

**OCTOBER 25, 2018 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY REVEREND BRYAN W. MANN, BETHEL SEVENTH DAY ADVENTIST CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, OCTOBER 25, 2018 AGENDA**
- VI. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)
- VII. PLANNING AND ZONING CONSENT AGENDA**
- VIII. PLANNING AND ZONING NON-CONSENT AGENDA**
- IX. MAYOR'S AGENDA**
- X. REGULAR CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. ADMINISTRATOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

SERGEANT-AT-ARMS: CAPTAIN RONALD SCHUMAKER

PLANNING AND ZONING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **#3165 - ALTON HOLLOWAY**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 3441 North 51st Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 18481

2. **#3168 - DR. KELLI MATHER WITH USD 500**

Synopsis: Change of Zone from RP-5 Planned Apartment and CP-1 Planned Limited Business Districts to BP Planned Business Park District for USD 500 central kitchen facility at 5604 State Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 18482

3. **#3169 - JOHN FINNEMORE WITH PRIMROSE SCHOOLS**

Synopsis: Change of Zone from RP-5 Planned Apartment District to CP-O Planned Non-Retail Business District for a day care school center at 2205 West 36th Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 18483

4. **#3170 - ANDREA WEISHAUBT**

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District to sell the house at 9837 Meeks Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 18485

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2018-68 - DARRYL BAGLEY**

Synopsis: Special Use Permit for the Temporary Use of Land to park a tow truck at the residence at 4100 Haskell Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR DENIAL**)

Tracking #: 18486

2. **#SP-2018-80 - IIKHOM SAIDOV WITH FRANK MOTORS, INC.**

Synopsis: Renewal of a Special Use Permit (#SP-2016-71 - expires 12/1/2018) for used auto sales at 1604 North 3rd Street, submitted by Robin H. Richardson, AICP, Director of

Planning, 573-5774 **(RECOMMENDED FOR DENIAL)**

Tracking #: 18487

3. **#SP-2018-81 - LAURA SUMMA WITH CHICAGO'S**

Synopsis: Special Use Permit for an expansion to the existing bar at 534 Central Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 18489

4. **#SP-2018-84 - JOHN L. PETERSON**

Synopsis: Renewal of a Special Use Permit (#SP-2016-60 - expires 12/1/2018) for an event hall at 713 Osage Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 18480

5. **#SP-2018-85 - ANDREW NEHRIG**

Synopsis: Special Use Permit for an AIRBNB at 3101 South 7th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 18490

C. PLAN REVIEW APPLICATIONS

1. **#PR-2018-23 - MONSIGNOR STUART W. SWETLAND WITH DONNELLY COLLEGE**

Synopsis: Preliminary and Final Plan Review for an expansion/renovation at 1719 Tauromee Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18491

2. **#PR-2018-28 - JOHN FINNEMORE WITH PRIMROSE SCHOOLS**

Synopsis: Preliminary and Final Plan Review for a day care school center at 2205 West 36th Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18484

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATION

1. **#SP-2018-77 - JENNIFER L. RIOS**

Synopsis: Special Use Permit for a day care for children ages 2 to 12 at 6601 Leavenworth

Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
**(RECOMMENDED FOR APPROVAL FOR 1 YEAR FOR A MAXIMUM OF 20
CHILDREN – 4/1 VOTE)**
Tracking #: 18488

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR OCTOBER 25, 2018

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2017.

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

REGULAR AGENDA

IX. MAYOR'S AGENDA

X. REGULAR CONSENT AGENDA

1. NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Law Enforcement Advisory Board, Joan DeMoss, 10/25/18 to 6/30/20, submitted by Commissioner McKiernan

Law Enforcement Advisory Board, Cherish Cho, 10/25/18 to 6/30/22, submitted by Commissioner Walters

Golf Board, George Hurtado, 10/25/18 to 3/31/20, submitted by Commissioner Markley

Tracking #: 18478

2. ORDINANCE: AMENDING PUMP STATION 61 FORCE MAIN IMPROVEMENTS

Synopsis: An ordinance amending Ordinance No. O-34-18, condemning land for Pump Station 61 Force Main Improvements, CMIP 6303, and directing the Chief Counsel to institute legal proceedings to acquire land for said project, submitted by James Bain, Assistant Attorney.

On September 13, 2018, the Commission unanimously approved Ordinance No. O-34-18, declaring the project to be a necessary, valid public improvement project and authorizing a survey to identify and describe the property to be acquired. Due to a clerical error, it is necessary to amend the description and scope of work of the improvements.

Tracking #: 18479

3. MINUTES

Synopsis: Minutes from regular sessions of September 13 and 27, and October 11, 2018.

Tracking #: MINUTES

4. WEEKLY BUSINESS MATERIAL

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

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 25, 2018
Re: Change of Zone Petition #3165

GENERAL INFORMATION

Applicant:
Alton Holloway

Status of Applicant:
Owner

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

Date of Application:
June 29, 218

Purpose:
To change the zoning of the
property from R-1 to A-G to
use the property for
agricultural purposes

Property Location:
3441 North 51st Street

Existing Zoning: R-1 Single
Family District



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

Existing Uses: **North:** Large-lot single family residence
 South: Large-lot single family residence
 East: Large-lot single family residence
 West: Large-lot single family residence

Master Plan Designation: Rural Density Residential

Major Street Plan: North 51st Street is a designated local street

Total Tract Size: 8.25 acres

Advertisement: The Wyandotte Echo – July 19, 2018
 Letters to Property Owners – July 18, 2018, August 6, 2018, August 31, 2018 and October 19, 2018

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

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

PROPOSAL

Detailed Outline of Requested Action: Mr. Holloway is seeking a rezoning of his 8.25-acre property, to use the property for residential and agricultural processes and have more than one accessory structure on the property.

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

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The character of the neighborhood is low density, large-lot residential and fairly rural in nature.

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

Nearby properties are zoned R-1 Single Family and consist primarily of large lot residences; the change from R-1 Single Family to A-G Agriculture would not conflict with nearby uses.

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

The removal of restrictions on the property is not foreseen to have a negative effect on nearby property.

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

The property is not vacant.

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

While the proposed use is not necessary for the convenience or welfare of the public, it will not likely impact the use, visual quality, or marketability of nearby properties.

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

The proposed change would not increase the traffic or parking demands on the property.

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

The Master Plan designates the parcel as rural-density residential; agricultural use would not be incompatible with that designation.

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

The proposed use is not foreseen to have any effect on the natural environment.

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

a. *Water service*

Existing

b. *Sanitary sewer service*

Existing

c. Storm water control

Existing

d. Police

Police service is provided by District #444

e. Fire

Fire service is provided by District #4

f. Transit

N/A

g. Schools

Kansas City, Kansas USD 500

h. Streets

See item #6 above

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

The proposed use is not foreseen to have an economic impact on the community.

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

Under the Agricultural Zoning, the accessory buildings would be in compliance with the accessory use ordinance.

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

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

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application #3165, subject to:

Urban Planning and Land Use Comments:

1. How many structures are currently on the property and what are their uses?
Applicant Response at meeting: Four structures that are used for housing of the animals. There was a house on the property but it burned.
2. Do you plan to keep livestock on the property? According to the neighbor there are horses and goats on the property.
Applicant Response at meeting: Yes – There are 10 horses, 8 goats and 5 or 6 chickens.
3. The neighbor concerns regarding animals do not play a direct role here in that the applicant has more than 5 acres and can have animals with or without the zoning approval.
4. The applicant shall keep all livestock 50 feet from the North, South and East property lines.
5. Applicant shall work with the Conservation District to correct issues within six months. Staff will not publish a rezoning ordinance until the Conservation District issues are corrected.
6. Applicant shall provide proper shelter for all animals on site.
Applicant Response at meeting: The shelters on the property are used to house the animals.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #3165 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Aerial Map
Zoning Map
Letter from Neighbor
Conservation District Comments (Page 1 only)

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	October 8, 2018	October 25, 2018
Rezoning	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #3165 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**3165**, as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 8, 2018 City Planning Commission Minutes:

Non-Consent Agenda Starts At 8:30:

CHANGE OF ZONE APPLICATION #3165 – ALTON HOLLOWAY – SYNOPSIS:

Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 3441 North 51st Street. **Detailed Outline of Requested Action:** Mr. Holloway is seeking a rezoning of his 8.25-acre property, to use the property for residential and agricultural processes and have more than one accessory structure on the property.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;

5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated July 19, 2018; and
7. The Notices to property owners dated July 18, August 6 and August 31, 2018.

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

Recording Secretary Parker stated that the testimony given at the Board of Zoning Appeals meeting will become part of the record for this case.

Present in Support:

- ❖ Alton Holloway, applicant, 5707 Parallel Parkway, Kansas City, Kansas

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 11:17: Planner Flanders stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 11:25:

On motion by Mr. Miller, seconded by Mr. Reasons, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application #3165**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND APPROVAL Passed: 5 to 0

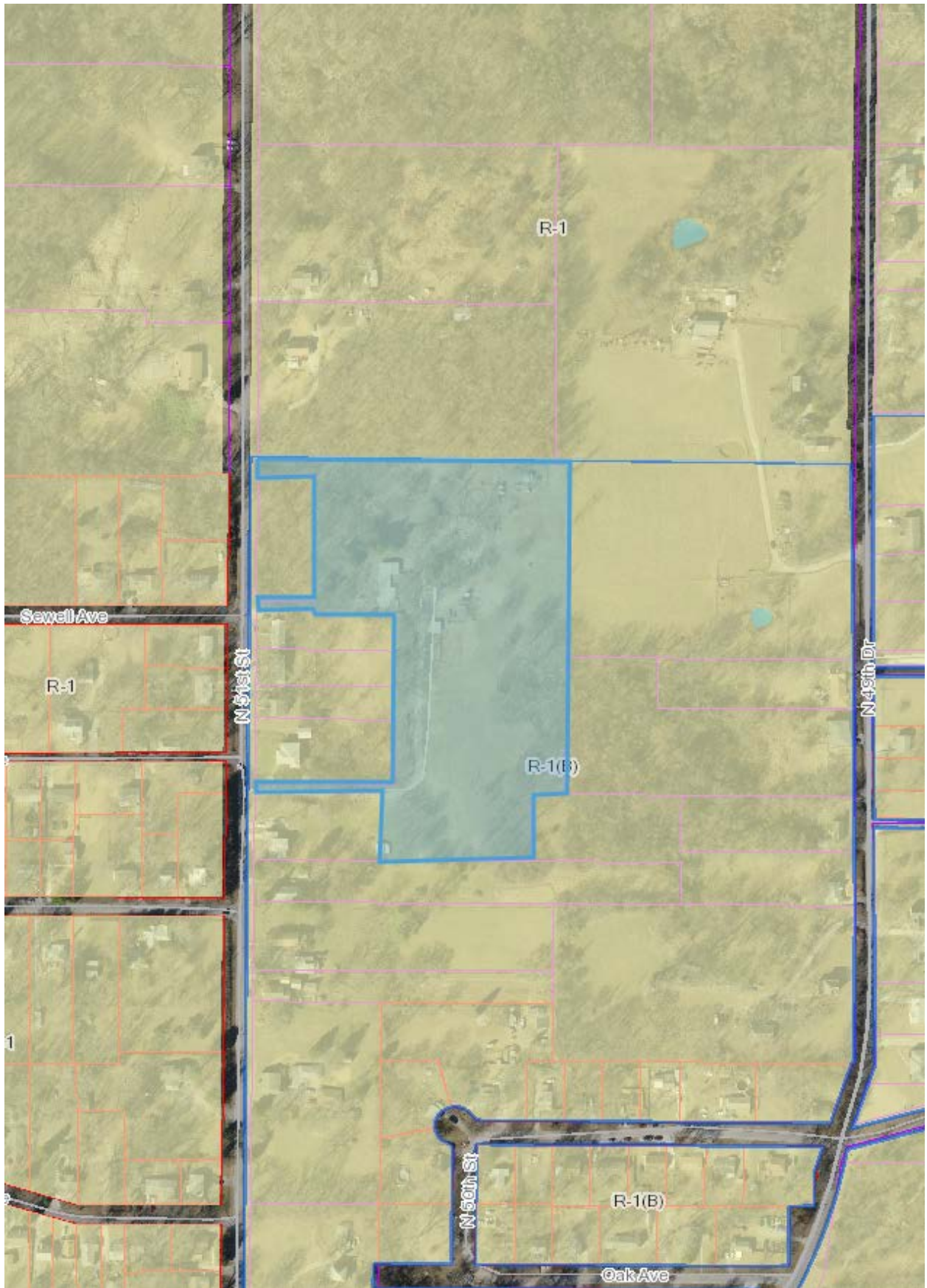
Subject to:

Urban Planning and Land Use Comments:

1. How many structures are currently on the property and what are their uses?
Applicant Response at meeting: Four structures that are used for housing of the animals. There was a house on the property but it burned.
2. Do you plan to keep livestock on the property? According to the neighbor there are horses and goats on the property.
Applicant Response at meeting: Yes – There are 10 horses, 8 goats and 5 or 6 chickens.

3. The neighbor concerns regarding animals do not play a direct role here in that the applicant has more than 5 acres and can have animals with or without the zoning approval.
4. The applicant shall keep all livestock 50 feet from the North, South and East property lines.
5. Applicant shall work with the Conservation District to correct issues within six months. Staff will not publish a rezoning ordinance until the Conservation District issues are corrected.
6. Applicant shall provide proper shelter for all animals on site.
Applicant Response at meeting: The shelters on the property are used to house the animals.





To Urban Planning and
Land Use Annex
Neighborhood Resource
Center
4953 State Ave, Kansas City,
Kansas

913573-5750
Fax: 573-5796
PortilloKim @kckwyco.com

8/25/2018

David & Phyllis Jones 3374 N. 49th Drive ,
Kansas City Kansas 66104
To Urban Planning and Land Use Annex
Neighborhood Resource Center
701 N. 7 Street Kansas City, Kansas

Ms. Kim Portillo,

I am sending a written affidavit of our concerns to REF NO# 3165 . We wish to state a comment in reference to the petition. We are not familiar with this patron at 3441 N. 51 Street , however, we are familiar with the trouble it will bring, such as the stench from the manure, in the area. The horseflies, and pest biting mosquitoes, that, breeds disease, also the obnoxious fleas. We will see an increase in rodent population. At the present time we have animals to the right , left, front and now someone wants to put them in the back of us. Where, does the madness ends? We no longer have the luxury of enjoying our abode at night for outdoor gathering and entertainment. We do not send our grandchildren out to play because of the large flies are known to bite. At one time we really enjoyed our home, now when we go to our vehicles they have numerous fly and fleas around them. So, for the sanity and sanctuary of our home we want to vote against this petition. Thanking you in advance

David & Phyllis Jones



Wyandotte County Conservation District
1204 N. 79th Street - Kansas City, KS 66112 - Phone (913)-334-6329 -
wyco.conservation@gmail.com

Rob Richardson
Director of Planning
701 North 7th Street Rm. 423
Kansas City, KS 66101
913-573-5750

July 17, 2018

RE: COZ 3165 Alton Holloway Single Family to Ag 3441 North 51st Street

Dear Mr. Richardson:

The Wyandotte County Conservation District, with technical assistance from the Natural Resources Conservation Service, has completed an environmental review of the Change of Zoning for COZ 3165 Alton Holloway Single Family to Ag 3441 North 51st Street.

In addition to the site review the following reports were generated from the Wyandotte County Soil Survey to assess the limitations for development and/or natural resources concerns for this site.

MAPS AND REPORTS

Soils Map
Soils Inventory Report
Map Unit Description (Brief)
Soil Features

In summary, the following limitations and resource concerns were noted for this plat:

- There are three major soil types identified: Knox silt loam, 7 to 12 percent slopes, Knox silt loam, 18 to 30 percent slopes and Knox silt loam, 12 to 18 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.
- This property is being used as a pasture for at least five horses and there are a number of goats on the property. The pastures are over grazed and don't seem to be well managed. Close to half the area is in tree cover so is not productive pasture. The pastures need to be fertilized and managed for weed control to increase productivity. Poorly managed pastures create soil erosion problems.
- Shrink Swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to buildings, roads and other structures and to plant roots. Special design commonly is needed.



Urban Planning and Land Use

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To: Unified Government Board of Commissioners
From: City Staff
Date: October 25, 2018
Re: Change of Zone Petition #3168

GENERAL INFORMATION

Applicant:
Dr. Kelli Mather

Status of Applicant:
Representative
Mark Spurgeon with WSKF Architects, Inc.
110 Armour Road
North Kansas City, MO 64116

Requested Actions:
Change of Zone from
RP-5 Planned Apartment and CP-1
Planned Limited Business District to B-P
Business Park District

Date of Application(s):
Change of Zone: July 26, 2018

Purpose: To build and operate a 21,557 square foot central kitchen facility for the USD 500 Kansas City, Kansas Public Schools

Property Location: 5604 State Avenue

Commission Districts: 1. Commissioner At-Large: Melissa Bynum
2. District Commissioner: Gayle Townsend



Existing Zoning: RP-5 Planned Apartment and CP-1 Planned Limited Business

Surrounding Zoning:

North:	Planned Apartment and CP-0 Planned Nonretail Districts
South:	R-1 Single Family District (across State Avenue)
East:	CP-3 Planned Commercial District
West:	CP-1 Planned Limited Business District

Existing Uses:

North:	Apartments and office buildings
South:	Undeveloped, wooded land
East:	Self storage facility
West:	Veterinarian hospital and a retail business

Total Tract Size: 5.68 acres

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

Major Street Plan: The Major Street Plan classifies State Avenue as a Class A Thoroughfare.

Advertisement: The Wyandotte Echo – August 16, 2018 and August 30, 2018
Letters to Property Owners – August 15, 2018 and October 19, 2018

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

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

PROPOSAL

Detailed Outline of Requested Action: The applicant, Dr. Kelli Mather, COO of the USD Kansas City, Kansas Public School is seeking a change of zone from RP-5 Planned Apartment and CP-1 Planned Limited Business Districts to B-P Planned Business Park District, plat one (1) commercial lot and plan review to build and operate a 21,557 square foot central kitchen facility for the district located at 5604 State Avenue.

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

FACTORS TO BE CONSIDERED

1. Neighborhood character

State Avenue is the major east/west commercial corridor in the city. There is a mixture of uses, multi-family apartments and commercial business that encompass the property.

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

The zoning and uses of properties nearby are set out above. The proposed use is compatible with them.

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

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

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

The property has been vacant since 2016.

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

The proposed use is reasonably necessary for the convenience and welfare students of the Kansas City, Kansas USD 500 schools and will not substantially injure the appropriate use, visual quality or marketability of nearby property.

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

The proposed use will increase traffic to the site, but not in ways that will adversely affect road capacity, safety, or create parking problems. The central kitchen will not be open on the weekends and close at 5:00 PM, whereas the previous bowling alley were open on the weekends and closed near 12:00 AM.

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

The proposed use conforms to the Master Plan.

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

This is not an issue.

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

a. Water service

Available

b. Sanitary sewer service

Available

c. Storm water control

To be designed to meet City Code

d. Police

Police service is provided by Midtown Patrol, District #441

e. Fire

Fire service is provided by Fire Station #2

f. Transit

Kansas City ATA provides transit service along State Avenue, Route #101.

g. Schools

Kansas City, Kansas USD 500

h. Streets

See item #6 above

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

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

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

The proposed use is capable of meeting applicable ordinance requirements.

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

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

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

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

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

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

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

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

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

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

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

This is not applicable.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on August 27, 2018. According to the applicant, the attendee at the meeting did not appear in opposition of the petition.

KEY ISSUES

Compliance with the Commercial Design Guidelines

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application #3168, subject to:

Urban Planning and Land Use Comments:

General Planning:

1. What are the hours of operation at this facility? What time will trucks be departing to make deliveries and if they return, what time will that occur?

Applicant Response: Hours of operation: 5:30 AM to 4:30 PM. It is estimated that trucks will be departing at 6:30 AM, returning around 9:30 AM and then departing again at 10:00 AM and returning around 1:30 PM.

2. Will trucks be kept overnight on the property in front of the loading docks?
 - a. Sec. 27-464(c)(8) No use is permitted that involves the parking, keeping, storage or continued presence of trucks of over 18,000 pounds GVWR, semitrailer rigs, contractor's equipment or large-scale items or materials. This does not apply to vehicles making normal deliveries of trips to serve the property.

Applicant Response: Trucks used for deliveries are F-550 Chassis, SD Regular Cab with a GVWR of 18,000 lbs.

3. All overhead doors shall be closed when trucks are being loaded and unloaded.

Applicant Response: Overhead sectional doors will be open when trucks are loading, backed up to the dock, and will be closed if a truck is not present.

Building and Architectural Design:

1. Sec. 27-576(c)(2) In order to break up the monotonous appearance of long faces, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or

e. Variation in rooflines.

The aforementioned techniques in addition to the building articulation needs to be integrated into the design of each façade. While the building is setback into the site from State Avenue, the residences in the apartments to the northeast can look directly down at the building. The same level of architectural detail for the USD 500 schools should be incorporated into this building. Precast panels shall be integrally-colored instead of the standard, ashen concrete gray.

Applicant Response: My reading of the Zoning Code is that this requirement is not required for B-P zoning districts. The Commercial Design Guidelines Overlay District per Sec. 27-574 – Boundaries and application only applies to Zoning Districts with a “C” designation. The design standards for B-P districts is found in Sec. 27-472 – B-P Planned Business Park District. Paragraph 6 defines the requirements:

“6. Buildings are required to exhibit an attractive appearance especially toward the street and any nearby residential areas. Typically, such an attractive appearance would be characterized by significant use of glass, masonry, and other high-quality finish materials and designs with significant offsets and articulation.”

We believe we have met these requirements with the proposed design. The building is designed around three functions:

- Receiving and deliveries*
- Offices*
- Food storage and preparation*

The owner requested a secure, low maintenance and cost-effective facility. We agreed a tilt-up concrete panels would make the most sense to enclose this facility. Ease of construction and speed were also a factor. The building incorporates large open, interior spaces for the storage and preparation of food. The site plan lent itself to push the building to the north edge, before the hillside starts, similar to the bowling alley that was previously on the site. Therefore, the building is located approximately 275’ from State Avenue right-of-way.

The loading dock was determined to work best on the east side of the building to provide ease of maneuvering for semi-trucks delivering product for the district as well as delivery trucks entering and leaving the facility. To the north of the loading docks, the trash compactor and cardboard baler is screened by a concrete wall, to the south and landscaping to the north.

The office area wanted to be set apart from the functional spaces, so we came up with the concept of a glass box, bounded by concrete panels. This adds interest to the street side view as well as lets visitors know where to enter the facility.

The building is designed to be architectural tilt-up concrete wall panels. The south elevation, partial east and west elevations will have wainscot of striated form liner, to create interest in the building face. Wall panels will have multiple reveals, both horizontally and vertically to break up the face of the concrete. The wall area above the wainscot will be sand blasted to create a textured concrete face. High windows are located around the building to allow natural light into the work spaces.

The owner's first option, for the concrete tilt-up panels, is to leave them as natural grey concrete that has a striated form liner wainscot and sandblasted concrete everywhere else. This does not present an "ashen concrete gray", but a panel that has exposed aggregate causing the panel to take on a slight tan color, due to aggregate. We can provide a sample in the future for review.

If the above is not acceptable, we respectfully ask for a variance on the use of integral concrete for the wall panels. The use of integral color is not feasible when using tilt-up panels as the quality control, to create a uniform look, is difficult if not impossible. We propose to use a concrete coating system to add color to the concrete walls. This system is specifically designed to react with concrete and create a uniform color that is long lasting.

The south side of the building street side, is architecturally scaled, has multiple surfaces, offsets, recessed entry, canopies and glazing at the office area. This tilt-up concrete panels will have multiple reveals in the panel design, a striated form liner wainscot, all panels will be sandblasted, and several high windows will serve to break up this elevation.

The east elevation mainly faces the storage facility to the east. The apartments located to the northeast corner of the parking lot and the apartment has heavy vegetation. The floor elevations of the apartments are not substantially higher than the floor elevation of this facility. The view from these apartments to this site, during the summer, is non-existent due to the natural vegetation growth. For the winter months, we proposed to add evergreen trees along the northeast corner of the property. This will shield any views of the east parking lot.

This north elevation will be sandblasted tilt-up concrete panels with multiple rustication joints. High windows will be across the entire elevation to allow natural light into interior spaces. This elevation is not visible from any other development or adjacent land owner, due the grade rising to the north. There exists a difference of 4 feet to 37 feet between the elevations of the building parapet to grade at the property line. In addition, this hillside is heavily vegetated with bushes and trees.

The west elevation will be sandblasted tilt-up concrete panels with multiple rustication joints. High windows will be in the south part of the elevation to allow natural light into interior spaces. There are offsets at the northwest

corner as well as a recess for a private patio. This patio will have a canopy over it, providing shade to occupants as well as adding relief to the elevation. The south portion will again be glass for the office area. This elevation is not visible from any other development or adjacent land owner, due to the grade rising to the west. This hillside has heavy vegetation with bushes and trees. To clarify these points, see the attached Site Sections and photographs.

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2. Within the Mixed-Use Design Guidelines of the City-Wide Master Plan, high quality masonry building materials approved for this district are stone, brick cast stone and stucco. Synthetic stone, such as pre-manufactured fiberglass, cultured stone, or glass-fiber reinforced concrete is permitted, provided that it is identical in appearance and of equal or greater durability to natural stone. These masonry materials shall be required on 65% of the sum total of all building façades.

Applicant Response: We do not believe this applies to a B-P district. When we had our preliminary meeting with Rob Richardson, we discussed the appropriate zoning district that a facility of this nature would be located in. His recommendation was to change the zoning to B-P, which we did. The main factor to do this was to not have "M" district in this area. This is a unique facility that is not generally described by the Zoning Code. The B-P district is generally described to allow a mix of primarily office, research and light industrial uses with limited retail and service uses in a planned business park setting. We are not creating a business park, only one building, so we are not setting a standard to be followed by future buildings.

Staff Response: The Mixed-Use designation within the City-Wide Master Plan is predominately along the State Avenue corridor. When development is proposed, staff reviews the zoning district requirements, Commercial Design Guidelines, if applicable and the appropriate master plan designation, based on the area of the city. In our review of the Mixed-Use Designation, we evaluate the Allowed Uses, Discouraged Uses, Required Infrastructure, Design Guidelines, Recommended Density, Green Principles

and Cultural Principles. Within the Design Guidelines, all developments must meet the minimum mixed-use guidelines outlined in the master plan. Not everything within the mixed-use guidelines are applicable to this development, but those that are, landscaping and building materials shall be implemented and incorporated into this development.

3. Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: Transformer shall be screened with landscaping; RE: Landscape Plan. All utilities mounted on the wall shall be painted to match the wall color, to the extent allowed by utility companies.

Staff Response: Utility meters and piping are permitted to be painted, as staff has stipulated in previously applications and has been carried out in the field during site inspection.

4. Downspouts shall be internalized.

Applicant Response: All roof drainage is via internal roof drains. The only external opening will be the lamb's tongue for the required overflow drainage.

Staff Response: The lamb's tongue opening shall be near grade.

5. Overhead doors shall be painted to match the building.

Applicant Response: Overhead sectional doors shall be painted to match wall colors.

Landscaping and Screening:

1. How will you mitigate residents in the apartments from having to look down at the loading docks?

Applicant Response: The apartments do not sit above the new kitchen facility; see attached site plan and site sections. There is dense vegetation, including tall trees between the apartments and the new Kitchen Facility. We have added several evergreen trees at the northeast corner of the parking lot to provide additional year-around screening.

2. Based on the landscaping requirements in the B-P Planned Business Park District (one tree per 8,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), thirty-two (32) trees are required to be planted for the central kitchen facility. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.

Applicant Response: Please refer to the updated landscape plan. Based on our calculations, 30 trees are required based on site area, 53 counting the 75% increase. We have provided 53 new trees (not counting street trees), and the heavily wooded area to the north and west of the building will remain as well.

Staff Response: In addition to the landscape district requirement is one tree per 8,000 square feet of site area, a six-foot high architectural screening in combination with a 25-foot buffer is to be provided alongside and rear property lines common to or across an alley from residentially zoned property.

3. Within the Mixed-Use Design Guidelines of the City-Wide Master Plan, trees are required in the public right-of-way along streets, at a minimum of one (1) shade tree very forty (40) feet.

Applicant Response: Please refer to the updated landscape plan. 5 shade trees have been added between the street and our property. Because of utility easements and existing underground utilities running in the public right-of-way, we have placed one of these trees within our property line.

4. Sec. 27-577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces.

Applicant Response: There are no rows of parking with more than 20 continuous spaces. The row closest to the building has 20 spaces. We do not consider the ADA access aisles as parking spaces.

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Applicant Response: Landscape areas will be irrigated – see landscape plan for added irrigation notes.

6. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the development and 3 gallons internal to the site when planted.

Applicant Response: Understood and noted on Landscape Schedule.

7. Only decorative lighting can be used on the exterior of the building. No wall pack lights or flood lights are permitted. This includes lights over the exit doors as required by the International Building Code (IBC).

Applicant Response: Understood; proposed wall lighting is shown on Photometric Site Plan, SL1.01.

8. All lighting, whether mounted on the building or in the parking lot shall have 90-degree cutoff fixtures.

Applicant Response: Understood.

9. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Understood. The residential zoning to the north located is over 180'-0" from the parking lot. In addition, this area is heavily vegetated with tall trees.

10. The trash enclosure shall be heavily landscaped and screened with an architectural wall that is comprised of the same building materials as the primary structure.

Applicant Response: The loading dock for the trash compactor and the cardboard baler is adjacent to the building. The south side shall be screened by a concrete wall. The north side shall be screened with plantings – see landscape plan for added evergreen screening.

11. All roof mounted units shall be screened by the parapet of the building.

Applicant Response: All roof top equipment shall be located in the central part of the roof. A higher roof will shield the equipment from view to the south and east. The adjacent property to the north and south is much higher than the roof of this facility; RE: Site Sections. We respectfully ask that a variance be approved that would allow to not provide any shielding on these two elevations.

Signage:

1. Shall comply with the sign ordinance.

Applicant Response: Understood; signage shown does meet requirements of Sign Ordinance.

Public Works Comments:

Change of Zone:

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

- 1) None

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

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

Plat:

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

Plan Review:

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

Staff Conclusion:

The applicant has worked with staff to resolve most of the planning and engineering questions and comments. The landscaping and screening along the northeast corner of property line shall be enhanced, as foliage will decrease in the winter leaving the site exposed in view of the apartments. The applicant wants to use tilt-up concrete panels similar to B-Street Collision and East Legends Medical Office Building. Staff requests allowing administrative approval to let staff continue to work with the applicant regarding the material and adding brick inlay or other masonry elements and the color of the integrally-colored, tilt-up concrete panel, as staff wants to ensure the paneling is not natural gray as other projects have been following construction even though the plans showed otherwise..

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #3168 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Preliminary Plat
Final Plat
Site Plan
Grading Plan
Utility Plan
Photometric Plan
Building Elevations
Site Diagrams

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	October 8, 2018	October 25, 2018
Rezoning	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #3168 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #3168 as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 8, 2018 City Planning Commission Minutes:

Hearing Starts At 12:10:

CHANGE OF ZONE APPLICATION #3168 – DR. KELLI MATHER WITH USD 500 – SYNOPSIS: Change of Zone from RP-5 Planned Apartment and CP-1 Planned Limited Business Districts to BP Planned Business Park District for USD 500 central kitchen facility at 5604 State Avenue

KCKPS NUTRITION SERVICES – SYNOPSIS: Preliminary and Final Plat for one (1) commercial lot at 5604 State Avenue

PLAN REVIEW APPLICATION #PR-2018-29 – DR. KELLI MATHER WITH USD 500 – SYNOPSIS: Final Plan Review for a new central kitchen for USD 500 at 5604 State Avenue

Detailed Outline of Requested Action: The applicant, Dr. Kelli Mather, COO of the USD Kansas City, Kansas Public School is seeking a change of zone from RP-5 Planned Apartment and CP-1 Planned Limited Business Districts to B-P Planned Business Park District, plat one (1) commercial lot and plan review to build and operate a 21,557 square foot central kitchen facility for the district located at 5604 State Avenue.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 16 and 30, 2018 for the change of zone application; and
7. The Notices to property owners dated August 15 and September 12, 2018.

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

Present in Support:

- ❖ Mark Spurgeon, WSKF Architects, Inc., 110 Armour Road, North Kansas City, Missouri 64116

Present in Opposition:

❖ No one appeared

Staff Recommendation starts at 20:03 Planner Flanders stated that as the applicant stated, the two parties are almost there in terms of the design. The staff recommends approval subject to the stipulations. The staff would like to request from the Planning Commission the ability to continue to work with them on the tilt-up concrete panels to make sure they have some sort of architectural feature whether that is colored concrete, masonry or brick elements added to it. The staff wants to continue to work with them to make sure the quality of design is there.

Motion and Vote starts at 21:06:

On motion by Ms. Pauley, seconded by Dr. Neal, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application #3168**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

Urban Planning and Land Use Comments:

General Planning:

1. What are the hours of operation at this facility? What time will trucks be departing to make deliveries and if they return, what time will that occur?

Applicant Response: Hours of operation: 5:30 AM to 4:30 PM. It is estimated that trucks will be departing at 6:30 AM, returning around 9:30 AM and then departing again at 10:00 AM and returning around 1:30 PM.

2. Will trucks be kept overnight on the property in front of the loading docks?
 - a. Sec. 27-464(c)(8) No use is permitted that involves the parking, keeping, storage or continued presence of trucks of over 18,000 pounds GVWR, semitrailer rigs, contractor's equipment or large-scale items or materials. This does not apply to vehicles making normal deliveries of trips to serve the property.

Applicant Response: Trucks used for deliveries are F-550 Chassis, SD Regular Cab with a GVWR of 18,000 lbs.

3. All overhead doors shall be closed when trucks are being loaded and unloaded.

Applicant Response: Overhead sectional doors will be open when trucks are loading, backed up to the dock, and will be closed if a truck is not present.

Building and Architectural Design:

1. Sec. 27-576(c)(2) In order to break up the monotonous appearance of long faces, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

The aforementioned techniques in addition to the building articulation needs to be integrated into the design of each façade. While the building is setback into the site from State Avenue, the residences in the apartments to the northeast can look directly down at the building. The same level of architectural detail for the USD 500 schools should be incorporated into this building. Precast panels shall be integrally-colored instead of the standard, ashen concrete gray.

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- ***Receiving and deliveries***
- ***Offices***

- **Food storage and preparation**

The owner requested a secure, low maintenance and cost-effective facility. We agreed a tilt-up concrete panels would make the most sense to enclose this facility. Ease of construction and speed were also a factor. The building incorporates large open, interior spaces for the storage and preparation of food. The site plan lent itself to push the building to the north edge, before the hillside starts, similar to the bowling alley that was previously on the site. Therefore, the building is located approximately 275' from State Avenue right-of-way.

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Applicant Response: Understood.

9. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Understood. The residential zoning to the north located is over 180’-0” from the parking lot. In addition, this area is heavily vegetated with tall trees.

10. The trash enclosure shall be heavily landscaped and screened with an architectural wall that is comprised of the same building materials as the primary structure.

Applicant Response: The loading dock for the trash compactor and the cardboard baler is adjacent to the building. The south side shall be screened by a concrete wall. The north side shall be screened with plantings – see landscape plan for added evergreen screening.

11. All roof mounted units shall be screened by the parapet of the building.

Applicant Response: All roof top equipment shall be located in the central part of the roof. A higher roof will shield the equipment from view to the south and east. The adjacent property to the north and south is much higher than the roof of this facility; RE: Site Sections. We respectfully ask that a variance be approved that would allow to not provide any shielding on these two elevations.

Signage:

1. Shall comply with the sign ordinance.

Applicant Response: Understood; signage shown does meet requirements of Sign Ordinance.

Public Works Comments:

Change of Zone:

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

Plat:

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

Plan Review:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:**
 - 1) None**
- B) Items that are conditions of approval (stipulations):**
 - 1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.**

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

1) None

Staff Conclusion:

The applicant has worked with staff to resolve most of the planning and engineering questions and comments. The landscaping and screening along the northeast corner of property line shall be enhanced, as foliage will decrease in the winter leaving the site exposed in view of the apartments. The applicant wants to use tilt-up concrete panels similar to B-Street Collision and East Legends Medical Office Building. Staff requests allowing administrative approval by the City Planning Commission to let staff continue to work with the applicant regarding the material and adding brick inlay or other masonry elements and the color of the integrally-colored, tilt-up concrete panel, as staff wants to ensure the paneling is not natural gray as other projects have been following construction even though the plans showed otherwise..

On motion by Mr. Miller, seconded by Ms. Pauley, the Planning Commission voted as follows to **APPROVE KCKPS Nutrition Services Preliminary and Final Plat:**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to **APPROVE** Passed: 5 to 0
Subject to the above stipulations.

On motion by Mr. Miller, seconded by Dr. Neal, the Planning Commission voted as follows to recommend **APPROVAL of Preliminary Plan Review #PR-2018-29 :**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to **RECOMMEND APPROVAL** Passed: 5 to 0
Subject to the above stipulations and the ability of the staff to continue to work with the applicant on the architectural design of the tilt-up panels.



Architecture · Interior Design · Illustration · Planning

September 24, 2018

Kim Portillo / Byron Toy
DRC Coordinator / Principal Planner Address
Martin Ntonjiira, Project Engineer
701 North 7th Street
Room 423
Kansas City, KS 66101

**Re: USD 500-Central Kitchen Facility
(COZ 3168, Preliminary Plan Review and Preliminary and Final Plat)
5604 State Avenue**

Dear Ms. Portillo and Mr. Toy

The following are our responses to the comments from the staff report, dates 09/17/2018.

Urban Planning and Land Use Comments:

General Planning:

1. *Comment: What are the hours of operation at this facility? What time will trucks be departing to make deliveries and if they return, what time will that occur?*

Answer: Hours of Operation: 5:30 AM – 4:30 PM. It is estimated that trucks will be departing at 6:30 AM, returning around 9:30 AM and then departing again at 10:00 AM and returning around 1:30 PM.

2. *Comment: Will trucks be kept overnight on the property in front of the loading docks?*

Answer: Yes, trucks will be kept overnight, backed up to dock doors.

- a. *Question: Sec. 27-464(c)(8) No use is permitted that involves the parking, keeping, storage or continued presence of trucks of over 18,000 pounds GVWR, semitrailer rigs, contractor's equipment or large-scale items or materials. This does not apply to vehicles making normal deliveries of trips to serve the property.*

Answer: Trucks used for deliveries are F-550 Chassis, SD Regular Cab with a GVWR of 18,000 lbs. See attached.

3. *Comment: All overhead doors shall be closed when trucks are being loaded and unloaded.*

Answer: Overhead sectional doors will be open when trucks are loading, backed up to dock, and will be closed if a truck is not present.

707 Minnesota Ave. · Suite 506 · Kansas City · Kansas 66101 · Tel.913.287.1900 · www.wskfarch.com

Building and Architectural Design:

1. *Comment: Sec. 27-576(c)(2) In order to break up the monotonous appearance of long faces, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following techniques:*

- a. Divisions or breaks in materials;*
- b. Building offsets (projections, recesses, niches);*
- c. Window bays;*
- d. Separate entrances and entry treatment; or*
- e. Variation in rooflines.*

The aforementioned techniques in addition to the building articulation needs to be integrated into the design of each façade. While the building is setback into the site from State Avenue, the residences in the apartments to the northeast can look directly down at the building. The same level of architectural detail for the USD 500 schools should be incorporated into this building. Precast panels shall be integrally-colored instead of the standard, ashen concrete gray.

Answer: My reading of the Zoning Code is that this requirement is not required for P-B zoning districts. The Commercial Development Guidelines Overlay Districts per Sec.27-574 – Boundaries and application only applies to Zoning Districts with a “C” designation. The design standards for P-B districts is found in Sec. 27-472 – B-P Planned business park district. Paragraph 6 defines the requirements:

“6. Buildings are required to exhibit an attractive appearance especially toward the street and any nearby residential areas. Typically, such an attractive appearance would be characterized by significant use of glass, masonry, and other high quality finish materials and designs with significant offsets and articulation.”

We believe we have met these requirements with the proposed design.

The building is designed around three functions:

- Receiving and deliveries
- Offices
- Food storage and preparation

The owner requested a secure, low maintenance and cost effective facility. We agreed a tilt-up concrete panels would make the most sense to enclose this facility. Ease of construction and speed were also factor. The building incorporates large open, interior spaces for the storage and preparation of food. The site plan lent itself to push the building to the north edge, before the hillside starts, similar to the bowling alley that was previously on the site. Therefor the building is located approximately 275' from State Avenue ROW.

The loading dock was determine to work best on the east side of the building to provide ease of maneuvering for semi-trucks delivering product for the district as well as delivery trucks entering and leaving the facility. To the north of the loading docks, the trash compactor and cardboard baler is screened by a concrete wall, to the south and landscaping to the north.

The office area wanted to be set apart from the functional spaces so we came up with the concept of a glass box, bounded by the concrete panels. This adds interest to

street side view as well as lets visitors know where to enter the facility.

The building is designed to be architectural tilt-up concrete wall panels. The south elevation, partial east and west elevations will have wainscot of striated form liner, to create interest in the building face. Wall panels will have multiple reveals, both horizontally and vertically, to break up the face of the concrete. The wall area above the wainscot will be sand blasted to create a textured concrete face. High windows are located around the building to allow natural light into the work spaces.

The Owner first option, for the concrete tilt-up panels, is to leave them as natural grey concrete that has a striated form liner wainscot and sandblasted concrete everywhere else. This does not present an "ashen concrete gray" but a panel that has exposed aggregate causing the panel to take on a slight tan color, due to aggregate. We can provide a sample in the future for review.

If the above is not acceptable we respectfully ask for a variance on the use of integral concrete for the wall panels. The use of integral color is not feasible when using tilt-up concrete panels as the quality control, to create a uniform look, if difficult if not impossible. We propose to use a concrete coating system to add color to the concrete walls. This system is specifically design to react with concrete and create a uniform color that is log lasting.

The south side of the building, street side, is architecturally scaled, has multiple surfaces, offsets, recessed entry, canopies and glazing at the office area. The tilt-up concrete panels will have multiple reveals in the panel design, a striated form liner wainscot, all panels will be sandblasted and several high windows will serve to break up this elevation.

The east elevation is where the loading docks are located. This area will surrounded by a fence. The sectional overhead doors will be painted to match the adjacent wall panels. This elevation has canopies over the man doors as well as the sectional overhead doors. There is a wing wall south of the trash compactor that helps to break up this elevation. The building and roof is offset at the northeast corner.

The east elevation mainly faces the storage facility to the east. The apartments, located to the northeast are separated from this building by 276 feet. The area between the northeast corner of the parking lot and the apartment has heavy vegetation. The floor elevations of the apartments are not substantially higher than the floor elevation of this facility. The view from the apartments to this site, during the summer, is non-existent due to the natural vegetation growth. For the winter months we propose to add evergreen trees along the northeast corner of the property. This will shield any views of the east parking lot.

The north elevation will be sandblasted tilt-up concrete panels with multiple rustication joints. High windows will be across the entire elevation to allow natural light into interior spaces. This elevation is not visible from any other development or adjacent land owner, due the grade rising to the north. There exists a difference of 4 feet to 37 feet between the elevations of the building parapet to grade at the property line. In addition this hillside is heavily vegetated with bushes and trees.

The west elevation will be sandblasted tilt-up concrete panels with multiple rustication joints. High windows will be in the south part of the elevation to allow natural light into interior spaces. There are offsets at the northwest corner as well as a recess for a private patio. This patio will have a canopy over it, providing shade to occupants as well as adding relief to the elevation. The south portion will again be glass for the office area. This elevation is not visible from any other development or adjacent land owner, due the grade rising to the west. This hillside has heavy vegetation with

bushes and trees.

To clarify these points see the attached Site Sections and photographs.

2. *Comment: Within the Mixed-Use Design Guidelines of the City-Wide Master Plan, high quality masonry building materials approved for this district are stone, brick cast stone and stucco. Synthetic stone, such as pre-manufactured fiberglass, cultured stone, or glass-fiber reinforced concrete is permitted, provided that it is identical in appearance and of equal or greater durability to natural stone. These masonry materials shall be required on 65% of the sum total of all building façades.*

Answer: We do not believe this applies to a B-P district. When we had our preliminary meeting with Rob Richardson, we discussed the appropriate zoning district that a facility of this nature would be located in. His recommendation was to change the zoning to B-P, which we did. The main factor to do this was to not have an "M" district in this area. This is a unique facility that is not generally described by the Zoning Code. The B-P district is generally describes to allow a mix of primarily office, research and light industrial uses with limited retail and service uses in a planned business park setting. We are not creating a business park, only one building, so we are not setting a standard to be followed by future buildings.

3. *Comment: Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.*

Answer: Transformer shall be screened with landscaping; RE: Landscape Plan. All utilities mounted on the wall shall be painted to match the wall color, to the extent allowed by utility companies.

4. *Comment: Downspouts shall be internalized.*

Answer: All roof drainage is via internal roof drains. The only external opening will be the lamb's tongue for the required overflow drainage.

5. *Comment; Overhead doors shall be painted to match the building.*

Answer: Overhead sectional doors shall be painted to match wall colors.

Landscaping and Screening:

1. *How will you mitigate residents in the apartments from having to look down at the loading docks?*

Answer: The apartments do not sit above the new kitchen facility; see attached site plan and site sections. There is dense vegetation, including tall trees between the Apartments and the new Kitchen Facility. We have added several evergreen trees at the northeast corner of the parking lot to provide additional year-round screening.

2. *Based on the landscaping requirements in the B-P Planned Business Park District (one tree per 8,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), thirty-two (32) trees are required to be planted for the central kitchen facility. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.*

Answer: Please refer to updated landscape plan. Based on our calculations, 30 trees are required based on site area, 53 counting the 75% increase. We have provided 53 new trees (not counting street trees), and the heavily wooded area to the north and west of the building will remain as well.

3. *Within the Mixed-Use Design Guidelines of the City-Wide Master Plan, trees are required in the public right-of-way along streets, at a minimum of one shade tree every forty (40) feet.*

Answer: Please refer to updated landscape plan. 5 shade trees have been added between the street and our property. Because of utility easements and existing underground utilities running in the public right-of-way, we have placed one of these trees within our property line.

4. *Sec. 27-577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces.*

Answer: There are no rows of parking with more than 20 continuous spaces. The row closest to the building has 20 spaces. We do not consider the ADA access aisles as parking spaces.

5. *All landscaping shall be irrigated.*

Answer: Landscape areas will be irrigated- see landscape plan for added irrigation notes.

6. *All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the development and 3 gallons internal to the site when planted.*

Answer: Understood and noted on Landscape Schedule.

7. *Only decorative lighting can be used on the exterior of the building. No wall pack lights or flood lights are permitted. This includes lights over the exit doors as required by the International Building Code (IBC).*

Answer: Understood; proposed wall lighting is shown on Photometric Site Plan, SL1.01.

8. *All lighting, whether mounted on the building or in the parking lot shall have 90-degree cutoff fixtures.*

Answer: Understood.

9. *Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky- reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.*

Answer: Understood. The residential zoning to the north located is over 180'-0" from the parking lot. In addition this area is heavily vegetated with tall trees.

10. *The trash enclosure shall be heavily landscaped and screened with an architectural wall that is comprised of the same building materials as the primary structure.*

Answer: The loading dock for the trash compactor and cardboard baler is adjacent to the building. The south side shall be screened by a concrete wall. The north side shall be screened with plantings- see landscape plan for added evergreen screening.

11. *All roof mounted units shall be screened by the parapet of the building.*

Answer: All roof top equipment shall be located in the central part of the roof. A higher roof will shield the equipment from view to the south and east. The adjacent property to the north and south are much higher than the roof of this facility; RE: Site Sections. We respectfully ask that a variance be approved that would allow to not provide any shielding on these two elevations.

Signage

1. *Shall comply with the sign ordinance.*

Answer: Understood; signage shown does meet requirements of Sign Ordinance.

Public Works Comments:

Change of Zone:

Comments:

- A) *Items that require plan revision or additional documentation before engineering can recommend approval:*
- 1) *Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.*
 - 2) *Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.*
- B) *Items that are conditions of approval (stipulations):*
- 1) *None*
- C) *Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:*
- 1) *None*

Answer: As I understand all of the above comments have been addressed and accepted.

Plat:

Comments:

- A)** *Items that require plan revision or additional documentation before engineering can recommend approval:*
- 1)** *Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.*
 - 2)** *The County Surveyor makes separate technical review of the plat documents and submits comments directly to the preparer of the plat. Provide revised plat documents in accordance with County Surveyor comments.*
 - 3)** *Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.*
- B)** *Items that are conditions of approval (stipulations):*
- 1)** *None*
- C)** *Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:*
- 1)** *None*

Answer: As I understand all of the above comments have been addressed and accepted.

Plan Review:

Comments

- A)** *Items that require plan revision or additional documentation before engineering can recommend approval:*
- 1)** *Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.*
 - 2)** *Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition.*
- B)** *Items that are conditions of approval (stipulations):*
- 1)** *None*
- C)** *Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:*
- 1)** *None*

Answer: As I understand all of the above comments have been addressed and accepted.

Ms. Portillo/Mr. Toy
September 25, 2018
Page 8 of 8

Sanitary Sewer Review No. 1

Comment: 1) Provide a PE sealed sanitary sewer memo with flow calculations and sewer analysis for the development in accordance with the UG Minimum Design Standards for Sanitary Sewers.

Answer: As requested previously, we would like to submit this analysis prior to submitting for a building permit. We just now have received the design of the sanitary sewer system in the building. This information has been passed onto the civil engineer, who will start working on the analysis. Please note, this is the first time we have been asked to perform this analysis so I am waiting approval from eh Owner to perform this study as additional services.

The following documents and drawings are attached as part of this resubmittal:

- 5604 State Ave.; Final Plat
- Signed Section Corner Report
- Civil Drawings:
 - X01; Existing Conditions
 - X02; Demolition Plan
 - C01; Site Layout
 - C02; Dimension Plan
 - C03; Utility Plan
 - G01; Grading Plan
 - G02; Drainage Plan
 - G03; Drainage Profiles
 - G04; Pre-Cleaning Plan
 - G05; Interim Erosion Control
 - G06; Final Restoration Plan
 - L01; Landscape Plan
 - Gen01; General Detail's
 - Gen02; Truck Turning Exhibit
- Architectural Drawings:
 - A1.01; Floor Plan
 - A2.01; Elevations
 - SP1.01; Site Sections

If you have any questions on our response please feel free to contact me.

Respectfully,

Williams Spurgeon Kuhl & Freshnock Architects, Inc.



Mark Spurgeon ALA, NCARB

cc: file

NEIGHBORHOOD MEETING MINUTES:

Kansas City Kansas Public Schools – New Central Kitchen
5604 State Ave.
Kansas City, KS 66102

Application Number: 3168
Date and Location: August 27, 2018
Kansas City Kansas Public Schools
Central Office & Training Center
2010 N. 59th Street
Kansas City, KS 66104
Room No. 132

Meeting called to order at: 6:00 PM

Names of people in attendance: See attached Sign-in Sheet

Introductions:

Presentation by applicant and design team provided the following exhibits displayed on boards:

1. Site Plan
2. Floor Plan
3. Elevations
4. Exterior Rendering

Brief description of project to individuals as they arrived. Discussed location, floor plan and operation of the building and exterior construction materials.

Questions and answers:

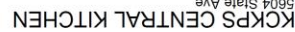
- Mr. Murrel Bland asked the following questions;
 - Is the building 2 stories?
 - Answered by Mark Spurgeon; No building is only 1 story but due to pallet racks the top of wall in warehouse areas will be approximately 25'-0" above floor level.
 - What is the size of the building?
 - Answered by Mark Spurgeon; Floor area is 21,315 sq. ft.
 - How does this compare to size of existing kitchen?
 - Answered by Mark Spurgeon; The building is approximately 75% larger than current facility. Larger area is mainly required in dry storage, walk-in cooler and walk-in freezer. Increased area allows district to purchase in greater bulk allowing lower costs.

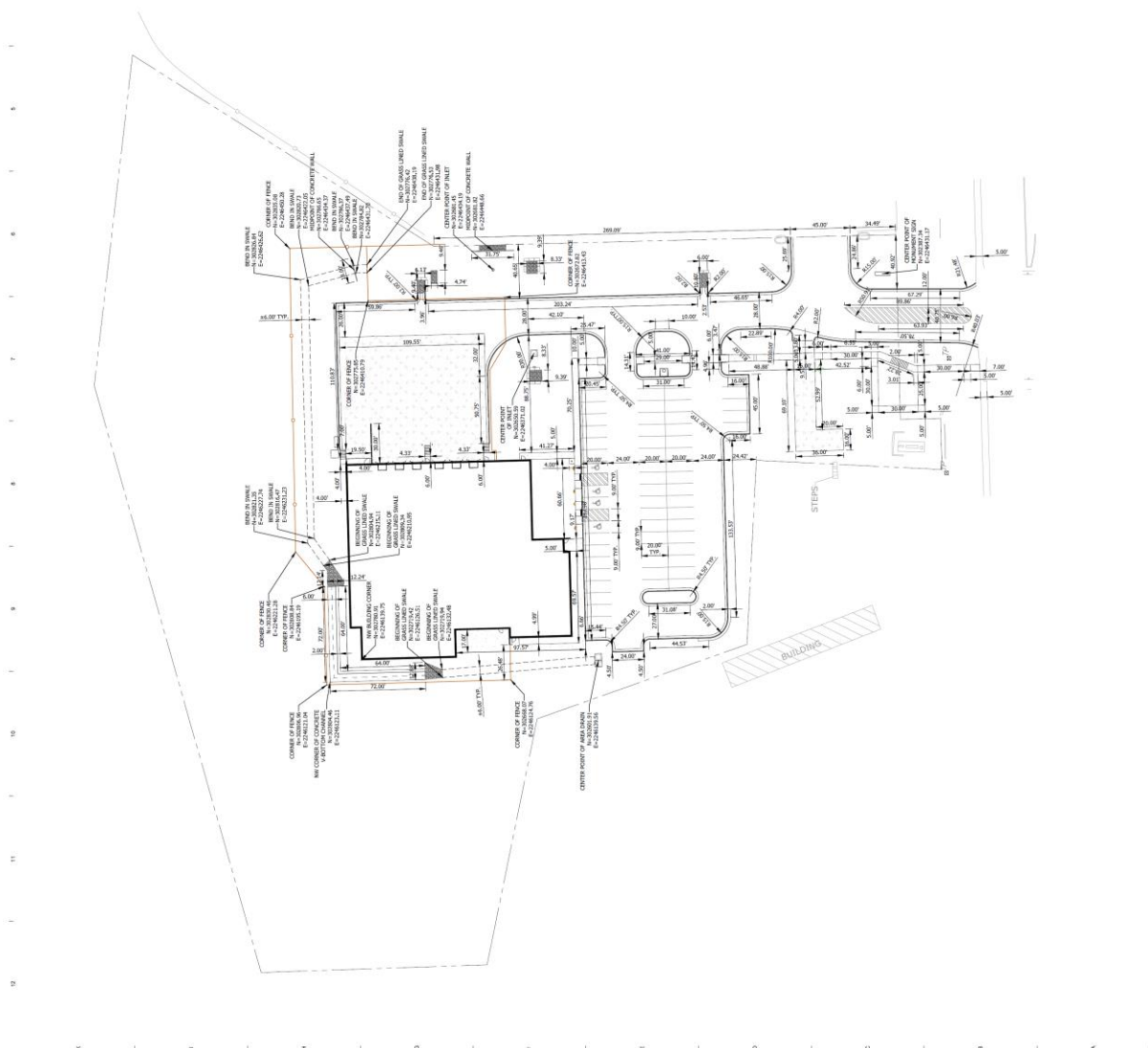
- What is the cost of the new kitchen?
 - Answered by Mark Spurgeon; Construction Cost is approximately \$6,000,000.00.
 - Who does the kitchen serve?
 - Karlean Kramer answered; The kitchen will serve the smaller elementary schools. Some school have their own kitchens and not all schools in the district will be served by this facility.
 - What is the schedule to complete?
 - Project should be approved by the UG's City Planning Commission and Board of Commissioners by late October. Building permit should be obtained in December to start construction. Construction should be complete by August, 2019, depending on winter weather.
- No other questions.

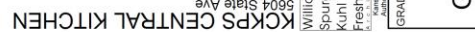
Meeting adjourned at: 6:30 PM

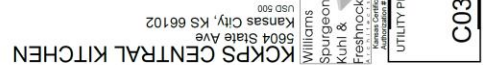
Minutes taken by: Mark Spurgeon

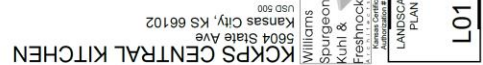
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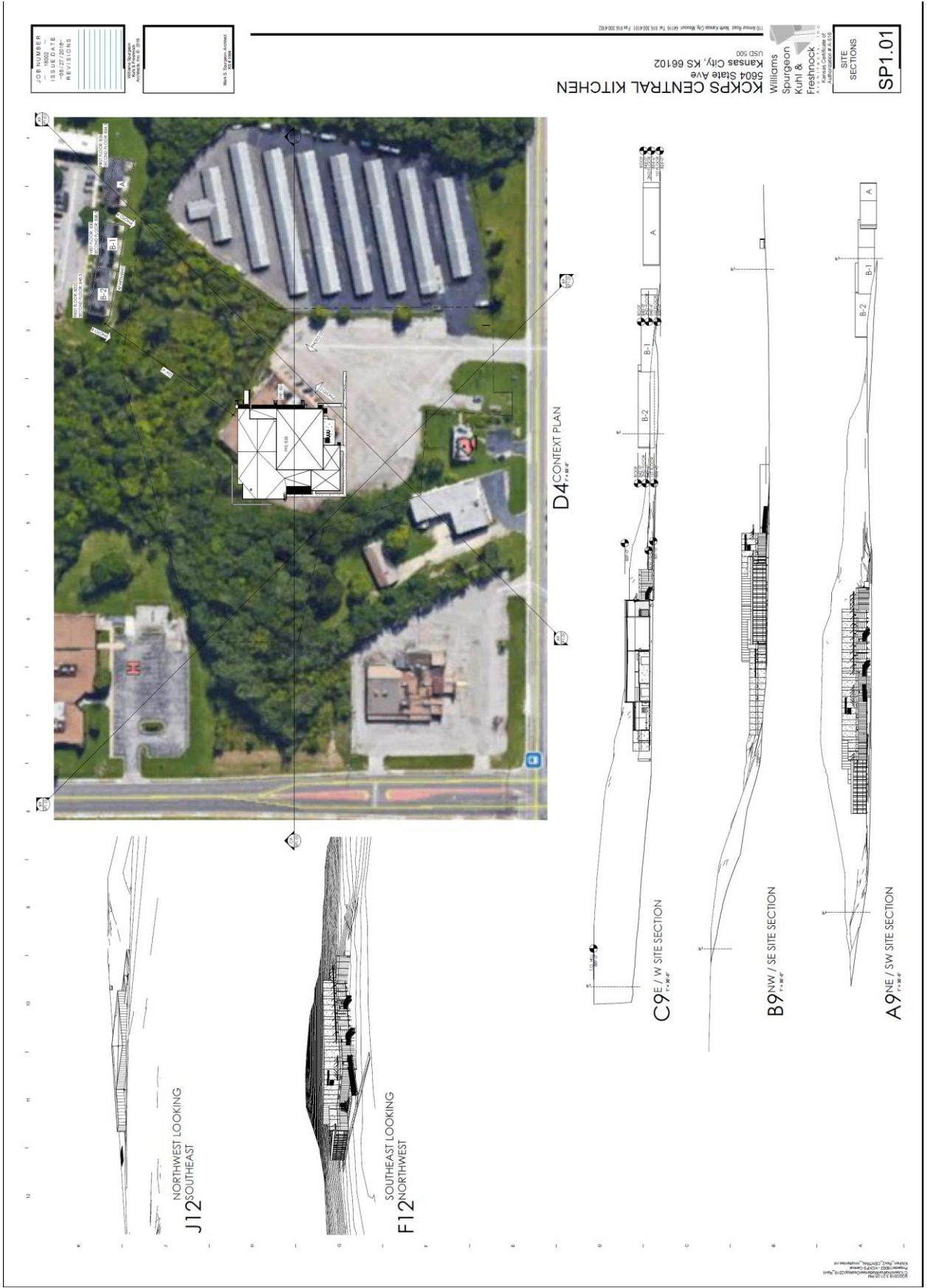














Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners

From: City Staff

Date: October 25, 2018

Re: **Change of Zone Petition #3169 and Plan Review Petition #PR-2018-28**

GENERAL INFORMATION

Applicant:
John Finnemore

Status of Applicant:
Representative
Luke Moore with Olsson Associates
7301 West 133rd Street
Overland Park, KS 66213

Requested Actions:
Change of Zone from
RP-5 Planned Apartment District
to CP-0 Planned Nonretail Business
District

Plan Review for a daycare school
center

Date of Application:
Change of Zone: August 24, 2018
Plan Review: August 24, 2018

Purpose: To build a 12,550 square foot daycare school center



Property Location: 2205 West 36th Avenue

Commission Districts:

1. Commissioner At Large: Tom Burroughs
2. District Commissioner: Ann Brandau Murguia

Existing Zoning: RP-5 Planned Apartment District

Surrounding Zoning:	North:	RP-5 Planned Apartment and CP-0 Planned Nonretail Business Districts
	South:	CP-0 Planned Nonretail Business District
	East:	R-2 Two Family and R-2(B) Two Family Districts
	West:	RP-5 Planned Apartment and CP-0 Planned Nonretail Business Districts

Existing Uses:	North:	MS Achievement Center, KCKFD Station #10, and US Postal Service
	South:	KU Medical Center building and parking lot
	East:	KU Medical Center parking lot
	West:	Apartments and undeveloped land

Total Tract Size: 1.31 acres

Master Plan Designation: The Rosedale Master Plan designates this property as Institutional.

Major Street Plan: The Major Street Plan classifies Rainbow Boulevard as a Class A Thoroughfare and West 36th Avenue as a Collector.

Advertisement: The Wyandotte Echo – Change of Zone – September 13, 2018
Letters to Property Owners – September 12, 2018 and October 19, 2018

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

Public Opposition: One person appeared at the October 8, 2018 City Planning Commission meeting but after his question was answered he was not in opposition.

PROPOSAL

Detailed Outline of Requested Action: The applicant, John Finnemore with Primrose Schools want to build a 12,550 square foot daycare school center at 2205 West 36th Avenue. The center will cater to KU Medical Center and KU Hospital Authority employees but is open to the public.

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

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

The character of the neighborhood has a mixture of commercial land uses. North of the property in question is the MS Achievement Center – formerly Center of Aging, KCKFD Station #10 and the US Post Office. To the south are buildings that begin the KU Medical Center campus. Rainbow Boulevard is the primary artery and is the commercial corridor of Rosedale.

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

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

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

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

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

The building is currently being demolished.

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

The proposed use is necessary for those in the healthcare field, but also the general public as childcare is often difficult to find. The center will not substantially injure the appropriate use, visual quality or marketability of nearby property.

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

The proposed use will not increase traffic or parking demand, as the building that was previously on the site was of similar size and were medical offices, so the daycare center's hours of operation will be similar to the uses.

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

The proposed use conforms to the Master Plan.

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

This is not foreseen to be an issue.

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

a. *Water service*

Available

b. *Sanitary sewer service*

Available

c. *Storm water control*

To be designed to meet City Code

d. *Police*

Police service is provided by South Patrol, District #332

e. *Fire*

Fire service is provided by Station #10

f. *Transit*

Kansas City ATA provides transit service near this property, Route #107

g. *Schools*

Kansas City, Kansas USD 500

h. *Streets*

See item #6 above

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

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

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

The proposed use is capable of meeting applicable ordinance requirements.

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

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

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on September 24, 2018. According to the applicant, the attendee at the meeting did not appear in opposition of the project.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application #3169 and Plan Review Application #PR-2018-28, subject to:

Urban Planning and Land Use Comments:

The building will be owned by the applicant on a land lease. There may have been a recent land transaction between the University and The Endowment. The zoning will not be published without the proper owner affidavit.

General Planning:

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

Applicant Response: Acknowledged.

2. Per Business Licensing:
 - a. If approved, the day care school will need to file the occupation tax application with our office as they would begin operations.

Applicant Response: Acknowledged.

3. How many staff members are employed at the school?
Applicant Response: 24 staff at maximum shift.

4. Will trucks or service vehicles make deliveries to the school?

Applicant Response: Yes, for food deliveries.

5. What are the proposed hours of operation?

Applicant Response: Our hours will be 6:00 AM to 6:30 PM Monday through Friday.

