

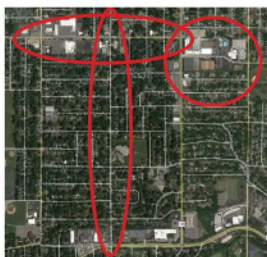
Rob Richardson, Director of Planning, said one of the things that came out of the Rosedale Master Plan was the idea that 47th Street could be used differently than it is today. In conjunction with Westwood we applied for a MARC grant which we received. That resulted in this 47th Street Complete Street Plan. I’m going to ask Thomas Morefield with BikeWalkKC, who developed the plan in conjunction with other consultants in the City and city staff from both cities, to give a brief presentation. I’ll just note that Zach Flanders in our office was the project manager for this. I think they did a great job with it and worked through some issues with the different types of properties along 47th Street.



Thomas Morefield, BikeWalkKC, said I just want to briefly describe for you what is it that we studied, what did we learn, and what recommendations came out of that work.

Project Area

- 47th Street from Rainbow Boulevard in the east to Mission Road in the west.
- Belinder Road between 47th Street and Shawnee Mission Parkway.
- Connections between Rainbow Boulevard and State Line Road



Project Partners

- Westwood
- Unified Government
- Roeland Park
- MARC



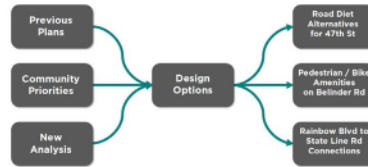
As was mentioned, this process was a partnership between several jurisdictions. It was a Mid-America Regional Council grant, with work and partnership between cities of Westwood, the Unified Government, and the City of Roeland Park.

The geographic scope of the study was along the 47th Street corridor between Rainbow Boulevard and Mission Road, as well as some of the surrounding neighborhood connections.

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Project Goals

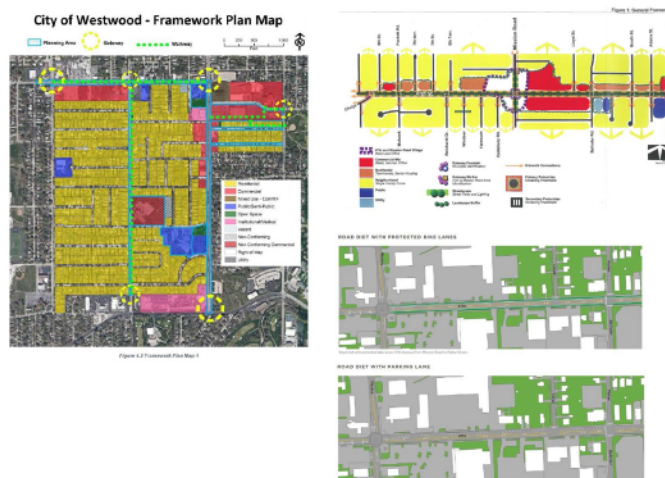
- Build on recent planning with the Rosedale Master Plan, Westwood Master Plan, and other efforts.
- Enhance the walkability, bikeability, and livability of the 47th Street Corridor.
- Explore whether a reconfiguration of travel lanes on 47th Street can help to support various community goals for the corridor
- Analyze traffic to evaluate the feasibility of potential design options.
- Explore improvements to connecting areas, including Belinder Road and connections between Rainbow Boulevard and State Line Road.



Our goal with this process was to look at how we could enhance the walkability, bikeability, and livability of the corridor; in particular, to explore whether a reconfiguration of travel lanes along with 47th Street could help us do that. As part of the study, there is an in-depth traffic analysis to look at what sort of impacts on automobile traffic on the corridor reconfiguration of the travel lanes might have.

As I mentioned, we also looked at some of the surrounding neighborhood connections to see how we could better connect the neighborhood to corridor businesses and amenities that are available.

Planning Background

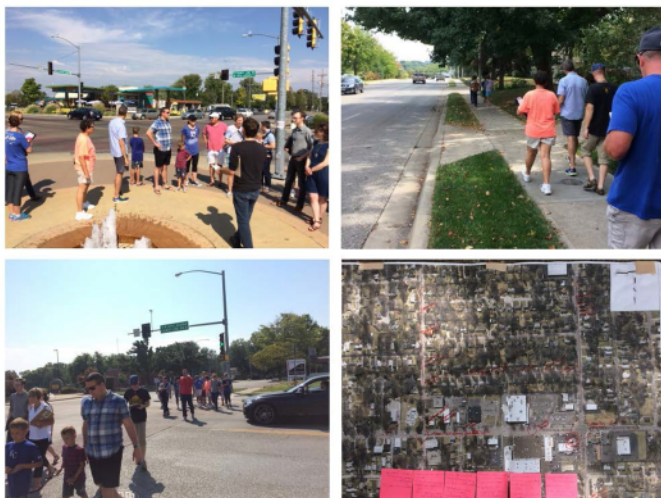


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This process is built on several decades of work and planning by corridor stakeholders. There's been a lot of work that's gone into this corridor. I think you're beginning to see the fruits of those efforts on 47th Street today in terms of the businesses and other improvements that are continuing to flourish there.

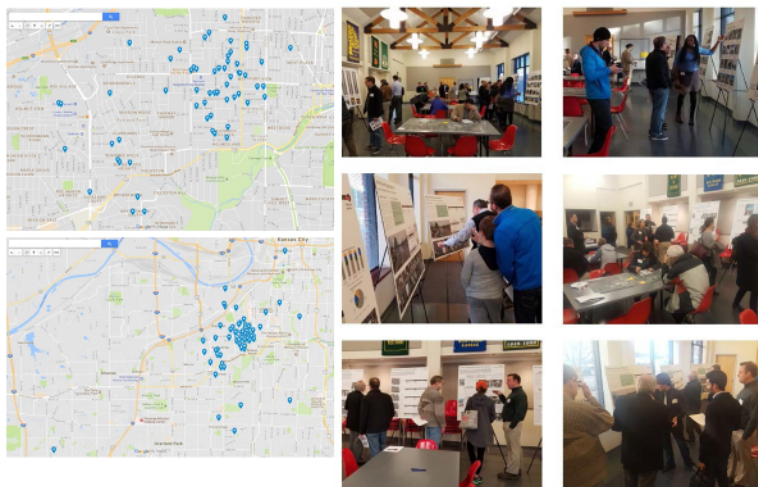
Most recently, the City of Westwood did a comprehensive plan and the Unified Government Rosedale Master Plan both identified 47th Street as an area where potential improvements could support goals for the surrounding neighborhoods.

Community Walk and Talk – Sep. 2017



As we began this process we engaged community stakeholders in a variety of ways. One of the ways we did that was to go out and walk the corridor. We experienced firsthand what it was like to cross the street without a walk signal. We walked along the sidewalks or areas where sidewalks were missing. We enjoyed the shade of street trees or suffered from the lack thereof and had a lot of good conversations about what the corridor felt like today, what people's expectations were for the future, and how it could be better moving forward.

Open House – Jan. 2018



We also engaged people through a public meeting where we presented a lot of our design ideas and solicited feedback, a lot of good conversations about those alternatives and conducted an online survey with several hundred respondents. We had really positive and representative turnout from stakeholders in all of the jurisdictions around the corridor.

Priorities and Concerns



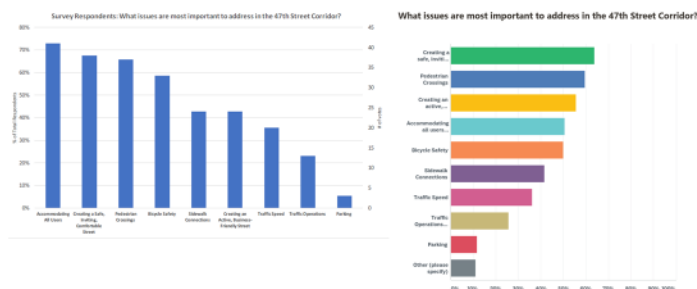
Among the issues that people talk about, I don't think any of these are a surprise for those who are familiar with the corridor, concerns about the speed of traffic, in some cases traffic movements or operations that could be dangerous or feel dangerous in certain situations, a desire to better accommodate all different kinds of users on the corridor, to look at sidewalk connections. There're

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many places where either there's no sidewalk at all, or the sidewalk is in disrepair, or the sidewalk is very close to the street where traffic's moving quickly. That makes it uncomfortable. There was discussion about improved pedestrian crossings, about how to manage parking in an area where new businesses are going in and more and more people are being attracted to the corridor.

A conversation about how we accommodate bus users and bicycle users on the corridor, both of which is used today, but neither of which has any particular infrastructure to support their use on the corridor. Then, a conversation overall of what improvements could be made that could support the business activity and continue the positive progress in the corridor.

Priorities and Concerns

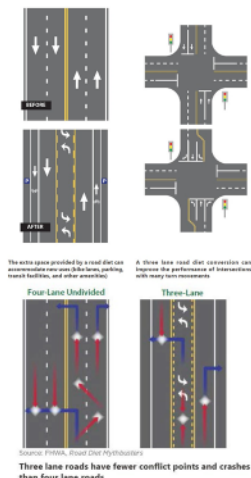


These are a little bit hard to read, but I'll describe them for you, just a summary of the survey.

When we asked people, what are your top concerns both in the public meeting and in the online survey, there was general consensus around a desire to improve pedestrian connections, to improve bicycle facilities, to improve landscaping and street lighting, and to have a corridor that works well for all users. Concerns about traffic flow and parking generally rated less important both online and in person.

