

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

**PLANNING & ZONING AND
REGULAR SESSION
OCTOBER 31, 2019**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, October 31, 2019, with seven members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; Johnson, Commissioner Fourth District; Walters, Commissioner Seventh District, Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Kane, Commissioner Fifth District; and Markley, Commissioner Sixth District; were absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Melissa Sieben, and Emerick Cross, Assistant County Administrators; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Robin Richardson, Director of Planning; Janet Parker, Administrative Assistant; Lynn Melton, Assistant to the Mayor; Captain Ronald Schumaker, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum, Alvey.

INVOCATION was given by Reverend George Kemper of Ebenezer Ministries.

Mayor Alvey said I'll ask the Clerk if there are any revisions to tonight's agenda. **Bridgette Cobbins, UG Clerk**, said there are no revisions, Mayor.

Mayor Alvey said tonight we have two distinct parts to our meeting. The Planning and Zoning portion will be handled first followed by the regular commission meeting. I'd ask the Clerk to read the statement, required by state law, governing the Planning and Zoning portion of our meeting, followed by the items on the Planning and Zoning Consent Agenda.

Ms. Cobbins read the statement, required by law, governing the Planning and Zoning portion of the meeting.

Ms. Cobbins 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** disclosed contact with proponents of #SP-2019-100. **Commissioner Philbrook** disclosed contact regarding #SP-2019-100 also. **Commissioner Johnson** disclosed (inaudible).

Ms. Cobbins read the items on the Planning and Zoning Consent Agenda.

Mayor Alvey asked if any member of the Commission or anyone in attendance tonight wished 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. **Commissioner Philbrook** said I would like to pull #SP-2019-100; not that I'm against it. I would like the community to hear about this project.

Action: **Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve the items on the Planning and Zoning Consent Agenda, except the set-aside item.** Roll call was taken on the motion and there were six "Ayes," Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 191022...CHANGE OF ZONE APPLICATION #3205 - JOE MCCLAUGHLIN WITH BHC RHODES

Synopsis: Change of zone from A-G Agriculture (WYCO) District to A-G Agriculture (City) District to subdivide the property into four lots at 13841 Marxen Road, submitted by Robin Richardson, Director of Planning. 13838 and 13841 Marxen Road consists of 147.99 acres. The Planning Commission voted 5 to 0 to recommend approval of Change of Zone Application #3205, subject to:

Urban Planning and Land Use Comments:

1. Lot 4 does not appear to have access to a public street. Because K-7 Highway is as state highway, Kansas Department of Transportation (KDOT) must approve an access point onto their right-of-way.

The plat says Access Court Case No. 26152-B; however, in the future when K-7 is improved and right-of-way access is restricted, the lot will become landlocked, which violates the subdivision code.

Applicant Response: Lot 4 has been removed from the plat.

2. The plat needs to address the K-7 Corridor Study and Access Management Plan, which affects the west property lines of Lots 1, 3 and 4. Please revise the plat accordingly that includes the proposed right-of-way along K-7.

K-7 Corridor Study and Access Management Plan: <http://www.ksdot.org/projects.asp>

Applicant Response: The K-7 Corridor Study and Access Management concept is shown on the revised preliminary plat. Per the Corridor Study, the exact location, design and right-of-way cannot be determined from these concepts and could be different from what is shown. Due to the inexact and conceptual nature of the Corridor Study, it is not shown on the final plat. Plats, which become part of the historic public record, show facts (current to the date of the survey) as they relate to the property, they should not display concepts or preliminary plans.

Staff Response: The plat must show an 80' collector right-of-way in the location shown on the plan.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations):
 - a. The plat shall be revised to address the K-7 Corridor Study and Access Management Plan. Further discussion with staff is required.
 - b. The County Surveyor makes separate technical review of the plat documents and submits comments directly to the preparer of the plat. Provide revised plat documents in accordance with County Surveyor comments.
 - c. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: none.

Staff Conclusion:

The 2008 City-Wide Master Plan specifically references the K-7 Corridor Access Management Plan because it was developed after the 2004 Prairie Delaware Piper Master Plan. It states property owners along K-7 should review the Corridor Management Plan to understand how future improvements may impact future development. Because the Corridor Plan is referenced in the Master Plan, the final plat must include right-of-way that is proposed in the plan.

Subject to approval, 60' right-of-way dedication shall be depicted on the plat, dividing Lot 3 in two, creating a new Lot 4 on the final plat. Staff will not record the final plat until the right-of-way is dedicated on the plat and GeoSpatial Services comments are corrected.

