

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

SPECIAL SESSION, THURSDAY, AUGUST 15, 2019

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, August 15, 2019, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO; presiding. Townsend, Commissioner First District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Melissa Sieben, Alan Howze, Assistant County Administrators; Rob Richardson, Director of Planning; Lynn Melton, Assistant to the Mayor; and Officer Tom Grote, Sergeant-at-Arms.

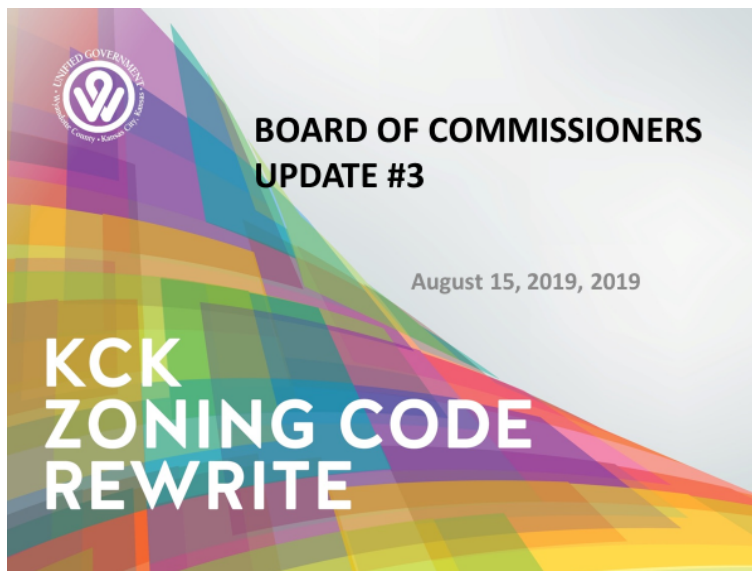
MAYOR ALVEY called the meeting to order.

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

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, August 15, 2019, at 5:30 p.m. in the 5th floor conference room of the Municipal Office Building for a zoning code update. Immediately following the 5:30 p.m. meeting, if time permits, there will be an Executive Session to discuss matters related to Employer/Employee Negotiations, otherwise, the Executive Session will follow the 7:00 p.m. meeting and will be held in the 9th floor conference room.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

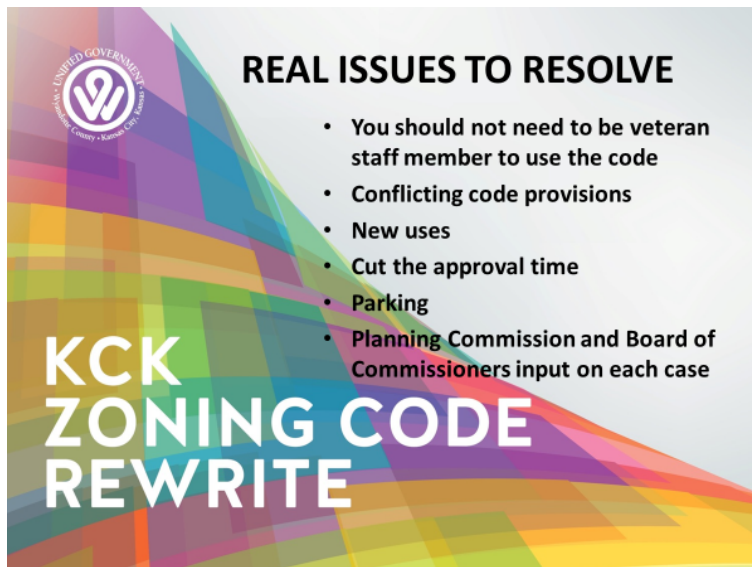
Doug Bach, County Administrator, said tonight we're ready for our third update from our Planning staff who has been working hard on updating our Zoning Code which, as you know, was originally started from the standpoint—or one of the big things was to make our code much easier for, not only our public, but also our staff to work through and for everyone to understand. Also, to go through and look at a few other issues. Mr. Richardson, our Director of Planning, is here this evening to give us an update of where we are in working with our Commission appointments who have been assigned to work with this group over the past several months.



Rob Richardson, Director of Planning, said I'm going to go through some of the introductory things that we've been over a little bit before, but I think they're worth a quick refresher. I'm going to go through the process that we've been using with you all, with the Commission—with the Steering Committee that you all appointed with the public. Then I'm going to go through—just so you understand what the Steering Committee has been going through, the issues that we went through at their last meeting so you will have a flavor for how detailed that is and how in-depth the information is that we're trying to present and get comments on.



The broad goals you see up here, Doug covered some of them, we want to be more accommodating to new businesses, we want to preserve our neighborhoods, we want KCK to remain and improve as a quality place.



Some of the real issues to resolve, you shouldn't have to be a veteran staff member to be able to use the Zoning Code. We say easier, that doesn't mean necessarily easy, because zoning is inherently more complex than any of us would probably like it to be, but we want it to be easier from more logically—have more description about how to use the code and things like that.

We have code provisions. We had a Board of Zoning Appeals case Monday night where the Planning & Zoning Code has a site triangle that says it's 20x140. The Public Works Code is

15x140. We're going to try to eliminate all those. We had a long, long list of those type of issues that we are trying to resolve.

New uses, we don't ever really know what the new use is going to be, but I know that professionally we had a seminar yesterday on marijuana zoning here in the metro area because our peers in other states are already dealing with it and it's coming to Missouri, obviously, and it may come here as well at some point. That's a new use that isn't in anybody's Zoning Code or it wasn't five years ago or ten years ago.

We would like to cut the approval time while we can. We have some state statutes that we have to follow that mandates some of our approval times, but maybe there are some steps that we can eliminate that will help this.

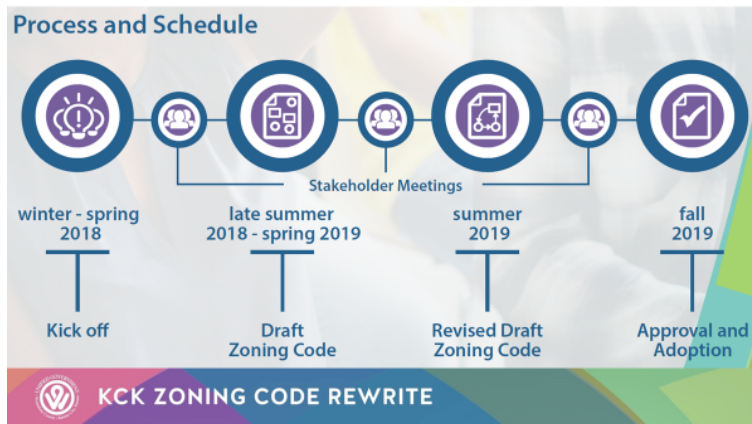
We're also working at a second angle with the Excel upgrade that you all have funded to allow our systems to work better and more efficiently and some of the consulting folks we're working with on that are saying we might be able to find some timesaving's in the review process with the new review materials that are available. That's just a preview of something else to come in the future.