Road Diet Benefits

- Many road diets see reduced speeds and most result in less "aggressive" driving.
- Road diets reduce pedestrian crashes by as much as 80%.
- Road diets net an overall crash reduction of 19% to 47%.
- The extra space provided by a road diet can accommodate new uses (bike lanes, parking, transit facilities, and other amenities).
- Because road diets consist mostly of restriping, they are a relatively low-cost approach to calming traffic.
- Because many four lane roads already operate like three lane roads, three lane options can handle the same capacity of traffic more smoothly.

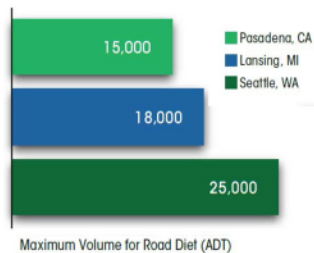


One of the alternatives that we were specifically looking at as part of this process is a road diet. A road diet is essentially a reconfiguration of the road from four travel lanes to three travel lanes where the center lane is a shared left turn lane.

This is an appealing option for a number of reasons, not least of which, it is one of the quickest to implement and least expensive ways to have a major impact on the feeling of a street. For the most part, it can be implemented with paint at a relatively low cost, but the benefits can be significant if a corridor is a good candidate for a road diet. From research and experience around the country we know that a reconfiguration from four lanes to three has a major impact on pedestrian crashes and major impact on automobile crashes, major improvements in safety. In addition, the reconfiguration of the lanes provides us extra space on the road that we can use to accommodate some of those other facilities and amenities that corridor stakeholders said were important to them. If 47th Street is a good candidate for a road diet, there are a lot of benefits that we could see from it.

Is a Road Diet Feasible on 47th Street?

- 47th Street has fewer than 10,000 average daily trips making it an excellent road diet candidate.
- Side streets along 47th are relatively low traffic. Busy cross streets (Mission and Rainbow) are signalized to manage turn movements.
- Because 47th Street is two lanes west of Mission and stops at Rainbow, there are no problematic lane transitions to worry about.



Part of our traffic analysis was looking at whether 47th Street would work. As a rule of thumb, if a street has less than 20,000 cars per day it's a potential candidate for a road diet like this. 47th Street has just under 10,000 cars per day, so it's well in the sweet spot in terms of being able to accommodate the traffic on the corridor with these changes. The configuration of the side streets and how the road diet would transition at the end are both favorable in this corridor. 47th Street checks all of the boxes in terms of a high-quality road diet candidate.

Traffic Summary

- Existing traffic operations of 47th Street are all acceptable with an automobile level of service (LOS) equal to or better than LOS C.
- A road diet conversion from four-lanes to three-lanes would have no significant changes in LOS compared to existing operations.
- A road diet would have the following benefits:
 - Reduced conflict points for left-turning movements
 - Shorter distance for pedestrians and bicyclists to cross vehicle traffic
 - Increased mobility for bicyclists
 - More buffered space between vehicles and pedestrians on sidewalks



We also looked at very specific traffic performance, particularly at the intersections which are sort of where the rubber meets the road in terms of how this would work.

For example, at the intersection of 47th Street and Mission, we saw that a configuration from four lanes to three would maintain the same overall level of service for automobiles through the corridor. Level of service means how congested or not congested the traffic flow is. Currently, the corridor operates at a Level of Service C. It would continue to operate at a Level of Service C after these improvements according to our traffic analysis.

A Level of Service C is, again, a good place to be. It means traffic is operating. The intersection is functioning, but the road isn't completely empty. It doesn't mean that you've overbuilt your infrastructure in a way that resources could be allocated in some other way.

Recommendations – 47th Street Near Term

- Complete a "road diet" on 47th Street, reconfiguring from a four-lane section to a three-lane section.
- Begin with a (mostly) striping project that works within existing curb lines.
- Reallocate new space within curb lanes to buffered bike lanes.



Our recommendations — in the near term we're recommending a road diet on 47th Street, again reconfiguring from a four-lane section to a three-lane section. We're recommending beginning with a striping project that works within the existing curb lines. A striping project is pretty straight forward to do in the near term. It allows you to work out any sort of kinks or issues to solicit community feedback before more substantial infrastructure improvements are made. It also can be implemented with relatively low cost because it primarily paint.

With the extra space that would be available with that lane configuration, we're recommending buffered bike lanes along the corridor. All of these improvements would occur within the existing curb lines of the roadway.

Recommendations – 47th Street Near Term

- Maintain bike lanes through the 47th Street / Mission intersection with no dedicated right turn lane from westbound 47th Street to northbound Mission Road.
- Provides a dedicated space for cyclists
- Reduces the crossing distance for pedestrians
- Improves the turn radius for trucks
- Overall automobile level of service "C" maintained

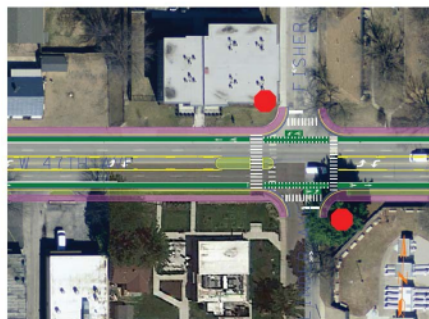


At the 47th & Mission intersection, we're recommending that those bike lanes continue through the intersection. That provides a safe and comfortable experience for cyclists as they travel through the intersection. This was one of our options that reduced the crossing width for pedestrians crossing 47th Street, which was a major concern that we heard from people.

Also, having the travel lanes be located more close to the center of the road helps trucks to turn a little bit more easily. This was an issue we heard, truck turning at this intersection. Trucks have a habit of clipping the utility boxes and poles and other infrastructure on the corridor.

Recommendations – 47th Street Near Term

- Enhance the 47th Street / Belinder Road crossing with four-way continental striping, signage demonstrated to encourage driver compliance, turn queue boxes for bikes, and a pedestrian refuge on the west side.



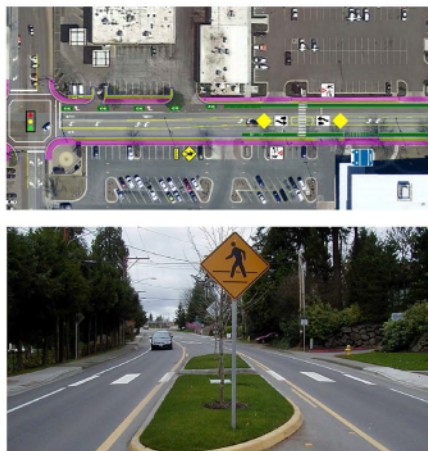
Other improvements in the near term, recommending a center pedestrian island refuge at the crossing of, it's Fisher Street on the Unified Government side, and Belinder Road on the Westwood side, in addition to other crosswalk improvements.

Right now, the only signalized crosswalks where you can cross 47th Street are at Mission and at Rainbow which are a half-mile apart. It's a very long distance between crossings in an

environment like this. Being able to enhance a crosswalk in the middle will have a traffic calming benefit that helps to make the intersection a little bit safer and enhance amenities for people using the corridor.

Recommendations – 47th Street Near Term

- Add a mid-block crossing near Walmart with a pedestrian refuge island that maintains all turn movements, and move the existing bus stop east of the Walmart driveway.
- Incorporate shared bus/bike zones for existing bus stops.



We're also recommending a mid-block crossing near the existing bus stop across from Walmart. This is a place where many people are crossing today. They are walking out into traffic without any protection or improvement. This is an opportunity to support infrastructure that could make the corridor safer and more comfortable for all users.

Recommendations – 47th Street Near Term

Cost Estimate

Design Option A: 3 Lanes + Buffered Bike Lanes

	Length	2,835	Per/Ft Cost	\$50.00
Description	Quantity	Units	Unit Price	Subtotal
Traffic Control	1	Lump Sum	\$15,000	\$15,000
Pedestrian Refuge Island	3	Each	\$1,900	\$5,700
Signal Modifications	1	Lump Sum	\$50,000	\$50,000
Permanent Signage	1	Lump Sum	\$5,000	\$5,000
Pavement Markings	1	Lump Sum	\$28,000	\$28,000
Subtotal				\$103,700
Contingency (10%)				\$10,370
Subtotal of All Construction Costs				\$114,070
Engineering Fee (15%)				\$17,110
Total Estimated Costs				\$131,180

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This is a quick cost breakdown of these near-term improvements with an estimated cost of approximately \$130,000 for everything that I just described as near-term improvements. Those cost, we anticipate, would be shared in some manner between the various jurisdictions participating in the project.

Recommendations – 47th Street Long Term

- As resurfacing or sidewalk reconstruction occurs, or as grant opportunities permit, consider a raised cycle track option in the future.



Typical Section - Existing



Typical Section - Option C



In the long term, there was strong support for more substantial improvements. In particular, looking at a reconstructed curb along the corridor that would provide a raised path for both pedestrians and cyclists that separated from the road, and as I said, above the curb.

These improvements are long term because they're more substantial. They require reconstructing of the curbs. As we discussed with the Planning Commission, we encourage looking at implementation in terms of improvements of opportunity. Where there are new developments or improvements already happening, or in the case of the City of Westwood where they may be considering repairing some failing sidewalks in any case, there's an opportunity of reconstruction is going to occur, or if resurfacing of the road is going to occur already, that these longer-term improvements could be made and could be worked toward.

Recommendations – 47th Street Long Term

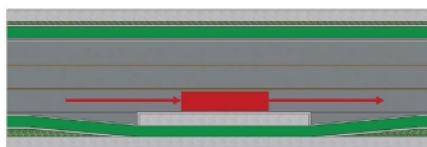
- Continue to explore opportunities for bike lane + turn lane option at 47th and Mission in coordination with adjacent property owners as site configurations and property owner goals evolve over time.