Action: Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve Change of Zone Application #3205, subject to the stipulations. Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 2 – 191023...CHANGE OF ZONE APPLICATION #3206 - TRAVIS WILSON WITH VERITAS ARCHITECTURE + DESIGN

Synopsis: Change of zone from C-1 Limited Business District to C-3 Commercial District for a mixed use, single-family residential with leasable commercial space at 1847 South 14th Street, submitted by Robin Richardson, Director of Planning. The applicant Jason Carter-Solomon with Invicta Real Estate is requesting the zoning for the .37 acres. The Planning Commission voted 5 to 0 to recommend approval of Change of Zone Application #3206 to CP-3 Planned Commercial District, subject to:

Urban Planning and Land Use Comments:

1. Review and respond to the attached Conservation District comments.
Applicant Response: The Conservation District comments have been reviewed. There are not specific requirements within the comments, just a general note that “this site needs some major maintenance work done to it.” We will work with the UG to determine the scope of the required maintenance.
2. Subject to approval, rezoning will be to CP-3 Planned Commercial District.
Applicant Response: Noted.
3. Subject to approval, a \$50 ordinance publication fee must be submitted to the Urban Planning and Land Use Department following the Unified Government Board of Commissioners’ meeting.
Applicant Response: Noted.
4. Sheet A001 under site zoning notes lists XXXX Feet. Correct these notes to reflect the accurate information.
Applicant Response: Notes on Sheet A001 have been updated.
5. Elevation views appear to be mislabeled on sheets A201 and A202. Correct this error on the elevation plans.
Applicant Response: The elevations have been relabeled on A201 and A202.
6. The rendering of the “south” elevation on sheet A201 “Painted hardie-board fascia board” appears to look different than what is shown in the rendering on G101. Confirm if this is the same material shown on both sheets. Will the actual design be a smooth finish as shown on A201 or a honeycomb finish as shown on G101? The window by the main door of the commercial portion also appears different in these two renderings. Correct to show what is actually being proposed.
Applicant Response: The honeycomb siding is existing to remain and will be painted, the elevations show the honeycomb now.

7. C-3 District regulations requires that trees are provided at a ratio of one per 7,000 square feet of site area. Based on the Unified Government Base Mapping system, this property is 16,328.75 square feet; requiring 3 trees, 2 of which must be shade trees with 2-inch caliper at the time of planting.
Applicant Response: Existing trees on site have been called out on Sheet A001 and should meet stated requirements.
8. Landscape notes are provided on sheet A001. Update these to call out specific varieties and sizes. Indicate landscaping location on the site plan. The rendering on G101 shows additional shrubbery and greenery that is not shown on the site plan. Update site plan to include these features.
Applicant Response: The landscape notes on Sheet A001 have been removed. The landscaping shown in the renderings is conceptual - if it were real, it would be located outside of the property line. This can be coordinated with the UG, should some of the “major site maintenance” fall within the UG ROW.
Staff Comment: Specific landscaping information, to include size and variety, will be required as part of the building permit process.
9. Six-foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned parking. Provide screening of the parking area for the residential uses to the east and north.
Applicant Response: Notes for screening have been added to Sheet A001.
10. Provide the square feet of the commercial portion. Parking is required at a standard of 4 spaces per 1,000 square feet of floor area.
Applicant Response: Per conversation with Anthony Hutchingson, we believe the commercial parking can be accommodated by on-street parking.
Staff Comment: Zoning regulations for C-3/CP-3 District requires off-street parking at a ratio of 4 spaces per 1,000 square feet. The commercial footprint is 822 square feet, requiring 4 off-street parking.
11. On the site plan, add dimensions of the proposed parking. Standard parking stall dimensions shall be not less than 9 feet by 19 feet, plus the necessary space for maneuvering into and out of the space.
Applicant Response: The previously shown off-street parking has been removed.
12. Parking shall be setback not less than six feet from any property line and not less than ten feet from any street right-of-way line.
Applicant Response: If it is determined that on-street parking is required, we will show new parking per the UG guidelines.
Staff Comment: See response to #10, regarding required parking ratio.
13. This appears to be a great re-use project for the community.

Additional stipulations from meeting:

1. The uses will be limited to the ones in the C-1 Limited Business District on the commercial side or a maker space created as the applicant described.
2. There will be no alcohol or tobacco sales, night club or four-plex.

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.
Applicant Response: Complete, engineered plans will be submitted for permitting, assuming rezoning is approved.

Action: Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve Change of Zone Application #3206 to CP-3 Planned Commercial District, subject to the stipulations. Roll call was taken on the motion and there were six "Ayes," Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 191024...SPECIAL USE PERMIT APPLICATION #SP-2019-77 - AURANGZEB KHAN WITH JAHAN ENTERPRISES, LLC

Synopsis: Special use permit for a dirt fill at 1215 Merriam Lane, submitted by Robin Richardson, Director of Planning. This application comes as a result of Building Inspection and Zoning enforcement action. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-77, subject to:

Business License Comments: If approved and the site charges any fee to dump fill dirt, the applicant would need to file the occupation tax application with this office for the landfill business activity.

