

**DECEMBER 3, 2020 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89503754603?pwd=TDZ0bmhvTms3S2ZqNS9iN1ZNRjkwUT09>

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- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY COMMISSIONER HAROLD JOHNSON, FAITH DELIVERANCE CHURCH OF GOD IN CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, DECEMBER 3, 2020 AGENDA**
- VI. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Planning & Zoning Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Planning & Zoning Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Planning & Zoning Consent Agenda are viewed as a single group and voted on with one vote.)
- VII. MAYOR'S AGENDA**
- VIII. PLANNING AND ZONING CONSENT AGENDA**
- IX. PLANNING AND ZONING NON-CONSENT AGENDA**
- X. REGULAR CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. ADMINISTRATOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

VII. MAYOR'S AGENDA

1. RESOLUTION: EXTENDING THE STATE OF LOCAL HEALTH EMERGENCY FOR THE COVID-19 PANDEMIC

Synopsis: A resolution extending the state of local health emergency for the COVID-19 pandemic for the County of Wyandotte, Kansas through March 15, 2021, submitted by Jeff Conway, Assistant Counsel.

Tracking #: 20541

PLANNING AND ZONING AGENDA

VIII. PLANNING AND ZONING AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. #3229 - CHASE THOMPSON

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 1959 South 51st Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20540

2. #3230 - CHASE THOMPSON

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for gardening, raising flocks, pond and growing trees at 2025 South 51st Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20542

3. #3238 - NEAL DAZEY AND LAUREN TWEEDIE

Synopsis: Change of Zone from M-2 General Industrial District to R-2(B) Two Family District for an existing home at 809 Southwest Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20543

4. #3239 - MICHAEL J. COONS AND CHRISTINE SCIOLARO

Synopsis: Change of Zone from M-2 General Industrial District to R-2(B) Two Family District for an existing home at 815 Southwest Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20544

5. #3240 - ANDREA WEISHAUBT WITH ATLAS SURVEYORS

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family subdivision at 2951 North 115th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR**

APPROVAL)

Tracking #: 20545

B. SPECIAL USE PERMIT APPLICATIONS

1. #SP-2020-72 - KAREN AND NATHANIEL SCHOTANUS WITH RANGE 23 BREWING

Synopsis: Special Use Permit for a microbrewery at 13400 Donahoo Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 20546

2. #SP-2020-73 - BILL AND MARY BASLER

Synopsis: Special Use Permit for an event space with live entertainment at 13400 Donahoo Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 20547

3. #SP-2020-88 - PAUL RIDGWAY

Synopsis: Home Occupation Special Use Permit for a personal trainer at 419 Armstrong Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 20548

4. #SP-2020-92 - TREBOR AND ELIZABETH ROSS

Synopsis: Special Use Permit for farm animals (chickens, goats and cows) at 1700 South 38th Street, **(previous Special Use Permit expired 1/2/2020)**, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 20549

5. #SP-2020-93 - DANIEL CHANG WITH EVERGREEN DAYCARE

Synopsis: Renewal of a Special Use Permit for a day care center at 1030 Orville Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL FOR 10 YEARS)

Tracking #: 20538

6. #SP-2020-94 - DOUG CLEMENTS WITH USD #500

Synopsis: Special Use Permit for a staff parking lot at John Fiske Elementary School at 616 South Valley Street, **(previous Special Use Permit expired 1/11/2020)**, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL FOR 5 YEARS)

Tracking #: 20550

7. #SP-2020-95 - TRENT GADDY WITH JULES BOREL AND COMPANY

Synopsis: Special Use Permit to allow the receiving of inventory at the dock, storage within the building interior and shipping at 1223 Meadowlark Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 20551

8. **#SP-2020-96 - RYAN DENK WITH MCANANY VAN CLEAVE & PHILLIPS, P.A.**

Synopsis: Renewal of a Special Use Permit to allow tractor trailer truck parking at 7949 Splitlog Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 20552

C. MISCELLANEOUS - ORDINANCES (Final action on previously approved items)

1. AN ORDINANCE authorizing a Special Use Permit (#SP-2020-48) for continuation of an auto body shop at 5015 Gibbs Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751, **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20554

2. AN ORDINANCE authorizing a Special Use Permit (#SP-2020-75) for continuation of a group home/emergency shelter at 1634 South 29th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20555

3. AN ORDINANCE authorizing a Special Use Permit (#SP-2020-76) for continuation of a day care center at 2605 West 39th Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20556

4. AN ORDINANCE authorizing a Special Use Permit (#SP-2020-81) for temporary lodging for families of patients at The University of Kansas Health System at 4146 State Line Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20558

5. AN ORDINANCE authorizing a Special Use Permit (#SP-2020-83) for continuation of live entertainment at 11255 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20559

6. AN ORDINANCE authorizing a Special Use Permit (#SP-2020-84) for the continuation of a Short-Term Rental/AirBNB at 4112 Booth Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR**

APPROVAL)

Tracking #: 20562

7. AN ORDINANCE authorizing a Special Use Permit (#SP-2020-85) for an earthen fill at 732 North 57th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 20563
8. AN ORDINANCE authorizing a Special Use Permit (#SP-2020-87) for the Temporary Use of Land for a modular classroom for M. E. Pearson Elementary School at 310 North 11th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 20568
9. AN ORDINANCE rezoning property at 13635 Hollingsworth Road (#3232) from AG (WYCO) Agriculture District to R-1 Single Family District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 20569

IX. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. **#3223 - BRAD HAYMOND WITH NORTHPOINT DEVELOPMENT**
Synopsis: Change of Zone from A-G Agriculture District to RP-5 Planned Apartment District for future apartment complex development at 11501 Parallel Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.
(RECOMMENDED FOR APPROVAL - 6/1 VOTE)
Tracking #: 20539

B. MASTER PLAN AMENDMENT

1. **#MP-2020-4 - BRAD HAYMOND WITH NORTHPOINT DEVELOPMENT**
Synopsis: Master Plan Amendment from Planned Commercial and Business Park (Prairie Delaware Piper Master Plan) to High Density Residential (City-Wide Master Plan) at 11501 Parallel Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 7/0 VOTE)**
Tracking #: 20553

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR DECEMBER 3, 2020

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2019.

NOTE: This information cannot serve as the basis for approval or denial of an application. It

is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.

REGULAR AGENDA

X. REGULAR CONSENT AGENDA

1. **ORDINANCE: KANSAS CITY LEVEES PROJECT ALONG ARGENTINE, ARMOURDALE AND CID LEVEE SYSTEM – CMIP 5057**

Synopsis: An ordinance directing the Chief Counsel to institute eminent domain proceedings to acquire land for the Kansas Cities Levees Flood Risk Management Project along the Kansas River, CMIP 5057, submitted by James Bain, Assistant Counsel.

On August 15, 2019, the Commission unanimously adopted Resolution No. R-52-19, declaring the project to be a necessary, valid public improvement project and authorizing a survey to identify and describe the property to be acquired.

Tracking #: 20522

2. **ADOPTION: 2021 STATE LEGISLATIVE PROGRAM**

Synopsis: Adoption of the 2021 State Legislative Program, submitted by Mike Taylor, Public Relations Director.

The legislative program was presented to the Commission and the Wyandotte County Legislative Delegation during a special session on November 19, 2020.

Tracking #: 20557

3. **RESOLUTION: SAFE ROUTES TO SCHOOL, PHASE G, CARL B. BRUCE MIDDLE SCHOOL AND CARUTHERS ELEMENTARY SCHOOL (CMIP NO. 3037)**

Synopsis: A resolution declaring Safe Routes to School, Phase G, Carl B. Bruce Middle School and Caruthers Elementary School (CMIP No. 3037) to be a necessary and valid improvement project and authorizing a survey of lands for said project, submitted by James Bain, Assistant Counsel.

*On November 16, 2020, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 20495

4. **RESOLUTION: ADDENDUM TO AGREEMENT WITH BONNER SPRINGS FOR SERVICES TO UNINCORPORATED AREA OF LORING**

Synopsis: A resolution authorizing the Mayor to sign an addendum to the Interlocal Cooperation Agreement between the Unified Government and the City of Bonner Springs, Kansas, to provide street maintenance and emergency services to the unincorporated area of Loring in 2021, submitted by Chase Cook, Assistant Counsel.

*On November 16, 2020, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 20498

5. **PLAT: PIPER LAKE NORTH**

Synopsis: Plat of Piper Lake North located at 124th Meadow Lane, being developed by Mutual Savings Association FSA, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 20564

6. **PLAT: COPART II**

Synopsis: Plat of COPART II located at 88th and Gibbs Road, being developed by Copart of Kansas, Inc., submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 20565

7. **PLAT: ROTTINGHAUS ADDITION**

Synopsis: Plat of Rottinghaus Addition located at 139th (K-7) and Hollingsworth Road, being developed by Tom Rottinghaus, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 20567

8. **PLAT: KAW VALLEY DRAINAGE DISTRICT FIRST REPLAT**

Synopsis: Plat of Kaw Valley Drainage District First Replat located at 24th St. and Cheyenne Avenue, being developed by Kaw Valley Drainage District, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Tracking #: 20566

9. **MINUTES**

Synopsis: Minutes from special session of November 5, 2020.

Tracking #: MINUTES

10. **WEEKLY BUSINESS MATERIAL**

Synopsis: Weekly business material dated November 19, 2020.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

1. **PRESENTATION/ACTION: TRAIL NETWORK DEVELOPMENT PROGRAM**

Synopsis: Presentation on the Trail Network Development Project, submitted by Angel Obert, Assistant Director of Parks & Recreation. Staff is looking to the Commission to determine which trail to fund.

*On November 16, 2020, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to advance to full commission for a decision regarding which trail to fund in Phase 1.*

Tracking #: 20507

XIII. ADMINISTRATOR'S AGENDA

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN



Staff Request for Commission Action

Tracking No. 20541

Full Commission Meeting Date: 12/3/20

Committee: Full Commission

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

Publication Required: No

<u>Date:</u> 11/23/2020	<u>Contact Name:</u> Jeffrey Conway	<u>Contact Phone:</u> x5075	<u>Contact Email:</u> jconway@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> A resolution extending the state of local health emergency for the COVID-19 pandemic for the County of Wyandotte, Kansas through March 15, 2021, submitted by Jeff Conway, Assistant Counsel.				
<u>Action Requested:</u> To adopt the resolution.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Mayor's Declar 60-day w Commiss.ext to 3-15-21				

(Published _____)

RESOLUTION NO. _____

A RESOLUTION EXTENDING THE STATE OF LOCAL HEALTH EMERGENCY FOR THE COVID-19 PANDEMIC FOR THE COUNTY OF WYANDOTTE, KANSAS, THROUGH MARCH 15, 2021.

WHEREAS, on the 13th day of March, 2020, the Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas declared there was a state of local public disaster emergency in Wyandotte County, Kansas, resulting in potential or occurring pandemic known as COVID-19, in Wyandotte County, Kansas;

WHEREAS, on the 19th day of March, the Unified Government Commission adopted Resolution R-18-20 extending the state of local public health emergency until May 18, 2020;

WHEREAS, on the 14th day of May, 2020, the Unified Government Commission adopted Resolution R-30-20, extending the state of local public health emergency until July 17, 2020;

WHEREAS, on the 9th day of July, 2020, the Unified Government Commission adopted Resolution R-37-20, extending the state of local public health emergency until September 15, 2020;

WHEREAS, on the 3rd day of September, 2020, the Unified Government Commission adopted Resolution R-66-20, extending the state of local public health emergency until December 15, 2020;

WHEREAS, during the initial periods stated in K.S.A. 48-932(a), and as extended, the Unified Government had authority under the declaration to take swift action to begin coping with the COVID-19 local public health emergency, but more measures and a longer-range focus may be necessary under the evolving circumstances;

WHEREAS, the threat to the public health from the COVID-19 pandemic continues, as evidenced by: recent surges in the testing positivity rates, case rates per 100,000 population, number of deaths, death rates per 100,000 population, and the rolling 7-day average of new cases per day (which tripled in the past eight weeks); the two cohorts with the highest numbers of cases being those aged 20-29 and 30-39; and the dwindling numbers of available beds, ventilators, and staffing in our hospitals;

WHEREAS, on the 16th day of November, 2020, the Local Health Officer issued an Emergency Public Health Order, following the issuance of an advisory by the regional health directors in the Kansas City metro area on November 13, 2020, to restrict certain facilities and venues in the county, to limit occupancy and add mask and distancing restrictions, to add restrictions on businesses serving food or drink, and to prohibit large public gatherings;

WHEREAS, as of November 20, 2020, there have been 134,533 confirmed cases of COVID-19 in Kansas with 1,410 deaths, of which 10,529 confirmed cases and 177 deaths were attributed to Wyandotte County;

WHEREAS, the Unified Government Board of Commissioners has the authority to further extend the declaration beyond December 15, 2020 as such conditions continue to endanger the public health, safety and welfare of persons within the borders of Wyandotte County, Kansas and to align the response of the Unified Government with the response of the State of Kansas in addressing this emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

1. That the state of local public health emergency in Wyandotte County, Kansas, initially declared on the 13th day of March 2020, shall continue and remain in effect through March 15, 2021, unless terminated earlier.
2. That the response and recovery aspects of all local disaster plans which are applicable to Wyandotte County, Kansas, shall initiate the rendering of aid and assistance thereunder.
3. That any rights or powers lawfully exercised or any actions taken pursuant to local disaster emergency plans shall continue and have full force and effect as authorized by law through March 15, 2021, unless modified or terminated in the manner prescribed by law.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS
CITY, KANSAS, THIS _____ DAY OF _____, 2020.**

Approved:

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk



Urban Planning and Land Use

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

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

To: Unified Government Board of Commissioners

From: Urban Planning and Land Use Staff

Date: December 3, 2020

Re: Change of Zone Petition # 3229

GENERAL INFORMATION

Applicant:
Chase Thompson

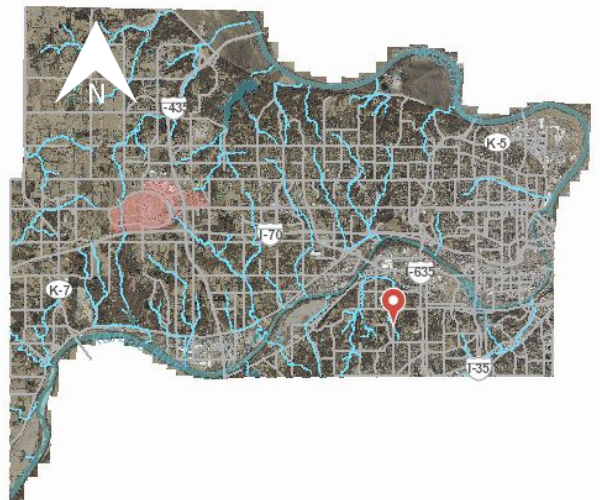
Status of Applicant:
Property Owner
1959 South 51st Street
Kansas City, Kansas

Requested Action:
Approval of a Change of
Zone.

Date of Application:
June 26, 2020

Purpose:
Change of Zone from R-1 Single
Family District to A-G Agriculture
District.

Property Location:
1959 South 51st Street
Kansas City, Kansas 66106



Commission Districts:	Commissioner At Large: Tom Burroughs District Commissioner: Angela Markley
Existing Zoning:	R-1 Single Family Residential District
Adjacent Zoning:	North: R-1 Single Family District South: R-1 Single Family District East: R-1 Single Family District West: R-1 Single Family District
Adjacent Uses:	North: Single Family Home South: Single Family Home East: Single Family Home West: Single Family Home
Total Tract Size:	4.97 Acres
Master Plan Area:	This property is not within the boundaries of a Master Plan Area.
Master Plan Designation:	The City-Wide Master Plan designates this property as Low-Density Residential.
Major Street Plan:	The Major Street Plan classifies 51 st Street as a Local Street.
Required Parking:	Sec. 27-454 states that in R-1 Single Family District, two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport. Sec. 27-452 states that in A-G Zoning, two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling.
Advertisement:	<u>The Wyandotte Echo</u> – July 16, 2020 Letters to Property Owner – July 16, 2020, August 10, 2020, September 14, 2020, November 9, 2020 and November 25, 2020
Public Hearings:	November 9, 2020 and December 3, 2020
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Chase Thompson, is applying for a Change of Zone from R-1 Single Family Residential District to A-G Agriculture District at 1959 South 51st Street. The applicant would like to grow trees and have crops on the property someday but does not intend to operate a commercial farm.