There's also an opportunity to include an additional right turn lane at 47th and Mission. This would require reconstruction of the curb. It could be implemented without loss of any parking or access for the adjacent businesses; however, those improvements we would recommend require additional conversations with those business owners going forward in the future to ensure that any possible modification supported and did not in anyway hinder the operation of their business and people's enjoyment of those businesses.

Recommendations – 47th Street Long Term

- In coordination with transit improvements, street resurfacing, or reconstruction of curbs or sidewalks, incorporate floating bus boarding islands
- Enhance transit efficiency
- Minimizes conflicts between buses, bikes, and pedestrians.



Then, in the long-term, we also look at potential transit improvements. There's an opportunity to look at islands for bus boarding that can both the enhance of the efficiency of the bus service through the corridor and separate bikes and people from bus boarding. It's a safety benefit as well. It's a long-term recommendation because it does require some additional hard infrastructure improvements in the corridor.

Recommendations – 47th Street Long Term

Cost Estimate Design Option C: 3 Lanes + Raised Shared Path

	Length	2,835	Per/Ft Cost	\$520.00
Description	Quantity	Units	Unit Price	Subtotal
Mobilization	1	Lump Sum	\$21,500	\$21,500
Field Office	1	Lump Sum	\$20,000	\$20,000
Erosion Control	1	Lump Sum	\$7,000	\$7,000
Removal of Improvements	1	Lump Sum	\$20,000	\$20,000
Traffic Control	1	Lump Sum	\$15,000	\$15,000
Saw Cut	5,670	Linear Feet	\$3.00	\$17,010
Unclassified Excavation	13,000	Cubic Yards	\$5.00	\$65,000
Embankment	12,000	Cubic Yards	\$4.75	\$57,000
Pedestrian Refuge Island	3	Each	\$1,900	\$5,700
Sidewalk	5,465	Square Yards	\$41.75	\$228,164
Curb and Gutter	6,020	Linear Feet	\$20	\$120,400
Storm Sewer	1	Lump Sum	\$447,860	\$447,860
Signal Modifications	1	Lump Sum	\$50,000	\$50,000
Permanent Signage	1	Lump Sum	\$5,000	\$5,000
Pavement Markings	1	Lump Sum	\$26,000	\$26,000
Permanent Seeding	0.4	Acre	\$2,500	\$1,000
Contractor Furnished Surveying & Staking	1	Lump Sum	\$15,000	\$15,000
Subtotal				\$1,121,634
Contingency (15%)				\$168,245
Subtotal of All Construction Costs				\$1,289,879
Engineering Fee (15%)				\$193,482
Total Estimated Cost				\$1,483,361

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The total estimated cost for these long-term improvements coming out of the plan is a little under \$1.5M. I'll share with the Commission that the City of Westwood who was one of the initial applicants on this project, after the completion of the plan, submitted a grant request to the Mid-America Regional Council for these improvements. It was one of the top scoring road improvement projects on the Kansas side. It has a very high likelihood of federal grant funding to support this project moving forward. Those final projects aren't completely approved at this time, but I'd say the likelihood is very high that there will be federal grant funding to support these improvements in whatever manner is compatible with the goals of all of the surrounding jurisdictions.

West of Mission



Finally, I wanted to share that while the project scope focused on the area between Rainbow and Mission, we're also thinking about what happens west of Mission. This is an area where, on the Unified Government side, there aren't any sidewalks at the moment. There's an uncomfortable ditch with a lot of utilities that makes it challenging to construct a new sidewalk. We're looking at ways to be creative with, again, working within the existing curb lines, with the existing infrastructure, to look at how we can extend pedestrian improvements further west. That's particularly important on the Unified Government side because there's a number of apartment complexes and schools west of here that would benefit greatly from having these improvements extended.

That concludes my presentation. I'm happy to answer any questions you may have.

Mayor Alvey opened the public hearing. Is there anyone present who would like to speak in favor of this? Seeing none, is there anyone who would like to speak against? Seeing none, any closing comments from the petitioner? Any members of the Commission have any question or comments?

I'd entertain a motion and a second. Now, we can consider both of these, E1. and F1., together, one vote. **Mr. Moore** said correct.

Action: Commissioner Murguia made a motion, seconded by Commissioner McKiernan, to approve Master Plan Amendment Petition #MP-2018-2. Roll call was taken and there were ten "Ayes," Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

MISCELLANEOUS-ORDINANCES

ITEM NO. 1 – 18325...ORDINANCE

Synopsis: An affirming approval of 47th Street Master Plan Amendment, submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-24-18**, "An ordinance affirming the approval of the 47th Street (Avenue) Complete Street Master Plan Amendment." **Commissioner Murguia made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten "Ayes," Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

ITEM NO. 2 – 18338...ORDINANCE

Synopsis: An ordinance rezoning property at 4141 and 4244 North 67th Street (#3162) from R-1 Single Family District to A-G Agriculture District, submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-25-18**, "An ordinance rezoning property hereinafter described located at approximately 4141 and 4244 North 67th Street in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District." **Commissioner Kane made a motion, seconded by**

Commissioner McKiernan, to approve the ordinance. Roll call was taken and there were ten “Ayes,” Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

ITEM NO. 3 – 18339...ORDINANCE

Synopsis: An ordinance rezoning property at 5015 Gibbs Road (#3152) from CP-1 Planned Limited Business District to CP-3 Planned Commercial District), submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-26-18**, “An ordinance rezoning property hereinafter described located at approximately 5015 Gibbs Road in Kansas City, Kansas, by changing the same from its present zoning of CP-1 Planned Limited Business District to CP-3 Planned Commercial District.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

PLANNING AND ZONING NON-CONSENT AGENDA

CHANGE OF ZONE APPLICATION

ITEM NO. 1 – 18327...CHANGE OF ZONE APPLICATION #3155 – KELLEY HRABE WITH PRAIRIE FIRE DEVELOPMENT GROUP

Synopsis: Change of Zone from A-G Agriculture District to TND Traditional Neighborhood Design District for a mixed residential development at 10700 Lathrop Avenue, submitted by Robin Richardson, Director of Planning. The applicant is requesting to build 159 residential lots to build a mixed residential development, which includes single-family homes, semi-detached villas and three multi-family buildings on 42.17 acres. The proposed development is comprised of 70 single-family homes (22%), 88 duplexes (44 units) (14%), and three multi-family buildings (162 units) (50%). The total unit count is 320 units compared to the previous plan for this area that had between 150 and 200 units. The Planning Commission voted 5 to 1 to recommend approval of Change of Zone Application #3155, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, a \$50.00 rezoning ordinance publication fee shall be submitted to the Urban Planning and Land Use Department immediately following the Board of Commissioners meeting.

Applicant Response: Okay, the check will be ready when needed.

2. Explain how this proposal complies with the Prairie Delaware Piper Master Plan Mixed Use Residential Guidelines and Design Considerations in the attachments.

Applicant Response:

- a. The proposed development is a mixed-density development exceeding 25 acres. The site plan includes a variety of mixed density housing types including multi-unit, duplex, town homes and villas with a variety of bedrooms. Dwelling units are grouped and clustered by type on blocks of varying size, and oriented toward a traditional street grid. There is a variety of scale and density of dwellings on each block to create a cohesive, traditional neighborhood feel. The variation in unit types and scale avoids the monotony typically found in standard suburban tract subdivisions.
- b. We have established a consistent architectural theme that ties into the agricultural programmatic component of the proposed development. The design takes a modern spin yet respects and honors the historic Kansas farmhouse vernacular through architectural massing, form and materials. Homes typically will be aligned within 20 feet of sidewalks, forming a comfortable, human-scaled urban form. Front porches and patios will encourage neighborly interactions.
- c. The site plan proposes connections to the park being proposed by the UG, as well as typing into the infrastructure improvements being made along Hutton Road. The original site plan on which the preliminary plat is based included a traditional axial grid to create a walkable neighborhood area, with interior streets connecting the project site to another development node, across a stream to the east as well as to the more suburban street patterns across Georgia Avenue.
- d. The development features attractive dwellings with variety in massing and façade details. Additionally, the TND proposes a palette of standardized traditional colors that will allow for further differentiation of buildings, in a modern style that is distinct from but complements and harmonizes with surrounding development.

- e. The TND also has established a landscape palette and standards to be used throughout the development. Buildings will be complemented by surrounding gardens, xeriscape landscaping, and street trees. Extensive landscaping defines outdoor public spaces including a garden, community center and market area. Residence areas and shared common facilities are bounded by continuous landscape buffers, walking path connections, and landscaped screening of parking area.

Staff Response: The applicant's response does not address the Prairie-Delaware-Piper Master Plan. It should address density, amenities and square footage of homes.

- 3. T zone T-2 and T-3, the parking regulation is two off-street parking spaces for each dwelling unit. Based on the design manual, the development is proposing 1.5 parking spaces per unit. A deviation in the parking regulations require a variance from the Board of Zoning Appeals. In previous discussions with staff, the garage and parking stall in the driveway complies with the two off-street spaces per unit.

Applicant Response: Provided that the garage and driveway parking stall are deemed to comply with the two off-street spaces required per unit, a variance is not required from the parking requirements. The deviation was suggested in the design manual because it is typical for senior/age restricted developments to have a reduced parking requirement.

Staff Response: Garage and driveway parking complies with the Code so long as a car in the drive does not block the sidewalk. This would appear to be an issue for parking.

- 4. Exterior "menu board" signs or "A" frame signs are not permitted in the TND T-1, T-2, T-3 or T-4 zones. These signs are permitted in T-5 and T-6 zones, a maximum of 12 square feet, five feet in height and minimum four-foot sidewalk clearance.

Applicant Response: We will restrict menu board and "A" frame signs to the T-5 zone and community building area. The sign standards will be revised to meet the T-Zone standards indicated in your comments for size and sidewalk clearance.