Applicant Response: N/A - We already have the dirt on the site from previous contractor. They will be responsible to take care of that.

Urban Planning and Land Use Comments:

1. Review and respond to the attached Conservation District comments.
Applicant Response: OK.
Staff Response: Both the applicant and the contractor will need business licenses.
2. A Stop-Work Order was issued for 1215 and 1233 Merriam Lane in September of 2018 for demolition and fill without permits.
Applicant Response: I have already pulled permits.
Staff Comment: The applicant has applied for a grading and floodplain development permit. Those applications are still under review. The special use permit for fill must be approved and then the applicant must complete review for the additional permits.
3. A portion of this parcel is located within the floodplain and floodway of Turkey Creek. If any work, including dirt fill, is to be done in the floodplain or floodway, a Floodplain Development Permit shall be required. Photos taken by UG staff appear to show that fill material has been placed within portions of the floodplain and along the steep slope. Update site plan to reflect

this. Provide a detailed description of work that has been done in the floodplain or adjacent to the floodplain and the impact on Turkey Creek.

Applicant Response: Prints or plans already submitted to the City.

4. What are the hours of construction at the site?

Applicants Response: 7 am to 5 pm, Mon. to Fri.

5. How many daily truck trips are there to the site?

Applicants Response: I don't know, depends on contractor.

Staff Response: This question must be answered for the Planning Commission. Contact your contractor.

6. How long will it take to achieve the final grades needed to close the permit?

Applicant Response: 3 months.

7. Per the International Building Code, Appendix J, Section J107.4 Fill material shall not include organic, frozen or other deleterious materials. No rock or similar irreducible material greater than 12 inches (305 mm) in any dimension shall be included in fills. Photos taken by staff show that the material used does not meet this requirement. How do you intend to resolve this issue?

Applicant Response: Will either be removed or broken down.

8. Provide hauling routes.

Applicant Response: Part of Phillips/Hardy contract.

Staff Response: This question must be answered for the Planning Commission. Contact your contractor.

9. May also need to coordinate with the Kansas Department of Natural Resources and other state agencies and FEMA.

Applicant Response: We are in the process. R&B Architecture and Engineering to have communication and any permitting they need we will follow.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations):
 - a. Third party inspection shall be provided during the proposed remediation work. Prior to construction or starting any remediation work, the contractor and engineer shall coordinate with UG regarding third party inspection & requirements.
 - b. The UG will inspect the site as necessary during remediation work to ensure that erosion and sediment control measures are installed and effectively maintained in compliance with approved plans and permit.
 - c. Please note that work within or near Turkey Creek shall require the US Army Corps of Engineers notification, permit and/or approval. Please provide UG staff with the approval or permit documents, as applicable. The approval or notification documents shall be required prior to grading permit acquisition.
 - d. 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 Philbrook made a motion, seconded by Commissioner Johnson, to approve Special Use Permit Application #SP-2019-77 for two years, subject

to the stipulations. Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 2 – 191025...SPECIAL USE PERMIT APPLICATION #SP-2019-96 - JOE HEIDRICK WITH CACTUS BED PROPERTIES, LLC

Synopsis: Special use permit for a short-term rental/Airbnb at 3147 West 45th Avenue, submitted by Robin Richardson, Director of Planning. Mr. Heidrick and his wife wish to provide lodging for patients and hospital staff needing to remain within close proximity to KU Med Center. The maximum number of renters allowed to stay at the house will be limited to five and the maximum number of cars will be three. There is a long driveway on the property for the cars to park on. Street parking will not be necessary. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-96, subject to:

Urban Planning and Land Use Comments:

1. How will you communicate with the neighbors?
2. How will you pay appropriate lodging taxes?
3. How many rooms are rented?
Applicant has stated that there are two bedrooms in the house.
4. What is the maximum number of people that will be staying at any one time?
Applicant has stated that there will be a maximum of five guests staying at the house at any given time.
5. What is the maximum number of vehicles and where will they park?
Applicant has stated that there will be a maximum of three vehicles. They will park on the driveway. Street parking will not be necessary.
6. How often are guests in the residence?
Applicant has expressed intention to rent to patients and staff of the hospital, so presence in the residence would be as needed.
7. Do you have a rental license from the Unified Government?
Applicant has stated that they are in the process of obtaining a rental license for this property. They are waiting on inspection dates.
8. Provide a detailed description of the areas rented for Airbnb.

Describe how you will maintain a safe environment including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house
- b. GFCI outlets re 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
- 9. Approval for one year.

Public Works Comments: none.