6. Indicate on the site plan how drop-off and pick-up circulation will be handled at peak times?

Applicant Response: Parents are required to park their car and bring their children into the facility, sign the child in and escort them to their respective classroom(s). Parents then return to their car and exit onto West 36th Avenue. The front 18 stalls closest to the building will be utilized for drop off/pick up with any overflow utilizing the stalls across the front drive aisle.

7. Please give a detailed explanation of parking for this facility and the impact on the medical center parking.

Applicant Response: Parking in the new Primrose School parking lot will not negatively impact the medical center parking lot.

Building and Architectural Design:

1. Please provide color renderings of the entire building, not just the front façade.

Applicant Response: See attachments.

2. Provide trash enclosure elevations.

Applicant Response: See attachments.

3. Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: Landscaping will take place around the transformer and there will already be a fence around the HVAC that are typically 4' tall. Along with this, the electrical equipment mounted on the building in the HVAC enclosure is typically painted to match the fascia/trim board.

Staff Response: As stated previously, utility connections shall be painted to match the building, not the window or building trim.

4. Downspouts shall be recessed in the corners of the building.

Applicant Response: Downspouts are at the corners already, however on the longer facades a downspout is required in the middle of the span as well.

5. The building elevations do not depict roof penetrations, so will there be any vents, stacks or other protrusions?

Typically, HVAC units are on the roof, but based on the asphalt shingled roof, they will be located on the ground adjacent to the building.

Applicant Response: There will be roof penetrations for vents, stacks, and/or other protrusions. All roof mounted equipment will be painted to match the shingle color.

Landscaping and Screening:

1. Based on the landscaping requirements in CP-0 Planed Nonretail Business District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 14 trees are required to be planted for the new daycare school center. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.

Applicant Response: Acknowledged. Trees have been added to meet the 14-tree requirement for open space landscaping.

2. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Acknowledged. Street trees have been spaced 60' on center along with street frontage trees of 1 tree per 30' of street frontage.

3. Sec. 577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces. Revise and resubmit the paving plan.

Applicant Response: Landscape island to separate each 20 spaces has been added to plans.

4. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the development and 3 gallons internal to the site when planted.

Applicant Response: See landscape schedule. All trees are 2" and evergreen trees 6' and shrubs 5 gallon. Ornamental grasses are 1 gallon.

5. All landscaping shall be irrigated.

Applicant Response: See sheet L200 Landscape Notes that all areas must be irrigated.

6. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors as required by the International Building Code (IBC).

Applicant Response: Acknowledged.

7. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Acknowledged.

8. The trash enclosure shall be heavily landscaped and screened with an architectural screen wall that is comprised of the same building materials as the primary structure.

Applicant Response: Landscaping around dumpster has been added.

Signage:

1. Shall comply with the sign ordinance.

Applicant Response: Acknowledged.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

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

1) None

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Change of Zone Petition #3169 and Plan Review Petition #PR-2018-28 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Project Data and Operation Description
Site Plan
Utility Plan
Landscape Plan
Photometric Plan
Building Elevations
Affidavit

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	October 8, 2018	October 25, 2018
Rezoning	Approval	
Public Hearing	October 8, 2018	October 25, 2018
Plan Review	Approval	

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

MOTIONS

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition #3169 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #3169, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Plan Review Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition #PR-2018-28, as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #PR-2018-28 as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 8, 2018 City Planning Commission Minutes:

Hearing Starts At 23:10:

CHANGE OF ZONE APPLICATION #3169 – JOHN FINNEMORE WITH PRIMROSE SCHOOLS – SYNOPSIS: Change of Zone from RP-5 Planned Apartment to CP-O Planned Non-Retail Business District for a day care school center at 2205 West 36th Avenue.

PLAN REVIEW APPLICATION #PR-2018-28 – JOHN FINNEMORE WITH PRIMROSE SCHOOLS – SYNOPSIS: Preliminary and Final Plan Review for a day care school center at 2205 West 36th Avenue.

Detailed Outline of Requested Action: The applicant, John Finnemore with Primrose Schools want to build a 12,550 square foot daycare school center at 2205 West 36th Avenue. The center will cater to KU Medical Center and KU Hospital Authority employees but is open to the public.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated September 13, 2018 for the change of zone application; and
7. The Notices to property owners dated September 12, 2018.

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

Present in Support:

- ❖ Seth Reece, Olsson and Associates, architect representing the applicant, 7301 West 133rd Street, Overland Park, Kansas 66213
- ❖ John Finnemore, Primrose Schools

Present in Opposition/Question:

- ❖ James Clinkenbeard, Clinkenbeard Investments, 2014 Federal Street, Kansas City, Kansas 66103

Staff Recommendation starts at 30:50: Planner Flanders stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 31:02:

On motion by Mr. Miller, seconded by Mr. Reasons, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application #3169**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

Urban Planning and Land Use Comments:

The building will be owned by the applicant on a land lease. There may have been a recent land transaction between the University and The Endowment. The zoning will not be published without the proper owner affidavit.

General Planning:

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

Applicant Response: Acknowledged.

2. Per Business Licensing:
 - a. If approved, the day care school will need to file the occupation tax application with our office as they would begin operations.

Applicant Response: Acknowledged.

3. How many staff members are employed at the school?

Applicant Response: 24 staff at maximum shift.

4. Will trucks or service vehicles make deliveries to the school?

Applicant Response: Yes, for food deliveries.

5. What are the proposed hours of operation?

Applicant Response: Our hours will be 6:00 AM to 6:30 PM Monday through Friday.

6. Indicate on the site plan how drop-off and pick-up circulation will be handled at peak times?

Applicant Response: Parents are required to park their car and bring their children into the facility, sign the child in and escort them to their respective classroom(s). Parents then return to their car and exit onto West 36th Avenue. The front 18 stalls closest to the building will be utilized for drop off/pick up with any overflow utilizing the stalls across the front drive aisle.

7. Please give a detailed explanation of parking for this facility and the impact on the medical center parking.

Applicant Response: Parking in the new Primrose School parking lot will not negatively impact the medical center parking lot.

Building and Architectural Design:

1. Please provide color renderings of the entire building, not just the front façade.

Applicant Response: See attachments.

2. Provide trash enclosure elevations.

Applicant Response: See attachments.

3. Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: Landscaping will take place around the transformer and there will already be a fence around the HVAC that are typically 4' tall. Along with this, the electrical equipment mounted on the building in the HVAC enclosure is typically painted to match the fascia/trim board.

Staff Response: As stated previously, utility connections shall be painted to match the building, not the window or building trim.

4. Downspouts shall be recessed in the corners of the building.

Applicant Response: Downspouts are at the corners already, however on the longer facades a downspout is required in the middle of the span as well.

5. The building elevations do not depict roof penetrations, so will there be any vents, stacks or other protrusions?

Typically, HVAC units are on the roof, but based on the asphalt shingled roof, they will be located on the ground adjacent to the building.

Applicant Response: There will be roof penetrations for vents, stacks, and/or other protrusions. All roof mounted equipment will be painted to match the shingle color.

Landscaping and Screening:

1. Based on the landscaping requirements in CP-0 Planed Nonretail Business District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 14 trees are required to be planted for the new daycare school center. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.

Applicant Response: Acknowledged. Trees have been added to meet the 14-tree requirement for open space landscaping.

2. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Acknowledged. Street trees have been spaced 60' on center along with street frontage trees of 1 tree per 30' of street frontage.

3. Sec. 577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces. Revise and resubmit the paving plan.

Applicant Response: Landscape island to separate each 20 spaces has been added to plans.

4. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the development and 3 gallons internal to the site when planted.

Applicant Response: See landscape schedule. All trees are 2" and evergreen trees 6' and shrubs 5 gallon. Ornamental grasses are 1 gallon.

5. All landscaping shall be irrigated.

Applicant Response: See sheet L200 Landscape Notes that all areas must be irrigated.

6. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors as required by the International Building Code (IBC).

Applicant Response: Acknowledged.

7. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of

lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Acknowledged.

8. The trash enclosure shall be heavily landscaped and screened with an architectural screen wall that is comprised of the same building materials as the primary structure.

Applicant Response: Landscaping around dumpster has been added.

Signage:

1. Shall comply with the sign ordinance.

Applicant Response: Acknowledged.

Public Works Comments:

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

On motion by Ms. Pauley, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of Preliminary and Final Plan Review #PR-2018-28:**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

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

Urban Planning and Land Use Comments:

1. Submit a valid property owner affidavit.

Response: City and Owner are currently working through this. Please speak to Byron Toy or myself with questions.

General Planning:

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

Response: Acknowledged.

2. Per Business Licensing:

- a. If approved, the day care school will need to file the occupation tax application with our office as they would begin operations.

Response: Acknowledged.

3. How many staff members are employed at the school?

Response: 24 staff at max shift.

4. Will trucks or service vehicles make deliveries to the school?

Response: Yes, for food deliveries.

5. What are the proposed hours of operation?

Response: 6:00am – 6:30pm

6. Indicate on the site plan how drop-off and pick-up circulation will be handled at peak times?

Response: Parents are required to park their car and bring their children into the facility, sign the child in and escort them to their respective classroom(s). Parents then return to their car and exit onto W. 36th Avenue. The front 18 stalls closest to the building will be utilized for drop off pick up with any overflow utilizing the stalls across the front drive aisle.

7. Please give a detailed explanation of parking for this facility and the impact on the medical center parking.

Response: Parking in the new primrose school parking lot will not negatively impact the medical center parking lot.

Building and Architectural Design:

1. Please provide color renderings of the entire building, not just the front façade.

Response: See attachments.

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Response: See attachments.

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painted to match the fascia/trim board. Along with

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All roof mounted equipment will be painted to match the shingle color.

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1. Based on the landscaping requirements in CP-0 Planned Nonretail Business District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 14 trees are required to be planted for the new daycare school center. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.

Response: Acknowledged. Trees have been added to meet the 14 tree requirement for Open Space Landscaping.

2. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:

- a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
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3. Sec. 577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces. Revise and resubmit the paving plan.

Response: Landscape island to separate each 20 spaces has been added to plans.

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Response: See landscape schedule. All trees are 2" and evergreen trees 6' and shrubs 5 gallon. Ornamental grasses are 1 gallon.

5. All landscaping shall be irrigated.

Response: See sheet L200 Landscape Notes that all areas must be irrigated.

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Response: Acknowledged.

8. The trash enclosure shall be heavily landscaped and screened with an architectural screen wall that is comprised of the same building materials as the primary structure.

Response: Landscaping around dumpster has been added.

Signage:

1. Shall comply with the sign ordinance.

Response: Acknowledged.

Public Works Comments:

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

1) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.

Response: Acknowledged.

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

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

1) None

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

1) None

MEETING MINUTES

Application Number: COZ 3169 & PR-2018-28

Date and Location: September 24, 2018 @ 6 PM

Meeting called to order at: Rosedale Dev. Association

Names of people in attendance:

Clinkenbeard Investments, LLC

Introductions:

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

I (Luke Moore) with Clisson Associates spoke about location of project along with a brief overview of who Primrose Schools are. As for the project, I spoke about stormwater, sanitary sewer, traffic, basic engineering.

Questions and answers (include the following: Who asked question or gave comment, What was the question or comment, Who answered the question/comment, What was the answer given)

who pays the taxes?

Response: Great Question, I honestly am not sure exactly, either KU or Primrose. If I can get your name and number I will confirm this with you once I receive confirmation.

How many students & staff?

Response: 24 staff members @ max shift and around 100-200 kids at School.

Meeting adjourned at: _____

Minutes taken by: Luke Moore

Primrose-KU Medical Center, Kansas City, KS

Project Data and Operation Description

Primrose School Franchising Company is the pre-eminent provider of educational based private preschools/Kindergartens and child care centers in the United States with over 390 locations. Primrose Schools, along our Franchise Owners are excited to bring Primrose to Kansas City.

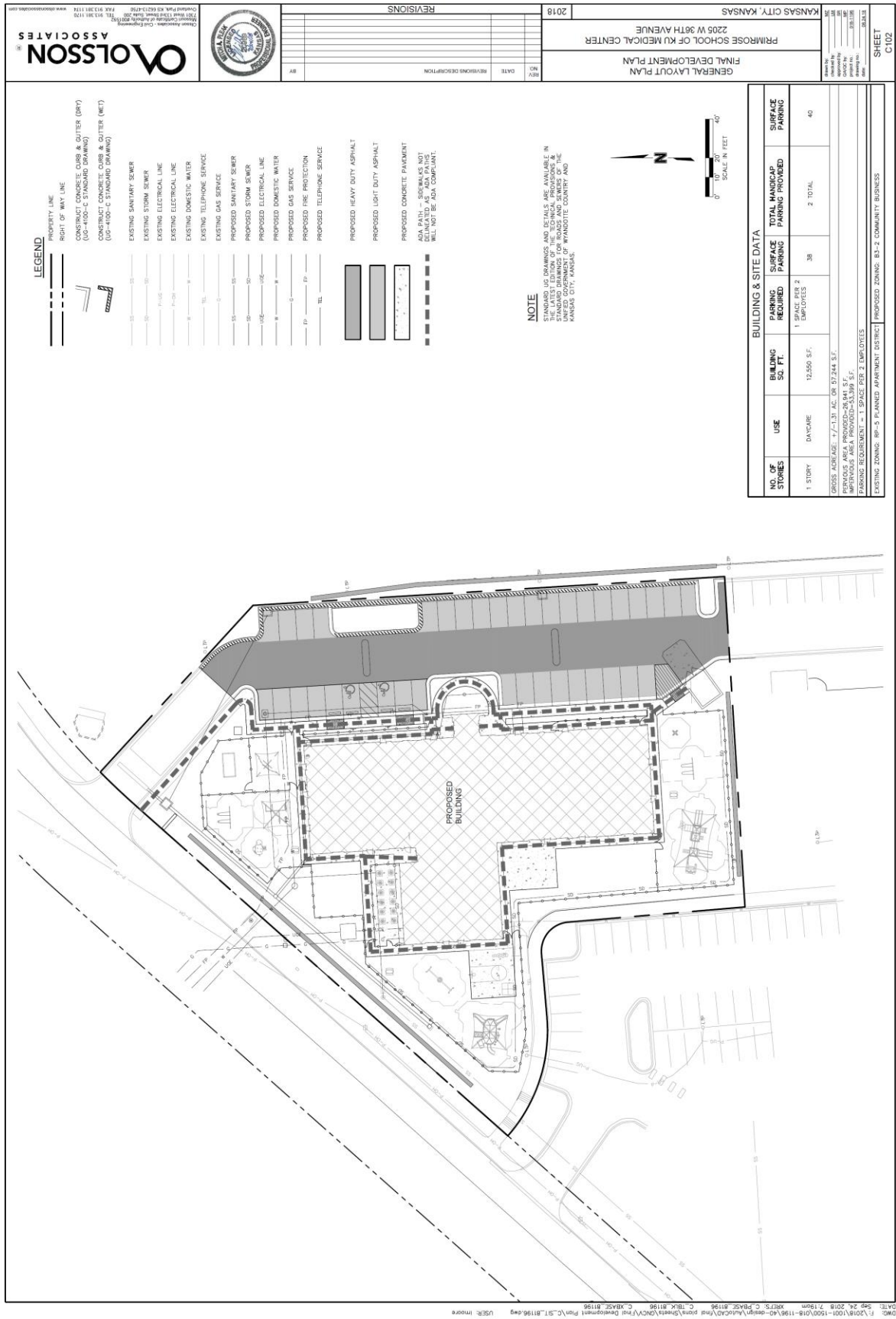
Primrose is making application with the Kansas City Wyandotte County Combined Government for rezoning from RP-5 (Apartment District Planned) to CP-O (Non-Retail Business District Planned) and PDP/FDP approval (Preliminary Development Plan and Final Development Plan). We are proposing to construct a 12,000sf, single story facility with accompanying playground and share the large, existing parking lot with the medical center (Combined Government code requires 4 stalls/1000sf of building floor area = 48 stalls). The Primrose plans propose a very attractively designed building with upscale materials and substantial landscaping.

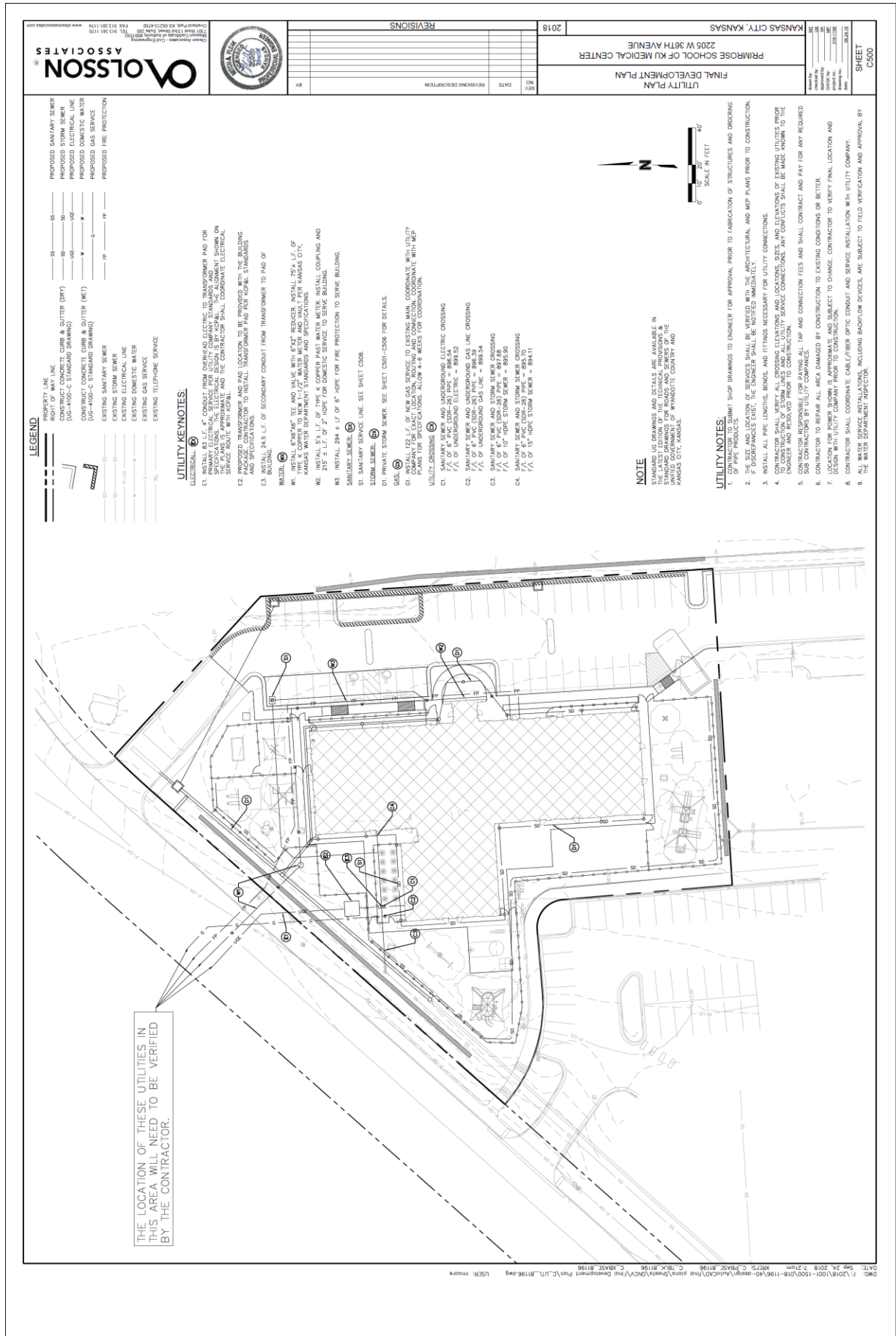
Hours of operation are 6:00AM-6:30PM Monday through Friday. Occasionally, special events will be held on evenings and weekends. License capacity of the facility will be 201 students, 6 weeks through 12 years of age. Primrose and industry data indicate that approximately 25% of families have a second child enrolled which would reduce the number of families to approximately 150 at capacity.

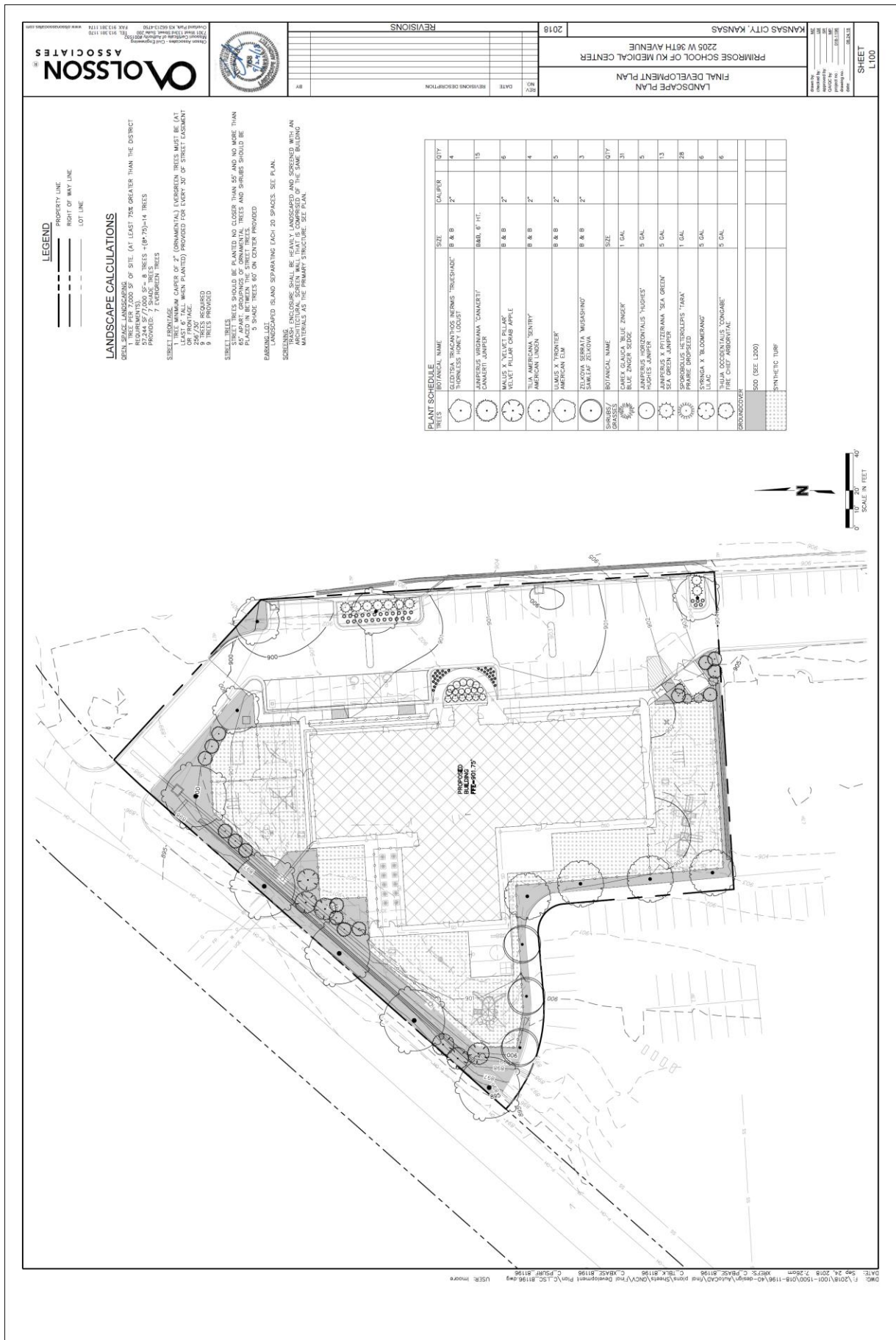
Staff at capacity will be 24

AM drop off ranges from 6-9:00AM (peak hour is typically 7:30-8:30)

PM pick up is between 3-6:30PM (peak hour is typically 4:30-5:30)









Primrose School - Kansas City, KS (KU Medical Center) Site Lighting Layout

Designer
Adam Carrier
Date
8/15/2018
Scale
Not to Scale
Drawing No.
Summary

1 of 1



Plan View
Scale: 1" = 22'

Schedule					Wattage
Symbol	Label	Qty	Catalog Number	Description	
	T	4	ARE-EDG-2M-DA-16-E- UL-BZ-525-P / PSRV30CTBZ	Single Head Cree Lighting Area Edge Series LED Area Unit w/Type 2M Distribution (EXISTING 30ft. Pole)	267
	C	12	XSPW-A-0-3-M-G-U-Z	Cree Lighting XSPW Series LED Wallpack Unit w/Type 3 Distribution (14ft. Fixture Mounting Height)	25.28
	D	3	H71CT / RL560WH9930	Edison Halo Brand H71CT Series Insulated Ceiling Recessed Housing w/ TCP LED14 Series Downlight Module Unit	13.5
	J	2	P5966-84 / LED110AV3/827W	Progress Decorative Wall Mount Outdoor Source Unit w/GE A19 LED Lamp	9.4
	P	1	H-18110-119/HL-A- 119/13/LED240/D/BC H-H	Hi-Lite H-18110 Series Wall Mount Angled Reflector LED Unit	11.9
	S	2	FLED18	RAB Lighting FLED Series Building Mounted LED Flood Unit	22.1

Statistics				
Description	Symbol	Avg	Max	Min
Property Line	+	1.5 fc	5.1 fc	0.0 fc
Site Light Levels	+	1.6 fc	10.7 fc	0.0 fc



A	DUMPMSTER GATES (POST & HINGES)	#BM HC 112 TATE OLIVE (INDUSTRIAL ENAMEL) EXTERIOR (EXTERIOR)
B	EXTERIOR WID. TRIM, EXTERIOR EXTERIOR SHUTTERS, CUPOLA WALLS, GUTTERS AND DOWNSPOUTS, SOFFITS, BRACKETS	TO MATCH HARDIE TRIM SANDSTONE BEIGE (BM HC 02 OR SW SW 6157)
C	EXTERIOR HARDIE TRIM, FASCIA, FREEZE	SANDSTONE BEIGE JH50-20 (BM HC 02 OR SW SW 6157)
D	WINDOWS	BEIGE OR ALMOND (VINYL)
E	BRICK:	BORAL CONCORD MODULAR MORTAR, LIGHT BUFF COLOR
F	ASPHALT SHINGLES; NOTE: ALL ROOF MOUNTED EQUIPMENT SHALL BE PAINTED TO MATCH ROOF COLOR.	MANUF.: GAF STYLE: TIMBERLINE NATURAL SHADOW COLOR: WEATHERED WOOD LIFETIME WARRANTY
G	VINYL SHUTTERS	ARCHITECTURALDEPOT.COM - 14" JOINED SHUTTERS WINSTAIL SCREENS WIDE STANDARD SIZE FOUR BOARD PRE-FINISHED #028 FOREST GREEN
H	STANDING SEAM ROOF	AEP-SPAN SNAPSEAM - 12" COLOR: DARK BRONZE
J	STEEL AWNING SUPPORTS	#BM HC 112 TATE OLIVE (INDUSTRIAL ENAMEL, EXTERIOR APPLICATION)
K	STONE:	LONGSTAR STONE - LIBERTY LIBERTY STONE GROUT: LIGHT BUFF, COLOR: FOREST MORTAR



1	VINYL SHUTTERS - SEE WINDOW SCHEDULE FOR SIZES
2	CURIO - SEE EXTERIOR COLORS FOR MANUFACTURER
3	STONE - SEE WITH WEATHER VANE, PAINT, CUPOLA WALLS AND LOUVERS FOR EXTERIOR FINISH SCHEDULE. DARK BRONZE STANDING SEAM ROOF (EPOXY ROOSTER)
4	EXTRUDED ALUMINUM 5" WIDE DIVIDERS WITH SPIKE & FERRULE AT 36" O.C. O.C.E. PROFILE. CONNECT # DRA DOWNSPOUTS TO UNDERGROUND STORM SYSTEM.
5	BRICK SOLDIER COURSE.
6	WALL MOUNTED EMERGENCY LIGHT FIXTURE. SEE ELECTRICAL DRAWINGS.
7	BRICK VENEER.
8	ROUNDED PRECAST SILL - NATURAL WHITE COLOR.
9	STANDING SEAM ROOF ON METAL FRAME.
10	24" OR 36" DIAMETER VENT LOUVERS. PROVIDE HEIGHT AS SHOWN ON ELEVATIONS.
11	VINYL SINGLE HUNG WINDOWS WITH CLEAR GLASS.
12	FIXED VINYL WINDOWS WITH CLEAR GLASS.
13	WALL MOUNTED LIGHT FIXTURE. TYP AT EACH EXTERIOR DOOR. SEE LIGHT FIXTURE SCHEDULE. FLUSH TOP TO BOTTOM OF SLOTTED OR 60" MIN. H.P.S.
14	STOP BUTLONNE SILL AS REQUIRED TO ALLOW SPACE FOR ELECTRICAL SWITCHGEAR.
15	BEIGE ALUMINUM PLAQUE W/6" REFLECTIVE BLACK VINYL NUMBERS.
16	H.M. INSULATED EXTERIOR DOOR AND FRAME.
17	"FIPON" PVC BRACKET, PAINTED (SANDSTONE BEIGE)
18	BRICK ROWLOCK COURSE

PRIMROSE SCHOOL
FRANCHISING COMPANY
3660 Cedarcrest Road
Acworth, GA 30101

PRIMROSE SCHOOL
W. 36th AVENUE (KU MEDICAL CENTER)
KANSAS CITY, KS
06-21-18

Attachments:







AFFIDAVIT, PROPERTY OWNER CONSENT FORM

STATE OF KANSAS)
COUNTY OF WYANDOTTE) SS:

Comes now DALE SEUFERLING, PRESIDENT, THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION
(property owner)

his/her oath states as follows:

1. That I am the property owner of PARCEL NO 216000 in Kansas City,
Kansas. (Address)
2. That I have reviewed the application for PRIMROSE SCHOOL to
(Applicant)
operate/develop A CHILDCARE FACILITY on my
(Proposed use)
property.
3. That after discussing the matter and fully reviewing the application, I authorize this
application and subsequent applications necessary to accomplish the plan/use noted
above, to be filed on my behalf.

Further affiant saith not.


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 5 day of Oct, 2018

My commission expires 24 of October, 2021.

Monica R. Lemmons
Notary Public

Monica R. Lemmons
Notary Public
State of Kansas
My Commission Expires 10/24/21

<https://tapestry.fidlar.com/Tapestry2/SearchResults.aspx>
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TAPESTRY
Land Records and Title Insurance

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Member Log In

DataSource: Wyandotte, KS

Criteria:
Parcel Number = 216000

Session: \$ 16.95 [View Map](#)

Last Indexed Date: 09/23/2018
Last Verified Date: 09/23/2018

RefDate	DocDate	DocNumber	DocType	Last Name	First Name	Party Type
08/26/2016		2016R-11600	EASEMENT	KANSAS UNIVERSITY ME...		GRANTOR
08/26/2016		2016R-11600	EASEMENT	UNITED GOVERNMENT O...		GRANTEE
12/23/2014		2014R-16337	DEED	KANSAS DEPT OF AGING...		GRANTOR
12/23/2014		2014R-16337	DEED	KANSAS UNIVERSITY EN...		GRANTEE

Results found: 4

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Displaying page: 1 of 1

2014R-16337
NANCY BURNS
REGISTER OF DEEDS
WYANDOTTE COUNTY, KS
RECORDED ON
12/23/2014 08:41:42 AM
DEED FEE: 12.00
TECHNOLOGY FEE: 8.00
PAGES: 4

GENERAL WARRANTY DEED

THIS INDENTURE is made as of the 22nd day of December, 2014, by and between the Kansas Department for Aging and Disability Services, on behalf of the State of Kansas ("Grantor"), and THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION, a Kansas not-for-profit corporation ("Grantee"), which Grantee has an address of P.O. Box 928, Lawrence, KS 66044-0928.

WITNESSETH: That Grantor, in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey unto said Grantee, its successors and assigns, the parcels of real estate situated in the City of Kansas City, Wyandotte County, Kansas that are described on Exhibit "A" which is attached hereto and hereby incorporated herein by this reference.

ALL SUBJECT to easements, restrictions, covenants and rights of way of record, zoning laws, taxes for the year 2014 and subsequent years, any matter that would be disclosed by an accurate survey of the foregoing, and any rights of, and encumbrances created by, Grantee.

AND SUBJECT to the right of Rainbow Services, Inc. ("Tenant") under that certain Lease between Grantor and Tenant dated effective February 1, 2014, as amended by an Amended Lease dated August 22, 2014, to possess a portion of the property described on Exhibit "A" until January 31, 2017 or such sooner date upon which such lease may be terminated by its terms or by written agreement of Grantee and Tenant.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever. And Grantor, for itself, its successors and assigns, hereby covenants, promises and agrees, to and with Grantee, that at the delivery of these presents it is lawfully seized in its own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above-granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of what nature and kind so ever, except as set forth above, and

First Amended Title KCS 656471

WYANDOTTE COUNTY DOCUMENT NUMBER 2014R-16337 PAGE NUMBER 1

that it will WARRANT and FOREVER DEFEND the same unto Grantee, and Grantee's successors and assigns, against Grantor, and Grantor's successors and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the Grantor has hereunto set forth its respective hand, the day and year first above written.

GRANTOR:

Kansas Department for Aging and Disability Services,
on behalf of the State of Kansas

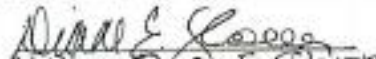
By 
Kari Bruffett, Secretary

STATE OF Kansas

COUNTY OF Shawnee

This instrument was acknowledged before me on 12/19, 2014, by Kari Bruffett who is personally known to me to be such person, and who acknowledged that she executed the foregoing instrument in her capacity as Secretary of the Kansas Department for Aging and Disability Services as the free act and deed of such Department and the State of Kansas.

(SEAL)


Print Name: Diane E. Slover
Title: Notary Public

My Appointment Expires: 1/22/15

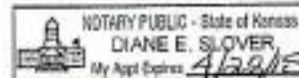


Exhibit "A"

Legal Description

Real property in the City of Kansas City, County of Wyandotte, State of Kansas, described as follows:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 27 AND THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 11, RANGE 25, KANSAS CITY (FORMERLY CITY OF ROSEDALE), WYANDOTTE COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 26; SAID POINT BEING 1,978.79 FEET SOUTH AND 12.12 FEET WEST BY COORDINATE FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE NORTH 48° 24' 39" EAST, 6.72 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT, HAVING A RADIUS OF 330.0 FEET; AN ARC DISTANCE OF 42.58 FEET; THENCE NORTH 43° 44' 59" EAST, TANGENT TO THE LAST DESCRIBED CURVE, 458.10 FEET; THENCE NORTH AND EASTERLY ON A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 370.0 FEET, AN ARC DISTANCE OF 298.37 FEET; THENCE NORTH 89° 57' 12" EAST, TANGENT TO THE LAST DESCRIBED CURVE, 32.68 FEET TO A POINT IN THE WEST LINE OF EATON STREET AS NOW ESTABLISHED; SAID POINT BEING 1,500.46 FEET SOUTH AND 640.84 FEET EAST BY COORDINATE FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE SOUTHERLY ALONG THE WEST LINE OF EATON STREET AS NOW ESTABLISHED, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,457.50 FEET, AN ARC DISTANCE OF 297.65 FEET; THENCE CONTINUING SOUTH 0° 04' 51" WEST ALONG THE WEST LINE OF EATON STREET, TANGENT TO THE LAST DESCRIBED CURVE, 840.22 FEET TO A POINT IN THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE SOUTH 89° 52' 04" WEST ALONG SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26, 624.95 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 26; THENCE CONTINUING NORTH 89° 47' 33" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27, 157.04 FEET TO A POINT IN THE EAST LINE OF RAINBOW BOULEVARD AS NOW ESTABLISHED; SAID POINT BEING 2,637.11 FEET SOUTH AND 173.20 FEET WEST BY COORDINATE FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 34° 16' 36" WEST ALONG THE EAST LINE OF SAID RAINBOW BOULEVARD AS NOW ESTABLISHED 107.63 FEET; THENCE NORTHERLY ALONG THE EAST LINE OF SAID RAINBOW BOULEVARD ON A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 470.0 FEET, AN ARC DISTANCE OF 284.05 FEET; THENCE CONTINUING NORTH 0° 21' 04" EAST ALONG THE EAST LINE OF SAID RAINBOW BOULEVARD TANGENT TO THE LAST DESCRIBED CURVE, 223.43 FEET; THENCE SOUTH 89° 53' 40" EAST, 99.31 FEET; THENCE EASTERLY ON A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 340.0 FEET, AN ARC DISTANCE OF 163.21 FEET; THENCE NORTH 48° 24' 39" EAST, 60.91 FEET TO A POINT IN THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 AND THE POINT OF BEGINNING,

EXCEPT THAT PART DESCRIBED AS FOLLOWS:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 27 AND THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 26, TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID FRACTIONAL SECTION 26:

THENCE SOUTH 89° 52' 04" WEST 18.68 FEET, ALONG THE SOUTH LINE OF SAID FRACTIONAL SECTION 27;

THENCE NORTH 37° 10' 40" WEST 340.27 FEET;

THENCE NORTH 26° 02' 37" WEST 95.94 FEET;

THENCE NORTH 11° 50' 19" WEST 69.03 FEET;

THENCE NORTH 00° 21' 04" EAST 111.93 FEET;

THENCE SOUTH 89° 53' 40" EAST 88.17 FEET;

THENCE NORTH 85° 44' 47" EAST 74.42 FEET;

THENCE NORTH 68° 52' 01" EAST 61.08 FEET;

KANSAS CITY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THENCE NORTH 09° 18' 23" EAST 34.82 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF 36TH AVENUE, AS NOW ESTABLISHED, AND A POINT ON A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 340.00 FEET;
 THENCE NORTHEASTERLY 29.08 FEET, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND SAID CURVE;
 THENCE NORTH 43° 00' 28" EAST 3.39 FEET, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE;
 THENCE SOUTH 01° 44' 25" EAST 61.07 FEET, DEPARTING FROM SAID RIGHT-OF-WAY LINE;
 THENCE SOUTH 07° 53' 36" EAST 63.88 FEET;
 THENCE SOUTH 05° 45' 03" EAST 126.04 FEET;
 THENCE SOUTH 02° 32' 11" EAST 159.70 FEET;
 THENCE SOUTH 15° 51' 35" EAST 16.65 FEET;
 THENCE SOUTH 55° 15' 40" EAST 24.11 FEET;
 THENCE SOUTH 87° 54' 32" EAST 64.98 FEET;
 THENCE SOUTH 83° 38' 39" EAST 120.30 FEET;
 THENCE SOUTH 06° 53' 33" WEST 167.11 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID FRACTIONAL SECTION 26;
 THENCE SOUTH 89° 52' 04" WEST 189.24 FEET, ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID FRACTIONAL SECTION 26 AND THE POINT OF BEGINNING,

AND EXCEPT:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 26, TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF SAID FRACTIONAL SECTION 26, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 23 EAST:
 THENCE NORTH 89° 52' 04" EAST 498.04 FEET, ALONG THE SOUTH LINE OF SAID FRACTIONAL SECTION 26, TO THE TRUE POINT OF BEGINNING;
 THENCE NORTH 00° 07' 56" WEST 114.76 FEET;
 THENCE NORTH 09° 52' 04" EAST 23.21 FEET;
 THENCE NORTH 00° 33' 33" EAST 111.14 FEET;
 THENCE NORTH 01° 19' 24" EAST 331.54 FEET;
 THENCE NORTH 05° 10' 25" WEST 53.01 FEET;
 THENCE NORTH 08° 52' 42" WEST 115.11 FEET;
 THENCE NORTH 05° 22' 21" WEST 38.90 FEET;
 THENCE NORTH 02° 40' 12" EAST 55.93 FEET;
 THENCE NORTH 08° 49' 10" EAST 49.39 FEET;
 THENCE NORTH 26° 40' 27" WEST 29.20 FEET;
 THENCE NORTH 18° 04' 39" EAST 130.98 FEET;
 THENCE NORTH 20° 52' 07" EAST 40.16 FEET;
 THENCE NORTH 39° 36' 45" EAST 32.58 FEET;
 THENCE NORTH 61° 53' 31" EAST 32.13 FEET;
 THENCE NORTH 79° 11' 37" EAST 51.31 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF EATON STREET, AS NOW ESTABLISHED, SAID RIGHT-OF-WAY LINE BEING A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 1475.50 FEET;
 THENCE SOUTHERLY 288.15 FEET, ALONG SAID WEST RIGHT-OF-WAY LINE AND SAID CURVE;
 THENCE SOUTH 00° 04' 51" WEST 840.21 FEET, ALONG SAID WEST RIGHT-OF-WAY LINE, TO A POINT ON THE SOUTH LINE OF SAID FRACTIONAL SECTION 26;
 THENCE SOUTH 89° 52' 04" WEST 126.91 FEET, ALONG SAID SOUTH LINE, TO THE TRUE POINT OF BEGINNING.



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 25, 2018
Re: Change of Zone Petition #3170

GENERAL INFORMATION

Applicant:
Andrea Weishaubt

Status of Applicant:
Representative
Atlas Surveyors
2300 Hutton Road
Kansas City, KS 66109

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

Date of Application:
August 24, 2018

Purpose:
This application is to rezone a property from AG Agriculture District to R-1 Single Family District in order to facilitate the approval of an administrative lot line adjustment that would result in a parcel that is less than five acres (the minimum lot size in the Agriculture District)



Property Location: 9809 Meeks Road (Winter Acres Lot 5)

Existing Zoning: AG Agriculture District

Surrounding Zoning:

North:	AG Agriculture District
South:	AG Agriculture District
East:	AG Agriculture District
West:	R-1 Single Family District and AG Agriculture District

Existing Uses:

North:	Single Family Houses
South:	Single Family Houses
East:	Single Family Houses
West:	Single Family Houses

Total Tract Size: 3.88 acres

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

Major Street Plan: The City-Wide Master Plan designates Meeks Road as a local street.

Advertisement: The Wyandotte Echo – September 13, 2018
Letters to Property Owners – September 12, 2018 and October 19, 2018

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

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

PROPOSAL

Detailed Outline of Requested Action: The applicant, Andrea Weishaubt with Atlas Surveyors, has request a change of zone of 9809 Meeks Road from AG Agriculture District to R-1 Single Family District. This application was submitted in conjunction with an administrative lot line adjustment to move the lot line between Winter Acres Lot 5 and Winter Acres Lot 6 to the east. The resulting Lot 5 would be less than five acres (the minimum lot size in the Agriculture District), and therefore must be rezoned to R-1 Single Family before the lot line adjustment can be approved.

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

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

This is a suburban/rural residential neighborhood to the west of Wyandotte County Lake.

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

The proposed use is compatible with nearby properties.

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

Removal of restrictions associated with rezoning from AG Agriculture to R-1 Single Family district will not detrimentally affect nearby property.

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

This is an undeveloped property.

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

The proposed use will not substantially or permanently injure the appropriate use, visual quality, or marketability of nearby property.

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

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

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

The proposed use conforms to the City-Wide Master Plan.

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

The proposed use is not foreseen to cause environmental harm or enhance the environment.

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

a. Water service

Unknown

b. Sanitary sewer service

There is no sanitary sewer service. Future development of a single-family house would be served by septic.

c. Storm water control

To meet UG code.

d. Police

Police service is provided by West Patrol, District #223

e. Fire

Fire service is provided by District #4

f. Transit

There is no transit service in the area.

g. Schools

Piper USD 203

h. Streets

See item #6 above

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

The economic impact of the proposed use is minimal

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

The proposed use is capable of meeting applicable ordinance requirements.

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

The relative gain to the public health, safety, and welfare is minimal.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on September 21, 2018. One neighbor attended and did not object to the proposal.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application #3170, subject to:

Urban Planning and Land Use Comments:

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

Public Works Comments:

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

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #3170 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Lot Split Exhibit

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	October 8, 2018	October 25, 2018
Rezoning	Approval	

STAFF CONTACT: Zach Flanders
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #3170 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #3170, as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 8, 2018 City Planning Commission Minutes:

Hearing Starts At 32:15:

CHANGE OF ZONE APPLICATION #3170 – ANDREA WEISHAUBT – SYNOPSIS:

Change of Zone from A-G Agriculture District to R-1 Single Family District to sell the house at 9837 Meeks Road. **Detailed Outline of Requested Action:** The applicant, Andrea Weishaubt with Atlas Surveyors, has request a change of zone of 9809 Meeks Road from AG Agriculture District to R-1 Single Family District. This application was submitted in conjunction with an administrative lot line adjustment to move the lot line between Winter Acres Lot 5 and Winter Acres Lot 6 to the east. The resulting Lot 5 would be less than five acres (the minimum lot size in the Agriculture District), and therefore must be rezoned to R-1 Single Family before the lot line adjustment can be approved.

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

1. The City's currently adopted zoning and subdivision regulations;

2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated September 13, 2018; and
7. The Notices to property owners dated September 12, 2018.

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

Present in Support:

- ❖ Andrea Weishaubt, Atlas Surveyors, applicant, 2300 Hutton Road, Kansas City, Kansas 66109

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 34:30: Planner Flanders stated that this application is going along with the administrative lot line split. He showed the Commission where the property line is being moved so the applicant can sell the lot which will result in it being under five (5) acres hence the rezoning to R-1. The staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts At 35:00:

On motion by Mr. Miller, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application #3170:**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND APPROVAL Passed: 5 to 0

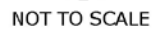
Subject to:

Urban Planning and Land Use Comments:

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

Public Works Comments:

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



AREA TO RETAIN AG ZONING

AREA TO BE REZONED TO R-1

207 South 5th Street | Leavenworth, Kansas 66048 | 913.682.8600 | 913.682.8606 (F)

EXHIBIT A
LOT 5, WINTER ACRES

DESCRIPTION

AREA TO BE REZONED TO R-1

ALL OF LOT 5, WINTER ACRES, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS.
EXCEPT
THE WEST 70 FEET OF SAID LOT 5.
CONTAINS 168,885.24 SQUARE FEET OR 3.88 ACRES MORE OR LESS

AREA TO RETAIN AG ZONING

THE WEST 70 FEET OF LOT 5, WINTER ACRES, A SUBDIVISION OF LAND IN THE CITY OF KANSAS CITY, WYANDOTTE
COUNTY, KANSAS
CONTAIN 44,786.86 SQUARE FEET OR 1.03 ACRES MORE OR LESS

This is to certify on this 7TH day of MAY, 2018 this
field survey was completed on the ground by me
or under my direct supervision.



ROGER B DILL, PS 1408

EXHIBIT A

LOT 5, WINTER ACRES
DEBRA S HERNANDEZ AND JOYCE SCHULTZ

ATLAS SURVEYORS

Taking care of your needs
207 South 5th Street | Leavenworth, Kansas 66048 | 913.682.8600 | 913.682.8606 (F)



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 25, 2018
Re: **Petition #SP-2018-68**

GENERAL INFORMATION

Applicant:
Darryl and Kimberly Bagley

Status of Applicant:
Property Owners
4100 Haskell Avenue
Kansas City, Kansas 66104

Requested Action:
Approval of a special use permit for the temporary use of land to park a tow truck at the residence.

Date of Application:
June 28, 2018

Purpose:
To park a tow truck at the property owner's residence.

Property Location:
4100 Haskell Avenue



Commission Districts:

1. Commissioner At Large: Melissa Bynum
2. District Commissioner: Gayle E. Townsend

Existing Zoning: R-1 Single Family District

Existing Surrounding Zoning: North: R-1 Single Family District

South: R-1 Single Family District

East: R-1(B) Single Family District

West: R-1 Single Family District

Existing Uses: North: Single family home

South: Vacant lot

East: Vacant lot

West: Single family home

Total Tract Size: .25 acre

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

Major Street Plan: The Major Street Plan designates Haskell Avenue as a Local/Neighborhood Street.

Advertisement: The Wyandotte Echo – July 19, 2018
Letters to Property Owner – July 18, 2018, August 8, 2018, August 31, 2018 and October 19, 2018

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

Public Opposition: No one appeared either for or against this application at the October 8, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Darryl and Kimberly Bagley, are applying for a special use permit for the temporary use of land to park a tow service truck at their residence.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This neighborhood is comprised of both large lot and narrow lot single family homes. There are numerous vacant lots in this neighborhood as well.

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

The zoning and uses of properties nearby are entirely residential. The proposed use is not entirely compatible with the surrounding uses or properties.

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

The property is suitable for the uses to which it has been restricted. It is located at the end of the block in a low-density neighborhood, where there is ample room to drive and park a tow truck. The parking of a tow truck will not detrimentally affect nearby property.

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

The property is not vacant as zoned.

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

Special use permits for the temporary use of land are not addressed in the Master Plan.

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

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

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

The proposed use is not reasonably necessary for the convenience and welfare of the public. The proposed use has the potential to substantially injure the visual quality of the property should the truck be parked on the property while hauling any type of junk (shown in the attached photography below.)

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

There will be no problems relating to noise, vibration, dust, or illumination for near-by property.

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

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

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

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

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

The relative gain to the public, health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners is minimal. If this application is denied, the applicant will have to find an alternate location to park their tow truck.

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

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

PREVIOUS ACTIONS

None.

NEIGHBORHOOD MEETING

The applicant must hold a neighborhood meeting July 30, 2018. A copy of the sign-in sheet, neighborhood meeting minutes and neighborhood meeting affidavit shall be returned to the Urban Planning and Land Use Department by August 1, 2018 via email, fax, mail or personal delivery. **The applicant has not held a neighborhood meeting to date.**

KEY ISSUES

Code enforcement comments

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **DENIAL** of Special Use Permit Application #SP-2018-68 for the reasons outlined in the staff report.

STAFF COMMENTS AND SUGGESTIONS

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

Urban Planning and Land Use Comments: (The applicant has not responded to staff questions below since August nor has he conducted a neighborhood meeting.)

1. Will you park the truck with junk or hauled cars on your property?
2. How long has this been parked on the property?
3. Have you had complaints from your neighbors?
4. What hours do you operate?
5. Is this your truck or a company truck?

This is an active Code Enforcement Case, if denied, they will proceed with the case.

Public Works Comments:

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

Business License Comments:

1. D&K Towing has a current occupation tax on file.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition #SP-2018-68 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Aerial Image
Zoning Image
Comments from Code Enforcement
Hauling junk

REVIEW OF INFORMATION AND SCHEDULE

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

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

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-68**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-68** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

October 8, 2018 City Planning Commission Minutes:

Hearing starts at 35:40: The applicant not present when the application was called and it was moved to the end of the regular agenda.

Application was recalled at 1:19:37 and the applicant was not present.

SPECIAL USE PERMIT APPLICATION #SP-2018-68 – DARRYL BAGLEY –

SYNOPSIS: Special Use Permit for the Temporary Use of Land to park a tow truck at the residence at 4100 Haskell Avenue. ***Detailed Outline of Requested Action:*** The applicants, Darryl and Kimberly Bagley, are applying for a special use permit for the temporary use of land to park a tow service truck at their residence.

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

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

4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated July 19, 2018; and
7. The Notices to property owners dated July 18, 2018, August 8, 2018 and August 31, 2018.

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

Present in Support:

- ❖ No one appeared either time the application was called

Present in Opposition:

- ❖ No one appeared either time the application was called

Staff Recommendation starts at 1:20:21 : Planner Flanders that this is another case that has come from Code Enforcement and the applicant has not had a neighborhood meeting or responded to the staff report. The staff recommends denial.

Motion and Vote Starts at 1:20:50:

On motion by Mr. Miller, seconded by Mr. Reasons, the Planning Commission voted as follows to **RECOMMEND DENIAL of Special Use Permit Application #SP-2018-68 for the reasons outlined by staff:**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND DENIAL Passed: 5 to 0



Aerial Image



Zoning Image

From: Morgan, Robert L

Sent: Tuesday, July 10, 2018 4:53 PM

To: Wilson, Wayne <wwilson@wycokck.org>; Brinkley, James N <jbrinkley@wycokck.org>

Subject: RE: August 13, 2018 BOZA and CPC Agenda Items

Wayne,

Darryl and Kimberly Bagby, 4100 Haskell continue to park their tow truck at this location after being told by Inspector Jason Faust, Inspector Doug Fee and myself not to park the vehicle at this property until AFTER approval.

Thank you,

Robert Morgan

Inspection Supervisor

Code Enforcement Division

4953 State Ave.

Kansas City, KS 66102-3603

913-573-8640

rmorgan@wycokck.org



Hauling junk



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 25, 2018
Re: Petition #SP-2018-80

GENERAL INFORMATION

Applicant:
Ilkhom Saidov

Status of Applicant:
Applicant
Frank Motors Inc.
1604 North 3rd Street
Kansas City, KS 66101

Requested Action:
Renewal of Special Use Permit

Date of Application:
August 15, 2018

Purpose:
Renewal of special use permit for used auto sales

Property Location:
1604 North 3rd Street

Existing Zoning:
M-2 General Industrial District



Existing Surrounding Zoning: **North:** M-2 General Industrial District, Right-of-Way
South: M-2 General Industrial District
East: M-3 Heavy Industrial District
West: RP-5 Planned Apartment District

Existing Uses: **North:** Right-of-Way
South: Distribution Center
East: Industrial uses, Union Pacific Railway
West: Jersey Creek, Pleasant Green Baptist Church parking lot

Total Tract Size: 1.22 acres

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

Major Street Plan: The City-Wide Master Plan classifies 3rd Street as a Class A thoroughfare.

Advertisement: The Wyandotte Echo – September 13, 2018
Letters to Property Owner – September 12, 2018 and October 19, 2018

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

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

PROPOSAL

Detailed Outline of Requested Action: The applicant, Ilkhom Saidov, is applying for a renewal of his special use permit at 1604 North 3rd Street. Ilkhom has been using the property as a used auto sales business and wishes to continue operating at the current property.

City Ordinance Requirements: 27-592 through 27-606

Code Enforcement Actions: Code enforcement case no. 18395-00215

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is exclusively industrial to the south and the east. There are residential areas to the north and east.

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

The zoning and uses of nearby properties are set out above. The proposed use of this property is similar to the other general uses of businesses within the area. This property has extensive wooded areas that screen the area and separate it from the other properties to the north, south, east and west.

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

The removal of the restrictions will not affect nearby property. This parcel is zoned for industrial and has other industrial uses around it.

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

The property has had a special use permit for the past two years and has been operating as a used auto sales business for the entirety of the issued permit.

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

Special use permits are not addressed in the Master Plan

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

This should not be an issue due to the business having allocated customer parking within its screened property and 3rd Street being a high enough capacity road to accommodate the traffic flow.

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

This should not be an issue within this area. It is already a largely industrial area, with some residential to the north and west. This business will not be visible though due to the screening surrounding the property.

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

This should not be an issue because it resides within an already concentrated industrial area.

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

There may be pollution concerns due to it being an automobile sales and minor repair business. But this pollution is minor compared to the businesses that reside within the area and their possible impact on the air, land or water. This

use is adjacent to Jersey Creek, and extra care should be taken to ensure that oil or other pollutant do not negatively affect the streamway.

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

The proposed use would not damage or destroy any irreplaceable natural resources.

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

The relative gain to the public health, safety, and welfare is minimal. If this permit renewal is denied, the applicant would have to take their already established business and inventory of automobiles to another suitable site.

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

The only way this would be a problem is if the inventory exceeded the amount of allocated area that the owner possesses.

PREVIOUS ACTIONS

The applicant has possessed a special use permit since November of 2016. This is their application for renewal of the permit, as it will be expiring 12/1/2018. Applicant received a stop work order on September 04, 2018 regarding an addition being built without proper permits (Planning Case No. 18395-00215).

NEIGHBORHOOD MEETING

The applicant is required to have a neighborhood meeting by September 24, 2018. The meeting minutes, sign in sheet, and affidavit must be submitted to the Department of Urban Planning and Land use no later than September 26, 2018. **The applicant has not conducted a neighborhood meeting to date.**

KEY ISSUES

- Code Enforcement Issues

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **DENIAL** of Special Use Permit Application #SP-2018-80 for the reasons outlined by staff.

STAFF COMMENTS AND SUGGESTIONS

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

Urban Planning and Land Use Comments: (The applicant has not responded to staff questions below nor conducted a neighborhood meeting.)

1. What changes have been made since first receiving the special permit in 2016? (please provide before and after pictures)
2. Has the amount of people you currently employ changed from your original estimation?
3. What are your hours of operation?
4. You originally estimated that you'd plan on keeping 20-40 cars. Is this number still consistent or has your inventory grown/diminished? Is there any anticipation to increase inventory?
5. You stated in your letter that you have invested money in signage, do you have pictures of said signage?
6. Is each automobile in a striped, designated parking space?
7. Do you have any proposed plans/mock ups of the future potential lighting and updated fence?
8. Have you fulfilled all the required actions that were stated in the stop work order issued to your business on September 04, 2018? If not, how do you plan to comply?

Business License Division Comments:

1. **#SP-2018-80 ILKHOM SAIDOV WITH FRANK MOTORS INC**, Renewal of a Special Use Permit (#SP-2016-71 - expires 12/1/2018) for used auto sales at 1604 North 3rd Street
Frank Motors has filed and maintained a current occupation tax application with the business license division.

Public Works Comments:

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

Staff Conclusion

Applicant has not complied to the standards and regulations that are required for the possession of a special use permit. Due to this failure of compliance, staff recommends the denial of this petition.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition #SP-2018-80 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Letter
Aerial Photo
Zoning map
Sale listing of property
Stop Work Order
Code Enforcement Site Inspection Pictures

REVIEW OF INFORMATION AND SCHEDULE

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

STAFF CONTACT: **Alex Hufft**
 ahufft@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition #SP-2018-80, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-80 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

October 8, 2018 City Planning Commission Minutes:

Hearing Starts At 53:00: The applicant was not present when the application was called and it was moved to the end of the regular agenda.

Application was recalled at 1:21:22 and the applicant was not present.

SPECIAL USE PERMIT APPLICATION #SP-2018-80 – IIKHOM SAIDOV WITH FRANK MOTORS INC. – SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-71 – expires 12/1/2018) for used auto sales at 1604 North 3rd Street. **Detailed Outline of Requested Action:** The applicant, Ilkhom Saidov, is applying for a renewal of his special use permit at 1604 North 3rd Street. Ilkhom has been using the property as a used auto sales business and wishes to continue operating at the current property.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated September 13, 2018; and
7. The Notices to property owners dated September 12, 2018.

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

Present in Support:

- ❖ No one appeared either time the application was called.

Present in Opposition:

- ❖ No one appeared either time the application was called.

Staff Recommendation starts at 1:21:50: Planner Flanders stated that this is a renewal of a special use permit and they have not followed the stipulations of approval. This is for a used car dealership for two years and they were supposed to repave and stripe the parking lot, add landscaping islands in the parking lot and not have any salvage or junk cars, improve the fence, etc. There are photographs in the staff report of the salvage. They were visited by Code Enforcement and there are outstanding code enforcement issues. Due to the lack of compliance with the original approval of the special use permit, the staff recommends denial.

Motion and Vote Starts at 1:23:00:

On motion by Mr. Miller, seconded by Ms. Pauley, the Planning Commission voted as follows to **RECOMMEND DENIAL of Special Use Permit Application #SP-2018-80 for the reasons outlined by staff:**

Ernst

Aye

Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND DENIAL Passed: 5 to 0

Frank Motors Inc.

1604 N. 3rd Street
Kansas City, KS 66102
816-219-0000
FrankMotorsInc@gmail.com

August 12, 2018

Department Of Urban Planning
701 N 7th St, Suite 423
Kansas City, KS 66101

To whom this may concern,

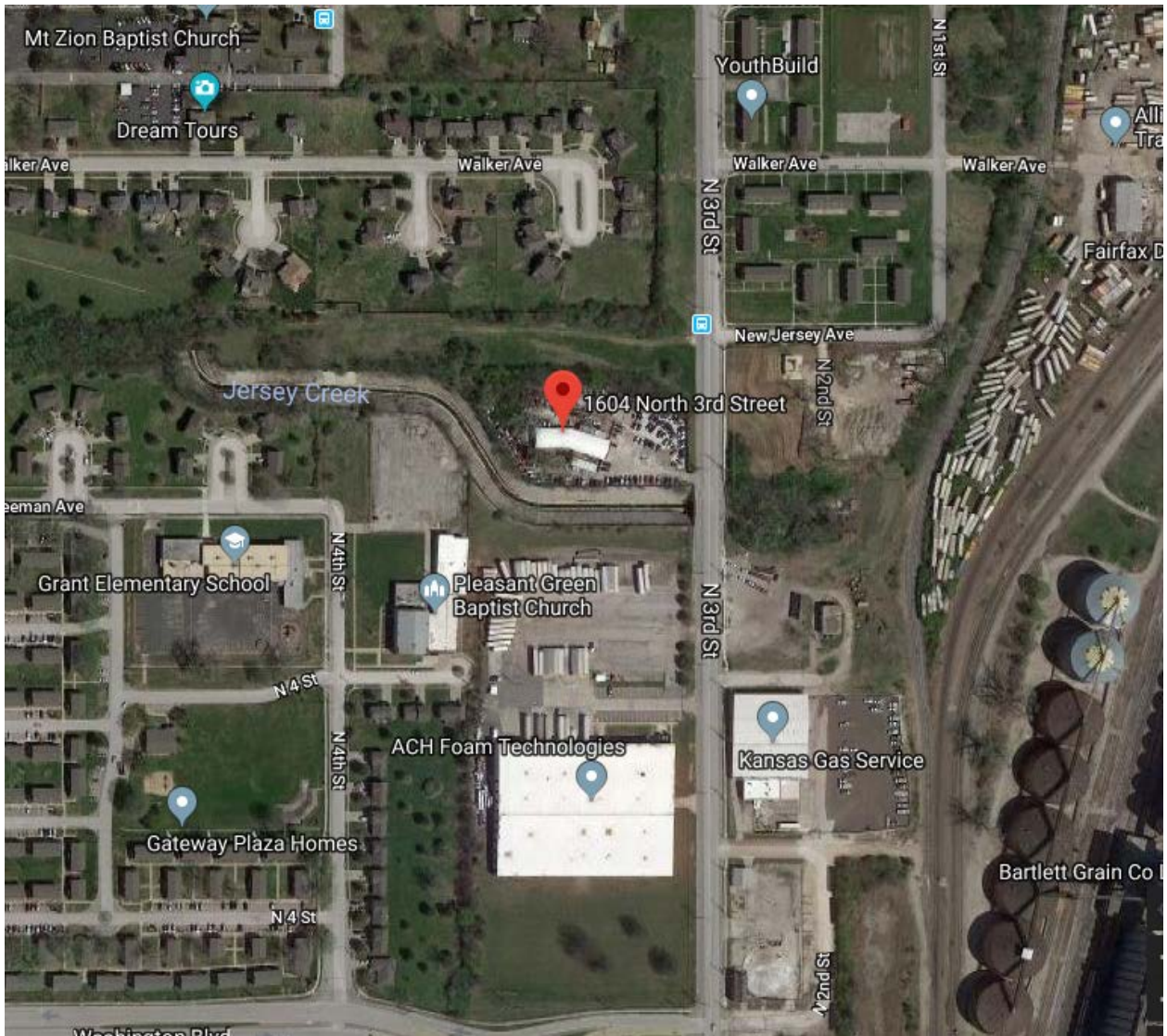
Its been a successful couple of years, we have sold hundreds of cars, and we have had customers coming from all over the Midwest to invest money in our city. Our current operations are still the same as we proposed. We use our property to sell cars and do small in warranty repairs and detailing for customers who purchase them. Till date we have not had any neighbor complaints and are happy to host another neighborhood meeting if need be.

We are still on our path to being the areas finest used car dealership, by selling high end cars no later than 10 years old. We have made some aesthetic changes to the building by painting the inside and outside, adding signage, and covering the dirt with gravel to double our parking Sq. footage. We've also invested money in signage so customers can locate us and distinguish who we are as they drive by our street.

Our plans for the future are to continue to make updates to the building and create a more aesthetically pleasing environment for the neighborhood by updating the fencing and lighting in our property as well as outside. We also plan on expanding our business to social and online accounts so that we grow our customers base further. Like i said we are striving to be the finest used car dealership in our city.