- 5. Within the Piper Village TND Design Manual, goats are mentioned as a possibility on the southeastern portion of the development. To keep livestock on the property, other than chickens, a minimum of five acres is required. Between one acre and five acres, a special use permit is required.

Applicant Response: We do not anticipate goats being on the property. Regardless, no agricultural uses that violate the zoning or UG ordinances would be allowed on the property. The property operations would comply with all zoning and ordinance regulations.

6. Will the pool, communal kitchen, and fitness room be within the clubhouse?

Applicant Response: The pool will be exterior adjacent to the clubhouse; the communal kitchen and fitness room will be in the clubhouse.

7. How will storm protection be provided for the residents in the development? Sec. 27-340. Any new residential use, for multi-family development or single-family residential development for which a preliminary plan/plat application is approved by the Planning Commission, shall contain an area for storm protection. Such area may be a room or space, such as a basement, a structure complying with Federal Emergency Management Agency Publication 320 ("Taking Shelter from the Storm") or Publication 361 ("Design and Construction Guidance for Community Shelters") or subsequent updates thereto shall comply with this requirement. For residential uses designed specifically for occupancy by those age 55 and over, the basement, safe room, or community shelter must be within the structure where the dwelling unit is located or within 15 feet of the structure in question and accessed under roof.

Applicant Response: Once architectural plans proceed into design development and construction documents, provisions for the code required storm protection will be made in each type of structure pursuant to the code section below. We anticipate this is necessary to be granted building permits for structures.

8. Architecturally, the final design must resemble the pictures of actual units shown and not the sketches. Further design on the apartments must be submitted to the full Planning Commission for review prior to final plan review.

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): 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 engineer's recommendations for this specific submittal but may be helpful in preparing future documents:

- a. A final development plan will need to be approved by UG staff and the TND board. Final plans require construction level drawings and final engineering design in accordance with UG standards and criteria. Further discussion with staff may be needed.
- b. Final development plans will have to be approved before going to Planning Commission and/or TND Board with approval to obtain construction permits. This will include final engineering, calculations, studies, reports, and complete drawings with construction notes and details in accordance with UG standards and criteria.

Preliminary Plat:

1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations):
 - a. Final development plans and a final plat will have to be approved by UG staff and Planning Commission prior to construction permit acquisition. This will include final engineering, calculations, and complete drawings with construction notes and details. The Final Development Plans/Plat must meet the requirements of UG standards and criteria.
 - b. The County Surveyor makes separate technical review of the plat and submits comments directly to the preparer of the plat. Provide revised plat in accordance with Engineering and County Surveyor comments.
 - c. Final development plans and the final plat shall include a separate public improvement plan set for the proposed public sanitary sewer improvements in accordance with UG standards and criteria. Further coordination with UG staff and Water Pollution Control is required.
 - d. All public sanitary sewer will need to be in an easement meeting with the UG standards and criteria (minimum of 15 feet wide or the depth of the sewer, whichever is greater). Check UG standards, checklists, and criteria.
 - e. Final development plan shall require a KDHE sewer permit extension application to be provided.
 - f. Final development plans and the final plat shall include a separate public improvement plan set for the proposed public street and storm sewer improvements, in accordance with UG standards and criteria.

- g. Final development plans/plat shall include retaining wall calculations, details, and construction plans signed and sealed by a Professional Structural Engineer registered in the State of Kansas in accordance with the UG standards and criteria. Please review and comply with the online retaining wall checklist. These requirements are for all types of retaining walls, including modular block or premanufactured walls, and reinforced concrete walls.
 - h. Final plans shall address the recommendations of the Traffic Impact Study for the Piper Village Development. The developer/engineer shall also provide the UG with a memorandum on the decision to close off access of New Market to Leavenworth Road. It should be noted that the UG has already conducted studies for improvements on Hutton Road and Leavenworth Road intersections. Also, the UG is adding left-turn lanes for the northbound/southbound traffic as part of the ongoing Hutton Road improvement project with future traffic signal at Hutton and Georgia and possible lane configurations. Please coordinate with UG Public Works, i.e. the County Engineer and the City Traffic Engineer, which may be required prior to a resubmittal for final plans regarding the Traffic Impact Study for Piper Village Development.
 - i. 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:

The applicant has worked with staff to clarify and address issues related to parking, traffic, and sanitary sewers. For final engineering to be approved, a final plat review must be submitted, which includes full civil drawings (grading, erosion, sanitary and storm sewers, retaining wall plans). The TND Design Review Board must review and approve the architecture prior to the DRC submittal and the building permitting process.

Additional Stipulations Added at City Planning Commission Meeting:

- 1. This will be an age restricted 55 and older community that is maintenance free.
- 2. On the Piper Village Plat they convert Tract A to a lot and will transfer to the owner to the north.
- 3. They will comply with the chart on page 19 of the staff report for the percentage of unit mix and only 24 units can be apartments and the rest of the chart stated on that page.

Rob Richardson, Director of Planning, said while Zach's moving the map around to this area, it's located on Hutton Road just south of Leavenworth Road. It's adjacent to where the new park and fire station will be built on Hutton Road. It was approved, I believe, in 2006 or 2007 as a traditional neighborhood design, but then the recession happened, and the development never went forward. Mr. Hrabe's group has come forward with a plan to use part of that old infrastructure and do a new plan. It's a little bit higher density, but it's a 55 and over age-restricted market rate community. With that, I'll let Mr. Hrabe speak to his project.

Kelly Hrabe, 416 West 62nd Street, Kansas City, Missouri, said this is a project we invested in, purchased the land last October, and have had a few community meetings on this. We have looked at it a couple of different ways. What we're proposing to do now is a 55 and older maintenance-free community that's going to consist of for-sale and for-rent product in a configuration of duplexes, villas, and single-family homes. We're looking at two-bedroom, three-bedroom units.

I think some of the concessions we made with the Planning Department here was initially we were going to come in with a couple of apartment buildings. We've gotten rid of those and we're really focusing more on the duplex and triplex and villa models.

Really not much more beyond on that. We're really excited about this project, have a lot of interest, have a lot of people already calling us about getting on our wait list either to purchase or for rent. I can answer any questions or concerns you may have at this point.

Mayor Alvey asked is there anyone who would like to speak in support of this. Seeing none, is there anyone in opposition who would like to speak? If there are no further comments or questions, I'll close the public hearing. Will the applicant need to make any closing comments? I'd entertain questions or concerns from the Commission.

Commissioner Bynum said I appreciate the project and all the work that's been done on a lot of fronts to bring this tonight. I just have a comment. You heard it when you very first met with Commissioner Kane and I, and that is that lighting is a must, an absolute must. You can't build 55 and over housing and not put street lights up. It's not going to happen. **Mr. Hrabe** said sure, absolutely. The infrastructure will be to City standards, Unified Government standards, so we will

definitely have lighting and a very strong amenity base here with all the improvements going on on Hutton Road, as well as central amenity with a clubhouse, swimming pool, those types of things.

Commissioner Bynum said I appreciate it, and I just want to say, it's sorely needed in the community. We really appreciate that you're bringing the project.

Commissioner Kane said you know, there are a lot of rumors about your project. **Mr. Hrabe** said I know. **Commissioner Kane** said you did a good job of squelching some of them. There's still lots of concern out there. **Mr. Hrabe** said you bet. **Commissioner Kane** said we're going to hold you to the 55 and older. **Mr. Hrabe** said absolutely.

Having been involved with at least three 55 and older projects out in this part of the Unified Government and investing in a lot of them, and then putting a lot of time in them over the last ten years, we see a very strong opportunity for the market here. Our market study shows, at least in this quadrant of the metropolitan area, there's a need for 3,000 of these units. We're proposing to do approximately 230. We're not even tapping, I think, the market potential out here.

The access, the visibility, the amenities, we're just real excited about this project. To be able to take something that started ten years ago and kind of set here and just kind of withered on the vine so to speak, and we're happy to be back here and make this investment and make a long-term investment in this community and address a demand that's out here, very strong. Looking forward to continuing to do that.

Commissioner Kane said so far, you've been really good. If you give us some more green space that would be even better. **Mr. Hrabe** said you bet. Actually, as a side note to that, our kind of concept here is to integrate a lot of green area, walking trails. We're planning on putting in a few orchards, maybe some vineyards, little farmer's market. We're trying to really redefine — as I just turned 50 this year, really defining what 55 and over means. **Commissioner Kane** said you're going to qualify in five years. **Mr. Hrabe** said I can live here in about five years, which is kind of sad.

We really want to capitalize on what 55 and older maintenance free communities mean in this current market we're in, and its active lifestyles. There're people that want to get out in the environment, socialize with one another. I think with our design, with the branding and the marketing and our partners, the types of things we want to integrate here, I think's really going to create a community that's different than anything that's offered in the entire metropolitan area. Not

only are we going to be able to satisfy the current demand within the Unified Government, within Wyandotte County, we can certainly bring in demand from outside of the market. Bring more folks into the county.