Parking is something that I've heard from probably most of you about at one time or another whether it be not enough parking for people in the neighborhood, why does this business need so much parking, it seems like there's enough parking in the area, why are we needing more. How do we solve parking of a large major institution where everybody parks in the neighborhood instead of their garages. There's all kind of issues with parking that we're going to work through—we are working through.

How much time does the Planning Commission and Board of Commissioners spend with each case, and by this, I mean right now final plan reviews go to the Planning Commission. Since 2004 we've had one, maybe two of those, that got appealed to the Board of Commissioners and almost never a comment from the Planning Commission on those. We need to decide if we want to keep doing it that way or if we just make that a staff level approval; things like that.

Process Overview

last Commission update November 29, 2018



This is our process overview. We're in the—you know drafting the Zoning Code and the revision that's going on right now is based on the impetuous Steering Committee, but we will have a full draft of the Zoning Code out and work on revisions on that and approval into the fall—late fall of 2019. We're a little bit behind. I was probably more optimistic than I should have been in how fast we could get through this with the Steering Committee and I will talk about that a little bit in just a moment.



Where are we now? We're drafting the code, as I said, we're having Steering Committee meetings. In two weeks, we will meeting individually with members of the Steering Committee, we've offered them meetings with the consultant and I to go through any detailed questions they have.

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The Steering Committee meetings are packed and I'm going to talk about that a little bit more in a minute. It's been a little bit hard to make sure that we've got everybody's comments.

We're preparing for the public meetings and public input from the Steering Committee, Planning Commission, and you all once we get the draft code because we need to have the draft code out to everybody for quite a while. It's going to be a large document, it's kind of complex, people are going to have questions, but we're not pushing this fast. There's no need to move it fast. We've been dealing with our current code for enough time and once we adopt it, I'm sure we will give folks a period of time after that to plan to adjust to the new code.

Board of Commissioners Process

- **Each Commissioner appointed a resident and a business representative to the Steering Committee**
- **This is the 3rd Special Session update**
- **Additional Special Sessions**
- **Receive Draft Code for Comment fall 2019**
- **Final Adoption after Planning Commission recommendation**
- **Call or email me any time**



So, what have we done with the Board of Commissioners? We start out and we ask you all to appoint a resident and a business representative to the Steering Committee. This is, as Doug said, our third update with you all. We will have additional Special Sessions and we will work through those with the County Administrator's Office to schedule those with you all as we move into the future. You will receive a draft of the code for comment in the fall of this year and then you all will be responsible for the final adoption and final revisions once that comes to you. Obviously, if your citizens or Steering Committee members or you have questions about this at any time, send me an email or call me and I will get back and we will figure out how to get that issue. The consultant keeps what we call the issues list of things that people say we have to deal with this and at the end we're going to make sure we check off all those issues and how we actually dealt with those.



For the Steering Committee, we've had nine meetings so far. The dates of those are listed here and then, as I said, in two weeks we're going to have individual meetings. We will have more Steering Committee meetings to come, but originally, we only planned on six. We thought we could get through enough of this information in six meetings, the Steering Committee would be fine. The Steering Committee said whoa, this is way too much, we need more time, let's meet monthly and get this done and get it done right.



Their meetings are two hours. We're meeting over lunch. We provide them lunch and we have a very full agenda for them. Those full agendas are what necessitated the individual meetings that are coming up because we give them a lot of information and sometimes, we are at the end of the

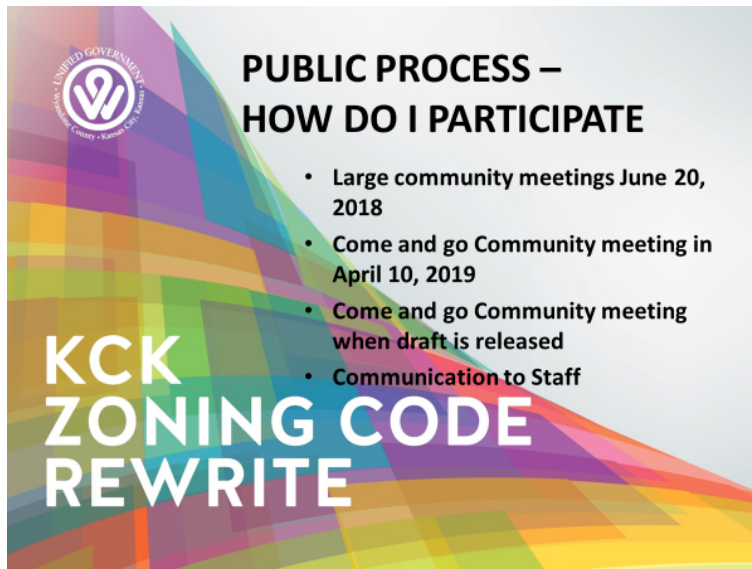
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meeting and we want to discuss more, but people have to leave because that's all they have blocked out on their calendar. They know they're always able to contact staff or the consultant. We've had comments outside of those meetings from several Steering Committee members and, quite frankly, one of them said I think you should write this section of the code this way and did an edit on the existing code for that section and gave it to us. We're working with that and the rest of the Steering Committee members to make those changes. There have been folks very active both in and outside of those meetings.