Thank you,

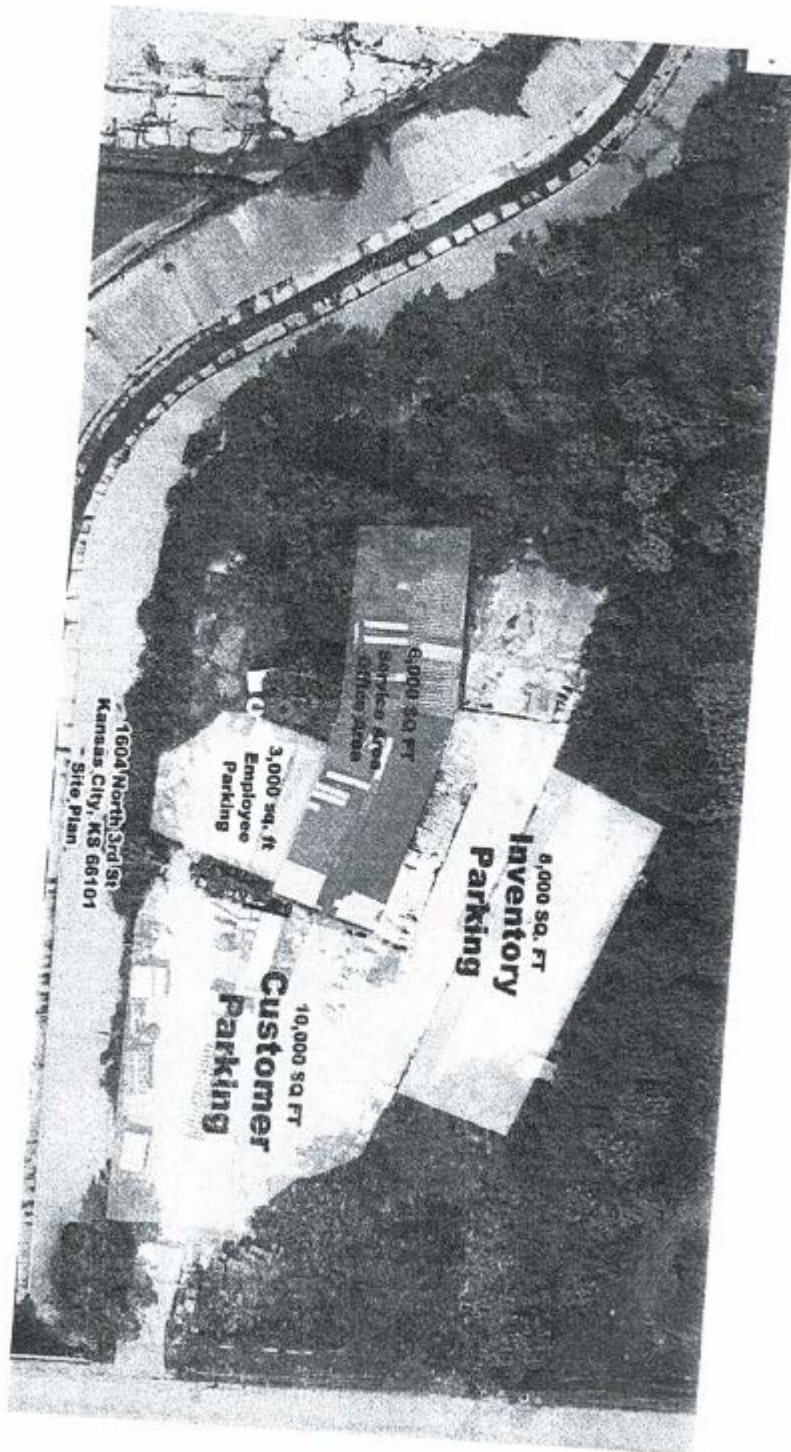
Ilkhom Saidov



Aerial Photo (Google Maps)

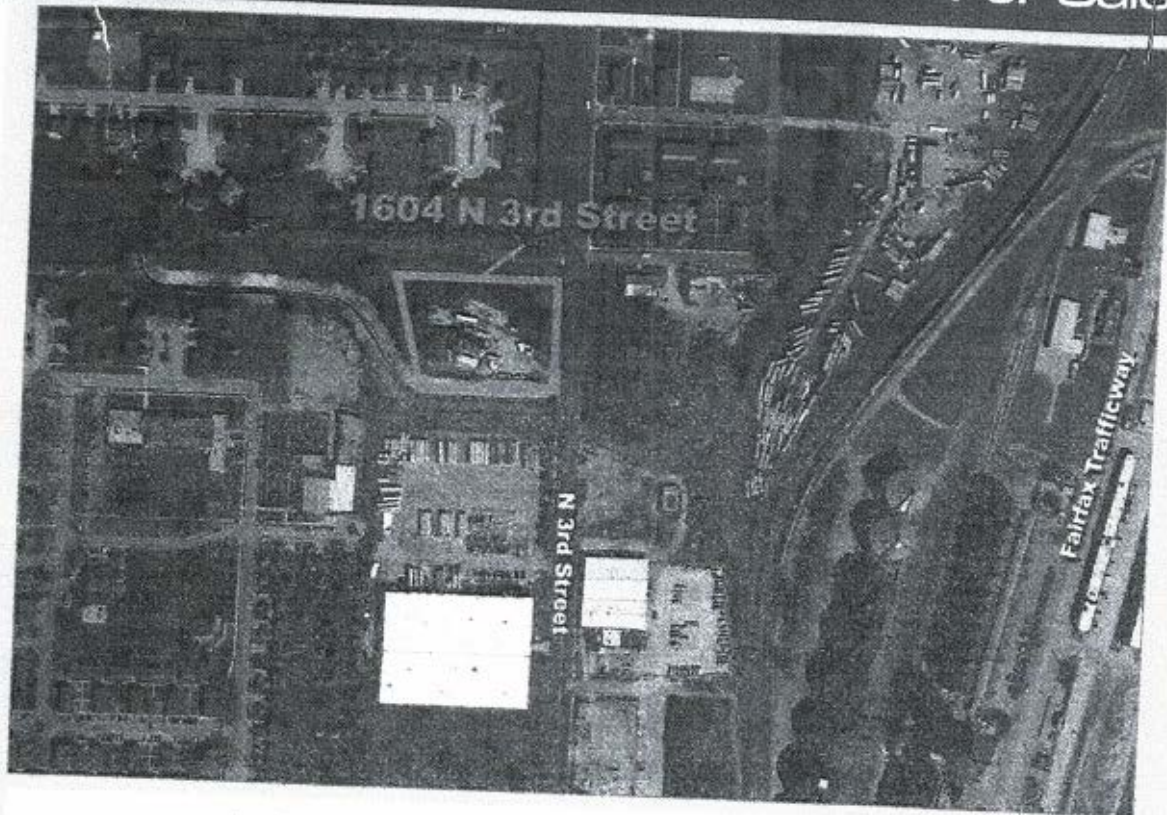


Zoning Map



1604 North 3rd Street
Kansas City, Kansas

For Sale



Excellent Location!

- 6,064 square foot flex building
- Located on 2.80 acres of land
- Conveniently located near I-70

For more information:

Michael Block
816.932.5549
mblock@blockllc.com

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700 W. 47th Street, Suite 200
Kansas City, MO 64112
816.756.1400 | www.BLOCKLLC.com

BLOCK
REAL ESTATE SERVICES, LLC

1604 North 3rd Street
Kansas City, Kansas

For Sale

Demographics

1604 N 3rd St Kansas City, KS 66101		1 mi radius	3 mi radius	5 mi radius
POPULATION	2015 Estimated Population	6,519	65,637	175,858
	2020 Projected Population	6,761	68,141	181,982
	2010 Census Population	5,886	60,760	162,429
	2000 Census Population	6,622	60,954	169,227
	Projected Annual Growth 2015 to 2020	0.7%	0.8%	0.7%
	Historical Annual Growth 2000 to 2015	-0.1%	0.5%	0.3%
	2015 Median Age	31.7	31	32.8
HOUSEHOLDS	2015 Estimated Households	2,723	26,169	73,752
	2020 Projected Households	2,848	27,353	77,045
	2010 Census Households	2,411	23,387	68,056
	2000 Census Households	2,633	23,262	68,488
	Projected Annual Growth 2015 to 2020	0.9%	0.9%	0.9%
	Historical Annual Growth 2000 to 2015	0.2%	0.8%	0.5%
RACE AND ETHNICITY	2015 Estimated White	25.4%	43.4%	48.1%
	2015 Estimated Black or African American	55.4%	29.6%	29.2%
	2015 Estimated Asian or Pacific Islander	4.0%	4.4%	4.6%
	2015 Estimated American Indian or Native Alaskan	0.5%	0.8%	0.7%
	2015 Estimated Other Races	14.7%	21.7%	17.4%
	2015 Estimated Hispanic	21.6%	36.3%	27.1%
INCOME	2015 Estimated Average Household Income	\$25,215	\$42,170	\$44,882
	2015 Estimated Median Household Income	\$18,163	\$33,173	\$35,374
	2015 Estimated Per Capita Income	\$11,000	\$17,291	\$18,101
EDUCATION (AGE 25+)	2015 Estimated Elementary (Grade Level 0 to 8)	21.0%	21.1%	14.9%
	2015 Estimated Some High School (Grade Level 9 to 11)	24.1%	20.7%	18.4%
	2015 Estimated High School Graduate	25.5%	21.6%	22.6%
	2015 Estimated Some College	15.8%	14.3%	16.7%
	2015 Estimated Associates Degree Only	4.9%	4.6%	5.3%
	2015 Estimated Bachelors Degree Only	4.4%	8.5%	10.8%
	2015 Estimated Graduate Degree	3.8%	9.1%	11.3%
BUSINESS	2015 Estimated Total Businesses	565	6,147	12,233
	2015 Estimated Total Employees	11,754	145,452	261,319
	2015 Estimated Employee Population per Business	20.8	23.7	21.3
	2015 Estimated Residential Population per Business	11.5	10.7	14.4

This report was prepared using only data from public and government sources. It is intended to be a guide only. The information herein is provided for informational purposes only.

700 W. 47th Street, Suite 200
Kansas City, MO 64112
816.756.1400 | www.BLOCKLLC.com

BLOCK
REAL ESTATE SERVICES, LLC

**BUILDING INSPECTION DIVISION**

Neighborhood Resource Center

Unified Government of Wyandotte County/Kansas City, Kansas

4953 State Avenue, Kansas City, Kansas 66102

p. (913) 573-8620 | f. (913) 573-8622 | www.wyandotte.org/building

Stop Work Order

SAIDOV, ILKHOM
1604 N 3RD ST
KANSAS CITY, KS 66101

September 04, 2018

Case: 18395-00215

An inspection of the property located at **1604 N 3RD ST, KANSAS CITY, KS 66101** was conducted on **August 30, 2018**. I posted a Stop Work Order because I observed the work described below under construction without required permit(s).

To obtain permit(s) you must complete a Building Permit Application and submit all of the following plans and documents to the Building Inspection Division. The Building Inspection Division is located at 4953 State Avenue. After the plans have been reviewed and approved, all required permits may be purchased.

Commercial building additions, interior remodeling, or land where there is a change in the type of occupancy, requires 8 sets of plans with an architect's stamp. Nine (9) sets of plans are required if food is involved in the commercial activity. The architect must be licensed in the state of Kansas. Constructed garages and paint booth without permit(s).

After the permits have been purchased, construction may proceed. The property owner or contractor must request inspections and comply with all requirements as the job progresses.

To avoid legal action, the requirements of this letter must be fulfilled within 10 days from the date of this letter. If you believe this timeframe to be inadequate, you must submit in writing an alternate timeframe with a specified completion date. The alternate timeframe is subject to Building Inspection Division approval, and must be received within the 10 days.

A reinspection has been scheduled for **September 13, 2018**. If the requirements of this document have not been met prior to the reinspection date, a summons will be issued.

Your cooperation in this matter is greatly appreciated. If you have any questions please call the Building Inspection Division (913-573-8620).

Sincerely,

Building Inspector: MARCUS BASS
Phone Number: 913 573-8656

Certified Mail #:
CC: Regular Mail









Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 25, 2018
Re: Petition #SP-2017-81

GENERAL INFORMATION

Applicant:
Laura Summa/Chicago's

Status of Applicant:
Owner
534 Central and
25 North 6th Street,
Kansas City, KS 66101

Requested Action:
Special Use Permit for expansion to the
existing bar

Date of Application:
August 17, 2018

Purpose:
To provide for a patio, stage and parking in conjunction with existing bar

Property Location:
534 Central and 25 North 6th Street,

Existing Zoning:
C-3 Commercial District
M-2 General Industrial District



Existing Surrounding Zoning: **North:** R-1(B) Single Family District
South: R1(B) Single Family District
East: C-3 Commercial District
West: C-3 Commercial District

Existing Uses: **North:** single family homes
South: vacant
East: single family home
West: existing commercial businesses

Neighborhood Characteristics: This is adjacent for all practical purposes to the Central and I-70 interchange. It fronts Central which is a commercial corridor and extends north to the I-70 off ramp.

Total Tract Size: 0.4 acre +/-

Master Plan Designation: Neighborhood Commercial

Major Street Plan: Central is a Class B Thoroughfare

Advertisement: Property Owners Letters – September 12, 2018 and October 19, 2018
Wyandotte Echo – September 13, 2018

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

Public Opposition: No one appeared in opposition at the October 8, 2018 City Planning Commission meeting. There were 50 people in support at the Board of Zoning Appeals meeting and support at the City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant is seeking to build a community space, parking and a patio. They are planning a maximum of four (4) live entertainment events which will be permitted through the Business License Division. This will be an area for community space to watch air shows, etc. They are also expanding their area for alcohol service which as an expansion, and also requires a special use permit as they do not meet the 50 percent food sales ratio.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

See notes above.

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

This should not pose compatibility issues unless the live events are louder than the adjacent interstate highway.

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

It would not appear that removal of the restrictions would detrimentally impact adjacent interests.

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

The northern property has been vacant for many years. The southern property is currently the Chicago's bar.

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

This complies with the Master Plan.

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

There is an associated parking variance, but this should have no impact on the street network outside of the requested restriping.

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

It seems the expansion would be good for the reinvigorated commercial area.

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

Noise from the stage and patrons is the only foreseeable issue.

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

N/A

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

N/A

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

It seems that this will be another use that draws people to the community. The noise issue is the only one to be weighed here.

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

N/A

PREVIOUS ACTIONS

Variance application heard by Board of Zoning Appeals earlier on October 8, 2018 (approved.)

NEIGHBORHOOD MEETING

See notes attached

KEY ISSUES

Coordination with Public Works
Noise

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-81 **for two (2) years**, subject to:

Urban Planning and Land Use Comments:

1. Please include the roof top area over the future restrooms in the parking calculations.

Applicant Response: The area will be unoccupied after the roof top deck is built.

Staff Response: Please calculate the restroom and bar area at 1 per 300 per the parking code. One additional space required will be added to the application.

2. Please clarify how many on-street spaces are being added minus the parallel spaces being removed.

PARKING	
PARKING REQUIRED	
NEW PATIO 1250 SF	
1 STALL PER 50 SF =	25 STALLS REQ.
EXISTING PARKING	
OFFSTREET	2 STALLS
ON STREET	20 STALLS
TOTAL EXISTING PARKING	22 STALLS
PROPOSED PARKING	
OFFSTREET	13 STALLS
ON STREET	18 STALLS
LOSS OF 2 ON-STREET STALLS	
TOTAL PARKING PROPOSED	31 STALLS
	GAIN OF 9 STALLS

Applicant Response:

Staff Response: There is actually one additional space required for the area under the roof deck. That said, the current plan is a net increase of 8 spaces.

3. Please set a meeting and review this plan with Public Works to verify the ability to do the restriping.

Applicant Response: Completed

4. Please show the new bump outs in concrete with planters for street trees.

Applicant Response: See Drawings for changes

5. Replace curb and sidewalks as necessary. Speak with Public Works about utilizing the City's 50/50 program to make these improvements.

Applicant Response: They will take advantage of the program.

6. A Special Use Permit for live entertainment is required for events on the stage.

Applicant Response: Agreed

7. Please provide elevations of the stage, dumpster screening, future restrooms and proposed fencing.

Applicant Response: Stage is added on a per event basis. If a permanent stage is built drawings will be submitted for staff approval. Other details are added to the drawings.

Staff Response: This is acceptable

8. Please describe the potential noise levels from any live entertainment.

Applicant Response: Not to exceed 100db due to the size of the area and small crowds.

Staff Response: Reasonable hours should be put on these events given that there is a residential unit next door. Staff would suggest ending weekend outdoor music events by 11 PM and by 9 PM on weekdays.

9. The bus must be secured to a permanent foundation within 1 year of approval. Improvements requiring electricity, plumbing or other construction will require permits.

Applicant Response: Acknowledged

10. The use is not in a planned district, so all improvements will be reviewed by DRC for final approvals.

Applicant Response: Acknowledged

Business License Comments:

Chicago's has filed and maintained a current occupation tax application with the business license division. If approved, all records will need to be updated with new diagrams to reflect expansion changes.

Public Works Comments:

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

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-81 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Site Plan
Neighborhood Meeting Minutes
Letter of Support from Strawberry Hill Neighborhood Association

REVIEW OF INFORMATION AND SCHEDULE

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

STAFF CONTACT: **Robin H. Richardson, AICP**
 richardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-81** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-81**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 8, 2018 City Planning Commission Minutes:

Hearing Starts At 54:20:

SPECIAL USE PERMIT APPLICATION #SP-2018-81 – LAURA SUMMA WITH CHICAGO’S – SYNOPSIS: Special Use Permit for an expansion to the existing bar at 534 Central Avenue. **Detailed Outline of Requested Action:** The applicant is seeking to build a community space, parking and a patio. Live entertainment will be an integral part of the community space. They are also expanding their area for alcohol service

which as an expansion, and also requires a special use permit as they do not meet the 50 percent food sales ratio.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated September 13, 2018; and
7. The Notices to property owners dated September 12, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Recording Secretary Parker stated that the testimony given at the Board of Zoning Appeals meeting will become part of the record for this case; the contact stated by Planning Commissioner Miller and Chairman Huey were also made part of this record.

Present in Support:

- ❖ Laura Summa, applicant, Chicago's, 534 Central Avenue, Kansas City, Kansas
- ❖ Justine Underwood-Jones, President of Strawberry Hill Neighborhood Association
- ❖ There were five (5) people present in support that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:01:05: Recording Secretary Parker stated that this case has not been advertised for live entertainment. In the staff report it states that they will need a special use permit for live entertainment, which they have agreed to. They are allowed four (4) live entertainment events a year with a license from the Business License Department. Ms. Summa stated that is correct. They would like to have music occasionally but they do not want to have music every weekend. They want to leave it open to several things such as watching the air show, getting married there, etc. Planner Flanders stated that this is a special use permit for the expansion of the drinking establishment. They are allowed four (4) live entertainment events per year through the Business License Department. If a special use permit was sought for live entertainment, one of the requirements would be for a card scanner. The staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts at 1:03:18:

On motion by Mr. Miller, seconded by Dr. Neal, the Planning Commission voted as follows to **RECOMMEND APPROVAL of Special Use Permit Application #SP-2018-81 for two (2) years:**

Ernst Ave

Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND APPROVAL Passed: 5 to 0
Subject to:

Urban Planning and Land Use Comments:

1. Please include the roof top area over the future restrooms in the parking calculations.

Applicant Response: The area will be unoccupied after the roof top deck is built.

Staff Response: Please calculate the restroom and bar area at 1 per 300 per the parking code. One additional space required will be added to the application.

2. Please clarify how many on-street spaces are being added minus the parallel spaces being removed.

<u>PARKING</u>	
PARKING REQUIRED:	
NEW PATIO 1250 SF	
1 STALL PER 50 SF =	25 STALLS REQ.
EXISTING PARKING	
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LOSS OF 2 ON-STREET STALLS	
TOTAL PARKING PROPOSED	31 STALLS
	GAIN OF 9 STALLS

Applicant Response:

Staff Response: There is actually one additional space required for the area under the roof deck. That said, the current plan is a net increase of 8 spaces.

3. Please set a meeting and review this plan with Public Works to verify the ability to do the restriping.

Applicant Response: *Completed*

4. Please show the new bump outs in concrete with planters for street trees.

Applicant Response: See Drawings for changes

5. Replace curb and sidewalks as necessary. Speak with Public Works about utilizing the City's 50/50 program to make these improvements.

Applicant Response: They will take advantage of the program.

6. A Special Use Permit for live entertainment is required for events on the stage.

Applicant Response: Agreed

7. Please provide elevations of the stage, dumpster screening, future restrooms and proposed fencing.

Applicant Response: Stage is added on a per event basis. If a permanent stage is built drawings will be submitted for staff approval. Other details are added to the drawings.

Staff Response: This is acceptable

8. Please describe the potential noise levels from any live entertainment.

Applicant Response: Not to exceed 100db due to the size of the area and small crowds.

Staff Response: Reasonable hours should be put on these events given that there is a residential unit next door. Staff would suggest ending weekend outdoor music events by 11 PM and by 9 PM on weekdays.

9. The bus must be secured to a permanent foundation within 1 year of approval. Improvements requiring electricity, plumbing or other construction will require permits.

Applicant Response: Acknowledged

10. The use is not in a planned district, so all improvements will be reviewed by DRC for final approvals.

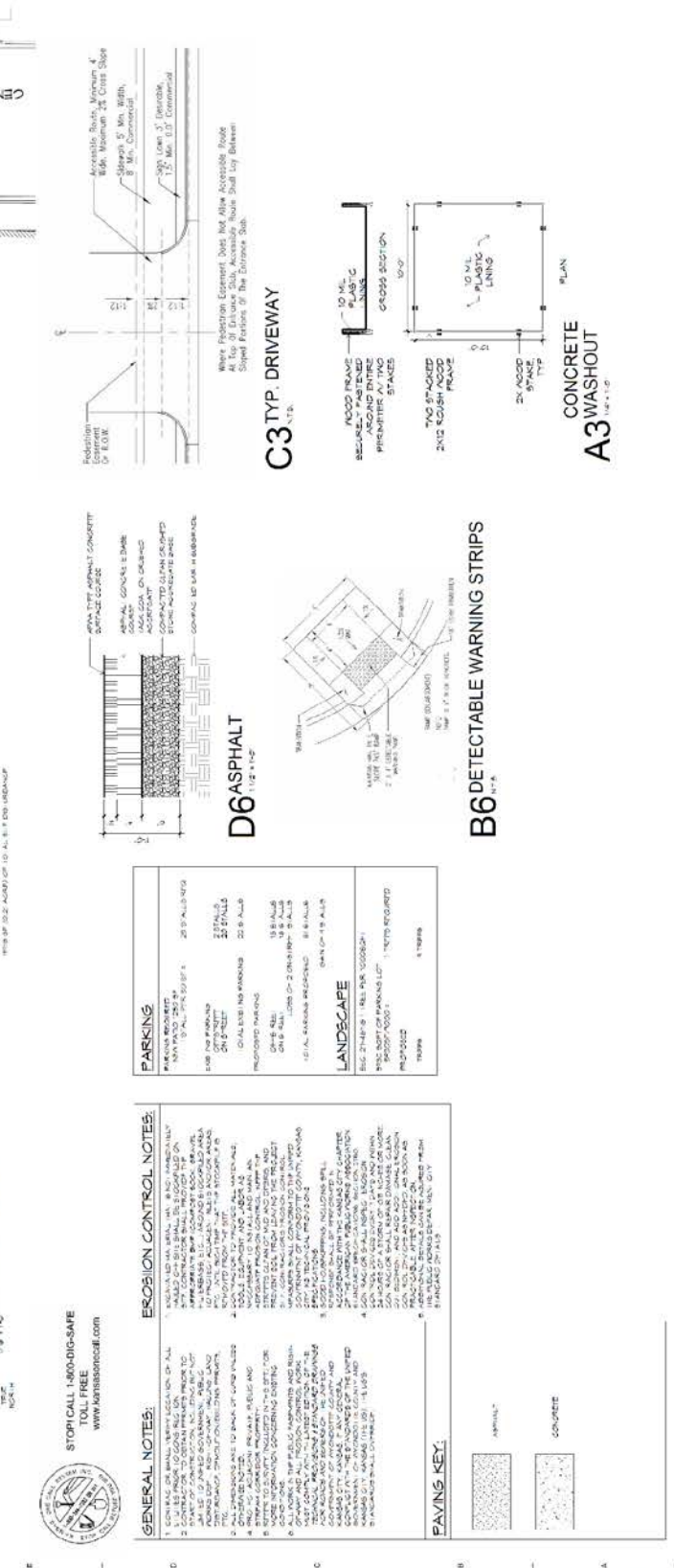
Applicant Response: Acknowledged

Business License Comments:

Chicago's has filed and maintained a current occupation tax application with the business license division. If approved, all records will need to be updated with new diagrams to reflect expansion changes.

Public Works Comments:

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



Application Number: #2294 and #SP-2018-81

Date and Location: 9/20/18

The Dotte Spot Bar and Grill
8123 Parallel Pkwy
Kansas City, KS 66112

Meeting called to order at: 6:30pm

Names of People in Attendance: Laura Summa (Sum Dum LLC)
Wesley Summa (Sum Dum LLC)
Danny Dumovich (Sum Dum LLC)
Gene Dean (Miller Stauch)
Pete Cashen (TMS Inc)
Joe Cashen (TMS Inc)

Introductions done by Laura Summa, Wesley Summa, and Danny Dumovich

Attendees were shown a drawing of the future plans for the application at 534 Central Ave and 25 N 6th Street at the meeting. They have also been provided with an electronic copy since the meeting. An overview of the plans in their entirety were presented to the attendees at that time. Laura Summa explained that the plan was to remove the old apartment building behind Chicago's Bar at 534 Central Ave to create patio that would be enclosed by a privacy fence. That plan would require more parking per adding occupancy to 534 Central Ave and the intention of the project is to add the required parking by creating a new parking lot on the land purchased at 25 N 6th Street. The plan is to use essentially 2/3 of the lot for parking and keep an outdoor green space on the remaining 1/3 of the lot. The parking lot will not only serve the purpose of helping fulfill the occupancy required for the patio added to 534 Central Ave, it will also be done in a manner that is aesthetically uplifting to the neighborhood. The Green Space would serve as a community space that could be used for any type of gathering allowable by the city. The intention is to have a space on Strawberry Hill that captures the view of Downtown Kansas City and has character drawing people to Strawberry Hill. The intention is to add value and benefit to Kansas City, KS and Strawberry Hill.

Q & A:

Joe Cashen asked if using the space on the lot, that is not parking, for some sort of outdoor community gathering would add occupancy.

Laura Summa replied that there was no one set plan for the space, but in the event that something was intended to be held there, we didn't think using a special use permit for a such a gathering would require an increase in parking capacity for said gathering.

Joe Cashen asked about trash and security for his property across the street.

Laura Summa asked him exactly what he meant. Joe replied that he was referring to people parking on their lot and leaving trash. Laura replied that we obviously can't control where people park, just like any downtown area, and that we would suggest posting a sign stating that their parking lot was for their building only and violators would be towed. Regarding trash, we have always tried to be conscientious of trash on our street and we have maintained our side of the street since we have owned the building. If we ever thought there was trash on their property stemming from our building or anything to do with us, we would do our best to take care of it. At this point we've never known it to be much of an issue and don't expect anything to change. It seems most of the trash on our street is random trash that accumulates from people exiting from the interstate or just throwing trash out.

Gene Dean asked what the exact intentions for the bus were going to be. Laura Summa and Wesley Summa both replied that the intentions for the bus were to have it cleaned up and renovated into a stationary outdoor serving area for any type of gathering.

Pete Cashen asked what the point of doing the angled parking on 6th Street was. Laura Summa replied stating that John Freshnock, the architect helping on the project, proposed the idea because of the success that they have had by adding angled parking to Central Ave. He thought that it could add more spots and efficiency to the parking on 6th Street.

Pete Cashen asked how many spots it added vs parallel parking. Laura Summa replied that she thought it added 2 more spots or maybe just 1, but was unsure. Wesley Summa replied that we also believed that it was a better distinction of

parking as it provided distinct spots, where painted lines for parallel parking leaves more room for error and people taking up more than one spot.

Joe Cashen stated that he did not want the street parking to leave their side of the street and that he would fight that.

Joe Cashen asked if we have the land why aren't we making all of it a parking lot. Joe felt like it should all be made a lot and any variance should come after that. Laura Summa replied that we did not want to make a parking lot out of the entire space at this time because we wanted to preserve some of the space on the grass lot for a community outdoor space with a view. In our mind once that space is gone then it's gone. It can always be added on to the parking lot.

Danny Dumovich introduced himself again as he had been keeping notes and explained that our intention was to try and complete this project in phases and that we appreciated and respected all of their feedback. He also reiterated that we did want to try and maintain some of the natural grass and out door space. He also reminded the attendees that we weren't completely sure about the angled parking on the street as that is just a proposal that we liked, but keeping it parallel parking is completely possible and is still very much how it may end up. We understood the process and we're trying to make sure we are going about all of this the right way. We want to make sure everyone involved and everyone affected is fully aware of our hopes and intentions.

Joe or Pete Cashen asked if the parking lot was going to be built before the patio was built. Laura Summa and Danny Dumovich both explained that the parking lot is the first phase of the project as it has to be built before adding the occupancy to the 534 Central Ave address.

Gene Dean explained at the end of the meeting that he had come because he hadn't seen the plans and really wanted to know exactly what the plan was. He said that after seeing the plans on paper and hearing verbally from us what our hopes were, that he was completely on board. He said he liked the idea of leaving part of the lot a community grassy area and he would actually prefer angled parking on 6th street. He thought it created a better flow coming off Central Ave.

The meeting was adjourned at 7:20pm / Minutes taken by Danny Dumovich.

Strawberry Hill Neighborhood Association, Inc.
P.O. Box 171117, Kansas City, KS 66117
913.802.4758 | SHNASecretary@gmail.com
www.strawberryhillkc.org



7 October 2018

To the Department of Urban Planning and Land Use:

I am writing to inform the department that last Tuesday, the 2nd of October 2018, the board of the Strawberry Hill neighborhood association met with the applicant of petition #2294 / #SP-2018-81, Laura Summa of Chicago's Bar, to discuss the proposed expansion to the business' parking and construction of an outdoor event space and patio.

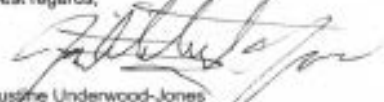
The board voted unanimously to support the applicant and is available to answer any questions and to respond to any concerns regarding engagement with our neighborhood group during this process. The applicant met willingly with our board and is further planning to attend and present at our public meeting the 11th of October 2018. Our board will continue to stay in touch with the Department of Urban Planning and Land Use and will communicate any further concerns that arise during the aforementioned public engagement.

Among factors considered in our decision to support the petition and special use permit were:

- The application will **provide an amenity** to area residents and is not solely for the profit of the applicant at residents' expense.
- This proposal will **expand parking** and ease street congestion in the business' surroundings.
- The proposal will develop a vacant lot and the applicant is working with an architect and publicly engaging the community for feedback on how to ensure the development is as attractive as possible by local standards, thus **eliminating area blight**.
- The applicant's business is an established one which has operated in Strawberry Hill for some time now, thus the applicant is **experienced in conducting her business in our area** and as familiar with local concerns, values, and interests and will be sympathetic thereto in her expansion.
- The business in question is adjacent to light industrial structures and I-70 and abuts very few residences. The applicant is **in good standing and in communication with these residents** regarding her proposals.
- The historic southern and southwesternmost façades of the principle structure will not be affected by the expansion, therefore preserving the contribution of Chicago's Bar to Central Ave's look, feel, and historic charm.
 - The proposal will primarily be visible from the southernmost stretch of N. 6th St. in Strawberry Hill, where there is a dearth of historic structures, therefore any development which is not traditional in appearance **will not detract from historic environs** important to SHNA from a preservation and restoration standpoint. The applicant is nevertheless sensitive to local preferences and will bear them in mind.
 - We are confident, having interviewed the applicant and her business partners, that any development in the proposed site will be a **cosmetic gain** to the community and that the applicant will continue to work with the community and her architect, who is sensitive to community values, to ensure the final outcome is in good taste and beneficial to the business and the community.
 - Our board discussed the demolition of the apartment building in question and is in agreement that this structure is not significantly contributing to the historic character of the area, and that its demolition, given the significant presence of asbestos cladding on the structure, may be of **benefit to public health** and surrounding residents.

It is for these reasons that we are in **support** of the application and projects proposed therein and respectfully submit this for the consideration of your department. While we plan for at least one board member to be personally present to support Chicago's Bar on Monday evening, we hope that this letter of support will be well received and considered in the event that our association cannot be present in person.

Best regards,


Justine Underwood-Jones
President, Strawberry Hill Neighborhood Association



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 25, 2018
Re: Petition #SP-2018-84

GENERAL INFORMATION

Applicant:
John L. Peterson

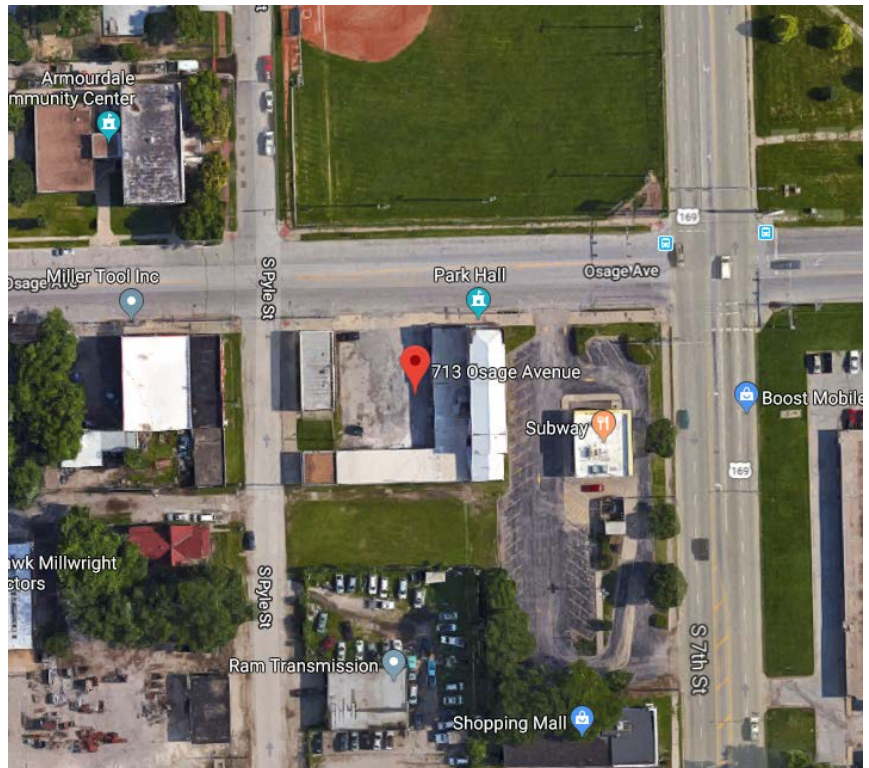
Status of Applicant:
Representative
748 Ann Ave
Kansas City, KS 66101

Requested Action:
Renewal of special
use permit for an event hall

Date of Application:
August 24, 2018

Purpose:
To continue operating the Park
Hall Event and Meeting Center

Property Location:
713 Osage Ave



Commission Districts:

1. Commissioner At Large: Tom Burroughs
2. District Commissioner: Brian McKiernan

Existing Zoning: C-3 Commercial District

Existing Surrounding Zoning: **North:** R-2(B) Two Family District

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

East: C-3 Commercial District

West: C-3 Commercial District

Existing Uses: **North:** Shawnee Park

South: Auto Related Use - Transmission Shop

East: Subway

West: Kaw Valley Drainage District Building

Total Tract Size: 0.32 acre

Master Plan Designation: The City-Wide Master Plan designates the property as Community Commercial.

Major Street Plan: The City-Wide Master Plan designates 7th Street Trafficway as a Class A Thoroughfare and Osage Avenue as a Class C Thoroughfare

Advertisement: The Wyandotte Echo – September 13, 2018

Letters to Property Owner – September 12, 2018 and October 19, 2018

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

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

PROPOSAL

Detailed Outline of Requested Action: The applicant, John Peterson, on behalf of the owner, Robert Eickhoff Sr., proposes the approval of a renewal of a Special Use Permit to operate the Park Hall Event and Meeting Center at 713 Osage Avenue. The space is available to rent by interested parties and has hosted a variety of events including wedding receptions, birthday parties, and business meetings.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

To the east the neighborhood is primarily industrial in nature. There are a variety of businesses, though the ones closest to this location are distribution centers. Along Osage Avenue from 7th Street to the west is zoned commercial, with a variety of businesses built along the road. The remaining surrounding uses are mostly residential and zoned for duplexes.

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

As an event center, this type of use is compatible with all the different nearby uses. Ultimately it depends on a given event, but past events have not been an issue.

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

The removal of the restrictions from the property should not detrimentally affect nearby property, specifically along Osage Avenue, as they are commercial businesses. The only related issue with this is parking, as there is not enough on the parcel itself. However, some neighboring properties have agreed to let guests park there during events, including Subway, Cross-Lines, Miller Tool, and Metro PCS.

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

The property is not currently vacant. Before the Special Use Permit for the event hall was initially approved in 2016, there had not been an active business license at that location since 2006.

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

Special use permits are not addressed in the Master Plan.

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

The proposed use will result in an increase of traffic, although the proposed use is not a peak hour traffic generator. Off street parking is the biggest issue, although a solution has been reached through parking agreements with neighboring property owners.

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

The proposed use is only necessary for those who will use the event space. It is unlikely that this use will cause any adverse effects on the surrounding area.

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

Depending on the event there is potential for some amount of this, though the chances are low.

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

This is not expected to be an issue.

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

This is not expected to be an issue.

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

There is a case to be made that this event hall has been good for the area in general as it has brought in visitors and provided a place for nearby residents and businesses to meet for various events. A denial for the permit renewal would more adversely affect the property owner than others.

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

This is not expected to be an issue.

PREVIOUS ACTIONS

#SP-2016-60, Application for Special Use Permit, November 14, 2016

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on September 17, 2018. A copy of the sign-in sheet, neighborhood meeting minutes and neighborhood meeting affidavit are attached to this report.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-84, subject to:

Urban Planning and Land Use Comments:

1. Have there been any changes to the operations of the event center since the original approval of the special use permit?
Applicant Response: Nothing has changed since original permit; it is a popular place in the neighborhood.
2. Have there been any complaints or issues from neighboring property owners?
Staff Response: See comments from Police Department and neighborhood meeting minutes.
3. Subject to approval for five (5) years.

Business License Division Comments:

1. Park Hall has obtained and maintained a current occupation tax application with the business license division, as well as annual live entertainment license.

Public Works Comments:

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

Police Department Comments:

1. 713 Osage has had two calls for service at the location, but there is no concern for recommending approval.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2018-84** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Zoning map
Aerial map
Pictures of event space
Neighborhood meeting minutes

REVIEW OF INFORMATION AND SCHEDULE

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

STAFF CONTACT: **Hannah Kroll**
 hkroll@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-84** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-84**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 8, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-84 – JOHN L. PETERSON –

SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-60 – expires 12/1/2018) for an event hall at 713 Osage Avenue. **Detailed Outline of Requested Action:** The applicant, John Peterson, on behalf of the owner, Robert Eickhoff Sr., proposes the approval of a renewal of a Special Use Permit to operate the Park Hall Event and Meeting Center at 713 Osage Avenue. The space is available to rent by interested parties and has hosted a variety of events including wedding receptions, birthday parties, and business meetings.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items?” (Planning Commissioner Reasons stated that he toured the building for #SP-2018-84 with Commissioner Philbrook. Recording Secretary Parker stated that staff has a disclosure to make. One of the staff members held a reception at the event hall at 713 Osage Avenue but did not have any part in the review or staff report for this application. There were also two staff members that attended the event.)

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notice in The Echo for the special use permit; and
7. The notices to property owners.

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

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

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

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to APPROVE Passed: 5 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Have there been any changes to the operations of the event center since the original approval of the special use permit?
Applicant Response: Nothing has changed since original permit; it is a popular place in the neighborhood.
2. Have there been any complaints or issues from neighboring property owners?
Staff Response: See comments from Police Department and neighborhood meeting minutes.
3. Subject to approval for five (5) years.

Business License Division Comments:

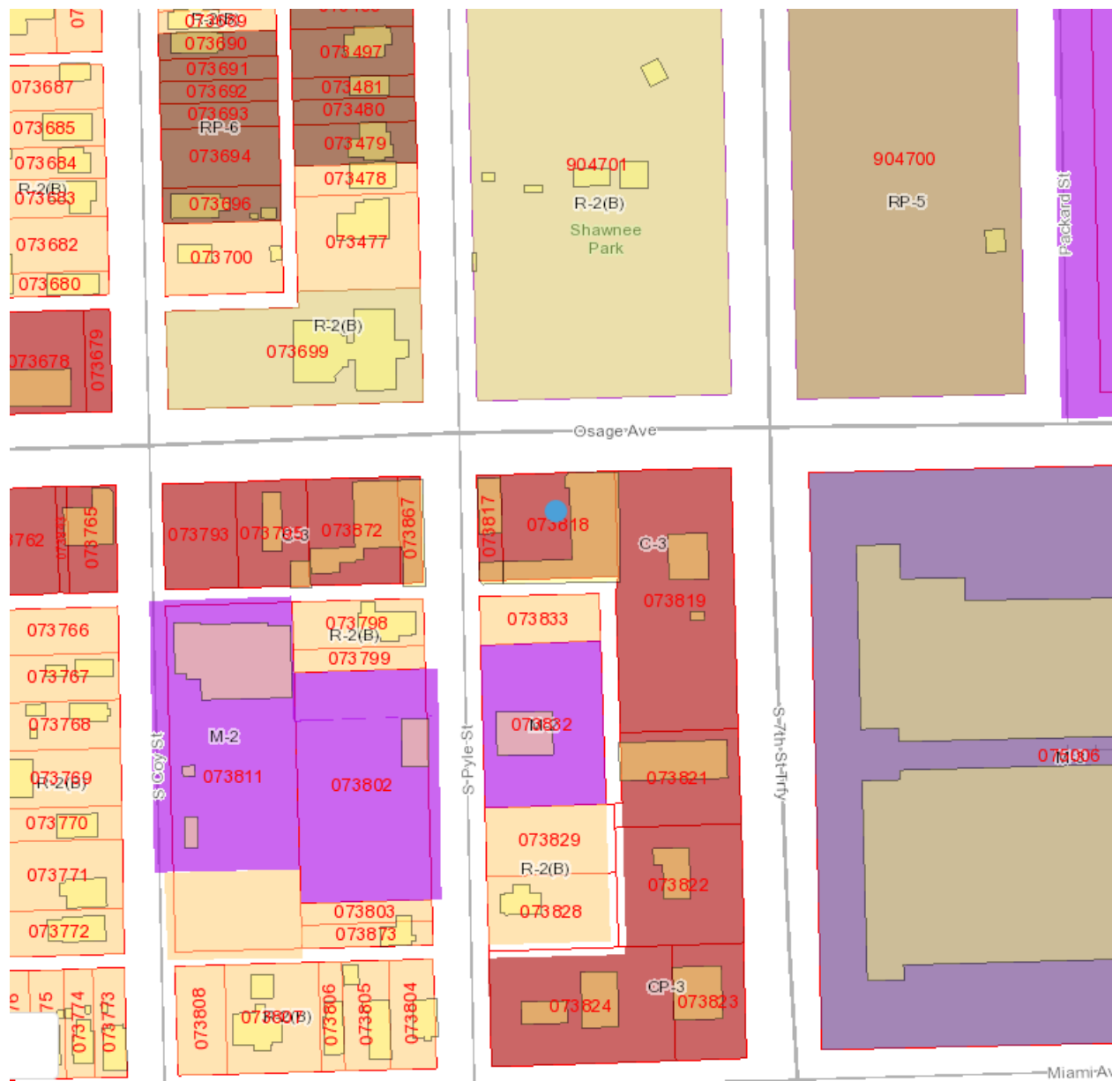
1. Park Hall has obtained and maintained a current occupation tax application with the business license division, as well as annual live entertainment license.

Public Works Comments:

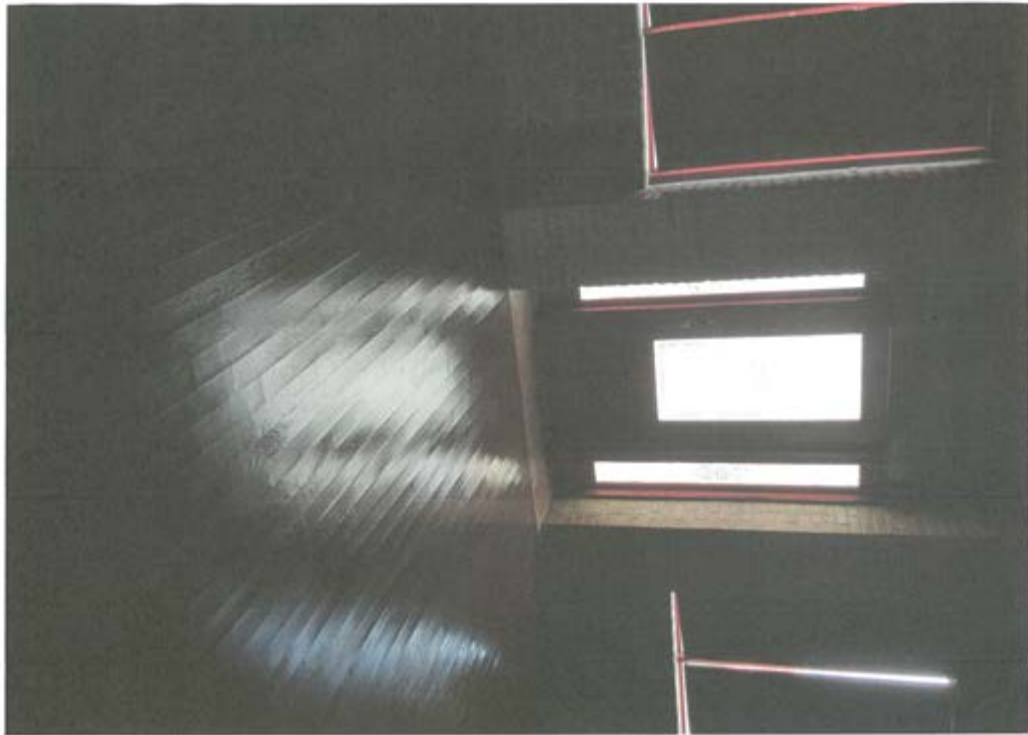
- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful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

Police Department Comments:

1. 713 Osage has had two calls for service at the location, but there is no concern for recommending approval.











JOHN L. PETERSON, P.A.
Attorney at Law
748 Ann Avenue Kansas City, KS 66101
(913) 371-1930, Ext. 118 Fax (913) 371-0147
pete@jlpetersonlaw.com

September 20, 2018

Rob Richardson Sent Via Email Only: rrichardson@wycokck.org
c/o Urban Planning & Land Use
Unified Government of WyCo/KCK
Municipal Office Bldg.
701 N. Seventh St, Suite 423
Kansas City, KS 66101

Re: Application for Renewal #SP-2018-84
Renewal of Application #SP-2016-60
Park Hall Event & Meeting Center
713 Osage Ave, Kansas City, KS 66105

Dear Rob:

A neighborhood meeting in this matter was held on August 17, 2018 at the proposed site. A list of the attendees is attached.

The attendees and their relationships to the project and each other:

- Bill Kenney and Liz Gonzalez apparently live at 726 S. Pyle, KCK.
- Carmen Oropeza is a sister to Liz Gonzalez and Wyatt Brooks is her grandson who is 4 years old. He did not have much to say; but if he had, it might have made more sense than the writer of this letter.
- Teri Eickhoff, of course, is an owner.
- I am the attorney representing Robert Eickhoff and Teri Eickhoff.
- Steve Miller who appeared at the last meeting in 2016 along with Liz Gonzalez, is a proponent of the project and owner of a nearby business.

Mr. Kenney had only one concern which consisted of parking problems at two different events. He could not discern if the fault was due to activity at our establishment or another meeting held as a charitable event in the vicinity. His statement was, "Nothing really has gone wrong."

I sent notice of this meeting to Liz Gonzalez, even though she is outside the 200 feet, because she attended the 2016 meeting. As opposed to the last meeting two years ago, Liz Gonzalez was very mild-mannered and did not criticize the UG in any

way. Her basic comment was, This endeavor "has not been as bad as anticipated." She stated that alarms occasionally go off; we confidentially explained to her that we do not have an alarm. Perhaps that problem was related to another business. A second concern was a parking problem related to only one event, and that particular evening, there were four different events going on simultaneously in that neighborhood. Finally, she was concerned about a change of zone on this property; I explained to her that if the Eickhoffs ever cease doing business as Park Hall Event & Meeting Center, the special use permit could not be transferred and that anyone wanting a change of zone would have to apply to the UG, after which neighbors would receive notice of such.

Finally, as to Carmen Oropeza, she was satisfied that we have no alarm. She added that when we open our doors, she can hear our music, but commented that our sound pales in comparison with other event spaces and businesses in the area. She even complimented us on the structural soundness of our building and its capacity to contain noises.

As to the staff comments and suggestions in the draft staff report received on September 17, there were only two comments; and as a matter of fact, there have been no changes to the operation whatsoever; the only change has been the reduction in size of the actual event center which would temper the parking spaces, but we kept those at the same limit; as to any complaints from neighboring property owners, there have been none to our knowledge.

Naturally, if you have any further comments, I will be happy to oblige.

With kindest personal regards, I remain

Sincerely,



John L. Peterson

JLP/cp

Enclosure

cc: Bob Eickhoff via email only
Teri Eickhoff via email only
Janet Parker via email only

Neighborhood Meeting Sign-in

Date

9/17/18

Page

1

Name

Street Address

Phone

Bill Koway

726 S. PUE ST KCKS

913-469.9133

Liz Gompels

726 So Ryle KCKS

913 669 9133

Wyatt Brooks

720 So Ryle KCKS

Boysenwood apt 31

Carmen Marquez

Oropeza 720 S. Ryle KCK 66105 (913)

281-5680

Teri Eickhoff

711 Osage Ave, Kansas City, KS 66105 913-963-9181

John L. Peterson

748 ANN AVE. KCK 66101

913.371.1930 #118

Steve Miller

727 Osage Av

KCK 66105-913 9275158

Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners

From: City Staff

Date: October 25, 2018

Re: **Petition #SP-2018-85**

GENERAL INFORMATION

Applicant:
Andrew Nehrig

Status of Applicant:
Property Owner
3101 South 7th Street
Kansas City, KS 66103

Requested Action:
Approval of a Special Use Permit

Date of Application:
August 8, 2018

Purpose:
To operate an AirBNB/short-term rental

Property Location:
3101 South 7th Street



Commission Districts:

1. Commissioner At Large: Tom Burroughs
2. District Commissioner: Ann Brandau Murguia

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

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

Existing Uses: **North:** Single family homes, Montessori school
South: Single family homes
East: Single family homes
West: Single family home, apartments

Total Tract Size: 0.53 acre

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

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

Advertisement: The Wyandotte Echo – September 13, 2018
Letters to Property Owner – September 12, 2018 and October 19, 2018

Public Hearings: October 8, 2018 and October 26, 2018

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

PROPOSAL

Detailed Outline of Requested Action: The applicant, Andrew Nehrig, wants to operate a short-term rental, AIRBNB at 3101 South 7th Street. This is the applicant's primary residence.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is comprised of mostly single-family homes, with multi-family homes and a school nearby.

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

The zoning and uses of properties nearby are set out above. There is potential to create issues related to noise, parking, and other concerns related to overcrowding if improperly managed.

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

Removal of the restrictions may not detrimentally affect nearby property so long as the property owners properly manage the operation.

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

The property is a single-family home. The property is not vacant; it is being used as the applicant's primary residence.

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

According to the Rosedale Master Plan, home-based business options can be explored for special review and approval in the interior of the neighborhoods. Any business should not interfere with parking of other residents, disrupt normal flow of traffic, or the peaceful enjoyment of other residents.

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

The proposed use will not increase vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

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

The proposed use provides lodging on a limited basis and will not likely substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

This is not expected to be an issue.

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

This is not expected to be an issue.

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

This is not expected to be an issue.

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

The relative gain or loss to the public health, safety, and welfare is likely to be minimal. If denied, the applicant would not be able to use the property for AirBNB but could potentially use it for long-term rentals.

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

This is not expected to be an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on September 20, 2018. A copy of the sign-in sheet, meeting minutes and neighborhood meeting affidavit are attached to this report.

KEY ISSUES

Compliance with stipulations below.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-85, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: August 2018

2. Were neighbors consulted prior to opening the business?

Applicant Response: Yes, but not all neighbors

3. Do you have a business license?

Applicant Response: No.

4. Have you paid appropriate lodging taxes?

Applicant Response: *No.*

5. How many rooms are rented?

Applicant Response: *3 bedrooms plus a family room and kitchen.*

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

Applicant Response: *9*

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

Applicant Response: *5; the property has plenty of off-street parking in addition to the driveway spots in front of the house.*

8. How often are guests in the residence?

Applicant Response: *Estimated 1-2 nights a week.*

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

Applicant Response: *No.*

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

Applicant Response: *On the first floor there is a living room, kitchen, half bathroom, and outside patio for rented use. On the second floor there are three bedrooms and a full bathroom as well.*

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

Applicant Response: *This is our primary residence.*

12. How often do you visit the property?

Applicant Response: *We live full time on the property except for a few days a month due to personal use.*

Staff Response: *Could you please clarify “personal use”? Do you travel for leisure, work and the whole home is able to be rented?*

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

Applicant Response: *I (the home owner) will be the main contact for the house and will be checking the property between guests.*

14. Have you provided your surrounding neighbors with your contact information should they have concerns?

Applicant Response: Yes.

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

- a. Working smoke detectors in each bedroom plus each level of the unit/house
 - i. All smoke detectors are in working order and the house will be checked after each guest for tempering with any of the smoke or carbon detectors
- b. GFCI outlets are required in bathrooms.
 - i. The house is fully equipped with GFCI's in the kitchen and bathrooms are up to code
- c. Double keyed locks are not allowed
 - i. The locks will be to code
- d. Copper cannot be used for gas supply lines
 - i. There is not copper piping for gas lines
- e. Windows must be operable, not blocked or boarded
 - i. The windows will be in working order
- f. Handrails are required at sets of 4 or more stairs/risers
 - i. There are handrails on the stairs of the property
- g. Hot water tank and furnace must be vented properly and operational.
 - i. The hot water heater and furnace are vented properly and located in the basement of the house. Guests will not have access to the basement.
- h. Electric panel and circuits must be safe
 - i. The electric panel and circuits are safe and secure

The house was fully inspected in July 2018 up to FHA lending code.

16. In addition to no parties and events, as associated with AIRBNB and other website bookings, no outside visitors, and only overnight guests who have a reservation are permitted to stay.

17. Weekday and weekend quiet time shall be at 10:00 PM.

Business License Division Comments:

A) If approved, applicant will need to file and maintain the occupation tax application with our office for the business activity

Public Works Comments:

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

1) None

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

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

Stipulations of Approval:

1. Host will maintain a safe environment described above.
2. Host will obtain a business license with the City.
3. Approval is for one (1) year.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2018-85** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Zoning map
Aerial map
Photos of property
Floor plans
Neighborhood meeting affidavit and minutes

REVIEW OF INFORMATION AND SCHEDULE

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

STAFF CONTACT: **Hannah Kroll**
 hkroll@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-85** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-85**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 8, 2018 City Planning Commission Minutes:

Hearing Starts At 1:04:10:

SPECIAL USE PERMIT APPLICATION #SP-2018-85 – ANDREW NEHRIG – SYNOPSIS: Special Use Permit for an AIRBNB at 3101 South 7th Street. **Detailed Outline of Requested Action:** The applicant, Andrew Nehrig, wants to operate a short-term rental, AIRBNB at 3101 South 7th Street. This is the applicant's primary residence.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated September 13, 2018; and
7. The Notices to property owners dated September 12, 2018.

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

Present in Support:

- ❖ Andrew Nehrig, applicant, 3101 South 7th Street, Kansas City, Kansas
- ❖ One person was present that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:09:48: Planner Flanders stated that staff would like to make one change to the stipulations in the staff report. In looking through the history of approvals of AIRBNBs in the city, staff has recommended approval for one (1)

year in cases where the entire house is being rented out and they are staying somewhere else. There was a case where someone was renting out the entire house but was staying two properties over, it was recommended for two (2) years. If people live in the house and they are renting out a room, the staff has recommended approval for two (2) years. In cases like this the staff has been recommending approval for one (1) year. In order to stay consistent the staff is recommending approval to one (1) year subject to the stipulations in the staff report.

Motion and Vote Starts at 1:10:48:

On motion by Ms. Pauley, seconded by Mr. Miller, the Planning Commission voted as follows to **RECOMMEND APPROVAL of Special Use Permit Application #SP-2018-85:**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: August 2018

2. Were neighbors consulted prior to opening the business?

Applicant Response: Yes, but not all neighbors

3. Do you have a business license?

Applicant Response: No.

4. Have you paid appropriate lodging taxes?

Applicant Response: No.

5. How many rooms are rented?

Applicant Response: 3 bedrooms plus a family room and kitchen.

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

Applicant Response: 9

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

Applicant Response: 5; the property has plenty of off-street parking in addition to the driveway spots in front of the house.

8. How often are guests in the residence?

Applicant Response: Estimated 1-2 nights a week.

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

Applicant Response: No.

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

Applicant Response: On the first floor there is a living room, kitchen, half bathroom, and outside patio for rented use. On the second floor there are three bedrooms and a full bathroom as well.

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

Applicant Response: This is our primary residence.

12. How often do you visit the property?

Applicant Response: We live full time on the property except for a few days a month due to personal use.

Staff Response: Could you please clarify “personal use”? Do you travel for leisure, work and the whole home is able to be rented?

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

Applicant Response: I (the home owner) will be the main contact for the house and will be checking the property between guests.

14. Have you provided your surrounding neighbors with your contact information should they have concerns?

Applicant Response: Yes.

15. Describe how you will maintain a safe environment including:
- a. Working smoke detectors in each bedroom plus each level of the unit/house
 - i. All smoke detectors are in working order and the house will be checked after each guest for tempering with any of the smoke or carbon detectors
 - b. GFCI outlets are required in bathrooms.
 - i. The house is fully equipped with GFCI's in the kitchen and bathrooms are up to code
 - c. Double keyed locks are not allowed
 - i. The locks will be to code
 - d. Copper cannot be used for gas supply lines
 - i. There is not copper piping for gas lines
 - e. Windows must be operable, not blocked or boarded
 - i. The windows will be in working order
 - f. Handrails are required at sets of 4 or more stairs/risers
 - i. There are handrails on the stairs of the property
 - g. Hot water tank and furnace must be vented properly and operational.
 - i. The hot water heater and furnace are vented properly and located in the basement of the house. Guests will not have access to the basement.
 - h. Electric panel and circuits must be safe
 - i. The electric panel and circuits are safe and secure
- The house was fully inspected in July 2018 up to FHA lending code.
16. In addition to no parties and events, as associated with AIRBNB and other website bookings, no outside visitors, and only overnight guests who have a reservation are permitted to stay.
17. Weekday and weekend quiet time shall be at 10:00 PM.

Business License Division Comments:

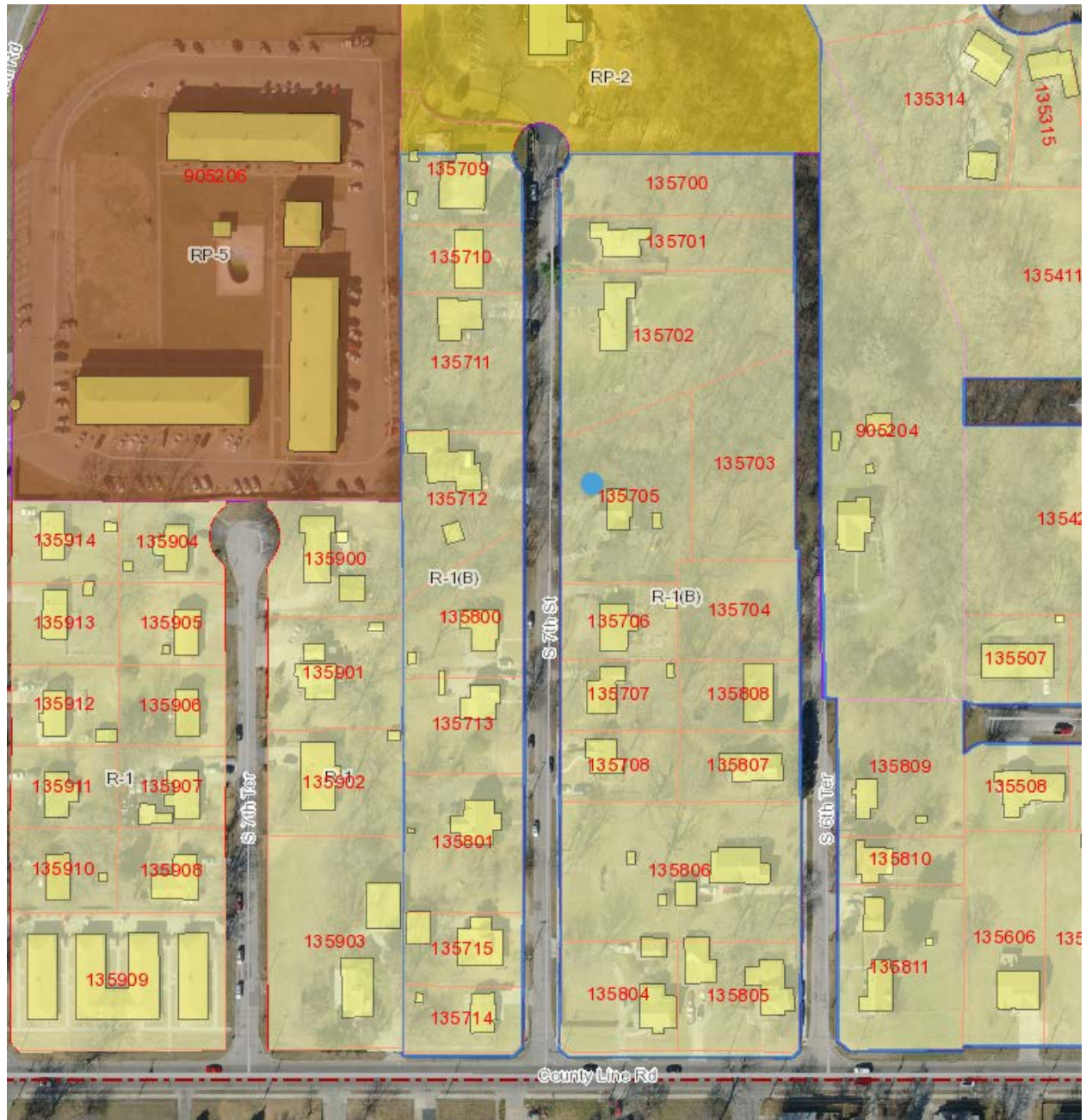
- A) If approved, applicant will need to file and maintain the occupation tax application with our office for the business activity

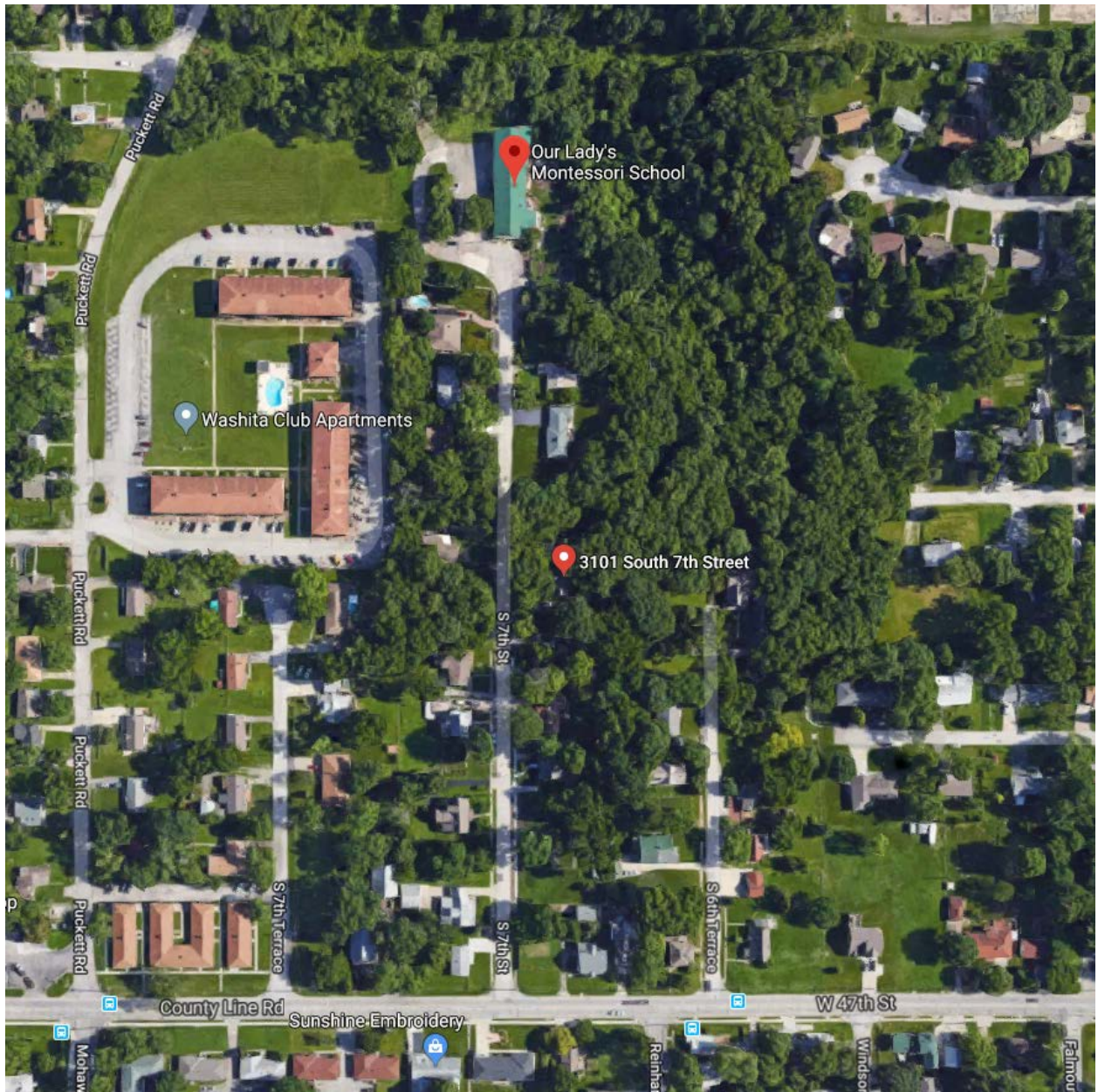
Public Works Comments:

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

Stipulations of Approval:

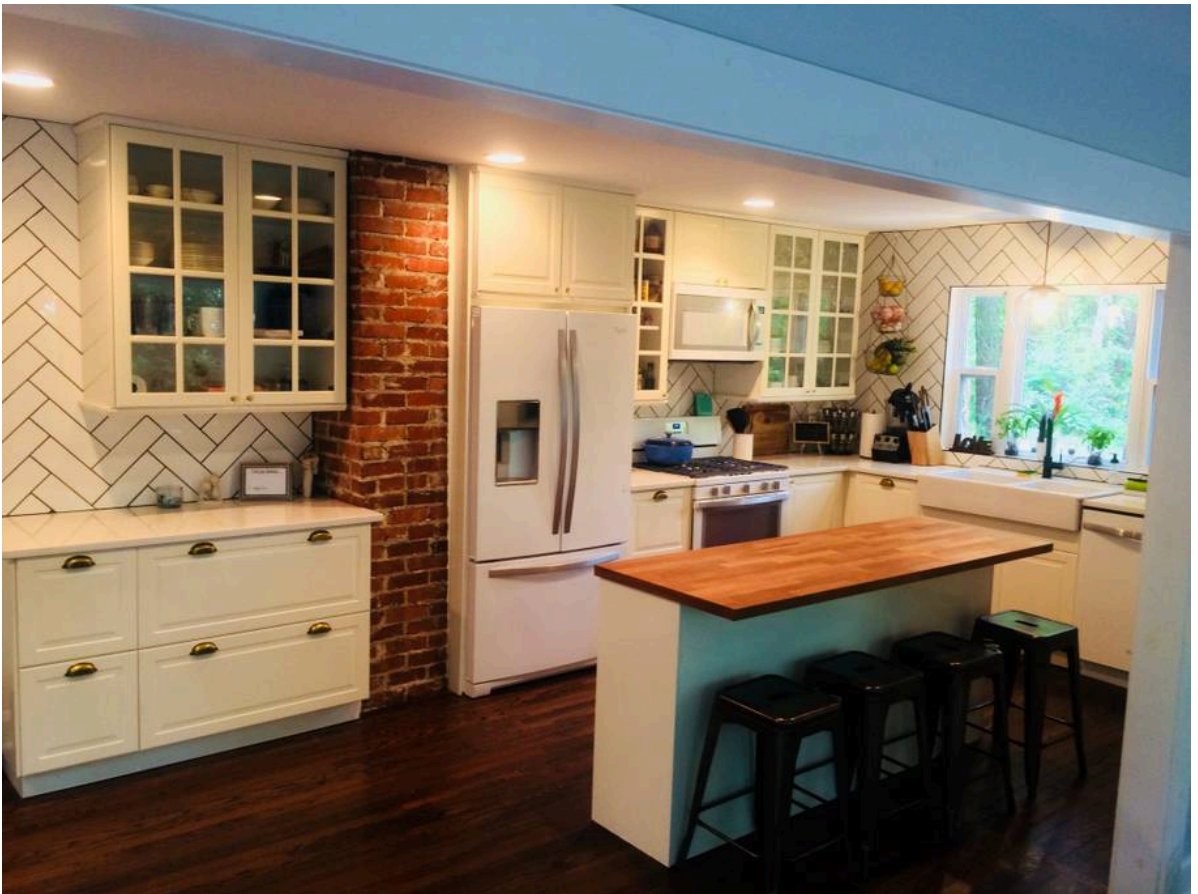
- 1. Host will maintain a safe environment described above.
- 2. Host will obtain a business license with the City.
- 3. Approval is for one (1) year.