Commissioner Bynum said one more brief comment, and that is that to the 55 and over piece of this, the HOAs and the covenants and such can provide legal, you already know this, I'm saying it more for the public, can provide the legal authority to hold true to the 55 and over. **Mr. Hrabe** said absolutely. **Commissioner Bynum** said that can be codified. **Mr. Hrabe** said absolutely. **Commissioner Bynum** said it carries legal weight. **Mr. Hrabe** said absolutely. **Commissioner Bynum** said just so the public has confidence that measures can be put in place that keep you at your word. **Mr. Hrabe** said absolutely. Whether it's a for-sale product that we do or a for-rent product, whoever purchases here or leases here, it's going to be into their covenants and restrictions that they have to follow the rules of the community, and if they don't, there are other measures we can take. **Commissioner Bynum** said there are severe consequences that can be paid. **Mr. Hrabe** said absolutely.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to approve Change of Zone Application #3155, subject to the stipulations.**

Commissioner Philbrook asked I know that you're going to be active out west. I know that you're definitely going to be active down east. District 8 would really like to have 55 and older as well. I'm putting this out to the whole universe. We would like to have market rate 55 and older and I have spot where I would like to put them. **Mr. Hrabe** said you bet. We've made a lot of investment in this community. We're getting ready, I think we're on the agenda later with a Land Trust property to do a project in Commissioner Johnson's district. We're very bullish on Wyandotte County. I think there's a great opportunity here, not only out west, east, but there's a lot of momentum in what we do, not necessarily in the 55 and older market, but also in the workforce housing market. We're here. We're a proven entity and we're committed. We're looking for more opportunity.

Commissioner Philbrook said I can guarantee you there's plenty of folks who have left the county who didn't want to. **Mr. Hrabe** said absolutely. **Commissioner Philbrook** said let's bring

them back. **Mr. Hrabe** said we hear that. That's why we bought these 48 acres here and are looking very forward to getting developed.

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

SPECIAL USE PERMIT APPLICATION

ITEM NO. 1 – 18332...SPECIAL USE PERMIT APPLICATION #SP-2018-62 – MARTHA MEDINA WITH MANHATTAN BAR & GRILL, LLC

Synopsis: Special use permit for a restaurant/drinking establishment with live entertainment at 812 South 12th Street, submitted by Robin Richardson, Director of Planning. The applicant is requesting a special use permit for a drinking establishment, restaurant, and live entertainment venue at 814 South 12th Street. This property was approved for a parking variance (#2223) on November 14, 2016 and a Special Use Permit (#SP-2016-73) for a drinking establishment on December 1, 2016. This building was previously a drinking establishment and was closed in 2013. The Planning Commission voted 5 to 2 to recommend denial of Special Use Permit Application #SP-2018-62 due to the non-conformity of the use with the surrounding land use and the potential of being a nuisance and the inadequacy of the parking.

The staff does not agree with the recommendation of the City Planning Commission. The staff recommends approval for one year with the additional stipulations added to the staff report.

1. Doors and windows will be closed during live entertainment.
2. There will be trash pickup crew every evening that makes sure there is not excessive trash on Taylor, Pennsylvania and 12th Street after closing.
3. They need to commit to calling the police if their patrons are congregating offsite and/or using the restroom in the alley.
4. There needs to be operable security cameras and lighting in the parking lot, alley and frontage from the day the place opens and they need to make those recordings available to the police. If the police come to him and say they need something from the cameras, and

they are not working that day, he would ask the Board of Commissioners to revoke the special use permit immediately.

5. No outdoor events.

Urban Planning and Land Use Comments:

1. Photos: Please provide photos of the exterior and the interior of the building. The photos from the previous applicant are included in the staff report.

Staff note: See attachments for new photos.

2. Hours of Operation: Hours of operation shall not exceed 10 am – 2 am daily.

3. Safety and security

- a. Please provide a security plan documenting how you will ensure safety and security of the patrons and the public.

- b. A previous establishment at this location had problems with “violent offenses as well as rampant drug usage” according to the Kansas City, KS Police Department. How do you plan on preventing these problems at your establishment and protect the safety of your customers and surrounding neighborhood?

Staff note: See attachments for security plan.

- c. Applicant must employ a card scanner for live entertainment events.

4. Noise concerns: Doors and windows will remain closed when entertainment is provided in order to mitigate noise.

5. Architectural Standards: Building façade must be kept in good repair. Windows and door must be kept in good repair.

6. Landscaping and Screening:

- a. Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements. (Sec. 27-575 (e) (4).

1. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses.

2. Two trees are required to meet landscaping standards. The applicant for #SP-2016-73 planted two trees to meet this requirement. Trees must remain and be healthy or replaced.

Rob Richardson, Director of Planning, said the crux of this is the neighborhood is very concerned about parking and trash. This facility has had this type of historic use, but I think that was the crux of the vote. There was a motion to approve that failed with a tie vote and then there was a second motion of denial that was approved 5 to 2. That's how it comes to you this evening.

Pearl King, 827 Armstrong Avenue, Suite 200, Kansas City, Kansas, said I'm here on behalf of Manhattan Bar and Grill. The owner, Martha Medina, is here with me also this evening. As Mr. Richardson stated, we were before the Planning Commission on this property.

There has been no licensed business at this location since 2013. There was a parking variance that was obtained in November of 2016 and a special use permit granted December of 2016 by another person. They were unable to obtain their additional licensing, so the business never opened.

When Ms. Medina went to look for property, she did her due diligence and looked for property that was correctly zoned, that the business was for the same use that she intended it, a bar and grill. She had spoke with Planning and Zoning, knew that this property had received a special use permit in the past. She proceeded to make her investment, purchased the property, and also intends to reside in the apartment that's above the restaurant and bar.

Staff had recommended approval of this special use permit for a one-year period. I would also be in agreement with staff. You find that a business is more successful, its operation is smoother, and it fits in with the community better when it's well regulated, when it is well operated. Ms. Medina comes here not as someone who just has a fluke idea. She's operated restaurants and bars in the past. She knows what it's going to take. She has, at the suggestion of Mr. Richardson and staff, went around and talked with some neighbors, even after the denial. She's committed to this property. She's already invested a significant amount of money, upwards of \$25,000 at this point, with a significant amount of that, \$15,000 being invested in kitchen equipment and repairs.

Unlike what has been portrayed by, and believed to be by some of the neighbors, this isn't a night club. This is going to be a restaurant, a bar and grill, with a full menu. I have a copy with me and one also for staff of the proposed menu. It's three pages. We're not talking about just bar food. We're looking at a full staffed menu for lunch and dinner.

The entertainment that we'd like to have would be on the weekends, Friday, Saturday and Sunday. It would be in the means of a DJ, karaoke, occasionally a live band. For the most part, when it would be live it would be more of an acoustic and not an electric.

I know that two of the main concerns, always when you're dealing with alcohol and entertainment specifically, is safety and security and the noise involved. There are some cameras and lights on the premises. Before we'd open we would make sure that there was full lighting, operable cameras that would cover the parking area, the front of the building, and also this back alleyway.

I do know that there have been, in the past the businesses in there did not have a good reputation. I know that there's other bars in the area. I just don't want Ms. Medina's business and her plan to be judged by what other's actions were in the past. I think giving her a permit for one year would give her the opportunity to prove herself, prove her business, and also let the neighborhood see that a bar and restaurant can co-exist in a residential neighborhood and be a good addition to that neighborhood and a good member of the community. That is exactly what we would like to do.

I'd be glad to answer any other questions that you might have. I'm very familiar with Ms. Medina and I've worked with her for over nine years.

Mayor Alvey opened the public hearing. Is there anyone present who would like to speak in favor of #SP-2018-62?

Rolf Ibarra, 1262 Osage, said I know Martha. She's been a good business, she's been having a good business for a while. Like I said, I live just right around the corner. I don't see anything wrong with opening another business in there because the bar on the corner, they don't let us in. The other bar, I don't like it. I think it's a good idea to let them open the business for a lot of reasons for taxes, for business. I don't know, really, exactly what to say, but I think it's a good idea to let them run the business again. It's been a bar since '79, since I remember. That's all I got to say.

Mayor Alvey asked is there anyone from the public who would like to speak in favor. Please come forward, state your name and address.

Abigail Ibarra, 1262 Osage, said why I just want to say I think this is a good idea for the community. I will be working with Ms. Martha as a cook. I like the fact that I only live, I would live about a

block and one-half away. She brings business into the community and, you know, a fun, family atmosphere where we could go hangout and just have some good food, music and drinks. Why not?

Mayor Alvey asked is there anyone else who would like to speak in favor. Seeing none, is there anyone who would like to speak on this item in opposition? If so, please come forward to the podium, state your name and address. Please limit your comments to three minutes.

Larry Sprang, 1111 and 1115 Pennsylvania, said we just moved back here. I'm a Bishop Ward graduate, born and raised here, Class of '84. Moved away for a lot of years. Came back to find a really great community down here. One thing we don't need is another night club that's open until 2 a.m. in the morning disturbing everyone in the area, trash, violence.

Parking is a big issue, as your staff has noted. We had some conversations with the Fire Department. There are two streets they could possibly park on, Taylor and Pennsylvania. If they try to park on the other side of Pennsylvania, there's no crosswalk unless you go to Osage. All of those streets can only have parking on one side of the street and still allow access for emergency vehicles. It's not posted that way, so if they're going to allow this to happen, it probably needs to be posted because people coming to the bar and restaurant are not going to know that they can't park on both sides of those streets and block all of the emergency vehicle access.

There's residents upstairs so the few spots that they do have are going to be taken by that. I assume they're going to have no handicap parking because there's none slated there right now. Those are all parking issues that are going to arise.

None of the residents, for the most part, on Taylor or Pennsylvania there have off-street parking, so they rely on that parking. As you can see, there's quite a few vehicles on there even in this picture, rely on parking on the street for their houses which makes it difficult to put another — I don't know what their capacity's going to be. At the other meeting they stated 150. Even if it's only 50, 20 or 30 cars trying to park on those two one-way streets.

The bar issue, we have no problem with another business. We'd love to see another business in our area. I feel for her that she's invested money into it. We have no problems with her as a person. We just don't want to see another 2 a.m. bar. We've got one you can actually see in the top of that picture, half a block away. Two more down the road. The two down the road have zero parking and there's all kind of issues with that. They park on the sidewalks.