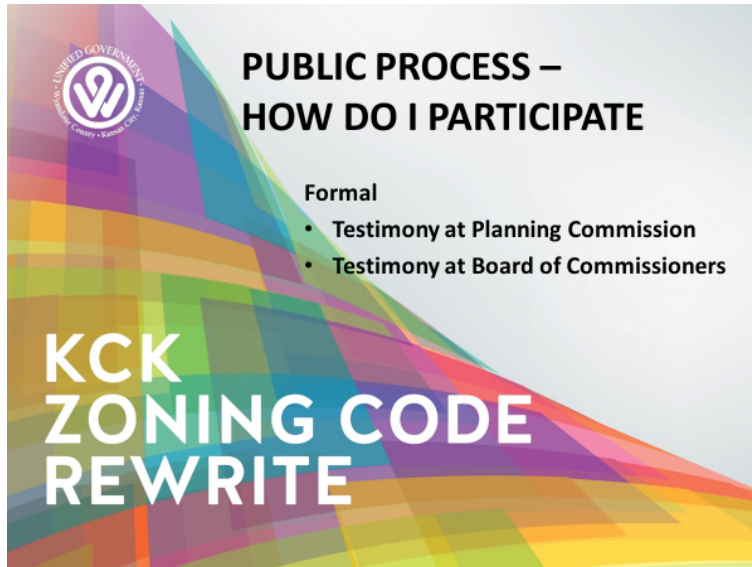


This is the agenda of the last meeting. You would think, oh that's simple, there's five things. Well, not really. It takes a long time to go through that but you will notice that we always start with a recap of the last meeting because we take notes of those meetings and we say this is what we heard. We want to make sure that we heard what they said at the meeting before so we get that feedback on, are we doing this correctly as we move forward.

Then we go into new opportunities and new parts of the code and then we usually end up with stuff what we call the parking lot. People ask questions about stuff along the way, we try to go back to those at the end.



For the public, we had a large community meeting in June of last year. We held that meeting at the Salvation Army out on State Avenue and one at Memorial Hall. Then we had come and go community meetings in April where we talked about the direction the code was going with some different areas and several of the commissioners attended those. One was in Rosedale at the Mennonite Church and the other one was in the northeast at one of the community centers. I anticipate that when we have the draft of the code out, we will have come and go community meetings. We haven't been out west yet, so we'll do it and we will have those in multiple areas in the city and they can always communicate with staff. As we've been out, we've always had our email there and a way for them to communicate with us outside of those meetings through either survey's or direct contact or through other electronic communications.



They will also have the formal opportunity to give testimony at both the Planning Commission and the Board of Commissioner meetings prior to the Zoning Code being adopted.

Sample of Steering Committee discussion slides



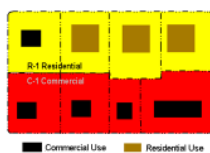
Now I'm going to go through some of the things that we did at the last Steering Committee meeting just so you get a taste of this.



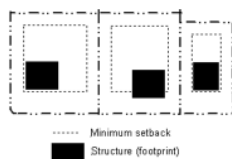
The first thing we did was we recapped nonconformities. I'm just going to go through that presentation as close as I can to the way the consultant did it so you can get a flavor for that.

Nonconformities

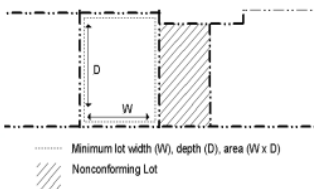
Uses



Structures



Lots



Sites / Situations



Here are the different types of nonconformities. You can have a non-conforming use where you might have a commercial use in a residential district, so this might be a house on the corner that got converted to some kind of commercial use over time, but it doesn't fit with the current zoning or maybe it was that always and at some point, the zoning got changed and we didn't catch that particular use.

You have a non-conforming structure where it's out of the setback for zoning. You could have a lot that didn't conform by—you know you have a narrow lot. We worked a lot on our non-

conforming narrow lots with the narrow lot design guidelines so that we allowed all those 25 ft. lots to be built on where before that, they would have required seven or eight variances to make any one of them developable.

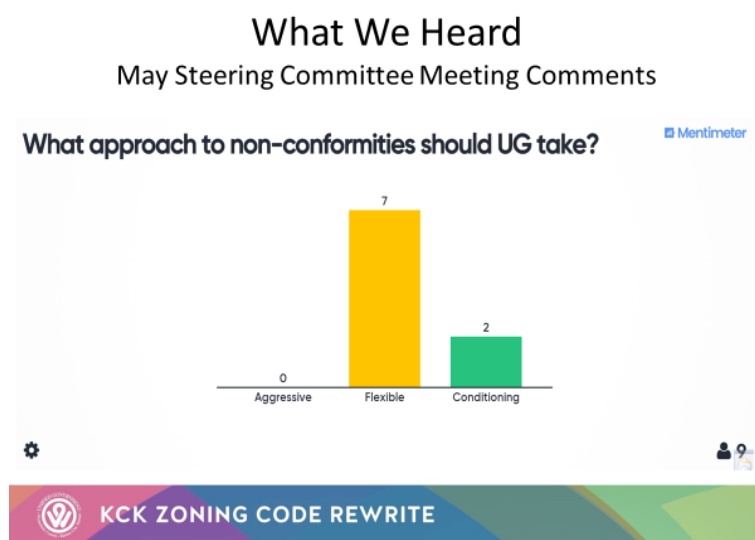
Then you just have sites or situations; maybe the landscaping is missing, maybe there is a sidewalk or some other drainage issue or something that makes the site non-conforming, but that means that it's not legal to expand that. So, if you have a non-conforming use here and you want to add a room to that, you can't do that under the current code. If your structure is outside of the zoning setback here, you can't get a variance for that because you created your own hardship. These are things that are real problems for folks in the community when it comes to expansion or alternation—what if you have a fire, then the insurance companies get a little bit involved with that. Sometimes I've had people say I can't get insurance because it's a non-conforming use. I spent an hour on the phone today with somebody trying to buy a building that has some nonconformities that they want to make sure that they don't buy a building with non-conforming uses because they can't finance it with their bank. This is a very important topic as we move forward. Unless you're the Zoning Director or—you don't think about it unless you have a constituent call you about it. It's an important issue and it's kind of complexed.

Approaches to Addressing Non-conformities

- Aggressive
- Flexible
- Conditional review



Obviously, like most things, there's different ways to address this. You could be aggressive, you could be flexible or you could make things conditionally approvable as we move forward so maybe you're not completely stuck in that situation and maybe there's a way out.



In the previous meeting we went through and we explained what did aggressive mean, what did conditional mean, what was flexible and you will see that we had—we used the cell phone voting in the meetings so they can vote for what they want. You will see the voting here. It was seven—nobody wanted to be real aggressive and that's like don't let them do anything with them, they're there, they're permanent and nothing happens. Most people want a little bit of flexibility and a couple of people wanted it to be conditioning.

I will note, this is reflective of our attendance. There are 24 people that have been appointed to this and we had nine there that day. I would encourage you to ask your folks to attend. We like them, we vote for them to be there.

Commissioner Bynum asked if you are repeatedly seeing our appointees not attending, can you tell us. **Mr. Richardson** said we can do that. **Commissioner Bynum** said then we can ask them why and remind them that it's important. **Mr. Richardson** said okay.