Action: Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve Special Use Permit Application #SP-2019-96 for one year, subject to the stipulations. Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 3 – 191026...SPECIAL USE PERMIT APPLICATION #SP-2019-100 - DESIREE MONZIE WITH AVENUE OF LIFE, INC.

Synopsis: Special use permit for a transitional group home for teenagers at 3535 Wood Avenue, submitted by Robin Richardson, Director of Planning. The teens are referred by USD 500 as needed. This property has previously been used as a home for teens under different ownership (SP-2016-37 and renewal SP-2018-46). The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-100, subject to:

Urban Planning and Land Use Comments:

1. What is the maximum number of children that will be living in the home?
Applicant Response: The first year there will be between 5 and 12 girls, determined by the need and through referral from Kansas City, Kansas public schools. The home will house up to 30 youths, including boys. There are separate doors and housing for boys and girls. There is common space for meals and programs before and after school, as well as a large fenced backyard for recreation and activities.
2. What are the ages of the children that will be living there?
Applicant Response: The teens will be referred to the Avenue Youth House by the school district’s McKinney-Vento liaison. These youth will be high school students on pace toward graduation with a desire to move toward career/college. They will be high-school age, 16-18 years old.
3. Are there any staff members that will be living there as well? If so, how many?
Applicant Response: We do not currently plan to have any staff members living on site. Both approaches can be very effective with youth transitional housing. We have opted to have multiple shifts of staff rotating to ensure 24/7 oversight with a minimum of two staff on site at all times.
4. Will there be at least one staff member present at all times? How many staff members will be there on a regular basis?
Applicant Response: We will have two staff members on site at all times and sometimes more, depending on the programming designed for the development of the youth. There will also be

multiple high capacity professional volunteers on campus providing after school activities. During waking hours, one of the staff members will be from our case management team (social workers, therapists, etc.) and the other staff member will be a tech who will assist with the logistics of the program as well as providing a secure environment for our youth. Our staff and volunteers will have interior and exterior cameras and sensors on the windows to ensure the safety of the teens. The backyard has a 10 foot fence to ensure privacy and additional security. The home is ADA compliant, with fire sprinklers and magnetic doors throughout, as well as provided separate living areas for boys, girls, and/or individuals with disabilities.

5. In addition to going to school, will residents have jobs outside of the home? If so, what will be the mode of transportation?

Applicant Response: Our goal is to provide the stability and encouragement of what a youth would experience in a traditional home. The youth living at the house desire to graduate high school and move forward to career/college. If they would like to work part-time, we would encourage them toward that as an area of growth as well as help them understand the importance of time management, budgeting, and financial management. They could utilize public transportation or, if they have a vehicle, they would use their own vehicle.

6. Please explain how you intend to handle issues that may arise such as property damage, runaway youth, battery, etc.

Applicant Response: The youth living at the youth house will have ‘opted-in’ to live at the youth house and will have been vetted by the school district for being a good fit for the program of development that is being provided for them. The youth that will live in this home are not foster children nor are they required to live at the youth house through any state guardianship. Moving into this home will be their choice and it is being to provide them the stability they need to achieve their goals. Upon making the decision to live at the youth house, they will have agreed to the rules of the house such as treating one another with kindness and respect, and appropriate curfew, etc. While teenagers can make poor decisions from time to time, certain behaviors such as property damage or battery would be grounds for dismissal from the house.

7. Where will staff park?

Applicant Response: Applicant has stated that staff parking will be available in the parking lot of the church next door, Grace Lutheran Church. Applicant has provided a Shared Parking Agreement signed by the church representative.

8. Approved period for two years.

Business License Comments:

After SUP approval in 2016, application was filed with our office for group home operated as “THE BLUE DOOR PROJECT Inc.” If this application is made under that same organization, they have filed required supporting IRS documentation. If this application is being made under a different entity, they would need to file their own occupation tax application with this office.

Public Works Comments: none.

Ken Moore, Chief Legal Counsel, said, Mayor, I’d like to just remind the Commission that given the number of commissioners we have present here today, we only have seven. The only three alternatives that are available to you tonight on this action are one, to approve as recommended by

the Planning Commission with six votes. You have insufficient votes to change the recommendation of the Planning Commission or to deny the recommendation of the Planning Commission. The other two available actions would be six votes to refer it back to the Planning Commission with instructions. If it comes back, then it would only take six votes to adopt the Commission's recommendations. Or, to hold it over to the December meeting with six votes.

Commissioner Philbrook said, Mr. Moore, the only point of pulling the one off is for information and presentation so the community can see what it's about. It's not to vote it down or change it, so how does that affect? **Mayor Alvey** said we have sufficient votes. **Mr. Moore** said you have sufficient votes to approve it. **Commissioner Philbrook** said we're okay with that. **Mr. Moore** said you don't have sufficient votes to change it. **Commissioner Philbrook** said good. I just wanted to make sure.