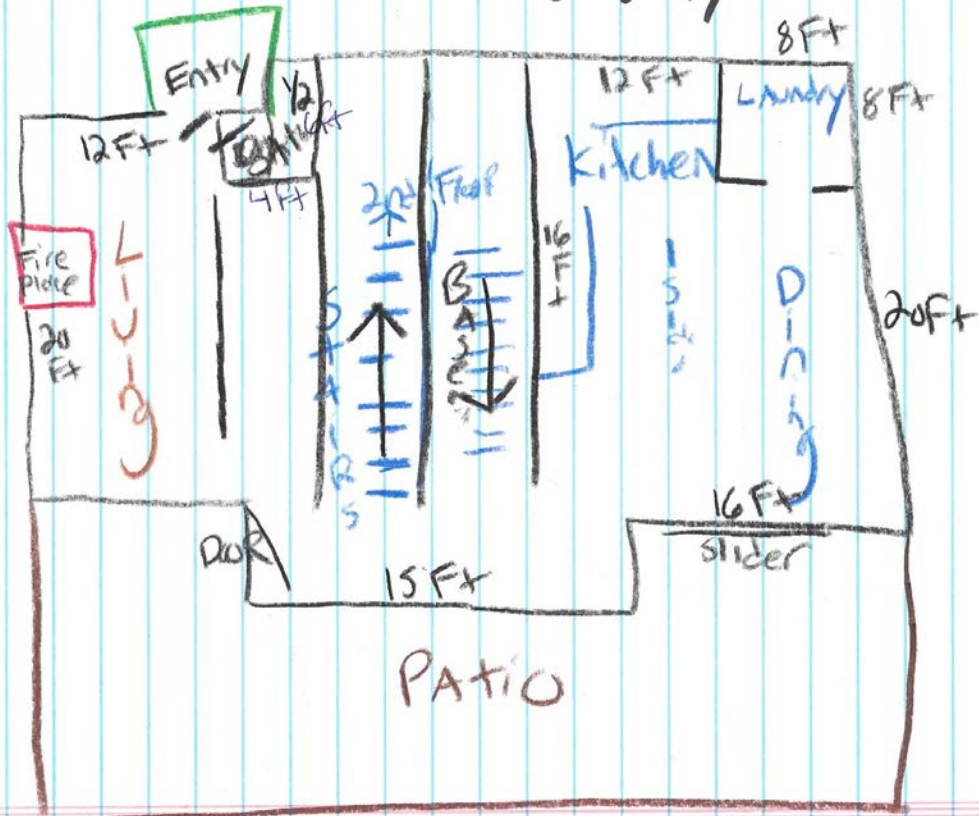




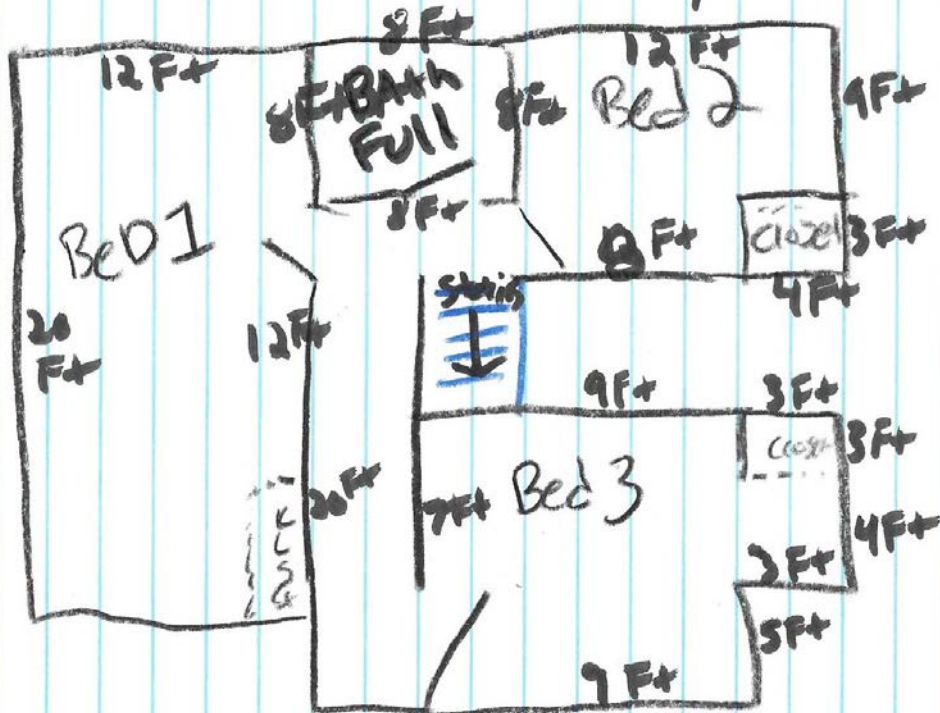




3101 s. 7th street Kck 66103 1st story



2nd story



AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KS)
) SS:
COUNTY OF Wyandotte)

Comes now Andrew and Kelsey Nehrig, of lawful age,
sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-18402-00066.
2. That I conducted a neighborhood meeting on 9/20/18.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Kelsey Nehrig
Affiant
Andrew Nehrig

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24 day of
Sept, 2018.

My commission expires 14th of October, 2018.

Sarah E Mikulich
Notary Public 9/24/18



Neighborhood Meeting – 9/20/18 at 6:00

Rosedale Development Association

Minutes:

- 6:00 – 6:04
 - o Proposal of Air BnB
- 6:05 – 6:15
 - o Our goal and purpose
 - o Important points
 - Respecting neighbors
 - Our primary residence
- 6:16 – 6:30
 - o Description of our home
 - o Our specific plan
 - Not full time renting, mainly weekends
 - Select renters

* The proposed minutes above were time adjusted to fit appropriateness of our attendee, all points were covered.

Attendees:

- Erin Stryka, Executive Director of Rosedale Development Association

SUBJECT: Neighborhood Meeting

We have filed an application with the Department of Urban Planning and Land Use # SP-18402-00066. The purpose of this application is for a special use permit for AirBnB

at the following address: __3101 S. 7th St, Kansas City, KS 66103__.

We are having a neighborhood meeting on __Thursday September 20th, 2018 at 6:00pm at the following address:

Rosedale Development Association – Community Room
1403 Southwest Blvd.
Kansas City, KS 66103

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have. The meeting is held as a requirement for the special use permit application, there is no mandatory attendance however if you have any concerns or questions we will look forward to seeing you there. Thank you!

Sincerely,

Andrew and Kelsey Nehrig



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 25, 2018
Re: Preliminary and Final Plan Petition #PR-2018-23

GENERAL INFORMATION

Applicant:
Monsignor Stuart W. Swetland

Status of Applicant:
Representative
Donnelly College
806 North 18th Street
Kansas City, Kansas 66102

Requested Action:
Preliminary and Final Plan
Review for the demolition of a
building and construction of a
new surface parking lot

Date of Application:
August 24, 2018

Purpose:
To obtain approval of a preliminary and final plan review for the demolition of an existing building and the construction of a surface parking lot

Property Location: 1719 Tauromee Avenue

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



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

Existing Uses: **North:** Donnelly College
 South: Residential
 East: Religious Use/Residential
 West: Residential

Total Tract Size: 0.35 acre

Master Plan Designation: The City-Wide Master Plan designates this property for institutional use.

Major Street Plan: North 18th Street is a designated Class B Thoroughfare.

Advertisement: Property Owner Letters – September 12, 2018 and October 19, 2018
 Wyandotte Echo – Not required

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

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

PROPOSAL

Detailed Outline of Requested Action: The applicant, Monsignor Swetland, is seeking approval of a Preliminary and Final Plan Review for the demolition of the existing building at 1719 Tauromee Avenue and the construction of a 24 space surface parking lot with petition #PR-2018-23 and the approval of a Final Plan Review for a 5.02-acre site at 608 North 18th Street that currently features an academic building, residential tower, and supporting parking for a new academic building, open space, parking deck, and surface parking with petition #PR-2018-30 (approved October 8, 2018.)

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765

FACTORS TO BE CONSIDERED

1. Neighborhood character.

This area is a mix of residential and institutional uses.

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

This area is primarily residential with educational use. Though the parking lot at 1719 Tauromee would be to service the college, a stand-alone surface parking lot is not the most ideal use on a residential block.

Applicant Response: There are currently parking lots on 3 of the 4 corners so the proposed condition is not different than the current.

Staff Response: The condition could improve with the college plan. Also, currently 2 of the 3 parking lots are for onsite uses. Whereas in the proposed condition 2 of the 3 lots will be for off-site albeit proximate uses.

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

A parking lot use adjacent to single family homes could have negative effects on nearby residences.

Applicant response: The site allows for generous landscaping to minimize the impact.

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

The property at 1719 Tauromee is not vacant, it currently has a church, the First Church of Christ Scientist, owned by Donnelly College.

Applicant Response: As a clarification, Donnelly College owns the building and leases the building to Centro de Restauracion Ministerio Elim, not the First Church of Christ Scientist, who first built the building but sold it.

Since the property has no parking lot of its own, the lessee uses Donnelly's front parking lot. Once our new building is built, parking for them will be extremely difficult and the pastor has expressed to us they are not interested in purchasing the building because it doesn't have parking and are currently in the process are seeking other property

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

The parking may be necessary for the school, however, they are currently planning structured parking nearby which, if expanded slightly, would negate the need for this lot.

Applicant Response: The project originally had a larger parking deck, however there is a utility easement to the south, Bishop Ward to the east and we are attempting to meet UG guidelines for setbacks on the north and west sides. We can't afford an additional parking deck, are there options for expansion or waiver of setbacks that we aren't aware of?

Staff Response: We do have a variance procedure to allow reduction of the setbacks. We would like to explore this prior to processing this staff report to the Planning Commission.

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

The proposed uses may increase traffic to the site, however, there will be increased parking provided with the development to facilitate the parking demand. The increase in traffic will not adversely affect road capacity or safety.

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

The development will be in conformance with the Master Plan. The parking lot at 1719 Tauromee Avenue, however, is not the highest and best use or what is planned for in the Master Plan.

Applicant Response: The existing building is functionally obsolete, is totally noncompliant with ADA, has no parking, contains hazardous construction materials that need to be abated, and is in poor repair. I would think the most likely other use might be a duplex? Sometimes, parking is the highest and best use.

Staff Response: A creative reuse of the building would be a better use. For example, the use of historic tax credits to convert this to rental or condo units would reduce parking demand and add neighbors.

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

a. *Water service*

Existing

b. *Sanitary sewer service*

Existing

c. *Storm water control*

Existing

d. *Police*

Police service is provided by the East Patrol, District #441

e. Fire

Fire service is provided by District #4

f. Transit

KCATA provides transit service on Minnesota Avenue and Central Avenue.

g. Schools

Kansas City, Kansas USD 500

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

A parking lot economic impact would be related to the College.

Applicant Response: The parking is an accessory use for Donnelly College who has a tremendous positive economic impact. Current impact includes faculty, staff and students being in the neighborhood paying employment and sales taxes. Future impact for the students and KCK in general—that is Donnelly's mission. Furthermore 81% of Donnelly's graduates are first time college graduates in their family, creating a domino impact on surrounding community.

10. The capability of the proposed use to meet applicable ordinance and other requirements.

The proposed development is capable of meeting ordinance requirements.

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

There gain would be related directly to the college.

Applicants Response: Please see response to comment 9. Additionally, this parking lot will provide parking for Donnelly College attendees, keeping them from parking on the surrounding streets which has been a concern from neighbors.

Staff Response: Do Donnelly College students park on the streets east of 18th?

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

Noise and illumination associated with parking lots could be a nuisance to nearby residents.

Applicant Response: This site allows for ample landscaping and will be

designed to minimize light spillage onto residential properties.

Staff Response: Lighting must meet the code for zero-foot candles at the property line. This includes the vertical extension of the property line.

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

So long as runoff is adequately planned for, this should not be an issue, however, an increase in impervious surfaces is not in the best interest of the environment.

Applicant Response: This site allows for ample landscaping, the change in impervious pavement has been taken into account in our overall master plan stormwater calculations. In fact, the overall master plan has reduced impervious pavement and increased pervious areas.

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

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

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

The relative gain to the public health, safety, and welfare is minimal.

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

The proposed use will not result in overcrowding of land.

PREVIOUS ACTIONS

Board of Zoning Appeals petition **#1572** – Sign setback variance was approved in 1995

PR-2012-1 – Final Plan Review for an event center for Donnelly College was approved in 2012.

PR-2018-19 – Preliminary Plan Review for a building addition and parking was approved in 2018.

#PR-2018-30 - Final Plan Review for a building expansion, renovations and parking at 608 North 18th Street – approved October 8, 2018

KEY ISSUES

Historic Nature of the building being demolished and the Long-Term viability of an off-site parking lot

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Plan Review Application #PR-2018-23, subject to:

Urban Planning and Land Use Comments:

1. Though this is not a designated historic property, the church, built in 1920 contributes to the historic nature of the area, which is in close proximity to Westheight Neighborhood Historic District, and Wyandotte High School, both on the National Register of Historic Places. Demolishing this building in order to build a surface parking lot with 24 spaces does not seem in the best interest of the community and will further degrade our urban core for what is a short-sighted use.

Applicant Response: We don't believe accommodating the parking needs of Donnelly College and supporting the investment they are making into the area is a short-sighted issue.

Staff Response: See comments on #PR-2018-30

2. Commercial parking adjacent to one of the urban core's most successful neighborhoods is not a compatible land use.

Staff Response: This is not an accessory use, it is a primary use on this tract. While keeping parking off the streets in the residential areas is an admirable goal, the current plan provides significant reductions already which will create that benefit without the potential downsides.

Applicant Response: Parking for accessory uses is generally compatible use for churches and universities. We are focused on creating a campus environment within Donnelly College and extending to the larger community campus: Macedonia Missionary Baptist church across the street, Bishop Ward High School and the Sisters of Servants Mary. All entities share parking to reduce the amount of actual parking on this larger community campus. The larger community campus is focused on keeping parking off of the residential portion of the street.

Staff Response: See comments on #PR-2018-30

3. If approved, the parking lot shall be built to Commercial Design Guideline standards, including lighting and landscaping. Extra care must be given to screen the lot from the adjacent neighborhood. This may result in a loss of parking spaces. A solid fence or continuous hedge row on the west and north sides of the fence as well as a solid row of columnar Evergreens on the side of the fence adjacent to homes

is required.

Applicant Response: acknowledged, landscaping will be provided.

Public Works Comments:

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

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #PR-2018-23 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Zoning Map
Aerial photo
Photo of structure at present
Proposed plans
Email from Michael Snodgrass

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	October 8, 2018	October 25, 2018
P&F Plan	Approval	
Review		

STAFF CONTACT: Zach Flanders
zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**PR-2018-23** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**PR-2018-23** as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Hearing Starts at 1:11:30:

PLAN REVIEW APPLICATION #PR-2018-23 – MONSIGNOR STUART W. SWETLAND WITH DONNELLY COLLEGE – SYNOPSIS: Preliminary and Final Plan Review for an expansion/renovation at 1719 Tauromee Avenue.

PLAN REVIEW APPLICATION #PR-2018-30 – MONSIGNOR STUART W. SWETLAND WITH DONNELLY COLLEGE – SYNOPSIS: Final Plan Review for a building expansion, renovations and parking for Donnelly College at 608 North 18th Street.

Detailed Outline of Requested Action: The applicant, Monsignor Swetland, is seeking approval of a Preliminary and Final Plan Review for the demolition of the existing building at 1719 Tauromee Avenue and the construction of a 24 space surface parking lot with petition #PR-2018-23 and the approval of a Final Plan Review for a 5.02-acre site at 608 North 18th Street that currently features an academic building, residential tower, and supporting parking for a new academic building, open space, parking deck, and surface parking with petition #PR-2018-30.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and
6. The Notices to property owners dated September 12, 2018.

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

Present in Support:

- ❖ Monsignor Stuart Swetland, President of Donnelly College, 608 North 18th Street, Kansas City, Kansas 66102

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:15:20: Planner Flanders stated that the staff recommends approval of the two applications. The staff has been working with the applicant in looking at a 2-year period to find a reuse of that building while staff looks at the on-street parking design for more parking. In addition to that, the staff may want to look at restricting parking through additional signage, enforcement, plaques, etc. It is not in a historic district but the staff feels that it gives character to the neighborhood.

Planning Commissioner Miller asked if anyone responded to Mr. Snodgrass' letter in the staff report. Planner Flanders stated that he does not know if staff communicated with him.

Motion and Vote starts at 1:17:54:

On motion by Mr. Miller, seconded by Dr. Neal, the Planning Commission voted as follows to **recommend APPROVAL of Plan Review Application #PR-2018-23:**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to recommend APPROVAL Passed: 5 to 0

Urban Planning and Land Use Comments:

1. Though this is not a designated historic property, the church, built in 1920 contributes to the historic nature of the area, which is in close proximity to Westheight Neighborhood Historic District, and Wyandotte High School, both on the National Register of Historic Places. Demolishing this building in order to build a surface parking lot with 24 spaces does not seem in the best interest of the community and will further degrade our urban core for what is a short-sighted use.

Applicant Response: We don't believe accommodating the parking needs of Donnelly College and supporting the investment they are making into the area is a short-sighted issue.

Staff Response: See comments on #PR-2018-30

2. Commercial parking adjacent to one of the urban core's most successful neighborhoods is not a compatible land use.

Staff Response: This is not an accessory use, it is a primary use on this tract. While keeping parking off the streets in the residential areas is an admirable goal, the current plan provides significant reductions already which will create that benefit without the potential downsides.

Applicant Response: Parking for accessory uses is generally compatible use for churches and universities. We are focused on creating a campus environment within Donnelly College and extending to the larger community campus: Macedonia Missionary Baptist church across the street, Bishop Ward High School and the Sisters of Servants Mary. All entities share parking to reduce the amount of actual parking on this larger community campus. The larger community campus is focused on keeping parking off of the residential portion of the street.

Staff Response: See comments on #PR-2018-30

3. If approved, the parking lot shall be built to Commercial Design Guideline standards, including lighting and landscaping. Extra care must be given to screen the lot from the adjacent neighborhood. This may result in a loss of parking spaces. A solid fence or continuous hedge row on the west and north sides of the fence as well as a solid row of columnar Evergreens on the side of the fence adjacent to homes is required.

Applicant Response: acknowledged, landscaping will be provided.

Public Works Comments:

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

On motion by Mr. Miller, seconded by Ms. Pauley, the Planning Commission voted as follows to **APPROVE Plan Review Application #PR-2018-30:**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Jones	Not Present
Serda	Not Present

Motion to APPROVE Passed: 5 to 0
Subject to:

Urban Planning and Land Use Comments:

1. Development must comply with the stipulations listed in #PR-2018-19.
2. Staff is currently working with the college to identify ways to provide additional on-street parking on 20th and on Tauromee to alleviate the need to tear down the existing structure at 1719 Tauromee Ave. The college is also exploring ways to reuse the existing structure or identify someone that would. Staff requests that the Planning Commission give staff the authority to revise the final plan to include additional on-street parking and approve the demolition of the structure and approve the current parking plan if in 24 months reuse is not identified after a good faith effort to do so.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
 - 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- B) Items that are conditions of approval (stipulations):
- 1) None.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Fire Department Comments:

- 1) Compliance with the International Fire Code – 2012 Edition
- 2) Compliance with existing fire codes, Unified Government ordinances, state rules and regulations

****AERIAL FIRE APPARATUS ACCESS ROUTE-** Provide plans showing method of providing aerial fire apparatus vehicle access to the structure. Per Sec.D105, 2012, IFC. Plans to be stamped by a KS registered qualified design professional.

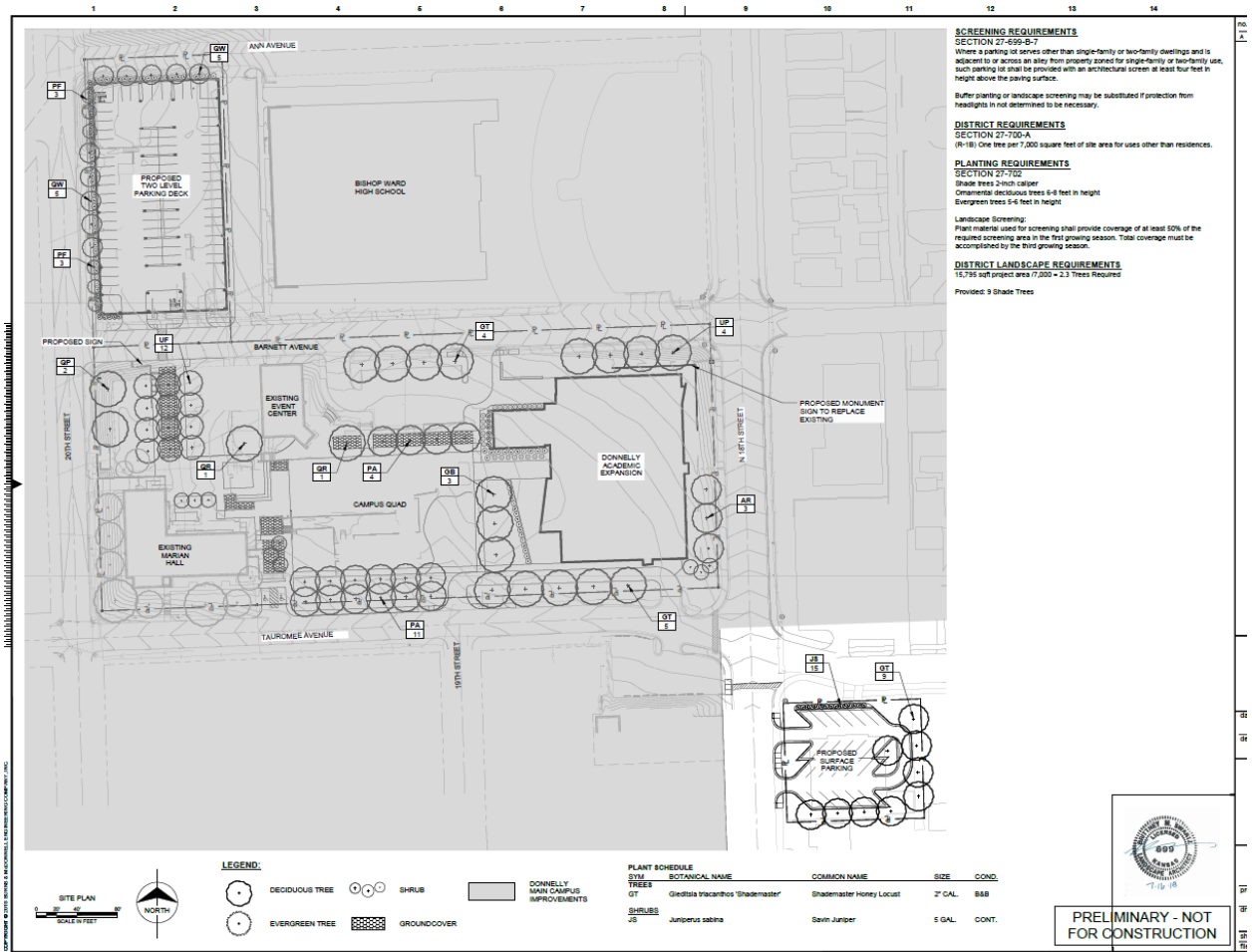
****Provide location of additional code compliant fire hydrant for the new building.** Per Sec. 507.5, 2012 IFC

****Submit automatic fire sprinkler plans and calculations for approval prior to installation.**

****Submit automatic fire alarm plans including battery calculations and circuit-drop calculations for approval prior to installation.**







From: msnodgrass@bdc-kc.org <msnodgrass@bdc-kc.org>
Sent: Monday, October 01, 2018 11:54 AM
To: PlanningInfo <Planninginfo@wycokck.org>
Subject: Donnelly College

Rob: I came to the last meeting regarding Donnelly College, only to have it delayed til October. Unfortunately, on October 8th I will be in the air for rural housing meetings in Florida for work.

While I am generally very supportive of the overall Donnelly College project, as the closest residential property to some of it, I have concerns regarding their plans to demolish the existing church on the corner of 18th & Tauromee.

My house is at 600 N 17th Street, and I park on my only available off- street parking on the north side of my house (where my garage driveway is). The only direction I can go out is to the West on Tauromee.

The traffic is already very tricky to get onto 18th Street for me (and others), especially when school is in session, and especially turning South. Adding more traffic flow onto 18th Street will make the problem worse, and then adding another parking lot on 18th & Tauromee will make it even more difficult.

Also, if they project a parking lot there (18th & Tauromee), how will the kids get across a busy 18th Street? Is there a way to put a light there? Although this will allow kids to cross during the light, but not cars as we'll need to wait for the kids to cross first.

Also, it appears there would be some landscaping to help the East side of the lot and South, but not the North side of the parking lot.... I'd like to see some landscaping on the South to help hide the lot as much as possible.

No one has approached me, from either the school or elsewhere, regarding this issue. Can you tell me the plans for that corner (18th & Tauromee)?? And/or relay my concerns at the meeting?

Thanks for your help.

Michael Snodgrass
600 N 17th Street

Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners

From: City Staff

Date: October 25, 2018

Re: **Change of Zone Petition #3169 and Plan Review Petition #PR-2018-28**

GENERAL INFORMATION

Applicant:
John Finnemore

Status of Applicant:
Representative
Luke Moore with Olsson Associates
7301 West 133rd Street
Overland Park, KS 66213

Requested Actions:
Change of Zone from
RP-5 Planned Apartment District
to CP-0 Planned Nonretail Business
District

Plan Review for a daycare school center

Date of Application:
Change of Zone: August 24, 2018
Plan Review: August 24, 2018

Purpose: To build a 12,550 square foot daycare school center



Property Location: 2205 West 36th Avenue

Commission Districts:

1. Commissioner At Large: Tom Burroughs
2. District Commissioner: Ann Brandau Murguia

Existing Zoning: RP-5 Planned Apartment District

Surrounding Zoning:	North:	RP-5 Planned Apartment and CP-0 Planned Nonretail Business Districts
	South:	CP-0 Planned Nonretail Business District
	East:	R-2 Two Family and R-2(B) Two Family Districts
	West:	RP-5 Planned Apartment and CP-0 Planned Nonretail Business Districts

Existing Uses:	North:	MS Achievement Center, KCKFD Station #10, and US Postal Service
	South:	KU Medical Center building and parking lot
	East:	KU Medical Center parking lot
	West:	Apartments and undeveloped land

Total Tract Size: 1.31 acres

Master Plan Designation: The Rosedale Master Plan designates this property as Institutional.

Major Street Plan: The Major Street Plan classifies Rainbow Boulevard as a Class A Thoroughfare and West 36th Avenue as a Collector.

Advertisement: The Wyandotte Echo – Change of Zone – September 13, 2018
Letters to Property Owners – September 12, 2018 and October 19, 2018

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

Public Opposition: One person appeared at the October 8, 2018 City Planning Commission meeting but after his question was answered he was not in opposition.

PROPOSAL

Detailed Outline of Requested Action: The applicant, John Finnemore with Primrose Schools want to build a 12,550 square foot daycare school center at 2205 West 36th Avenue. The center will cater to KU Medical Center and KU Hospital Authority employees but is open to the public.

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

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

The character of the neighborhood has a mixture of commercial land uses. North of the property in question is the MS Achievement Center – formerly Center of Aging, KCKFD Station #10 and the US Post Office. To the south are buildings that begin the KU Medical Center campus. Rainbow Boulevard is the primary artery and is the commercial corridor of Rosedale.

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

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

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

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

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

The building is currently being demolished.

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

The proposed use is necessary for those in the healthcare field, but also the general public as childcare is often difficult to find. The center will not substantially injure the appropriate use, visual quality or marketability of nearby property.

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

The proposed use will not increase traffic or parking demand, as the building that was previously on the site was of similar size and were medical offices, so the daycare center's hours of operation will be similar to the uses.

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

The proposed use conforms to the Master Plan.

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

This is not foreseen to be an issue.

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

a. *Water service*

Available

b. *Sanitary sewer service*

Available

c. *Storm water control*

To be designed to meet City Code

d. *Police*

Police service is provided by South Patrol, District #332

e. *Fire*

Fire service is provided by Station #10

f. *Transit*

Kansas City ATA provides transit service near this property, Route #107

g. *Schools*

Kansas City, Kansas USD 500

h. *Streets*

See item #6 above

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

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

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

The proposed use is capable of meeting applicable ordinance requirements.

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

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

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on September 24, 2018. According to the applicant, the attendee at the meeting did not appear in opposition of the project.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application #3169 and Plan Review Application #PR-2018-28, subject to:

Urban Planning and Land Use Comments:

The building will be owned by the applicant on a land lease. There may have been a recent land transaction between the University and The Endowment. The zoning will not be published without the proper owner affidavit.

General Planning:

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

Applicant Response: Acknowledged.

2. Per Business Licensing:
 - a. If approved, the day care school will need to file the occupation tax application with our office as they would begin operations.

Applicant Response: Acknowledged.

3. How many staff members are employed at the school?
Applicant Response: 24 staff at maximum shift.

4. Will trucks or service vehicles make deliveries to the school?

Applicant Response: Yes, for food deliveries.

5. What are the proposed hours of operation?

Applicant Response: Our hours will be 6:00 AM to 6:30 PM Monday through Friday.

6. Indicate on the site plan how drop-off and pick-up circulation will be handled at peak times?

Applicant Response: Parents are required to park their car and bring their children into the facility, sign the child in and escort them to their respective classroom(s). Parents then return to their car and exit onto West 36th Avenue. The front 18 stalls closest to the building will be utilized for drop off/pick up with any overflow utilizing the stalls across the front drive aisle.

7. Please give a detailed explanation of parking for this facility and the impact on the medical center parking.

Applicant Response: Parking in the new Primrose School parking lot will not negatively impact the medical center parking lot.

Building and Architectural Design:

1. Please provide color renderings of the entire building, not just the front façade.

Applicant Response: See attachments.

2. Provide trash enclosure elevations.

Applicant Response: See attachments.

3. Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: Landscaping will take place around the transformer and there will already be a fence around the HVAC that are typically 4' tall. Along with this, the electrical equipment mounted on the building in the HVAC enclosure is typically painted to match the fascia/trim board.

Staff Response: As stated previously, utility connections shall be painted to match the building, not the window or building trim.

4. Downspouts shall be recessed in the corners of the building.

Applicant Response: Downspouts are at the corners already, however on the longer facades a downspout is required in the middle of the span as well.

5. The building elevations do not depict roof penetrations, so will there be any vents, stacks or other protrusions?

Typically, HVAC units are on the roof, but based on the asphalt shingled roof, they will be located on the ground adjacent to the building.

Applicant Response: There will be roof penetrations for vents, stacks, and/or other protrusions. All roof mounted equipment will be painted to match the shingle color.

Landscaping and Screening:

1. Based on the landscaping requirements in CP-0 Planed Nonretail Business District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 14 trees are required to be planted for the new daycare school center. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.

Applicant Response: Acknowledged. Trees have been added to meet the 14-tree requirement for open space landscaping.

2. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Acknowledged. Street trees have been spaced 60' on center along with street frontage trees of 1 tree per 30' of street frontage.

3. Sec. 577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces. Revise and resubmit the paving plan.

Applicant Response: Landscape island to separate each 20 spaces has been added to plans.

4. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the development and 3 gallons internal to the site when planted.

Applicant Response: See landscape schedule. All trees are 2" and evergreen trees 6' and shrubs 5 gallon. Ornamental grasses are 1 gallon.

5. All landscaping shall be irrigated.

Applicant Response: See sheet L200 Landscape Notes that all areas must be irrigated.

6. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors as required by the International Building Code (IBC).

Applicant Response: Acknowledged.

7. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Acknowledged.

8. The trash enclosure shall be heavily landscaped and screened with an architectural screen wall that is comprised of the same building materials as the primary structure.

Applicant Response: Landscaping around dumpster has been added.

Signage:

1. Shall comply with the sign ordinance.

Applicant Response: Acknowledged.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

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

1) None

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Change of Zone Petition #3169 and Plan Review Petition #PR-2018-28 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

October 8, 2018 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Project Data and Operation Description
Site Plan
Utility Plan
Landscape Plan
Photometric Plan
Building Elevations
Affidavit

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	October 8, 2018	October 25, 2018
Rezoning	Approval	
Public Hearing	October 8, 2018	October 25, 2018
Plan Review	Approval	

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

MOTIONS

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition #3169 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #3169, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Plan Review Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition #PR-2018-28, as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #PR-2018-28 as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 8, 2018 City Planning Commission Minutes:

Hearing Starts At 23:10:

CHANGE OF ZONE APPLICATION #3169 – JOHN FINNEMORE WITH PRIMROSE SCHOOLS – SYNOPSIS: Change of Zone from RP-5 Planned Apartment to CP-O Planned Non-Retail Business District for a day care school center at 2205 West 36th Avenue.

PLAN REVIEW APPLICATION #PR-2018-28 – JOHN FINNEMORE WITH PRIMROSE SCHOOLS – SYNOPSIS: Preliminary and Final Plan Review for a day care school center at 2205 West 36th Avenue.

Detailed Outline of Requested Action: The applicant, John Finnemore with Primrose Schools want to build a 12,550 square foot daycare school center at 2205 West 36th Avenue. The center will cater to KU Medical Center and KU Hospital Authority employees but is open to the public.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated September 13, 2018 for the change of zone application; and
7. The Notices to property owners dated September 12, 2018.

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

Present in Support:

- ❖ Seth Reece, Olsson and Associates, architect representing the applicant, 7301 West 133rd Street, Overland Park, Kansas 66213
- ❖ John Finnemore, Primrose Schools

Present in Opposition/Question:

- ❖ James Clinkenbeard, Clinkenbeard Investments, 2014 Federal Street, Kansas City, Kansas 66103

Staff Recommendation starts at 30:50: Planner Flanders stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 31:02:

On motion by Mr. Miller, seconded by Mr. Reasons, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application #3169**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

Urban Planning and Land Use Comments:

The building will be owned by the applicant on a land lease. There may have been a recent land transaction between the University and The Endowment. The zoning will not be published without the proper owner affidavit.

General Planning:

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

Applicant Response: Acknowledged.

2. Per Business Licensing:
 - a. If approved, the day care school will need to file the occupation tax application with our office as they would begin operations.

Applicant Response: Acknowledged.

3. How many staff members are employed at the school?

Applicant Response: 24 staff at maximum shift.

4. Will trucks or service vehicles make deliveries to the school?

Applicant Response: Yes, for food deliveries.

5. What are the proposed hours of operation?

Applicant Response: Our hours will be 6:00 AM to 6:30 PM Monday through Friday.

6. Indicate on the site plan how drop-off and pick-up circulation will be handled at peak times?

Applicant Response: Parents are required to park their car and bring their children into the facility, sign the child in and escort them to their respective classroom(s). Parents then return to their car and exit onto West 36th Avenue. The front 18 stalls closest to the building will be utilized for drop off/pick up with any overflow utilizing the stalls across the front drive aisle.

7. Please give a detailed explanation of parking for this facility and the impact on the medical center parking.

Applicant Response: Parking in the new Primrose School parking lot will not negatively impact the medical center parking lot.

Building and Architectural Design:

1. Please provide color renderings of the entire building, not just the front façade.

Applicant Response: See attachments.

2. Provide trash enclosure elevations.

Applicant Response: See attachments.

3. Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: Landscaping will take place around the transformer and there will already be a fence around the HVAC that are typically 4' tall. Along with this, the electrical equipment mounted on the building in the HVAC enclosure is typically painted to match the fascia/trim board.

Staff Response: As stated previously, utility connections shall be painted to match the building, not the window or building trim.

4. Downspouts shall be recessed in the corners of the building.

Applicant Response: Downspouts are at the corners already, however on the longer facades a downspout is required in the middle of the span as well.

5. The building elevations do not depict roof penetrations, so will there be any vents, stacks or other protrusions?

Typically, HVAC units are on the roof, but based on the asphalt shingled roof, they will be located on the ground adjacent to the building.

Applicant Response: There will be roof penetrations for vents, stacks, and/or other protrusions. All roof mounted equipment will be painted to match the shingle color.

Landscaping and Screening:

1. Based on the landscaping requirements in CP-0 Planed Nonretail Business District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 14 trees are required to be planted for the new daycare school center. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.

Applicant Response: Acknowledged. Trees have been added to meet the 14-tree requirement for open space landscaping.

2. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Acknowledged. Street trees have been spaced 60' on center along with street frontage trees of 1 tree per 30' of street frontage.

3. Sec. 577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces. Revise and resubmit the paving plan.

Applicant Response: Landscape island to separate each 20 spaces has been added to plans.

4. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the development and 3 gallons internal to the site when planted.

Applicant Response: See landscape schedule. All trees are 2" and evergreen trees 6' and shrubs 5 gallon. Ornamental grasses are 1 gallon.

5. All landscaping shall be irrigated.

Applicant Response: See sheet L200 Landscape Notes that all areas must be irrigated.

6. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors as required by the International Building Code (IBC).

Applicant Response: Acknowledged.

7. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of

lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Acknowledged.

8. The trash enclosure shall be heavily landscaped and screened with an architectural screen wall that is comprised of the same building materials as the primary structure.

Applicant Response: Landscaping around dumpster has been added.

Signage:

1. Shall comply with the sign ordinance.

Applicant Response: Acknowledged.

Public Works Comments:

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

On motion by Ms. Pauley, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of Preliminary and Final Plan Review #PR-2018-28:**

Ernst	Aye
Miller	Aye
Neal	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

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

Urban Planning and Land Use Comments:

1. Submit a valid property owner affidavit.

Response: City and Owner are currently working through this. Please speak to Byron Toy or myself with questions.

General Planning:

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

Response: Acknowledged.

2. Per Business Licensing:

- a. If approved, the day care school will need to file the occupation tax application with our office as they would begin operations.

Response: Acknowledged.

3. How many staff members are employed at the school?

Response: 24 staff at max shift.

4. Will trucks or service vehicles make deliveries to the school?

Response: Yes, for food deliveries.

5. What are the proposed hours of operation?

Response: 6:00am – 6:30pm

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Response: Parking in the new primrose school parking lot will not negatively impact the medical center parking lot.

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1. Please provide color renderings of the entire building, not just the front façade.

Response: See attachments.

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Response: Acknowledged. Trees have been added to meet the 14 tree requirement for Open Space Landscaping.

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Response: Landscape island to separate each 20 spaces has been added to plans.

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Response: See landscape schedule. All trees are 2" and evergreen trees 6' and shrubs 5 gallon. Ornamental grasses are 1 gallon.

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Response: Landscaping around dumpster has been added.

Signage:

1. Shall comply with the sign ordinance.

Response: Acknowledged.

Public Works Comments:

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

1) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.

Response: Acknowledged.

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

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

1) None

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

1) None

MEETING MINUTES

Application Number: COZ 3169 & PR-2018-28

Date and Location: September 24, 2018 @ 6 PM

Meeting called to order at: Rosedale Dev. Association

Names of people in attendance:

Clinkenbeard Investments, LLC

Introductions:

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

I (Luke Moore) with Clisson Associates spoke about location of project along with a brief overview of who Primrose Schools are. As for the project, I spoke about stormwater, sanitary sewer, traffic, basic engineering.

Questions and answers (include the following: Who asked question or gave comment, What was the question or comment, Who answered the question/comment, What was the answer given)

who pays the taxes?

Response: Great Question, I honestly am not sure exactly, either KU or Primrose. If I can get your name and number I will confirm this with you once I receive confirmation.

How many students & staff?

Response: 24 staff members @ max shift and around 100-200 kids at School.

Meeting adjourned at: _____

Minutes taken by: Luke Moore

Primrose-KU Medical Center, Kansas City, KS

Project Data and Operation Description

Primrose School Franchising Company is the pre-eminent provider of educational based private preschools/Kindergartens and child care centers in the United States with over 390 locations. Primrose Schools, along our Franchise Owners are excited to bring Primrose to Kansas City.

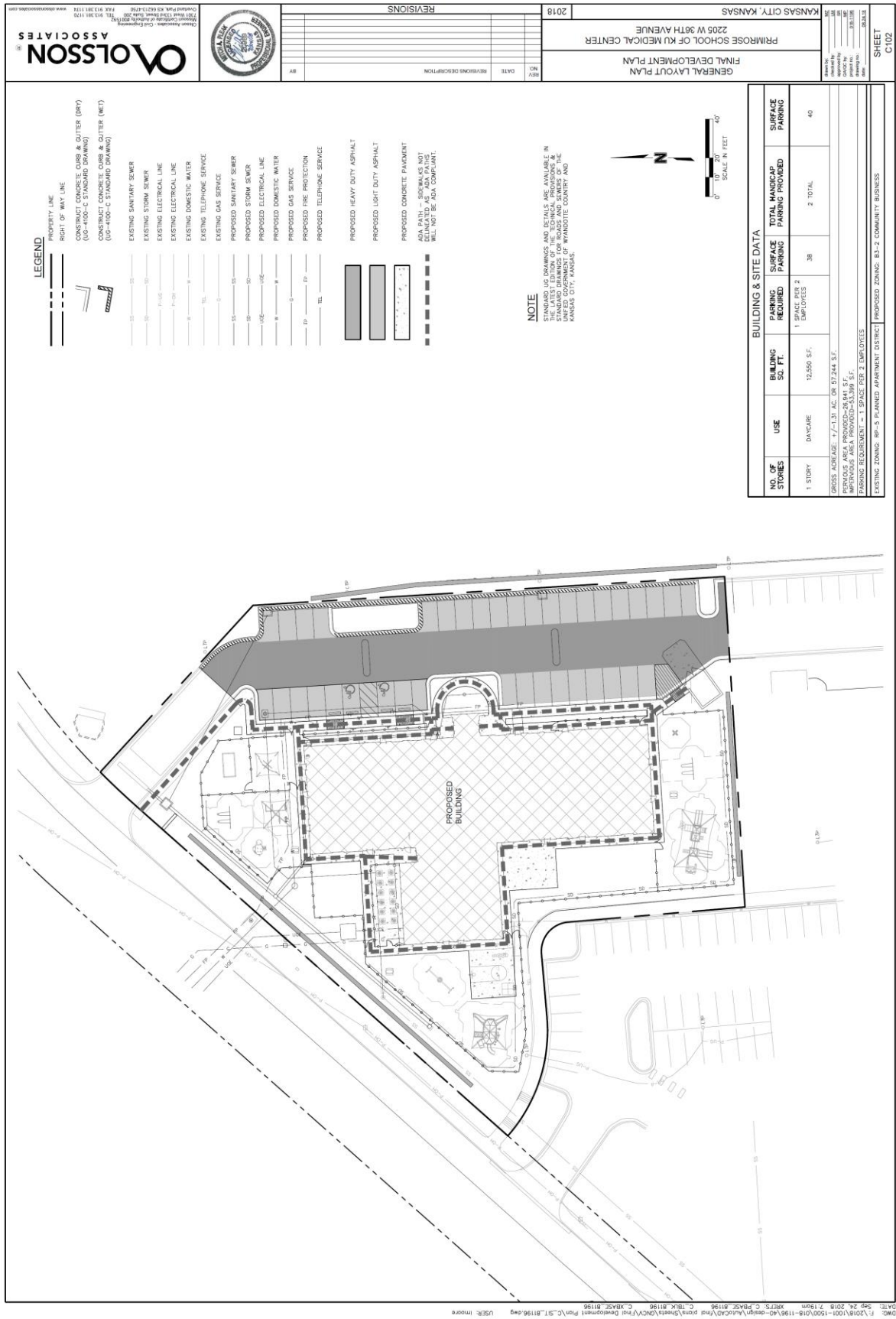
Primrose is making application with the Kansas City Wyandotte County Combined Government for rezoning from RP-5 (Apartment District Planned) to CP-O (Non-Retail Business District Planned) and PDP/FDP approval (Preliminary Development Plan and Final Development Plan). We are proposing to construct a 12,000sf, single story facility with accompanying playground and share the large, existing parking lot with the medical center (Combined Government code requires 4 stalls/1000sf of building floor area = 48 stalls). The Primrose plans propose a very attractively designed building with upscale materials and substantial landscaping.

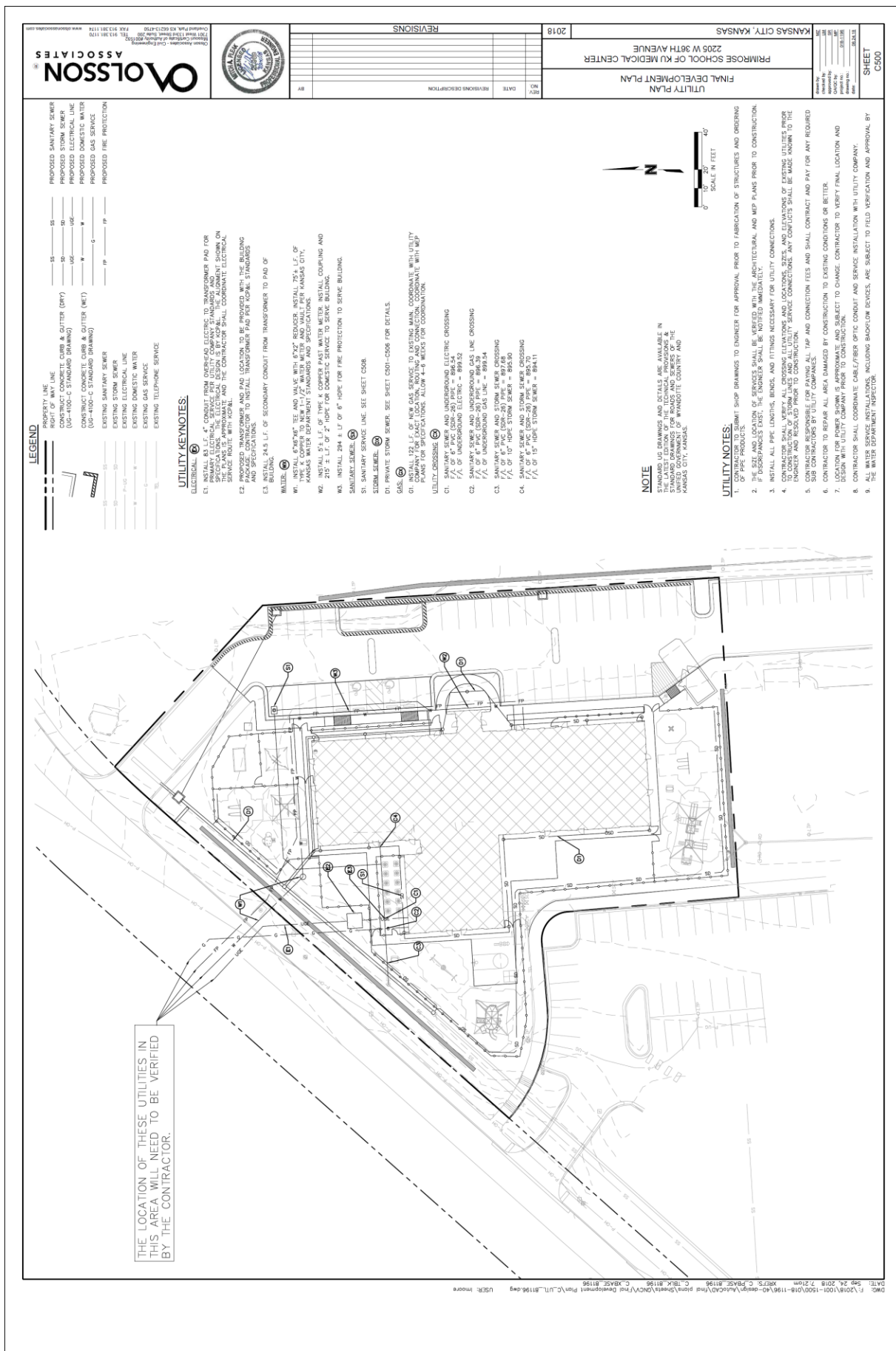
Hours of operation are 6:00AM-6:30PM Monday through Friday. Occasionally, special events will be held on evenings and weekends. License capacity of the facility will be 201 students, 6 weeks through 12 years of age. Primrose and industry data indicate that approximately 25% of families have a second child enrolled which would reduce the number of families to approximately 150 at capacity.

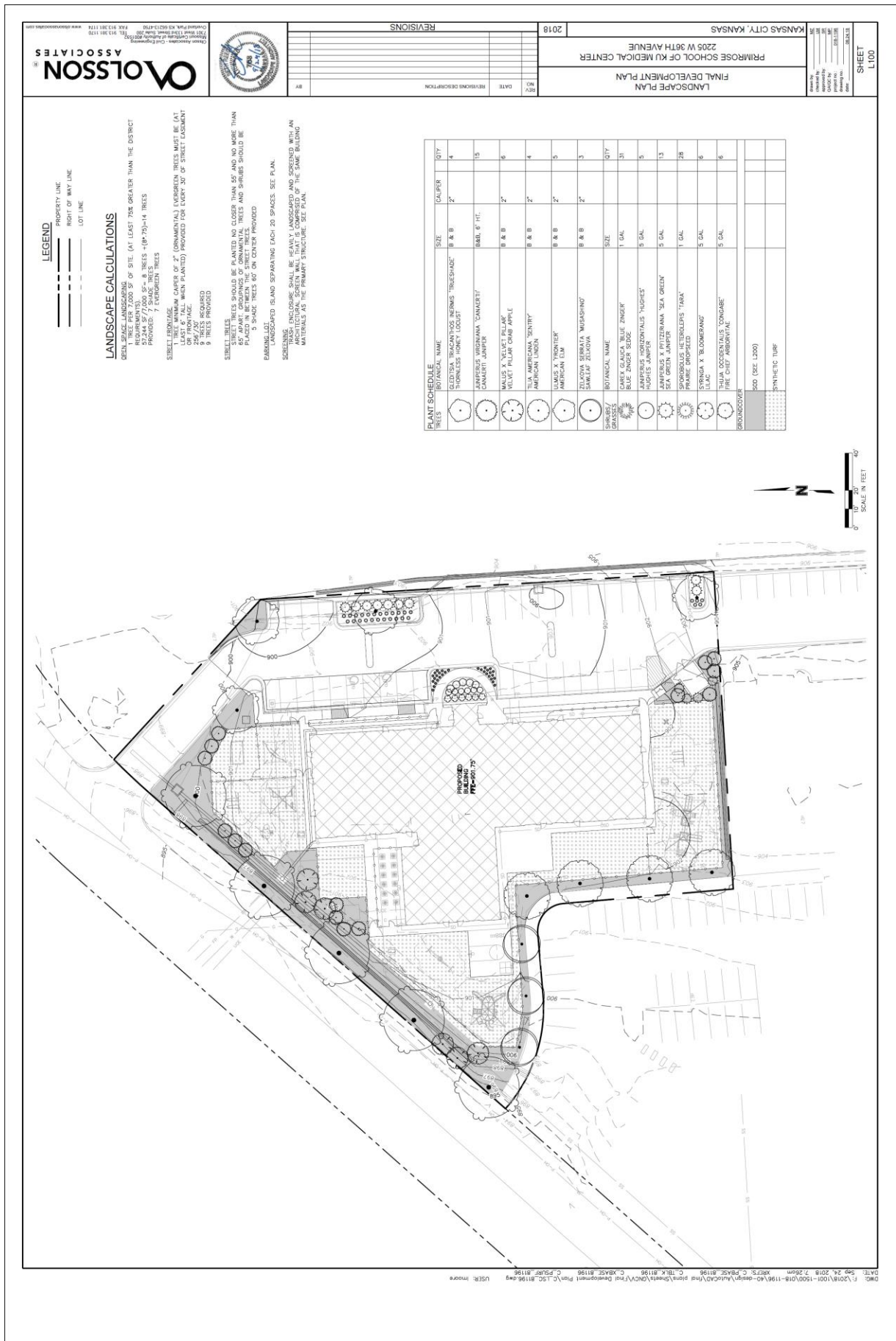
Staff at capacity will be 24

AM drop off ranges from 6-9:00AM (peak hour is typically 7:30-8:30)

PM pick up is between 3-6:30PM (peak hour is typically 4:30-5:30)









Primrose School - Kansas City, KS (KU Medical Center) Site Lighting Layout

Designer
Adam Carrier
Date
8/15/2018
Scale
Not to Scale
Drawing No.
Summary

1 of 1



Plan View
Scale: 1" = 22'

Schedule					Wattage
Symbol	Label	Qty	Catalog Number	Description	
	T	4	ARE-EDG-2M-DA-16-E UL-BZ-525-P / PSRV30CTBZ	Single Head Cree Lighting Area Edge Series LED Area Unit w/Type 2M Distribution (EXISTING 30ft. Pole)	267
	C	12	XSPW-A-0-3-M-G-U-Z	Cree Lighting XSPW Series LED Wallpack Unit w/Type 3 Distribution (14ft. Fixture Mounting Height)	25.28
	D	3	H7ICT / RL560WH9930	Edison Halo Brand H7ICT Series Insulated Ceiling Recessed Housing w/ TCP LED14 Series Downlight Module Unit	13.5
	J	2	P5966-84 / LED110AV3/827W	Progress Decorative Wall Mount Outdoor Source Unit w/GE A19 LED Lamp	9.4
	P	1	H-18110-119/HL-A- 119/13/LED240/D/BC H-H	Hi-Lite H-18110 Series Wall Mount Angled Reflector LED Unit	11.9
	S	2	FLED18	RAB Lighting FLED Series Building Mounted LED Flood Unit	22.1

Statistics				
Description	Symbol	Avg	Max	Min
Property Line Site Levels	+	1.5 fc	5.1 fc	0.0 fc
Site Light Levels	+	1.6 fc	10.7 fc	0.0 fc



A	DUMPMSTER GATES (POST & HINGES)	#BM HC 112 TATE OLIVE (INDUSTRIAL ENAMEL) EXTERIOR (EXTERIOR)
B	EXTERIOR WID. TRIM, EXTERIOR EXTERIOR SHUTTERS, CUPOLA WALLS, GUTTERS AND DOWNSPOUTS, SOFFITS, BRACKETS	TO MATCH HARDIE TRIM SANDSTONE BEIGE (BM HC 02 OR SW SW 6157)
C	EXTERIOR HARDIE TRIM, FASCIA, FREEZE	SANDSTONE BEIGE JH50-20 (BM HC 02 OR SW SW 6157)
D	WINDOWS	BEIGE OR ALMOND (VINYL)
E	BRICK:	BORAL CONCORD MODULAR MORTAR, LIGHT BUFF COLOR
F	ASPHALT SHINGLES; NOTE: ALL ROOF MOUNTED EQUIPMENT SHALL BE PAINTED TO MATCH ROOF COLOR.	MANUF.: GAF STYLE: TIMBERLINE NATURAL SHADOW COLOR: WEATHERED WOOD LIFETIME WARRANTY
G	VINYL SHUTTERS	ARCHITECTURALDEPOT.COM - 14" JOINED SHUTTERS WINSTAIL SCREENS WIDE STANDARD SIZE FOUR BOARD PRE-FINISHED #028 FOREST GREEN
H	STANDING SEAM ROOF	AEP-SPAN SNAPSEAM - 12" COLOR: DARK BRONZE
J	STEEL AWNING SUPPORTS	#BM HC 112 TATE OLIVE (INDUSTRIAL ENAMEL, EXTERIOR APPLICATION)
K	STONE:	LONESTAR STONE - LIBERTY LONESTAR STONE - LIBERTY GROUT: LIGHT BUFF COLOR, BED MORTAR



1	VINYL SHUTTERS - SEE WINDOW SCHEDULE FOR SIZES
2	CURIO - SEE EXTERIOR COLORS FOR MANUFACTURER
3	STONE - SEE WITH WEATHER VANE, PAINT, CUPOLA WALLS AND LOUVERS FOR EXTERIOR FINISH SCHEDULE. DARK BRONZE STANDING SEAM ROOF (EPOXY ROOSTER)
4	EXTRUDED ALUMINUM 5" WIDE DOWNS, WITH SPIKE & FERRULE AT 36" O.C. O.C.E. PROFILE. CONNECT 4" DIA. DOWNSPOUTS TO UNDERGROUND STORM SYSTEM.
5	BRICK SOLDIER COURSE.
6	WALL MOUNTED EMERGENCY LIGHT FIXTURE. SEE ELECTRICAL DRAWINGS.
7	BRICK VENEER.
8	ROUNDED PRECAST SILL - NATURAL WHITE COLOR.
9	STANDING SEAM ROOF ON METAL FRAME.
10	22 OR 36" DIAMETER VENT LOUVERS. PROVIDE HEIGHT AS SHOWN ON ELEVATIONS.
11	VINYL SINGLE HUNG WINDOWS WITH CLEAR GLASS.
12	FIXED VINYL WINDOWS WITH CLEAR GLASS.
13	WALL MOUNTED LIGHT FIXTURE, TYP AT EACH EXTERIOR DOOR. SEE LIGHT FIXTURE SCHEDULE. FLUSH TOP TO BOTTOM OF SOPSIT ON 60" MIN. V.A.S.
14	STOP BUTLONOSE SILL AS REQUIRED TO ALLOW SPACE FOR ELECTRICAL SWITCHGEAR.
15	BEIGE ALUMINUM PLAQUE W/6" REFLECTIVE BLACK VINYL NUMBERS.
16	H.M. INSULATED EXTERIOR DOOR AND FRAME.
17	"FIPON" PVC BRACKET, PAINTED (SANDSTONE BEIGE)
18	BRICK ROWLOCK COURSE

PRIMROSE SCHOOL
FRANCHISING COMPANY
3660 Cedarcrest Road
Acworth, GA 30101

PRIMROSE SCHOOL
W. 36th AVENUE (KU MEDICAL CENTER)
KANSAS CITY, KS
06-21-18

Attachments:







AFFIDAVIT, PROPERTY OWNER CONSENT FORM

STATE OF KANSAS

COUNTY OF WYANDOTTE

SS:

Comes now DALE SEUFERLING, PRESIDENT, THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION
(property owner)

his/her oath states as follows:

1. That I am the property owner of PARCEL NO 216000 in Kansas City,
Kansas.
(Address)
2. That I have reviewed the application for PRIMROSE SCHOOL to
(Applicant)
operate/develop A CHILDCARE FACILITY on my
(Proposed use)
property.
3. That after discussing the matter and fully reviewing the application, I authorize this
application and subsequent applications necessary to accomplish the plan/use noted
above, to be filed on my behalf.

Further affiant saith not.


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 5 day of Oct, 2018

My commission expires 24 of October, 2021.

Monica R. Lemmons
Notary Public

Monica R. Lemmons
Notary Public
State of Kansas
My Commission Expires 10/24/21

BOZA Application

Case Number _____

4 of 7

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Session: \$ 16.95

Displaying page: 1 of 1

RefDate	DocDate	DocNumber	DocType	Last Name	First Name	Party Type
08/26/2016		2016R-11600	EASEMENT	KANSAS UNIVERSITY ME...		GRANTOR
08/26/2016		2016R-11600	EASEMENT	UNITED GOVERNMENT O...		GRANTEE
12/23/2014		2014R-16337	DEED	KANSAS DEPT OF AGING...		GRANTOR
12/23/2014		2014R-16337	DEED	KANSAS UNIVERSITY EN...		GRANTEE

Results found: 4

NEW SEARCH

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2014R-16337
NANCY BURNS
REGISTER OF DEEDS
WYANDOTTE COUNTY, KS
RECORDED ON
12/23/2014 08:41:42 AM
DEED FEE: 12.00
TECHNOLOGY FEE: 8.00
PAGES: 4

GENERAL WARRANTY DEED

THIS INDENTURE is made as of the 22nd day of December, 2014, by and between the Kansas Department for Aging and Disability Services, on behalf of the State of Kansas ("Grantor"), and THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION, a Kansas not-for-profit corporation ("Grantee"), which Grantee has an address of P.O. Box 928, Lawrence, KS 66044-0928.

WITNESSETH: That Grantor, in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey unto said Grantee, its successors and assigns, the parcels of real estate situated in the City of Kansas City, Wyandotte County, Kansas that are described on Exhibit "A" which is attached hereto and hereby incorporated herein by this reference.

ALL SUBJECT to easements, restrictions, covenants and rights of way of record, zoning laws, taxes for the year 2014 and subsequent years, any matter that would be disclosed by an accurate survey of the foregoing, and any rights of, and encumbrances created by, Grantee.