There have been three (3) Notices of Violation on this property. One (1) in 2003 for vehicles on an unimproved surface. One in 2012 for debris and weeds, another in 2012 for fire damage and debris, and another in 2013 for a shed that shed that needed to be torn down.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is largely undeveloped land with a few single-family homes on large lots to the North, South, East and West.

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

The zoning and uses of properties nearby are laid out above. The proposed change of zone to AG Agriculture is compatible with nearby properties because they are also zoned AG.

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

The property is suitable for agricultural uses and/or single-family residence. Removal of restrictions is not detrimental to nearby property as it is a large enough lot where some agricultural uses are already allowed by right, and there are existing A-G designations to the South and because the property is adjacent to other undeveloped parcels.

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

The property has been vacant for approximately 2012. It is currently undeveloped.

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

The proposed Change of Zone is not reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property as long as development does not encroach the public right-of-way.

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

The proposed use may increase traffic or parking demand, depending on what types of equipment are used. The applicant has stated that they will not have customers come to the property, so there will be no increase in traffic or parking problems.

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

The Master Plan designates this property as Low-Density Residential. The proposed use could conform to the Master Plan because only one (1) single-family home is allowed on properties that are zoned A-G.

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

The proposed use could cause environmental harm if harmful chemicals are used to treat plants or materials used for agricultural purposes are not properly disposed of. If the applicant plants a greater diversity of trees, the environment would be enhanced.

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

a. *Water service*

Unavailable

b. *Sanitary sewer service*

Unavailable

c. *Storm water control*

Unavailable

d. *Police*

Police service is provided by District #334.

e. Fire

Fire service is provided by Station #17.

f. Transit

KCATA does not provide transit in this area.

g. Schools

Public education is provided by Turner USD 202.

h. Streets

See item #6 above.

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

The proposed change of zone would allow the applicant to use the property for agricultural uses, which would provide food to be bought and sold. The applicant has stated that they do not plan to do this. No change of economic impact is expected.

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

The proposed use would be capable of meeting applicable ordinance requirements.

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

The proposed use provides a benefit to the public health, safety, and welfare. If denied, the landowner would not be able to use the land in a commercial manner but would be able to build a single-family house and use it as their primary residence or rent it out.

PREVIOUS ACTIONS

BOZA #2398
BOZA #2399
COZ #3230

NEIGHBORHOOD MEETING

Due to the COVID-19, the applicant sent a letter to neighboring property owners detailing the proposal and including contact information. This letter was sent out on July 15, 2020. No responses were received.

KEY ISSUES

Keeping of Livestock
Chemical Runoff from Agricultural Uses

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone Application #3229, subject to:

1. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;
2. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations [Article XIV, Sec. 8-610 through Sec. 8-618]. Land Disturbance permit and all applicable Public Works during the land disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 N 7th Street, KS 66101, 913-573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Department, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, 913-573-8620; and,
3. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified government Board of Commissioners meeting. If the check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #3229 subject to all conditions outlined in this staff report(s) and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Zoning Map
Aerial Map
Site Photographs Provided by Staff, Dated July 16, 2020

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	November 9, 2020	December 3, 2020
Special Use	Approval	

STAFF CONTACT: **Shana Shanteau**
 sshanteau@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#3229** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#3229**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 1:37:36 and the applicant was not present; the application was recalled at 3:29:50 and the applicant was not present (Note: He was present at the Board of Zoning Appeals meeting and may have thought he was finished):

CHANGE OF ZONE APPLICATION #3229 – CHASE THOMPSON – SYNOPSIS:

Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 1959 South 51st Street. **Detailed Outline of Requested Action:** The applicant, Chase Thompson, is applying for a Change of Zone from R-1

Single Family Residential District to A-G Agriculture District at 1959 South 51st Street. The applicant would like to grow trees and have crops on the property someday but does not intend to operate a commercial farm. There have been three (3) Notices of Violation on this property. One (1) in 2003 for vehicles on an unimproved surface. One in 2012 for debris and weeds, another in 2012 for fire damage and debris, and another in 2013 for a shed that needed to be torn down.

CHANGE OF ZONE APPLICATION #3230 – CHASE THOMPSON – SYNOPSIS:

Change of Zone from R-1 Single Family District to A-G Agriculture District for gardening, raising flocks, pond and growing trees at 2025 South 51st Street. **Detailed Outline of Requested Action:** The applicant, Chase Thompson, is applying for a Change of Zone from R-1 Single Family Residential District to A-G Agriculture District at 2025 South 51st Street. In the future, the applicant would like to have a garden, fishpond, and tree farm as a hobby. No commercial activity is proposed for this property. There have been no Notices of Violation on this property. There is a home on the property and it is currently the applicant's primary residence.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The testimony at the Board of Zoning Appeals meeting;
7. The Notice in the Wyandotte Echo; and,
8. The Notices to property owners.

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

Present in Support:

- No one appeared

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:30:40: Planning Director Hand stated that Mr. Thompson was present for the Board of Zoning Appeals meeting and may have thought his Change of Zone applications were approved with his Board of Zoning Appeals cases earlier this evening.. He stated that since both appeals were approved at the Board of Zoning Appeals meeting that allows Change of Zone Applications #3229 and #3230 to move forward. Mr. Thompson lives on the property for Change of Zone #3230 and he wants to maintain and enhance the biodiversity on both pieces of property. He stated that these properties have not had any Notices of Violation and the staff has not received any support or opposition. Staff recommends approval of both applications subject to the conditions in the staff report.

Motion and Vote starts at 3:33:00:

On motion by Mr. Ernst, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application **#3229**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

1. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;
2. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations [Article XIV, Sec. 8-610 through Sec. 8-618]. Land Disturbance permit and all applicable Public Works during the land disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 N 7th Street, KS 66101, 913-573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Department, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, 913-573-8620; and,
3. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified government Board of Commissioners meeting. If the check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mr. Ernst, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application **#3230**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye

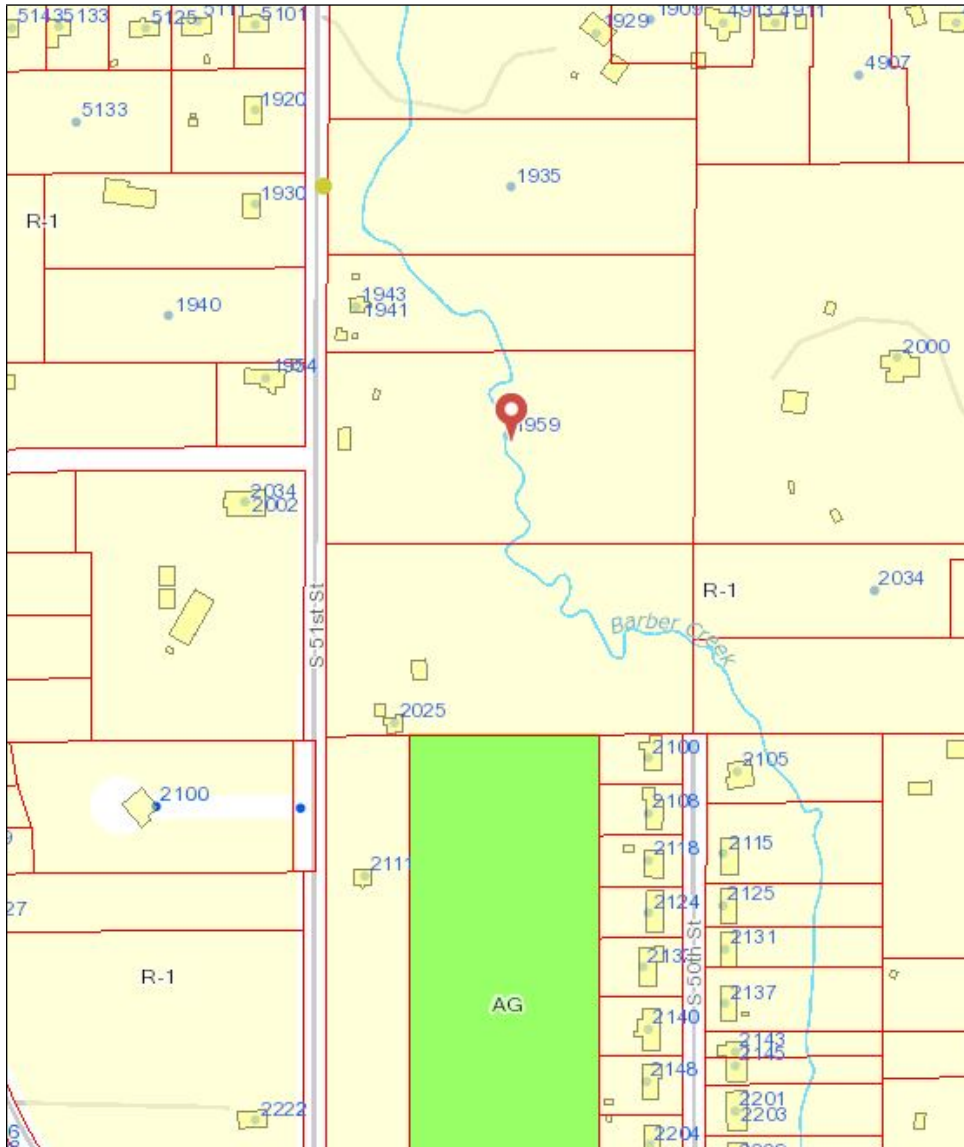
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

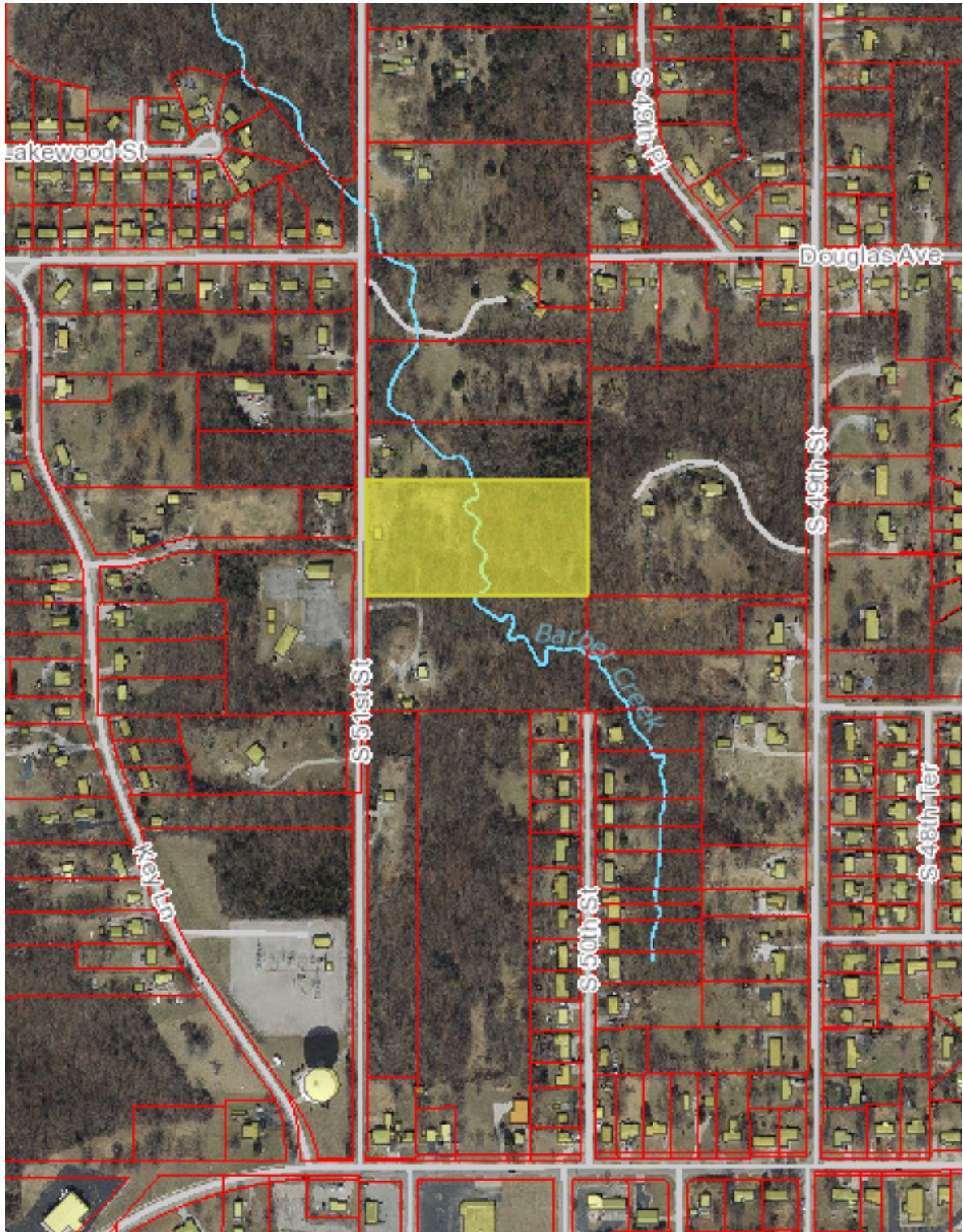
Subject to:

1. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;
2. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations [Article XIV, Sec. 8-610 through Sec. 8-618]. Land Disturbance permit and all applicable Public Works during the land disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 N 7th Street, KS 66101, 913-573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Department, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, 913-573-8620; and,
3. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified government Board of Commissioners meeting. If the check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Zoning Map:



Aerial Map:



Site Photographs Provided by Staff, Dated July 16, 2020





Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: Change of Zone Petition #3230

GENERAL INFORMATION

Applicant:
Chase Thompson

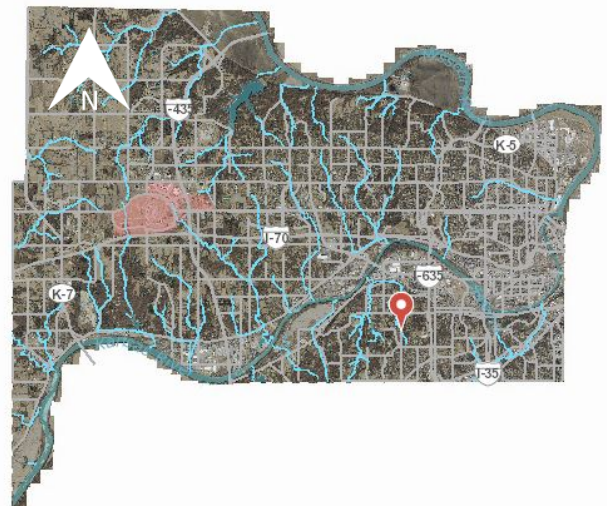
Status of Applicant:
Property Owner
2025 S 51st Street
Kansas City, Kansas 66106

Requested Action:
Approval of a Change of Zone.

Date of Application:
June 26, 2020

Purpose:
Change of Zone from R-1 Single
Family District to A-G Agriculture
District.

Property Location:
2025 S 51st Street
Kansas City, Kansas 66106



Commission Districts:	Commissioner At Large: Tom Burroughs District Commissioner: Angela Markley
Existing Zoning:	R-1 Single Family Residential District
Adjacent Zoning:	North: R-1 Single Family Residential District South: A-G Agriculture District East: R-1 Single Family Residential District West: R-1 Single Family Residential District
Adjacent Uses:	North: Single Family Home South: Single Family Home and Undeveloped Land East: Single Family Home West: Single Family Home
Total Tract Size:	4.92 Acres
Master Plan Area:	This property is not within the boundaries of a Master Plan Area.
Master Plan Designation:	The City-Wide Master Plan designates this property as Low-Density Residential.
Major Street Plan:	The Major Street Plan classifies 51 st Street as a Local Street.
Parking Requirement:	Sec. 27-454 states that in R-1 Single Family District, two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport. Sec. 27-452 states that in A-G Zoning, two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling.
Advertisement:	<u>The Wyandotte Echo</u> – July 16, 2020 Letters to Property Owner – July 16, 2020, August 10, 2020, September 14, 2020, November 9, 2020 and November 25, 2020
Public Hearings:	November 9, 2020 and December 3, 2020
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action:

The applicant, Chase Thompson, is applying for a Change of Zone from R-1 Single Family Residential District to A-G Agriculture District at 2025 South 51st Street. In the future, the applicant would like to have a garden, fishpond, and tree farm as a hobby. No commercial activity is proposed for this property.