My other suggestion would be if they want to open a restaurant, does it need to be 2 a.m.? Can we have this be a 10 a.m. normal type restaurant situation? The 2 a.m. part of it is a real problem when people are coming out of the bar at that time of night disturbing the residents.

That's really it. I stated my piece.

Camile Arriaga, 1216 Taylor, said usually in the past before 2013 when Cici's Bar and Grill, they called it bar and grill, but it was Cici's Bar, was open they usually parked on our street which was, like I said, Taylor. My concern is all of the parking space. They only have about five parking spaces in that property where the Manhattan's wants to open.

Also, where are all the smokers going to be at? Are they going to congregate on the sidewalk? Now all the people and the families that live on Pennsylvania and Taylor when they want to cross the sidewalk or whatever, they're not going to be able to because the smokers as it is now at the Casino Bar on Osage, they're congregating on the sidewalk. People have to avoid that because there's usually three or four smokers congregating there with their patio furniture.

My concern is the sidewalk and all of the parking spaces that are going to be used. They only have five. Ms. King said that the capacity is 150. Let's say only 50 cars came, where are they going to park, and the trash and the bottles.

I'm asking the City to please post those signs, so the emergency vehicles can come to our house. I have an elderly uncle that lives at 1230 Taylor. We've had to call the ambulance this year when he had a major stroke. If the bar had been opened and cars had been parked on both sides, I don't know how the ambulance would have arrived. For that reason, I'm asking to please post signs, for the City to post signs. I don't know who do I go to, contact about those?

Mayor Alvey asked anyone else like to speak in opposition?

Mr. Sprang said I forgot to turn this in. We have signatures from about seven or eight other numbers that weren't able to attend that are opposed as well.

Mayor Alvey said seeing none, I will close the public hearing. Any comments or questions from the Commission?

Commissioner Burroughs said this is a question of staff. The question was raised about the streets not being marked, only one side I believe, that was mentioned. Have we sent anyone down there to see if the department could deal with that? **Mr. Richardson** said we have not. That was the first time that I received any comment from the Fire Department on this. I'm not sure when that was made or where it came from, but we can certainly do that.

Commissioner Burroughs asked is there an area for the public smoking concern that was brought up that would inhibit or prohibit the movement of pedestrian traffic through that area. **Mr. Richardson** said outside of their parking lot or in the alley, I think they would probably be on the sidewalk as described.

Commissioner McKiernan said they only five spaces. **Mr. Richardson** said correct. **Commissioner McKiernan** said there was a variance given in 2016 for another operation that was going to start. The variance was for what? **Mr. Richardson** said to allow the operation of a very similar use with the five spaces that are on site. **Commissioner McKiernan** said with all the rest being street parking. **Mr. Richardson** said correct. The variance is still valid.

Commissioner McKiernan said that was my question. Is the variance carrying over to this new owner and new use? **Mr. Richardson** said yes. **Commissioner McKiernan** said I guess my big question is the same as Commissioner Burroughs. If, in fact, Taylor which is a reasonably narrow street, is too narrow for two sets of cars and emergency vehicles, then I think that would be a tremendous concern and disservice to the people who live on Taylor.

The hours of operation have been brought up. Has there been any discussion, is there any consideration of having hours that don't extend until 2 a.m.? **Mr. Richardson** said I think the applicant would be best to address that.

Ms. King said I spoke with Ms. Medina about other options that might appease the neighbors. I know that the special use permit that was granted in 2016 was identical to ours, with the exception of the entertainment. We would be willing to withdraw the annual entertainment license and just have it as a bar and grill, a restaurant drinking establishment, with no entertainment, that would be exactly what was approved in 2016.

I did want to clarify one thing. It was brought up, I think it was Commissioner McKiernan, that this is a different use. This is exactly the same use that this building has had since, I believe, the 1970s. It isn't a change of use.

I also, again I want to reiterate, and it's not that I don't understand where these concerns are coming from, but I'm continuing to hear about other bars, about the Casino bar and other locations. I really would like this to be judged on the merits of this applicant at this time. Again, I believe that staff was correct, and I would agree with them, that granting a one-year permit with the stipulations, and again we would agree to drop the entertainment portion of this, I think it would be much more befitting than having a building that sets vacant.

We would be willing, I know that when the parking was brought up before Mr. Richardson also pointed out various areas where there could be parking where there's not residents. This is the first time I've heard the issue about the parking on one side of the street. Our understanding was that we had met the requirements needed for parking. That was my understanding from the report from staff as well.

Commissioner Bynum said, you know, we hear a lot of stories about people who purchase property that they want to do something with it and they didn't check to find out if they could before they made the investment. That doesn't sound like the case. She did check if she could use this parcel. Our record indicated the answer was yes. We can't hold her to that this time. **Mr. Richardson** said, Commissioner, she was told she had to get a special use permit and that's a public process. **Commissioner Bynum** said I understand. **Mr. Richardson** said yes, that's a qualified yes.

Commissioner Bynum said I do understand that, but the record and the history of the location would lead her to believe that that was reasonable being that one had just been approved less than two years ago. **Mr. Richardson** said correct, I agree. **Commissioner Bynum** said if I were looking to purchase a piece of property and I saw an approval for a special use permit less than two years ago, I might also believe that was an investment I could make. We can't hold her to that.

I'm concerned about the width of the street like Commissioner McKiernan is. I think that we had a neighbor say we want to make sure we direct you properly to staff that can help. There's a process. There's an application you can make for changes in your streets. We want to make sure that we communicate with you about that.

I'm wondering about the possibility of setting any sort of conditions for approval to let her have a chance to operate her business. I don't know what those might be that this body would agree to. I think the elimination of the entertainment might be helpful. I'm hoping we can come to something that this body could allow at least a one-year opportunity, maybe with stipulations that

allowed us to put a halt to that were we to have a report prior to one year that those stipulations weren't being met.

Mr. Richardson said, Commissioner, on pages five and six of the staff report are the conditions under which we recommended approval. **Commissioner Bynum** said okay, when it was at Planning? **Mr. Richardson** said yes. **Commissioner Bynum** asked do those include taking away the entertainment piece of this. **Mr. Richardson** said no. **Commissioner Bynum** said we could add that. **Mr. Richardson** said correct. **Commissioner Bynum** said I'm looking for participation from my end.

Mr. Richardson said I don't know that we need to have them go talk to the Street Department about that. I would follow up on that and see if it needed to be marked one way or parking on one side only.

Commissioner Bynum said the only other comment I have is, I could be wrong, and I don't know if it makes it right or wrong, but it strikes me that there is a lot of businesses in Armourdale that don't have a lot of parking. **Mr. Richardson** said that's accurate. **Commissioner Bynum** said so it's not necessarily different. I'm looking for my commissioners to participate in the conversation about whether they're comfortable with giving the one-year chance with an added stipulation that what was brought forward by staff.

Commissioner Burroughs said, Commission, just for clarification. The parking issue I was hoping that, and I believe Mr. Richardson made comment, to have the Street Department go down and verify the one-way parking, one side street parking, to ensure that we can get signage up down there, maybe that will help eliminate. This is an area where it's going to provide jobs for the local community. It's another facility that'll be working and serving food in the community. It's an investment in the community. I'm not one to say what would make it work or not. The entertainment, that would be on management. I just hate to put criteria in place when a proposal came forward and it was initially granted. In trying to accommodate a parking issue, they're wanting to change a business plan. That concerns me. I want to see them be successful. They open a business, I want to see them succeed. I would just hope that we would give consideration to the variance that's already been granted and the business that's been granted in the past with no problems.

Commissioner Townsend said just listening to the discussion I had a couple of questions. One, even though that I know that there had been, I guess, a permit in the past, it didn't sound like the person received it actually went through with it. I'm just curious what the thought process was if there were already bars in the area why this seemed to be a good idea to come. I'm just curious about that.

Also, if the owner's willing not to have live entertainment, is it still necessary to be there until 2:00 in the morning. The menu looks delicious, by the way. Still, why would you need to be there so late? I think there should be some consideration. Also, as much as we all want to see businesses prosper, the heart and soul of the neighborhood are the people who live there. I'm curious as to those questions.

Ms. King said I'll try to address some of that. I actually work, one of my areas that I specialize in is liquor licensing in the State of Kansas. It can be quite a convoluted affair. As I'm sure all of you know, the statutes change every year in July. I have to stay on top of that.

We've always, and when I saw we I mean Kansas City, Kansas, especially bar and restaurant owners, have always had to compete with Missouri. Everyone of the bar and restaurant owners that I've worked with, we have always requested that our licensing be from 10 to 2, primarily because that's what's allowed by statute. That does give us the flexibility if, and I've seen many businesses do this, they can close earlier business to justify staying open that late. Primarily, the bars in KCK want to stay open until 2:00 because we're already closing earlier than our neighbors in Missouri. We're wanting to keep that dollar here. Every hour earlier we close makes us less competitive to the people that are just right across. Also, less competitive, quite frankly, to the other neighboring bars that are going to be open until 2:00.

Why this was a location, in addition to the reasons I gave you, and that those other bars weren't a concern is because we don't think of them as the same thing. They are very small. They're bars. Only one of them does offer food. It's a very limited bar menu. I think what Martha wants to bring to this location is completely different. I hope that answers your questions, kind of, as close as I can.

I also, Martha reminded me, when they went door-to-door, they did have some neighbors that they met that were in favor of this that weren't able to be here. I have the original of that at this time.

Commissioner Philbrook said well, I really do believe that, I'm in the same kind of quandary as Commissioner Burroughs is, and as Commissioner Bynum. That is looking at property, trying to go into business, checking ahead, seeing how it was used previously, that there was an active permit going on that was never utilized, I would have thought well, okay.