AND SUBJECT to the right of Rainbow Services, Inc. ("Tenant") under that certain Lease between Grantor and Tenant dated effective February 1, 2014, as amended by an Amended Lease dated August 22, 2014, to possess a portion of the property described on Exhibit "A" until January 31, 2017 or such sooner date upon which such lease may be terminated by its terms or by written agreement of Grantee and Tenant.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever. And Grantor, for itself, its successors and assigns, hereby covenants, promises and agrees, to and with Grantee, that at the delivery of these presents it is lawfully seized in its own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above-granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of what nature and kind so ever, except as set forth above, and

First Amended Title KCS 656471

WYANDOTTE COUNTY DOCUMENT NUMBER 2014R-16337 PAGE NUMBER 1

that it will WARRANT and FOREVER DEFEND the same unto Grantee, and Grantee's successors and assigns, against Grantor, and Grantor's successors and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the Grantor has hereunto set forth its respective hand, the day and year first above written.

GRANTOR:

Kansas Department for Aging and Disability Services,
on behalf of the State of Kansas

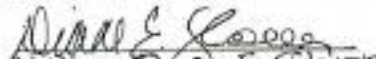
By 
Kari Bruffett, Secretary

STATE OF Kansas

COUNTY OF Shawnee

This instrument was acknowledged before me on 12/19, 2014, by Kari Bruffett who is personally known to me to be such person, and who acknowledged that she executed the foregoing instrument in her capacity as Secretary of the Kansas Department for Aging and Disability Services as the free act and deed of such Department and the State of Kansas.

(SEAL)


Print Name: Diane E. Slover
Title: Notary Public

My Appointment Expires: 1/22/15

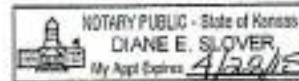


Exhibit "A"

Legal Description

Real property in the City of Kansas City, County of Wyandotte, State of Kansas, described as follows:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 27 AND THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 11, RANGE 25, KANSAS CITY (FORMERLY CITY OF ROSEDALE), WYANDOTTE COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 26; SAID POINT BEING 1,978.79 FEET SOUTH AND 12.12 FEET WEST BY COORDINATE FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE NORTH 48° 24' 39" EAST, 6.72 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT, HAVING A RADIUS OF 330.0 FEET; AN ARC DISTANCE OF 42.58 FEET; THENCE NORTH 43° 44' 59" EAST, TANGENT TO THE LAST DESCRIBED CURVE, 458.10 FEET; THENCE NORTH AND EASTERLY ON A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 370.0 FEET, AN ARC DISTANCE OF 298.37 FEET; THENCE NORTH 89° 57' 12" EAST, TANGENT TO THE LAST DESCRIBED CURVE, 32.68 FEET TO A POINT IN THE WEST LINE OF EATON STREET AS NOW ESTABLISHED; SAID POINT BEING 1,500.46 FEET SOUTH AND 640.84 FEET EAST BY COORDINATE FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE SOUTHERLY ALONG THE WEST LINE OF EATON STREET AS NOW ESTABLISHED, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1,457.50 FEET, AN ARC DISTANCE OF 297.65 FEET; THENCE CONTINUING SOUTH 0° 04' 51" WEST ALONG THE WEST LINE OF EATON STREET, TANGENT TO THE LAST DESCRIBED CURVE, 840.22 FEET TO A POINT IN THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE SOUTH 89° 52' 04" WEST ALONG SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26, 624.95 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 26; THENCE CONTINUING NORTH 89° 47' 33" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27, 157.04 FEET TO A POINT IN THE EAST LINE OF RAINBOW BOULEVARD AS NOW ESTABLISHED; SAID POINT BEING 2,637.11 FEET SOUTH AND 173.20 FEET WEST BY COORDINATE FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 34° 16' 36" WEST ALONG THE EAST LINE OF SAID RAINBOW BOULEVARD AS NOW ESTABLISHED 107.63 FEET; THENCE NORTHERLY ALONG THE EAST LINE OF SAID RAINBOW BOULEVARD ON A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 470.0 FEET, AN ARC DISTANCE OF 284.05 FEET; THENCE CONTINUING NORTH 0° 21' 04" EAST ALONG THE EAST LINE OF SAID RAINBOW BOULEVARD TANGENT TO THE LAST DESCRIBED CURVE, 223.43 FEET; THENCE SOUTH 89° 53' 40" EAST, 99.31 FEET; THENCE EASTERLY ON A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 340.0 FEET, AN ARC DISTANCE OF 163.21 FEET; THENCE NORTH 48° 24' 39" EAST, 60.91 FEET TO A POINT IN THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 AND THE POINT OF BEGINNING,

EXCEPT THAT PART DESCRIBED AS FOLLOWS:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 27 AND THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 26, TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID FRACTIONAL SECTION 26:

THENCE SOUTH 89° 52' 04" WEST 18.68 FEET, ALONG THE SOUTH LINE OF SAID FRACTIONAL SECTION 27;

THENCE NORTH 37° 10' 40" WEST 340.27 FEET;

THENCE NORTH 26° 02' 37" WEST 95.94 FEET;

THENCE NORTH 11° 50' 19" WEST 69.03 FEET;

THENCE NORTH 00° 21' 04" EAST 111.93 FEET;

THENCE SOUTH 89° 53' 40" EAST 88.17 FEET;

THENCE NORTH 85° 44' 47" EAST 74.42 FEET;

THENCE NORTH 68° 52' 01" EAST 61.08 FEET;

KANSAS CITY, KANSAS

THENCE NORTH 09° 18' 23" EAST 34.82 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF 36TH AVENUE, AS NOW ESTABLISHED, AND A POINT ON A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 340.00 FEET;
 THENCE NORTHEASTERLY 29.08 FEET, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND SAID CURVE;
 THENCE NORTH 43° 00' 28" EAST 3.39 FEET, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE;
 THENCE SOUTH 01° 44' 25" EAST 61.07 FEET, DEPARTING FROM SAID RIGHT-OF-WAY LINE;
 THENCE SOUTH 07° 53' 36" EAST 63.88 FEET;
 THENCE SOUTH 05° 45' 03" EAST 126.04 FEET;
 THENCE SOUTH 02° 32' 11" EAST 159.70 FEET;
 THENCE SOUTH 15° 51' 35" EAST 16.65 FEET;
 THENCE SOUTH 55° 15' 40" EAST 24.11 FEET;
 THENCE SOUTH 87° 54' 32" EAST 64.98 FEET;
 THENCE SOUTH 83° 38' 39" EAST 120.30 FEET;
 THENCE SOUTH 06° 53' 33" WEST 167.11 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID FRACTIONAL SECTION 26;
 THENCE SOUTH 89° 52' 04" WEST 189.24 FEET, ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID FRACTIONAL SECTION 26 AND THE POINT OF BEGINNING,

AND EXCEPT:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 26, TOWNSHIP 11 SOUTH, RANGE 25 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF SAID FRACTIONAL SECTION 26, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 23 EAST:
 THENCE NORTH 89° 52' 04" EAST 498.04 FEET, ALONG THE SOUTH LINE OF SAID FRACTIONAL SECTION 26, TO THE TRUE POINT OF BEGINNING;
 THENCE NORTH 00° 07' 56" WEST 114.76 FEET;
 THENCE NORTH 09° 52' 04" EAST 23.21 FEET;
 THENCE NORTH 00° 33' 33" EAST 111.14 FEET;
 THENCE NORTH 01° 19' 24" EAST 331.54 FEET;
 THENCE NORTH 05° 10' 25" WEST 53.01 FEET;
 THENCE NORTH 08° 52' 42" WEST 115.11 FEET;
 THENCE NORTH 05° 22' 21" WEST 38.90 FEET;
 THENCE NORTH 02° 40' 12" EAST 55.93 FEET;
 THENCE NORTH 08° 49' 10" EAST 49.39 FEET;
 THENCE NORTH 26° 40' 27" WEST 29.20 FEET;
 THENCE NORTH 18° 04' 39" EAST 130.98 FEET;
 THENCE NORTH 20° 52' 07" EAST 40.16 FEET;
 THENCE NORTH 39° 36' 45" EAST 32.58 FEET;
 THENCE NORTH 61° 53' 31" EAST 32.13 FEET;
 THENCE NORTH 79° 11' 37" EAST 51.31 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF EATON STREET, AS NOW ESTABLISHED, SAID RIGHT-OF-WAY LINE BEING A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 1475.50 FEET;
 THENCE SOUTHERLY 288.15 FEET, ALONG SAID WEST RIGHT-OF-WAY LINE AND SAID CURVE;
 THENCE SOUTH 00° 04' 51" WEST 840.21 FEET, ALONG SAID WEST RIGHT-OF-WAY LINE, TO A POINT ON THE SOUTH LINE OF SAID FRACTIONAL SECTION 26;
 THENCE SOUTH 89° 52' 04" WEST 126.91 FEET, ALONG SAID SOUTH LINE, TO THE TRUE POINT OF BEGINNING.



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners
From: City Staff
Date: October 25, 2018
Re: Petition #SP-2018-77

GENERAL INFORMATION

Applicant:
Jennifer L Rios

Status of Applicant:
Owner
6601 Leavenworth Road
Kansas City, Kansas

Requested Action:
A Special Use Permit for temporary use of land to operate a day care in a home that is not a primary residence.

Date of Application:
July 27, 2018

Purpose:
To operate a day care in a residential property in which the applicant does not reside.

Property Location:
6601 Leavenworth Road

Existing Zoning: R-1 Single Family District



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

Existing Uses: **North:** Single family residences
South: Single family residences
East: Single family residences
West: Single family residences

Total Tract Size: 0.5 acre

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

Major Street Plan: Leavenworth Road is designated as a Class B thoroughfare.

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owners – August 15, 2018, September 21, 2018,
October 2, 2018 and October 19, 2018

Public Hearings: September 10, 2018, September 27, 2018, October 8, 2018 and
October 25, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 or
October 8, 2018 City Planning Commission meetings or September 27, 2018 Board of
Commissioners meeting.

PROPOSAL

Outline of Requested Action: Ms. Rios is seeking a Special Use Permit to operate a day
care in a home that is not her primary residence.

City Ordinance Requirements: 27-1251 through 27-1270

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is residential in nature.

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

The zoning and uses of nearby properties are set out above. Though we often
allow day cares to operate in residential neighborhoods, this case is unique in
that Ms. Smith is not planning to reside in the house and it will only be used in a
commercial fashion.

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

The property was developed as a residence and is in an exclusively residential neighborhood. By allowing a solely commercial use in the neighborhood, there are some changes to the neighborhood to be expected.

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

The property is not vacant.

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

This sort of operation is not addressed by the Master Plan.

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

There will likely be an increase in traffic in both the mornings and the evening when parents are dropping off and picking up their children each day. Though it is unlikely to exceed the capacity of the street, it is not unreasonable to assume there would be times when there would be traffic backed up or a lack of parking spaces near the property due to the increased traffic.

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

This use is not a necessary convenience to the public. Having a day care in a neighborhood can be helpful to some nearby residents but is not a particular asset to the area.

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

Noise could become an issue if not properly managed. Children playing outside can be quite noisy where there are many of them together.

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

This will not be an issue

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

This will not be an issue.

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

The Planning Commission will need to make this assessment.

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

This is not an issue.

PREVIOUS ACTIONS

No previous action has been taken on this property.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting by August 25, 2018. According to the applicant no one was in attendance.

KEY ISSUES

1. Noise
2. Traffic and parking

PREVIOUS PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-77, subject to:

Urban Planning and Land Use Comments:

1. How many children do you expect to have in your care?
Applicant Response: 10
2. How many employees do you intend to have working at any one time?
Applicant Response: 2
3. If approved, the applicant must obtain a business license tax receipt.
4. Please explain how you plan to keep noise down as to not bother neighbors nearby.
Applicant Response: The applicant will build a privacy fence.
5. How do you plan to ensure parking and traffic is not an issue when parents are dropping off and picking up their children?
Applicant Response: The drive can accommodate up to 11 cars.
6. Any parking area needs to be striped and meet code requirements for dimensions.
Applicant Response: The applicant agrees.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) The Leavenworth Road Improvement project early designs for this section of the road indicates the closure of one of the drive entrances i.e. close to the intersection with N.65th Street. along with the construction of a new drive entrance to the property on N.65th Street. The applicant shall adjust access to the site in accordance with the Leavenworth Road improvements.

Applicant Response: I will have maps for the parents indicating they must come from the 72nd street towards the daycare and my driveway curves like a cul-de-sac and has enough driveway to where they can enter my drive way and then turn left to exit facing head out to Leavenworth Road not backing out into the street. So this ensures a safe exit to Leavenworth road. This work on Leavenworth road will not be an issue at all.

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

1) None

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

1) None

PREVIOUS BOARD OF COMMISSIONERS ACTION

This application was returned to the City Planning Commission after the applicant removed the item from the Consent Agenda to discuss the number of children approved for this special use permit.

CURRENT PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 4 to 1 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-77, for a maximum of 20 children for one (1) year (does not include use of the basement) subject to:

Urban Planning and Land Use Comments:

1. How many children do you expect to have in your care?

Applicant Response: 20 (revised from 10)

2. How many employees do you intend to have working at any one time?

Applicant Response: 2

3. If approved, the applicant must obtain a business license tax receipt.

4. Please explain how you plan to keep noise down as to not bother neighbors nearby.

Applicant Response: The applicant will build a privacy fence.

5. How do you plan to ensure parking and traffic is not an issue when parents are dropping off and picking up their children?

Applicant Response: The drive can accommodate up to 11 cars.

6. Any parking area needs to be striped and meet code requirements for dimensions.

Applicant Response: The applicant agrees.

Public Works Comments:

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

The Leavenworth Road Improvement project early designs for this section of the road indicates the closure of one of the drive entrances i.e. close to the intersection with N.65th Street. along with the construction of a new drive

1) entrance to the property on N.65th Street. The applicant shall adjust access to the site in accordance with the Leavenworth Road improvements.

Applicant Response: I will have maps for the parents indicating they must come from the 72nd street towards the daycare and my driveway curves like

a cul-de-sac and has enough driveway to where they can enter my drive way and then turn left to exit facing head out to Leavenworth Road not backing out into the street. So this ensures a safe exit to Leavenworth road. This work on Leavenworth road will not be an issue at all.

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

1) None

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

1) None

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-77 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes

October 8, 2018 City Planning Commission Minutes

Zoning map

Vicinity map

Site pictures provided by applicant

Neighborhood meeting information

Square footage information submitted by applicant

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	Referred Back
	October 8, 2018	October 25, 2018
	Approval	

STAFF CONTACT:

Rob Richardson, AICP

rrichardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-77 as meeting all the requirements of the City code and being in the interest of the public, health safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments:

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-77** as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

Hearing Starts at 1:15:07:

SPECIAL USE PERMIT APPLICATION #SP-2018-77 – JENNIFER L. RIOS – SYNOPSIS: Special Use Permit for a day care for children ages 2 to 12 at 6601 Leavenworth Road. Detailed Outline of Requested Action: Ms. Rios is seeking a Special Use Permit to operate a day care in a home that is not her primary residence.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 16, 2018; and
7. The Notices to property owners dated August 15, 2018.

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

Present in Support:

- ❖ Jennifer L. Rios, applicant, 6601 Leavenworth Road, Kansas City, Kansas

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:26:57: Planning Director Richardson stated that he would advise the applicant that if she exceeds the 10 children discussed in the staff report, she would need to revise her application at or before renewal. With that note, the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 1:27:33

On motion by Dr. Neal, seconded by Ms. Jones, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application #SP-2018-77:**

Carson

Aye

#SP-2018-77

September 10, 2018

Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 8 to 0
Subject to:

Urban Planning and Land Use Comments:

1. How many children do you expect to have in your care?
Applicant Response: 10
2. How many employees do you intend to have working at any one time?
Applicant Response: 2
3. If approved, the applicant must obtain a business license tax receipt.
4. Please explain how you plan to keep noise down as to not bother neighbors nearby.
Applicant Response: The applicant will build a privacy fence.
5. How do you plan to ensure parking and traffic is not an issue when parents are dropping off and picking up their children?
Applicant Response: The drive can accommodate up to 11 cars.
6. Any parking area needs to be striped and meet code requirements for dimensions.
Applicant Response: The applicant agrees.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) The Leavenworth Road Improvement project early designs for this section of the road indicates the closure of one of the drive entrances i.e. close to the intersection with N.65th Street. along with the construction of a new drive entrance to the property on N.65th Street. The applicant shall adjust access to the site in accordance with the Leavenworth Road improvements.
Applicant Response: I will have maps for the parents indicating they must come from the 72nd street towards the daycare and my driveway curves like a cul-de-sac and has enough driveway to where they can enter my drive way and then turn left to exit facing head out to Leavenworth Road not backing out into the street. So this ensures a safe exit to Leavenworth road. This work on Leavenworth road will not be an issue at all.
- B) Items that are conditions of approval (stipulations):
- 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

October 8, 2018 City Planning Commission Minutes:

Hearing starts at 37:05:

SPECIAL USE PERMIT APPLICATION #SP-2018-77 – JENNIFER L. RIOS –

SYNOPSIS: Special Use Permit for a day care for children ages 2 to 12 at 6601 Leavenworth Road. Detailed Outline of Requested Action: Ms. Rios is seeking a Special Use Permit to operate a day care in a home that is not her primary residence.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 8, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 16, 2018; and
7. The Notices to property owners dated August 15, 2018 September 21, 2018 and October 2, 2018.

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

Recording Secretary Parker stated that this application was heard last month and recommended for approval for ten (10) children for two (2) years with the staff stipulations. At the Board of Commissioners' meeting the applicant removed the application from the Consent Agenda to revise the number of children that she could have in this facility. The Board of Commissioners referred the application back to the Planning Commission for further review of the number of children.

Present in Support:

- ❖ Jennifer L. Rios, applicant, 6601 Leavenworth Road, Kansas City, Kansas

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 44:56: Planner Flanders stated that the staff was originally going to ask for a hold over for this application. The staff has had communication with the State who will have a role in regulating this and determined that it is 25 square feet of play area per child. Even with the top floor being 1500 square feet minus the kitchen, bathroom and hallways, there would be room for 20 kids. The basement would be a concern with the lack of ingress/egress and the staff is still looking into the permit issue. If the Commission wants to move this forward for the top level it could be recommended for approved for 20 children for 2 years. Last month's approval was for 10 children for 2 years and if she wanted to seek a higher number she could come back before the Commission to revise the approval. He stated that the applicant wants to have 20 children in order to make the financial work. Ms. Rios stated that is correct; if she started with 10 children she would only be paying expenses.

Motion and Vote Starts at 47:32:

On motion by Mr. Ernst, seconded by Mr. Miller, the Planning Commission voted as follows to **RECOMMEND APPROVAL of Special Use Permit Application #SP-2018-77 for a maximum of 20 children for one (1) year (does not include use of the basement):**

Ernst	Aye
Miller	Aye
Neal	No
Pauley	Aye
Reasons	Aye
Huey	Chairman
Carson	Not Present
Connelly	Not Present
Jones	Not Present
Serda	Not Present

Motion to RECOMMEND APPROVAL Passed: 4 to 1

Subject to:

Urban Planning and Land Use Comments:

1. How many children do you expect to have in your care?
Applicant Response: 20 (revised from 10)
2. How many employees do you intend to have working at any one time?
Applicant Response: 2
3. If approved, the applicant must obtain a business license tax receipt.
4. Please explain how you plan to keep noise down as to not bother neighbors nearby.
Applicant Response: The applicant will build a privacy fence.
5. How do you plan to ensure parking and traffic is not an issue when parents are dropping off and picking up their children?
Applicant Response: The drive can accommodate up to 11 cars.
6. Any parking area needs to be striped and meet code requirements for dimensions.
Applicant Response: The applicant agrees.

Public Works Comments:

A) Items that require plan revision or additional documentation before engineering can recommend approval:
The Leavenworth Road Improvement project early designs for this section of the road indicates the closure of one of the drive entrances i.e. close to the intersection with N.65th Street. along with the construction of a new drive

- 1) entrance to the property on N.65th Street. The applicant shall adjust access to the site in accordance with the Leavenworth Road improvements.

Applicant Response: I will have maps for the parents indicating they must come from the 72nd street towards the daycare and my driveway curves like a cul-de-sac and has enough driveway to where they can enter my drive way and then turn left to exit facing head out to Leavenworth Road not backing out into the street. So this ensures a safe exit to Leavenworth road. This work on Leavenworth road will not be an issue at all.

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

1) None

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

1) None





Thursday, July 26, 2018 5:57 AM



One note

MY SECOND HOME DAYCARE

We will provide care for all children ages 2 to 12 years of age.

The Owner/Director is Jennifer L Rios. I have a Masters Degree in Education in Curriculum and Instruction with a major and minor in English/Spanish as a Second Language. I studied infant and child care development along with caring for infants and children with special needs. I was chosen by USA-TODAY as one of the top 20 students in the nation and have a scholarship named after me at KCKCC, it is the Jennifer L Rios education scholarship. I have taught in public

schools as a teacher and Para and I have also taught adults at the college level. I have two beautiful daughters ages nine and seven. My emphasis has always been challenging myself to grow both personally and professionally to be able to help others become the best that they can be and to reach and surpass their goals in life. I believe that the magic all starts at an early age when exposure to different experiences, age appropriate challenges and constant strategic teaching and learning through play and communication instill a life long love for education.

Tuition will vary depending on the child's age and the program and

hours they are enrolled in.

Children will be provided a menu that is planned with nutritious and varied foods.

Breakfast from 7:30-8:30

Snack from 10:00-10:30

Lunch from 12:30-1:30

Snack from 3:30-4:30

The facility will have an alarm system.

Each day each child will be given an invisible stamp that will match the parents and will be verified upon pick up of child. Or if preferred parents will have a different daily code that will be given out for the protection of all children and peace of mind of the

parents.

The play area will be enclosed by a privacy fence.

The daycare office and its restroom will be separate from the daycare classrooms by a locked door. Our facility will be secured so that only authorized staff and families can enter our classrooms supervised by a director or Lead Teacher. Only pre-approved people with photo identification may pick up your child.

Our facility will have 3 AED devices on site for the immediate access in case of any emergency. All of our teachers are trained in

CPR and first aid.

Our caregivers ^{are} ~~is~~ trained in child care development, early childhood education and Children with Learning Disabilities and related fields.

We conduct criminal background checks to ensure trustworthy staff and passionate teachers who will give your child loving attention, care and education.

We will have emergency training in the event of earthquakes, fires, and lockdown situations. We have an evacuation plan and we will regularly test and train for preparedness. Our Center will include smoke detectors and fire extinguishers. *We will cap*

electrical outlets and use safety gates to ensure safe indoor and outdoor play at all times.

We will have strict policies for administering medication to children to ensure they are protected.

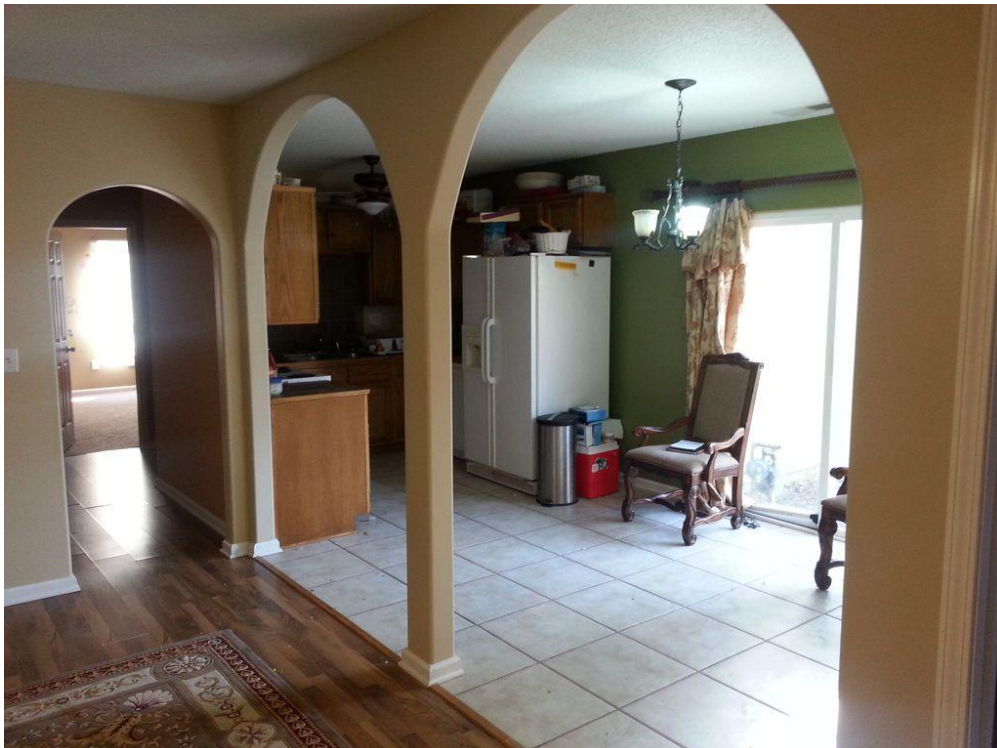
My center will be safe, non-toxic and clean at all times. All cleaning supplies will be locked safely out of reach of children.

We will provide an environment that will encourage appreciation of diversity and life long learning.

We want to make parents feel that this is like their child's second home and second family. I will do

care for all children with sincere and genuine concern and will use appropriate strategies based on each individual.

I plan to have a Live View on Demand Video and Audio camera with a two way speaker that will have a PIN CODE for each parent. Parents will be able to use their computers or cell phones to call in throughout the day at whatever time they like to personally see and hear their child's voice. This will help children and parents feel close to each other throughout the day.



SAMPLE MINUTES:

Application Number _____

Date and Location: 8/25/18
12601 Hollingsworth Rd, KC, KS 66109

Meeting called to order at: ~~5:00pm~~ 5:00pm

Names of people in attendance: Jennifer Rios and Marivel Fernandez

Introductions:

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

Questions and answers (include the following):

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

Meeting adjourned at: 5:40pm

Minutes taken by: Marivel Fernandez

SP# 1840200058
MINUTES:

Application Number

Date: 8/25/2018

Location: 12601 Hollingsworth Rd
Kansas City, KS 66109

Meeting called to order at: 5:00pm

Names of people in attendance: Jennifer L. Rios and Marivel Fernandez
[None of the contacts on the list for the petitioned address (6601 Leavenworth Rd, Kansas City, KS 66104) were present.]

Introductions: None required

Presentation by applicant: Jennifer L. Rios

Questions and answers: N/A

Meeting adjourned at: 5:40pm

Minutes taken by: Marivel Fernandez

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

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

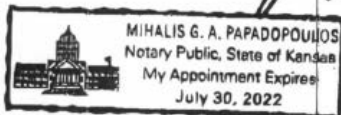
1. That I am the petitioner for Petition # _____.
2. That I conducted a neighborhood meeting on _____.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Jessie Lynn Rice
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26 day of August, 2018.

My commission expires July 30 2022, 200.



Mihalios G. A. Papadopoulos
Notary Public

WYCAMM2 Property Record Card

PROPERTY INFORMATION		COST DATA INFORMATION		RECONSTRUCTION COST SUMMARY	
Room Type:	1-Single Family Residence	Arch Style:	CO House	Dwelling Rch:	148,000
Quality:	2-BV-AV	Plant Type:	3-Partial-1	Percent Good:	50%
Year Bld:	1992	Total Rooms:	6	Mid Adj:	100
CR Year:		Bedrooms:	3	Eco Adj:	100
MS Style:	1-One Story	Family Rooms:		Building Value:	82,000
LRBbsmnt:	1110-Detached SFR w/d	Full Bsns:	2	Other Improvement RCh:	0
No. of Units:		Garage Cps:		Other Improvement Value:	0
		Foundation:	Block-1		
Total Living Area:				CALCULATED VALUES	
	1,508	Cost Land:			52,000
Constructed Area:	1,508	Ecos Building:			82,000
Main Floor Living Area:	1,508	Cost Total:			94,000
Upper Floor Living Area:		Income Value:			0
COG:	AV-	Market Value:			105,400
PhysInvntFloor:	AV / I	MRA Value:			97,000
Dir Pct BdrRm:		FINAL VALUES			
Remodel:	complete remodel	Value Method:		MRA:	
Percent Complete:		Land Value:			52,000
Assessment Class:		Building Value:			94,000
MU Class:		Final Value:			97,000
		Prior Value:			90,000

0-800-762-2269

Keywords: computer networks; bandwidth; A1-TO-50000; A2-70-001206; DownloadComp; DDT bond =

OWELL LIVES DOWN ORCHARD	Costs	Units	Pct	Quality	Year
701 Frame Sheds			100		
208 Corrosion Shields			100		
301 Insulated & Coated Air			100		
402 Air-Handled Power Cover Advancers					
501 Pumping Pumps (H)	B				
602 Pumping Pumps (H)	I				
702 Paved Outdoor (H or SP)	U/SH				
801 Single 1-8000 Production (H)	I				
901 1 Year Basement Area (SP)	675				
902 Paved Steel Pouch (SP)	B		3.00		1947



Staff Request for Commission Action

Tracking No. 18478

Full Commission Meeting Date: 10/25/18

Committee: Full Commission

Date of Standing Committee Action:

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
10/17/2018	Emerick Cross	x6784	ecross@wycokck.org	Commission Liaison

Item Description:

Boards & Commissions:

Law Enforcement Advisory Board, Joan DeMoss, 10/25/18 to 06/30/20, submitted by Commissioner McKiernan

Law Enforcement Advisory Board, Cherish Cho, 10/25/18 to 06/30/22, submitted by Commissioner Walters

Golf Board, George Hurtado, 10/25/18 to 3/31/20, submitted by Commissioner Markley

Action Requested:

Approve

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



Staff Request for Commission Action

Tracking No. 18479

Full Commission Meeting Date: 10/25/18

Committee: Full Commission

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

Publication Required: Yes 11/01/2018

<u>Date:</u> 10/18/2018	<u>Contact Name:</u> James Bain	<u>Contact Phone:</u>	<u>Contact Email:</u> James	<u>Department/Division:</u> Legal
<u>Item Description:</u> Project Name: Project Name: Pump Station 61 Force Main Improvements - 6303 On September 13, 2018, the Commission approved Ordinance No. O-34-18, declaring the project to be necessary, valid public improvement project and authorizing a survey to identify and describe the property to be acquired. Due to a clerical error, it is necessary to amend the description and scope of work of the Improvements, as provided by Ordinance No. O-34-18, submitted by E. James Bain, Assistant Counsel.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Ordinance PS 61				

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. O-34-18 condemning land for the construction, maintenance, operation, reconstruction, and improvements of the **Pump Station 61 Force Main Improvements – CMIP 6303**, all in Wyandotte County, Kansas; and directing the Chief Counsel to institute proceedings as provided by law to acquire said land in this ordinance described by condemnation proceedings.

WHEREAS, On September 13, 2018, the Unified Government adopted Ordinance O-34-18 authorizing the **Pump Station 61 Force Main Improvements, CMIP 6303**. It is necessary to amend the description and scope of work of the Improvements, as provided by Ordinance No. O-34-18.

**BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF
WYANDOTTE COUNTY/KANSAS CITY KANSAS**

Section 1. That Section 1 of Ordinance O-34-18 is hereby amended to read as follows:

Section 1. The following described land is hereby condemned and appropriated to the Unified Government of Wyandotte County/Kansas City Kansas for the construction, maintenance, operation, reconstruction and improvements of the **Pump Station 61 Force Main Improvements – CMIP 6303**, all in Wyandotte County, Kansas to-wit:

Parcel No. 200211

**Fee Owner: Anton & Marilyn Hauschild
4109 N. 123rd Terrace
Kansas City, Kansas 66109**

Permanent Sanitary Sewer Easement:

All of the north fifteen (15) feet of Lot 12, DUFFER’S LAKE ADDITION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Permanent Easement containing in all 2,400 square feet, more or less

AND

Temporary Construction Easement:

All of the south five (5) feet of the north twenty (20) feet of Lot 12, DUFFER’S LAKE ADDITION, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Temporary Easement containing in all 800 square feet, more or less.

Section 2. That Ordinance O-34-18 as amended by this ordinance is hereby ratified and confirmed and shall remain in full force and effect.

Section 3. This ordinance shall take effect and be in force after its passage, approval and publication in the official County, newspaper, The Wyandotte Echo.

**PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS _____ DAY OF _____, 2018.**

Mayor David Alvey

Unified Government Clerk

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

REGULAR SESSION
THURSDAY, SEPTEMBER 13, 2018

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, September 13, 2018, with eight members present: Bynum, Commissioner At-Large First District; Townsend, Commissioner First District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; and Kane, Commissioner Fifth District were absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell Joe Connor and Melissa Sieben, Assistant County Administrators; Bridgette Cobbins, Unified Government Clerk; Angie Lawson, Deputy Chief Counsel, Wendy Green, Assistant Counsel; Terry Zeigler, Chief of Police; Chris Slaughter, Land Bank Manager; Greg Talkin, Director of Neighborhood Resource Center; Judd Knapp, Management Analyst; Logan Masenthin, Program Coordinator General Services; Shaya Lockett, Small Business Liaison; Wayne Wilson, Neighborhood Resource Center; Rachel Miskec, Rental License and Inspection Division; Erin Downing, Demolition Program, Program Coordinator; Kristen Love, Parks and Recreation; and Captain James Bauer, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

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

INVOCATION was given by Ken Nettling, Faith Lutheran Church.

Mayor Alvey said I'd like to recognize dignitaries in the audience, Bob Milan from the Board of Public Utilities, Jeff Bryant from the Board of Public Utilities and Mary Gonzalez. Welcome, thank you for being here and I will also recognize Judge Maurice Ryan.

I will ask the clerk are there any revisions to tonight's agenda? **Bridgette Cobbins, UG Clerk**, said there are no revisions to the agenda, Mayor; however, I would like to bring to the

attention on the agenda, the very last page needs to be flipped on the copies that were sent out for the public.

MAYOR'S AGENDA

ITEM NO. 1 – 18409...POLICE DEPARTMENT AWARDS CEREMONY

Synopsis: Presentation of Police Department awards, submitted by Terry Zeigler, Chief of Police.

Terry Zeigler, Chief of Police, said I appreciate the opportunity to give out some good recognition to some officers tonight. The list is kind of short for this quarter, but we want to give out the Lancaster/Melton Award to two officers, Officer Sullivan and Officer Elaine Moore. Now that's kind of a big deal for us. We had a new program that kicked off this year, it was the Summer Cadet Work Program. It was the first time the Police Department did it. We got rid of our old cadet program. We brought in 18 students/kids from 16–18 years old from the various high schools and we decided to put them to work. These two officers took the idea of the concept that we had for the program. The kids started in June. They spent countless hours preparing what the curriculum was going to be, what we were going to do. They got donations from the community for food and whatnot and one of the important things that they did, an important piece of the program was connecting with some of our businesses. They visited these businesses and set it up where the cadets could go to the businesses, find out what it takes to get entry level positions and then those businesses hosted lunch for the kids.

The 18 kids go through, they toured businesses, they did community cleanups on the weekend. They painted an elderly woman's house in our community that needed some brush cleaned out and a fresh coat of paint. They did that for her. They also learned skills like how to sew, how to fix a car, how to cook, some life skills that maybe they don't get otherwise. The program was a great success for us, a great success. The kids had a lot of positive feedback and I can sit up here and tell you what great work they did, but it's probably best that I share with you two letters that I got.

The first letter I want to read, it's from one of the participant's mother and she sent it to Officer Moore. It says, "Officer Moore, Jenny said she is having a great time working as a summer intern. She loves everything about it. Picking up trash under the highway was disgusting but she toughed it out to help get the job done. She said it makes her feel good to do community work and

help others. I just wanted you to know she goes to bed excited about going to work the next day. How lucky to have a job that makes her feel that way! Based on Jenny's feedback it sounds like you're doing a great job. Thank you."

The next letter is from one of the tours they took over at the county courthouse and this one reads, "a couple of weeks ago the Juvenile Court received a visit from the Kansas City Kansas Police Department Cadet Class and the facilitators of the program. These young people were witness to a couple of probation violation hearings. They were very respectful and appropriate despite the difficult stories that they were told during the hearings. Some of the cadets knew the juveniles involved in the hearings. The cadets were engaged and vocally proud of their individual goals whether it was a career in law enforcement or meteorology. The facilitators have done a spectacular job of teaching and showing by example how adherence to simple social norms can improve the community's perception of youth. I hope that the Kansas City, Kansas Department Cadet Program continues. They are welcome to return to the Juvenile Court as visitors and peer support anytime, signed Judge Delia York." Overall, the program was phenomenal. They're already working on next year's program. We're looking at improvements and tonight we felt like we wanted to recognize them with the Brad Lancaster and Dave Melton Award. That's the award they're receiving tonight.

Commissioner Philbrook said just to let you know what a great program you had, I was at a meeting today where there was a bunch of high school kids, some of them that had participated in this program. They were very excited about it. They thought it was wonderful and wanted to continue and I understand that there's an additional program that's going to be worked with for some of the kids that want to stay involved to go places and what's the name of that program? **Commissioner Philbrook** said yes, the Explorer's Program. Thank you very much for your work and I want you to know that those students are very excited about it.

Action: Awards were presented.

Mayor Alvey said thank you Chief. I'd like to take a moment first of all to recognize Judge Nichols who I did not see in the audience before.

September 13, 2018

Also, I would like to present on behalf of the Historical Society of Wyandotte County and the museum a copy of the most recent book, *A Historical Overview of Wyandotte County and Its Historic Sites: Volume II* and this is a gift from Loren Taylor, who is voluminous in his knowledge of Wyandotte County history and it supplements prior publications, the consolidated ethnic history of Wyandotte County, the historic communities of Wyandotte County and historical overview of Wyandotte County and Its Historic Sites: Volume I. This is a 500-page supplement. It's been five years in its development and I just want to take this opportunity to present a copy to each of the commissioners and to publicly give our thanks to Loren Taylor for his dedication to recording the story of Wyandotte County and its citizens in all places at all times. Thank you, Loren, and thanks to all those who helped make this possible.

ITEM NO. 2 – 18408...VOTING DELEGATES: LKM CONFERENCE

Synopsis: Designation of Mayor David Alvey, Gordon Criswell, Kathleen VonAchen and Mike Taylor as voting delegates for the League of Kansas Municipalities Annual Conference in Overland Park, KS.

Mayor Alvey said next we have the designation of voting delegates for the League of Kansas Municipalities Annual Conference. I'll entertain a motion to designate the four as listed.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken and there were seven "Ayes," Walters, Philbrook, Bynum, Townsend, Murguia, Johnson, Markley.

ITEM NO. 3 – 18410...RESOLUTION: REAPPOINTMENT OF ADMINISTRATIVE JUDGE

Synopsis: Reappointment of Maurice Ryan as Administrative Judge of the Municipal Court, submitted by Ken Moore, Chief Legal Counsel.

Action: **RESOLUTION NO. R-40-18,** "A resolution authorizing the Mayor to sign an agreement between the Unified Government of Wyandotte County/Kansas City, Kansas, and Maurice J. Ryan regarding terms and conditions of his appointment to

the position of Municipal Court Judge of Division 1 and to the position of Administrative Municipal Court Judge for a term of four years beginning October 1, 2018 through September 30, 2022.” **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Walters, Philbrook, Bynum, Townsend, Murguia, Johnson, Markley.

Mayor Alvey said that takes us to our Consent Agenda. Does any member of the Commission, staff or citizen in attendance tonight wish to set aside any item on tonight’s Consent Agenda? You would need to step forward at this time and state your name, city of residency for the record and ask that that item be set aside. If an item is not set aside, all items on the Consent Agenda will be voted on by one vote.

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

CONSENT AGENDA

ITEM NO. 1 – 18343...RESOLUTION: INTERLOCAL AGREEMENT WITH FAIRFAX DRAINAGE DISTRICT

Synopsis: A resolution authorizing approval to enter into an interlocal agreement with Fairfax Drainage District for the joint use of sewer infrastructure, submitted by Susan Alig, Assistant Counsel. On August 27, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-41-18,** “A resolution approving the interlocal agreement between the Unified Government of Wyandotte County/Kansas City, Kansas and the Fairfax Drainage District.” **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Walters, Philbrook, Bynum, Townsend, Murguia,

Johnson, Markley. Roll call was taken and there were seven “Ayes,” Walters, Philbrook, Bynum, Townsend, Murguia, Johnson, Markley.

ITEM NO. 2 – 18358...RESOLUTION: THE NEW BPU SPEAKER ROAD II SUBSTATION

Synopsis: A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary for the construction, maintenance, operation, use and repair of the new BPU 161kV distribution substation located at 4417 Speaker, submitted by Susan Alig, Assistant Counsel. On August 27, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-42-18**, “A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, use and repair of the New Kansas City Board of Public Utilities 161kV Speaker II Substation at 4417 Speaker Road.” **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Walters, Philbrook, Bynum, Townsend, Murguia, Johnson, Markley.

ITEM NO. 3 – 18359...RESOLUTION: THE NEW BPU EVERETT AVENUE II SUBSTATION

Synopsis: A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary for the construction, maintenance, operation, use and repair of the new BPU 161kV distribution substation located at 4401 Everett Avenue, submitted by Susan Alig, Assistant Counsel. On August 27, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-43-18**, “A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, use and repair of the New Kansas City Board of Public Utilities 161kV Everett II Substation located at 4401 Everett Avenue, all

in Wyandotte County, Kansas.” **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Walters, Philbrook, Bynum, Townsend, Murguia, Johnson, Markley.

ITEM NO. 4 – 18360...RESOLUTION: PIPER CREEK REGIONAL IMPROVEMENT

Synopsis: A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary for the construction, maintenance, operation, use and repair of the Piper Creek Regional Improvements Phase 1, CMIP 6046, submitted by Susan Alig, Assistant Counsel. On August 27, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-44-18**, “A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, use and repair of the Piper Creek Regional Improvements Phase 1 – CMIP #6046, all in Wyandotte County, Kansas.” **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Walters, Philbrook, Bynum, Townsend, Murguia, Johnson, Markley.

ITEM NO. 5 – 18405...ORDINANCE: PUMP STATION 61 FORCE MAIN IMPROVEMENTS

Synopsis: An ordinance authorizing the Chief Counsel to commence legal proceedings to acquire property necessary for the Pump Station 61 Force Main Improvements, CMIP 6303, submitted by Susan Alig, Assistant Counsel. This project will run from Donahoo & N. 123rd Street before cutting over to N. 123rd Terrace and ending at Wingfoot Drive. On June 28, 2018, the Commission unanimously adopted Resolution No. R-28-18 declaring the project to be a necessary and valid public improvement, and authorizing a survey of land for said project.

Action: **ORDINANCE NO. O-34-18**, “An ordinance condemning land for the construction, maintenance, operation, reconstruction, and improvements of the

Pump Station 61 Force Main Improvements – CMIP 6303, all in Wyandotte County, Kansas; and directing the Chief Counsel to institute proceedings as provided by law to acquire said land in this ordinance described by condemnation proceedings.” **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken and there were seven “Ayes,” Walters, Philbrook, Bynum, Townsend, Murguia, Johnson, Markley.

ITEM NO. 6 – 18361...RESOLUTION: DONATION OF FIRE DEPARTMENT EQUIPMENT TO KCKCC AND URUAPAN, MEXICO

Synopsis: A resolution authorizing loaning 40 Luxfer SCBA airpacks to KCKCC and donation of 200 MSA airpacks and a Bauer Compressor to the government of Uruapan, Michaoacan, Mexico, submitted by Patrick Waters, Senior Attorney. On August 27, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-45-18,** “A resolution authorizing the loaning and donation of equipment from the Kansas City, Kansas Fire Department to the Kansas City, Kansas Community College and the Unified Government’s sister city Of Uruapan, Michaoacan, Mexico.” **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were seven “Ayes,” Walters, Philbrook, Bynum, Townsend, Murguia, Johnson, Markley.

ITEM NO. 7 – 18365...GRANT: FY18 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

Synopsis: Request approval to apply for and accept the FY18 Edward Byrne Memorial Justice Assistance Grant in the amount of \$104,142, submitted by Laura Cromwell, Professional Fiscal Assistant, Kansas City, Kansas Police Department. There is no match required for this grant. On August 27, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

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

ITEM NO. 8 – 18345...GRANT: CDC REACH FOR HEALTHY SPACES, HEALTHY PLACES

Synopsis: The Public Health Department along with the UG Planning Department will be a subgrantor to the Kansas University Center for Research (KUCR) grant from CDC REACH in the amount of \$130,000 for the first year of a five-year, \$500,000 grant, submitted by Terry Brecheisen, Director of Public Health. The overall goal of the intervention strategies is to reduce or prevent chronic disease in three areas: physical activity; nutrition; and access to healthcare. There is no match requirement. On August 27, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

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

ITEM NO. 9 – 18357...GRANT: SHARP (SEXUAL HEALTH ADOLESCENT RELATIONSHIP PROGRAM)

Synopsis: Approval of grant application and funding, if awarded, from The Healthcare Foundation of Greater Kansas City for a two-year SHARP (Sexual Health Adolescent Relationship Program) grant in the amount of \$200,000, submitted by Terry Brecheisen, Director of Health Department. The general purpose of the grant is to decrease the STI/HIV and teen pregnancy rates in Wyandotte County. There is no match requirement. On August 27, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

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

ITEM NO. 10 – 18367... RECOMMENDATION: EXPANSION OF SERVICE AREA FOR CHIP DOWN PAYMENT ASSISTANCE PROGRAM

Synopsis: Request to expand service area for the Community Housing Informative Partnership (CHIP) Down Payment Assistance Program funded with HOME Funds received from U.S. Department of Housing and Development, submitted by Wilba Miller, Director of Community Development. On August 27, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

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

ITEM NO. 11 – 18406...NOMINATION: BOARDS AND COMMISSIONS

Synopsis: Nomination for Boards and Commissions:

John McTaggart, Library Board, 9/13/18 to 3/31/22, submitted by Mayor Alvey

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

ITEM NO. 12 – MINUTES

Synopsis: Minutes from regular session of August 2, 2018.

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

ITEM NO. 13 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated August 30 and September 6, 2018.

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

PUBLIC HEARING AGENDA

No Items

STANDING COMMITTEES' AGENDA

No Items

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 18411...PRESENTATION: BOARD OF PUBLIC UTILITIES

Synopsis: A presentation and recognition by the Board of Public Utilities regarding utility benchmarking and an award presentation, submitted by Doug Bach, County Administrator.

Doug Bach, County Administrator, said at this time I'd like to recognize the General Manager of the Board of Public Utilities, Don Gray who is going to come forward and introduce the items that they have this evening. As our close relationship with the Board of Public Utilities, Don and I determined it would be good to come forward and kind of show off some of the awards they received and also where they are with some of their benchmarking. With that I will turn this over to Don Gray.

Don Gray, General Manager, Board of Public Utilities, said I do appreciate the Mayor introducing our board members that are present. I would also if I could, just take a minute to introduce a few of our staff that is here. We have Lori Austin our CFO. At this time, we have Pat Morrill who's the Director of our Electrical Engineering Department. We will also have Dave Mehlhaff here. What this is, a couple months ago we presented our fifth benchmarking review at one of our board meetings and we do the benchmarking studies about once every two years. After

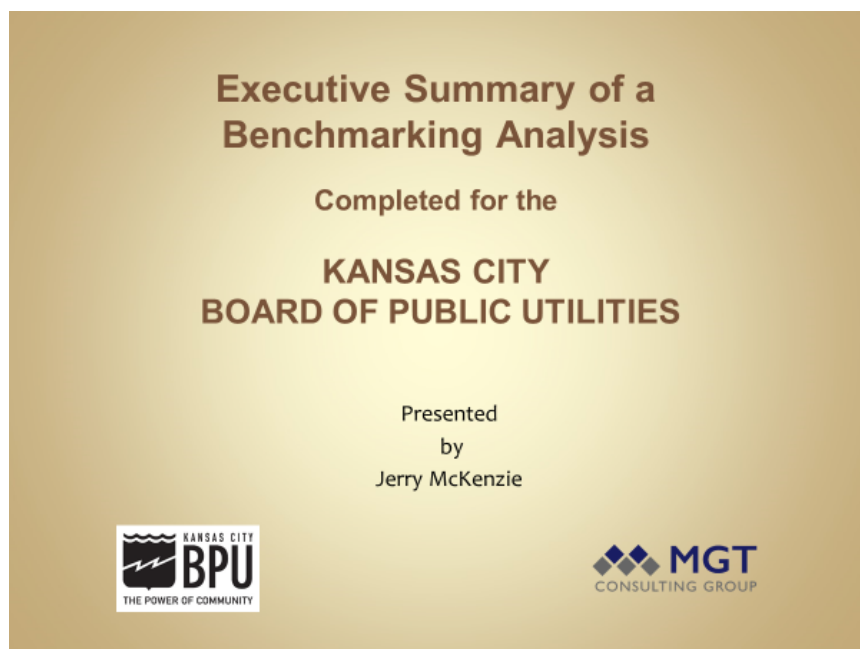
the benchmarking study was presented to our board by our consultant, our Board President, Jeff Bryant said we ought to share the information with the Mayor, the commissioners and some of the UG staff. I thought instead of sending copies of the Executive Benchmark Summary to the UG, why not see if everyone would be interested in hearing the presentation. I called Mr. Bach and he seemed fine with it so he placed us on tonight's agenda and we appreciate that very much.

The purpose of our benchmarking is always to see how our costs of our operations compare with other electric and water utilities, both regionally and nationally. Also, these reviews help us identify areas. We are performing well in other areas where we need to improve. Overall, we feel we are doing a good job in controlling our costs but unless we take a formal review, how do we really know how well we're doing. Since this is our fifth report, this also provides trending of our costs.

The individual we hired to perform our benchmarking review is Jerry McKenzie. Mr. McKenzie is a senior associate with the MGT Consulting Group and has been responsible for managing hundreds of successful engagements in both the municipal and private sector of electric utilities for over 30 years.

Jerry has developed numerous costs of service studies and internal cost allocation models. He has conducted a variety of utility accounting research, analysis studies on subjects such as the impact of mandates on electric rates and transient rate design. He has worked with utilities such as Omaha Public Power, Colorado Springs, Georgia Power, Madison Gas & Electric, Santee Cooper, Southern California Edison and San Diego Gas & Electric.

For over 25 years, Mr. McKenzie has worked with all sizes of municipal utilities to create excel based electric rate forecasting models. These models are specifically designed with the objective to simplify the rate design so that is easily understood by boards, councils and commissioners. Over 75 municipal utilities have benefited from his service. At this time, I would call on Jerry McKenzie to present our benchmarking study.





**Executive Summary
Benchmarking Analysis**

Presenter Background

- Started working with Electric Utilities in 1980
 - Began career with Investor Owned Utility – 10 years (IOU experience)
 - Consultant to IOU and Municipal Utilities for nearly 30 years
 - Serve as Utility Accounting Instructor for American Public Power Association
 - Since 1990 have taught over 3,000 utility personnel
 - Worked with the BPU since mid 1990's
 - Worked with hundreds of municipal electric/water utilities and IOU's
- Mission Statement Differences
 - IOU focus (return to investors)
 - Municipal Utility focus (safe, reliable power at low cost – the 2 R's)
- Personal Comments –
 - As a customer, I prefer the municipal utility approach
 - The BPU continues to do more with less than anyone else that I know
 - *meeting the challenges associated with environmental mandates, building for the future and continuing high contributions to the KCK community – solid stewards of customer owned assets*



Jerry McKenzie, MGT Consulting Group, said I'm here this evening to present the results of the benchmark review. I just want to give a little bit of a background of myself as well. I began my career working for an investor owned utility. I spent 10 years working in the investor owned world and served as a consultant for both the IOUs in the municipal utilities for over 30 years. I also have served since 1989 as the instructor for public utility accounting on the most exciting

topics on the planet, right, for the American Public Power Association and I've had the privilege of instructing over 3,000 attendees through that conference.

I've worked with the BPU since the mid 90's. I've also worked with the UG before it was the UG. In fact, I worked with Wyandotte County as well as the city of Kansas City, Kansas. I'm familiar with the area as well. One of the things that I've learned over my career, having worked for investor-owned utilities for profit utilities as well as from municipal utilities like the BPU is the significant difference between the way that they approach their jobs and what I mean by that is you can look at and kind of summarize by looking at the mission statements of the different organizations. An investor-owned utility is focused almost exclusively on a return to its investors, profit margins, right. Municipal utilities, you're not going to see that same kind of focus. The focus for municipal utilities is to try to provide safe and reliable power and services at a low cost.

How many of you would invest in a stock for a company that says we're not trying to make any money but it's very important to grasp that difference in a totally different way that the municipal utilities approach the work versus an investor owned utility. As a customer I actually prefer the municipal utility approach. I would prefer to be served by a municipal utility and I'll explain various benefits as we go through this but to kind of—and I'll come full circle with this comment. I've done a number of these studies and I can honestly tell you that in my opinion the BPU does more with less than anybody else that I know. Less resources means you have to manage those resources very, very efficiently. I think the results of this study will kind of quantify that a little bit better.

As Don mentioned earlier, this is the fifth update of the benchmark review. To do a benchmark study once every 10 years you've got 9 years of potentially bad management decisions, right so it is important to stay on top of this. This is the fifth one. We've done them about every two or three years, in some cases one year depending on what circumstances are happening in the environment.

The report that we actually generate has a lot of statistical details in it and I'm not going to cover those. I'm going to get only into the highlights of this, but when we do the benchmark review, we're benchmarking the costs of the BPU versus other municipal utilities as well as doing comparisons to investor owned utilities and at the same time, we're also looking at trends. In some cases, utility costs are going up across the board. In other cases, they're not, depending on different areas of the country.



Executive Summary
Benchmarking Analysis

Benchmarking Project Background

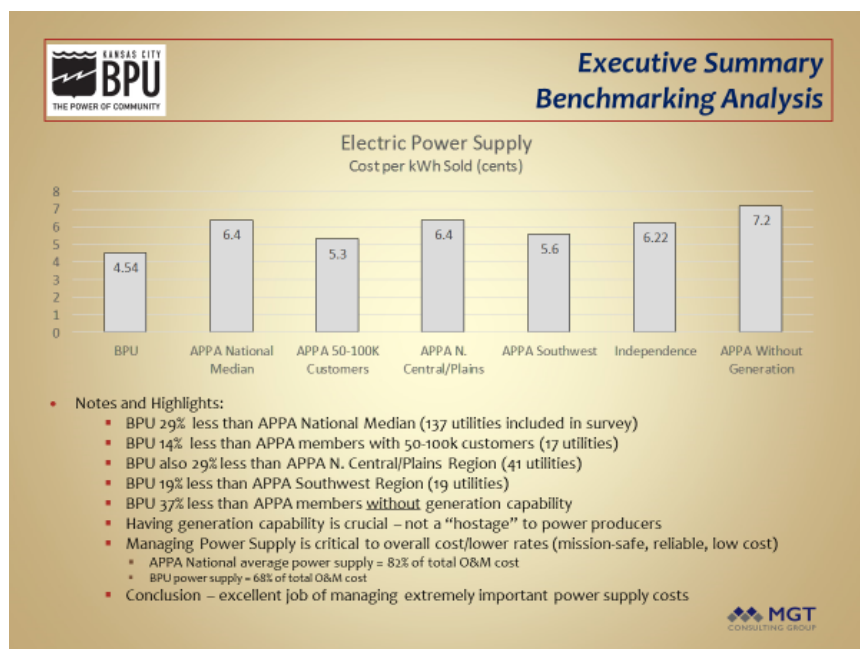
- 5th update benchmark review of the BPU (2007,2010,2013,2014)
 - Vast amount of information in our report – only cover highlights
- Primary areas reviewed
 - Benchmarking of costs (BPU vs. other Municipal Utilities)
 - Trending of costs (Trends internal to BPU over last 4-5 yrs.)
- Benchmarking sources included (2015)
 - APPA's annual Financial and Operating Ratios report
 - APPA's Payments & Contributions by Public Power Report
 - Includes- Cedar Falls, McPherson, Independence, Springfield, Longmont, Loveland, Stillwater, Lincoln, North Little Rock...
 - Financial/statistical info for Water District 1 (Waterone)
 - Financial/statistical info for Independence (Mo) Power & Light Fund
 - Financial/statistical info for Colorado Springs Utilities



What we did in this study, we compared results from 2015 and APPA is some of the source documents that we relied upon. APPA is the American Public Power Association. It has thousands of member utilities municipally owned, city owned across the country and they publish statistical financial and operating information and we use that database within our study. They also publish what they call a contribution by public power report because, as I'm sure you well know, a lot of times municipal utilities are compared to the private sector. Well, what are the differences between the two in terms of the support provided to the community and to the city.

Some specifics about who we compared to in this study, and I'll get into that when we get into some of the specific details, but it included cities like Cedar Falls, McPherson, Independence, Springfield, Longmont, Colorado, Loveland, Stillwater, Lincoln and North Little Rock. There were literally hundreds of different municipal utilities that provide this information and so we know it's on a consistent basis. We are comparing apples to apples. Anytime you do benchmark studies you've got to be careful that you're doing apples and apples comparisons.

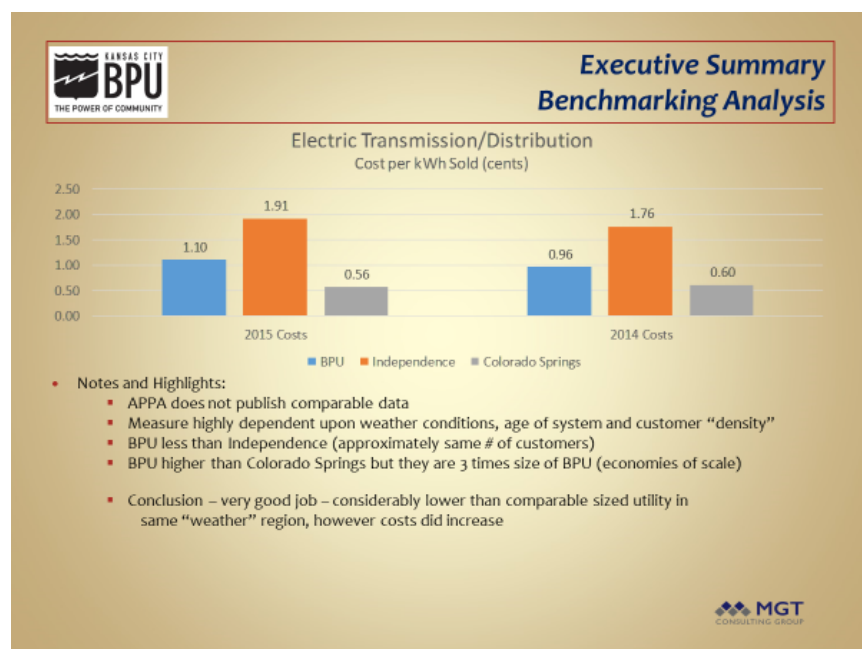
On the water side we, compared to Water District One, Water One in Johnson County. Then we also included things like Independence, Missouri Power & Light as well as specific information associated with Colorado Springs Utilities.



The first benchmark that I want to show you is the electric power supply and I know some of you have a closer relationship with the BPU than others, more of a history, but this is a very critical factor because it's basically the costs to generate and obtain the electricity or the power. This is very critical. Normally, it represents about 70% of the utility's costs, associated with generating or obtaining the electric power. The rest of the costs associated with transmitting it out to the various customers and distributing it to the various customers. I know that the graph may be a little bit hard to read with you guys that are on the left-hand side and then the next column is the APPA National Medium and then they break it down in the APPA study by size of utilities so we also compare to those municipal utilities that have 50,000–100,000 customers. We also did comparisons based on geographic areas because the costs on the coast, if you will, are considerably different than the costs in the central part of the country. We compared to two different regions because the BPU is close to the southwest region and the north central plains region as well and then we also did specific comparisons to Independence and the last graph on the far right, most or a lot of municipal utilities do not have the ability to generate their own electricity. They're buying all of their power from other utilities. If you notice, they're paying on average \$0.7.2 cents and the BPU is \$0.4.54. It pays to have generation. If you don't have generation capabilities in effect, you're kind of a hostage to the marketplace. It's good to have the diversity that comes with being able to generate at least part of your own electricity. Under the notes and highlights, I'm not going to get into the specifics, but obviously the BPU is considerably less, 29% less than the APPA

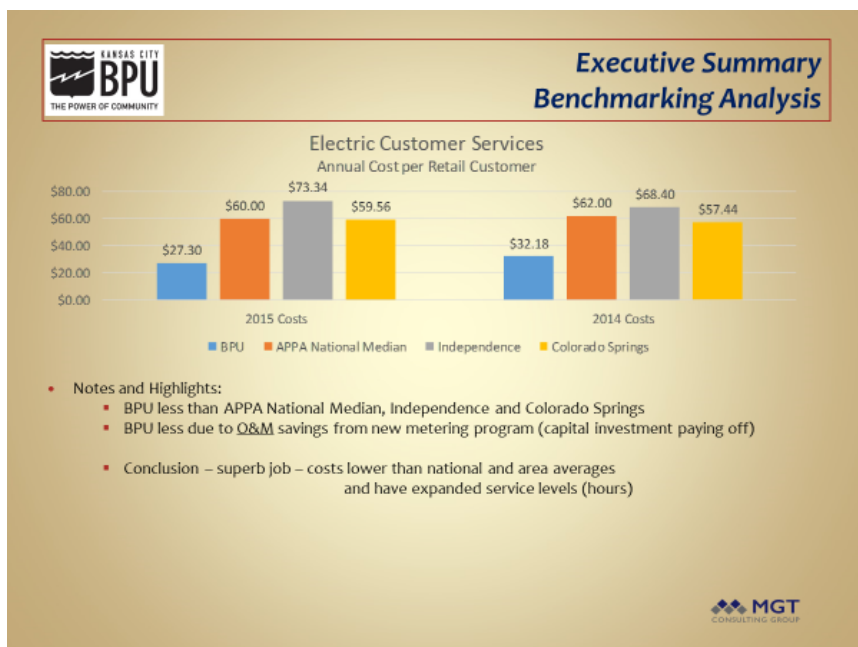
national median. That's a key statistic and that included 137 different municipal utilities. Then if you look at the next grouping, the 50,000–\$100,000 customers, that was 17 municipal utilities within this region, 41 utilities within the north central region, 19 utilities in the southwest and in all of those cases you can see that the BPU is significantly lower than the other comparative statistics. The key bullet, as I've highlighted there, the next to last one is managing power supply is critical because it represents a major component of the overall cost of providing electricity services.

As a conclusion, the BPU is doing an excellent job of controlling these costs in a very difficult environment, I would point out, because of legislation that has been passed with regards to green power and those types of things. It's very difficult to keep costs down and at the same time keep up with all of the regulatory requirements associated, that are not only just coming from Washington but from other parts of the country as well. This is a very critical statistic.



The second component is what is referred to as transmission and distribution costs. This covers the costs once the power is generated, how much does it cost to get it from the power plants or from the connection point out to the individual customers that are being served. Again, the BPU is on the left-hand side. We've got Independence and Colorado Springs there and we're showing 2015 as well as 2014 in this particular case. The reason we don't show the APPA median and other APPA information is they do not publish that data within their purview.

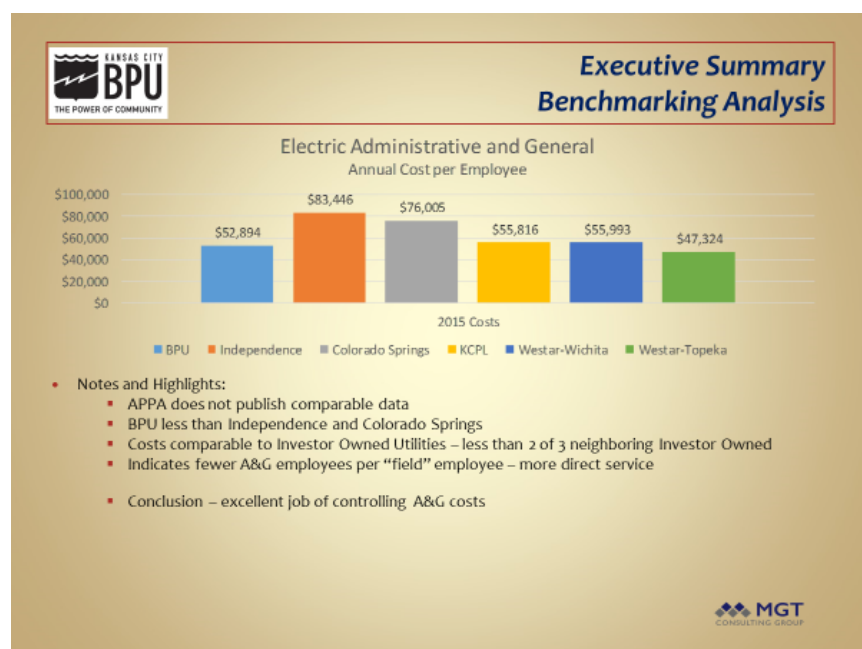
One of the things I would want to point out is a lot of times the costs associated with transmitting and distributing power is dependent on the weather conditions. If you live in an area where the weather is mild most of the time, the weather conditions are pretty conducive to low costs, but if you're in an area like you guys are in where we have rather extremes whether you love them or hate them, we have them, with regards to our weather. That can certainly have an impact on this as well as the customer density can affect us as well. BPU is less than Independence and has approximately the same number of customers. A little bit higher than Colorado Springs but Colorado Springs does have some economies of scale and that they're about three times the size of the BPU so the conclusion that we would reach is that you guys are doing a very good job of controlling those costs compared to other utilities in the same geographic region under the same type of weather conditions.