Commissioner Philbrook said the other thing is that if they're not, then is there still the possibility of putting somebody in their place at this late in the game? **Mr. Richardson** said we can do that. They're going to be really behind, but you know, they're not going to be anymore behind than you all or the Planning Commission when you get this big document. **Commissioner Philbrook** said good point, but I just wanted to know that.

Mr. Richardson said we made sure that everybody agreed that this is where we were. We wanted a flexible, possibly a couple of conditions, in the use but we didn't want to be like the current code is and you can't do anything at all with these because sometimes that just leads to deterioration. We spent some time in the meeting and reviewing what we done at the last meeting to make sure everybody understood and we understood what they had said and they knew the implications of their decision and the code will be written following those guidelines.

Types of Zoning Districts



Base



Overlay



Then we reviewed the different types of zoning districts. You have a Base District which is like you all would be familiar with R-1 or C-2 and then you have Overlay Districts. Our current overlay districts are the Floodplain Overlay District, the Commercial Overlay Zone that governs how commercial development happens, and the 47th Street Overlay District that we did in conjunction with Roeland Park and Westwood. We talked about those and we talked about a new one which might be a Neighborhood Conservation Overlay District.

Table 27-17-1 Zoning Districts		
District Name	Designation	Land Use Plan Designation
Countryside and Residential		
Countryside	CS	Rural Density Residential
Rural Neighborhood	RN	Rural Density Residential
Suburban Neighborhood	SN	Rural Density Residential
Mid-Urban Neighborhood	MN	Low Density Residential
Established Neighborhood	EN	Low Density Residential
General Urban Neighborhood	GN	Medium-Density Residential / Urban Residential
Urban Neighborhood	UN	High-Density Residential
Commercial and Mixed-Use		
Countryside Center	CC	Rural Commercial
Neighborhood Center	NC	Neighborhood Commercial
Auto-Urban Center	AC	Community Commercial
Regional Center	RC	Regional Center
Urban Mixed	UM	Mixed Use
Downtown	DT	Mixed Use
Business and Industrial		
Business Park	BP	Business Park
Light Industrial	LI	Industrial
General Industrial	GI	Industrial

We went back through the zoning districts and we matched them—the zoning districts to what would the land use plan designation be for this. We also have a chart that we’ve been through with them, how would this equate to the current zoning district, but in this case, we said the Countryside District would be a rural residential district. You see there are three different types of zoning districts that you might have in a rural residential district. There are two that you might have in a low density residential district and then General Neighborhood would be medium and urban. Urban would be the high-density like your R-6, R-5 types of development.

We have Commercial and Mixed-Use and we call it Commercial and Mixed-Use because this code is a blending of a traditional zoning code and what we have now is a traditional neighborhood design ordinance that allows for like the 39th & Rainbow development. This code is going to blend those codes so you can do both things within the same code and there’s more opportunities and more options for that. That’s why we call it Commercial and Mixed-Use.

Under Business and Industrial we have three districts that generally follow what we have now because industrial zoning is kind of industrial zoning and you know it’s working alright, we don’t have as many conflicts there as we do in other places and so when we can leave things a little bit the same—we’re also doing that if it’s working.

What We Heard

May Steering Committee Comments

- Need light, medium, and heavy industrial zoning districts in the new code
- Enforcement issues with outdoor uses / storage areas in industrial districts
- Minimum acreage requirement for Planned Unit Developments (PUDs)
- How to add density to older / established neighborhoods
- Need new type of neighborhood district, e.g. conversation district or "heritage" neighborhood?
- All neighborhoods don't want mixed use and corner / convenience stores
- Online tool for Steering Committee review of the draft zoning code



We also went back and talked about what we heard in the Steering Committee. I'm going to highlight a couple of these. The first was we needed light, medium, and heavy industrial zoning districts in the new code because thought about putting them all into one with some different caveats in there, but the committee thought we needed three. That's what you saw on the previous chart, there were three industrial zoning districts.

We talked about we needed a new type of neighborhood district, e.g. conversation district or heritage neighborhood district, but this is where we talked about becoming—having a neighborhood conservation overlay district and so we heard that and talked about that with them.

This was very important to them, an online tool for Steering Committee review of the draft zoning code. We are working on something that will allow a limited community comment. By community I mean Steering Committee, staff, and possibly Planning Commission and Board of Commissioners so you could write comments in like you would in Word and then the consultant could see all that. We could have some understanding where some of those issues might be and resolve them before we get into an open session. I don't know, I've got to check with Legal to make sure that's not an open meeting and so you guys might not be in that group for open meeting rules, but we'll work on that to see how we can do that.

That was very important to them and we are working on that but we don't have that. Number one, we don't have a full draft code yet, but we also don't have the mechanism worked out but we've got a couple of options.

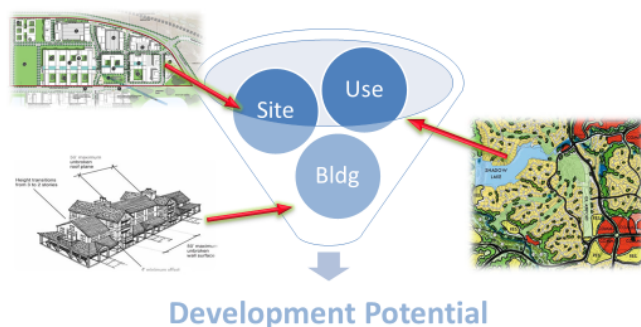
Mayor Alvey said on the second column, third, all neighborhoods don't want, does that mean no neighborhoods wants or some—not all neighborhoods don't? **Mr. Richardson** said sorry. What I would say to this is that, you know, in the urban area you have neighborhoods that end on an arterial street with a corner store and, you know, like around 7th Street or Minnesota Avenue or something like that. We even have some corner stores that are more interior to the neighborhoods, but in Piper you can have a substation—that's a subdivision, and some of those folks that live in those areas expressed, you know what, we picked where we want to live because we like this. We may not want a corner store everywhere. **Someone** spoke but was inaudible. **Mr. Richardson** said it was not typed well. These were notes the consultant put together and it just wasn't typed well so sorry about that. You all caught more than the Steering Committee did on that one, but basically it means not everybody wants to be the same, not everybody wants to have the dense urban look of the traditional neighborhood design at their entrance. Some people, they want to have a subdivision and be a subdivision.



Then we moved on to the new material and we started talking about Composite Zoning Standards. This is the model the consultant is proposing that other cities are using including Olathe. He talked a little bit about the Olathe ordinance as we went through this.