There have been no Notices of Violation on this property. There is a home on the property and it is currently the applicant's primary residence.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is largely undeveloped land with a few single-family homes on large lots to the North, South, East and West.

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

The zoning and uses of properties nearby are laid out above. The proposed change of zone to AG Agriculture is compatible with nearby properties because they are also zoned AG.

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

The property is suitable for agricultural uses and/or single-family residence. Removal of restrictions is not detrimental to nearby property as it is a large enough lot where agricultural uses are already allowed by right, and there are existing A-G designations to the South and because the property is adjacent to other undeveloped parcels.

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

The property is not vacant. It currently exists as a single-family residence in a rural residential area.

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

The proposed Change of Zone is not reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property as long as development does not encroach the public right-of-way.

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

The proposed use may increase traffic or parking demand, depending on what types of equipment is used. The applicant has stated that they will not have customers come to the property, so there will be no increase in traffic or parking problems.

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

The Master Plan designates this property as Low-Density Residential. The proposed use could conform to the Master Plan because only one (1) single-family home is allowed on properties that are zoned A-G.

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

The proposed use could cause environmental harm if harmful chemicals are used to treat plants or materials used for agricultural purposes are not properly disposed of. If the applicant plants a greater diversity of trees, the environment would be enhanced.

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

a. *Water service*

Unavailable

b. *Sanitary sewer service*

Unavailable

c. *Storm water control*

Unavailable

d. *Police*

Police service is provided by District #334.

e. Fire

Fire service is provided by Station #17.

f. Transit

KCATA does not provide transit in this area.

g. Schools

Public education is provided by Turner USD 202.

h. Streets

See item #6 above.

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

The proposed change of zone would allow the applicant to use the property for agricultural uses, which would provide food to be bought and sold. The applicant has stated that they do not plan to do this. No change of economic impact is expected.

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

The proposed use would be capable of meeting applicable ordinance requirements.

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

The proposed use provides a benefit to the public health, safety, and welfare. If denied, the landowner would still be able to use the land for the proposed use because it is a large enough lot that agricultural uses are allowed by right. The applicant would still be able to use the property as a single-family residence. It could remain their primary residence or become a rental property.

PREVIOUS ACTIONS

BOZA #2398

BOZA #2399

COZ #3229

NEIGHBORHOOD MEETING

Due to the COVID-19, the applicant sent a letter to neighboring property owners detailing the proposal and including contact information. This letter was sent out on July 15, 2020. No responses were received.

KEY ISSUES

Keeping of Livestock
Chemical Runoff from Agricultural Uses

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone Application #3230, subject to:

1. **A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;**
2. **Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations [Article XIV, Sec. 8-610 through Sec. 8-618]. Land Disturbance permit and all applicable Public Works during the land disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 N 7th Street, KS 66101, 913-573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Department, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, 913-573-8620; and,**
3. **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified government Board of Commissioners meeting. If the check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends

APPROVAL of Petition **#3230** subject to all conditions outlined in this staff report(s) and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Aerial Map
Zoning Map
Site Photographs Provided by Staff, Dated July 16, 2020

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	November 9, 2020	December 3, 2020
Special Use	Approval	

STAFF CONTACT: **Shana Shanteau**
 sshanteau@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#3230** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#3230**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 1:37:36 and the applicant was not present; the application was recalled at 3:29:50 and the applicant was not present (Note: He was present at the Board of Zoning Appeals meeting and may have thought he was finished):

CHANGE OF ZONE APPLICATION #3229 – CHASE THOMPSON – SYNOPSIS:

Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 1959 South 51st Street. **Detailed Outline of Requested**

Action: The applicant, Chase Thompson, is applying for a Change of Zone from R-1 Single Family Residential District to A-G Agriculture District at 1959 South 51st Street. The applicant would like to grow trees and have crops on the property someday but does not intend to operate a commercial farm. There have been three (3) Notices of Violation on this property. One (1) in 2003 for vehicles on an unimproved surface. One in 2012 for debris and weeds, another in 2012 for fire damage and debris, and another in 2013 for a shed that shed that needed to be torn down.

CHANGE OF ZONE APPLICATION #3230 – CHASE THOMPSON – SYNOPSIS:

Change of Zone from R-1 Single Family District to A-G Agriculture District for gardening, raising flocks, pond and growing trees at 2025 South 51st Street. **Detailed Outline of**

Requested Action: The applicant, Chase Thompson, is applying for a Change of Zone from R-1 Single Family Residential District to A-G Agriculture District at 2025 South 51st Street. In the future, the applicant would like to have a garden, fishpond, and tree farm as a hobby. No commercial activity is proposed for this property. There have been no Notices of Violation on this property. There is a home on the property and it is currently the applicant's primary residence.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The testimony at the Board of Zoning Appeals meeting;
7. The Notice in the Wyandotte Echo; and,
8. The Notices to property owners.

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

Present in Support:

- No one appeared

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:30:40: Planning Director Hand stated that Mr. Thompson was present for the Board of Zoning Appeals meeting and may have thought his Change of Zone applications were approved with his Board of Zoning Appeals cases earlier this evening.. He stated that since both appeals were approved at the Board of Zoning Appeals meeting that allows Change of Zone Applications #3229 and #3230 to move forward. Mr. Thompson lives on the property for Change of Zone #3230 and he wants to maintain and enhance the biodiversity on both pieces of property. He stated that these properties have not had any Notices of Violation and the staff has not received any support or opposition. Staff recommends approval of both applications subject to the conditions in the staff report.

Motion and Vote starts at 3:33:00:

On motion by Mr. Ernst, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application **#3229**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

- 1. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;**
- 2. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations [Article XIV, Sec. 8-610 through Sec. 8-618]. Land Disturbance permit and all applicable Public Works during the land disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 N 7th Street, KS 66101, 913-573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Department, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, 913-573-8620; and,**
- 3. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified government Board of Commissioners meeting. If the check is not submitted within 30 days, the**

petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mr. Ernst, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application **#3230**:

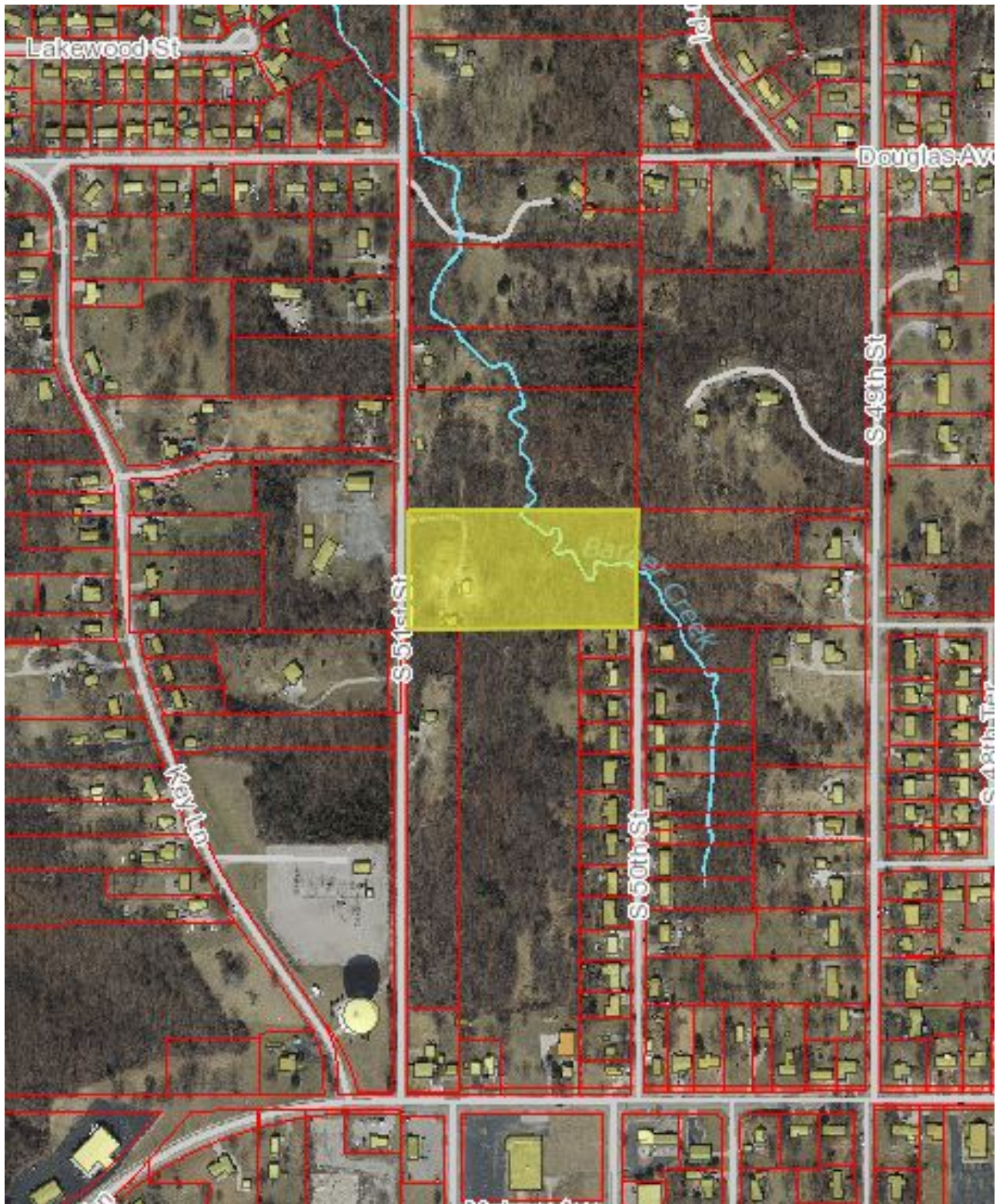
Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

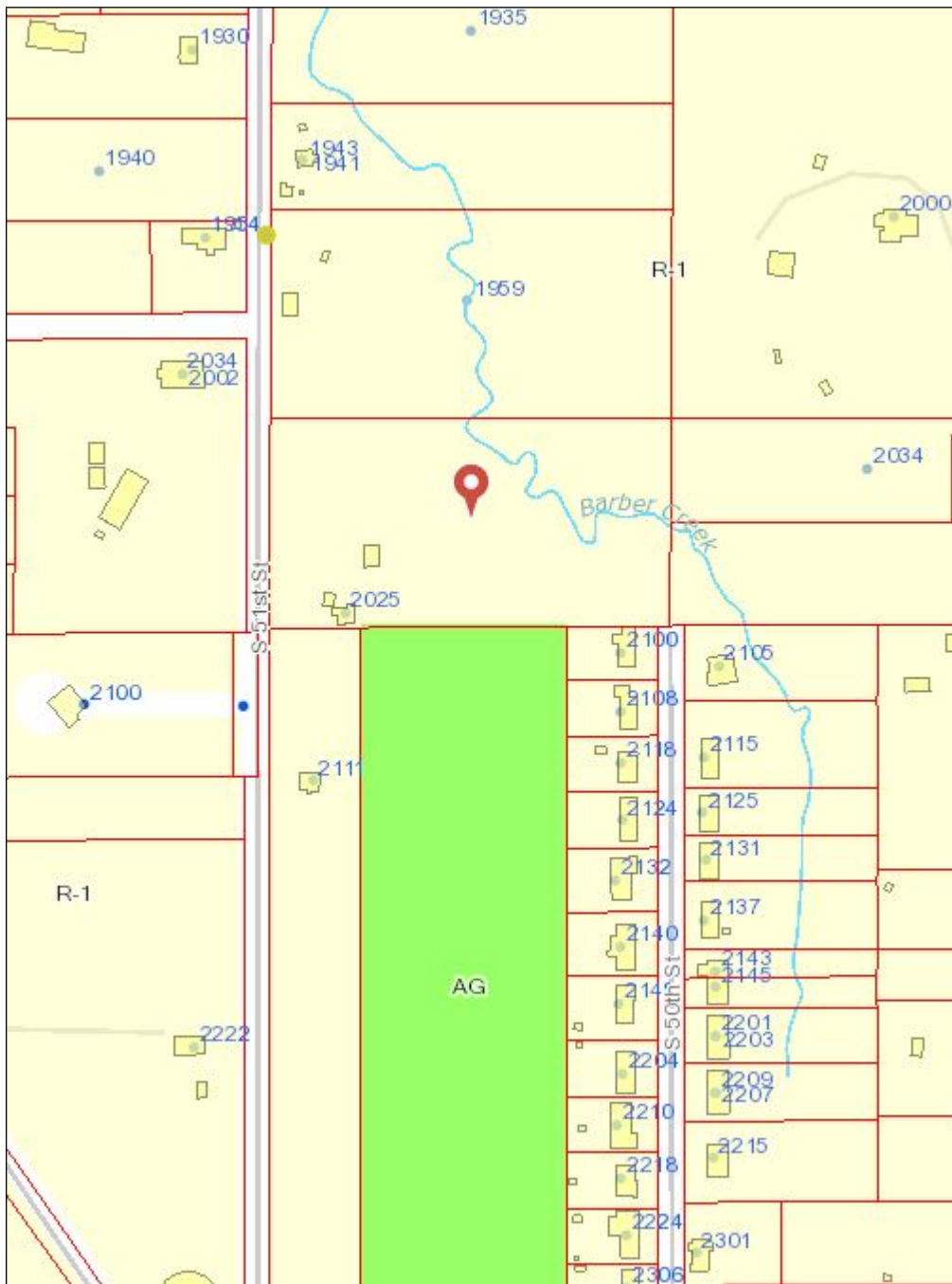
Subject to:

- 1. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;**
- 2. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations [Article XIV, Sec. 8-610 through Sec. 8-618]. Land Disturbance permit and all applicable Public Works during the land disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 N 7th Street, KS 66101, 913-573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Department, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, 913-573-8620; and,**
- 3. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified government Board of Commissioners meeting. If the check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

Aerial Map:



Zoning Map



Site Photographs Provided by Staff, Dated July 16, 2020







Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: Change of Zone Petition **#3238**

GENERAL INFORMATION

Applicant:

Lauren Tweedie
and Neal Dazey

Status of Applicant:

Property Owners:
809 Southwest Boulevard
Kansas City, Kansas 66103

Requested Actions:

Approval of a Change of Zone.

Date of Application:

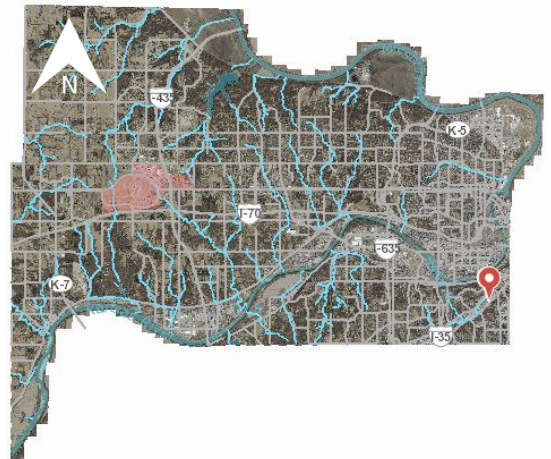
September 25, 2020

Purpose:

To change the zoning of the
property from M-2 General
Industrial District to R-2(B)
Two-Family District.