The other thing is, too, I do want people to invest in our community and to make a livelihood. Yes, that menu looks wonderful. It does look considerably different than the other bars that are down there. I was kind of like comparing apples and something grilled. They're really not much alike other than the fact that you guys, all of you, do produce liquor for us to drink.

Having said that, I really think that a one year with the agreement of Mr. Richardson carrying through on making sure that the road down there is well marked as parking on one side, that we should consider going through with this.

Commissioner Johnson said I usually don't provide a whole lot of comment, but I think as somebody who has persons parking in front of my personal residence as a matter of practice, I'm very concerned about the residents that live amazingly close to this building. There will be no doubt that there's going to be many evenings when people will be parking in front of the houses. You have this open, you're proposing having this open until 2:00 a.m. As someone who is familiar with those persons that don't live in my neighborhood, you can hear doors opening and closing. You can hear motorcycles starting up. You can hear cars that need a muffler starting up. They do wake you from your sleep. I'm not really too thrilled about this. I tend to lean with the in-district commissioner, but I'd like to, 2:00 a.m. just sounds a bit overbearing for the immediate neighbors that are very close to this property. I'm all for pro-business, but I can only go by my own experience. I'm going to lean toward the in-district commissioner, but I do have those concerns.

Mayor Alvey said seeing no further comments or questions from the Commission, would the petitioner like to make any closing comments.

Ms. King said I know it's been a long night, so I'm going to be brief. I think that the stipulations that have been put in place are good ones. I understand the concern about the hours. I think that if a business is monitored well and run well, you are aware of those things. I'm glad that we've become

aware of the problems that these neighbors have experienced in the past so that we're sensitive to those, that we monitor those situations.

If a change, I would suggest if we were able to close at midnight during the weekdays, Monday through Thursday, be allowed to stay open until 2:00 on Friday and Saturday, midnight on Sunday, I think that would be a reasonable offer to make. I would extend that. **Commissioner Kane** asked would you add no music to that. **Ms. King** said yes, I've already said no music. **Commissioner Kane** said okay. **Ms. King** said we've already said that. **Commissioner Kane** asked Sunday through Thursday until midnight, is that what you said. **Ms. King** said Sunday through Thursday until midnight. **Commissioner Kane** asked Friday and Saturday? **Ms. King** said until 2:00 a.m.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to overturn the Planning and Zoning decision, subject to additional stipulations, of Special Use Permit Application #SP-2018-62.**

Mr. Richardson asked can I clarify that, so I have it written down correctly. Everything in the staff report, no live entertainment, staff will look into parking on one side of the street only, and we would look at Osage, Taylor, Pennsylvania and 12th, operating until midnight Sunday through Thursday, and on Friday and Saturday until 2:00 a.m.

Commissioner Townsend said, as a point of clarification, we're talking about no music. I know they've withdrawn, I guess, the live entertainment. Are you talking about no music at all? For clarity, what are you talking about? **Mayor Alvey** said no live music. **Commissioner Townsend** said just no live entertainment.

Commissioner McKiernan said I just want to be clear that this motion is to overturn, to reverse, the decision of the Planning Commission. **Mayor Alvey** said it will require eight votes, correct? **Mr. Moore** said correct. **Mayor Alvey** said eight votes for.

Roll call was taken and there were nine "Ayes," Kane, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Murguia, Johnson, and one "No," Townsend.

PLAN REVIEW APPLICATION

ITEM NO. 1 – 18335...PLAN REVIEW APPLICATION #PR-2018-5 – PASTOR LUKE KAMMRATH WITH ST. LUKE’S LUTHERAN CHURCH

Synopsis: Preliminary and Final Plan Review for a church, retreat area, garden and small-scale animal husbandry at 3200 North 10th Street, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 6 to 1 to recommend approval of Plan Review Application #PR-2018-5, subject to:

Urban Planning and Land Use Comments:

1. Accessory Structures: Building permits are required for any accessory structure greater than 120 square feet.
2. Fences: Please describe the height, material, and construction of the proposed fencing around the food forest, pasture, and gathering grove.
3. Signage: Are any signs proposed on the property? Any signs are required to undergo a separate review and receive appropriate sign permits and/or building permits.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: Engineering comments are listed as stipulations below.
2. Items that are conditions of approval (stipulations):
 - a. The sidewalk along N. 10th Street shall include an ADA ramp on intersection with Esplanade Street that shall meet UG standards and criteria.
 - b. Phase 2 of the construction project shall require sidewalk along Esplanade Street for the entire lot width.
 - 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 engineer’s recommendations for this specific submittal but may be helpful in preparing future documents: none.

Rob Richardson, Director of Planning, said this is an area between K-5, or just south of K-5. It’s a large, open tract. It’s rather hilly. The church has requested to use it as some outdoor space.

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They'll have a caretaker that lives there. It's been recommended for approval with just one negative vote. They're here to support their case.

Mayor Alvey said, Mr. Kammrath, if you would come forward to present your application. State your name and address for the record.

Pastor Luke Kammrath, 14 S. 17th Street, said I'm pastor of St. Luke's Lutheran Church. We're located at 722 Reynolds, so 7th and Central, a little bit north of there, up the hill. Pastor Michael May retired there five years ago. I took over for him. He's still around as Pastor Emeritus.

The congregation's been there since 1899. It started with German European immigrants and has evolved along with the neighborhood in a beautiful way. There's a lot of great ministries we've done in the neighborhood, including Riverview Health Clinic out of our building, as well as Metro Lutheran Ministry has an emergency services out of our building, food pantry, we do showers on Saturday mornings for homeless folks. Lot of great things working with the youth of the neighborhood, etc.

We purchased these 32 acres that you're looking at between Esplanade and North 10th Street. There's a 26-acre plot on the west, a six-acre plot on the east. We would like to use this plot that was, we believe, abandoned for decades before we purchased it. We found remnants of potential meth labs up in the woods when we started clearing things out and have hauled off literally hundreds of bags of trash.

Anyway, our dream with this space is to expand our ministry in the sense of creating a church retreat. To clarify, I think there's a little bit of clerical error, we're not building a church on the site. We're going to still worship at 7th & Central. We just want to expand. This is a second site where we'd do a church retreat.

This would be focused on spiritual retreats, prayer retreats, escaping from the city. Maintaining the green space is one of our main objectives. To create a welcome green space, first and foremost for our congregation so we can worship and practice our faith, and then in addition, we always love our neighbors. That's just what we do. We'll get to know our neighbors and continue to work with them.

Regarding the space already, planting fruit trees. The small-scale animal husbandry is really just us being transparent. That's not a main objective of this property. We'll have maybe

two goats, 12 chickens, all within current accepted Code ordinance. It'll just be part of the process of connecting our congregation to the green space, to the earth, to the creation, and also neighborhood folks who are interested in that as well.

So far, speaking of neighbors, we've heard nothing but really beautiful comments from our neighbors. From folks just walking down the street who wander up onto the property and ask us what we're doing, and having great conversations with them, to folks who are interested in learning how to garden up on our property. We've talked about allowing people to have little plots of land if they want to garden because we have way more land than we would ever use.

In addition, just this past week we had a group picking up trash on 10th Street. The neighbors were stopping and saying hi and saying thank you for picking up the trash. Because it's just a wooded area along 10th Street, I think people think it's just a vacant dump lot sometimes. We've picked up couches and old doors, all sorts of stuff that we've hauled off. We believe using the space actively will beautify the neighborhood and revitalize maybe some of its energy around this particular plot that's been abandoned for a while.

We've also been, lastly, interacting with the Historic Northeast Midtown Association and Rachel Jefferson. They have been, I believe, working in concert with the Northeast Area Master Plan. Groundwork USA has recently approved this community as one of the six in the nation to work towards environmental beautification, breaking down racial divisions, and all sorts of different things like that. We believe everything that we're doing is perfectly in lock and step with that.

We thank the Mayor and the Commission for entertaining this. What we're asking for is approval to put a single-family dwelling for the residential caretakers, a driveway, the utilities, etc. All that's in the plan.

Mr. Richardson said I'll just make one correction. We have not received the Groundwork USA grant. We're one of six still competing. Sorry, no big news there tonight. **Pastor Kammrath** said I apologize.

Mayor Alvey opened the public hearing and asked is there anyone present who would like to speak in favor of this.

Ralph Hiden, 11 Viewcrest Drive, Kansas City, Kansas, said I live in a subdivision called “The Homes.” It’s about a half mile north of 10th and Quindaro. There’s 345 housing units in that subdivision. The property, the Disciple Garden, is only about a quarter of a mile north of where I live.

There’s been a driveway put in the property and some land cleared on the property. We’ve had a couple of outings there on the property already. Trees have been planted. We’re planning to plant gardens there in the future. Like Pastor Luke said, a comfort caretaker can be on the property and have all kinds of activities there in the home and a community hall attached to the home. We can have lots of activities there for ourselves and for the community.

Also, when the property was purchased a couple of years ago, the property was just there. Nobody was interested in that property at all. We found the owners. They just didn’t have any, there was nobody for the property or anybody willing to develop that property. We have a great vision for the property for ourselves and for the community.

Mayor Alvey asked anyone else like to speak in favor of this. Seeing none, anyone like to speak in opposition? Seeing none, I’ll close the public hearing. Any comments or questions from the Commission?

Commissioner Townsend said I think all of us appreciate when there are people who take interest in properties that look like they are in need of bettering for our community. It seems as though while Pastor Kammrath, I spoke with him today, and his congregation was looking at this, we were trying to gear up for the Northeast Master Plan. I would say that there are some other options that may not have been considered at the time the congregation bought that.

Before we get into a fuller discussion of that, what I would really like to do, unless there has been an update in the packet, there was a letter from the Wyandotte County Conservation District dated sometime in January of this year. Pastor Kammrath had not had the benefit of seeing that. In that letter, that organization asked for more time to do an analysis. Barring that, they did not recommend going on with the project.