What is composite zoning?

Example: Olathe



Lot Size | Density | Setbacks | Height | Open Space



Composite Zoning talks about the site, the building, and the use. The land use is one part of it and within that use you might have different site designs and different buildings that can go on the different sites within that. We have developed matrices to allow folks to pick within that and give them more flexibility.

Even within those three areas, you have these things along the bottom here plus others like material standards and things like that, how big is the lot, how dense is the development, what is it going to look like, and what's the building articulation. The composite zoning gives you choices in how to handle all those things. I'm going to go through some of those with you to give you a flavor of what the new zoning ordinance could be versus just a text version of you can—in this part of the code right now it says if you're in a commercial district you can have a fast-food/drive thru restaurant and then you have to go to the other part of the code that says these are the design guidelines for that building and then a third part of the code says this is where your stacking it, this is how you do parking and car stacking for a fast-food restaurant. There's probably another part of the code you have to go to or two to figure all that out.

What Uses Are Allowed?

18.20.130 C-1 (Neighborhood Center)



Purpose: The C-1 (Neighborhood Center) district provides for development of small-scale neighborhood office, low intensity retail business, civic, and residential uses. This district is compatible with the Neighborhood Commercial Center future land use designations in the Comprehensive Plan. A C-1 District encourages pedestrian movement between residential and nonresidential areas. Nonresidential uses in a C-1 are intended to service and blend into the residential character of the surrounding neighborhood. This district is not considered appropriate for conventional strip commercial pad sites, high traffic generating or automotive oriented uses, or uses oriented toward regional shopping facilities. C-1 is consistent with the Neighborhood Commercial Center future land use category, and implements the following Comprehensive Plan policies:

- LUCC-4.1: Support viable mixed-use and mixed-density neighborhoods.
- LUCC-5.1: Hierarchy of Activity Centers. Focus new commercial centers on concentrated activity nodes at a variety of scales distributed throughout the community.
- LUCC-8.1: Mixture of Complementary Land Uses
- LUCC-8.2: Use zoning as a tool to avoid or minimize conflicts between land uses.
- HN-1.2: Mixed Uses and Mixed Incomes
- HN-2.1, HN-2.5, HN-4.1, and HN-4.2: provide a full range of housing choices, affordable housing, and neighborhoods that enable residents to "age in place."
- HN-5.2: Provide for higher density residential housing retail and community centers.



The first thing we do is we figure out what are the allowed uses. For example, C-1 is our current use. That would equate to a neighborhood center. One of the key things is a mixture of complimentary land uses. It doesn't all have to be commercial because we want mixed-uses and mixed-incomes and we want to provide for higher density residential housing and retail and commercial centers because those are things that—you know as we look at 39th & Rainbow, at one time that had a big housing component to it. One of those buildings was going to be an apartment, but what we found is that per acre that's our highest property tax generator per acre in the city. When we see things like that, we want to encourage that kind of development, we want to make it easy to do in the code and that's why we show these other types—you can do your standard commercial bank, you can do a little strip center, but you can also do the mixed-use corner store with residential above it or office above it in these neighborhood centers.

Each of the districts, and I'm not going to go through each one, but each one of them has that type of flexibility built in for encouraging development that we think has been positive.

Clothe UDO - Uses													Districts		Definitions			
	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (DownTown) Core	D (DownTown) Mixed Use	D (DownTown) Santa Fe	Definition
Residential																		
Accessory Dwellings	P	P	P	P											P	P	P	See Chapter 18.50.
Cluster or conservation subdivisions	P	P	P	P	P													A subdivision that incorporates a Category 2 site design (see Chapter 18.15).
Elderly housing, Multi-family Residences				P	P		S	S										A housing development that is certified as Housing for Elderly Persons by the United States Department of Housing and Community Development, and that includes multifamily dwellings.
Elderly housing, Single-family Residences	P	P	P	P														A housing development that is certified as Housing for Elderly Persons by the United States Department of Housing and Community Development, and that includes only single-family dwellings.
Residence, Adaptive Reuse	P	P	P	P		P	P											The occupancy and use of an existing, abandoned building that was formerly used as a commercial, service, or other non-residential use.



KCK ZONING CODE REWRITE

August 15, 2019

Composite Building Design Standards

Table 15-1
Summary of
Composite
Building
Design
Standards

	A	B	C	D	E	F
Typical land use	Single-Family Residential	Mixed-Use Residential Neighborhood	Neighborhood Center/ Urban Center/TOD	Commercial Corridor / Regional or Community Commercial Center	Employment Area / Office Park	Heavy Commercial / Industrial Area
Facade Expression	No special considerations	Highly articulated facade with a high level of transparency	Highly articulated facade, with a high level of transparency	Moderately articulated facade, with a moderate level of transparency	Commercially oriented facade with a range of articulation and transparency	Facade with a range of articulation and transparency
Pedestrian Orientation	Front facing entry element (porch, stoop, etc.)	High level of ground floor pedestrian interest with front-facing entries (porch, stoop, etc.)	High level of ground floor pedestrian interest and transparency with front-facing entries (canopy, courtyard, etc.)	Moderate level of ground floor pedestrian interest with front-facing entries (canopy, courtyard, etc.)	No special considerations	No special considerations
Materials	No special considerations	High quality materials	High quality materials	Moderate quality materials	High quality materials	A range of materials (including lower quality)
Garage	Garage door design standards may apply	Garage door design standards may apply	No special considerations	No special considerations	No special considerations	Overhead doors generally do not face primary streets
Transition Adjacent to Single-Family	No special considerations	Lower scale adjacent to single-family	Lower scale adjacent to single-family	Lower scale adjacent to single-family	Lower scale adjacent to single-family / Facade adjacent to single family treated as primary	Facade adjacent to single family treated as primary / Smaller scale building modules adjacent to single-family

- Composite building design standards
- Design Category C



We talked about within the areas of the building, what kind of building are you doing. We've been focusing on a neighborhood center so we look in Neighborhood Center and so we're going to be on design type C and that will be important as we move on. Within design type C we talk about the facade, pedestrians, materials, garages, transition to single-family and as we move on, we're going to focus on this, this says high quality materials whereas if you were at regional, commercial or something else, maybe there is a step down for the materials that you could go to, but when we're in the neighborhood or up close to it, we want it to be the highest level.

How Do I Design My Buildings?