Property Location:

809 Southwest Boulevard
Kansas City, Kansas 66103



Commission Districts:	Commissioner At Large: Tom Burroughs District Commissioner: Christian Ramirez
Existing Zoning:	M-2 General Industrial District
Adjacent Zoning:	North: M-2 General Industrial District South: M-2 General Industrial and R-2 Two-Family Districts East: R-1(B) Single Family District West: M-2 General Industrial District
Adjacent Uses:	North: Parking Lot South: Single and Two-Family Homes East: Single Family Homes West: Wholesale Sheet Metal Business
Total Tract Size:	0.09 Acre
Master Plan Area:	The subject property is in the Rosedale Master Plan Area.
Master Plan Designation:	The Rosedale Master Plan designates this area as Urban Mixed Use.
Major Street Plan:	The Major Street Plan classifies Southwest Blvd as a Class C Thoroughfare.
Parking Requirement:	Section 27-457 states that one parking space for each dwelling unit shall be provided on the premises for properties within R-2(B) Zoning Districts. Sec. 27-469 states that uses in M-2 General Industrial districts require paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. The ratio will vary among occupants and will be determined by the director of planning after receipt of a summary of parking needs and characteristics prepared by the owner or initial occupant. Commercial uses shall provide parking as would be required in the C-3 district.
Advertisement:	<u>The Wyandotte Echo</u> – October 15, 2020 Letters to Property Owners – October 14, 2020 and November 25, 2020
Public Hearings:	November 9, 2020 and December 2, 2020

Public Support:	The property owners next door, at 815 Southwest Boulevard, have expressed support for the proposal. They are also seeking a change of zone from M-2 to R-2(B) at this time.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Lauren Tweedie and Neal Dazey, are applying for a Change of Zone from M-2 General Industrial District to R-2(B) Two Family District. The property is a single-family home and has always been used as such. The applicants are requesting to change the zoning to align with the use of the property. The adjacent property owners at 815 Southwest Boulevard are also applying for a change of zone from M-2 General Industrial District to R-2(B) Two Family District. One (1) other home on the block has already changed zoning from M-2 General Industrial District to R-2(B) Two-Family District.

There have been 9 Notices of Violation on the property between the years 2001 and 2018 for trash, inoperable vehicles, vehicles with expired tags, and vehicles on an unimproved surface.

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

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The neighborhood is both residential and commercial/industrial in nature. The property is on Southwest Boulevard, a Class C Thoroughfare. There are several commercial and light industrial businesses across the street to the west and single-family homes to the east.

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

The property is a single-family home and has always been used as such. There are several other single-family homes on the block and to the east. The proposed use is compatible with the zoning and properties nearby.

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

The property is suitable for residential zoning as it is a single-family home and has always been used as such. Removal of the restrictions will not detrimentally affect nearby property.

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

The property is not vacant. It is currently being used as a single-family home.

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

The proposed use of the property will not change. It is a single-family home and will continue to be used as such. The proposed use will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property because the use of the property will remain residential.

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

The proposed use of the property will not change. It is currently used as a single-family home and will continue to be used as such. The proposed change of zone will not increase or decrease the current traffic on Southwest Boulevard, as the use is staying the same.

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

The Rosedale Master Plan designates this property as Urban Mixed Use. This includes both commercial and residential. The property is a residential home. This conforms to the Master Plan.

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

The proposed use will not cause environmental harm nor enhance the environment. The property is an existing home in a built-out neighborhood.

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

a. *Water service*

Municipal water service is available.

b. *Sanitary sewer service*

Municipal sewer service is available.

c. Storm water control

Storm water control is available.

d. Police

Police service is provided by South Patrol, District #332.

e. Fire

Fire service is provided by Station #10.

f. Transit

Public Transportation is provided by KCATA. The nearest stop is 39th Street and State Line Road.

g. Schools

Public Education is provided by Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

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

The economic impact of the proposed use does not change. The property will continue to be used as a single-family home.

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

The proposed use is capable of meeting the ordinance requirements.

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

The proposed use does not have an effect on the public health, safety, or welfare as the use is the same. If denied, the applicant would still be able to use the property as their residence, but if the property was demolished or damaged by an event such as a fire, it would not be able to be rebuilt as a home, thus creating a hardship for the property owner and residents.

NEIGHBORHOOD MEETING

In lieu of a neighborhood meeting, the applicant sent a letter including their contact information on October 12, 2020. No one responded.

KEY ISSUES

None.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone Application #3238, subject to:

- 1) **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition **#3238** subject to all comments and suggestions outlined in the staff report(s), and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Zoning Map
Aerial Map
Photographs Provided by Staff, Dated October 14, 2020
Photograph Provided by Applicant
Letter to Neighbors

REVIEW OF INFORMATION AND SCHEDULE

Action
Public Hearing
Rezoning

Planning Commission
November 9, 2020
Approval

Board of Commissioners
December 3, 2020

STAFF CONTACT:

Shana Shanteau
sshanteau@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#3238** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#3238**, as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 1:39:42:

CHANGE OF ZONE APPLICATION #3238 – NEAL DAZEY AND LAUREN TWEEDIE

– **SYNOPSIS:** Change of Zone from M-2 General Industrial District to R-2(B) Two Family District for an existing home at 809 Southwest Boulevard. **Detailed Outline of Requested Action:** The applicants, Lauren Tweedie and Neal Dazey, are applying for a Change of Zone from M-2 General Industrial District to R-2(B) Two Family District. The property is a single-family home and has always been used as such. The applicants are requesting to change the zoning to align with the use of the property. The adjacent property owners at 815 Southwest Boulevard are also applying for a change of zone from M-2 General Industrial District to R-2(B) Two Family District. One (1) other home on the block has already changed zoning from M-2 General Industrial District to R-2(B) Two-Family District. There have been 9 Notices of Violation on the property between the years 2001 and 2018 for trash, inoperable vehicles, vehicles with expired tags, and vehicles on an unimproved surface.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Lauren Tweedie and Neal Dazey, applicants, 809 Southwest Boulevard, Kansas City, Kansas 66103
- Mike Coons, 815 Southwest Boulevard, Kansas City, Kansas 66103

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:43:35: Planning Director Hand stated that this is a single-family home. Staff has received several letters/emails in support of this application. This property has a history of Notices of Violations. Staff has worked with the applicant and they have noted that those violations here previously were addressed by the previous property owner and before this application. Director Hand stated that in the Rosedale Master Plan this property is designated as mixed use, and the existing use is closer to that classification than the current industrial zoning. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 1:44:27:

On motion by Mr. Mohler, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application **#3238**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

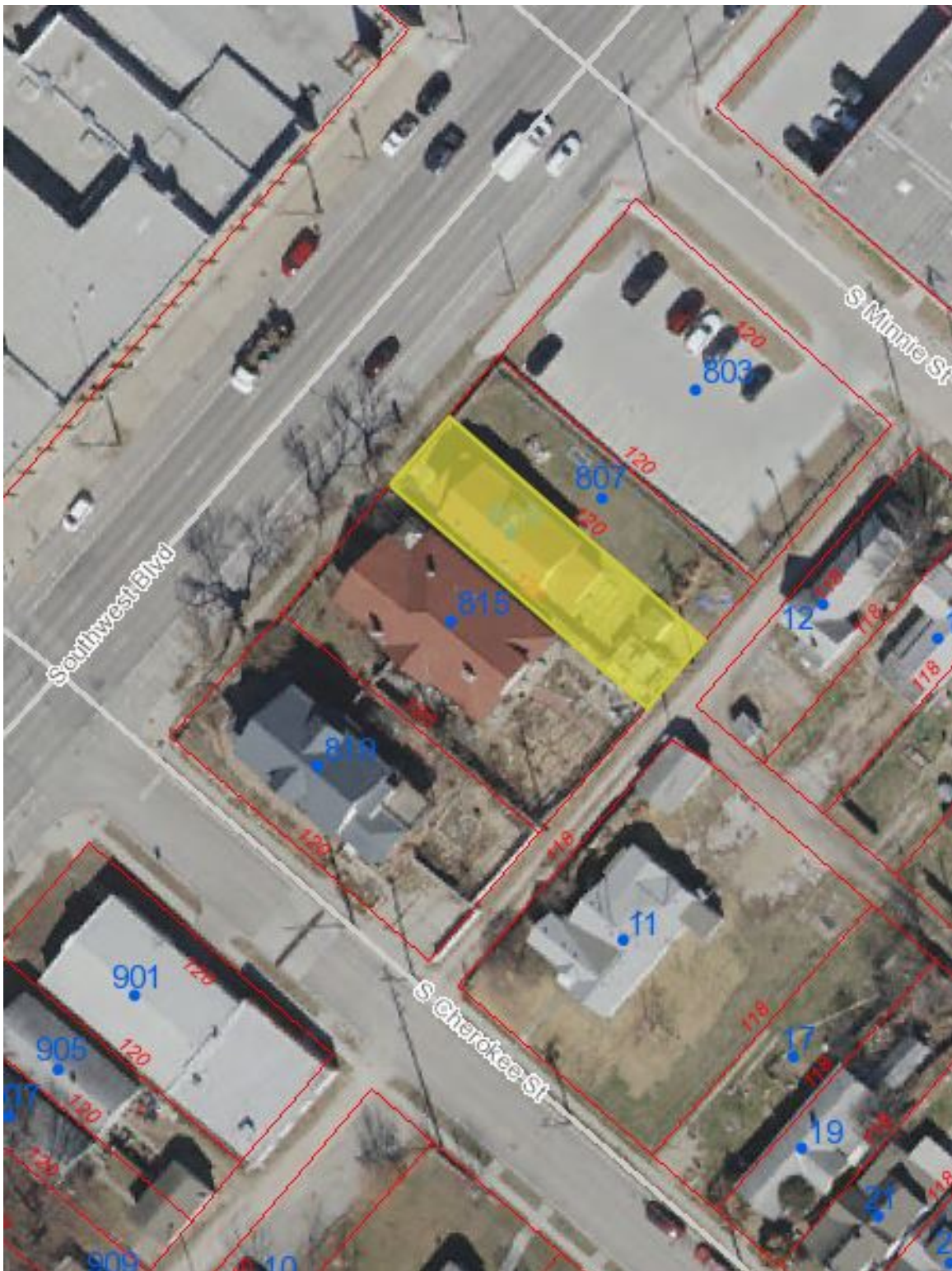
Subject to:

- 1) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Zoning Map:



Aerial Map:



Photographs Taken by Staff, Dated October 14, 2020:







Photograph Provided by Applicant:



Site Plans:



Image indicates parking behind the home, accessed from the alleyway.

Letter to Neighbors:

October 12, 2020

Neal Dazey and Lauren Tweedie
809 Southwest Blvd
Kansas City, KS 66103

SUBJECT: Residential Rezoning

We have filed an application with the Department of Urban Planning and Land Use #COZ3238. The purpose of this change of zone is to establish our home as a residential zone instead of an industrial zone. Our home is located at 809 Southwest Blvd, Kansas City, KS 66103. The purpose of this letter is to notify you of our change of zone and to address any questions/concerns you may have. Due to Covid-19, we will not be holding an in-person neighborhood meeting, but we do invite you to contact us directly instead. Please feel free to contact us by email at dazeytweedie@gmail.com with any comments or concerns that you'd like to share. Thank you for your time and consideration.

Sincerely,

Neal Dazey and Lauren Tweedie



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: Change of Zone Petition **#3239**

GENERAL INFORMATION

Applicant:

Christine Sciolaro and
Michael Coons

Status of Applicant:

Property Owners
815 Southwest Boulevard
Kansas City, Kansas 66103

Requested Actions:

Approval of a Change of Zone.

Date of Application:

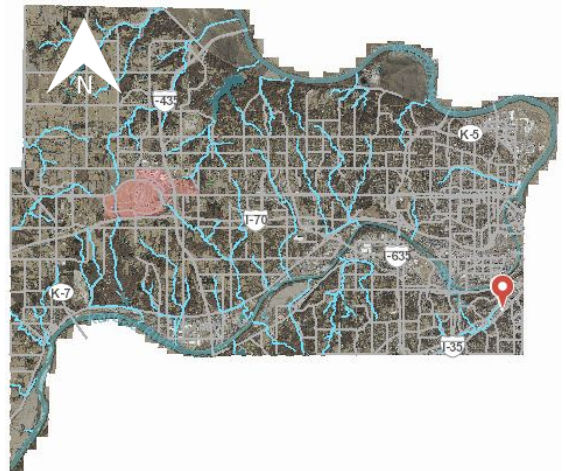
September 25, 2020

Purpose:

Change property from M-2 General
Industrial District to R-2(B) Two-Family
District.

Property Location:

815 Southwest Boulevard
Kansas City, Kansas 66103



Commission Districts:	Commissioner At Large: Tom Burroughs District Commissioner: Christian Ramirez
Existing Zoning:	M-2 General Industrial District
Adjacent Zoning:	North: M-2 General Industrial District South: R-2(B) Two Family District East: R-1(B) Single Family District West: M-2 General Industrial District
Adjacent Uses:	North: Single Family Home and Vacant Lot South: Single and Two Family Homes East: Single Family Homes West: Wholesale Sheet Metal
Total Tract Size:	0.17 Acre
Master Plan Area:	The subject property is in the Rosedale Master Plan Area.
Master Plan Designation:	The Rosedale Master Plan designates this area as Urban Mixed Use.
Major Street Plan:	The Major Street Plan classifies Southwest Blvd as a Class C Thoroughfare.
Parking Requirement:	Section 27-457 states that one (1) parking space for each dwelling unit shall be provided on the premises for properties within R-2(B) Zoning Districts. Sec. 27-469 states that uses in M-2 General Industrial districts require paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. The ratio will vary among occupants and will be determined by the director of planning after receipt of a summary of parking needs and characteristics prepared by the owner or initial occupant. Commercial uses shall provide parking as would be required in the C-3 district.
Advertisement:	<u>The Wyandotte Echo</u> – October 15, 2020 Letters to Property Owners – October 14, 2020 and November 25, 2020
Public Hearings:	November 9, 2020 and December 3, 2020

Public Support:	The neighbors on both sides of the property are in support of the Change of Zone. The property to the Northeast has applied for a Change of zone from M-2 to R-2(B) as well. The property owners to the Southwest have already changed zoning to R-2(B).
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Christine Sciolaro and Michael Coons are applying for a Change of Zone from M-2 General Industrial District to R-2(B) Two Family Residential. The property is a single-family home and has always been used as such. The applicants are requesting to change the zoning to align with the use of the property. The adjacent property owners at 809 Southwest Boulevard are also applying for a change of zone from M-2 General Industrial District to R-2(B) Two Family District. One (1) other home on the street has already changed zoning from M-2 General Industrial District to R-2(B) Two-Family District.

There have been two (2) Notices of Violation on this property. One (1) in the year 2014 for chipped paint and one in 2011 for repair needed on the retaining wall.

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

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The neighborhood is both residential and commercial/industrial in nature. The property is on Southwest Boulevard, a Class C Thoroughfare. There are several commercial and light industrial businesses across the street and single-family homes to the east.

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

The property is a single-family home and has always been used as such. There are several other single-family homes on the block and to the east. The use is compatible with the zoning and properties nearby.

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

The property is suitable for residential zoning as it is a single-family home and has always been used as such. Removal of the restrictions will not detrimentally affect nearby property.

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

The property is not vacant. It is currently being used as a single-family home.

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

The proposed use of the property will not change. It is a single-family home and will continue to be used as such. The proposed use will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property because the use of the property will remain residential.

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

The proposed use of the property will not change. It is currently used as a single-family home and will continue to be used as such. The proposed change of zone will not increase or decrease the current traffic on Southwest Boulevard, as the use is staying the same.

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

The Rosedale Master Plan designates this property as Urban Mixed Use. This includes both commercial and residential. The property is a residential home. This conforms to the Master Plan.

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

The proposed use will not cause environmental harm nor enhance the environment. The property is an existing home in a built-out neighborhood.

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

a. *Water service*

Municipal water service is available.

b. Sanitary sewer service

Municipal sewer service is available.

c. Storm water control

Storm water control is available.

d. Police

Police service is provided by South Patrol, District #332.

e. Fire

Fire service is provided by Station #10.

f. Transit

Public Transportation is provided by KCATA. The nearest stop is 39th Street and State Line Road.

g. Schools

Public Education is provided by Kansas City, Kansas USD 500.

h. Streets

See item #6 above.

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

The economic impact of the proposed use does not change. The property will continue to be used as a single-family home.

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

The proposed use is capable of meeting the ordinance requirements.

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

The proposed use does not have an effect on the public health, safety, or welfare as the use is the same. If denied, the applicant would still be able to use the property as their residence, but if the property was demolished or damaged by an event such as a fire, it would not be able to be rebuilt as a home, thus creating a hardship for the property owner and residents.

NEIGHBORHOOD MEETING

On October 26th, the applicants held a virtual meeting. No one attended. Property owners on both sides of the property have expressed support for the Change of Zone. Neal Daisey and Lauren Tweedie of 809 Southwest Blvd are currently seeking a change of zone from M-2 to R-2(B) as well. Thomas W Morgan III and Jacob Patton, property owners of 817 Southwest Boulevard, have already rezoned their property to R-2(B).