The next category deals with electric customer service activities and costs. If you look at the big picture, we've generated the power, we've transmitted it and distributed it out to customers but we also have to generate bills. We have to communicate with the customers. We have to collect the costs associated with those types of activities. The BPU, again on the far left in the blue, APPA National Median is shown in the orange color, Independence and Colorado Springs beside that. The BPU is less obviously than the national median as well as Independence and Colorado Springs and considerably less. The BPU also has realized some savings, I think, from the implementation

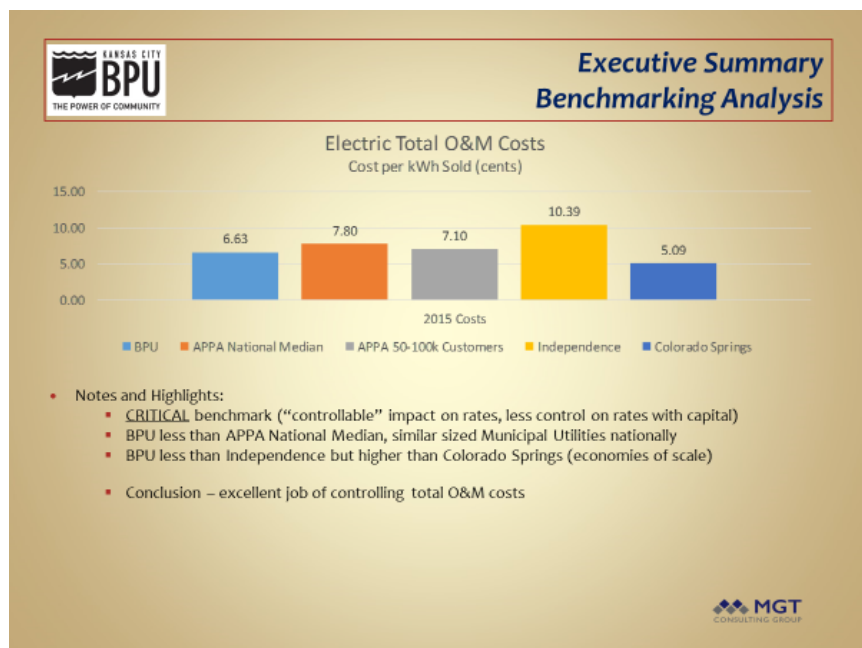
of the new metering program. Obviously, there's capital investment associated with that so the recovery period it takes a while in some cases to see the results of that but I think you guys are seeing right now.

The conclusion obviously is it's a superb job. Costs are much lower than the national and area averages and also, if you look at 2014 versus 2015 you can see that the trend is that the costs are going lower for you guys. They are going lower for some utilities but not at that scale. Now obviously, that'll plateau at some point but it's obviously a very good sign and a good investment on you guy's part with the metering program.

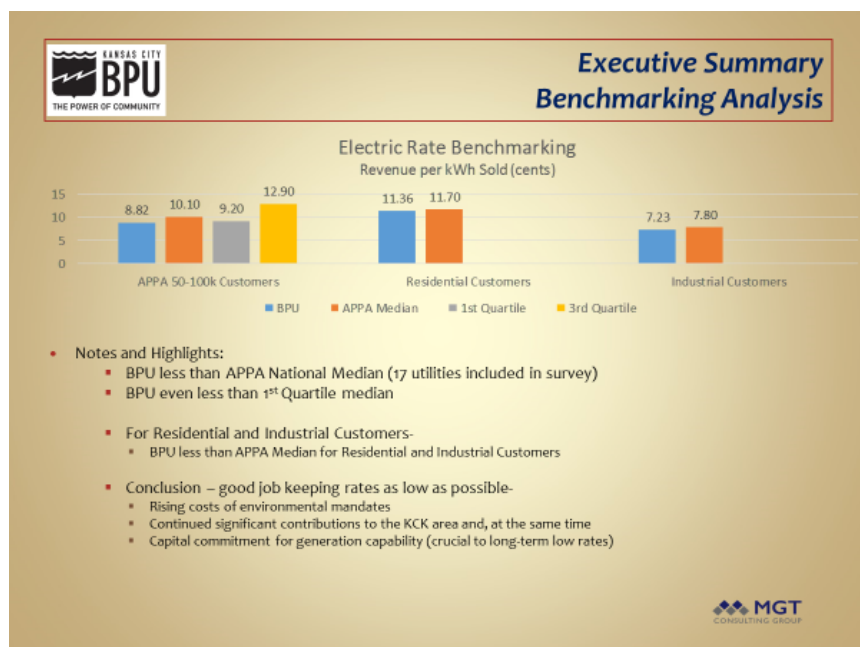


This is electric administrative and general. This really represents—any organization has to have a Finance Department, a Payroll Department, a purchasing, accounts payable, an IT department etc., etc. So, we have all these support costs and the electric administrative in general costs are benchmarked by comparing what is the total costs based on the number of employees within the organization. That's their traditional benchmark and APPA obviously, again, does not publish this data but we did compare you guys to Independence as well as Colorado Springs and also to the investor owned utilities. I think this is interesting, you're less obviously than Independence and Colorado Springs, but you're also less than Kansas City Power & Light as well as Westar Wichita and they break out Westar into two components, Westar Wichita and Westar Topeka, so to be

lower or comparable to the investor owned utilities who have that large economies of scale is a pretty good accomplishment. You're doing an excellent job of controlling the A&G costs as well.



If we package this all together, what's the total of the electric operation and maintenance cost associated with based on the kilowatt hour sold basis. Again, the BPU is on the left. The APPA national average is in orange and the different sized customers in the center as well as Independence and Colorado Springs. This is again a critical benchmark because it ties to what I would refer to as the controllable costs. There's not much you can control on the capital side of things. Once you commit to a program those cost—you're kind of outside your control. This is really an indicator of the costs. How are you doing with the cost that you can influence? That really impacts rates immediately with customers. If you look at this, the BPU is less than the APPA national median, as well as similar sized municipal utilities at a national level, less than Independence, a little bit higher than Colorado Springs but that would be expected because of the economies of scale. Again, everything that we've looked at indicates that the BPU on the electric side is doing an excellent job of controlling the O&M costs.

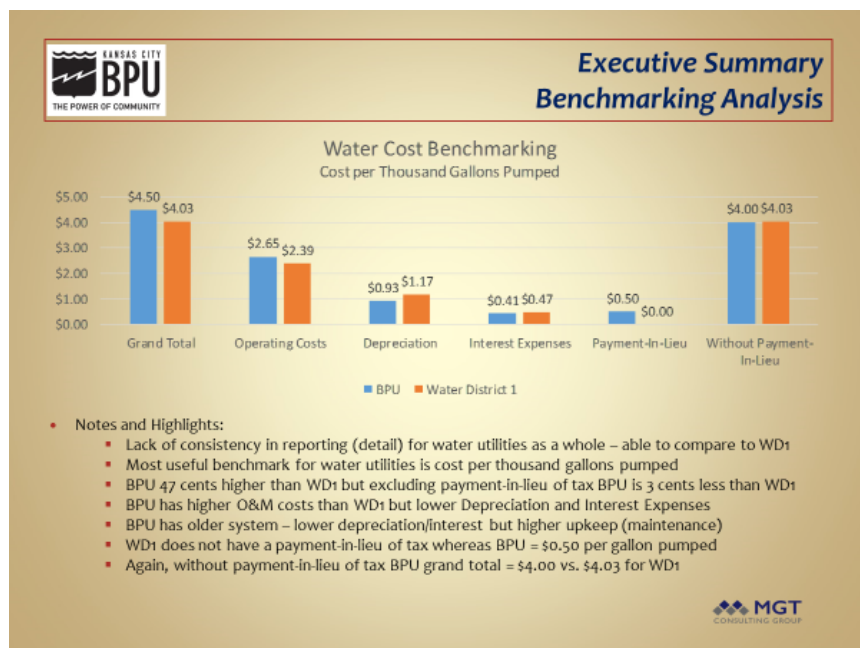


At the end of the day how do customers view a utility based on their pocketbook, rates. Rates seems to be what people focus on. When I teach the APPA class there are two, what we call the two Rs, that are important to customers. What are those? Rates and reliability. People want the power when they turn on the lights. We don't really care about how it gets there. We just want to make sure we have it when we want it, but the other focus for customers is on rates and this benchmark compares APPA to the national median. In this case there were 17 utilities included in that geographic area and the same customer class.

The BPU is less than the APPA median as well as less than the first quartile. The first quartile basically represents the top 25%, if you will, of the people that were in the survey. This is a very, very good indication and I know that there probably have been rate increases since this was done but it's a moving target. The other utilities have had rate increases as well. I'm sure if we were to do this today, you're going to find the same kind of statistic.

For residential and industrial customers, I think it's interesting too, BPU is less than the APPA median for residential and industrial customers. Most municipal utilities may be low on one side but they're higher on the other side. You guys are lower in both conditions. The conclusion, obviously a good job of keeping rates as low as possible. Rising cost of environmental mandates as I mentioned earlier, this has all occurred during a period of time unprecedented in the electric utility world with regards to environmental legislation. This is something to be very much proud of in my opinion. At the same time, contributed or maintained the contributions to the

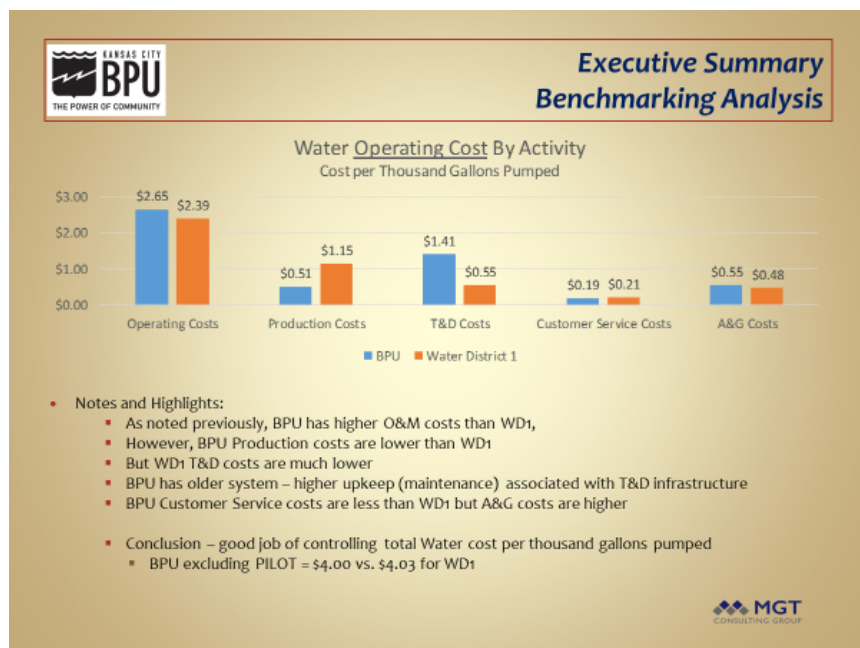
Kansas City, KS area, not only with the services at a low cost but also to contribute money back to the Unified Government. All of this points to the fact that the BPU has done an excellent job and has also contributed back to the Kansas City, KS community beyond just providing good service at a low cost and safe and reliable power, which was the mission statement.



What about on the water side? There's usually only one major benchmark that people look at on the water side and that is what is the cost per \$1,000 gallons pumped and in this particular case, again, we only have one comparison but that's comparing to WaterOne in Johnson County. BPU is \$4.50. The Water District 1 is \$4.03 and then if you look at the various components of that operating costs you're operating cost are a little bit higher. Depreciation is lower. Interconnect expenses are pretty much comparable and then payment-in-lieu of tax you notice that WaterOne does not have a payment-in-lieu of tax. That's the money that's contributed back to the UG. If you subtract that \$.50 out of the first comparison, you can see that in effect your rates are very comparable to what WaterOne is charging. In fact, they're just slightly lower.

There's really, as I mentioned earlier, there's kind of a lack of consistency in reporting on the water side so we don't have a lot of statistical comparisons that we can compare to. If you think about, well, why are some those components different, why do you have higher operating costs but lower depreciation costs, it's tied into the age of the system. Your water system is a little bit older obviously than their system is, so they're going to have higher depreciation costs

associated with their newer system but you guys are going to have higher maintenance costs associated with maintaining your older system. Again, these numbers not only make sense from an accounting standpoint, but they also point to the fact that you guys are managing the assets that you have in an efficient manner.



Water operating costs by activity, again, we broke it down into different components and I'm sure that you guys are all thrilled to talk about these pieces but the operating costs on the far left-hand side, what are the components of that production costs, the costs in effect to pump the water and to get it to the point where it can be distributed so very much like the electric side and you can see the T&D costs, the customer service costs and the A&G costs. The only thing I wanted to point out here is, notice that your production costs are lower, but your T&D costs are higher. Again, it comes back to the fact that you have an older system so you are going to have a little bit more inefficiencies on the T&D side of things but your production system is obviously making up that difference.

In conclusion, based on the per thousand gallons pumped, the BPU is doing a really good job, comparable rates to what Water District 1 has.



Executive Summary
Benchmarking Analysis

Overall Conclusion

- BPU is doing a very good job managing the assets of its customer-owners
 - Costs are in-line (and in many cases lower than) others – translates into reasonable rates for customers without sacrificing service
 - Elect. total O&M costs per kWh sold decreased from 7.31 cents to 6.63 cents
 - Water costs per thousand gallons pumped excluding PILOT are virtually the same as Water District One (BPU \$4.00 vs. WD1 \$4.03)
 - Investment in the new metering program and generation (electric) continues to result in substantial long term savings for customers
- BPU remains fully committed to the Kansas City community
 - As evident by the significant contributions made (over \$47 million)
- The BPU has institutionalized a mindset that focuses attention clearly on best practices & benchmark targets

“BPU CONTINUES to do more with less than anyone I know”



An overall conclusion, with regards to the benchmarking review, you're doing a great job of managing the assets that its customer own. If you think about who owns an investor-owned utilities assets, that would be people who've invested in buying the stock of those companies. Well, who really owns the assets of the BPU? Technically, it's the customers and that's why your mission statement is different than theirs because you're not out to make a profit. You're out to try to manage those assets in an efficient way, a safe and reliable way. Based on my statistical analysis and this is one year, but we've seen similar results the last four times that we've done this. It's not a one off. This has been happening for a number of years. In my opinion, I would be very proud of the BPU if I were you.

Obviously, the BPU also remains fully committed to the Kansas City community. The contributions made over \$47M. I'll hit on that in just a little bit. Again, if you look it from a big picture perspective based on the fact that you guys have limited resources, the BPU, and I'm honest about this in my entire career and I've in this business a long time, I've not seen anyone consistently do more with less than the BPU.

BENCHMARK COMPARISON OF CONTRIBUTION TO THE COMMUNITY (Based Upon 2014 Actual BPU Contributions and 2014 APPA National Survey)			
WHAT THE BPU CONTRIBUTES TO THE UNIFIED GOVERNMENT OF KCK/WYCO			
Direct Payments and Expenses:	Amount	% of Revenue	Notes
Payments-In-Lieu-of Tax	\$ 31,291,745	11.17%	Contribution data taken from the Contributions to the Community report as shown within the BPU's 2016 Annual Budget (2014 actual amounts)
Street Lighting & Signals	5,418,753	1.93%	
Fire Hydrant Services	1,070,261	0.38%	
Direct Payments and Expenses	\$ 37,780,759	13.48%	
Other Services Provided Without Charge:			
UG Facility Energy & Water Usage	\$ 6,992,167	2.49%	
Billing Services - Water Pollution Control	1,181,277	0.42%	
Billing Services - Residential Trash	1,258,720	0.45%	
Other Services Provided to UG Without Charge	\$ 9,432,164	3.37%	
Grand Total Payments and Contributions	\$ 47,212,923	16.85%	
Total Annual Operating Revenue	\$ 280,248,643		
BENCHMARK COMPARISON TO OTHER PUBLIC POWER SYSTEMS			
This section includes all contributions in the form of taxes, fees and (free) services made by public power systems per a study conducted by the American Public Power Association as published in April 2016 in their <i>Payments and Contributions by Public Power Distribution Systems to State and Local Governments in 2014</i> . The Median is defined as the value where 50 percent of the utilities had contribution rates greater than the median and 50 percent contributed less than the median. A quartile represents each of four equal groups into which the population can be divided.	Compared to 176 Public Power Systems-		
	5.60%	Median	
	3.50%	Lowest Quartile	
	8.50%	Highest Quartile	
	Compared to 41 Public Systems in West North Central-		
	4.60%	Median	
	2.40%	Lowest Quartile	
	Compared to 34 Public Systems \$100M+ in Revenue-		
	6.00%	Median	
	4.80%	Lowest Quartile	
	7.70%	Highest Quartile	

This is a busy slide and I apologize for that, but we also did comparisons of the amount of money that was contributed back to the municipal government, to the UG in this particular case and you can see that as a percent of revenue, it's about 16%. You can see what the various components of that are. I'm sure you guys are all familiar with that, but we compared that to 176 public power systems and the median was about a third of that. You can see the various numbers there. We compare it to the north central as well as to those of similar size. Again, I wish I lived in a community that had a municipal utility like the BPU because in effect I'm getting my rates as we just talked about at comparable level but there's money that's being contributed back from the BPU to the UG that's helping the residents of the UG with lower tax dollars. That's how that really translates.

BENCHMARK COMPARISON OF CONTRIBUTION TO THE COMMUNITY (Based Upon 2014 Actual BPU Contributions and 2014 APPA National Survey)			
WHAT THE BPU CONTRIBUTES TO THE UNIFIED GOVERNMENT OF KCK/WYCO			
Direct Payments and Expenses:	Amount	% of Revenue	Notes
Payments-In-Lieu-of Tax	\$ 31,291,745	11.17%	Contribution data taken from the Contributions to the Community report as shown within the BPU's 2016 Annual Budget (2014 actual amounts)
Street Lighting & Signals	5,418,753	1.93%	
Fire Hydrant Services	1,070,261	0.38%	
Direct Payments and Expenses	\$ 37,780,759	13.48%	
Other Services Provided Without Charge:			
UG Facility Energy & Water Usage	\$ 6,992,167	2.49%	
Billing Services - Water Pollution Control	1,181,277	0.42%	
Billing Services - Residential Trash	1,258,720	0.45%	
Other Services Provided to UG Without Charge	\$ 9,432,164	3.37%	
Grand Total Payments and Contributions	\$ 47,212,923	16.85%	
Total Annual Operating Revenue	\$ 280,248,643		
BENCHMARK COMPARISON WITH INVESTOR-OWNED UTILITIES (IOU'S)			
This section includes all state and local taxes and fees paid by investor-owned utilities as reported within their FERC Form 1 documents. The data was taken from the American Public Power Association's report entitled <i>Payments and Contributions by Public Power Utilities to State and Local Governments</i> , in 2014, published April 2016.			
Compared to 123 Investor-Owned Utilities-			
	4.20%	Median	
	2.90%	Lowest Quartile	
	6.30%	Highest Quartile	
Compared to 13 Investor-Owned in West North Central-			
	4.50%	Median	
	3.40%	Lowest Quartile	
	5.50%	Highest Quartile	

The last slide, we also did comparisons of the same thing. What if the BPU though were owned by an investor-owned utility. What do investor-owned utilities normally contribute back to the communities and this is based off of tax information filed through the Federal Energy Regulatory Commission and you can see that on average they are on average they're around 4.2%, 4.5%. Again, everything that I've seen shows that BPU is managing the assets in a very, very admirable way as well as keeping the focus clearly on the community that it's supporting. With that, I will entertain any questions or comments that you might have.



*Executive Summary
Benchmarking Analysis*

Questions and Discussion



Jerry McKenzie

MGT Consulting Group
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jmckenzie@mgtconsulting.com



Commissioner Walters asked do you benchmark reliability? **Mr. McKenzie** said we don't. That gets into the engineering side of things. I know that the APPA does publish some of the things that are based on average outage times and things like that. We did not look at that in this. This was a financial review. **Commissioner Walters** said thank you.

Mayor Alvey said I want to say thank you for coming forward with this. Again, I think that sometimes we take for granted what the Board of Public Utilities does for our community and just to again reiterate that the costs are being managed and kept as low as possible and at the same time the BPU, the ratepayer through the BPU, returns 12% of the total bill in the form of the PILOT back to the Unified Government and supports necessary vital services to our community. We're grateful, we are lucky to have this utility. Unfortunately, I would say that over the decades the Board of Public Utilities has earned the reputation for you know for political shenanigans and I would suggest that is not the case for the current board and has not been the case for a long time. There was a period in history when in fact there were forces which tried to run the utility into the ground in order to sell it so that an individual might have received a finder's fee and we're talking 50, 60 years ago, but it took a long time I think for the Board of Public Utilities to recover from that.

I just want to thank Don Gray, General Manager, and his staff. The number of awards that the Board of Public Utilities has earned in the past decade is astounding and once again the Board

of Public Utilities has won the Stevie Award which is the business of the year. It's like the Oscars for businesses. Congratulations to the Board of Public Utilities, to the management and the board of the BPU. Thank you, Mr. McKenzie.

Mr. Gray said thank you Mayor. You kind of stole my thunder a little bit. I will say that you served on our board very honorably for about roughly eight years and along with our other board members that are here this evening you made sure that all of us as staff, we worked closely with the board and made sure we communicated with you anytime we wanted to spend anything for whatever reason and you overseen our budget and made sure that we were responsible and accountable and it's paid off.

The last item I wanted to present, Mayor, you had mentioned just a little bit. This summer the Board of Public Utilities was presented with the Gold Stevie Award for company of the year, the large utility category at the 16th Annual American Business Awards ceremony that was conducted in New York City. At this time, I'll call on our Chief Communications Officer David Mehlhaff. He's the one that submitted our application and I'll have him kind of explain what this is about.

David Mehlhaff, Chief Communications Officer, said I'll kind of run through this a little bit. I came to the utility in December 2008 and we were doing a lot of digging out and just trying to—everyday was a fire to fight. They decided in 2015 to start entering some awards, not to get awards for the utility, not to get awards for my department but really to get some third-party recognition of doing things right and doing good things and I want to credit our general manager and our board of directors. Three of them are here tonight, Mr. Milan, Mr. Bryant, Ms. Gonzales and other board of members who have really given me a lot of freedom to do what I need to do to communicate with the public, with our employees and just really believe in the importance of communications and marketing.

BPU since 2015, no municipal utility in the United States has received as many national awards for communications and community service as our Board of Public Utilities. In fact, no utility in the United States has received as many awards including investor owned and we've won eight national awards for community affairs in marketing communication activities. In 2015, we won the American Public Power Association Award, the top award for social media for our energy

efficient video series. I submitted something to the American Business Award. We had a Silver Stevie for the Best Corporate Social Responsibility Programs. 2016, American Public Power, the National Community Service Award, American Business Award Gold Stevie for the best website in the nation. American Public Power Association Award the same year for the number one newsletter in the country with the *BPU Connection*. 2017, we won an Award of Excellence for the Power of Community, our video for the American Public Power Association. 2018, the Charge Awards in Reykjavik, Iceland. I couldn't get that one in the travel budget, but we were named one of the world's best energy brands. We were in the top 20 energy brands in the nation with people like Tesla and some of these other organizations. There were only two municipal utilities, actually three to be up there with us. It was ourselves, Austin, Texas and Sacramento.

The biggest award we received recently was the American Business Award Gold Stevie, Company of the Year Large Utility Category. They had 3,700 nominations for the American Business Awards and the Mayor was right, these are considered by the New York Post as the business world's own Oscars. They're very hard to get, very complicated to apply for them. They have 270 judges. Some of the other winners this last year included Marriott, American Express and the US Army just to name a few. A lot of Fortune 500 Companies and our little utility and I'm very proud of that fact.

We were named Good Company of the Year. We were named Company of the Year, Best Overall Company of the Year in the Large Utility Category and that was going against investor-owned and others. What the judges do is they have a ranking system and they have a judge's panel. For our area they had 20 judges and they rank everything and you have to have 10s across the board to get a Gold Stevie. If you've got 7s and 8s, no good. Here's how we were ranked and what we were ranked on. I'll give you a couple bit of the judge's categories. We were ranked on the following items, that was environmental responsibility and environmental stewardship. They recognized the fact that the BPU was the greenest utility in the nation at 45% renewable energy and continues to climb. We were recognized for our Empower Education Program, the only one of its kind at all three school districts in Kansas City, KS and that continues to grow. We were recognized for our community donations, whether it be our charity golf tournament, our youth program, community sponsorships, United Way Campaign and so forth, volunteerism with our employee's foundation, civic leadership, Energy Solar Farm and so forth, a lot of great awards.

I want to give you just some of the judge's comments and these judges have to apply to be a judge and these judges are CEOs of marketing, communications and branding from various organizations. The gentleman who heads up marketing for Marriot says dynamic and well written application with detailed content. Congratulations on all you receive.

This came from Tesla. The company seems to have been investing back in its community with the development of many other items such as online bill pay, customer satisfaction surveys to see how they're doing. They're not afraid to think outside of the box. They don't have big budgets so they seem to do the best with most.

Excellent nominations, comprehensive, BPU should be the poster child for doing well by doing good. I'd like to show what we got. It looks like an Oscar. This is the Gold Stevie on marble. 2018 Company of the Year Large Utilities, our BPU.

Mr. Gray said thank you Dave. Just to wrap up. I want to thank the cooperation and hard work of all of our employees to make this at all possible and also our board for providing the resources that we needed to get a lot of these things accomplished. I'm very proud to stand here and say that I'm very proud of our utility.

Action: For presentation only.

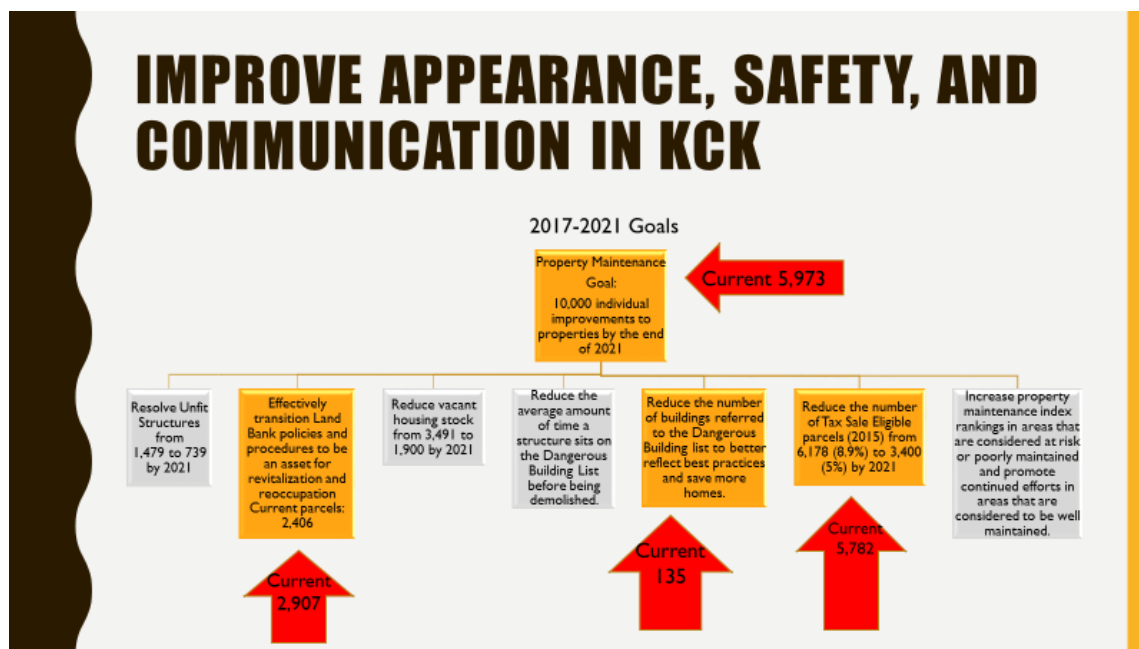
ITEM NO. 2 – 18412...SOAR UPDATE: PRODUCING REAL RESULTS TO HELP NEIGHBORHOODS

Synopsis: Update by the SOAR team on the 2018 goals, submitted by Melissa Sieben, Assistant County Administrator.



Melissa Sieben, Assistant County Administrator, said what we will be doing is there are several of us that will be coming up to do different slides to talk about what we've been doing in the different areas throughout the SOAR update but one of the first things I want to do tonight is recognize a couple of people in the audience. We have Sasha Han and Mike Hagen. They are from the city of Topeka which is also a What Works City under the Bloomberg initiative. They are close partners with us in our fight against blight in their communities as well as ours. We work together. We collaborate together. I bet we probably talk to each other a couple of times, three or four times a quarter just because we have things going on that cross collaborate and we just spent some time beforehand. These folks are with their Neighborhood Relations Center so they wanted to see what our update was all about. I want to welcome them.

Also, tonight in the room not presenting with us is Jenna Hillyer, who is our new Delinquent Revenue Coordinator for the Unified Government. You may recognize her. She was our first Coordinator as a VISTA with the Unified Government and we're very happy to have her back.



Without further ado, let's see what we've been doing with SOAR. This year of course is the year of the vacants and the neighborhood deep dive, which will be a theme throughout. I wanted to give you some updates here on the screen. These are our five-year goals that we have for SOAR. Just recently we updated the mySidewalk page that has our SOAR goals on it and the data tracking. We are currently at 5,900 in change, almost 6,000 of our property maintenance touches that we wanted to make in our five years so we are way ahead on that, which is awesome. We are up in our Land Bank counts which we told you would happen as we get more aggressive with our delinquent properties. That is currently up over where we started about 500 and then we are down in our Dangerous Buildings or demolitions as you may refer to them to 135 and Erin Downing is here as well tonight to talk a little more about that. We will also talk about our tax sale, but we are tracking lower in the number of eligible properties in the tax sale which is good but of course as we've gotten more aggressive, our churn is bigger in that. I just wanted to update you on those numbers.



Again, SOAR hits four of the six areas on the Commission's Strategic Plan and I will be working on a new strategic plan over the course of the next while here again with the Commission, but just wanted to highlight the areas that we are working in. Now we're going to turn into our vacant housing section of the presentation and I'm going to turn it over to Greg Talkin to talk about our Vacancy Registry Success.



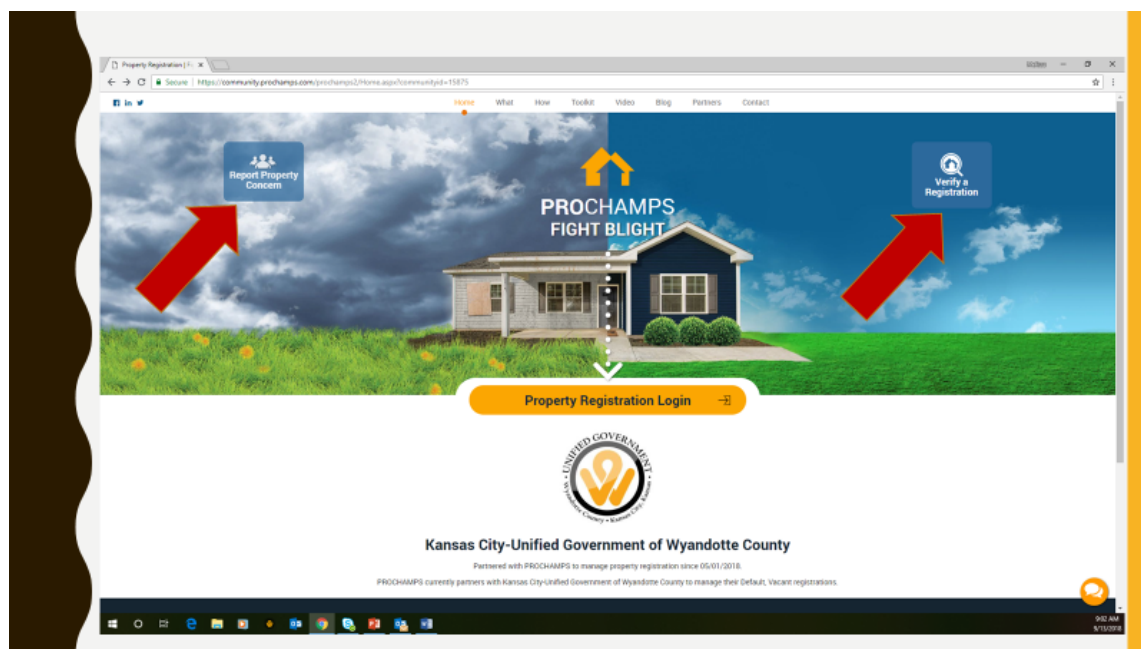
VACANCY REGISTRY

- Implemented vacancy registry with Prochamps
 - Employees trained on Prochamps system and how to add properties (April-May)
 - Vacants currently in the system are those owned by the bank:
 - 421 as of 8/31/18 = \$42,100 in revenue
 - 317 as of 8/9/18
 - 0 as of 1/1/18
 - Dedicated a 0.5 FTE to help administer program
 - Awaiting private ownership registry to be complete in Prochamps system
 - Working through issues but dealing with a few specific properties in the meantime
 - Working to align BPU shutoff data, Post Office vacant data, and other related datasets to be able to register private properties as vacant



Greg Talkin, Director of Neighborhood Resource Center, said vacancy is one of our biggest problems we've been trying to solve with SOAR. It's one of our most biggest issues that's detrimental to our community. It brings a lot of issues associated with that, crime, blight all of those items that are undesirable in a neighborhood. Last year the governing body considered an ordinance and adopted an ordinance for a vacant property registration. This is one of the incremental ways that we're looking at trying to decrease the vacancy rate. We hired, we did this through a third party, we didn't quite have the inside capabilities of doing this and managing this. We're doing this with a third-party vendor named ProChamps. So far, they've registered 421 properties as of the 31st of August. For the Unified Government, that's generated approximately \$42,000 in revenue. We get half of the fees associated with each registration. That helps cover the costs of the dedicated half of a full-time staff member to help administer and oversee the program. We are currently working with ProChamps. This was known when we went into the agreement with them. They are very good at the foreclosure and default market. We had no access to very good records in that area. They have excelled at that. They do that with a lot of other communities but we are piloting with them, the private side of the vacant registry and what I mean by the private side, it's those that aren't in mortgage foreclosure. They're not in default. They're the ones that meet the definition that we put in our ordinance, which is basically they are vacant for a year and they haven't had utilities for 60 days and we have records that we go back and research and develop that. They are developing an entire separate database for this and we're

doing some pilot projects with them right now on that side. An example of that is Rosedale Ridge, which has been a problem property, they were a little bit problematic with them. They weren't expecting to get six/seven building on the same parcel. They didn't know how to handle that so we worked through that with them. Currently, we're hoping to have something live by the end of this year to be full-scale. At that point, we're working with DOTS and the Knowledge Office. They're developing data that hopefully we can do a data dump eventually to ProChamps basically to get all of them notified that they need to register. We feel like this is an innovative management tool that the governing body approved for us to use. We are expecting big results from this over time.

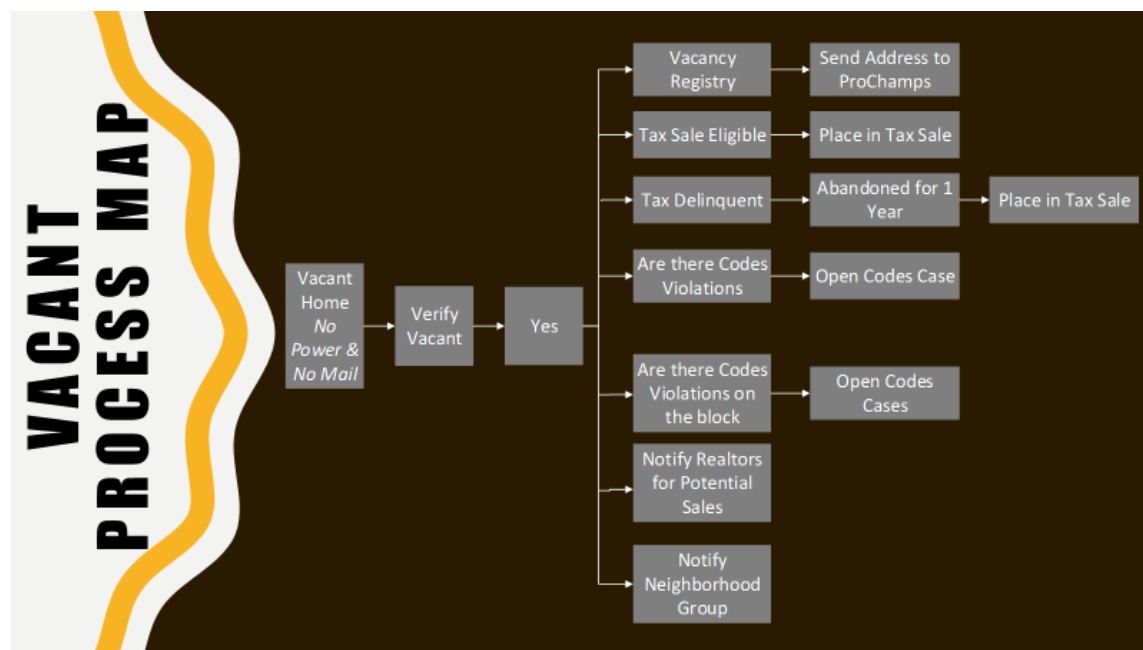


Ms. Sieben said in transition, we just want to be able to show you sort of what the entry portal looks like off of our website. If you go to the Neighborhood Resource Center page you'll see a link to the ProChamps registry. What you can do is you can come in here and if you are a property owner, you can register here in the middle but if you have a problem property as we get the private side set up on the left, you'll see that red arrow. That'll let you report a problem property and then what ProChamps will do is gather all the necessary information, turn it over to our staff to go ahead and do the work if there's violations and things of that nature, so that's great.

The other side is if you're a homeowner and you want to see if something's registered or a business here in town, you can look to confirm if that's already been registered as a vacant

property. You probably would start on the right, see if it's there. If it's not, then go to the left and go ahead and submit for it to be researched. You can do that right now but it will be a much more vibrant resource once the work that Judd and NRC are doing to stand that up here in the next couple of months.

I'm going to turn over to Judd because we have been working on a process map of what happens to vacants and if Commissioner McKiernan was here tonight, he'd get all excited so I just wanted to acknowledge that. He's not here.



Judd Knapp, Management Analyst, said so this is a list of things we could do besides the vacancy registry. It's like what can the Unified Government do to address vacancy. We have our data that we're validating that they are vacant. We sent out a code inspector to verify that they're vacant and if they are vacant, we add them to the vacancy registry, check if they're three years tax delinquent and we can add them to a tax sale. If they are tax delinquent but not three years but they have been abandoned for one year, and we get that from our BPU shutoff data, we can place them in a tax sale. Are there code violations on the house? Vacant properties hurt the value of all the properties surrounding it, so to counteract that we would like to send the code inspector out for the whole block. This house has a high probability to sell. If we can raise the value of the block, the house could sell for an increased price. If it sells for an increased price that's a better count

for the appraiser and a higher count from the appraiser means increased appraisal values and that leads to increased tax revenues.

Notify realtors of the potential sales. We have ProChamps sending them mail. We have the code violations, them getting mail from that and then realtors are contacting them to sell their property. Then we can notify the neighborhood group just to keep an eye on the property.



Ms. Sieben said the next section that we're going to do tonight is our Neighborhood Deep Dive section. With that, I'm going to turn it over to Logan our SOARdinator to tell you what we've been doing in the Park Drive Neighborhood.

PARK DRIVE DEEP DIVE

- Subcommittee meetings held so far in 2018
 - Economic Subcommittee (2)
 - Public Service & Education (2)
 - Housing (2)
- Appraisers re-inspected all properties in Park Drive Neighborhood
- Code Enforcement created an informational booklet and sent them out to all addresses in the NRSA this year. This is one of many efforts to educate the citizens within the NRSA area of code issues and their responsibilities. (May)
- All initial inspections of the licensed rental property in the NRSA have been completed. 61 inspections were completed, exterior only, except for 9 properties that also had full interior inspections.



Logan Masenthin, Program Coordinator General Services, said the Neighborhood Deep Dive refers to the Park Drive/NRSA Project. Some of you have already seen some of this information but we wanted to bring it back since it's all related to SOAR. The Park Drive Neighborhood Project has been moving forward in 2018. We've held six subcommittee meetings, an economic subcommittee, public service and education committee and a housing subcommittee. All three of those have met twice now. The appraisers have reinspected all of the properties in the Park Drive Neighborhood. Code Enforcement created a booklet of information to send out to all residents in this neighborhood and it includes information all about code enforcement, rental inspections, all sorts of things like that and how code issues are important and what property owners need to do to maintain their properties. We've also had all the initial inspections of rental properties in this area have been completed. That's 61 exterior inspections and they've also completed 9 interior inspections.



**PARK DRIVE
NEIGHBORHOOD
WALKING EVENT**

Mission – Educate and speak with residents, invite them to a picnic, and gather data

Walked with over 80 volunteers

Knocked on 1,323 residents doors

Spoke with 303 residents

One of our big things with this project this year has been the walking event and the neighborhood picnics. We held this walking event in July. The mission was to educate and speak with residents, invite them to the picnic and gather data. We walked with over 80 volunteers, we knocked on over 1,300 doors and we spoke with 303 residents.

EDUCATIONAL INFOGRAPHIC



While we were walking we passed out this brochure. It's an infographic with information on how to be a good neighbor as well as the Park Drive Project where you can learn more and how you can help. Just so you know, we've also created a SOAR version of this brochure that we're handing out at events.

PARK DRIVE GIS COLLECTOR APP

- Collected observational data about each property while walking.
- Strategic questions like:
 - Are there people over 65 in the home?
 - Connect with resources offered by the Area Agency on Aging.
 - Are there children under 6 in the home?
 - Connect with the kNOw LEAD KCK program.
 - Are there obvious codes violations?
 - Connect with resources offered by:
 - Community Development
 - Area Agency on Aging
 - Habitat for Humanity of Kansas City
 - Community Housing of Wyandotte County (CHWC)
 - Livable Neighborhoods.
- Note – Not everyone used the App correctly and there were gaps in information.



While we were walking we were collecting we were collecting data. We used a GIS collector app. We worked with GIS to create this app and the picture you see on the right is the map of the neighborhood. It's color coded so that we can walk in blocks of groups. The black you see there is what was completed. As we were walking we were marking them completed and they turned black so we could see in real-time what we were accomplishing as we went. While we walking we were collecting data, just observational things we noticed and we asked strategic questions like are there people over 65 in the home so that we could connect them with Aging resources. We asked if there were children under six in the home so we could connect them with the kNOw Lead KCK Program and we also tried to see if there were any obvious codes violations so we could connect those people with resources. We are moving forward on sending all of those properties noticed a letter with just some information about code violations and why it's important to fix those things.

We did also want to note that this wasn't a perfect process. Not everyone used the app correctly. There was a bit of a learning curve but we still got a lot of information out of it.

OBSERVATIONAL DATA COLLECTED

(Might Not Be Completely Accurate Due To Observational Nature)

- Total Residential Homes Stopped at – 927
(more including parcels with multiple units as data was collected per parcel)
- Residents who spoke with us – 303 (33% of total homes stopped at)
- Vacant Homes – 67
- Commercial Properties – 60
- Residents who speak Spanish – 91
- Residents who speak another language (other than Spanish) – 12
- Households with Children (under 18) - 166
 - Households with children under 6 – 128
- Homes with Code Violations - 179
 - Structural only – 50
 - Environmental only – 54
 - Both on one property – 75



This is the information we collected. We have a lot more than this. We have addresses, parcel IDs and all of that but this is just the totals. We stopped at 927 homes, although it might be a little bit more than because that doesn't include multiple units like apartments. We spoke with 33% of those homeowners so we felt pretty good about that. We noticed 67 vacant homes just coming

back to that vacancy registry and how important that is. Sixty commercial properties, 91 residents spoke Spanish. We did have Spanish translators with us and we used those with 91 residents so that's good to know and 12 residents spoke a language other than Spanish.

There were 166 homes with children under 18 and 128 of those probably under 6 so we know to target them for the kNOw Lead KCK and 179 code violations. We separated those out by structural, environmental and both.



We just wanted to give a shout out to all of our community partners. They have been absolutely amazing and we worked with a big group of partners on this project. Those are all listed there. Wyandotte Countians Against Crime, Mission Adelante, CABA, all those great people. We couldn't do it without them.



**PARK DRIVE
NEIGHBORHOOD
PICNIC**

Mission – Engage the community, educate residents on resources and services, and have fun!

21 UG departments and 9 community partners participated

Picnic included:

- Free food
- Music
- Entertainment
- Informational booths & materials
- Games
- And more!

I had mentioned before that we followed this with a picnic. Again, it was July. It was very hot but we had a lot of people out there telling people about everything that the UG provides as well as some of our community partners. The mission was to engage the community, educate the residents on the resources and services and to have fun. We had a lot of free food, music, entertainment and information for everyone. We had 21 UG departments and 9 community partners participate.

September 13, 2018

PARK DRIVE PICNIC SUCCESS

- Hispanic Economic Development Corporation (HEDC) had an informational booth at the Picnic and got residents to sign up for their classes
 - Number of KCK residents that have attended their classes since the Picnic
 - Computer Literacy Training – 21
 - Fundamentals of Office Administration – Digital Story Telling – 21
 - Financial Professional / Entrepreneurship – 3
 - Business Startups – 2
- Combined total training and technical assistance hours for 2018 for this area – 1,054.82



We did have one really good success story, some numbers we can show you. HEDC, the Hispanic Economic Development Corporation, provides a lot of computer literacy training, business startup, things like that and they were actually able to get some residents to sign up for their trainings while they were there. They are just recently breaking into the KCK market so it was really exciting to know that we had a hand in having people attend these trainings. They had 21 people attending their computer literacy training. The same number for their office administration and then a few people for professional and business startup training. Over 1,000 hours of training is what they're providing for 2018. That was exciting.

PARK DRIVE DEEP DIVE- OTHER PROGRESS

- 18th Street Corridor Plan funded for 2019
- SOAR to present at September's WCAC meeting to further engage residents in Park Drive Neighborhood Project
- Clifton Park chosen for green infrastructure projects – received Health Foundation Grant in partnership with KCMO and MARC to fund community outreach for projects

A few other things, we did get the 18th Street Corridor Plan funded for next year. We are going to be presenting at the Wyandotte Countians Against Crime meeting this month to further engage residents in this area with their neighborhood group and then we also want to point out that Clifton Park which is in this area was chosen for green infrastructure projects and they actually received a Health Foundation Grant in partnership with KCMO and MARC in order to fund community engagement for these projects to get input on those.

PARK DRIVE DEEP DIVE- OTHER PROGRESS, CONT.

New Route Starting January 2, 2019

118 18th Street

Service from Quindaro Blvd. to Roeland Park

- 5:30 AM – 7:30 PM, 60 Minute Frequency

Connections to many RideKC routes

- 101 State Ave., 102 Central Ave., 104 Argentine, 106 Quindaro, 107 7th Street – Parallel, JoCo Routes

Access to Groceries

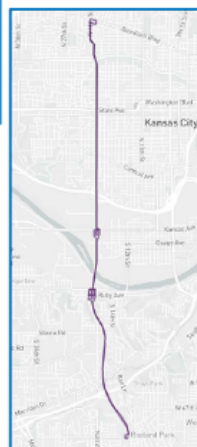
- Fast Fred's Market, Sun Fresh Market, Price Chopper, Sav-A-Lot, Wal-Mart Market

Access to Education

- Argentine Middle School, Donnelly College, NW Middle School, Ward High School

Access to Jobs

- Over 5,000 jobs within ¼ mile of route



September 13, 2018

Justice, is not here at the moment but we wanted to point out that there is a new route starting next year for 18th Street. You can't see the map super well but this is really exciting to get people to businesses and all over. It goes all the way from Roeland Park to Quindaro. The 18th Street bus route we were really excited to get through this project as well.



EARTH DAY CLEANUP WITH CABA

CABA – Central Avenue
Betterment Association

Earth Day Cleanup along Central
Avenue



September 13, 2018

Ms. Sieben said we've been also doing a lot of community engagement events related to SOAR because we know that letting folks know what we're up to is really important in the community. We did start earlier this year with an Earth Day Cleanup in association with CABA (Central Avenue Betterment Association). I think Logan, Kristin and I made sure we worked out our backs really good that day picking up little things everywhere, just some examples of a lot of great community participation beautifying our appearance on that day.



Additionally, this summer, La Placita, which is also in the Central Avenue Corridor invited us to be there as often as we could with a booth about SOAR. You can see our setup there.



NIGHT OUT AGAINST CRIME

KCK Neighborhood Crime Prevention Patrol (NCPP) hosts this annual event that promotes police-community partnerships and neighborhood camaraderie.

SOAR participated with a booth this year.



Additionally, we also in the same area worked with Wyandotte Countians Against Crime on their Night Out Against Crime were there with information as well.

ENGAGEMENT GAMES

Good Neighbor Game

Part of being a good neighbor is maintaining your property, which is crucial to keeping our community safe and beautiful! It is important to understand what you should and should not do to maintain property so we can all be good neighbors to one another.

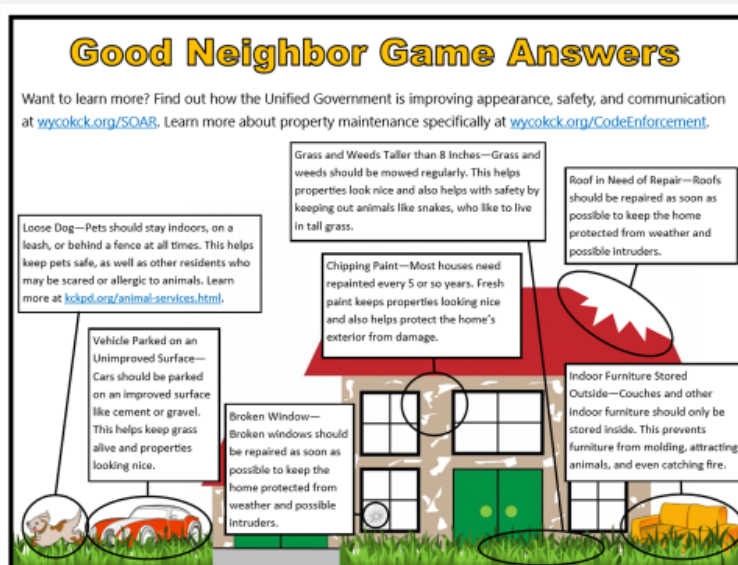
Can you find what is wrong with this property? There are seven common issues. Circle and label them if you can.

See back for answers.



September 13, 2018

ENGAGEMENT GAMES



We tried to figure out a way to make this more engaging for children so Logan has developed another infographic where you find the code violation. We looked all over the internet trying to find a way to engage in this area. Let me tell you, there's not a lot out there so this may be the first folks, but this is the way that we asked people to find out about code violations for kids and then they got candy. On the back, we explain exactly what it is that is the violation and why it's a violation.



SOAR STREET SWEEPER

Displayed at APWA PWX 2018 – American Public Works Association International Congress & Exposition in August 2018.

Another thing that we were kind of excited and shocked to do was make our own SOAR Street Sweeper, that's a tongue full. It will be out in the community telling people about improving our appearance and safety. Look for the SOAR Street Sweeper coming soon.

INDUSTRIAL INFOGRAPHIC

How to Be a Good Neighbor in an Industrial Area

For more information:

- Code Enforcement: Visit wycock.org/CodeEnforcement or call (913) 573-8600 to find out more about general property maintenance regulations.
- Urban Planning & Land Use: Visit wycock.org/Planning or call (913) 573-5750 to learn more about fencing, screening, and sign regulations, as well as requirements for new development.
- Fairfax Industrial Association: Visit fiak.org or email exec@fiak.org if you have questions for your business association.
- Air Quality: Email airquality@wycock.org or call (913) 573-6700 for more information on dust control.



myWyco Mobile App

Report issues such as unmaintained weeds/grass and improperly boarded vacant property to the myWyco mobile app. Just search "myWyco" on any App store to download. You can also call 311 (913-573-5311) or visit 311.wycock.org

Report suspicious activity to 911.

Maintain fences so that they are in good condition and free of weeds. Make sure fences do not block the "sight distance triangle" if located on a corner. Contact Planning for razor/barbed wire and electric fencing regulations.

Use appropriate dust control techniques on gravel surfaces so that dust does not leave the property.

Enclose/screen all outside trash receptacles and outdoor storage up to the height of the items so they are not visible from outside the property. Make sure trash is covered so it does not blow away.

Maintain your building, keeping exterior paint, windows, and awnings in good repair.

Maintain your signs in good condition and make sure permanent signs have the proper permits. Check temporary sign limitations with the Planning Department.

Install outdoor security lighting to help maintain a safe environment.

Maintain your landscaping and sidewalks. Keep them free of weeds, trash, debris, trip hazards, and overgrown grass.

Manufacturing, Inc.

Our last one of our initiatives and I bothered Steve Dailey to stay because we've been working with the Fairfax Industrial Association and they are helping us create our beta version of the industrial infographic, which is basically instead of the neighborhood one, it's for industrial areas. We just rolled this out to them and they were very impressed. We actually drove around with Fairfax, Melissa Clark for an afternoon, kind of trying to understand what an industrial area would be looking for from a perspective of SOAR and this is what we've generated for them and we looked to be also taking that out to Armourdale and other groups that would have an interest in improving the appearance of their industrial districts.

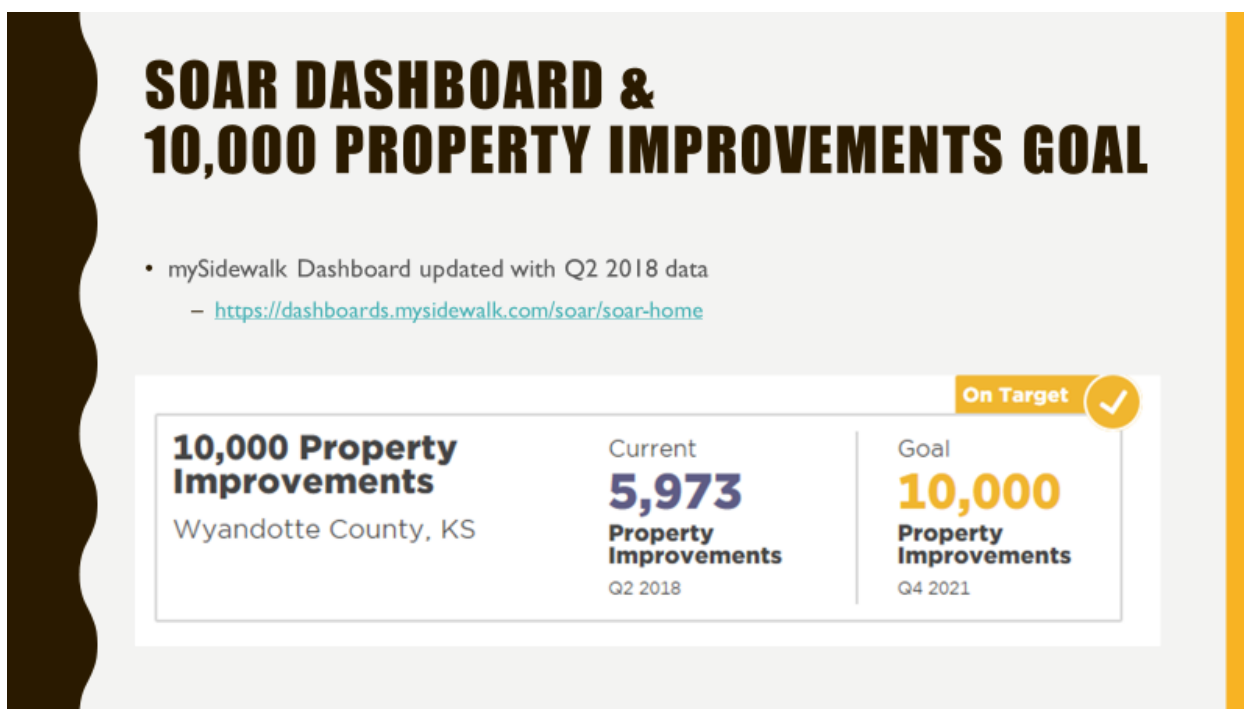
The last thing that I'm going to turn over under the communication which is also kind of a part of the Neighborhood Deep Dive and I'm going to have Shaya walk through this slide.



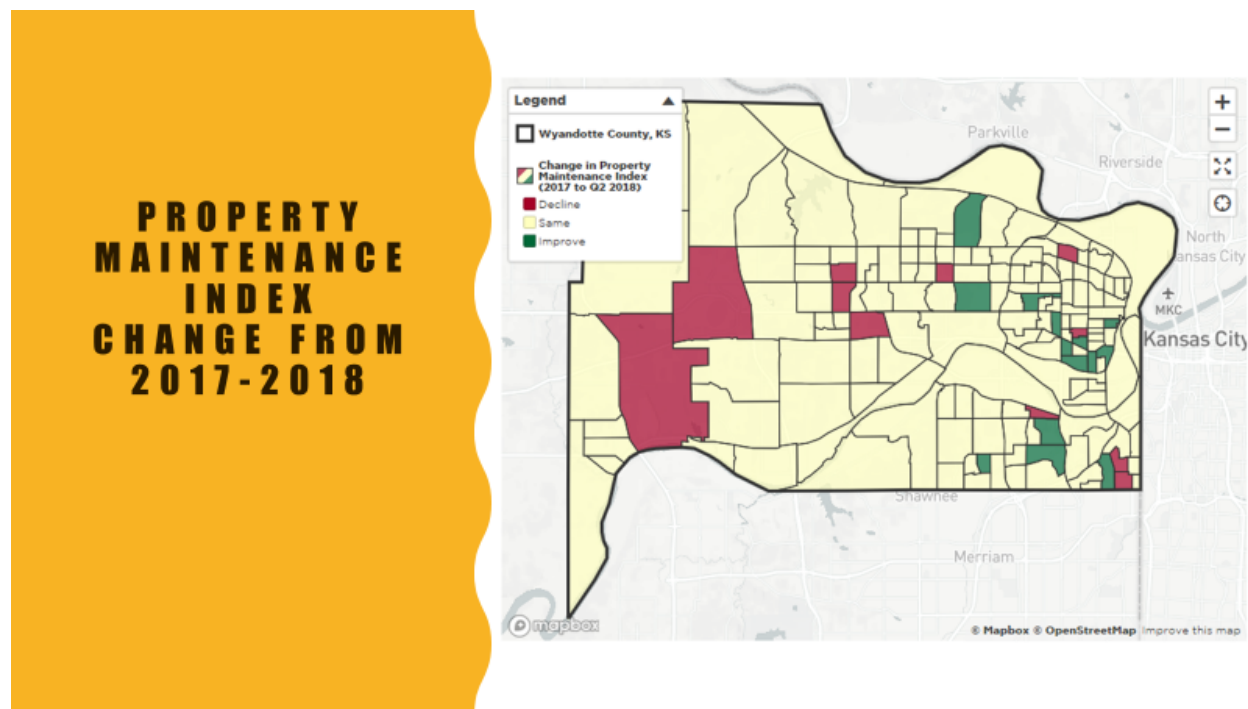
Shaya Lockett, Small Business Liaison, said beginning in May, the Economic Development Department began an initiative Friday mornings. We gathered various departments from the Unified Government to gather to do a 30-minute walk through the Strawberry Hill neighborhood. The purpose of these walks were to examine the infrastructure, housing, businesses and just look at opportunities with our feet on the ground altogether talking at the same time about the possibilities.

These walks allowed us to build positive relationships with business owners, with the neighbors and different neighborhood groups and it's helping us to envision a better block. One

of the things that is coming out of the Strawberry Hill neighborhood walks is Blocktoberfest that'll happen on September 28th and it's bringing a lot of those partners that we met through our Strawberry Hill walks together to work collaboratively and to temporarily change the infrastructure of 6th Street from Ann to Tauromee.

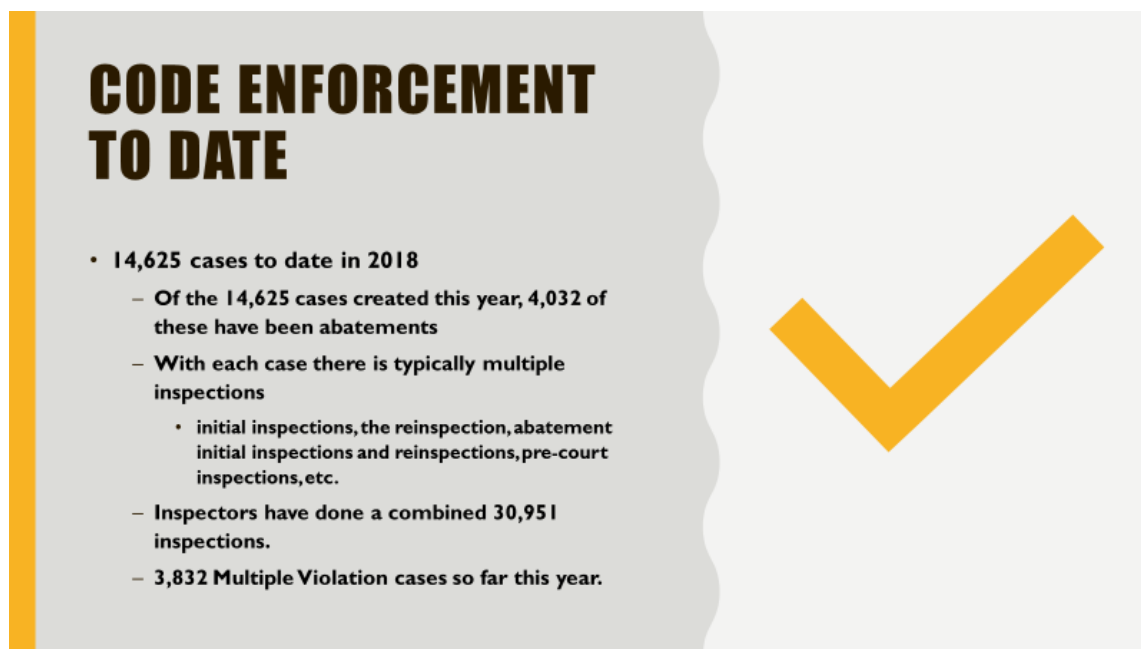


Mr. Knapp said for our update of our \$10,000 count in five years, we're like 60% there. The biggest areas is tax sale eligible, that's 2,500. We have unfit properties to fit at 300. If you want—there is everything SOAR at the mySidewalk Dashboard like how we counted it and all of our progresses on that link.



This is the property maintenance index. We made one of these maps last year and we made it this year and this is the change in the areas. This map, it layers seven variables like vacant structures, vacant lots, tax sale eligible, unfits and it gives each one a rank and we stack all of them together to get an index value for each area to get a property maintenance score for each one. The green ones are the ones that increased and those are around Central Avenue. Those are basically a reduction in tax sale eligible properties and a reduction in unfit properties in those areas. The ones that went down were vacancies unfit and lots.

Ms. Sieben said so next up is going to be a code enforcement update.



CODE ENFORCEMENT TO DATE

- **14,625 cases to date in 2018**
 - **Of the 14,625 cases created this year, 4,032 of these have been abatements**
 - **With each case there is typically multiple inspections**
 - initial inspections, the reinspection, abatement initial inspections and reinspections, pre-court inspections, etc.
 - **Inspectors have done a combined 30,951 inspections.**
 - **3,832 Multiple Violation cases so far this year.**

Wayne Wilson, Neighborhood Resource Center, said so far in 2018 we have 14,000 cases and about 4,000 of those were abatement cases. Those are the cases that we're going out and putting the stickers on to take action immediately on. With each one of those cases that we do there's typically multiple inspections we do, initial inspections, reinspection and if we have court on it we have to do a pre-court inspection. On the abatement type cases we do an initial inspection and then an abatement reinspection and sometimes on those cases that continue out you'll have several reinspections. Taken that into account, so far this year our inspectors have done almost 31,000 inspections in Kansas City, KS. Additionally, to that on the bottom line there you see that there's 3,800 multiple violation cases. Part of that relates to the next slide

**CODE
ENFORCEMENT
TO DATE, CONT.**

1,452 cases have been addressed through our Administrative Citation Process in 2018

- \$31,102 in fines collected out of \$261,527 billed.
- Unpaid fines totaling \$230,425 will be processed as Special Assessments and will then be moved to property tax liens.
- Comparison: same period of March through August in 2017 - 523 cases - \$19,102 collected out of the \$65,927 billed
- Unpaid fines were \$46,825 that were processed as special assessments and property tax liens.