- Material Category 1:
High quality building
materials for
Neighborhood Center

C		Table 15-2 Permitted Building Materials by Materials Category			
Neighborhood Center/Urban Center/TOO			Materials Category 1	Materials Category 2	Materials Category 3
Highly articulated façade, with a high level of transparency		Masonry			
		Brick, solid	✓	✓	✓
		Brick, modular	✓	✓	✓
		Brick, panel/veneer	✓	✓	✓
		Brick, imprint or overlay systems	✓	✓	✓
		Stone, modular	✓	✓	✓
		Stone, veneer	✓	✓	✓
		Stone, synthetic	✓	✓	✓
		Stucco, genuine, detailed	✓	✓	✓
		Stucco, synthetic/panels	✓	✓	✓
		Concrete, plain finish	✓	✓	✓
		Concrete, detailed	✓	✓	✓
		Concrete Masonry Unit, flush/plain	✓	✓	✓
		Concrete Masonry Unit, split faced	✓	✓	✓
		Concrete Masonry Unit, burnished	✓	✓	✓
		Cement fiber board	✓	✓	✓
		Metals			
		Architectural metal	✓	✓	✓
		Corrugated metal	✓	✓	✓
		Standard metal lap siding	✓	✓	✓
		Aluminum siding	✓	✓	✓
		Glass			
		Clear Glass	✓	✓	✓
		Architectural panels	✓	✓	✓
		Architectural block	✓	✓	✓
		Mirror glass	✓	✓	✓
		Opaque glass	✓	✓	✓
		Wood			
		Wood	✓	✓	✓
		Other Synthetics			
		Synthetic stucco/EPS	✓	✓	✓
		Synthetic stucco/EPS (detail only)	✓	✓	✓
		Vinyl siding	✓	✓	✓
		Plastic (columns, details, etc.)	✓	✓	✓

Then you move on to the high quality materials and you say okay, I've got to be in high quality materials so this will hyperlink you to this chart and it says materials. If you're in Material Category 1 which is high quality materials, these are the options for you to use, what kind of metal can I use, what kind of glass can I use, can I use wood, can I use any synthetics; this table is not set in stone right now, but this is for example. We haven't had the full discussion on where do all these checkmarks end up with the Steering Committee. You can imagine how long that will take with the Steering Committee to move through some of those. On the materials you have the different material types, but it doesn't tell you how to use them together.

Exterior Building Material Percentage

Table 15-5 General Design Standards for Composite Design Category C

Façade Expression		
A	Horizontal and Vertical Articulation of Primary Façade	Required - See menu options
B	Transparent Glass on Primary Façades (min. %)	35% ¹
C	Additional Primary Façade Expression	Required - See menu options
Pedestrian Orientation		
D	Ground Floor Pedestrian Interest	Required - See menu options
E	First Floor Height (min.)	11'
F	Front-Facing Entry Element on Primary Façade	Required - See menu options
Exterior Building Materials		
G	Building Materials on Primary Façades (min. % from materials category 1 / materials category 2)	80% / 20%
H	Building Materials on Secondary Façades (min. % from materials category 1 / materials category 2)	50% / 50%

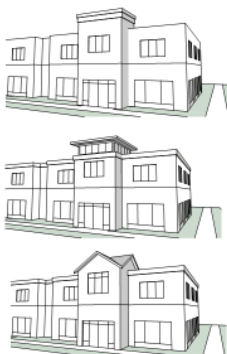


Then you will link to the next part of the code that says Exterior Building Materials. Category 1 and Category 2 you have to have 80% primary and 20% secondary materials. On facade that doesn't face the streets, on a secondary facade, it can be 50% primary and 50% secondary. That's a lot more clear than what we have today and it gives you some flexibility that's kind of inherit in the code than in the past like when they built Sam's Club. The back of Sam's Club faces a 40 foot retaining wall. There's no need for that to be fancy, nobody is ever going to see it so they could use a different kind of material there. This has kind of built in some of those things that we worked on through the code over the years.

How Do I Design My Buildings?

- Choose from a menu of options for Design Category C

- Exterior Building Materials
- Articulation
- Focal Points
- Façade Expression
- Pedestrian Interest
- Entry Elements
- Transition



How Do I Design My Building; so, within the design there's exterior building materials, articulation, focal points. In this one we're going to talk about the focal points a little bit. If you're building a focal point, you can do it this way, there are different ways you can do the focal points, and you see how you might do that to make something the focal point of the building. One of the things that we're going to do with the code that I think is going to make it easier to do is in the front of the code—or at the front of where you find the code on our website for the zoning, we will have a how to kind of instruction and also you will remember part of the contract was Tecal Productions doing a “how to” video and those are the folks that do the Chiefs promo videos. I have high hopes that they will be able to do a better job of explaining zoning than I will ever be able to do so it will help the public and the folks that we work with to do new development in the community to do a great job with that.

When you see this How Do I Design My Buildings, we're going to step through this so it's easier to understand and it's part of the code.

Design Categories

Table 15-9
Summary of
Composite Site
Design
Standards

	1 Conventional Neighborhood	2 Conservation Neighborhood	3 Neighborhood Center/ Urban Center/ TOD / Mixed-Use Residential Neighborhood	4 Commercial Corridor / Regional or Community Commercial Center	5 Employment Area / Office Park	6 Heavy Commercial / Industrial Area
Open Space	Moderate amount of landscaping (perimeter only)	High level of passive open space oriented around natural features	Open space primarily provided as patios and courtyards • Limited urban landscaping to promote pedestrian orientation and reduce visual impacts of parking	Some open space provided as patios and courtyards • Significant landscaping to reduce visual impacts of parking and enhance community image	Significant perimeter landscaping to enhance community image	Significant perimeter landscaping where adjoining other uses
Building Placement	Buildings located to allow for front and rear yards	Buildings clustered to preserve open space	Buildings located near the sidewalk edge	Buildings located near the sidewalk edge or set back	Buildings located to allow for front yards	Buildings set back from the sidewalk edge
Parking	No special considerations	No special considerations	Parking located to the rear or side of buildings in small modules / Quantity limited	Parking set back from the sidewalk edge in landscaped lots / Sufficient quantity	Parking set back from the sidewalk edge in landscaped lots / Sufficient quantity	Parking set back from the sidewalk edge / Sufficient parking
Pedestrian Circulation	Sidewalks and paths provide connections	Trails and paths provide connections	Buildings are connected to the street & transit / Sidewalks and paths connect to greenways and neighborhoods	Buildings are connected to the street & transit / Sidewalks and paths connect to greenways & neighborhoods	Paths and sidewalks connect buildings and parking	No special considerations
Vehicular Circulation	Streets provide sufficient connectivity	No special considerations	Narrow drive lanes / limited curb cuts / Off-street connections between parcels	Moderate drive lanes / limited curb cuts / Off-street connections between parcels	No special considerations	Adequate drive lanes for trucks / limited curb cuts
Drainage	Provides site amenities	Integrated with natural open space	Provides site amenities	Provides site amenities	Provides site amenities	No special considerations
Buffer Area	Landscape buffer adjacent to other land uses	Landscape buffer adjacent to other land uses	Landscape buffer or setback adjacent to existing single-family at perimeter of the development or Centers	Landscape buffer adjacent to single-family	Landscape buffer adjacent to single-family	Wide landscape buffer adjacent to single-family