Mayor Alvey asked staff to make some opening remarks.

Rob Richardson, Director of Planning, said this is an application for a youth group home. They're working with USD 500 and homeless teens in the district. It comes to you recommended unanimously by the Planning Commission.

Mayor Alvey asked the applicant to come forward to present the application.

Evelyn Hill, 640 Washington Blvd., said thank you for this opportunity to share a little bit about Avenue of Life and the youth home. As many of you know me, I am the former president of the Board of Education here in Kansas City, Kansas. While I was on the Board of Education, we discovered that we had 1,400 homeless youth. We, being the community, got together and we called ourselves KCLE, which is Kansas Community Leadership Enterprise. It also included the school district and other agencies here in KCK. We tried to come up with one thing we could do in the community that would really make an impact.

We decided that one thing we would do would be to decrease homelessness in the KCK school district. I am happy to say we were able to get that accomplished. We decreased homelessness in the school district by over 50%. It was not just our organization. Avenue of Life

was the anchor organization, but all the other organizations in the community that worked with us, we worked together to make a difference for these kids. Of course, it improved attendance. It improved many, many things by kids being and having a home.

In the midst of that whole process, we also discovered we had unaccompanied youth meaning we had kids who were couch surfing, spending the night at Walmart, getting up in the morning brushing their teeth at McDonald's. We tried to figure out what could we do to help these youths. We don't have any family shelters here in Wyandotte County. Again, here we are, Avenue of Life and other agencies, trying to figure out what can we do. We came up with the idea—the school district, Avenue of Life, and others, came up with the idea of let's have a youth home; not a youth shelter. Very different perspective. A youth home where they could call this home. We wanted to decorate it like a home. You get to eat quality meals, but not only that. The opportunity to learn entrepreneurial opportunities to learn how to sew, if you like; learn how to cook, just many, many other opportunities.

We would also have a licensed counselor on site. We'd have proper security on site. This is not necessarily for kids who are having behavioral problems. This is for kids who need a home. They would not come to Avenue of Life youth home unless they were referred to us from the school district.

I'm going to leave a few minutes also for our school district individual, Ms. Lisa Garcia, to share a few words with you. Thank you.

Lisa Garcia Stewart, 12817 Lathrop Ave., said just as Dr. Hill has shared, this partnership with Avenue of Life and KCLE is critical for our youth in our district. Our trajectory to keep them on time and on track to graduate is imperative that they have a stable home.

When a student enrolls into the district, they have to provide, or the family does, proof of residency through a utility bill; obviously have a guardian. We have unaccompanied youth, by no fault of their own, without a living parent or guardian perhaps because of a death or incarceration or if their family was deported, they're here living without a home. Any shelters that we—because we provide transportation—are in Missouri. This will provide them a stable home, a stable meal. They will be able to continue in their school of origin. They'll be able to maintain their education. From an educational standpoint, our role is to remove all those barriers if they qualify from a

McKinney-Vento event so they can stay in their school of origin. That is what we can provide in terms of their stability.

We are looking forward to maintaining this partnership for our unaccompanied youth so they can continue in their education, they can graduate, and we can provide them a stable place to live for our youth. Those scenarios that Dr. Hill provided are very real and very true for our families. We want to do everything we can to maintain their education and graduation.

Mayor Alvey opened the public hearing and asked is there anyone else who would like to speak in favor. (No one stepped forward.)

Mayor Alvey asked is anyone present in opposition who would like to speak to this. (No one stepped forward.)

Mayor Alvey closed the public hearing.

Mayor Alvey asked any comments or questions from the Commission.

Commissioner Philbrook said I want to thank you for coming forward. I want to tell folks that if they listen to this meeting, they need to go back to the Planning and Zoning meeting, pull that up and listen, and they'll be able to hear a more comprehensive example of what you are doing. Thank you so very much for your work.

Commissioner Johnson said I'd like to just also reiterate that. I certainly—beyond what they are apparently doing right now. Avenue of Life has been a positive change in Wyandotte County for many years. I've always said they have done a whole lot with a little bit of money. I'm just surprised with Dr. Hill coming here and just hearing her, she speaks very passionately. Desiree should be up here with them because she is the leader of the ship, so to speak. I want to acknowledge her as well. I have no doubt that this program will be successful. I think it will be so successful that it would be replicated in other areas, not only in the city or the region, but also in other areas of our state as well.