KEY ISSUES

None.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone Application #3239, subject to:

- 1) **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition **#3239** subject to all comments and suggestions outlined in the staff report(s), and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Zoning Map
Aerial Map
Photographs Taken by Staff, Dated October 14, 2020
Photographs Taken by Applicant

REVIEW OF INFORMATION AND SCHEDULE

Action
Public Hearing
Rezoning

Planning Commission
November 9, 2020
Approval

Board of Commissioners
December 3, 2020

STAFF CONTACT: **Shana Shanteau**
 sshanteau@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#3239** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#3239**, as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 1:39:42:

CHANGE OF ZONE APPLICATION #3238 – NEAL DAZEY AND LAUREN TWEEDIE – SYNOPSIS: Change of Zone from M-2 General Industrial District to R-2(B) Two Family District for an existing home at 809 Southwest Boulevard. **Detailed Outline of Requested Action:** The applicants, Lauren Tweedie and Neal Dazey, are applying for a Change of Zone from M-2 General Industrial District to R-2(B) Two Family District. The property is a single-family home and has always been used as such. The applicants are requesting to change the zoning to align with the use of the property. The adjacent property owners at 815 Southwest Boulevard are also applying for a change of zone from M-2 General Industrial District to R-2(B) Two Family District. One (1) other home on the block has already changed zoning from M-2 General Industrial District to R-2(B) Two-Family District. There have been 9 Notices of Violation on the property between the years 2001 and 2018 for trash, inoperable vehicles, vehicles with expired tags, and vehicles on an unimproved surface.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Lauren Tweedie and Neal Dazey, applicants, 809 Southwest Boulevard, Kansas City, Kansas 66103
- Mike Coons, 815 Southwest Boulevard, Kansas City, Kansas 66103

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:43:35: Planning Director Hand stated that this is a single-family home. Staff has received several letters/emails in support of this application. This property has a history of Notices of Violations. Staff has worked with the applicant and they have noted that those violations here previously were addressed by the previous property owner and before this application. Director Hand stated that in the Rosedale Master Plan this property is designated as mixed use, and the existing use is closer to that classification than the current industrial zoning. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 1:44:27:

On motion by Mr. Mohler, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application **#3238**:

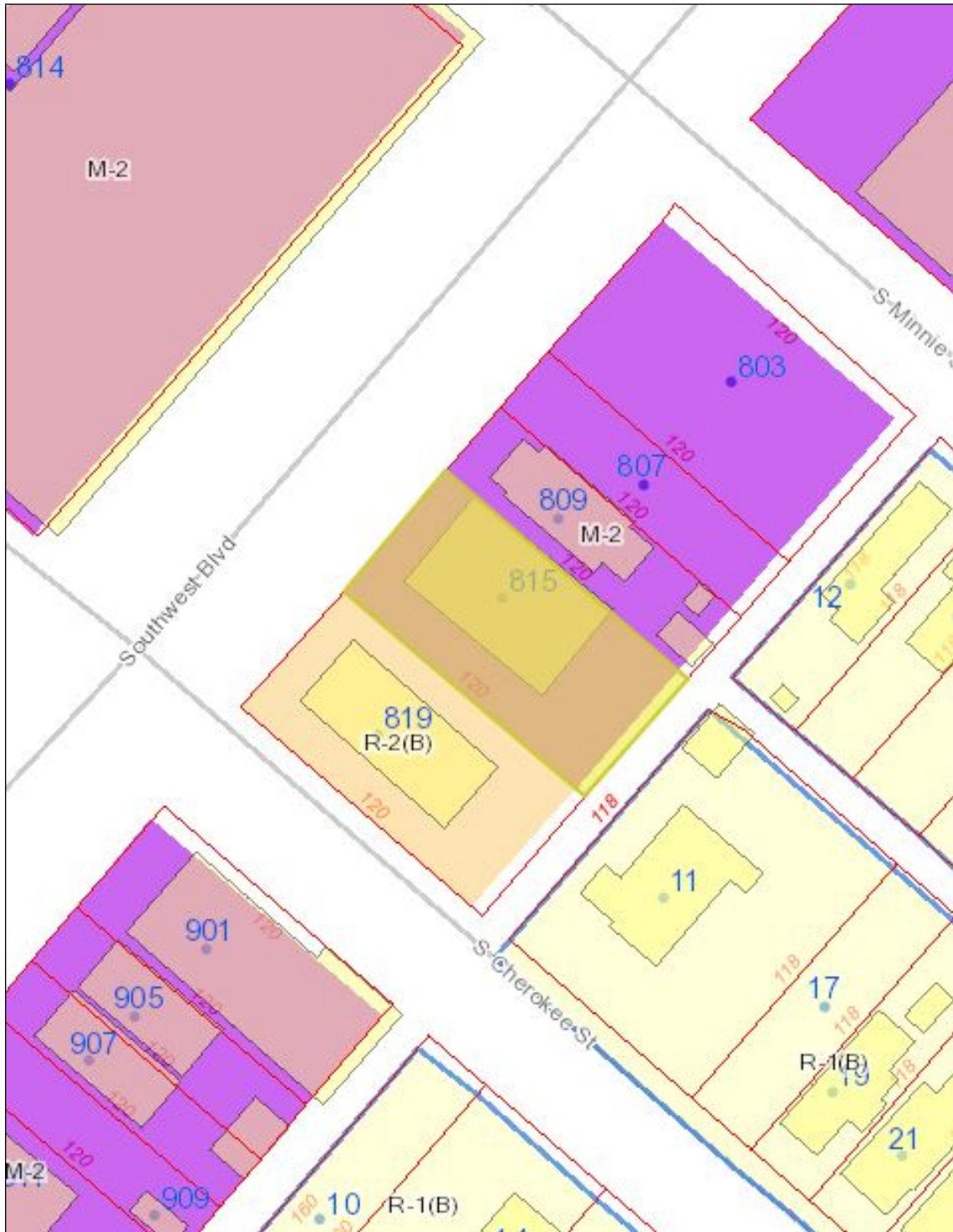
Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

- 1) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

Zoning Map:



Aerial Map:



Photographs Taken by Staff, Dated October 14, 2020:







Photographs Taken by Applicant:









Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: December 3, 2020
Re: Change of Zone #3240

GENERAL INFORMATION

Applicant:

Andrea Weishaubt

Status of Applicant:

Representative
Atlas Surveyors
2300 Hutton Road, Suite 108
Kansas City, Kansas 66109

Requested Actions:

Approval of a Change of Zone.

Date of Application:

September 24, 2020

Purpose:

To change the zoning district from AG Agriculture District to R-1 Single-Family District.

To create a preliminary plat for 63 parcels from Parcel #949408 (2951 North 115th Street).



Property Location:

2951 North 115th Street, Kansas City, Kansas 66109

Commission Districts:	District Commissioner: Mike Kane (District 5) Commissioner At Large: Melissa Bynum (At-Large District 1)
Existing Zoning:	AG Agriculture District
Adjacent Zoning:	North: AG Agriculture District South: AG Agriculture District; R-1 Single-Family District East: AG Agriculture District West: AG (WyCo) Agriculture District; R-1 (WyCo) Large Lot Single-Family District
Adjacent Uses:	North: Church; Single-family residence South: Single-family residences East: Single-family residence West: Undeveloped farmland; Single-family residences
Total Tract Size:	24.22 Acres
Master Plan Area:	The subject property is within the Piper-Delaware-Piper Master Plan Area.
Master Plan Designation:	The Prairie-Delaware-Piper Master Plan designates this property as Suburban Residential.
Major Street Plan:	The Citywide Master Plan designates North 115 th Street as a Class C Thoroughfare.
Required Parking:	Section 27-452(e) of the Code of Ordinances requires two (2) off-street parking spaces on the premises for each single-family dwelling. Section 27-454(e) requires two (2) off-street parking spaces on the premises for each single-family dwelling, one (1) of which shall be in a garage or carport.
Advertisement:	<u>The Wyandotte Echo</u> – October 15, 2020 Letters to Property Owners – October 14, 2020 and November 25, 2020
Public Hearings:	November 9, 2020 and December 3, 2020
Public Support:	One person appeared in support at the November 9, 2020 City Planning Commission meeting.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Andrea Weishaubt with Atlas Surveyors, has submitted a preliminary plat for 63 residential lots created from the current Parcel #949408; the applicant has also requested a Change of Zone for Parcel #949408, from AG Agriculture District to R-1 Single-Family District.

City Ordinance Requirements: Article VI, Sections 27-196 – 27-216

Zoning Enforcement Issues: There are no outstanding Notices of Violation associated with the property.

FACTORS TO BE CONSIDERED

Change of Zone

1. Character of the Neighborhood.

The neighborhood is a mix of rural and single-family residential. To the north, east, and west most of the properties are 10 acres in size, zoned under the 1992 Piper Area Annex Zoning Code, or both. To the south is the Piper Landing housing development.

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

A single-family housing development is compatible with the nearby properties. The lot and residence square footage minimums required by the Prairie-Delaware-Piper Master Plan will make the new plats similar in size and density to the existing housing development to the south; to the north of the subject property is a church. To the west is North 115th Street, which serves as a transition buffer between the current and proposed subdivisions and the agricultural land across the street. Lastly, to the east is more agricultural land.

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

The subject property is suitable for a housing development. It is adjacent to a current housing development and extending the streets and aesthetics of that housing development will create a natural, neighborhood feel throughout the two (2) developments when Villas of Piper Valley is complete. There are several other adjacent or nearby properties zoned AG, but those properties are well-buffered by landscaping and trees. To ensure compatibility, the streets Villas of Piper Valley must connect with the streets in Piper Landing.

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

It is unclear how long the property has been vacant, but it appears to have never been developed.

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

The proposed Change of Zone is not reasonably necessary for the convenience and welfare of the public. While there is a demand for new housing in Wyandotte County, there is sufficient tracts of land east of Interstate 635, and even east of Interstate 435 that can serve a housing development. Furthermore, the northwest portion of Wyandotte County has historically been rural and agricultural in nature, and it is slowly losing its character to large housing subdivisions. There is the potential for surrounding agricultural properties to lose visual quality, especially if landscape buffers are not established on the boundary lines between the subject property and the neighbors.

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

The subject property only fronts North 115th Street, and that is the only road that could have an entrance/exit from the housing development. While the development would also be accessible from Hutton Road via the Piper Landing subdivision to the south, it is less likely that residents of Villas of Piper Valley would often take this route. Therefore, it is reasonable to predict that a housing development would adversely affect the road capacity for North 115th Street by greatly increasing it from its current daily numbers.

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

The recommended density in the Low-Density Residential land use designation is one (1) residence per one-third (1/3) to three (3) acres. At 1.38 acres, Lot 1 is within the recommended range, while Lot 2, at 94.86 acres, is much less dense than the Low-Density Residential land use designation anticipates. Future development in Lot 2 should take into account the current limited availabilities of public utilities in this area of Wyandotte County.

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

The Wyandotte County Conservation District has cited several potential issues that could be caused by future development, including erosion, mud being tracked on the rights-of-way, airborne dust, and topsoil displacement. A summary of the Conservation District's comment can be found in a letter from the

Wyandotte County Conservation District to the Director Planning in the “Attachments” section of this report.

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

a. *Water service*

Water will be served by BPU.

b. *Sanitary sewer service*

A sanitary sewer line runs through the middle of the property.

c. *Storm water control*

A storm water line serves the property along North 115th Street.

d. *Police*

Police service is provided by West District, #224.

e. *Fire*

Fire service is provided by Fire Station #12.

f. *Transit*

No public transit serves this property.

g. *Schools*

Piper East Elementary school, Piper Middle School, and Piper High School are provided by Piper USD #203.

h. *Streets*

The property is accessible by North 115th Street.

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

The VILLAS OF PIPER VALLEY Preliminary Plat proposed a development of 63 single-family lots, allowing more workers and families to live in Wyandotte County. Occupied lots will also lead to an increase in property tax revenue for the Unified Government.

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

A housing development is capable of meeting all applicable ordinance requirements for the R-1 District.

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

A Change of Zone from AG to R-1, and the housing development plat linked to the Change of Zone, brings several changes to the neighborhood and the property owners. There will be substantially more residences in the area and density will increase. The Preliminary Plat shows lots of similar size, with no clear transition in size from larger lots that are adjacent or close to the neighboring AG properties. Larger lots in the north and east portions of the subdivision should be utilized to create a transition from AG district uses of the surrounding land to the single-family uses of the housing development. The current sizes of the lots do not allow for a transition buffer from agricultural to single-family use, and this lack of transition means that the relative gain to the public health, safety, and welfare is currently less than the hardships the Change of Zone imposes on the individual landowners of the surrounding properties.

Preliminary Plat

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

The Wyandotte County Conservation District has expressed concerns related to runoff and erosion from construction and development (see the “Attachments” section of this report). Further revisions made to the plan and design of the plat to reflect Best Management Practices recommended by the Conservation District would properly address such concerns.

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

See Change of Zone Factor #9.

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

The VILLAS OF PIPER VALLEY plat accesses North 115th Street and North 114th Street, the latter of which connects through the Piper Landing subdivision, the housing development to the south. Between the two (2) developments, there are only three (3) points of entry/exit to the rest of the county—two (2) access points on North 115th and one (1) access point on Hutton Road, which is part of

the Piper Landing subdivision. There is a concern that this does not allow for proper circulation of the traffic in the existing and proposed neighborhoods.

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

The Prairie-Delaware-Piper Area Master Plan states that Area 1, the area that the subject property lays, requires a minimum of 80% of the lots in a residential subdivision to have a lot width of 70 feet or greater. The most recently submitted preliminary plat shows more than 20 of the lots with widths of 65 feet or less. Furthermore, a maximum of 20% of lots may have a width of 50 feet or greater—some lots on the plat show lot widths as short as 43 feet at the front yard line. These lot width issues may be corrected in the Final Plat, unless the revised plat changes the number of lots by more than five percent (5%). Additionally, see the Fire Department comments in the “Staff Comments and Suggestions” section of the report for detailed information regarding fire safety.

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

The preliminary plat shows a relative attempt to take topography into account when designing the lots.

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

The plat is planned to be 63 lots and therefore is required to have two (2) amenities for the subdivision, only one (1) of which may be a small amenity. A description of acceptable large and small amenities can be found on page 25 of the Prairie-Delaware-Piper Area Master Plan. Such amenities and their locations must be noted on the Final Plat before it can be approved.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on October 26, 2020 by a virtual meeting via Zoom. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Access
Amenities
Erosion Control
District/Use Transition
Landscaping
Traffic
Water Service

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone Application #3240, subject to:

- 1) **Comply with the following landscaping requirements; and**
 - a. **Per the Prairie-Delaware-Piper Area Master Plan, all residential lots shall have two (2) trees per 5,000 square feet per lot, up to five (5) trees per lot. One (1) tree shall be in the front or corner side of the lot. (This exceeds the city-wide landscaping ordinance, Section 27-700(a), which requires one (1) shade tree per dwelling in the front or side yard.)**
 - b. **Per Section 27-700(a) requires one (1) tree per 7,000 square feet for uses other than residences; and**
 - c. **Per the Prairie-Delaware-Piper Area Master Plan, landscaping and buffering between residential units, non-residential buildings and/or adjacent developments that exceed minimum requirements are required for planned development and encouraged for all other developments.**
- 2) **The plat must be in compliance with the following requirements from the Prairie-Delaware-Piper Area Master Plan:**
 - a. **“Table 6: Residential Unit Size” of the Prairie-Delaware-Piper Area Master Plan states that subdivisions in Area 1 of Prairie-Delaware-Piper, which includes the subject property, must have no less than 80% of all parcels with a lot width of 70 feet or greater and no more than 20% of all parcels with a lot width of no less than 50 feet. Regardless, all single-family residences must have a minimum of 1,600 square feet of useable space;**
 - i. **If compliance with this requirement produces a revised plat showing “significant changes” as defined by Section 27-210(g)(1)a.-k., then the revised plat and plan must be separately approved. “Significant changes” include any of the following relevant changes, as defined by the Code of Ordinances:**
 1. **Increases in density or intensity of residential uses by more than five percent;**
 2. **Increases of lot coverage by more than five percent;**

3. Decreases of areas devoted to open space of more than five percent (5%) or the substantial relocation of such areas;
 4. Changes of traffic circulation patterns that will affect traffic outside of the project boundaries; or
 5. Modification or removal of conditions or stipulations to the preliminary development plan approval
 - b. All residential developments to have entry features. These features may include a neighborhood name within a landscape feature, monuments, a special lighting feature, an enhanced bus stop, a fountain, or special landscaping; and
 - c. 15% of the proposed development must be open space.
- 3) Per the Prairie-Delaware-Piper Area Master Plan, the applicant is encouraged to do the following:
 - a. Design and construct a variety of unit types within each neighborhood.
 - b. Implement mixed uses and mixed densities with the subdivision.
 - c. Establish landscape standards that provide an overall theme for the development; and
- 4) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **COZ-3240**, subject to all comments and suggestions outlined in the staff report(s), and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Aerial Map
Zoning Map
Photos of Property Provided by Staff, Dated October 13, 2020
Preliminary Plat Submitted by the Applicant
Residence Blueprints Provided by Applicant
Letter from Wyandotte County Conservation District, Dated October 13, 2020
Neighborhood Meeting Minutes, October 26, 2020

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing Change of Zone	November 9, 2020 Approval	December 3, 2020
Preliminary Plat	November 9, 2020	Not Required

STAFF CONTACT: **Michael Farley**
 mfarley@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#3240** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#3240**, as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 1:49:23:

CHANGE OF ZONE APPLICATION #3240 – ANDREA WEISHAUBT WITH ATLAS SURVEYORS – SYNOPSIS: Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family subdivision at 2951 North 115th Street.