- Category 3:
Neighborhood Center/
Urban Center/ TOD/
Mixed-Use Residential
Neighborhood

What about the land? How do we design the site. We're still in this neighborhood center area that we have open space requirements, building placement, parking, pedestrian, vehicular circulation, drainage, buffering and then you're going to have another part of the code that will link you to How Do I Lay Out My Site?

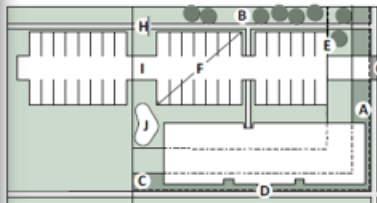
How Do I Lay Out My Site?

Table 15-11 General Design Standards for Composite Site Design Category 3

Open Space	
A Landscaping Adjacent to Sidewalks	Required where building façades are not located in the frontage area- See menu options
B Outdoor Amenity Space	Required for development with more than 65% open space or larger than 4 acres - See menu options
Building Placement	
C Street Frontage Area (min./max. from property line)	0'/15'
D Façade Width in Frontage Area (min % of lot width)	30% ¹
Parking Placement	
E Street Setback for Parking (min.)	20'
F Parking Pod Size (max. spaces)	40
Connectivity	
G Pedestrian Circulation System	Required - See design standards
H Additional Pedestrian Connectivity	Required - See menu options
I Connections to Driveways on Adjacent Properties	Required where possible
Drainage Features	
J Open Drainage and Detention Areas Designed as Amenities	Required - See design options

¹Exceptions provided for Civic uses. The Planning Director may reduce required façade width in setback area to support preservation of significant trees or tree clusters.

• Composite Site Design Category 3



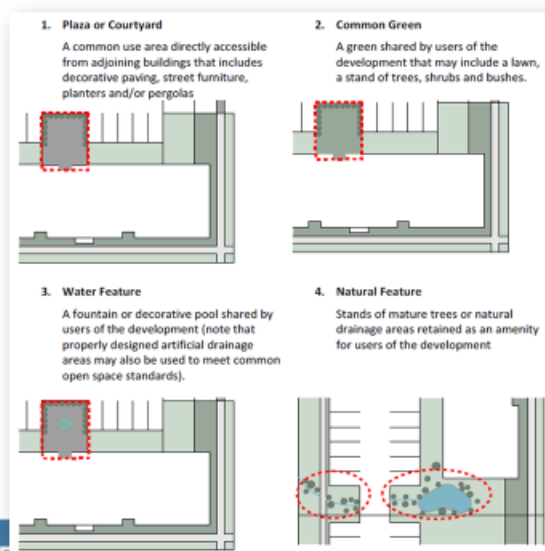
You will see landscaping adjacent to sidewalks. How does that work? Well, we go over here to A and we say if there's dark green there, that must be landscaping area adjacent to the sidewalk because the sidewalk is G, Pedestrian Circulation. Anywhere it says Required See Design Standards, this is going to be hyperlinked. The folks we're using, our Municode contractor, when we develop the code and adopt it, it will already be in Municode and we will just have to have Municode turn the switch on and it will update that for us because we're working with community folks that work directly Municode to get this done. When we have this out there, we will know it already works and all the hyperlinks work and things like that. You will go to each one of those parts with your site and the code is there and you will be able to see what that is in chart form.

Commissioner Philbrook asked what was the word were you using? What kind of code? Was you saying Municipal Code? **Mr. Richardson** said on our website, if you open up the Municipal Code, the software is called Municode, I'm sorry. Our Municipal Code is in a software program called Municode.

How Do I Lay Out My Site?

- Menu of Options

- Open Space
 - Landscaping Adjacent to Sidewalks
 - Outdoor Amenity Space
- Building Placement
- Parking Placement
- Connectivity
- Drainage Feature



Within the site layout, if you have an open space requirement and there's outdoor amenity space required, it will take you to the different ways to do outdoor amenity spaces. You could have a plaza courtyard, a common green space, you could preserve stands of mature or natural trees, you can have a water feature of some kind and within each one of these categories it will tell you and give you an example of how to do that. Right now, it's just completely text. There's very little visual in the zoning code which also makes it boring and it makes it a little harder to comprehensive.

What do they mean by having an open space, an outdoor amenity? You have a space that's about this big and you can do a plaza or a courtyard which means it doesn't have to be green. It could be brick, it could have seeding, you could preserve something that's already there so you don't have to spend any money on it. There's lots of ways to do that, so that's what we want them to know as they go through the code.

What is composite zoning?



What does this composite zoning look like? This is an example where you have several buildings, this is kind of close to what 39Rainbow is. It's not exact, but it's more of a French Louisiana feel to it, but you have the mixed-use buildings. This one might be completely residential, this one has some retail in it obviously. There might be some offices up here, but across the street you have a traditional pad space retailer and down here you have a Walmart and over here you have a grocery store. It lets you define what street type you're going to use, what kind of building you are going to use on the street and how you're going to make all these work together. Because we recognize that if you were to make somebody use just a TND zoning that we did for 39Rainbow, it's very hard to get folks to mix those uses. Even though we tried with the Merc and other grocery stores along the way and said what if we put retail—or residential on top of you, sometimes it's just hard. It's more efficient to separate the uses a little bit and take advantage of building types and building styles within the development that you can and then you get the best of both worlds. You can hide your parking a little bit, you can have all the uses you want to have and you have a really nice beautiful development that everybody is proud of.

Other Issues

- Landmark Review
 - Staff approval of minor site changes, signs, other site / building design elements?
- Overlay Districts
 - Landmark
 - Mission Road
 - Floodplain
- Other from prior meetings?