Action: Commissioner Johnson made a motion, seconded by Commissioner Philbrook, to approve Special Use Permit Application #SP-2019-100 for two years, subject to the stipulations. Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 4 – 191027...SPECIAL USE PERMIT APPLICATION #SP-2019-101 - JASON NEWMAN WITH EXZANCE PROPERTIES, LLC

Synopsis: Special use permit for a short-term rental/Airbnb at 4112 Booth Street, submitted by Robin Richardson, Director of Planning. The applicant has provided model business plan detailing maintenance, marketing, customer service, and safety. Pictures have also been provided. The applicant has stated that they anticipate the property to be rented out for approximately twenty days of the month. The applicant has also indicated that he spoke with neighboring properties prior to filing, and to date, no opposition has been registered. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-101, subject to:

Urban Planning and Land Use Comments:

1. Provide any updated pictures.
Applicant Response: Attached.
2. Were neighbors consulted prior to applying for the special use permit?
Applicant Response: Yes, spoke with the neighbors to the North and South.
3. How many people can your rental accommodate?
Applicant Response: 1-6. No more than 6.
4. What is the maximum number of vehicles and where will they park?
Applicant Response: 3. Park on the driveway and/or in the garage.
5. Do you have the appropriate licensure?
Applicant Response: Yes. Business license number is 10980-00406.
6. Have you paid appropriate lodging taxes?
Applicant Response: Not applicable yet. The hosting sites will pay the taxes once the guests begin to rent.
7. How often do you anticipate renting out your residence?
Applicant Response: I anticipate approximately 20 days a month.
8. Describe how you will maintain a safe environment including:
Applicant Response: Everything below is already in the business plan that has been submitted:
 - a. Working smoke detectors in each bedroom plus each level of the unit/house
Applicant Response: Yes
 - b. GFCI outlets are required in bathrooms
Applicant Response: Yes
 - c. Double keyed locks are not allowed
Applicant Response: not applicable

- d. Copper cannot be used for gas supply lines
Applicant Response: not applicable
 - e. Windows must be operable, not blocked or boarded
Applicant Response: Yes
 - f. Handrails are required at sets of 4 or more stairs/risers
Applicant Response: Yes
 - g. Hot water tank and furnace must be vented properly and operational
Applicant Response: Yes
 - h. Electric panel and circuits must be safe
Applicant Response: Yes
9. Approval period is for two years.

Public Works Comments: none.

Business Licensing Comments: If approved, applicant will need to file and maintain a current occupation tax application with this office.

Action: Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve Special Use Permit Application #SP-2019-101 for two years, subject to the stipulations. Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

VACATION APPLICATION

ITEM NO. 1 – 191029...VACATION APPLICATION #A-2019-5 - DANNY BOYLE WITH BOYLE MIDWEST, LLC

Synopsis: Vacation of an alley at 4141 and 4151 Fairbanks Avenue, submitted by Robin Richardson, Director of Planning. The alley is north of the applicant’s property. The Planning Commission voted 5 to 0 to recommend approval of Vacation Application #A-2019-5, subject to:

Urban Planning and Land Use Comments:

1. Staff cannot complete the review of the proposed right-of-way vacation without a survey of the proposed improvements along Fairbanks Avenue.
2. Without confirmation that there are no utilities within the right-of-way, a general utility easement must remain over the vacated right-of-way.

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 Philbrook made a motion, seconded by Commissioner Johnson, to approve Alley Vacation Application #A-2019-5, subject to the stipulations. Roll call was taken on the motion and there were six "Ayes," Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

PLAN REVIEW APPLICATIONS

ITEM NO. 1 – 191030...PLAN REVIEW APPLICATION #PR-2019-22 - BRENT THOMPSON WITH RENAISSANCE INFRASTRUCTURE CONSULTING

Synopsis: Preliminary and final plan review for the continuation of manufacturing food products, office and warehouse at 111 Southwest Boulevard, submitted by Robin Richardson, Director of Planning. The applicant, Don Bucher, Esq., with Gould Thompson and Bucher PC, on behalf of the owners, 111 Southwest Boulevard, LLC, has filed a plan review to set the overall parking count for the 55,250 square foot industrial warehouse which has not been established previously and plat one industrial lot. The Planning Commission voted 5 to 0 to recommend approval of Plan Review Application #PR-2019-22, subject to:

Urban Planning and Land Use Comments:

1. Sec. 27-469(e) For buildings larger than 50,000 square feet, the parking required for increments over 50,000 square feet will be determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government Board of Commissioners shall make the final determination upon recommendation of the Planning Commission.
It does not appear that parking total was established when this building was constructed, so staff is retroactively requesting the City Planning Commission to allow the existing 33 parking spaces to be the required parking for this industrial business, which includes manufacturing of food products, office and warehouse.
2. A right-of-way use agreement with the Public Works Department must be filed and recorded prior to recording the plat. The final plat shall list the agreement's book and page on the mylars.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations):
 - a. The applicant shall coordinate with UG Public Works for a right-of-way use agreement for the parking area on the northside of the property within the right-of-way of the intersection of Eaton Street and Southwest Boulevard.