VILLAS OF PIPER VALLEY – SYNOPSIS: Preliminary Plat for 64 single-family lots at 2951 North 115th Street.

Detailed Outline of Requested Action: The applicant, Andrea Weishaubt with Atlas Surveyors, has submitted a preliminary plat for 63 residential lots created from the current Parcel #949408; the applicant has also requested a Change of Zone for Parcel #949408, from AG Agriculture District to R-1 Single-Family District.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Andrea Weishaubt, applicant, Atlas Surveyors, 2300 Hutton Road, Suite 108, Kansas City, Kansas 66109
- Steve Peck, Epcon, 500 Stonehenge, Dublin, Ohio
- Josh Finger, 11305 Leavenworth Road, Kansas City, Kansas

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:53:16: Planning Director Hand stated there is an existing single-family home on the property. It will be parceled out because it will no longer have A-G zoning. There is an adjacent parcel to the north along Leavenworth Road which permits the subdivision northerly access thereof; it does connect to the subdivision to the south. As part of the approval, the staff discussed a buffer along the eastern edge of the parcel. There is a vineyard and staff thought a buffer between the two (2) uses would be desirable. Director Hand stated that staff also discussed continuation of the sidewalk to and/from Piper Landing. Staff has received no

opposition to this application; there have been no Notice of Violations on this property. The plat does not meet the frontage requirements and will need to be revised for the final plat. This will reduce the number of lots from 64 to approximately 62. Staff recommends approval, subject to the conditions in the staff report. With regard to Mr. Finger's comments regarding drainage, Planning Engineering Supervisor Martin Ntonjira stated that he has been working with the applicant's engineer and have a plan to potentially use a berm to buffer the site to the north and east. A final engineering plan will need to be submitted for final approval.

Motion and Vote starts at 2:00:16:

On motion by Mr. Miller, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application **#3240**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

- 1) Comply with the following landscaping requirements; and
 - d. Per the Prairie-Delaware-Piper Area Master Plan, all residential lots shall have two (2) trees per 5,000 square feet per lot, up to five (5) trees per lot. One (1) tree shall be in the front or corner side of the lot. (This exceeds the city-wide landscaping ordinance, Section 27-700(a), which requires one (1) shade tree per dwelling in the front or side yard.)
 - e. Per Section 27-700(a) requires one (1) tree per 7,000 square feet for uses other than residences; and
 - f. Per the Prairie-Delaware-Piper Area Master Plan, landscaping and buffering between residential units, non-residential buildings and/or adjacent developments that exceed minimum requirements are required for planned development and encouraged for all other developments.
- 2) The plat must be in compliance with the following requirements from the Prairie-Delaware-Piper Area Master Plan:
 - a. "Table 6: Residential Unit Size" of the Prairie-Delaware-Piper Area Master Plan states that subdivisions in Area 1 of Prairie-Delaware-Piper, which includes the subject property, must have no less than 80% of all parcels with a lot width of 70 feet or greater and no more than 20% of all parcels with a lot width of no less than 50 feet.

Regardless, all single-family residences must have a minimum of 1,600 square feet of useable space;

- i. If compliance with this requirement produces a revised plat showing “significant changes” as defined by Section 27-210(g)(1)a.-k., then the revised plat and plan must be separately approved. “Significant changes” include any of the following relevant changes, as defined by the Code of Ordinances:
 1. Increases in density or intensity of residential uses by more than five percent;
 2. Increases of lot coverage by more than five percent;
 3. Decreases of areas devoted to open space of more than five percent (5%) or the substantial relocation of such areas;
 4. Changes of traffic circulation patterns that will affect traffic outside of the project boundaries; or
 5. Modification or removal of conditions or stipulations to the preliminary development plan approval
 - b. All residential developments to have entry features. These features may include a neighborhood name within a landscape feature, monuments, a special lighting feature, an enhanced bus stop, a fountain, or special landscaping; and
 - c. 15% of the proposed development must be open space.
- 3) Per the Prairie-Delaware-Piper Area Master Plan, the applicant is encouraged to do the following:
- a. Design and construct a variety of unit types within each neighborhood.
 - b. Implement mixed uses and mixed densities with the subdivision.
 - c. Establish landscape standards that provide an overall theme for the development; and
- 4) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;

On motion by Ms. Pauley, seconded by Mr. Miller, the Planning Commission voted as follows to **APPROVE Villas of Piper Valley Preliminary Plat:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye

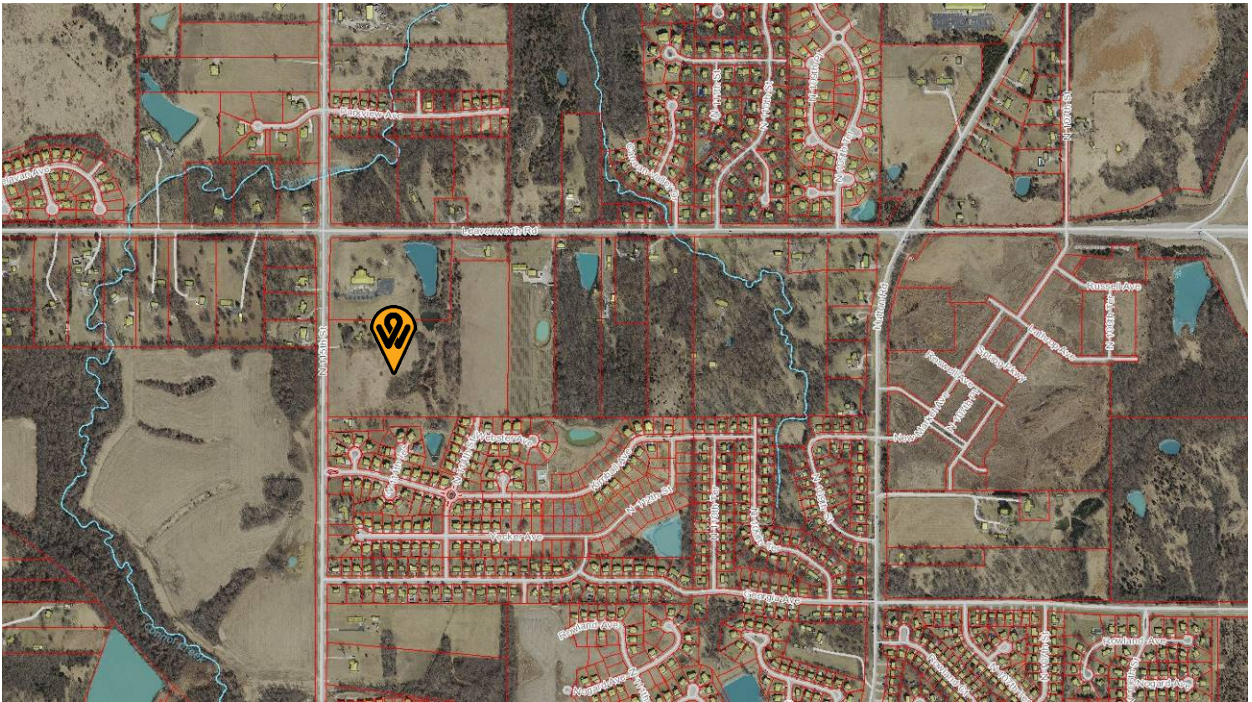
Mohler Aye
Pauley Aye
Reasons Aye
Motion to APPROVE Passed: 7 to 0
Subject to:

- 1) Further development shall not occur until a Final Plat for the property has been granted;**
- 2) Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable;**
- 3) North 114th Street must connect to any future subdivisions to the north. North 114th Street and the cul-de-sac must be designed and constructed with this future condition in mind;**
- 4) The plat must be in compliance with the following requirements from the Prairie-Delaware-Piper Area Master Plan:**
 - a. "Table 6: Residential Unit Size" of the Prairie-Delaware-Piper Area Master Plan states that subdivisions in Area 1 of Prairie-Delaware-Piper, which includes the subject property, must have no less than 80% of all parcels with a lot width of 70 feet or greater and no more than 20% of all parcels with a lot width of no less than 50 feet. Regardless, all single-family residences must have a minimum of 1,600 square feet of useable space;**
 - i. If compliance with this requirement produces a revised plat showing "significant changes" as defined by Section 27-210(g)(1)a.-k., then the revised plat and plan must be separately approved. "Significant changes" include any of the following relevant changes, as defined by the Code of Ordinances:**
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 - 2. Increases of lot coverage by more than five percent;**
 - 3. Decreases of areas devoted to open space of more than five percent (5%) or the substantial relocation of such areas;**
 - 4. Changes of traffic circulation patterns that will affect traffic outside of the project boundaries; or**
 - 5. Modification or removal of conditions or stipulations to the preliminary development plan approval**
 - b. All residential developments to have entry features. These features may include a neighborhood name within a landscape feature, monuments, a special lighting feature, an enhanced bus stop, a fountain, or special landscaping; and**
 - c. 15% of the proposed development must be open space.**

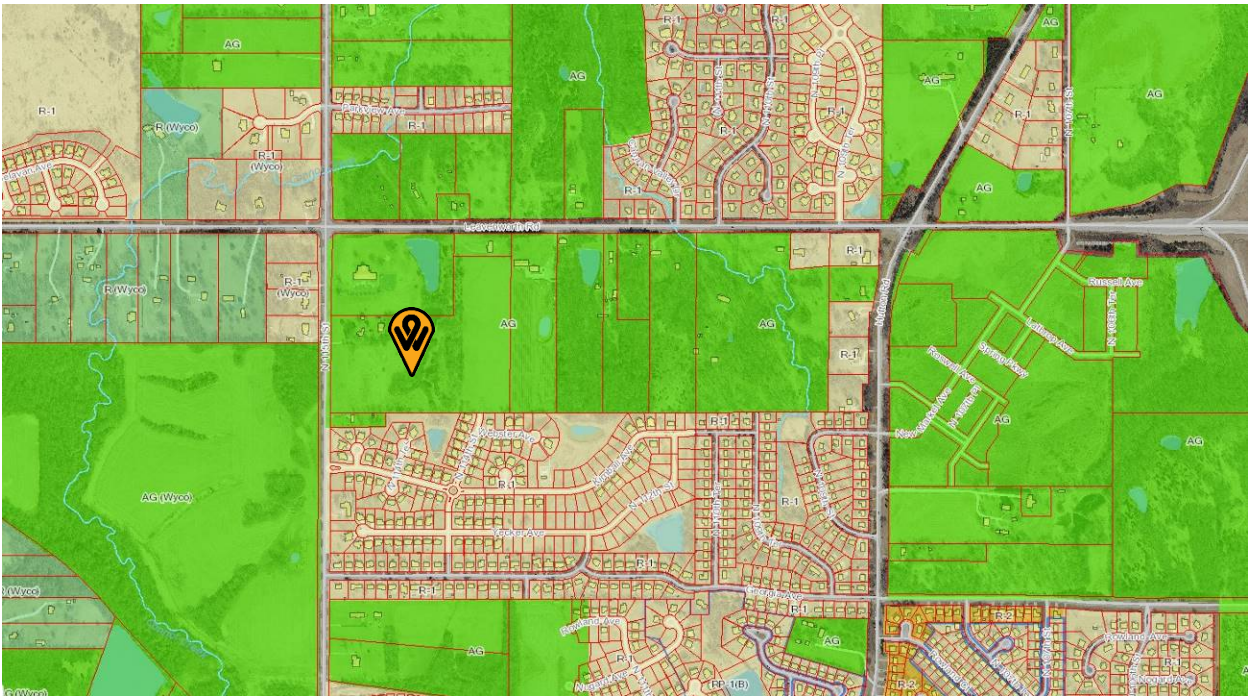
- 5) Per the Prairie-Delaware-Piper Area Master Plan, the applicant is required to do the following:
 - a. Connect streets within residential neighborhoods to adjacent uses.
 - b. Avoid designing subdivisions that have all the same unit type and lot size.
- 6) A sidewalk must be constructed along one (1) side of North 114th Street, Spring, 114th Terrace, and Webster. All sidewalks must connect to each other, whether continuously or via curb cuts and cross walks across the rights-of-way;
- 7) Design and construct an internal trail or walking path through the Villas of Piper Valley subdivision. The trail/walking path should connect to the Piper Landing subdivision and is encouraged to start at the Villas of Piper Valley clubhouse and meander its way south;
- 8) Proposed entrances/exist to the subdivision and private driveways accessing North 115th Street do not violate minimum distances between access points of a major road or maximum number or average of access points along a major road;
- 9) Site improvements that include land disturbance activity on greater than 1 acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations [Article XIV, Section 8-610 through Section 8-618]. Land disturbance fees shall be processed by UG Public Works during the land disturbance/ Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works department, 701 N.7th Street, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Department, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620, and
- 10) Create an Erosion Control Plan, as stated by the Wyandotte County Conservation District in the letter dated October 13, 2020 (see in the "Attachments" section of this report). Best Management Practices in the letter can be used to develop the Plan, and are as follows:
 - a. Establish temporary entrance/exit pads for trucks to dump mud before entering a public road;
 - b. Using a combination of the following to reduce dust and air pollution from the construction site: vegetative covering, sprinkling, barriers, street cleaning, and mulching;
 - c. Establishing permanent vegetation after final grade;
 - d. During development, placing strategic filter strips of perennial grass vegetation or establishing temporary sediment barrier consisting of a geotextile fabric which is attached to supporting posts and trenched into the ground;
 - e. Applying mulch to help establish plant cover;

- f. Keeping disturbed areas small by opening only the land needed to perform the intended construction activities, and**
- g. Utilizing best management practices in natural concentrated flow areas.**