Of those 14,000 cases 1,400 of those were addressed with an administrative citation. We've done 1,400 completed administrative citations this year. We've collected \$31,000 in fines off of those administrative citations and we have \$261,000 more in fines that's been billed out and has not been paid. The unpaid totals will be processed into a special assessment and then if it's not paid on the taxes, it will be applied to the property taxes as a lien. The same time last year when we started heavily on this project we had 523 cases, \$19,000 collected and \$65,000 that got sent down for a special assessment and for liens. The unpaid fines from this year that were sent out were \$230,000. The unpaid fines from 2017 were only \$48,000 that were sent out.

CODES ENFORCEMENT – TRASH AND WEEDS

- 3,460 14-Day Abatements being generated from March 1st, 2018 through August 30th, 2018.
- 2017- same period - slightly more with 3,691 14-Day Abatements
- Nearly all Trash and Weed cases are being addressed through Abatements

(Attribute the comparative decrease in the substantial turn over and loss of more experienced staff that has occurred in this period)



For the trash and weeds, of the 3,460 14-day abatements we did for trash and weeds, that was from March 1st until August 30th of this year and in the same period last year we did 3,691. We had a few less this year and I believe that's probably because of the turnover that we've had in Code Enforcement. We've lost a significant amount of staff this year through resigning, changing positions and a couple of retirements. We're close to where we were last year but not quite the same spot.

CODE ENFORCEMENT - VEHICLES

- 2,167 cases in 2018
 - Vehicles could also be included in cases where there were more than one type of violation being addressed in the same case.
- 1,169 at this time in 2017



So far this year we have addressed 2,167 cases for vehicles alone. That may mean the vehicle was placard for a tag to be towed. It could have been a notice of violation issued against the property if it was sitting some place that we couldn't get to legally to tag it. It could also mean that there was 6, 8 or 10 vehicles on that same property that we addressed. These are just the vehicle cases that are outside of the vehicles that were tagged. We had 1,169 at this time last year. I'll jump back a couple of slides really quick to that figure that I said belongs with a different slide, I screwed that up when I sent that over to Melissa.

The number of multiple violations 3,832, some of those could also have vehicles included in those. If it's a case that maybe has dilapidated structure and other issues going on on the property and there's also vehicles on that property that we can't get to, those vehicles could be included on those properties as well.

CODE ENFORCEMENT – STAFF TURNOVER

- There has been an extremely high turnover in Code Enforcement again this year, with positions still in the works to be filled, however Code Enforcement will be attempting to complete the city-wide vehicle enforcement efforts throughout 2018.
- 40% through the city-wide vehicle enforcement effort year to date



I mentioned the incredible turnover that we've had this year. So far this year we've had 11 open positions in Code Enforcement. Last year we had 10 and the year before that we had like 4. We've been struggling all year to stay on top of it. I think the Code's staff has done a really good job because they are continuously working. We have two inspectors now that are covering multiple districts. We have one of our clerical people who was an inspector but she has taken one of the clerical positions. She's still covering her position until we can get people hired. We have two

people that we're working on going through the process of getting hired now but at this point we're struggling to get there.

We schedule five districtwide vehicle enforcement efforts every year. We've done two of those so far this year. We're going to try to get the last three of those done this year in October, November and December. I'm not sure if we'll be able to make that, but we're going to give it a try. We're going to see what we can get done getting these last few folks hired in, trained and get completely through the rest of the districts.

RENTAL LICENSES

- Rental license renewals were mailed April 4th.
 - We mailed renewals for 7,040 licenses to 3,000 owners for a total of \$648,437. April 2017, we billed out renewals for 6935 licenses for \$631,934.80
- Delinquent Rental License statements were mailed August 1st. Delinquent statements for 1,888 licenses were mailed to 944 owners for a total \$147,149.
 - Comparing to August 2017, we billed for the remaining unpaid licenses – total delinquent licenses 1,305 for \$103,149.00
- Rental licensing has been meeting with Housing Authority/Section 8 to further discuss our collaboration and we are looking forward to finalizing a Memorandum of Understanding to start doing inspections in conjunction with the Section 8 program in 4th qtr. this year.



Rachel Miscec, Rental License and Inspection Division, said just a couple of statistics for you all. Every April we mail out the renewals for all of the licensed rental properties. This year we mailed out 7,040 licenses to 3,000 owners. That's for revenue of \$648,437 compared to April of last year. We're up a little bit from there. The delinquent license statements go out the first of August for anybody that hasn't paid. They have a grace period until the end of July to get that paid before we start applying penalties. August 1st, we apply penalties and send one more bill. We sent 1,188 licenses for \$147,149 which is also down a little bit from last year as far as the amount of properties that we—Oh, I'm sorry we're up on the delinquent licenses this year.

One other thing as far as in the future, the Rental Licensing Division has been talking with the Section 8 Division at the Housing Authority to work with them on getting a memorandum of understanding going so that we can help them with their inspections. They'll require an inspection

from my division to be able to be on the Section 8 program. We are hopefully in the final stages of getting that taken care of to get that implemented here in the fourth quarter.

DEMOLITION

- A \$2 million increase in Demolition Funding was approved for 2018-2019
 - There are currently 120 structures on the demolition list compared to 205 in 2017
 - 2018 estimated demo budget is \$1,742,000
 - General Funds - Amount \$742,426 - Encumbered \$742,426
 - Debt Funds - Amount \$1,000,000 - Encumbered \$305,108
 - 23 structures were removed from the demolition list per recommendations by the SOAR Demolition committee. Most were properties located within historic environs. All have been referred to Delinquent Real Estate.
 - Structures Demolished /Awarded for Demolition YTD.
- 2 Commercial
- 55 Residential
 - 6 of the structures were for the parking lot project
 - 21 were Landbank Owned
- Average Cost per Demolition
 - 2017 - \$14,826
 - 2018 - \$21,931



Erin Downing, Program Coordinator for the Demolition Program, said there was a \$2M increase to the demolition budget over a two-year period. That gave us \$1.7M for the 2018 demo budget. There is a remaining balance of \$700,000 that remains in the budget. All other funds have been encumbered. With those funds we've had the ability to demolish 57 structures. Two of those are commercial structures, 6 structures were demolished for the parking lot project behind Memorial Hall and 21 were Land Bank owned. There are currently 120 structures on the demo list compared to an average of 205 in the previous years. There were 23 structures removed from our current demo list and that was recommended by the SOAR Demolition Committee. Those were all located within historic or landmark environs. Those have been removed and all been referred to our Delinquent Real Estate Department for review to determine if they're tax sale or donation eligible.

The average cost of a demolition project in 2017 was \$15,000. This year it's increased to \$22,000.

DEMOLITION, CONT.

- Implemented mandatory requirement for demolition contractors to use straw wattles for erosion control – these are meant to decompose so that they do not need to be removed afterward
 - Will evaluate decomposition in 6 months



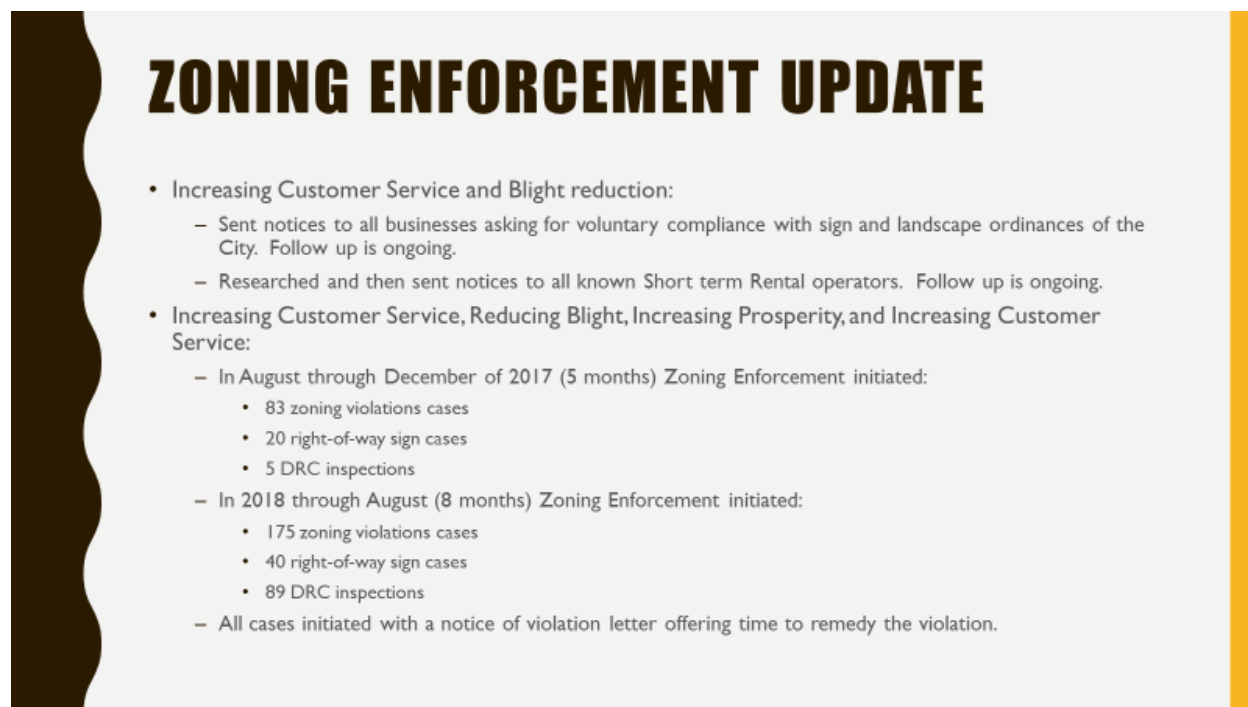
We've also implemented a mandatory requirement for our demolition contractors to only use straw wattles for the erosion control versus the silt fence that was previously used. The straw wattles will decompose over time and flatten so that will help with the mowing of these lots after grass has been established. They are not required to be removed after the demolition. We plan to evaluate the conditions of the wattles within 6 months to see how those are holding up.

QUICK RESPONSE TRASH TEAM (QRTT)

- As of 9/10, the Quick Response Trash Team has completed **817** 14-Day Abatements
- They have also responded to **93** instances of debris needing immediate removal



Kristen Love, Parks and Recreation, said the Quick Response Trash Team is part of the Parks Department. We have responded to 817 14-day abatements so far this year. Those are properties that are either in need mowing, debris removal, or a combination of both. We've also been called to 93 instances of what's called like the true QRTT where whatever debris is left at the curb needs to be picked up within 24 hours of being called to it. During our busy season, we average about 14 abatements sent over to us every day. We are still pretty busy out there.



ZONING ENFORCEMENT UPDATE

- Increasing Customer Service and Blight reduction:
 - Sent notices to all businesses asking for voluntary compliance with sign and landscape ordinances of the City. Follow up is ongoing.
 - Researched and then sent notices to all known Short term Rental operators. Follow up is ongoing.
- Increasing Customer Service, Reducing Blight, Increasing Prosperity, and Increasing Customer Service:
 - In August through December of 2017 (5 months) Zoning Enforcement initiated:
 - 83 zoning violations cases
 - 20 right-of-way sign cases
 - 5 DRC inspections
 - In 2018 through August (8 months) Zoning Enforcement initiated:
 - 175 zoning violations cases
 - 40 right-of-way sign cases
 - 89 DRC inspections
 - All cases initiated with a notice of violation letter offering time to remedy the violation.

Ms. Sieben said I am presenting this tonight for Rob Richardson so pardon me if read a little more than I would like to. He's at the Strawberry Hill Neighborhood Group Meeting for us tonight.

Zoning Enforcement was something new we also started under SOAR. We are now sitting at almost one full year of having a Zoning Enforcement Officer again for the Unified Government. We have been working on sending notices to all businesses asking for voluntary compliance throughout this last year with signs and landscaping ordinances. All follow-up continues to be ongoing. We've researched and sent notices to all known short-term rental operators and also are following up.

What's interesting here is the numbers that are below. August through December of last year we cited 83 businesses or residences for zoning violations, 20 signs in right-of-way cases and sent 5 things for DRC inspections. So far this year, we're at 175 zoning violation cases, 40 signs

of right-of-way cases and 89 DRC inspections. These are all noticed through a letter stating the violation and we work with folks to find a remedy. This is not the only duties of our Zoning Enforcement Officer. They also do reinspections for us as well. They have multiple duties and this is one person so he's been very busy. These take a few extralegal hurdles because it is zoning related.

TAX SALE PROGRESS

DELINQUENCY YEAR - SEPT. 2017-SEPT. 2018

- **\$3,667,171.51** brought in from Tax Sale process this Delinquency Year
 - Includes December 2017, April 2018, and August 2018 Tax Sales
- **2,016** tax sale eligible properties resolved this Delinquency Year
 - 699 (35%) of those were put on payment plans.
 - These are resolved for now but will be tracked in case the payment plans fall through.



Wendy Green, Assistant Counsel, said just to give you an update on how we've done with our tax sales. We brought in \$3,667,171.51 and that's from this delinquency year. Now by delinquency year, the delinquency year starts in September for the previous year so that's what they're referring to as delinquency year. They start keeping track last September and work their way up. They include in that the December 2017 sale, the April 2018 sale and the August 2018 sale that we just had, 2,106 tax sale eligible properties were resolved through this process. By resolved that means they either were redeemed, they were put on a payment plan before the tax sale or they were sold, through the tax sale and if not sold, then they were taken by the UG and then moved to the Land Bank so that gets them out of the purgatory that you've heard us talk about before where if doesn't sell it's still just sitting out there with nothing happening to it. We've eliminated that now.

We brought in over a million dollars with the December 2017 tax sale. We brought in almost \$1.4M with the April 2018 tax sale and we brought in just under \$1.3M with the August

2018 tax sale. We're generating lots of revenue for taxes which is wonderful. We're also dealing with these properties that haven't been dealt with properly in the past. Of all those properties the Land Bank has now taken in 48 houses just in this delinquency or through the three sales. Again, we're getting these properties out of the purgatory and we're making something useful happen with them.



Chris Slaughter, Land Bank Manager, said we're going to talk tonight a little bit about the rehab program, also known as Property Knocks. I just want to point out something that was stated earlier by Judd that you know we're all familiar with these houses that are anchors and they're bringing our property values and our neighborhood values down and the main reason we started this program was to reverse that trend. Currently we have 102 houses in the program. We also have 67 contractors that are currently making offers to rehab our properties, as you can see our before and after success stories.

Then it says Phase II now open. We're in the process of opening it up to 80 more new applicants. We just sent those applications out this morning and we'll be evaluating them and hopefully adding them to the program.

PROPERTUNITY KNOCKS!

Rehab

- 18 Houses completely rehabbed
- 16 In the rehab process
- 42 In inventory

Demo

- Over half of 24 houses to be demolished are already down.

75% of houses transferred to the Land Bank are potential rehabs. 25% require demolition.

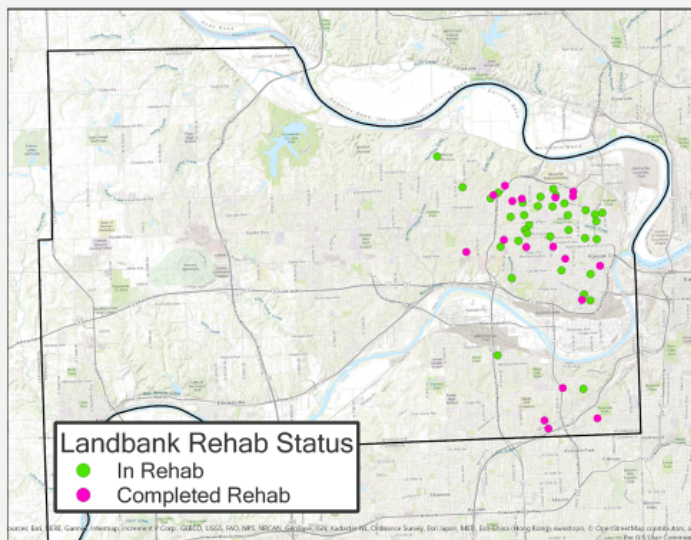


The collage consists of three distinct images. The top right image shows a single-story house with a light-colored exterior and a dark roof, set against a green lawn. The bottom right image shows a similar house but with several windows boarded up with white panels. The central image is a circular inset showing a demolition site with a large, bright orange ball (likely a wrecking ball) in the foreground and a brick wall in the background.

Currently through—since we started the program early summer last year we’ve completely rehabbed 18 houses. I should say our contractors have. We currently, it says 16 but we actually have 26 that are in the rehab process now and we have 42 in our inventory that are just kind of sitting there without an offer. That’s why we’re expanding the program to hopefully get that number down.

From the demo side, we’ve asked for 24 houses to be demoed and we’ve had a little bit over half of those already been torn down. 75% of the houses that we transferred technically are potential rehabs but we are giving our contractors an opportunity to look at those and we have had some success stories that we’ll be sharing with you soon.

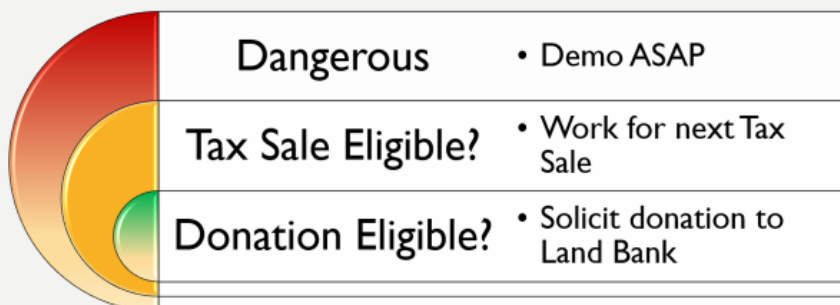
WHERE PROPERTUNITY KNOCKS



This again is just a map right now that just kind of shows the area in focus where we've had some successes and what we're still working on with the program.

DANGEROUS BUILDINGS PROCESS IMPROVEMENT

- Updated Dangerous Building List referral process with new process map
 - Presented to Standing Committee on June 4th
- New process directs non-emergency homes toward other options, like Land Bank donation, before resorting to demolition as a last resort.



Mr. Talkin said a little bit more about demolition, we've enhanced or changed the process associated with demo. We've renamed the demo list basically as dangerous buildings. We presented this to the standing committee on June 4th. The real reason around this as SOAR and we're moving forward. We're trying to put value on some of these properties. Even though they

used to meet the demo criteria, they still may have a market but before we could never get them to anybody because we didn't have the ability to acquire ownership.

The new process directs non-emergency homes to other options like Land Bank donation before resorting to demolition as a last resort. Dangerous buildings are the same. In fact, Erin's developed a process actually that probably those will be even coming down quicker because they are a priority and we've got a new process that we work through with Legal, we're calling our 72-hour process. Those are the buildings that basically are collapsing, fire damage and things along that line that we can't come close to even securing properly to keep them safe. Those are automatically going into demo and going in a priority status.

Those that are tax sale eligible or not even tax sale eligible, or the ones that are tax sale or working towards the next tax sale. If they are not tax sale eligible, we're still referring those to DRE which is communicating with Chris' office and they're working on a communication to request a donation. If for some reason it falls between the cracks and doesn't meet any of that, it comes back to the SOAR Committee to look at that property to find out if there are any other options before it's put back in demo.

This accomplishes a couple of things for us. First of all, once again, we're looking at our properties as trying to have value. It's putting them into the market which we've never really done before whether it's through the tax sale process or going in the Land Bank and then let contractors bid it to find out if there's any market interest. That helps us because a lot of those properties Erin mentioned, the 21 that we're taking out of the demo process because they were in environs or in the landmarks, they wanted us—not the Planning Commission but the Landmark's Commission, they were having a problem with us just razing properties. We were taking them to them but they wanted to look at other options. What can we do? They actually kind of agreed and kind of come up and helped this process that if we put it through the tax sale and nobody buys it or if it goes to Land Bank and nobody bids on it, that satisfies their requirement that there's no market interest. They're more willing to approve that process to go ahead and demolish.

TREE MANAGEMENT

- Developed system to manage urban forest (including storm debris, dead trees, and more on private property)
- Developed a tree management plan for UG-maintained areas
 - Including keeping an inventory of trees, their condition, maintenance completed, and more



Ms. Sieben said just one other item of note. For those of you who remember the Stony Point problems we had over a year ago, we are as part of SOAR also looking at tree management with BPU trying to come up with a plan there. We got a little stalled out because of something called Waste Management but, we will be coming back to that but we will be coming back to that and I want to let you know that we are working on that and we're working on it together because our urban forest is important to the appearance and safety of our community.

**HIRED FULL TIME
SOAR
COORDINATOR**

MAY 2018

September 13, 2018

Lastly, we did hire Logan to be our SOARdinator. She wasn't thrilled with those other pictures but we did throw her professional picture in here. We're very excited to have her on board and she helps keep us all on our toes all the time.



What I want to do here at the end is recognize something that I thought the Mayor said. The very app that describes SOAR quite well. We are working on the real problems facing our

September 13, 2018

neighborhoods and I want to give a big round thanks to the Commission for letting us do that for you, to make this a better place. With that I'm done. Are there any questions?

Commissioner Bynum said I just don't know if I can put into words the appreciation that I have for the team, the work, the data and the outcomes. I think I did put it into words. Thank you.

Commissioner Townsend said again, thank you to everybody. I think Commissioner Bynum summed it up. The effect of this is something that we can all see and you're working through a lot of problems that, you know, stalled out and prohibited us in the past from moving some of these properties on. I just want to make sure though that I understand from early in your presentation, this was something that came up in the early stages of this vacant registry. I was very concerned that we not have a system where we have a shopping list for people with less than good intent. When you were explaining about availability of identifying or maybe accessing some of these properties deemed to be vacant. That's not public is it because that was the intent that I understood that would not be public. We didn't want a shopping list, so to speak, for people who were like I said like I said were less than ill intent. **Mr. Talkin** said actually, right now the vacant property registration itself on the mortgage and defaults, that is public. You can access those properties online. It does not give ownership name, but it does give property address and I believe the bank that's involved. Now the private side we have not worked through that yet. None of that's out there even for us to access yet and that would be the ones that are meeting the definition of vacant that aren't in default or foreclosure.

Commissioner Townsend said so I get the private side. Tell me again what is. **Mr. Talkin** said we can't even see the private side yet. We haven't worked through the details of what that will be. We're only doing paper right now with them on the foreclosure and the default side. As Melissa showed on that slide, you can actually find out if one is registered as vacant in your neighborhood. It does not give ownership, but it does give an address and it does give the bank that has it. **Commissioner Townsend** said that's on the commercial side or one that might be in foreclosure you're saying. We're coming pretty close to something that we may need to reconsider because again, this came up early on, we don't necessarily want a list that people in the neighborhood—**Ms. Sieben** said I think I was thinking it was, you were able to check if it was

registered, not see everything that was in your neighborhood. I haven't gone on that part. I'll look at it Commissioner. If it's doing what you are saying, I don't want that either. It was more for me to go I've got this problem property. I want to see if you guys know about it. That was what it was for. It wasn't supposed to be a shopping list. We'll have to see how that comes out. I know they have full access on their side, but what they see is different than probably what you or I should see. Let me check that out. Okay. **Commissioner Townsend** said okay. Thank you. **Ms. Sieben** said yes. We'll get back to you on that.

Commissioner Markley said obviously, you all know I'm a huge fan of SOAR and the work you guys are doing. I just really appreciate something that we haven't seen in the past is the level of interaction between departments and the teamwork that we see, not just in your presentation today, but in what you're doing every day. Not only is that obviously having an impact in the data that you're gathering and in the goals you're trying to advance, but I feel like you have a lot more enthusiasm because you're working together and getting to know each other. I hope you guys feel that way too, but we see you being much more enthusiastic about this project than you would have been seven years ago when said tell us about demolition or tell us about vacant houses, and you all were kind of like well we've got a lot of them. We feel that enthusiasm. I think the neighborhoods feel that enthusiasm when you come out and talk to them and present to them and that's part of the reason they're becoming engaged in this project. I appreciate that. I hope it's making you guys have a better work environment as well and I know our neighborhoods are seeing the impact of that. I appreciate it.

Commissioner Johnson said I hope I'm giving the concluding comments tonight. **Mayor Alvey** said so do we. **Commissioner Johnson** said I'll try to make it brief. First of all, thank you to all the departments that have presented tonight. You're doing an excellent job. I thought it was a novel concept that we would all work together as a team and I think that we're seeing some changes that will be generational in their affects so that our children will be able to be the real beneficiaries of the things that we're doing right now.

As we're continuing to work together—first of all, let me say the Park Place Project. I think will be something that can be replicated throughout the metropolitan area, throughout the Kansas City, KS, Wyandotte County area. There are a lot of things to be learned and hopefully

we can share that as we go to other areas. As we're talking about a team concept, I would encourage you to make sure that you're keeping the commissioners involved and aware of changes that are happening whether it be tax sales, improvements and things of that nature so that we can be a part of that team process as well. We would love to make sure that we're present at some of these things as our schedule would permit. Though these are told to us that we are doing a part-time job, but I think the most of realize it is more than a part-time job, but we want to be part of that change as well so please make sure that we're notified as you are doing things in our respective districts as well. Thank you again.

Action: For information only.

COMMISSIONERS' AGENDA

No items

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

No items

MAYOR ALVEY
ADJOURNED THE MEETING AT 8:42 P.M.
September 13, 2018

Bridgette D. Cobbins
Unified Government Clerk

tpl

September 13, 2018

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

PLANNING & ZONING AND
REGULAR SESSION
SEPTEMBER 27, 2018

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, September 27, 2018, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second 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. Murguia, Commissioner Third District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell and Joe Connor, Assistant County Administrators; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Patrick Waters, Senior Attorney; Kathleen VonAchen, Chief Financial Officer; Rob Richardson, Director of Planning; Byron Toy and Zach Flanders, Planners; Janet Parker, Administrative Assistant; Lynn Melton, Assistant to the Mayor; Alan Howze, Chief Knowledge Officer; Chris Slaughter, Land Bank Manager; and Captain Ronald Schumaker, Sergeant-at-Arms.

Mayor Alvey called the meeting to order.

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

INVOCATION was given by Dr. Clarence Miller, III, pastor of Calvary Missionary Baptist Church.

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

PLANNING AND ZONING AGENDA

Bridgette Cobbins, UG Clerk, read the statement, required by law, governing the Planning and Zoning portion of the meeting.

Bridgette Cobbins, UG Clerk, asked if any members of the Commission wished to disclose any contact with proponents or opponents on any item on the Planning and Zoning Agenda. **Commissioner Bynum** said I've had contact with both the Unified Government and the School District on Plan Review #PR-2018-18. I've also had contact with the community. **Commissioner Walters** said (inaudible). **Commissioner Kane** said I had the same contacts that Commissioner Bynum had. **Mayor Alvey** said I also had contact with the School District.

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

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight wish to set aside any item on the Planning and Zoning Consent Agenda. If an item is not set aside, all items on the Planning and Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission. **Jennifer Rios, 6601 Leavenworth Rd.**, requested to set aside #SP-2018-77. **Doug Bach, County Administrator**, asked to set aside C1, #PR-2018-18. **Commissioner Townsend** asked to set aside the miscellaneous ordinances concerning the mobile grocery store operations. There are two of them. **Rob Richardson, Director of Planning**, said that would be D1 and E1, Mayor. There are two of them. They are both related. **Larry J. Wilson, 3115 N. 41st St.**, asked to set aside Item No. 2, the nightclub issue for live entertainment. **Mayor Alvey** asked at 4220 Leavenworth Road. **Mr. Wilson** said yes. **Mayor Alvey** said that's #SP-2018-66. **Eric Crew, representing the building at 2217 and 2223 W. 39th Avenue**, asked to set aside Item No. 5, for karaoke at Tanner's Bar & Grill. **Mr. Richardson** said that's B5.

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

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CHANGE OF ZONE APPLICATION

ITEM NO. 1 – 18420...CHANGE OF ZONE APPLICATION #3167 - DWIGHT REAGAN

Synopsis: Change of zone from R-1 Single Family District to A-G Agriculture District for agricultural activities at 3504 North 49th Drive, submitted by Robin Richardson, Director of Planning. The request is for a 15.1-acre property to be used for residential and agricultural processes and have more than one accessory structure on the property. The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application #3167, subject to the stipulations.

Urban Planning and Land Use Comments:

1. How many structures are currently on the property and what are their uses? 3
2. Do you plan to keep livestock on the property? Yes
3. Apparently, livestock are already being kept on the property according to comments by the Conservation District and the neighbor. This is legal as they have a 15-acre tract.
4. The Conservation District indicates over grazing and potential erosion issues with the current level of pasture maintenance.
5. The neighbor indicates significant smell and pest (rodents, flies and fleas) issues since the livestock arrived.
6. There were no issues raised from the neighborhood meeting. The neighbors that wrote the opposition letter did not attend the neighborhood meeting.

Code Enforcement Comments: Property still has a portion of a foundation left from a previous demolition. The demolition is not complete until the foundations are removed.

Public Works Comments: None.

Stipulations:

1. The owner meet with the Conservation District and implement their best practice recommendations.
2. All livestock, structures, and manure/manure spreading be kept 100 feet from the southern property line, and that all runoff from areas where there is manure and/or livestock be kept away from the southern neighbor.
3. The remainder of the foundation related to the demolition be built upon or removed within 18 months.
4. Items 1-3 must be completed within 1 year. The rezoning ordinance will not be published until Items 1-3 have been completed.
5. If approved by the Board of Commissioners, a \$50 ordinance publication fee is due immediately.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Application #3167, subject to the stipulations.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

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SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 18413...SPECIAL USE PERMIT APPLICATION #SP-2018-64 - DALLAS WOLFE WITH 12TH STREET AUTO SALES

Synopsis: Renewal of a special use permit (#SP-2016-25 - expired 4/28/2018) for auto sales and repair shop at 914 South 12th Street, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-64 for two years, subject to:

Urban Planning and Land Use Comments: Please complete sidewalk on the north side to the edge of adjacent pavement:



Public Works Comments: None.

Business License Comments: The auto dealer at this location has filed the required occupation tax application and is current and renewed for this calendar year. However, the auto repair shop has still yet to renew and is in delinquent status.

Staff Conclusion:

Subject to approval, staff stipulates the following:

1. This special use permit shall be valid for two years.
2. Overhead doors shall be closed when vehicles are being worked on to prevent noise generated from the machinery projecting across the street.
3. Vehicles that are being repaired shall be stored in the rear of the property away from public view of South 12th Street. All inoperable vehicles must be screened from public view.
4. No displays on the sidewalk – this includes signs, pennants, attention-attracting devices, etc.
5. Comply with the aforementioned stipulations.

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Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-64 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 2 – 18421...SPECIAL USE PERMIT APPLICATION #SP-2018-66 - DARREN ALLEN WITH LOUNGE 42

Synopsis: Special use permit for a drinking establishment with live entertainment at 4220 Leavenworth Road, submitted by Robin Richardson, Director of Planning. The applicant is taking over the establishment from Timothy Drummer, Rhythm and Blues Lounge, the original applicant in 2014 and renewal in 2016. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-66 for two years, subject to:

Urban Planning and Land Use Comments:

1. How will this business’ operations differ from the previous bar and lounge?
Applicant Response: Operations will not differ from the previous owner. Age limit will change from 21 years old to 30 years of age.
2. Safety and Security:
 - a. Please provide a security plan documenting how you will ensure safety and security of the patrons and the public.
Applicant Response: There will be security guards provided both inside and out. Security at the door will check IDs to ensure proper age to enter as well as the use of a metal detecting device. We also have parking patrol in place to ensure proper parking.
 - b. Doors and windows will remain closed when entertainment is provided in order to mitigate noise.
Applicant Response: The doors and windows will remain closed at all times except to allow passage in and out of the main entrance.
 - c. Applicant must employ a card scanner for live entertainment events.
Applicant Response: Lounge 42 has employed a card scanner for live entertainment dates and events.
 - d. What days/hours will live entertainment be held?
Applicant Response: We will have a live DJ playing R&B and jazz until close – which is from 9:00 PM to 1:30 AM, Wednesday through Saturday. Jazz and blues bands will perform from 5:00 PM to 10:00 PM on Sundays.
 - e. What type of live entertainment will be provided?
Applicant Response: We will have blues, jazz R&B and a live DJ.

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): If changes are made to the existing access to the site, an updated access permit from KDOT shall be required.
3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: None.

Business License Comments:

If approved, applicant will need to file and maintain the occupation tax application and regulatory licenses with our office for the business activities. Will there be any entertainment activities occurring at the business?

Applicant Response: We currently do not have any plans for entertainment activities. We only have plans for a DJ at this time. If anything changes, I will be sure to contact your office to see how we should proceed.

Kansas Department of Transportation:

If changes are made to the access, an updated access permit will be required.

Staff Conclusion:

The applicant has worked with staff to answer questions within the report. The applicant is taking over the Rhythm and Blues Lounge LLC from the owner and operator, Timothy Drummer, who has received two special use permits, 2014 (#SP-2014-8) and 2016 (#SP-2016-1) for live entertainment.

Darren Allen, operator of Lounge 42 LLC will conduct the establishment in a similar manner except for increasing the age admittance from 21 to 30 years of age. As previously stated, security will be present at the door and in the parking lot when the DJ and jazz and blues bands are performing.

Subject to approval, staff stipulates that following:

1. The special use permit is valid for two years.
2. Doors shall remain closed when music is being played or performed.
3. Sec. 27-464(c)(9) Retail businesses with parking areas or other outside customer-oriented areas within 100 feet of any residence shall restrict hours of operation to between 6:00 AM and 1:00 AM of the following day. The business shall close at 1:00 AM.
4. ID scanner shall be used during live entertainment dates and events.
5. Apply for an occupational tax application with the Business Licensing Department.

Rob Richardson, Director of Planning, said the application here is a change in ownership of the drinking establishment with live entertainment at 4220 Leavenworth Road. It comes to you recommended for approval for two years. I believe the applicant is present and can speak to the details of his operation.

Darren Allen, 4220 Leavenworth Road, appeared stating I worked at the lounge for over five years. A guy by the name of TS owned it and I was a DJ at the place. He got a little older and was going into retirement. He made me a deal on the place so I took it from him.

Just while I worked there, I saw different things that he could have done better. It still was a nice place; never had any problems or anything like that. I purchased it and just made a couple of upgrades on it; raised the age limit from 21 to 30.

We used to have a lot of smokers that would kind of congregate out in front, so we made a little deck thing in the back for them to go smoke so it wouldn't be a lot of in and out of the building for the safety of the customers.

Did a lot of upgrades on the place: did some painting, the wiring—the Fire Marshal and all of them really got me so the building is up to par on that.

We decided to come with a little more security. We've got some outside security to kind of help people in and out of the cars and just keep the riff-raff from sitting. If you're not going in, you have to leave. We've got special people just for that.

We've got an off-duty officer hired for inside and out to keep any type of problems down.

Any entertainment will be held inside; windows closed, kind of concealed inside the building or whatever it may be. I don't see any problem.

We've got the parking lot people that we've got to take care of the trash and stuff like that, really just trying to get something a little bit nicer for the older people of Kansas City, KS. Sundays, we're going to have jazz and blues, something different. We're not trying to have something where people are jumping around, just something—I know a lot more like bands off of Vine.

I work at UPS. I've been there over 30 years. There are some people who have some nice bands that really don't have a lot of places to play at.

Me and my buddy here, he works for the railroad. We saw the opportunity so I kind of talked him into it. Hopefully, it will be okay. I'm pretty sure it will. We've made a lot of upgrades on it and whatever we have to do to make it happen. We're in it now. The wives—we've got to make it happen. It took me a while to tell her I bought it.

Mayor Alvey opened the public hearing and asked if there is anyone present who would like to speak in support of #SP-2018-66. No one appeared.

Mayor Alvey asked is there anyone who would like to speak in opposition to this application.

Larry J. Wilson, 3115 N. 41st St., appeared stating I'm in proximity of the club. The previous owner, Mr. Drummer, agreed to police the area after the club's closing hours and before it opened the next day. There was a huge problem there with trash and debris being left by the patrons of the club throughout the neighborhoods. I feel that the new owners should do no less than Mr. Drummer did. I don't have a problem with the new activities that they want to present. I don't have a problem with that, but just don't do any less than the previous owner.

Mr. Wilson said I would like to ask the Board if they would entertain the idea of putting towaway zone signs on 41st St. rather than no parking signs because it's about as bad as Leavenworth Road. There are no shoulders on either side of the street. With the overflow patrons from the club, if they park there, it's non-negotiable. I would just entertain the idea of putting towaway zone signs as to no parking signs. Everything else, I'm comfortable with as far as the policing of your parking lot or your added security and everything. I'm good with everything else. Just don't do any less than Mr. Drummer did.

Alfie Carter, 4220 Leavenworth Road, appeared stating I'm a business partner with Mr. Allen. As he stated, we have parking patrol. They'll be canvassing the neighborhood. We also contacted the city about the vacant lot that's next door to the property about obtaining it so we can add additional parking. There was parking in the back, but there was no lighting; some overgrown weeds, so we're in the process of trimming that back and adding additional parking so that parking won't be an issue on 41st St.

Juan Antonio Vividor appeared stating he owns 4100 Leavenworth Road. Previous nights of, I guess, the party or club being opened, they would come into my driveway and park on my property for no reason. We started laying a big, old log right in front of the drive and they would move that to get into the property or go to 41st in the yard; park at the yard. If they would organize that pretty good, like he said, maybe towaway signs.

Commissioner Townsend said it is amazing how quickly two years can pass because I can remember when this was brought two years ago and some of the neighbors had concerns about trash that was being left and security. It sounds as though—even though I haven’t heard anything since that was approved, I’m glad to hear that the new owner, Mr. Allen, and his partner are going to continue to make noise, security, and trash collection in the neighborhood a paramount concern.

Listening to the other two gentlemen, your neighbors, something still has to be done. We hope you can step it up to circulate outside your club and see where the parking violations are occurring and develop some way to address that issue so it’s not a problem to your neighbors.

As I said, I have not heard in the last two years from your predecessor that some of the things we instituted as stipulations two years ago for the drinking establishment/entertainment were violated, but sometimes it takes this to bring concerns to the floor. We want to see those addressed if this goes forward.

Also, I’m not sure who would be—is it Public Works who would address the issue of towaway versus no parking? How can that be addressed? **Doug Bach, County Administrator**, said that’s what we would do. We would take a look at it. We’d look at it probably from both Planning to see what uses are on that street, but also, we would then take Traffic Engineering to take a look at it.

Commissioner Townsend said in the meantime, I would expect the new owners to make that their paramount concern so it’s not a problem for your neighbors. Other than that, I would support it and wish you well, and the request concerning the parking will be looked at.

Action: **Commissioner Townsend made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-66 for two years, subject to the stipulations, and look at the request concerning parking.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 3 – 18414...SPECIAL USE PERMIT APPLICATION #SP-2018-69 - JACK MCDONALD WITH ENVIRONMENTAL MANAGEMENT OF KC

Synopsis: Renewal of a special use permit (#SP-2008-13 - expired 5/1/2018) for an oil recycling facility at 861 South 66th Terrace, submitted by Robin Richardson, Director of Planning. This is a

proposal to continue to operate the facility in the Muncie Industrial Park that processes petroleum products, primarily so that they can be reused for fuel. The special use permit is necessary because it is considered to be a solid waste processing, storage, and transfer site. The proposal was originally approved in 1998. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-69, subject to:

Urban Planning and Land Use Comments:

1. Does the operation emit any odors?

Applicant Response: There is no odor because the operation uses a thermal oxidizer that incinerates gases that could be a nuisance. The operation has been through Unified Government air quality division process.

2. Have there been any complaints by neighbors?

Applicant Response: The property owner to the north has generated several complaints, which resulted in audits by KDHE, EPA, and the Fire Marshal. No problems were found during the audits. The complaints may have been in retaliation to an incident involving the property owner to the north wanting to burn a large brush pile near the shared property line.

3. If approved, recommend approval for another ten-year period.

Public Works Comments: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-69 for ten years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 4 – 18415...SPECIAL USE PERMIT APPLICATION #SP-2018-70 - LILIANA S. GONZALEZ WITH LILIANA'S HAIR HOUSE

Synopsis: Renewal of a home occupation special use permit (#SP-2013-31 - expired 5/30/2018) for a beauty shop in the application's home at 4402 Roswell, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-70 for ten years, subject to:

Urban Planning and Land Use Comments:

1. Has your operation changed since the approval of the SUP in 2013?

Applicant Response: See attachment providing comments from the applicant.

2. Approval for 10 years.

Public Works Comments: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-70 for ten years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 5 – 18425...SPECIAL USE PERMIT APPLICATION #SP-2018-71 – STEVE SENECA WITH TANNER’S BAR AND GRILL

Synopsis: Special use permit for live entertainment in conjunction with Tanner's Bar and Grill at 3900 Rainbow Boulevard, submitted by Robin Richardson, Director of Planning. The proposed live entertainment is karaoke on Friday nights from 8 PM to 10 PM. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-71 for two years, subject to:

Urban Planning and Land Use Comments:

1. Live entertainment shall be limited to karaoke on Friday nights between 8 PM and midnight.
2. The business must use an ID card reader when live entertainment is occurring.
3. Approval is for two years.

Public Works Comments: None.

Rob Richardson, Director of Planning, said I would just note that this is a special use permit request for live entertainment, basically karaoke and other game night kind of things for Tanner’s on Fridays and Saturdays. The applicant, I believe, is here and can give more details on that. It is recommended for approval.

Rodney Cuy(sp), 3900 Rainbow, Tanner’s Bar & Grill, appeared stating we are looking to do some live entertainment, low key, no big bands or anything, but karaoke and items like that. Basically, we’ve got a lot of requests from the neighborhood, customers coming in. Right now, we have no entertainment at night. We’re just trying to get something that’s a little bit of fun that the patrons can enjoy doing while they’re eating and having a few drinks.

Mayor Alvey opened the public hearing and asked if there is anyone present who would like to speak in support of #SP-2018-71. No one appeared.

Mayor Alvey asked is there anyone who would like to speak in opposition to this application.

Eric Crew appeared stating I represent the apartment building just across the alley from Tanner's where we have approximately 24 residents that like to have the quiet use and enjoyment of their apartment. They do have balconies that they're able to sit on. One family has a one-year-old child. Currently, we—I patronize Tanner's; our residents do. We like Tanner's. He's even come by my table making sure everything is alright before.

We already have a noise factor problem where we get complaints from the neighbors that live there. We have a parking issue where they park on our lot.

What we're looking for is more of a compromise if they could make sure all the doors, windows, and openings to the exterior are closed during the karaoke time period. We think we could get along and live as good neighbors together. If they're just blasting music out the window, I mean, some of them are just literally 40 feet from the band, or some guy singing like crazy at midnight. We're just looking for a compromise.

Mayor Alvey closed the public hearing and asked if the petitioner would like to make closing comments.

Mr. Cuey(sp) said I have no problems with his request—the windows and whatnots—I don't know if anybody has been down there, we do have garage doors and people do like them. I can understand and respect what he's saying about the noise. I have no problem closing that during those times. We have speakers on the outside. We do have a patio. We normally keep them at a lower volume sometimes at night. They might sound louder than what they are. We can turn them off at night; we can turn them down at night. We can get a personal rapport together and any requests, whatnots, will be handled directly by myself, I'm the general manager, and my management team there. We can basically squash any problems that we might have. I have no problems closing the windows and keeping the volume down.

As far as the parking is concerned across the street, we do have signs in our place saying, “Do not park across the street.” We have a parking garage. Maybe we can work together to make some more signs maybe in his area so it’s a little clearer because people do park. Unfortunately, sometimes when we’re busy, it’s kind of hard to police everybody that’s coming through the door and where they’re parking. I do notice that that is an issue, so the parking is something that we can work together as well. Are those the two main—okay, I have no problem on either of those or anything else that might arise—trash or anything like you were saying about the other club, anything like that, we have no problem policing our area and keeping the neighborhood nice.

Mr. Richardson said their hours are 8:00 – 11:00 for their live entertainment, so that would be the hours that they keep the doors closed and keep the outside speakers off.

Action: **Commissioner Kane made a motion, seconded by Commissioner Johnson, to approve Special Use Permit Application #SP-2018-71 for two years, subject to the stipulations to include closing the doors and working with the neighbors on the parking issue.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 6 – 18416...SPECIAL USE PERMIT APPLICATION #SP-2018-72 - ANDRE D. HAMPTON

Synopsis: Renewal of a home occupation special use permit (#SP-2016-58 - expired 8/25/2018) for gun repair/sales at 1728 North 32nd Street, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-72 for two years, subject to:

Urban Planning and Land Use Comments:

Neighborhood Concerns:

Firearms of any kind in a neighborhood can create some legitimate concerns among neighbors. Staff will gauge neighborhood concerns or lack thereof expressed during public hearing to help determine if this renewal is appropriate for this area.

Amount of Inventory on the Premises:

1. How much inventory have you kept, on average, during your two-year permit term?

Applicant Response: Four items.

2. What has been the maximum number of firearms for sale you have had on the premises at one time?

Applicant Response: One firearm.

Sales:

What has been the number of sales per day/month/year?

Applicant Response: I sold three firearms in 2017 and four firearms in 2018.

Safety and Security:

Have there been any incidents at your residence during these two years?

Applicant Response: None.

Restrictions:

If approved, staff recommends the following stipulations. The applicant shall have:

1. No signs.
2. No employees other than members of the immediate family residing on the premises.
3. No more than two clients at any one time.
4. Hours of operation being Monday through Friday, 6:00 PM to 9:00 PM and Saturday through Sunday, 10:00 AM to 6:00 PM.
5. Ammunition on the premises shall be limited to the amount that is for the applicant's personal use.
6. Approval will be for two years.

Public Works Comments: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-72 for two years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 7 – 18417...SPECIAL USE PERMIT APPLICATION #SP-2018-73 - SEAN TULIPANA WITH 5252 SPEAKER ROAD, LLC

Synopsis: Renewal of a special use permit (#SP-2016-44 - expired 5/26/2018) for a maintenance/servicing facility for trucks at 5252 Speaker Road, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-73 for ten years, subject to:

Urban Planning and Land Use Comments:

1. Have any of the business practices changed in the past two years?

Applicant Response: No

2. Is this facility still closed to the public?

Applicant Response: Yes

3. It should be noted the applicant's represented indicates that Factors to be Considered 8-10 should not increase due to the current use as it is an existing use. This is a special use permit and it assumes this is a new use as its continuation is not guaranteed.

4. If approved, this petition is valid for ten years.

Public Works Comments: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-73 for ten years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 8 – 18418...SPECIAL USE PERMIT APPLICATION #SP-2018-74 - TERRY D. MASON WITH POSITIVE ROLE MODELS INTO DEMANDING EXCELLENCE

Synopsis: Renewal of a special use permit (#SP-2016-62 - expired 8/25/2018) for a group home/emergency shelter for youth 12 to 17 at 1634 South 29th Street, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-74 for two years, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, the special use permit shall be valid for two years.

2. What, if any, changes have occurred since your renewal in 2016?

Applicant Response: The only change is that we have added "Emergency Shelter" to the services. We were already able to take children who were PPC (Police Protective Custody). This allows us the flexibility of admitting an emergency placement and both parties being able to see if it is a good fit. It also allows the child to start therapy immediately because of the in-house therapist.

3. Are the youths from Wyandotte County or are they from the Kansas City metropolitan area?

Applicant Response: Wyandotte County.

4. How are the youths chosen for this particular group home?

Applicant Response: The population we serve are: SED (Severely Emotionally Disturbed), abused, abandoned, ward of the state, CINC children (Children in Need of Care), non-adjudicated kids experiencing trauma from dysfunctional parenting.

5. How many vehicles will be making daily trips to this location?

Applicant Response: There will be 2-3 trips per day. The staff on duty, director and therapist.

6. How many staff members will reside at the home?

Applicant Response: No staff members will reside at the home.

7. What are the proposed hours of operation?

Applicant Response: The facility is open 24 hours a day, 365 days a year.

8. What is the typical, day-to-day operation of the group home?

Applicant Response: A typical day will include: the children being woke up for breakfast, medication, given encouragement for the day before they leave for school. Anyone who has appointments will be taken to them by staff. Once home from school, they will have a snack, do homework and chores. Some will have individual therapy; the others will do what we all plan for the evening. They will then have dinner, get showers, take medication and prepare for bed.

9. Are there plans for visitors?

Applicant Response: The caseworker is the primary visitor. However, there may be an hour visit with a parent to be involved in a therapy session from time to time.

10. No signs shall be posted on the property.

Applicant Response: There will be no signs posted on the property.

11. Have there been any issues with the neighbors in the past two years since the group home has been renewed?

Applicant Response: There have been no issues with neighbors.

Public Works Comments: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-74 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 9 – 18426...SPECIAL USE PERMIT APPLICATION #SP-2018-75 – FARIS FARASSATI WITH KC OUTLOOK ROSEDALE, LLC

Synopsis: Special use permit for renovations and expansion for KC Outlook Rosedale Daycare at 2605 West 39th Avenue, submitted by Robin Richardson, Director of Planning. This will be a commercial daycare. The building was previously used as a daycare from 1989 until 2004. The

Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-75 for two years, subject to:

Urban Planning and Land Use Comments:

1. Approximately how many employees will be at the daycare at any given time?

Applicant Response: There will be up to 10 employees.

2. Approximately how many children will the daycare serve?

Applicant Response: There will be up to 85 kids, (partly determined by the state based on size).

3. What are the proposed hours of the daycare?

Applicant Response: Hours will be 6:30 AM to 6 PM.

4. Are there any signs proposed to go along with the daycare?

Applicant Response: We will propose 3 signs, one on the east, one on the west, and a monument sign on the corner.

5. Sidewalks are required to be installed. Please install a new 5-foot-wide sidewalk on the northwest side of the property along 39th Ave. & Lake Avenue to the western edge of the property. Replace broken sidewalks on the east side of the property and install an ADA ramp at the corner of Springfield and 39th Avenue.

Applicant Response: We agree to adding sidewalks and ADA ramps at the corner.

6. Landscaping is required. Please install street trees every 30 feet along Springfield and 39th & Lake Avenue.

Applicant Response: We agree to street trees at 30' O.C. Is there a minimum caliper or type required?

Staff Response: Trees are required to have a minimum caliper of two inches. Please see attached list of permitted street trees.

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 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-2018-75 for two years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 10 – 18427...SPECIAL USE PERMIT APPLICATION #SP-2018-77 – JENNIFER L. RIOS

Synopsis: Special use permit for a daycare for children ages 2 to 12 at 6601 Leavenworth Road, submitted by Robin Richardson, Director of Planning. The applicant is seeking to operate a daycare in a home that is not her primary residence. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-77 for two years, subject to:

Urban Planning and Land Use Comments:

1. How many children do you expect to have in your care?

Applicant Response: 10

2. How many employees do you intend to have working at any one time?

Applicant Response: 2

3. If approved, the applicant must obtain a business license tax receipt.

4. Please explain how you plan to keep noise down as to not bother neighbors nearby.

Applicant Response: The applicant will build a privacy fence.

5. How do you plan to ensure parking and traffic is not an issue when parents are dropping off and picking up their children?

Applicant Response: The drive can accommodate up to 11 cars.

6. Any parking area needs to be striped and meet code requirements for dimensions.

Applicant Response: The applicant agrees.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: The Leavenworth Road improvement project early designs for this section of the road indicates the closure of one of the drive entrances i.e. close to the intersection with N. 65th Street. along with the construction of a new drive entrance to the property on N. 65th Street. The applicant shall adjust access to the site in accordance with the Leavenworth Road improvements.

Applicant Response: I will have maps for the parents indicating they must come from 72nd Street toward the daycare and my driveway curves like a cul-de-sac and has enough driveway to where they can enter my driveway and then turn left to exit facing head out to Leavenworth Road not backing out into the street. So, this ensures a safe exit to Leavenworth Road. This work on Leavenworth Road will not be an issue at all.

2. Items that are conditions of approval (stipulations): None.

3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: None.

Rob Richardson, Director of Planning, said this is the applicant. She's asked for this to be set aside. There was a stipulation regarding the number of children at the Planning Commission that I think she's going to ask you all to increase that. I'll let her give her specific request.

Jennifer Rios, 6601 Leavenworth Road, appeared stating I realized in a later conversation with Planning and Zoning that I was being considered for only 10 children for the daycare. I truly need at least a minimum of 20 children total, especially for that two-year period. It's a long time to kind of (microphone was adjusted). I was saying I need a minimum of 20 children total within those two years to kind of get the business running and be able to pay for the expenses that I'll have and the help that I'll need.

When I had previously said 10 in the conversation that I had last time, I was just saying that would be the amount that I would have in my group at the daycare, is what I was trying to say. Among the 10, that would include my two children, which are my 10-year-old and 7-year-old, so it's really 8. I was wanting to see if we could add at least another 10 so that I could have another teacher and have 20 total within those two years. I do believe that I can meet that amount within the two years. I also would actually need that to be able to cover my expenses. Who do I need to see if we can amend that?

Commissioner Philbrook said I'm the commissioner on that one. I've got a couple of questions for her. Originally when this came before our Planning Commission, they approved what you asked for was 10, right? **Ms. Rios** said no. I had actually put on there that I was going to have several teachers and I think it was a maximum of—I was talking about long term and how many I could have. I hadn't really personally specified like a minimum amount. I was just saying—**Commissioner Philbrook** said I want to get Rob's response on this because I wasn't at that particular meeting.

Mr. Richardson said we asked the question, how many children do you expect to have in your care. We meant the whole facility as her care. She took that as her care as a personal provider in that, so she said 10 and that's what we went through with.

I would just note that no one came to her neighborhood meeting, and there was no one at the Planning Commission meeting for or against this so, I don't think that there is any issue of letting people know. We didn't put a specific number in our notice or anything like that.

I would just also, Ms. Rios, you might say, I know you've asked for a minimum of 20, but you might also say what you would like to have approved if it's more than 20. **Commissioner Philbrook** said that again. **Mr. Richardson** said she said that the minimum that she would like would be 20, but is that the whole number that she might want in two years. The Commission might be inclined to say 22 is fine or 28 is fine or 18 is fine, I don't know what the number is. It might be that you would ask for more than 20. You should do that at this time so we don't come into this situation again. **Mayor Alvey** said in other words, what is your capacity. **Ms. Rios** said 60. **Mayor Alvey** said I'm sorry. **Ms. Rios** said from what I understand, it's 60 based on the square footage. We talked about the parking space also having enough for people to actually park; the acreage for the yards, and the children would be half an acre. That's the max.

Commissioner Philbrook said I'm feeling kind of back to the wall on this one because I really—since I don't know what you really should have, and I really always hesitate, not that I don't appreciate what you're trying to do, but I like to hear from the professionals other than the person that's coming forward on what they feel the capacity on stuff like this. I do have a problem with people coming forward to do that.

Do you want to send it back to get an approval or leave it like it is? I'm really intending to go back and get an official opinion from somebody that does this kind of work before I give a kneejerk reaction and say oh, sure; go ahead. Sorry. What do you want to do? I think the option is accept the 10 or send it back. **Ms. Rios** said it really wouldn't make any sense for me to have just 10. My minimum, I would say, would be the 20 and then maybe we could entertain more down the road.

Action: **Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to return Special Use Permit Application #SP-2018-77 back to the Planning Commission using 12.**

Mayor Alvey said we would need to hold a public hearing. **Ken Moore, Chief Legal Counsel**, said all items coming from the Planning Commission should have a public hearing. Before the Commission takes any action, you ought to see if anyone present wants to speak for or against before the Commission votes.

Commissioner Bynum said I'm not an expert in this either, but 60 sounds like way too many. I am very familiar with your building. I'm very familiar with the size of your building. It is not a big building.

About a year ago, we approved a special use permit for foster care very near your building for a building five or six times the size of your building for maybe 30 kids. You can see we're all struggling here with the concept of 60 kids in your building. **Ms. Rios** said right. **Commissioner Bynum** said I think one question I have for you is, do you mean at a time; 60 kids at a time? **Ms. Rios** said, the whole house would be for the daycare. It is, I believe, almost 2,000 square feet with the finished basement now. What I did was I took in some people that actually have daycares, and when I took the classes, I inquired on how much square footage it is. That's kind of what they mentioned. I don't personally know if I would want that many myself either, but that was kind of the number that was thrown out to me. I was thinking myself, I would like to have at least the 20. I know for sure that basically we have, I guess, it would be like six rooms dedicated for the 20. They would all be themed rooms.

Commissioner Bynum said this question is technical for staff. With regard to sending it back to Planning and Zoning for a more professional answer on how many children that size building can accommodate, I think that's what we're being asked to do. Is that one of our factors to be considered when we determine a special use permit? Which factor would that fall under for us? **Mr. Richardson** said I think that would fall under criteria 12, whether the proposed use would result in overcrowding of land or cause undue concentrations of population. **Commissioner Bynum** said okay. Good enough for me. Thanks, Rob.

Commissioner Markley said probably not relevant to sending it back, but I was just going to clarify. You're going to be a licensed facility so someone else is going to be deciding how many kids to each person. It's not that you would be handling—**Ms. Rios** said yes, exactly. **Commissioner Markley** said somebody else takes care of that. **Ms. Rios** said everything would be according to the rules and the laws. Again, I do say, I want to say I do have my master's in education and I also studied childcare development. I have a lot of experience with children. Yes, I know the rules change and if anything ever changed, I would definitely follow them. Actually, my teacher to student ratio, I'd want to be lower than other places. That's really what I want to

strive for because I want them to have that extra attention, that extra care. Again, that's another reason why 10 really wouldn't work for me. It will be me and I'll actually have someone else with the 10 with me. That's my plan. It's not just going to be me.

Commissioner McKiernan said I appreciate Commissioner Markley's point. I just looked this dwelling up on LandsWeb and it says it has 1,508 square feet in the living area. It seems to me that 1,500 square feet is an awfully small space for 20 children, plus whatever adults are required to supervise those children and keep them safe while they're on that premise.

I definitely think this deserves more attention. It should go back to the Planning Commission. I think that somewhere there's got to be a regulation that specifies how much square area there needs to be per child or per person in any daycare facility. I don't know what it is, but there's got to be. **Mr. Richardson** said there's a state law regarding that. If it goes back, we'll get that information provided. **Ms. Rios** said, also, I think that only includes the—it doesn't include the finished basement actually, that square footage. **Commissioner McKiernan** said it is the official record of this dwelling in our records.

Mayor Alvey opened the public hearing and asked if there is anyone present who would like to speak in support of #SP-2018-77. No one appeared.

Mayor Alvey asked is there anyone who would like to speak in opposition to this application. No one appeared.

Faris Farassati, 12704 Woodson St., Overland Park, KS, appeared stating same type of application I had. It's about 35 a square foot per kid by the state. There is a pamphlet/website by the State of Kansas, so they would come and take a look exactly like you guys said. They would come and take a look. The bathroom and kitchen are out of it. The rest of the area that is defined as the classroom, then it's 35 a square foot per kid. In my humble eyes—the State of Kansas in many cases, basement is not in their official records. I have a 6,000 square foot; it's listed as 4,000 square foot. Below the ground, they won't even put it in. From the Health Department, they would come and they'd look at the areas that are defined as classrooms. They measure it and they tell you exactly how many kids you can have there. I just thought that information might be useful. From

what I collected, I think 20 would be okay for that square footage after you count out bathroom and the kitchen. No conflict of interest.

Marcia Rupp, 2816 N. 46th St., appeared stating I don't know if Angela—I didn't hear her very good. Did you hit on how many were going to be over these children per child? **Commissioner Markley** said yes.

Mayor Alvey closed the public hearing.

Roll call was taken on the motion to refer the application back to the Planning Commission, per criteria 12, and there were nine "Ayes," Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

Mr. Richardson said just to clarify, this will go, I think we can get this onto the October 8th Planning Commission meeting so that would be the date that it's heard at the Planning Commission. I'll talk to Ms. Rios right now about the other issue.

ITEM NO. 11 – 18419...SPECIAL USE PERMIT APPLICATION #SP-2018-78 - JEFFREY ZIMMERMAN

Synopsis: Renewal of a special use permit (#SP-2016-45 - expired 7/11/2018) for an auto repair shop and used car dealership at 6863 State Avenue, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-78 for two years, subject to:

Urban Planning and Land Use Comments

1. Front parking area shall be stripped according to the site plan that was submitted with one ADA space and one customer space. The front parking lot shall be reserved for customers. Cars for sale may not be parked in the front parking lot.
2. Building shall be maintained in good condition.
3. Landscaping shall be maintained in good condition.
4. No automobiles available for sale, rent, lease will be inoperable, ruined, dismantled, or wrecked.
5. Approval for two years.

Public Works Comments: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-78 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 12 – 18428...SPECIAL USE PERMIT APPLICATION #SP-2018-79 - JOE HEIDRICK WITH CACTUS BED PROPERTIES LLC

Synopsis: Special use permit for short-term rental Airbnb at 3841 Lloyd Street, submitted by Robin Richardson, Director of Planning. The applicant will not live in the house and will rent the entire residence through short-term rental websites. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-79 for one year, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: We have yet to start operation of the business, and the house is currently occupied by a family friend who is going through cancer treatment at KU Med.

2. Were neighbors consulted prior to opening the business?

Applicant Response: I have personally met both neighbors and have kept them in the loop throughout the process. I have asked them about their thoughts and offered my personal phone number to each of them if they have any concerns with the state of the property. Both have indicated they are very pleased with improvements that have been made.

Please see the neighborhood meeting minutes. Neighbors are pleased with the use of the property as a house for patients and families but have concerns with Airbnb.

3. Do you have a business license?

Applicant Response: I currently do not hold a business license but do have a rental license. I will obtain a business license.

4. Have you paid appropriate lodging taxes?

Staff Response: The applicant did not respond to this question; but if the property is not operating as a short-term rental, then there is no need to pay lodging taxes.

5. How many rooms are rented?

Applicant Response: There are five conforming bedrooms in the house and two full bathrooms. We offer this for rent as a four bedroom to control the number of occupants.

The house has five bedrooms and six beds. One king, one queen, three full, and one single. At maximum, eight adults and two children can stay comfortably.

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

Applicant Response: If the tenants are all related, the maximum number of occupants in the house is ten. Otherwise, we will comply with the city regulations of no more than five occupants who are not related.

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

Applicant Response: We limit the number of vehicles to three during any rental period. The 40-yard driveway and 2 car garage is plenty to handle three vehicles without disrupting the neighborhood.

Staff Response: While parking is available on both sides of the street, on-street parking is often a source of concern and conflict for neighbors. To minimize this concern and because the driveway extends to the rear yard, renters shall be required to park in the driveway and not on the street.

Applicant Response: Tenants will be required to park in the driveway.

8. How often are guests in the residence?

Applicant Response: The house will be available for rent any time except days needed for maintenance.

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

Applicant Response: Yes.

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

Applicant Response: See details of house in the attachments.

11. How often are you at the property? How often do you travel? Staff has concerns that if you're out of town and an issue arises for neighbors, you are not physically there to address the situation.

Applicant Response: I personally live 10 minutes from the property and work 4 blocks away. I have great pride in the transformation of this property and will continue to work to make sure it is great for our guests and an asset to the neighborhood.

Staff Response: Could you elaborate how often you visit the property?

Applicant Response: Currently, I am at the property at least 5 days a week.

12. Who is the point person for any issues that may arise?

Applicant Response: I am the point of contact.

13. Do your neighbors have your contact information?

Applicant Response: Yes, I have met with my neighbors on either side of me.

Staff Response: We suggest reaching out to your nine other residences on the street to let them know that you are intending to operate a short-term rental at 3841 Lloyd Street. Additionally, contact your neighbor to the east, off Fisher Street as they are an abutting property owner.

Applicant Response: Yes, my contact information has been shared in person and in a letter. I have attempted to reach the homeowner on Fisher Street unsuccessfully to this point.

14. In addition to no parties and events, as associated with Airbnb and other website bookings, no outside visitors, and only overnight guests who have a reservation are permitted to stay.

15. Weekday and weekend quiet time shall be at 10:00 PM.

Business License Comments:

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

Public Works Comments: None.