- b. 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. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: none.

Action: Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve Plan Review Application #PR-2019-22, subject to the stipulations.

Roll call was taken on the motion and there were six "Ayes," Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 2 – 191031...PLAN REVIEW APPLICATION #PR-2019-23 - CHRIS HERRE WITH ROSE DESIGN GROUP, INC.

Synopsis: Preliminary and final plan review for an ice manufacturing and distribution facility at 1901 South 45th Street, submitted by Robin Richardson, Director of Planning. The plan calls for new construction of a one story, 17,894 square foot ice manufacturing and distribution facility located in the Ridge Business Park. The Planning Commission voted 5 to 0 to recommend approval of Plan Review Application #PR-2019-23, subject to:

Urban Planning and Land Use Comments:

General Planning

1. Review and respond to the attached Conservation District comments.
Applicant Response: Acknowledged, see herein.
2. All truck traffic must travel along South 45th Street. No truck traffic is to travel east on Douglas Avenue.
Applicant Response: Acknowledged.
3. Sec. 27-469 (e) requires that uses in the district have paved off-street parking at a ratio necessary to serve the employees, visitors, customers, and others who may be on the premises. No less than one space for each 500 square feet of building floor area is to be provided. Based on the building square feet of 17,894 sf, 36 parking spaces are required for employees, visitors, customers, etc. Parking spaces designated for vehicles delivering or providing service to the business are not included in this count. On the site plan, only 33 spaces are shown for customers. Revise to meet the 36-space requirement.
Applicant Response: Three additional parking spaces added to meet the requirement of 36 spaces.
4. On the Site Plan sheet C-2, two numbers are provided for building square feet. On the drawing it is shown as 17,894 SF; however, in the Building and Lot Data chart, it is shown as 17, 722 SF. Correct this to reflect the accurate numbers.
Applicant Response: Square footage updated accordingly to 17,894 for consistency.
5. Provide further detail on the delivery trucks to be parked in the delivery truck parking spaces. Will they be disconnected from the cabs? How long will they remain parked at a time? Sec. 27-

469(c)2 states that no equipment, material or vehicles, other than operable motor passenger cars, may be kept, parked, stored or displayed closer than 25 feet to a street line unless such area is screened from the street by a solid fence or other obstruction, setback not less than six feet from the street line and not less than three feet in height. Provide screening, fence, and landscaping details along Douglas Avenue.

Applicant Response: Delivery trucks are out during the day making deliveries and stored overnight. Setback has been increased.

Building Architecture

1. Review the attached material palette from the Ridge Business Park Architectural Design Suggestions. Incorporate elements from this design guideline into the building façade.

Applicant Response: The cooler and freezer insulated metal wall panels from metals sales are very similar in design to the development standard “Centria Versawall” insulated wall panels (see attached brochure). We have added horizontal architectural metal panels as an accent feature to the west building elevation. This matches the development standard wall panel “Centria CS-620” (see attached brochure).

2. Downspouts shall be internalized.

Applicant Response: Metal building construction type does not allow for internalized downspouts with exposed gutters. Downspouts will match in color of the metal panels.

3. All lighting shall have 90-degree cutoff fixtures. Any lighting that is physically mounted to the building shall be decorative and have 90-degree cutoffs, as not to cast on adjacent properties and public right-of-way.

Applicant Response: Acknowledged.

Landscape and Screening

1. Review and incorporate elements from attached The Ridge Business Park Hardscape/Landscape Design Guidelines.

Applicant Response: See revised plan.

2. Existing tree line to remain between building/parking area and I-635.

Applicant Response: Acknowledged.

3. Trees are required to be provided at not less than 1 per 10,000 square feet of site area. Based on a site area of 141,570 square feet, 15 trees are required, 8 of which must be shade trees with minimum 2-inch caliper at the time of planting.

Applicant Response: See revised plan.

4. All utility connections (including transformer boxes) must be screened with landscaping or an architecturally designed screen wall. All utility mounts on the wall must be painted to match the building.

Applicant Response: See revised plan.

5. Rooftop mechanical equipment shall be screened from public view on all sides by a parapet.

Applicant Response: All mechanical equipment is ground mounted and will be screened as shown on the landscape plan.

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

Applicant Response: Trash enclosure is faced with face brick being used on the building. Height of wall is 7' - 4" tall.

7. BPU transformer pad shall be completely screened on all sides with 6' junipers setback 10 feet from the door opening and 3 feet from the remaining three sides of the pad.

Applicant Response: See revised plan.

8. Per the Ridge Business Park Tenant Design Guidelines, street trees should be planted at a minimum of 3 per 100 linear feet.

Applicant Response: See revised plan.