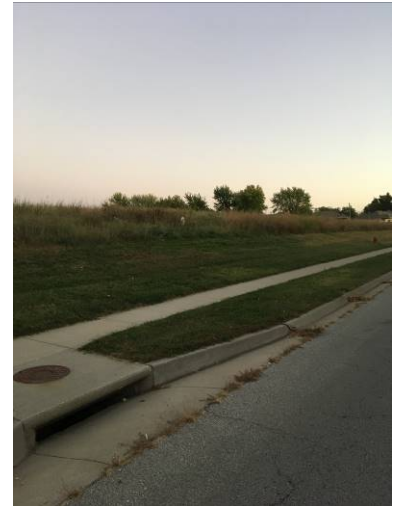
AERIAL MAP



ZONING MAP



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED OCTOBER 13, 2020



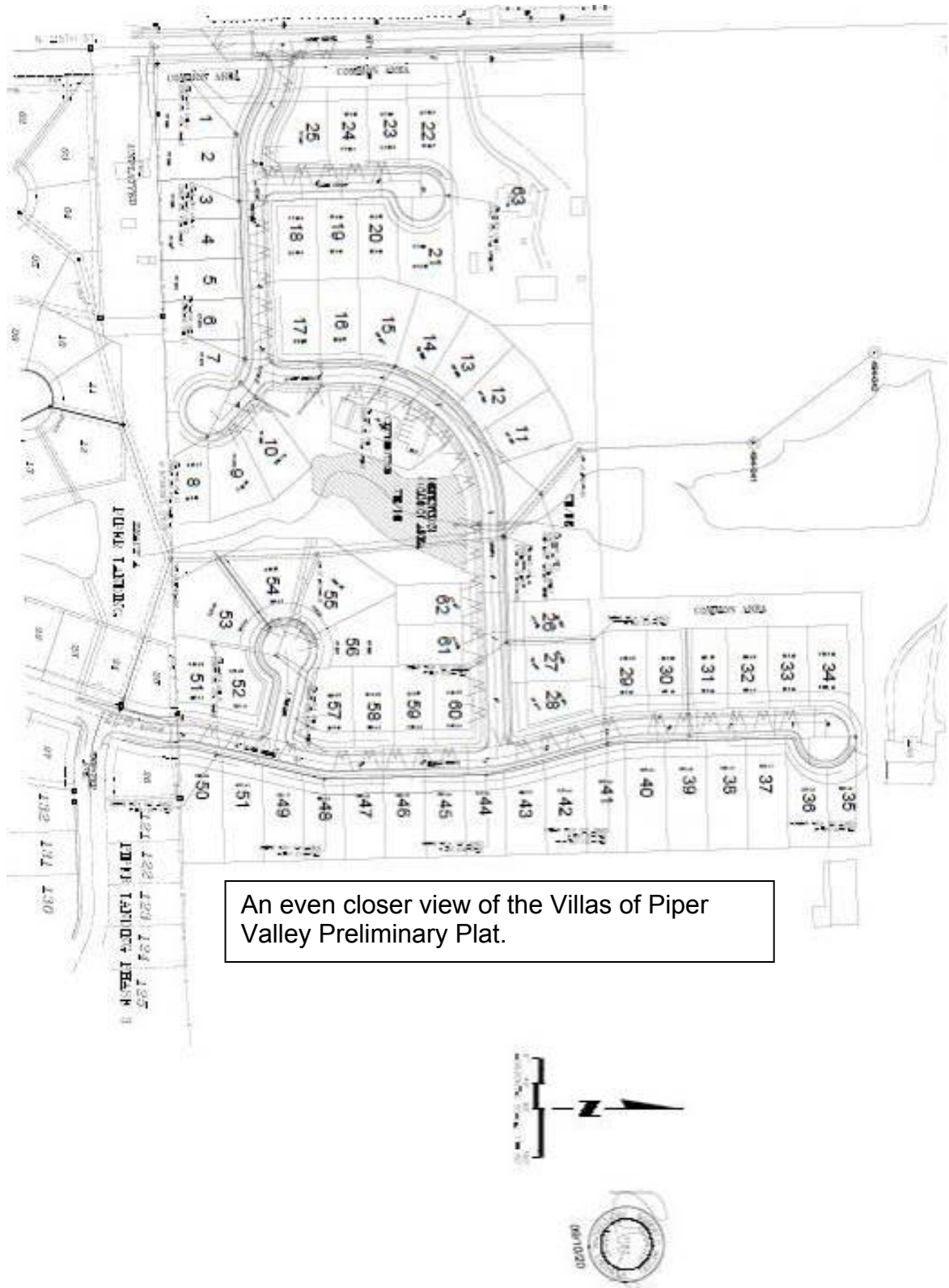
PRELIMINARY PLAT SUBMITTED BY THE APPLICANT

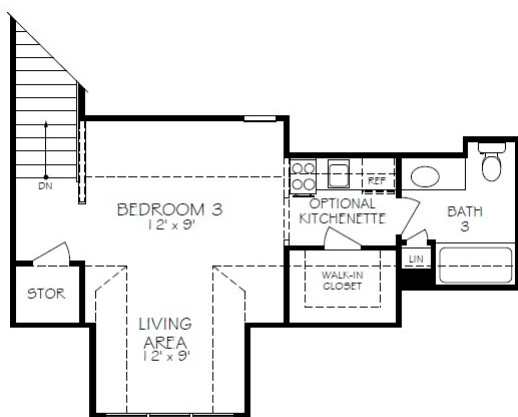
Above: Full Preliminary Plat for the Villas of Piper Valley subdivision.

Right: Close up of Villas of Piper Valley Preliminary Plat.



PRELIMINARY PLAT SUBMITTED BY THE APPLICANT, CONT.



[illegible][illegible]

The floor plan shows a rectangular layout. On the left side, there is a vertical corridor. To the right of the corridor, from top to bottom, are the following areas:

- OWNER'S SUITE:** Located at the top left, indicated by a dashed rectangular outline.
- EXTENDED PATIO 12' x 10':** Located at the top right, adjacent to the Owner's Suite.
- BEDROOM 2:** Located in the middle left, below the Owner's Suite.
- PRIVATE COURTYARD:** Located at the bottom right, below the Extended Patio.

At the bottom left, there is a small area labeled "1" with a dashed outline, likely representing a closet or storage area.

OWNER'S SUITE

BEDROOM 2

COVERED PORCH
12' x 10'

PRIVATE COURTYARD

OWNER'S SUITE

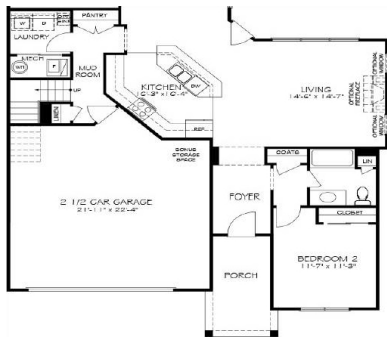
SCREENED PORCH
12' x 8'

PRIVATE COURTYARD

out

The floor plan shows a rectangular layout. At the top is a 'PORCH' with a 'WINDOW' and 'SCREEN DOOR'. Below the porch is the 'OWNER'S SUITE' on the left and the 'SITTING ROOM 12 x 10' on the right. Below the sitting room is a 'PRIVATE COURTYARD'. To the left of the courtyard is 'BEDROOM 2'. A 'BATH' is located between the owner's suite and bedroom 2. A 'HALL' runs along the bottom left, leading to a 'CLO.' (closet) and a 'BATH'.

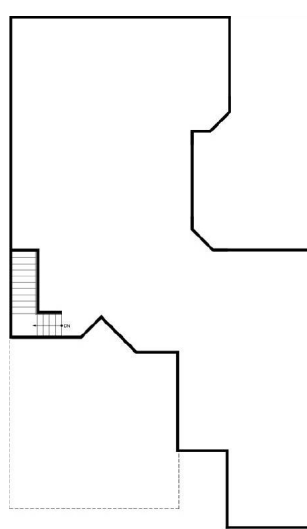
RESIDENCE BLUEPRINTS PROVIDED BY APPLICANT, CONT.



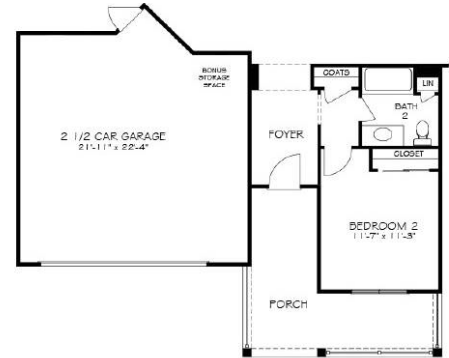
FIRST FLOOR PLAN
W/ OPTIONAL BONUS SUITE



OPTIONAL SECOND FLOOR
BONUS SUITE



CONSULT WITH YOUR LOCAL NEW HOMES
SALES SPECIALIST TO DETERMINE IF
BASEMENTS ARE AVAILABLE, AND THE
CONFIGURATIONS THAT ARE OFFERED



OPTIONAL EXTENDED PORCH



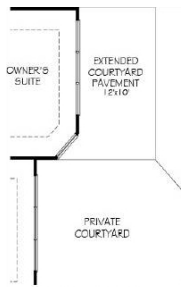
OPTIONAL WINDOWS



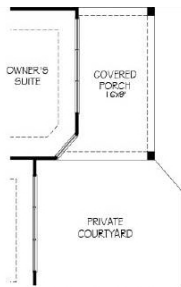
OPTIONAL OWNER'S BATH
WALK-IN SHOWER



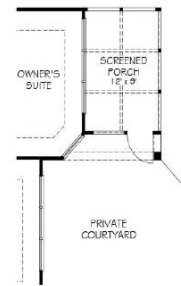
OPTIONAL OWNER'S BATH
SHOWER WITH
BUILT-IN SEAT



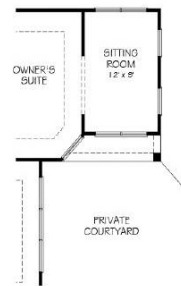
OPTIONAL EXTENDED
COURTYARD PAVEMENT



OPTIONAL COVERED PORCH

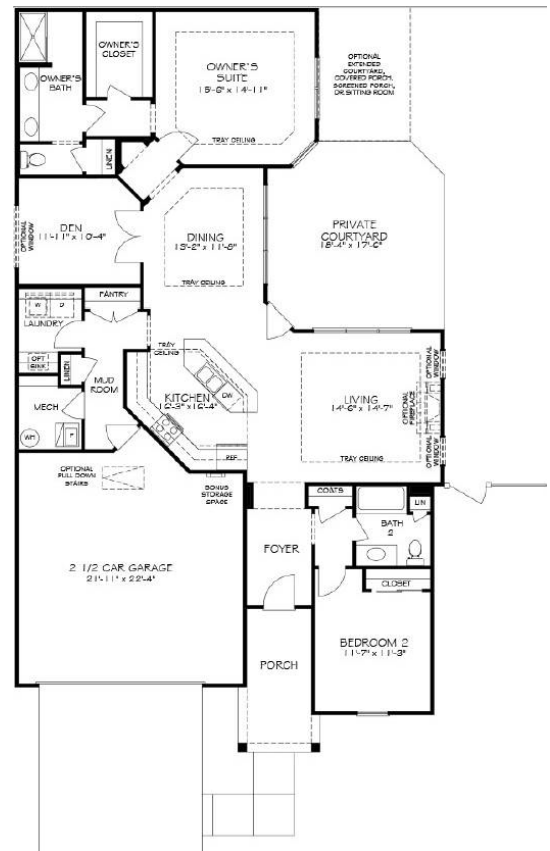


OPTIONAL SCREENED PORCH

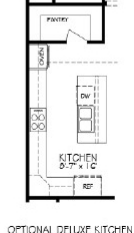
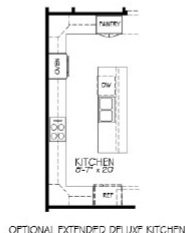
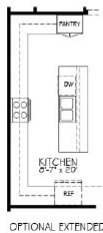
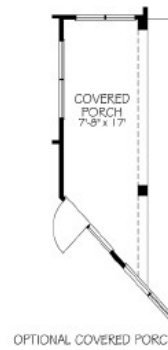
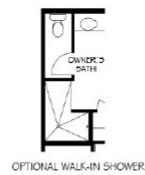
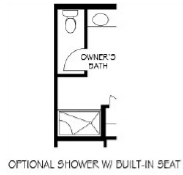
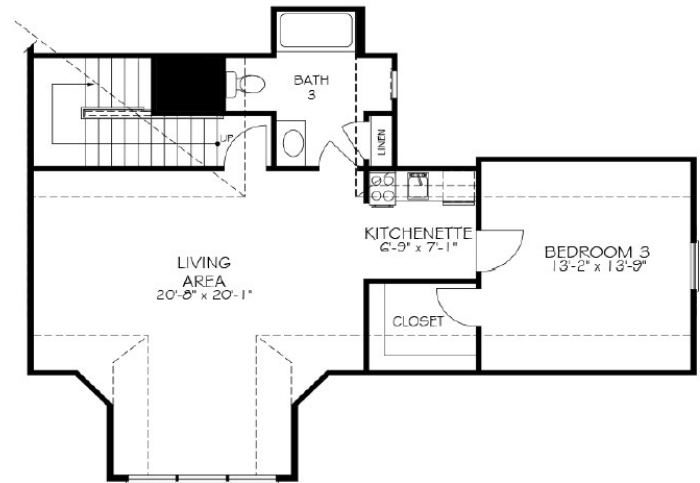
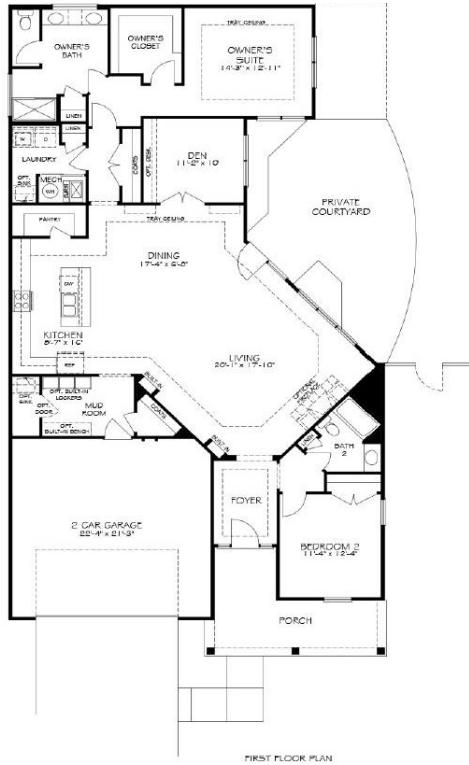


OPTIONAL SITTING ROOM

"Portico" Home Layout



RESIDENCE BLUEPRINTS PROVIDED BY APPLICANT, CONT.



"Promenade" Home Layout



LETTER FROM WYANDOTTE COUNTY CONSERVATION DISTRICT,
DATED OCTOBER 13, 2020



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

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

October 13, 2020

RE: COZ-3240 and Villas of Piper Valley Andrea Weishaubt A-G to R-1 single-family lots 2951 North 115th Street

Dear Mr. Hand:

The Wyandotte County Conservation District, with technical assistance from the Natural Resources Conservation Service, has completed an environmental review of the Change of Zone for: COZ-3240 and Villas of Piper Valley Andrea Weishaubt A-G to R-1 single-family lots 2951 North 115th Street.

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

MAPS AND REPORTS

Soils Map
Soils Inventory Report
Map Unit Description (Brief)
Dwelling and Small Buildings
Prime Farmland
Soil Features

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

- There are four major soil types identified: Basehor complex, 5 to 30 percent slopes, Ladoga silt loam, 3 to 8 percent slopes, Sharpsburg silty clay loam, 4 to 8 percent slopes, eroded and Shelby loam, 3 to 7 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.
- **There will need to be an Erosion Control Plan prepared for this site before any grading begins.** The Best Management Practices in this report can be used to develop an Erosion Control Plan.
- Care will be taken with any development on this site. The pond to the north has some structure deficiencies that could affect the road to the north. With increased runoff in the area, there will be more stress placed on the pond.

LETTER FROM WYANDOTTE COUNTY CONSERVATION DISTRICT,
DATED OCTOBER 13, 2020, CONT.

- Runoff, onto other properties, needs to be considered when developing properties.
- Three of the four soils are consider Prime Agricultural Land.
- Shrink Swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to buildings, roads and other structures and to plant roots. Special design commonly is needed.

The following Best Management Practices are recommended for this plat:

* **Access Road** – Temporary entrance/exit pads should be constructed of a stone base design to provide a buffer area where construction vehicles can drop their mud to avoid transporting it onto public roads. See the *Protecting Water Quality Field Guide* pages 27-29 for Temporary Gravel Construction Entrance/Exit Pad.

* **Dust Control** – Any combination of the following may be used to help reduce the dust and air pollution at a construction site; vegetative cover, sprinkling, barriers, street cleaning and mulching. See the *Protecting Water Quality Field Guide* pages 89-92 for Dust Control information.

* **Critical Area Planting** - After final grade has been completed permanent vegetation will be established. See the *Protecting Water Quality Field Guide* pages 33-34 for Temporary, and Permanent Seeding.

* **Filter Strips** – During development, strategic non disturbance of existing perennial grass vegetation can function as filter strips. See the *Protecting Water Quality Field Guide* pages 195-200 for Filter Strip.