I’d like to know if there’s been some update from Wyandotte County on that. Certainly, Pastor Kammrath should have the opportunity to look at that report. I think the Commission needs the benefit of all the information. **Mr. Richardson** said, Commissioner, the report has been in the

staff report for some time. I'm not sure why the applicant hasn't had a chance to read it because we certainly had the staff report available to them.

The Conservation District has certainly had plenty of time to expand on the report if they choose to. They have not done so to this time.

Commissioner Townsend said if that's the case, it stands as we see it in the packet. What I would like to do is to have this go back. This is the first time it's come before us. Have staff circle back with the Conservation people to see if they're going to do any further updates. There was concern about soil erosion, particularly related to some of the activities that the new owners want to partake in. This will also give Pastor Kammrath and the church an opportunity to talk with that group. I would like to see that done. Then come back, and we can have a fuller discussion with all the knowledge we're going to have about this.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Bynum, to return Plan Review Application #PR-2018-5 to the Planning Commission for further review.**

Commissioner Bynum asked was it to go back.

Roll call was taken and there were four "Ayes," Markley, Bynum, Townsend, Johnson, and six "Nos", Kane, Walters, Philbrook, Burroughs, McKiernan, Murguia. Motion failed.

Action: **Commissioner Markley made a motion, seconded by Commissioner Kane, to approve Plan Review Application #PR-2018-5, subject to stipulations.**

Commissioner Townsend said since we're going to go ahead and rule on this, I just wanted to say, again, I am not, and I shared this with Pastor Kammrath, there's so many other things that I would like to see with District 1. We've got animal husbandry opportunities. We've got a lot of that in the western part. Some of the things that we've heard expressed at the sessions for the Master Plan didn't necessarily foresee something like this.

I'd like to hear some more about the residential option that you're talking about. Who's going to be there and for what purpose? I guess my concern is I do not want to appear disingenuous

to the group. In the event that we get another option, maybe, for this land with regard to developers who might want to do something else as part of the Northeast Master Plan, then the church comes back at me and say well, you didn't share that with us. I'm not excited about it, so I'm just really upfront about that. We have so much of this already in the northeast area. Pastor, do you want to talk about that?

Pastor Kammrath said the residence is envisioned to be, first and foremost, a place for a functioning parsonage, if you're familiar with that. My wife and I and our two-year old will be moving out to the property. We decided that to care for the property and to manage the spiritual retreats and the activities that Ralph Hiden was talking about for our congregation, that it really made sense for us to have a presence. In our experience, a residential presence just makes for a more well-maintained and cared for piece of land. That's really the extent of the residence.

Like I told Commissioner Townsend on the phone this afternoon, hospitality is just a part of our faith and our way of life, so we will, of course, welcome the people of our congregation into our home up there to participate in our faith life together. Does that fully answer?

Commissioner Townsend said that does add to the explanation because the purpose shown in our packet seems to be a little bit different than that. What about the cabins? **Pastor Kammrath** said the cabins are, well the original idea originated with having the idea of potential options for tiny homes in the future. That's not according to Code currently. If tiny homes were to ever be approved by City Planning and Zoning, and all the different groups that need to be approved, we would potentially revisit coming before the Planning Commission and the Commissioners to do something in regard to that.

As far as cabin, we're talking about accessory structure under 120 square feet that would be used for simply a camping purpose. So, for prayer, spiritual retreat that I spoke to you about, but just temporary, short-term, for that get away on the property space.

Commissioner Townsend said this is where I'm a bit confused. Are you talking about not putting cabins there now? The space for spiritual retreat would include what? **Pastor Kammrath** said I'm making a differentiation. I don't know if it's the right lingo between tiny home.

Originally, we were hoping for the idea of tiny homes, so permanent dwelling spaces. That's not allowable according to our City Code and Ordinances at this time. We are not pursuing that at the moment. Instead, we are hoping to use, again, accessory structures, following Code,

under 120 square feet, just as a very simple space that we use for our folks for temporary prayer, spiritual retreating if that makes sense. Again, fitting under Code what I would consider camping.

Commissioner Townsend asked this would be open to anyone or just the members of the church. **Pastor Kammrath** said, first and foremost, for the members of the church. I mean, it's not, we wouldn't just be inviting people off the street to come camp per se. We would have spiritual retreat programs, potentially. None of that's exactly been figured through in regard to the details.

Mr. Richardson asked does this include overnight camping in this cabin. Because I believe camping would require an additional special use permit. We weren't aware of the overnight camping issue related to the cabin. **Pastor Kammrath** said yes, that was the vision. I potentially misread the Code. I thought you could camp on your own property with certain limitations without a special use permit. **Mr. Richardson** said if I own the property that would probably be the case, but you're opening it up to people that aren't owners.

We need to revisit that. If it requires a special use permit, we'll have him go back through. If it doesn't, then it would be approved as you set it. If it was to be approved, it would be approved this evening.

Roll call was taken and there were nine "Ayes," Kane, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Murguia, Johnson and one "No," Townsend.

Mayor Alvey said that concludes the Planning and Zoning portion of tonight's meeting. We will now move to the regular portion of our Agenda.

REGULAR AGENDA

MAYOR'S AGENDA

No items

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 to approve all items, seconded by Commissioner Markley.** Roll call was taken and there were ten “Ayes,” Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

ITEM NO. 1 – 18322...RESOLUTION: ADOPTION OF BUDGETARY AND FINANCIAL POLICIES

Synopsis: A resolution adopting eleven budgetary and financial policies, submitted by Kathleen VonAchen, Chief Financial Officer. On July 9, 2018, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-35-18,** “A resolution authorizing Unified Government Board of Commissioners to adopt budgetary and financial policies as follows:

- Summary: Budgetary and Financial Policies (The “Short Form”)
- Operating and Capital Budget Policy
- Revenue and User Fee Policy
- Expenditure Policy
- Capital Asset & Equipment Investment and Managemetn Policy
- LongTerm Financial Planning Policy
- General Fund Operating and Economic Uncertainty/Emergency Reserve Policy
- Special Revenue Funds Operating Reserve Policy
- Enterprise Funds and Internal Service Funds Operating Reserve Policy
- Accounting, Auditing, Financial Reporting Policy
- Debt Policy

and authorize the County Administrator to execute any and all documents and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution, and that all other Unified Government staff is further authorized

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to take such actions as are necessary and proper to effectuate and purposes and intent of this Resolution.” **Commissioner Kane made a motion, seconded by Commissioner Markley, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson.

ITEM NO. 2 – MINUTES

Synopsis: Minutes from special sessions of June 28 and July 12, 2018; and regular session June 28, 2018.

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

ITEM NO. 3 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated July 12 and 19, 2018.

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

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES’ AGENDA

No items

ADMINISTRATOR’S AGENDA

No items

COMMISSIONERS' AGENDA

No items

Mayor Alvey said that concludes the portion of our regular meeting. I adjourn us in that capacity.
I now call us back to order as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' AGENDA

ITEM NO. 1 – 18313...LAND BANK BUSINESS

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval. On July 9, 2018, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Applications for yard extension, unless specified otherwise

740 Simpson Ave. - Antonio Mesa, Jr.

1047 Ella Ave. - Maria Hernandez

710 S. 8th St. - Jesus Serrano

804 N. 20th St. - Misael Carreon

131 S. 14th St. - Rosario Martinez

4335 Parallel Pkwy. - Estralita Justice

340 Franklin Ave. - Nicole Skinner

2024 Quindaro Blvd. - Larry Watkins

1935 N. 14th St. - Dion Groves

1939 N. 14th St. - Dion Groves, for property acquisition

1937 N. 14th St. - Dion Groves, for property acquisition

1931 N. 25th St. - Elmer Moreira

1927 N. 25th St. - Elmer Moreira, for property acquisition

1855 R N. 9th St. - D & M Enterprise, LLC, for property acquisition

3113 W. 43rd Ave. - Drew Woolery, for new construction

Transfers from Land Bank

2714 Webster Ave. - Habitat for Humanity of Kansas City

2718 Webster Ave. - Habitat for Humanity of Kansas City

2736 Cleveland Ave. - Habitat for Humanity of Kansas City

(Habitat has requested parcels for future builds.)

847 Everett Ave. - Boulevard Lofts, LP

851 Everett Ave. - Boulevard Lofts, LP

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829 Everett Ave. - Boulevard Lofts, LP
 821 Everett Ave. - Boulevard Lofts, LP
 819 Everett Ave. - Boulevard Lofts, LP
 830 Washington Ave. - Boulevard Lofts, LP
 1304 H N. 8th St. - Boulevard Lofts, LP
 846 Everett Ave. - Boulevard Lofts, LP
 844 H Everett Ave. - Boulevard Lofts, LP
 842 Everett Ave. - Boulevard Lofts, LP
 840 Everett Ave. - Boulevard Lofts, LP
 836 Everett Ave. - Boulevard Lofts, LP
 824 Everett Ave. - Boulevard Lofts, LP
 (Properties will be part of a future development project.)

Donations to Land Bank

117 Quindaro Blvd. - Walnut Blvd. Missionary Baptist Church
 119 Quindaro Blvd. - Walnut Blvd. Missionary Baptist Church
 207 Quindaro Blvd. – Alyce Barnett
 (Applicants have indicated that they are unable to keep up properties to UG standards.)

Tax Sale #340 (04/26/18) Transfers
 (See list for the 241 properties)

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

PUBLIC ANNOUNCEMENTS

No items

MAYOR ALVEY ADJOURNED THE MEETING

AT 9:45 P. M.

mls

Carol Godsil
 Deputy Unified Government Clerk

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