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 Philbrook made a motion, seconded by Commissioner Johnson, to approve Plan Review Application #PR-2019-23, subject to the stipulations. Roll call was taken on the motion and there were six "Ayes," Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

MISCELLANEOUS - ORDINANCES (Final action on previously approved items)

ITEM NO. 1 – 191032...AN ORDINANCE

Synopsis: An ordinance rezoning property at 3801 Leavenworth Road (#3159) from C-1 Limited Business District to CP-2 Planned General Business District, submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-65-19**, "An ordinance rezoning property hereinafter described located at 3801 Leavenworth Road (#3159) in Kansas City, Kansas, by changing the same from its present zoning of C-1 Limited Business District to CP-2 Planned General Business District." **Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken on the motion and there were six "Ayes," Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 2 – 191033...AN ORDINANCE

Synopsis: An ordinance rezoning property at 7615 Swartz Road (#3199) from R-1 Single Family District to A-G Agriculture, submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-66-19**, “An ordinance rezoning property hereinafter described located at approximately 7615 Swartz Road (#3199) in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District.” **Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 3 – 191034...AN ORDINANCE

Synopsis: An ordinance rezoning property at 3101 Strong Avenue (#3200) from C-1 Limited Business District to CP-3 Planned Commercial District, submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-67-19**, “An ordinance rezoning property hereinafter described located at 3101 Strong Avenue (#3200) in Kansas City, Kansas, by changing the same from its present zoning of C-1 Limited Business District to CP-3 Planned Commercial District.” **Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 4 – 191035...AN ORDINANCE

Synopsis: An ordinance rezoning property at 1028 Sandusky Avenue (#3203) from R-1(B) Single Family District to R-2(B) Two Family District, submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-68-19**, “An ordinance rezoning property hereinafter described located at approximately 1028 Sandusky Avenue (#3203) in Kansas City, Kansas, by changing the same from its presenting zoning of R-1(B) Single Family District to R-2(B) Two Family District.” **Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

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 Johnson made a motion, seconded by Commissioner Philbrook, to approve the Regular Consent Agenda.** Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 1 – 19981...GRANT: CHIP COORDINATION

Synopsis: Request to submit a Community Health Improvement Plan (CHIP) Coordination Grant application and accept if awarded from the Health Forward Foundation in the amount of \$174,000, submitted by Terry Brecheisen, Director of Public Health. The in-kind match will be provided by staff. On October 21, 2019, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 2 – 19987...ORDINANCE: AMENDING THE UNLAWFUL DUMPING ORDINANCE

Synopsis: An ordinance amendment offering a reward of \$250 to any person that provides information materially contributing to a conviction of unlawful dumping, amending Section 31-12, submitted by Daniel Kuhn, Assistant Counsel. On October 21, 2019, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-69-19**, “An ordinance relating to Chapter 31, amending Section 31-12 regarding unlawful dumping.” **Commissioner Johnson made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 3 – 19983...RESOLUTION: DONATION OF A 2005 SEAGRAVE FIRE APPARATUS

Synopsis: A resolution authorizing the donation of a 2005 Seagrave fire apparatus, which is obsolete, to The Village of Birmingham, Missouri Fire Department, submitted by Michael Callahan, Fire Chief. On October 21, 2019, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-66-19**, “A resolution authorizing the donation of equipment (2005 Seagrave) from the Kansas City, Kansas Fire Department to the Village of Birmingham, Missouri.” **Commissioner Johnson made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 4 – 191020...NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Thomas Gordon - Area Wide Advisory Council and Aging Wyandotte/Leavenworth, 10/31/19 to 5/30/21, submitted by Mayor David Alvey

Broderick Crawford - Housing Authority, 10/31/19 - 3/31/22, submitted by Commissioner Tom Burroughs

Action: Commissioner Johnson made a motion, seconded by Commissioner Philbrook, to approve. Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 5 - MINUTES

Synopsis: Minutes from regular session of September 26, 2019.

Action: Commissioner Johnson made a motion, seconded by Commissioner Philbrook, to approve. Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

ITEM NO. 9 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated October 17 and 24, 2019.

Action: Commissioner Johnson made a motion, seconded by Commissioner Philbrook, to receive and file. Roll call was taken on the motion and there were six “Ayes,” Burroughs, Townsend, Johnson, Walters, Philbrook, Bynum.

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES’ AGENDA

No items

ADMINISTRATOR’S AGENDA

No items

COMMISSIONERS' AGENDA

No items

LAND BANK BOARD OF TRUSTEES' AGENDA

No items

PUBLIC ANNOUNCEMENTS

No items

**MAYOR ALVEY
ADJOURNED THE MEETING AT 7:26 P.M.
October 31, 2019**

Bridgette D. Cobbins
Unified Government Clerk

cg

October 31, 2019