Some of the other issues we talked about were Landmark Commission review and what things can staff do so we don't have to go to the Landmark Commission. Currently, you know, we do minor site changes, we do signs, other minor things like that and do we want to extend that like, for instance, if you're replacing your roof in a historic district with the same kind of roof, you don't have to go to Landmark's. When I replaced my roof, I did it in-kind. It looks the same as it did before, I don't have to go to the Landmark Commission to get that approved. We don't want to make people do unnecessary stuff that everybody is going to agree upfront are the right thing to do.

We talked about additional Overlay Districts and what those meant and we kind of explained the floodplain ordinance as given to us by the State and by FEMA and they say here is what we would like for you to adopt. If you want to make any changes to that, show them to us ahead of time so we can approve them or deny them, and then adopt and follow that ordinance, otherwise we could say you're not eligible for federal disaster relief money. Some of these things we don't have a lot of choice about, but other things how do we—how is the Mission Road Overlay District working, how do we want to continue to work with that.

We had a list of other things marked to talk about from prior meetings.



The final thing we did is we announced that we were going to do the Commission appointee interviews that I've talked about already this evening and we let folks know that the invite for that was coming out, please respond to it.

We actually ended this meeting in about an hour and fifty minutes because you all didn't ask as many questions as they do. We wanted to go through this with you to show you what they're doing in their meetings. We're going through every issue in the Zoning Code in that level of detail. It's just taking a long time and I'm thankful to them for wanting to do that. It takes a while and sometimes you have some committee members that are very fluent and versed in zoning and development and some people that's a neighborhood leader and they want to know why they don't have a sidewalk in their neighborhood. So, you have this great divergence of knowledge base and folks in there and we want to make sure they're all on the same level playing field to give us good recommendations so that when we come forward, they're comfortable saying to you we worked really hard on this, it's good and we want to try it.

The last thing that I've told them in each of the meetings is that much like the Sign Code, we adopted a Sign Code a couple years ago, early in this process we met with all the folks that were on the Sign Code Committee and said did we miss anything and we're at five or six things to amend in the Sign Code. They're primarily related to schools and churches in residential districts and their signs aren't big—we didn't allow them enough sign area. Even though we all thought it was going to be fine when we did it, in implementation we're hearing from them saying this is just too restrictive. We had variances to the Sign Code for two or three of the new KCK schools that

just opened and none of those signs look bad. They're all attractive and what you would expect on a Middle School or a Grade School and so we will make those amendments with this as well.

Then, we will commit to coming back and meeting with the Zoning Code Steering Committee and others and making those amendments in a time period we decide on in the future because that will be very important as well. This thing could be 250 or 300 pages and we know we're going to try really hard, but we might have stuff we miss for some reason and so we will come back at a set time period and make those corrections that we need to make.

Additional Comments

Online Commenting



Finally, if anybody in the public wants to comment, we have a public comment opportunity here, zoningrewrite.digicate.com and if you go to that it will pop-up in an email and you can communicate with us that way.



I just realized the—the zoningrewrite@digicate, instead of @ it should be a dot right there, sorry about that. My phone number and my email, zoningrewrite.digicate.com are the opportunities that anybody has anytime to communicate about the Zoning Code.

I saw the longing look on your faces for me to not go past 6:30 p.m. so I have left about 20 minutes for questions and I would be happy to go through any questions you have about what's presented tonight or other parts of the code. I'm making the consultant let me do these presentations because—and this is a lot even for the staff, but I've got to feel like I'm comfortable with it before I ask you to be. The consultant is doing a lot of the work behind the scenes but I want to make sure we're all comfortable and if it doesn't happen this fall, and we need to take an extra three months, I'm not worried about that. I just want it to be right.

Commissioner Bynum said I just have a question. You brought up the Sign Code and this is just me wondering with the schools you commented on a couple of the new KCK schools and I noticed at Welborn Elementary, as they were finishing and they were almost done, it was kind of artsy, it was kind of Well Born and then that went away. Was that one of the—**Mr. Richardson** said yes. **Commissioner Bynum** said I kind of liked it. **Mr. Richardson** said it's back. **Commissioner Bynum** said yes, but I don't think it's back in that iteration. **Mr. Richardson** said it should go back just like it was. **Commissioner Philbrook** said the lettering on the building is back. I just think it's different, but anyway, I was just curious. **Mr. Richardson** said the zoning action; the zoning appeal action didn't have anything to do with that part of it. They took some of it down so

they were under their sign size because if you create your own hardship and you're too big, you can't get a variance so they took a little bit of it down, just enough to get under the regulation for a couple weeks and then put it back up. **Commissioner Bynum** said when you brought up Sign Code, it just made me wonder if that was one—**Mr. Richardson** said that was what happened there with a couple of them—I can tell you more later. **Commissioner Bynum** said that's okay.

Mr. Bach said I want to maybe just follow-up on the request of Rob. So, Rob, maybe it would be more appropriate for you after you have your study commission meetings just to send an email to all the commissioners and just note all the members that are on it and then note which ones attended rather than you having had one attend or not and just make it a list of we had a meeting, that's an update to you and here's my list and those that attended, so just make it simple in that fashion. **Mr. Richardson** said I will do that. **Mr. Bach** said I will also note, Rob as he made it through the presentation, he has sent out those individual invites to each of his committee members as he extended to you all as well if you want to get more one-on-one type information or one-on-three with you and the consultants I guess to go through it. That is available to them if they don't feel like they are getting their input into this. They have their ability to sit down and really take it on from that perspective and give that information to Rob. It's a lot of information that they are having to deal with so I can certainly see why that may be a better sitting for them to engage in a little bit.

Mayor Alvey said that concludes our presentation and I will entertain a motion.

Executive Session – 6:15 p.m.

Commissioner McKiernan made a motion, seconded by Commissioner Markley, that the Commission to go into Executive Session until 6:55 p.m. to consult with our attorneys and to discuss confidential matters regarding the status and future direction of labor negotiations, as permitted under the Kansas Open Meetings Act; and that staff designated by the County Administrator be present to participate in the discussion and that we reconvene in open session at 7:00 p.m. in the Commissioner Chambers located on the 1st floor. Roll call was taken on the motion and there were nine “Ayes,” Philbrook, Bynum, Burroughs, McKiernan, Murguia, Johnson, Kane, Markley, Walters.

Arrival time for Executive Session 6:20 p.m.

Present for the Executive Session: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Mayor Alvey, Mayor/CEO; presiding. **Staff present:** Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Gordon Criswell, Alan Howze and Melissa Sieben, Assistant County Administrators.

**MAYOR ALVEY ADJOURNED
THE MEETING AT 6:40 p.m.**

dt

Bridgette D. Cobbins
Unified Government Clerk

August 15, 2019