Stipulations for Approval:

1. Host will maintain a safe environment including:
 - a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed.
 - d. Copper cannot be used for gas supply lines.
 - e. Windows must be operable, not blocked or boarded.
 - f. Handrails are required at sets of 4 or more stairs/risers.
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe.
2. Host will obtain a business license with the city for the property.
3. The maximum number of guests is limited to eight people (not including an infant/child).
4. Only one additional (guest) car is permitted.
5. Quiet hours begin daily at 10:00 PM.
6. Approval is for one year as the applicant does not reside in the home but works four blocks away at KU Medical Center.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-79 for one year, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

PLAN REVIEW APPLICATIONS

ITEM NO. 1 – 18436...PLAN REVIEW APPLICATION #PR-2018-18 - BRIAN HILL WITH MKEC ENGINEERING

Synopsis: Preliminary plan review for an elementary school (Brune Elementary School) at 8833 Waverly, submitted by Robin Richardson, Director of Planning. The applicant, on behalf of Kansas City Kansas Public Schools, wants to build a new 72,004 square foot elementary school on 17.44 acres. The Planning Commission voted 8 to 0 to uphold its previous recommendation and recommends approval of Plan Review Application #PR-2018-18, subject to the previously

approved stipulations (listed below) and one additional stipulation that the school district work with staff to attempt to find a solution for a sidewalk to be constructed that will connect to Waverly: constructed that will connect to Waverly:

Urban Planning and Land Use Comments:

1. The landscape plan does not include a legend indicating quantity or species.
Applicant Response: Legend including quantities and species will be included with final development plan submittal once final landscaping has been determined. For additional landscaping added to southern property line, a revised landscape plan is included in this resubmittal.
2. One tree is required per 7,000 square feet of site area; therefore, 92 trees are required to be planted. This does not include street trees or parking lot islands. How many trees are included in the existing screening to the northwest and northwest of the proposed building?
Applicant Response: Over 92 trees currently exist and will be preserved to meet this requirement.
3. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way.
Applicant Response: Rooftop mechanical equipment shall be located so it is typically not visible from the public right-of-way as confirmed by Rob Richardson previously. Rooftop equipment that is visible from the public right-of-way shall be screened by parapets or similar building elements. The owner may, at their discretion, elect to provide equipment-mounted screens on RTU's which are otherwise not visible from the public right-of-way. Adjacent private property is not considered public right-of-way.
4. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.
Applicant Response: Comment acknowledged; all items will be screened with landscaping.
5. All downspouts will be internalized.
Applicant Response: Typically, downspouts will be internalized. There will be a few cases where proper building design renders this approach infeasible. In such cases, downspouts will be minimized visually and/or design by other building elements.
6. The parking lot islands shall not be hatched, instead they shall be curbed and landscaped.
Applicant Response: The site plan proposes a 28' landscaped median located in the center of the parking lot. The large median will exceed parking lot landscape requirements and is a more conducive location for landscaped than curbed islands. Also, snow removal will be plowed over the west curb line of the parking lot. The striped islands better allow for snow removal. We propose the site plan remain unchanged and is a better option aesthetically than adding additional smaller medians.
Staff Response: Mark Twain Elementary, Hazel Grove Elementary, and Frank Rushton Elementary Schools have curbed and landscaped parking lot islands that bookend their parking lots and Lowell W. Brune Elementary School shall be treated no differently.

7. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors.

Applicant Response: Comment acknowledged.

8. The trash enclosure doors shall not be oriented towards the street. At the entrance into the site from the roundabout, the enclosure doors are in full view.

Applicant Response: The trash enclosure is currently outside of all the fenced play areas and is located in close proximity to the kitchen. Relocating the trash enclosure east would result in a potential truck conflict with students at play areas. The proposed site plan currently provides a landscape buffer along the perimeter of the enclosure and the drive approach to the enclosure. The trash enclosure will be approximately 20' higher in elevation relative to the right-of-way at North 91st Street. In addition, the enclosure and doors will be made of materials consistent with the building. Due to the overall functionality of the site and limited views from the street, we propose the enclosure location and orientation to remain unchanged.

Staff Response: The landscape buffer has been extended from the trash enclosure to shield the enclosure doors from North 91st Street.

9. A sidewalk shall be extended from Parallel Parkway to Georgia Avenue on 91st Street. This school is combining two schools in the area, White Church at 85th and Greeley Avenue and Bethel Elementary School at 77th and Yecker Avenue.

Applicant Response: The District will be changing the standard bussing policy for Lowell W. Brune Elementary and will be providing bus service for all students attending Brune Elementary. The School District will build a sidewalk on District property across the 91st Street property frontage shown on the preliminary development plans.

Staff Response: There will be students walking to this elementary school along 91st Street as there are residences north towards Georgia Avenue. If this sidewalk extension is not approved with this project, it will be included in the Safe Routes to School Program which the City would likely need to be required to fund.

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. Public Works' staff is still evaluating the roundabout option. Further discussion with staff will need to occur prior to final plan submittal.
 - b. With final plan submittal, revise the detention outlet location so the flared end section or rip rap level spreader is not within the utility easement along the property line. With final plans, provide all calculations and construction details for the rip rap level spreaders so they are acceptable to the UG.
 - c. As discussed with staff previously, extend the public sanitary sewer main north in order to serve the homes to the west of 91st Street.
 - d. Relocate the power pole that is illustrated to be reset nearly on top of the proposed public sanitary sewer.

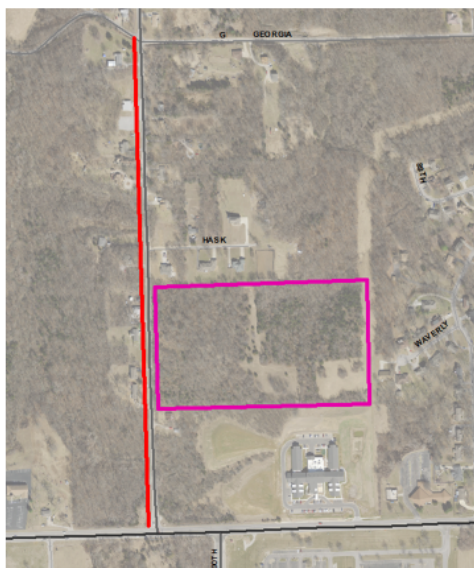
- e. Provide additional sewer easement along the east side of 91st Street because the ROW is only 6' from the proposed sanitary sewer. Per UG requirements, minimum sewer easement shall be 15' centered on the sewer line.
 - f. Construction plans shall meet UG standards and criteria and shall be reviewed 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.

Doug Bach, County Administrator, said we were glad to see the school moving forward with the elementary school. I set this item aside as it relates to the related infrastructure that we believe is going to be required in relation to it. As the commissioners saw, we did an update, an addendum that was put out with the Monday agenda at the beginning of your packet. I shared a copy of this with the School District before we intended to issue out.

**91st Street Reconstruction,
Parallel Pkwy. to Georgia
Ave.**

- Current alignment of 91st St.
- New school intersection
- Minimal improvements at Georgia Ave. intersection

**Current Estimate = \$6.0
Million**

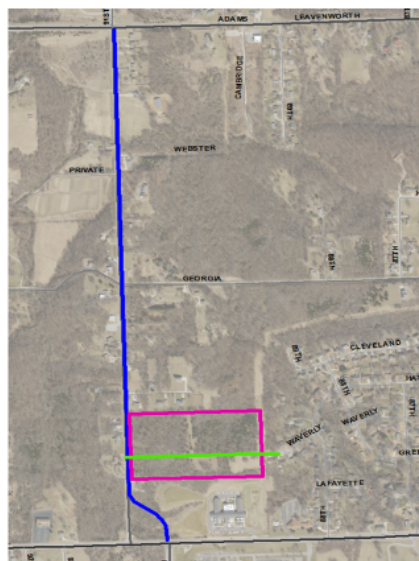


The issue at hand really comes to not the building itself and what they're putting in on the property, but rather as it connects to 91st St. today. What we anticipate seeing is the traffic that would be caused by the school as it comes to 91st. We do not believe that road, in its present condition, would be able to last very long through this. In fact, we anticipate it would probably require a total reconstruction, at a minimum, from Parallel up to Georgia. We estimate that cost would be around \$6M. If we were to look at it all the way from Parallel to Leavenworth Road, that could be a project over \$20M.

91st Street Reconstruction, Parallel Pkwy. to Leavenworth Rd.

- Re-alignment of 91st St. to match 90th St. and Parallel Pkwy. intersection.
- New school intersection
- Georgia Ave. intersection reconstruction
- Potential signal improvements at Leavenworth Rd. and 91st St.
- Major ROW implications
- Connection from Waverly Ave. to 91st St.

Current Estimate = \$24.0 Million



On the screen, you can see the site where it is and then the actual roadway along Leavenworth Road. What we've talked to the school about as an alternative that potentially we could make this road connect down to the south to 90th St.

Extends 90th Street to school to the north.

- Requires land acquisition
- Provides for future realignment connecting 90th to 91st Street



This is a little different look at it, but the school's property is right at the north end of this new road. This allows for essentially, we would just build right off of 90th St. where there's currently a light and build up through that way.

As we looked at this from our own engineering perspective, that would probably allow us for the future if we wanted to go ahead and connect that new 90th St. and align it over to 91st St.,

and then probably just do away with that little corner road down how 91st runs today. Then, essentially, the street coming off there would be almost like a driveway that moves on up to the school property, which would require them to re-align some of their property.

The difference here is we think this project—I put in the memorandum a note of up to 2.5. We think some of our numbers are probably well below 2 to make this happen, if not below a million and one-half. It would require some land acquisition via acquiring all the property or at least the right-of-way to build the road through that property and then also to come into this from—the construction that it would take to add onto the intersection.

I have a recommendation that I can go into that, but I wanted to provide the opportunity if we want to have the school say anything or a public hearing.

(Options for approval are:

1. Approve the current plan proposed by USD 500
 - a. Require improvements to allow an adequate roadway to be maintained and for the cost of those improvements to be borne by the project at the time the project is constructed; or
 - b. Require improvements to allow an adequate roadway to be maintained and for the cost of those improvements to be shared between the project and the Unified Government, with funding percentages and timing to be determined later; or
 - c. Require improvements to allow an adequate roadway to be maintained and for the cost of those improvements to be borne by the Unified Government with the timing of the improvements determined later.
2. Approve the alternate plan connecting from the current southern property line of the project to Parallel at 90th for development concurrently with the project.
 - a. Require improvements with the cost of those improvements to be borne by the project; or
 - b. Require improvements with for the cost of those improvements to be shared equally by the project and the Unified Government; or
 - c. Require improvements with the cost of those improvements to be borne by the Unified Government.)

Dr. Kelli Mather, Chief Operating Officer for KCK Public Schools, 2010 N. 59th St., appeared stating thank you for letting me take an opportunity to speak on this after Mr. Bach had presented his recommendation. I know I don't have a lot of time, but I do want to provide a little bit of history and kind of what our perspective is from the School District as we move along this cooperative and collaborative process.

We know we're here tonight to really just focus on the development of the new elementary school. We're simply a school district trying to build a school where we're combining White Church and Bethel Elementary schools.

A very quick history. Back in August of 2017, we realized that we could not build on the existing property of White Church and/or Bethel Elementary School, either one. That was the original intent with the \$235M bond referendum. At that point, we started looking for the acquisition of property. Back in November of 2017, we actually approached the City's Planning team and asked for a meeting specifically to address issues regarding the piece of property that we looked at to make sure that there weren't any significant obstacles that any of us could foresee in advance prior to the acquisition of the property.

Kind of moving forward; speed ahead a little bit. We got to June 11, 2018, and we actually went to the Planning Commission. We were approved at the Planning Commission for our full plan to access the new elementary school off 91st St. unanimously on that Planning Commission. We then came to the County Commissioners' meeting on the 28th of June. At that point, I think some of the concerns that Mr. Bach was addressing came about. It was the first time that we had heard about the cost estimates for 91st St. improvements, and we were sent back to Planning Commission.

We went back to Planning Commission on August 13th and we were approved with our same plan a second time, unanimously by the Planning Commission.

We then came, after talking with the Mayor and Mr. Bach, on August 30th and we were aware of the fact that the Mayor was going to ask for our item at the County Commissioners' meeting on the 30th of August to be tabled so we could have further conversation again with the UG and the City's Planning team, which we certainly want to continue to cooperate and do this. So, we did. We met with Mr. Bach and his team on September 13th and now we're back here today.

I think that history is important because we've been dealing with this process to develop and build this new school for an extensive period of time.

We acknowledge that the construction of any new school—and we don't have the luxury in KCK of building a lot of them, but we have had recently. We recognize and acknowledge that it can trigger the need for other public improvements. We have clearly acknowledged that even in this project.

I wanted to point out that we approached this project initially with offering and volunteering over \$600,000 worth of road improvements on 91st St. right at the frontage of the school property.

That did not only include the road just in front of our property. I'm not a planner, but my understanding is the requirement—but we did the whole road, over 730 feet of road improvement, over \$600,000 of improvements in front of the school. We felt that was our obligation and we still feel it's our obligation because we want to ensure the safety of our kids and families in getting into and out of the school frontage area, as well as be good neighbors with the neighbors. We wanted to make sure that we were making their homes—right across the street there are three or four homes right on 91st St.—making sure they were viable for them to get in and out of safely.

We did acknowledge that there are sometimes costs associated with that and certainly willing to pay for the costs associated with the development of our school.

Also, I'm going to kind of jump down a little bit, so in summary, basically, we want, I think we all want what's best for our kids. We're trying to develop the school. We want to get it built. We want to both be fiscally responsible; the School District does with our tax dollars. I know you all do. I know in speaking with the City's Planning team as well as Mr. Bach, that's the case.

Mr. Bach is going to propose two options. We would be in support potentially of the recommendation of what he's going to identify as 2b, only with the stipulation of some language changes and this becomes important from the School District's perspective. We would recognize, or have asked you to recognize, that changing the leg which is equally shared to shared costs between the School District and the Unified Government is important. The distinction is important because the District, per the request of the City, as Mr. Bach had indicated—we utilized one of our professional construction estimators to identify the costs. We anticipate that the costs for this connection off of Parallel to our property, which we do not own that property, is under \$1.5M, with the School District contributing \$600,000 and the Unified Government contributing approximately \$800,000.

The problem that we're running into in the other stipulations is we don't own the property between our property and Parallel. I feel like we'd have to make it very clear that the School District has shared on every occasion, from Planning Commission on through that we are not interested in acquiring additional property in order to access this school. The reason we feel strongly about that is we feel like we've been approved on more than two occasions for our access off of 91st St. and we're willing to spend over \$600,000 on improving that roadway. I understand and respect that that could be much more if you improve 91st St. away from south or north of the school site. I want

to make it clear that we acknowledge that. We appreciate the concern there, but we believe we are contributing financially to that.

With that stipulation or that exception, we would be willing to work collaboratively with the Unified Government, as we have been doing, for Option 2b. If that's not possible, the District would respectfully request that the Board of County Commissioners approve our original plan as submitted by the District providing that access off of 91st St. with our contribution of over \$600,000 in road improvements for 91st St. So, as it was presented and approved before, if we can't come to an agreement on the other language.

With that, I want to thank Mr. Bach and his team for continuing to work with us. I know this has been a challenge for all of us. I do believe that we're all on the same page in trying to get this school built. We are respectfully asking that we can move forward this evening on this. We have lost several months in this process. Frankly, I'm getting a little bit concerned that we're going to be able to open the school on time. We had hoped to do an early grading permit actually now, right now as I'm speaking. That is not obviously the case. We still have a little bit of flex time, but we would certainly hope we can move forward.

Mayor Alvey opened the public hearing and asked if there is anyone present who would like to speak in support of #PR-2018-18. No one appeared.

Mayor Alvey asked if there is anyone present who would like to speak in opposition. No one appeared.

Mayor Alvey closed the public hearing.

Commissioner Bynum said, Dr. Mather, to you and your team and our team, thanks for hanging with us through this. I can't even quantify how baffling it is to me that a process for building the school that began almost a year ago, if not more, made its way all the way to a consent agenda for full commission before the Commission became aware of the dollar amount of 91st St. improvements. Not only did this project make its way all the way to a consent agenda for approval, we sat through a budget season with a full CMIP and still never heard that we had a school building project in need of major road improvements. That disturbs me. It's not your fault. I'm expressing

it out loud because it's really hard for me to get my head around how that happened. That being said, I appreciate the diligence that's been shown by us and by your team to now resolve that issue, come to some kind of resolution on that issue so that you can stay on schedule, appropriately use the bond dollars that you're allowed to use in the way that you're allowed to use them.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Kane, for approval of Plan Review Application #PR-2018-18, subject to the stipulations to include 2b, which is require improvements for the cost of those improvements to be shared by the project and the Unified Government at the level that Dr. Mather is offering, which is the \$600,000 commitment that was made to 91st St. If I understand correctly, you're now offering to locate into the other area for the different access to the school.**

Commissioner Townsend said I just wanted to be clear with Commissioner Bynum's motion and what I heard Administrator Bach say. With the \$600,000 that Dr. Mather referenced from the School District, what is the number that that leaves the Commission to deal with in terms of the improvement? Also, I heard Dr. Mather mention some property. Will acquisition of additional property be required or not to go forward with this proposal? If so, who does that fall on? Did I understand you correctly, Dr. Mather? The School District is not looking to purchase it so do we need to purchase additional property, or does it need to be purchased for this process to go through? Those are just the basic questions I have.

Mr. Bach said the project running south would require the acquisition of property that is privately held at this time. Total costs, I believe, Dr. Mather's staff, firm she has on this has calculated the costs. They think this would be somewhere around the \$1.5 range. That puts more on our share. I can't sit here tonight and verify for you that our costs couldn't be more. When our team looked at it, they said we should be able to do this for less than \$2M though we haven't spent a lot of time working on this project, which is why I put forth a recommendation that said we should share the cost of any property acquisition or any land cost.

My reason for pointing this out, as it came forward, and I think the Planning Commission looked at this and said it's not our responsibility to pay for projects. Noting it would cause infrastructure concerns, I wanted to make sure you all knew typically a developer will pay for the

infrastructure costs that they cause. I wanted you to make sure you knew, in approving this item and moving forward, that somewhere along the line, somebody is going to be paying for new streets. Fortunately, school districts, we've talked about it—we had developed an alternative solution to drop this to the south so going from a \$6M to \$20M of infrastructure costs to less than \$2M seemed much more palatable, whether we're paying the whole bill or we're sharing the bill with them, or having them pay the whole bill for it, which are all within the purview of what you can do as a governing body regarding new projects that want to come forward. That's typically what we do with any private development that comes.

Where the money comes from, this is not identified yet. I would have to come back to you. As we finalize the costs, I'd probably come back as we negotiate the land costs. I have no problem from our staff perspective of working forward to acquire the costs or acquiring the land, whether that be one that we needed to do because I think we have a willing land seller, but they always have prices that comes to it. We'd be able to try to work with them to acquire it. We're building a street, so we can always use eminent domain for access. We can get a hold of the property. We still need to identify how that comes out of our CMIP fund.

Commissioner Townsend said I'm still a bit confused as to the number that you're talking about. The \$2M, is that after or before the \$600,000 of Dr. Mather? **Mr. Bach** said that would include that. **Commissioner Townsend** said okay, so we're looking at about \$1.4M. **Mr. Bach** said potentially. **Commissioner Townsend** said not including potentially acquisition costs. **Mr. Bach** said no, I think that would probably—that should get us there.

Commissioner McKiernan said I want to go back to Commissioner Bynum's original point. It does not have to be here tonight, but I'm going to ask our staff to please double back and report to us where did our process breakdown that we made it so far into a process before this roadblock, or potential roadblock, was uncovered. I do think that it's an important point that as we have similar projects slated to come forward in coming months and years, we try to avoid repeating this.

Rob Richardson, Director of Planning, said I could answer that if you'd like. Before the property was acquired, their real estate agent met with Zach Flanders in my office to express to them a marriot of issues with this property and did everything to say don't buy this. It appears that information didn't get conveyed to the School District. That's error one.

The second part relayed to the actual quality of the street. You'll recall that as part of the Public Works' Program, they had some firm go out and test the quality of all of our streets. Until that happened, we didn't know how bad this street really was. That report came out between Planning Commission and the Board of Commissioners' meeting. Mr. Fisher felt like he was obligated to inform you that that street was worse than we thought it was before, and that there's a cost now associated with it that we didn't anticipate.

Those are the two things that I think happened that got us in that position.

Commissioner Burroughs said my concern is who's going to be responsible for the ongoing maintenance of the road that's being proposed in the alternative. Who's responsible for the upkeep, maintenance, and ongoing upgrades to that road when necessary? **Mr. Bach** said anything that's declared public street would be the responsibility of the City of Kansas City, KS. This could go a couple of different ways. We could just say, as you see the curb coming up there, that could just be public street and then the rest could be declared a driveway up into the school property, then that would be the school's responsibility. If we made it a street all the way up to that property line, then that would be our responsibility. I think that would still need to be worked out with the School District as we go through and work this out. **Commissioner Burroughs** said I would hope that we would do that.

Will we need to upgrade the intersection with either a new traffic light, a hand-push button stop light or crosswalk? What other improvements are we looking at to ensure that if that's a public street, that we'll have access to fire protection and be able to handle the emergency responses that we may be faced with in that particular proposal? **Mr. Bach** said I don't know if I can speak to all the details. Unfortunately, Mr. Fisher was out of town at this time, but as he had looked through some of the numbers on this project—we do have a light there. We would have to add to the light because that light does not face back toward the north. There will be modifications as part of this project that would have to go to that lighting. I would assume we would want to look at it as having some type of crosswalks in place as well, Commissioner. Yes, there will be some upgrades put into that intersection as part of this project.

Mr. Richardson said, Mr. Bach, I would just note that their service area for the school is all north of Parallel so we don't need to anticipate children walking across Parallel. They intend to bus all the children to the school site. In addition to what we would normally do for the signal

upgrade, don't anticipate kids walking north and south across Parallel there. **Mr. Bach** said it's a pretty big intersection. **Mr. Richardson** said right.

Roll call was taken on the motion and there were eight "Ayes," Walters, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley; and one "No," Philbrook.

ITEM NO. 2 – 18429...PLAN REVIEW APPLICATION #PR-2018-24 - TIM CONRAD WITH PIPER UNIFIED SCHOOL DISTRICT #203

Synopsis: Preliminary and final plan review for a new elementary school with parking and play areas to eventually become a high school at 13021 Leavenworth Road, submitted by Robin Richardson, Director of Planning. The plan includes a new elementary school for 3rd to 5th graders. Additional planned phases include athletic fields and an expansion of the school to become a high school. The Planning Commission voted 8 to 0 to recommend approval of Plan Review Application #PR-2018-24, subject to:

Urban Planning and Land Use Comments:

1. Provide a sidewalk on 131st Street along the entire length of the property.

Applicant Response: The exact nature of future development is not known at this time. We do not object to constructing a sidewalk along 131st Street, however, its construction needs to be incremental with the development of the street itself.

Staff Response: The developer is required to make street improvements along the entire property line concurrently with development. Any improvements not constructed at this time will be required when the school is expanded to become a high school.

2. Provide an ADA sidewalk ramp at the intersection of 131st and Leavenworth Road.

Applicant Response: Unified Government and Piper USD 203 are working to create a development agreement that will cover all the public infrastructures (sanitary, road improvements and storm crossing on 131st) for the project. Unified Government representatives have asked that the public infrastructure approval process be noted as a stipulation that is being worked through with Public Works.

3. Provide bike lanes on Leavenworth and 131st Street. Both Leavenworth and 131st Streets are designated as arterials in the Prairie Delaware Piper Plan which states "All arterial and collector roads should have bike lanes. The bicycle plan will require incremental implementation. As development occurs, streets are rebuilt and other project funding opportunities (such as grant programs) arise, bicycle improvement projects should be integrated into project development." *Applicant Response:* Please confirm that your desire is for a bike lane approximately 4 feet wide, constructed as part of the Leavenworth Road widening. If this is your desire, we do not object but we believe the bike lane should be developed as part of the development agreement in item

#2. In addition, we maintain that a bike lane on 131st Street should be constructed incrementally with the development of the street itself.

Staff Response: The Unified Government shall work with the applicant to include adequate bicycle facilities on Leavenworth Road and 131st Street when improvements occur. Any on-street bike lanes shall have a minimum width of 6 feet. Preferably on-street bike lanes shall be buffered and/or separated by a physical barrier such as pylons, bollards, jersey barriers, or planters. Other bike facilities such as on-street cycle tracks, off-street cycle tracks, and multi-use trails shall be considered. Sharrows shall not be considered an adequate bicycle facility. The preferred bike facility is a 12-foot off-street multi-use on the south side of Leavenworth Road and the east side of 131st Street.

4. A cul-de-sac may be necessary on Roswell Avenue. Additional conversation with staff may be necessary.

Applicant Response: We have no plans to construct a cul-de-sac and agree that additional conversation will be necessary if this is pursued.

Staff Response: Applicant shall continue to work with the Unified Government to ensure that an adequate solution for the maneuverability of emergency vehicles is reached at the end of Roswell Avenue. This could include a cul-de-sac or hammerhead turnaround. Lot 31 of the Woodberry Ridge Subdivision may also play a role in this solution.

5. Provide one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.

Applicant Response: The continuous landscape divider between the staging drive and parking area has been utilized as an equivalent to the requested islands. This provides four advantages to individual islands: 1) Tree growth will be more robust and sustainable under the current plan, as the landscaping is less isolated and parched by surrounding pavement. 2) The current parking layout provides for more efficient and effective snow removal. 3) As viewed from the public ROW, the appearance of the site will be just as landscaped and may appear more densely covered. 4) Considering the lack of driving experience that many high school drivers have (expecting that this will eventually become a high school), it is sensible to reduce the number of islands in the parking area that could become obstacles, causing damage to cars and being costly to maintain. We request your acceptance of this solution as an equivalent solution.

Staff Response: Staff does not support this request. Applicant shall follow the commercial design guidelines and include one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.

6. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way.

Applicant Response: Our plans, as submitted, provide screening of the equipment using the same materials used for the exterior cladding of the building. We believe the current plans to be in compliance and intend to screen all rooftop units from public view as required.

Staff Response: It appears from the building elevations that mechanical equipment may not be screened from public view by the building parapets. Screening by the same materials used for the exterior cladding of the building is not adequate. If necessary, please revise plans to ensure that all mechanical equipment is completely screened from public view by the parapet.

7. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: We will comply with this requirement. We intend to use landscaped buffers at utility connections.

8. All downspouts will be internalized.

Applicant response: We will comply with this requirement.

9. All lighting, whether mounted on the wall or installed in the parking lot, shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors.

Applicant Response: We will comply with this requirement.

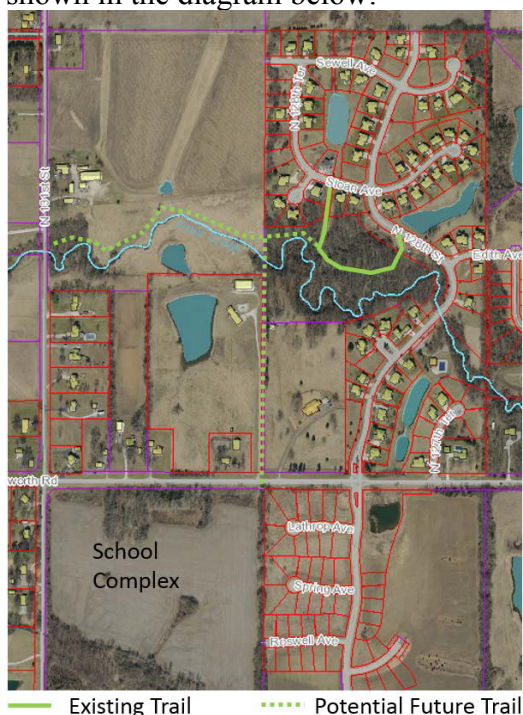
10. The trash enclosure doors shall not be oriented towards the street.

Applicant Response: Our plans currently comply with this requirement – the doors face south – and we do not have a roundabout on this plan.

11. Please state how both 131st Street and Leavenworth Road will be improved to meet City Code.

Applicant Response: Unified Government and Piper USD 203 are working to create a development agreement that will cover all the public infrastructures (sanitary, road improvements and storm crossing on 131st) for the project. Unified Government representatives have asked that the public infrastructure approval process be noted as a stipulation that is being worked through with Public Works.

12. Plans shall be consistent with a future midblock crossing that aligns with the existing north/south right-of-way near the northeast corner of the property, and a trail that connects to Piper Creek as shown in the diagram below:



13. The following are the current estimates of the costs related to the public improvements and funding responsibilities:
- a. Piper School current responsibility for the project:
 - 1) Provide a one-time payment of \$880,000 to Water Pollution Control.
 - 2) Pay for the design of the 131st intersection as well as the improvements along Leavenworth Road. The estimated consultant fee is approximately \$109,000.
 - b. Piper School's responsibility for when high school builds out:
 - 1) Improvements to 131st Street south to the south line of their property. The cost fee is approximately \$1.6 million.
 - 2) When bond passes for the high school, Piper School District will pay \$500,000 towards the improvements of the intersection at 123rd and Leavenworth Road.
 - c. UG responsibility for the current project: (this will be built at the time when the new school is being built). UG will bid the intersection and Leavenworth Road widening as a public project and cover the estimated cost of \$1.6 million.
 - d. The sewer extension project, funded by the Unified Government in the area, has the following estimated costs:
 - 1) Phase 1 = \$7.5 million
 - 2) Phase 2 = \$4 million
 - 3) Phase 3 = no costs have been developed as this is expected to be 20+ years out

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. Public improvement plans shall be required with the conclusion of the development agreement between the Piper School District and the Unified Government Public Works Department regarding public infrastructure related to the Piper School Complex i.e. Leavenworth Road improvements, storm crossing on 131st Street, and public sanitary sewer extension. Further discussion with staff is required.
 - b. For the wetlands within the creek on the school property, a jurisdictional determination shall be made by the U.S Army Corps of Engineers and a permit, if required, shall be provided to Unified Government staff prior to construction permit acquisition.
 - c. Sanitary sewer easement(s), in accordance with UG standards and criteria, shall be required with the establishment of the final public sanitary sewer alignment.
 - d. 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 County Surveyor comments.
 - e. 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:

Staff recommends approval with the following stipulations:

1. Public Improvements

The following public improvements are required. The developer is required to make public improvements concurrently with development. Any improvements not constructed at this time will be required when the school is expanded to become a high school.

a. Leavenworth Road

- 1) Improve the south ½ of Leavenworth Road to include a center turn lane and curbs from 131st Street to the eastern property line.
- 2) Include a 12-foot-wide multi-use trail on the south side of Leavenworth Road from 131st Street to 128th Street.
- 3) Include a 5-foot sidewalk on the north side of Leavenworth Road from 131st Street to 128th Street (if whole street is improved.)
- 4) Plans shall be consistent with a future midblock crossing and trail connection to Piper Creek using the existing north/south ROW near the northeast corner of the site.

b. 131st Street

- 1) Improve the east ½ of 131st Street with curbs to the southern property line.
- 2) Include a 12-foot-wide multi-use trail on the east side of 131st Street to the southern property line or the equivalent thereof.
- 3) Include a 5-foot sidewalk on the west side of 131st Street.

c. Leavenworth and 131st Street Intersection

Improve intersection to UG standards and include ADA sidewalk ramps.

d. Roswell Avenue

Applicant shall continue to work with the Unified Government to ensure that an adequate solution for the maneuverability of emergency vehicles is reached at the end of Roswell Avenue. This could include a cul-de-sac or hammerhead turnaround. Lot 31 of the Woodberry Ridge Subdivision may also play a role in this solution.

e. Storm Water and Sanitary Sewers

- 1) Storm water crossing on 131st Street shall be constructed to UG standards
- 2) Public sanitary sewer extension shall be constructed to UG standards

f. Wetlands

For the wetlands within the creek on the school property, a jurisdictional determination shall be made by the U.S Army Corps of Engineers and a permit, if required, shall be provided to Unified Government staff prior to construction permit acquisition.

2. Provide one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.
3. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way. Screening by the same materials used for the exterior cladding of the building is not adequate. If the extension of the parapet is less than 6', they will need to do it. If it is 6' or more, then the staff and the applicant can negotiate this issue. If this issue cannot be resolved, it will come back before the City Planning Commission meeting.
4. All downspouts will be internalized.

5. All lighting, whether mounted on the wall or installed in the parking lot, shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors. Staff and applicant will resolve the lighting requirement.
6. The trash enclosure doors shall not be oriented towards the street.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Plan Review Application #PR-2018-24, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 3 – 18430...PLAN REVIEW APPLICATION #PR-2018-25 - BRIAN HILL WITH MKEC ENGINEERING, INC.

Synopsis: Preliminary plan review for a new elementary school for USD 500 (New West Elementary) at 2600 North 44th Street, submitted by Robin Richardson, Director of Planning. The applicant, on behalf of USD 500, has applied for a preliminary plan review to demolish William A. White Elementary School and West Middle School to build a new 72,000 square foot elementary school (West Elementary School). The Planning Commission voted 8 to 0 to recommend approval of Plan Review Application #PR-2018-25, subject to:

Urban Planning and Land Use Comments:

General Planning:

1. Provide an overall site plan for the development.
Applicant Response: See sheets C13 and C18 for overall site plan.
2. How many staff members are employed at the school?
Applicant Response: The anticipated number of employees is anticipated to be approximately 55 staff members.
3. Will trucks make deliveries using the access point off Georgia Avenue?
Applicant Response: Yes, trucks will use the entrance from Georgia Avenue.
4. The site is currently very disconnected for pedestrians with four streets intersecting with the parcel from the south and Georgia Avenue to the north.
Based on the Sidewalk and Trails Master Plan, the property line abutting Georgia Avenue is a part of the Regional Multi-Purpose Trail Connections and On-Street Bike Route Connections (Share the Road), respectively.
A minimum 10-foot sidewalk/trail along arterial road shall be constructed on Georgia Avenue.

Applicant Response: A 6' sidewalk has been incorporated into the plans as a best solution given current conditions. The current road alignment of Georgia Avenue skews far to the south of the right-of-way along the curve adjacent to the school property. Our assessment is that any sidewalk improvements constructed as part of this project will be of a temporary nature and would be replaced when Georgia Avenue is upgraded to the Complete Streets criteria. The sidewalk, as proposed, will be outside of the existing right-of-way. We would welcome further discussion with staff concerning trail improvements and the viability with current street and storm sewer infrastructure.

Staff Response: There are multiple Safe Routes to Schools projects associated with this school through Public Works. Additional coordination during the final plan review is required with Public Works and MKEC.

Building and Architectural Design:

1. Sec. 27-576(c)(2) In order to break up the monotonous appearance of long faces, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

The techniques, in addition to the building articulation, needs to be integrated into the design of each façade. While the building is setback into the site from North 43rd Terrace, North 44th, North 45th Streets, the residences from the east and south can look directly at the building. The same level of architectural detail for the USD 500 schools should be incorporated into this building. Precast panels shall be integrally-colored instead of the standard, ashen concrete gray.

Applicant Response: The exterior façade of this building is articulated in a way that highlights individual program elements and features and displays them as integral elements of the overall design that is composed on the project site. The building is oriented along the North – South axis and is broken up along its elevation by distinct separation of its program elements. The classrooms that account for the largest program function are articulated by a red brick base up to a warm concrete sandblasted panel. The classrooms are separated by vertical service elements that house restroom, stairs, and storage functions and is articulated on the façade by a dark gray precast concrete panel with vertical linear accents.

The larger gym and multi-purpose program functions are identified by precast panels that have unique patterns that are cast into the panels and provide different textures and finishes to the tall panels along its elevation. A majority of the exterior façade is composed of precast panels that have brick elements cast into the panels, which features different insets and patterns of brick that are unique to different parts of the building and its program. The panels have an integral color to the concrete that compliments the design of the brick and its location on the building. The exterior features a large number of windows on multiple levels and orientations that provide natural light into the interior spaces. The exterior façade features a number of articulations that highlight material changes in plane and orientation, creating a unique composition on each elevation of the building. Each elevation is treated with the same

level of detail and importance to the context of the surrounding neighborhood and each unique view from the project boundaries.

Staff Response: As stated previously, the tilt-up precast concrete panels shall be integrally-colored and not standard, concrete gray.

2. Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: The transformer will be screened with 6' tall landscaping.

3. Downspouts shall be internalized.

Applicant Response: All downspouts will be internalized.

4. Provide trash enclosure elevations.

Applicant Response: The trash enclosure will be constructed of the same precast panels with brick masonry cast into the panel that are on the main building. See attached enclosure elevations.

5. All RTUs must be parapet screened.

Applicant Response: All RTUs are screened using the architectural façade that has been designed to incorporate them into the overall building form. See attached street view study, dated 08.14.2018.

Landscaping and Screening:

1. Based on the landscaping requirements in the R-1 Single Family District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 211 trees are required to be planted for the new elementary. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.

Applicant Response: The landscaping requirement of 121 trees would create a site condition where large portions of necessary for school operation and recreation would not be possible. We have strategically located trees to offer benefits to the school's neighbors and provide a well landscaped site. Current plans show 59 new trees with an additional 15 existing trees to remain. We welcome further discussion during the final development phase to address UG concerns.

Staff Response: Staff cannot waive the district's landscaping requirements. To install 59 trees, a variance from the Board of Zoning Appeals is required. This will not impact the preliminary development plan but submit the variance application prior to the final development plan.

For the variance, during your neighborhood meeting, provide two options for landscaping:

- Show a landscape plan if you get the variance (59 trees), and
- Show a landscape plan if you do not receive the variance (121 trees).

2. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between street trees.

Applicant Response: We will review Sec. 27-577(b)(3) to incorporate street trees but have been operating on a one tree per 30' of frontage planting plan for school district work.

3. Sec. 27-577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces. Revise and resubmit the paving plan and provide an overall site plan.

Applicant Response: We believe we can accommodate the other requests for street trees, sizes, and spacing with the exception of the south parking area. We acknowledge that to meet code would require the addition of two small median islands with tree plantings. In lieu of providing additional medians, the large existing median and a new median in the reconstructed area have been heavily landscaped.

4. All landscaping shall be irrigated.

Applicant Response: Comment acknowledged. Landscaping will be irrigated.

5. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the development and 3 gallons internal to the site when planted.

Applicant Response: Comment acknowledged.

6. Only decorative lighting can be used on the exterior of the building. No wall pack lights or flood lights are permitted. This includes lights over the exit doors as required by the International Building Code (IBC).

Applicant Response: Comment acknowledged.

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

Applicant Response: Comment acknowledged.

8. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Comment acknowledged.

9. The trash enclosure shall be heavily landscaped and screened with an architectural wall that is comprised of the same building materials as the primary structure.

Applicant Response: The trash enclosure will be constructed of the same precast panels with brick masonry cast into the panel that are on the main building. See attached trash enclosure elevations.

10. The building elevations do not depict rooftop mechanical equipment. The code requires rooftop mechanical equipment be screened from public view by a parapet. Failure to show rooftop equipment may result in building modifications such as raising the parapet during building

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

Applicant Response: All RTUs are screened using elements of the architectural façade that has been designed to incorporate them into the overall building form. See attached street view study, dated 8/14/18.

Signage:

Shall comply with the sign ordinance.

Applicant Response: Comment acknowledged.

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 final layout of the sidewalk from the proposed school building to 45th Street shall be coordinated with the UG Safe Route to School - Phase F sidewalk improvement project which is currently under preliminary design. The coordination may include the realignment of the sidewalk with the new sidewalk along Welborn Lane and the corresponding intersection improvements and extension of sidewalk along school property line on 45th Street, as applicable. Further discussion with UG staff is required.
 - b. Georgia Avenue is expected to be upgraded to a standard street, which may include curb and gutter, 5' of space for bicycles for each direction, green space and sidewalks. Proposed sidewalks along Georgia Avenue shall be constructed at a minimum of 10" behind existing edge of pavement. Further discussion with staff is required.
 - c. Provide and indicate 8" thick concrete for the turnaround section at the end of North 44th Street.
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 Plan Review Application #PR-2018-25, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

MISCELLANEOUS – ORDINANCES (Final action on previously approved items)

ITEM NO. 1 – 1848...ORDINANCE

Synopsis: An ordinance regarding mobile grocery operations; amending Sections 27-340, 276-609, 27-610, and 27-612 through 27-614 to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, and

MISCELLANEOUS

ITEM NO. 1 – 1848...ORDINANCE AMENDMENT

Synopsis: Ordinance amendment removing the special use permit requirement for mobile grocery markets and a new definition for "mobile market," submitted by Robin Richardson, Director of Planning.

Commissioner Townsend said I just wanted this opportunity to more or less close the loop for any of our citizens who may recall when this proposed ordinance concerning mobile grocery came before us in February. There were several issues raised by some of the citizens present. I raised some, some of the other commissioners, concerning size of equipment, trash, location of these mobile grocers, various days, hours of operation, none of those things we felt were adequately addressed.

I'd just like to thank the Planning staff, and particularly: Matt Kleinman, Lizzy Caridime, the Mobile Market Community Counsel personnel who worked on this to try to address those concerns. I think they have been concerns this whole process came forward to try to expedite the—for not needing special permits every time a mobile grocery store operator wanted to come forward.

We hope that the purpose for having these mobile grocery stores would just make healthy food stuff more readily available to our citizens who may not be conveniently located to a full-service grocery store. We hope this works. We still tried to preserve the rights of homeowners to be comfortable in their homes. We hope the operators of these mobile grocers respect where they're going to be located and also the patrons abide by the restrictions or requirements put in the ordinance.

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

ORDINANCE NO. O-35-18, “An ordinance regarding mobile grocery operations; amending Sections 27-340, 276-609, 27-610, and 27-612 through 27-614 to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Townsend made a motion, seconded by Commissioner Kane, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 2 – 18375...ORDINANCE

Synopsis: An ordinance rezoning property at 13120 Leavenworth Road (#3166), submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-36-18**, “An ordinance rezoning property at 13120 Leavenworth Road in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to R-1 Single Family District.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

MISCELLANEOUS

ITEM NO. 1 – 1848...ORDINANCE AMENDMENT

Synopsis: Ordinance amendment removing the special use permit requirement for mobile grocery markets and a new definition for "mobile market," submitted by Robin Richardson, Director of Planning.

Action: This item was previously heard with Miscellaneous Ordinances (Final action on previously approved items) Item No. 1.

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

ITEM NO. 1 – 18372...RESOLUTION: INTERLOCAL AGREEMENT WITH JOHNSON COUNTY, KS

Synopsis: A resolution authorizing approval of an interlocal agreement with Johnson County, KS, related to the use of My Resource Connection, an application developed by Johnson County for improving coordination among social service providers, submitted by Alan Howze, Chief Knowledge Officer; Casey Meyer, Assistant Counsel; Terry Brecheisen, Director of Public Health; and Crystal Sprague, Municipal Court Administrator. Funding is included in the budget. On September 17, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-46-18**, “A resolution approving the agreement between the Unified Government of Wyandotte County/Kansas City, KS, and Johnson County, KS, to provide data management, data sharing, and promote joint cooperation (My Resource Connection).” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 2 – 18403...ORDINANCE: MODIFY CURRENT STANDING COMMITTEE TIMES

Synopsis: An ordinance modifying current standing committee meeting times to clarify that the Economic Development and Finance Committee would meet immediately after the earlier

Neighborhood and Community Development Committee; and the Administration and Human Services Committee would meet immediately after the earlier Public Works and Safety Committee, submitted by Jeffrey Conway, Assistant Counsel. In addition, if an earlier committee is not meeting that day, the later committee would move into the 5:00 PM slot for that day. On September 17, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-37-18**, “An ordinance relating to meeting times of standing committees; amending Appendix C, Section 202 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, KS.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 3 – 18400...RESOLUTION: MODIFY EXISTING 2018-2020 STANDING COMMITTEES SCHEDULE

Synopsis: A resolution modifying the existing 2018-2020 schedule for standing committee meetings to reflect that start times for both the Economic Development and Finance and the Administration and Human Services standing committee meetings would be moved up to start at the conclusion of the earlier standing committee meetings, submitted by Jeffrey Conway, Assistant Council. Also, if the earlier committee meeting is cancelled, the later committee meeting can start at 5:00 PM. On September 17, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-47-18**, “A resolution relating to the meeting times of the standing committees of the Unified Government Commission, amending the Unified Government Commission rules of procedure contained in Resolution No. R-1-18.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 4 – 18402...CHARTER ORDINANCE: PROPOSED REVISIONS TO TRANSIENT GUEST TAX

Synopsis: A charter ordinance proposing revisions to the transient guest tax, submitted by Kathleen VonAchen, Chief Financial Officer. On September 17, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **CHARTER ORDINANCE NO. CO-01-18**, “A charter ordinance exempting the Unified Government of Wyandotte County/Kansas City, KS, from the provisions of K.S.A. 12-1697(a) relating to the levy of a transient guest tax, to the maximum rate thereof, and to the purposes for which such transient guest tax monies may be spent; providing substitute and additional provisions on the same subject; exempting the Unified Government from the provisions of K.S.A. 12-16, 101, relating to the establishment of a convention and tourism committee, its composition, the appointment of members, the length of members’ terms, and the authority to contract; and repealing Charter Ordinance 03-08 of the Unified Government of Wyandotte County/Kansas City, KS.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the charter ordinance.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 5 – 18439...PLAT: LEGACY PARK ESTATES

Synopsis: Plat of Legacy Park Estates, located along 65th and Riverview, being developed by Belmont Development Company LLC, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer. **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve and authorize the Mayor to sign said plat.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 6 – 18440...PLAT: HOWARD’S HOMESTEAD

Synopsis: Plat of Howard's Homestead, located along 131st and Leavenworth Road, being developed by the Miller Family, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer. **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve and authorize the Mayor to sign said plat.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 7 – 18441...PLAT: WYANDOTTE CITY, A REPLAT OF PART OF BLOCK 159

Synopsis: Plat of Wyandotte City, a Replat of Part of Block 159, located at 7th and Barnett Avenue, being developed by the Unified Government of Kansas City, Wyandotte County, Kansas, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer. **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve and authorize the Mayor to sign said plat.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

ITEM NO. 8 – 18422...NOMINATION: BOARDS AND COMMISSIONS

Synopsis: Nomination for Boards and Commissions:

Law Enforcement Advisory Board, Jonas Cruz, 9/27/2018-6/30/2022, submitted by Commissioner Murguia.

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

ITEM NO. 9 – MINUTES

Synopsis: Minutes from special session of August 30, 2018; and regular session of August 30, 2018.

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

ITEM NO. 10 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated September 13 and 20, 2018.

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

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES’ AGENDA

ITEM NO. 1 – 18434... ORDINANCE: LATE FEES/INTEREST ASSOCIATED WITH A DEMOLITION LIEN ON 3840 LLOYD ST.

Synopsis: An ordinance removing the late fees and interest associated with a demolition lien on 3840 Lloyd St. in the amount of \$4,711.55, submitted by Patrick Waters, Senior Attorney. On September 10, 2018, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve the request and forward to full commission. The ordinance has been prepared to effectuate action.

Doug Bach, County Administrator, said this went through the committee and they looked at it for the release of demolition liens on the property. The committee heard this; gave it quite a bit of information, and then took it to the point of advancing it but we did not have an ordinance prepared at the time of the meeting. This really came forward—it would be on Consent if we had had an ordinance to take before Commissioner Burroughs’ committee. This is all intact now in accordance with what the committee had recommended.

Action: **ORDINANCE NO. O-38-18**, “An ordinance relating to the removal of late fees and interest on a special assessment levied on 3840 Lloyd St. in the amount of \$4,711.55 by Ordinance No. O-33-02; that the portion of Ordinance No. O-33-02, passed April 18, 2002, levying the original demolition lien on and otherwise relating to said property, shall remain in place until paid in full.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

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' CONSENT AGENDA

ITEM NO. 1 – 18393...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 September 10, 2018, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Applications for yard extension, unless noted otherwise
 1219 Haskell Ave. - Guadalupe Holguin
 297 S. Mill St. - Sanjuanita Ortiz
 327 S. Boeke St. - Rafael Hernandez
 1935 N. 27th St. - Juan Campillo
 1338 N. 48th St. - Oscar Mendoza Mera
 135 S. 14th St. - Rosario Martinez Bernal, property acquisition

Transfer to Land Bank

344 Cambridge St. - City of Kansas City, KS

(The owner of 340 Cambridge St. would like to purchase property to build a driveway.)

Tax Sale Transfers

127 properties from Tax Sale 341 (8/16/18)

Changes to Land Bank Policy

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

PUBLIC ANNOUNCEMENTS

No items

**MAYOR ALVEY ADJOURNED THE MEETING
AT 8:15 P. M.**

Bridgette D. Cobbins
Unified Government Clerk

cg

September 27, 2018



Suite 323
Kansas City, Kansas 66101-3070

Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: October 11, 2018

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tpl

Attachment

1. PUBLIC NOTICE:

Alandon Tow, 6224 Kansas Avenue, held a public auto auction on October 2, 2018 at 10:00 a.m.

Action: Received and filed.

2. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received October 10, 2018, for Project ID #B28632 – On Call Electrical Repair & Installation Services.

Action: Received and filed. Copies previously forwarded to Building & Logistics, County Administrator, Legislative Auditor and Emma Scovil.

3. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

Warrant #	Issue Date	Amount	Fund	Reason	Vendor	Reissue Date
843982	8/31/2018	\$140.00	172	Lost/Stolen	Evans, Jacqueline	10/12/2018
843312	8/17/2018	\$725.00	160	Duplicate Payment	Shawnee Mission Medical	N/A
843313	8/17/2018	\$688.20	160	Lost/Stolen	Shawnee Mission Medical	10/12/2018
842945	8/17/2018	\$5,000.00	560	Lost/Stolen	Cincinnati Insurance Co	10/12/2018
845282	9/28/2018	\$1,265.00	267	No Longer Needed	Communication Station	N/A
844302	9/7/2018	\$343.00	160	Wrong Vendor	Medical Priority Consultant	10/12/2018
841005	7/13/2018	\$20.08	110	Stale Dated	Kuhn, Daniel	10/12/2018
843604	8/24/2018	\$141.91	162	Stale Dated	Dickinson, Tony Lavell	10/12/2018

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 9, 2018:

Section I - Appointment

Name	Department/Division	Eff. Date	Job Title
Brian Heckert	Parks/Rec	10/4/18	Groundskeeper I

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Erin E Davis	Treasury	10/4/18	Fiscal Supt Asst	Fiscal Supt Asst
Martin M Ntonjira	Urban Planning	9/20/18	Engineer/Proj Mgr	Lead Engineer/Proj Mgr
Richard Rocha	Procurement	9/20/18	Buyer	Program Coordinator
Meagan M Wetschensky	Parks/Rec	10/4/18	Groundskeeper I	Caretaker

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Andrew Creek	Parks/Rec	7/24/18	Lifeguard
Darius Crider	Parks/Rec	8/29/18	Summer Laborer
Karen I Daniels	Parks/Rec	7/20/18	Lifeguard
Daniela M Gonzalez	Parks/Rec	9/3/18	Lifeguard
Trevor A Hand	Parks/Rec	8/29/18	Summer Laborer
Brian D Heckert	Parks/Rec	10/3/18	Seasonal Laborer
Emanuel F Hooks	Parks/Rec	9/3/18	Leader
Odial L Johnson	Parks/Rec	8/18/18	Lifeguard
Doris E Jones	Parks/Rec	9/3/18	Rec Instructor
Reginald L Jones	Parks/Rec	9/3/18	Lifeguard
Delita L Newman	Parks/Rec	7/20/18	Lifeguard
Biviana Pena	Parks/Rec	9/3/18	Leader
Angel D Quintana	Parks/Rec	8/26/18	Lifeguard
Olga L Salas	Parks/Rec	7/20/18	Lifeguard Public Safety
Christopher S Sedars	Police/Dispatch	10/8/18	Dispatcher
SaMone D Springsteen	Parks/Rec	8/8/18	Lifeguard
Mychal D Taylor	Parks/Rec	6/6/18	Lifeguard
Debra L. Brownlee	Municipal Court	10/3/18	Admin Coord

Section V - Increase per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Shanell Phoenix-Daniels	DA's Office	10/1/18	Admin. Supervisor

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Katherine E Carttar	Econ Develop	Out of grade oc code & rg/step effective 10/15/18
Rebecca G Haymes	HR	Amend PAC 10/2/18 to reflect change in vac effective 10/4/18
Cynthia L. Gray	PW/Fleet	Out of class pay effective 9/28/15 to 2/19/16
Jeanette M. Hendrix	Municipal Court	Out of class pay effective 10/4/18
John W. Zimbelman	Fire	Amend PAC from 12/19/17 to reflect change in vac effective 12/20/17

Action: Received and filed. Copy previously forwarded to Payroll.

5. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 11, 2018:

Section I - Appointment

Name	Department/Division	Eff. Date	Job Title
Patrick W Sumner	Comm Corr/Adult	10/4/18	Prof Prog Asst

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Jonathan H Daniels	Police	10/4/18	Sergeant	Master Patrolman I
Brenda S Fee	Health	10/4/18	Admin Supt Spec General Maint	Prof Assistant
Justin L Grenovich	Appraiser	10/4/18	Worker	Appraiser
Kelly L Langton	Comm Corr	10/4/18	ISO	ISO
Cassandra R Taylor	PW	9/20/18	Prof Prog Asst	Prof Assistant

Section III - Separation

Name	Department/Division	Eff. Date	Job Title
Ramona Moreno-Enriquez	Court Trustee	10/4/18	Paralegal

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Kyle R Cook	Fire	10/13/18	Firefighter IV
Jacob Esparza-Hoskins	Fire	10/13/18	Firefighter IV
Jose L Gomez	PW	9/8/18	Lab Tech
John T Harris	Fire	10/13/18	Firefighter IV
Lisa E Lister	Fire	10/13/18	Firefighter IV
Alex W McGinnis	Fire	10/13/18	Firefighter IV
Megan M Miller	Fire	10/13/18	Firefighter IV
Marcos C Ramirez	Fire	10/13/18	Firefighter IV
Brian N Romo-Flores	Fire	10/13/18	Firefighter IV

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Katrina Brennan	Health	ACD code change effective 10/1/18
Jaclyn Brown	Health	ACD code change effective 10/1/18
Christina Casper	Health	ACD code change effective 10/1/18
Alejandra Corona	Health	ACD code change effective 10/1/18
Brenda Fee	Health	ACD code change to PIN # effective 10/1/18
Brenda Fee	Health	ACD code change to PIN # effective 10/4/18
Michelle Fowler	Health	ACD code change effective 10/1/18
Janell Friesen	Health	ACD code change effective 10/1/18
Khou Herr	Health	ACD code change effective 10/1/18
Ernestine Holmes	Health	ACD code change effective 10/1/18
Jennifer Jamison	Health	ACD code change effective 10/1/18

Paul D Jones	Health	ACD code change effective 10/1/18
Ashley Lause	Health	ACD code change effective 10/1/18
Sonia Lopez	Health	ACD code change effective 10/1/18
Dominique McKinney	Health	ACD code change effective 10/1/18
Monica Palomeque-Murillo	Health	ACD code change effective 10/1/18
Rollin Sachs	Health	ACD code change effective 10/1/18
Nancy Sanchez	Health	ACD code change effective 10/1/18
Alison Schutz	Health	ACD code change effective 10/1/18
Lanie Smith	Health	ACD code change effective 10/1/18
Edith Valenzuela	Health	ACD code change effective 10/1/18
Mark Weckwerth	Health	ACD code change effective 10/1/18
Willie Williams	Health	ACD code change effective 10/1/18
Erik Wolf	Health	ACD code change effective 10/1/18

Action: Received and filed. Copy previously forwarded to Payroll.

6. TRAVEL REQUESTS:

Jakob Blackman and Ryan Fincher, Police Department, travel to Kankakee, IL, October 1 – 2, 2018, to interview with Frontier Justice suspect and collection of evidence, no costs.

Jeff Fisher, Public Works, travel to Washington, DC, September 25 – 27, 2018, to attend MOARC, General Fund.

Jennifer Johnson and James Zeeb, Fire Department, travel to Orange County, CA, March 12 - 16, 2019, to attend the CPSE Excellence Conference, Employee Training & Travel.

Melissa Sieben, County Administrator's Office, travel to Washington, DC, September 26 – 27, 2018, to attend MOARC, Employee Training & Travel.

Action: Approved by the Administrator's Office and received and filed.



Suite 323
Kansas City, Kansas 66101-3070

Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: October 18, 2018

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

mbb

Attachment

1. AFFILIATE AGREEMENT:

CALM, LLC, to provide services to eligible persons in compliance with the Developmental Disabilities Reform Act, K.S.A. 39-1801.

Action: Approved by County Administrator and received and filed.

2. MODIFICATION OF AGREEMENTS:

Community Living Opportunities, Inc., modify the agreement dated March 1, 2018, relative to the provision of services to eligible persons under the Developmental Disabilities Reform Act.

Mosaic in Northeast Kansas, modify the agreement dated July 1, 2017, relative to the provision of services to eligible persons under the Developmental Disabilities Reform Act.

Action: Approved by County Administrator and received and filed.

3. COMMUNICATIONS:

Bridgette Cobbins, UG Clerk, listing bids received October 17, 2018, for:
Project ID# 3344 – Its Improvements (Village West Area-State Ave.) Dynamic Message Signs & Cameras
#B28734 – Channel Catfish for Parks and Recreation
#B28735 – Rainbow Trout for Parks and Recreation

Action: Received and filed. Copies previously forwarded to County Administrator, Emma Scovil, Legislative Auditor, Public Works, Parks and Recreation.

4. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Issue Date</u>	<u>Amount</u>	<u>Fund</u>	<u>Reason</u>	<u>Vendor</u>	<u>Reissue Date</u>
843495	8/24/2018	\$ 2,629.00	110	Lost/Stolen	ReNuel	10/19/2018
842931	8/17/2018	\$ 808.77	110	Lost/Stolen	AT&T	10/19/2018
841212	7/13/2018	\$ 49.50	160/790	Stale Dated	Eker, James	10/19/2018
840514	6/29/2018	\$ 915.78	791	Stale Dated	Sharp, Carol A	10/19/2018

<u>Warrant #</u>	<u>Issue Date</u>	<u>Amount</u>	<u>Fund</u>	<u>Reason</u>	<u>Vendor</u>
842769	8/10/2018	\$ 15.78	160	No Longer Needed	Baston, Don
841842	7/27/2018	\$ 45.00	172	Duplicate Payment	Sam's Club

Action: Received and filed.

5. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 16, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Julie Campuzano	Health	10/18/18	Program Specialist
Karla I Ibarra	Comm Corr/Juv	10/18/18	Program Aid
Patricia Martinez	Appriaser	10/18/18	Appraiser
David G Reno	Public Works	10/18//18	Program Coordinator

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
John F Droppelmann	Fire	10/11/18	Asst Fire Chief	Deputy Fire Chief
Mark A Smith	Fire	10/11/18	Master Fire Captain	Battalion Chief
Jeffrey T Stroud	Fire	10/11/18	Battalion Chief	Deputy Fire Chief

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Lia D Allen	Health	10/2/18	Public Health Nurse
Ivan C Lobato	PW/WPC	10/3/18	Plant Maint Worker
Michelle L Oliver Brown	Health	10/3/18	Public Health Nurse
Jon D Stephens	Econ Develop.	10/12/18	Director

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff.Date	Job Title
Kelley L Fitzpatrick	Sheriff/Detention	11/3/18	Deputy
James F Florez	Sheriff/Detention	11/17/18	Deputy
Kathy Harrington	Sheriff/Juvenile	11/1/18	Juv Care Worker I
TayIn N Reed	Sheriff/Juvenile	11/3/18	Juv Care Worker I

Section VIII - Other Request

Name	Department/Division	Action Requested and Explanation
Kristi Morgan	Comm Corr	ACD code change effective 10/16/18

Action: Received and filed. Copy previously forwarded to Payroll.

6. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 18, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Dennis Dotson	Parking Control	10/18/18	School Crossing Guard Public Safety
Michaela L. Ruffin	Police/Comm	10/18/18	Dispatcher School Crossing
Henry C Virgil	Parking Control	10/18/18	Guard

Section II-Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Betsy L Pike	PW/WPC	10/4/18	Engineering Tech II	Eng. Specialist

Section III - Separation

Name	Department/Division	Eff. Date	Job Title
Allyson S Toyloy	Comm Corr/Juv	10/4/18	Program Aide

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
James H Adams	Fire	10/15/18	Firefighter/MICT I
Nathan A Becker	Parks/Rec	10/5/18	Horticulturalist I
Anthony W Bigby Jr	Fire	10/15/18	Firefighter/MICT I
James C Bousfield	Fire	10/15/18	Firefighter II
Kenneth D Clayborn	Parks/Rec	10/19/18	Groundskeeper I
Kevin M Cook	Fire	10/15/18	Firefighter/MICT I
Kyle W Creten	PW/WPC	10/19/18	Construction Worker I
Derrian D Goldsmith	Fire	10/15/18	Firefighter II
Cameron W Hopper	Fire	10/15/18	Firefighter/MICT I
Chad M Kampfer	Fire	10/15/18	Firefighter II

Courtney L Keegan	Fire	10/15/18	Firefighter II
Turina L Lopez	Transit	9/22/18	Dispatcher II
James D McPherson	Fire	10/15/18	Firefighter/MICT I
Tanner J Minshew	Fire	10/15/18	Firefighter/MICT I
Matthew E Nigh	Fire	10/15/18	Firefighter II
Kirk A Riley	Fire	10/15/18	Firefighter/MICT I
Joseph N Rowden	Fire	10/15/18	Firefighter II
Robert L Sanders	Fire	10/15/18	Firefighter II
Nathaniel H Schotanus	Fire	10/15/18	Firefighter/MICT I
Gregory M Stevenson	Fire	10/15/18	Firefighter/MICT I
Jacob F Swinney	Fire	10/15/18	Firefighter II
Derek VanBrocklin	PW/B&L	10/13/18	Skilled Tradesperson
Conrad S Vega II	Fire	10/15/18	Firefighter II

Action: Received and filed. Copy previously forwarded to Payroll.

7. CLAIMS FOR DAMAGES:

Elizabeth Lassell, 1416 Osage St., Leavenworth, KS, alleging damage to tire and rim after hitting a pothole on I-69/I-70 east exit.

Ramone Smith II, 4900 Broadmoor St. Apt. 154, Mission, KS, alleging damage to tire after hitting a pothole on 43rd & Rainbow Blvd.

Walter Coleman, 4027 South Minnie St., alleging basement flooded causing damages from the city drain backing up.

Action: Received and filed. Copies previously forwarded to Legal.

8. PETITION FOR MORTGAGE FORECLOSURE:

U.S. Bank National Association vs. Johnathan Alan Spears, Kathy Sonia Spears and Kansas Department of Revenue, Beneficial Financial 1 Inc., The Corporation Company, Inc., Unified Government and The Unknown Heirs, Case No. 2018-CV-000842.

Action: Received and filed. Copy previously forwarded to Legal.

9. TRAVEL REQUESTS:

David Andrews, Fire Department, travel to Socorro, NM, January 15 – 18, 2019, to attend the Incident Response to Terrorist Bombings Course, N/A.

Felicia Atkins, Keona Ballard, Naomi Green, Chance Kresyman, and Kimberley Reid, Sheriff's-Administration, travel to Springfield, MO, September 13, 2018, to attend and participate in a funeral for a fallen officer, Employee Training & Travel.

Felicia Atkins, Keona Ballard, Stephen Dyer, Amber Freeman, Naomi Green, Chance Kresyman, and Kimberley Reid, Sherriff's Administration, travel to Wichita, KS, September 21, 2018, to attend and participate in a funeral for a fallen officer, Employee Training & Travel.

Bryan Hendin, Fire Suppression, travel to Spartanburg, SC, October 22 – 25, 2018, to attend the High-Performance Coaching & Leadership Academy, Employee Training & Travel.

Alan Howze, Knowledge Department, travel to Detroit, MI, October 27 – 30, 2018, to attend the CityLab Bloomberg Summit, no costs.

Shawn McLaughlin, Fire Department, travel to Orange County, CA, March 12 – 16, 2019, to attend the 2019 CPSE Excellence Conference, Employee Training & Travel.

Sharon Reed, Procurement & Contract Compliance, travel to Chicago, IL, October 30 – November 3, 2018, to attend the Cayenta-2018 Harris Customer Training Conference, Employee Training & Travel.

Terry Zeigler, Police Dept./Chief's Office, travel to Hutchinson, KS, October 16 – 17, 2018, to attend the LELA School, Employee Training & Travel.

Terry Zeigler, Police Dept./Chief's Office, travel to Washington, DC, December 2 – 4, 2018, to attend the PERF National Conference, Employee Training & Travel.

Pamela Waldeck, Police Dept./Chief's Office, to travel to Washington, DC, December 3 – 4, 2018, to attend the PERF National Conference, Employee Training & Travel.

Action: Approved by the Administrator's Office and received and filed.

10. APPLICATIONS FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

Cheeseburger of Kansas City, LLC/Kimberly A. Groves DBA Fuddruckers, 1705 Village West Parkway

Willie Kanippie, LLC/William Hutton DBA Johnny's on 7th, 55 S. 77th St.

Action: Referred to License.

11. APPLICATION FOR PRIVATE SECURITY BUSINESS:

Vend-Tech Enterprise, LLC DBA Vend-Tech Enterprise, LLC, 250 N. Rock Rd., Ste.360, Wichita, KS

Action: Referred to License.