* **Silt Fences**- Temporary sediment barrier consisting of a geotextile fabric which is attached to supporting posts and trenched into the ground may be substituted for vegetative strips. Install on the contour, where fence can intercept runoff as a sheet flow; not located in crossing channels, waterways or other concentrated flow paths. See the *Protecting Water Quality Field Guide* pages 175-181 for Sediment Fence.

* **Sediment Trap** -Temporary catch basins consisting of a row or more of entrenched and anchored straw bales can be utilized in minor swales with less than 2 acres of drainage. See the *Protecting Water Quality Field Guide* for Straw Bale Sediment Trap.

* **Mulching** – Mulch can be applied to seeded areas to help establish plant cover. It can also be used in unseeded areas to protect against erosion over the winter or until final grading and shaping can be accomplished. See the *Protecting Water Quality Field Guide* pages 61-66 for Mulching.

* **Precision Land Forming** – Keep disturbed areas small; open only the land that is minimally necessary to perform the intended construction activities; and only for the minimum duration of time necessary to complete construction. Permanent or temporary soil stabilization should be applied to denuded areas that will remain undisturbed for longer than 60 days.

* **Sediment Basins** – This best management practice should be utilized in the natural concentrated flow areas to protect adjacent property and meet the National Pollution Discharge Elimination Systems Permit (NPDES). See the *Water Quality Field*

LETTER FROM WYANDOTTE COUNTY CONSERVATION DISTRICT,
DATED OCTOBER 13, 2020, CONT.

Guide pages 201 – 208 for Temporary Sediment Trap and pages 209-216 for Sediment Basin.

Technical assistance is available from our office. Limitation maps, detail soil reports and a conservation plan can also be requested for this site from our office.

The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological investigation may be needed. The natural soils and drainage pattern may have been changed in this area due to previous urban development. Therefore, the physical composition influencing the structure of the natural soil has already been altered; however, some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineation on the maps includes soils that differ from the named soil. Soil lines may not be exact therefore; on site investigation is needed for site specific planning.

If you have any comments or questions, please do not hesitate to call me.

Sincerely,

Cheri Miller
District Manager

enclosures

NEIGHBORHOOD MEETING MINUTES, OCTOBER 26, 2020

Neighborhood Meeting

Villas of Piper Valley Meeting

Change of Zone 3240

Date and Location: October 26th, 2020 via Zoom Call

Meeting called to order at 3:00 PM

Attendees:

Darrin McNew • Denny Robinson • Jace Tayler • Josh Finger • Linda • Lori Robinson • Melissa Bynum • Rusty Roberts • Danielle Abbott • Bob Raveill • Andrea Weishaubt • Austin Thompson • Steve Peck • Jason Rakoski • Daryl Rakoski

*due to the neighborhood meeting being completed via zoom we were unable to acquire anyone's address during the meeting. *

Introductions:

Andrea Weishaubt of Atlas Surveyor's introduced herself along with the developers (Daryl Rakoski & Steve Peck), and began to explain the concept of what this project will be. She explained there will be 64 lots that contain single family homes. These homes will be sold to people the ages of 65 and older. After explaining, Steve Peck, presented the plat for everyone to see then we opened up the chat for questions.

Questions:

1. Name: Lori Robinson

Question: Has the land been officially sold?

Answer: No, the land has not been closed on yet but is in the process to be very soon.

2. Name: Bob Raveill

Question: What's the timeline to get the homes built?

Answer: The plan is to break ground early 2021 and have them homes all completed in the next 3 years.

3. Name: Lori Robinson

Question: So, no rentals?

Answer: No, these are not rentals. These are single family homes for residents above the age of 65 to own.

4. Name: Danielle Abbott

Question: So, they won't be duplex like the villas?

Answer: No, they will be single family homes for residents above the age of 55 to own.

5. Name: Bob Raveill

Question: What is the starting point for the lowest cost?

Answer: Around \$250,000.

6. Name: Danielle Abbott

Question: What will you be doing for dust and erosion control during construction?

Answer: Wyandotte County has a very strict policy on this, and we will abide by these rules to make sure the dust and erosion control is contained.

7. Name: Bob Raveill

NEIGHBORHOOD MEETING MINUTES, OCTOBER 26, 2020, CONT.

Question: Are they maintenance free?

Answer: Yes, to an extent. The houses are minimal maintenance as possible except for changing lights and smaller things like that.

8. Name: Bob Raveill

Question: Will there be upgrades?

Answer: We have 5 different packages these homes will be coming in with a variety of options to choose from.

9. Name: Denny Robinson

Question: Is the clubhouse an actual clubhouse or is it more of a rec center?

Answer: The clubhouse is meant to be an actual clubhouse. A rec center seems excessive for a community of 65 and older. The club house is meant for cards and coffee, not necessarily sports.

10. Name: Danielle Abbott

Question: Will the homes have basements? What about shelter?

Answer: Some homes will have basements with a ranch style home. As for shelter the homes will meet Wyandotte County's minimum requirements but there are upgradable packages as well.

11. Name: Lori Robinson

Question: Will you be putting any kind of berm/barrier between the vineyard?

Answer: Yes

12. Name: Danielle Abbott

Question: Will there be round-a-bouts and speed bumps?

Answer: Yes, per the preliminary plat there are multiple round-a-bouts. As for speed bumps due to the type of residence living in the homes, speed bumps are not necessary.

13. Name: Bob Raveill

Question: When do you expect Phase 1 to be completed by?

Answer: Hopefully, Mid next year. June or July.

14. Name: Denny Robinson

Question: Why are three different roads labeled Webster Ave?

Answer: The city has control of the naming of roads. We do not have control to change the naming of the roads. Specific areas are dedicated to certain roads throughout the whole city.

15. Name: Lori Robinson

Question: With the barrier backed up to the vineyard, will there be help with the reconstruction of fence and grass?

Answer: As of right now, we are not sure how far the grading plan goes out to those adjoining lots, but depending on the tie in points yes.

16. Name: Lori Robinson

Question: Are you building a bridge over the existing creek?

Answer: This will probably be more of a culvert than a bridge.

17. Name: Bob Raveill

Question: My wife and I want to live here. We are over the age of 65. Will I pursue this through a realtor?

Answer: Yes, these will be advertised heavily and can be obtainable through a realtor.

NEIGHBORHOOD MEETING MINUTES, OCTOBER 26, 2020, CONT.

18. Name: Jace Taylor

Question: So, none of the houses will be two stories?

Answer: There are options for the houses to have multiple bedroom additions and a basement.

19. Name: Lori Robinson, Denny Robinson, Jace Taylor, Bob Raveill

Question: How can we get a copy of the plan?

Answer: If you check the zoom chat we have attached a pdf, but if you cannot find it there please leave us your email and we can send you a copy after the meeting.

20. Name: Lori Robinson

Question: How big are the lots?

Answer: Between 8,000 and 11,000 sq ft.

21. Name: Denny Robinson

Question: We didn't get a letter and we border this property.

Answer: We apologize that you did not receive one of the letters. We sent them out on October 15th via mail to a list of 65 different people. The list was provided to us by the UG. If you were on the list the letter may have just been lost in the mail.

22. Name: Lori Robinson

Question: Does lot 51 back up to the vineyard or is there green space?

Answer: Lot 51 does back up to the vineyard and no this is an actual lot.

23. Name: Lori Robinson

Question: And you have no green space there?

Answer: No greenspace.

24. Name: Darrin McNew

Question: How much are these lots?

Answer: Around \$250,000.

25. Name: Lori Robinson

Question: Will there be a walkway?

Answer: There will be a sidewalk per county regulations, but we are unsure if the sidewalk is both sides or one side at this time.

26. Name: Lori Robinson

Question: How much is Lot 51?

Answer: We are not in the business of selling lots. We sell homes; therefore, you would have to purchase a home to be put on that specific lot.

27. Name: Lori Robinson

Question: What if we all bought lot 51 and made it a greenspace?

Answer: No, we would not be willing to do that.

28. Name: Josh Finger

NEIGHBORHOOD MEETING MINUTES, OCTOBER 26, 2020, CONT.

Question: I own the property that boarder's lot 34 & 35. How much space is in between my property line and those property lines.

Answer: 25 feet.

29. Name: Multiple People

Question: Is there direct access from Leavenworth Road from 114th Street?

Answer: No, 114th Street ends on a cul-de-sac.

30. Name: Danielle Abbott

Question: Is this plan final or is there wiggle room?

Answer: Yes, there is wiggle room, but we feel we have created the best option for this plan and this is the plan we are most comfortable to submit.

31. Name: Lori Robinson

Question: We have had trouble with flooding around that lot 51, has this been accounted for?

Answer: Our plans have been sent through an engineer who takes into account everything that could possibly happen. Once our plans are submitted, the city engineer also has to approve these plans. They take in consideration for everything with the project and surrounding the project as well.

32. Name: Darrin McNew

Question: Will these new homes have access to 115th Street.

Answer: Yes, the primary access is from 115th Street.

Meeting adjourned at 3:45 PM

Minutes Taken By: Austin Thompson with Atlas Surveyors



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: December 3, 2020
Re: SP-2020-72

GENERAL INFORMATION

Applicant:
Karen and Nathaniel Schotanus

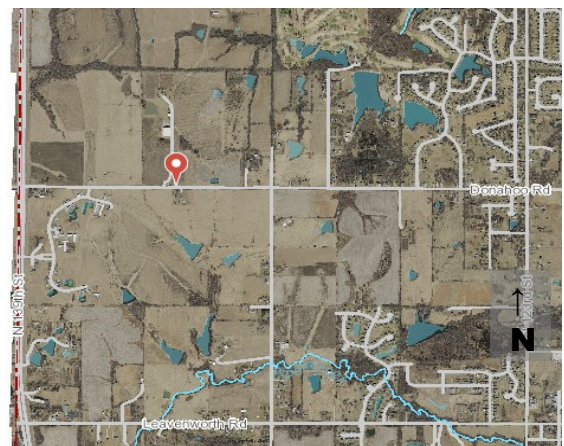
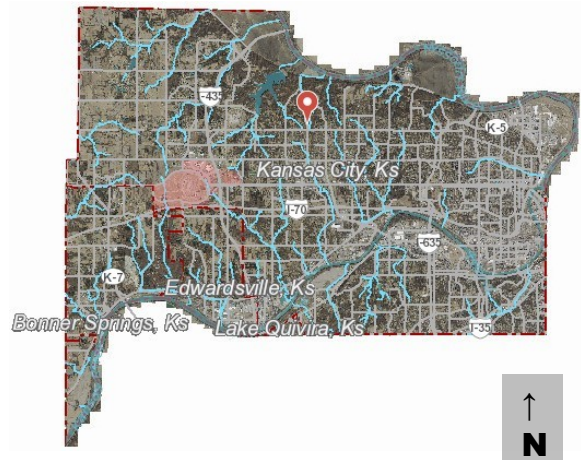
Status of Applicant:
Representative
Range 23 Brewery
11240 Lakeview Drive
Kansas City, Kansas 66109

Requested Action:
Approval of a Special Use Permit.

Date of Application:
June 23, 2020

Purpose:
Special Use Permit to operate a microbrewery.

Property Location:
13400 Donahoo Road



Commission District:	District Commissioner: Mike Kane (District 5) Commissioner At Large: Melissa Bynum (At-Large District 1)
Existing Zoning:	AG (WyCo) Agriculture District
Adjacent Zoning:	North: AG (WyCo) Agriculture District South: AG (WyCo) Agriculture District East: R-1 Single Family District West: AG (WyCo) Agriculture District
Adjacent Uses:	North: Agricultural portion of homestead South: Agriculture land East: Single-family homestead West: Undeveloped agriculture land
Total Tract Size:	39.52 Acres
Master Plan Area:	The subject property is within the Prairie-Delaware-Piper Master Plan.
Master Plan Designation:	The Prairie-Delaware-Piper Master Plan designates the property as Low-Density Residential, Office, and Business Park.
Major Street Plan:	The Major Street Plan classifies Donahoo Road as a Class C Thoroughfare.
Required Parking:	Section 27-668(a)(12) requires one (1) space for each 50 square feet of seating or assembly area plus one (1) space for each remaining 200 square feet of total floor area.
Advertisement:	<u>The Wyandotte Echo</u> – July 16, 2020 Letters to Property Owner – July 16, 2020, August 3, 2020, September 9, 2020 and November 25, 2020.
Public Hearings:	November 9, 2020 and December 3, 2020
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Karen and Nathaniel Schotanus, are requesting a Special Use Permit to operate a microbrewery. The microbrewery would brew and serve both beer and non-alcoholic beverages. The microbrewery may

operate on the property in conjunction with an event space, for which a Special Use Permit is simultaneously being requested.

City Ordinance Requirements: Article VIII Sections 27-592 through 27-606

Zoning Enforcement Issues: There are no outstanding Notices of Violation associated with the subject property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is predominately agricultural and features large parcels of 15+ acres. Development in the neighborhood is minimal—some parcels have a mix of primary residence and agricultural accessory buildings, while other parcels feature few or no structures.

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

The applicant has plenty of space (nearly 40 acres) to serve as a buffer between the event space and its related facilities and the neighboring properties. Additionally, the neighboring properties are zoned AG (WyCo) or R-1 and are all similarly large parcels. Large parcels can mitigate the externalities coming from special uses on nearby properties. Therefore, a special use such as a microbrewery has the potential to be compatible with the surrounding properties.

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

The property is on a 40-acre parcel and is already outfitted with two (2) buildings. The only potential issue with the current layout is the proximity of the driveway to the neighboring property to the east. The driveway runs closely parallel to the property boundary line.

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

The property is not vacant but is currently used as a horse ranch and a primary residence. A special event space is simultaneously being proposed for the property.

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

Special Use Permits are not addressed in the Prairie-Delaware-Piper Master Plan, nor are microbreweries specifically addressed. Part of the property is designated as Office land use by the Prairie-Delaware-Piper Master Plan (PDPMP). The PDPMP describes the Office land use designation as sometimes “located to buffer residential development from more intensive commercial retail development”. While not an office building, a microbrewery can also serve as a

buffer between the growing mixed-use development on Donahoo Road to the west, around the K-7 intersection, and the rural properties and farmland to the east.

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

A microbrewery, in conjunction with the proposed event space (SP-2020-73), will increase traffic to the property. Donahoo Road is designated a Class C Thoroughfare and serves all east-west traffic in the Piper area between Leavenworth Road and Hollingsworth Road. The applicant should provide the hours of operation and predicted patronage of the proposed use.

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

While local businesses are the economic lifeblood of any community, a microbrewery itself is not necessary for the convenience and welfare of the public. The current arrangement of the property and its structures, however, is designed to keep most activity away from the road and the property boundaries. With an appropriate site plan and business model, there is little reason to believe that a microbrewery would inherently cause substantial or permanent injury to the appropriate use, visual quality, or marketability of adjoining properties.

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

Depending on the hours of operation, a microbrewery may utilize large lights for outdoor serving space and its associated parking lot. Noise too could be a factor, both from the general noise coming from crowds, as well as any live music (for which the applicants would need to get a temporary or Special Use Permit). Applicant should submit more details about outdoor lights and any noise mitigation measures.

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

In a memorandum sent to the applicants and property owners on July 14, 2020, the Engineering Division of the Planning and Urban Design Department expressed concern regarding waste management of by-products from the brewing process. Such concerns are echoed by Planning Staff and should be addressed, especially as they relate to air, land, and water pollution. The distinct smell that comes from brewing beer is also a potential nuisance to nearby properties.

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

The brewing process naturally produces waste products, although most of the waste product is biodegradable. The applicants should work to recycle the brewery waste it can and properly dispose of the waste it cannot recycle.

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

A microbrewery presents both benefits and drawbacks to the community. Alcohol consumption presents several social and public safety issues, especially when alcohol is sold and served in a rural area that is not served by a KCATA route. The applicants have noted the problems that come with alcohol consumption and have offered preliminary mitigation of such issues by serving a range of non-alcoholic beverages to promote a family-friendly atmosphere. The applicants have also pointed out the benefits of local businesses, which is certainly a gain to public welfare as a whole. The relative gain of a microbrewery can exceed the hardships imposed on neighboring landowners and the community at large, but the applicants must take steps to address noise, parking, traffic, light pollution, disturbances, and drunk driving.

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

There is no indication that the proposed uses of the applicant property would result in an overcrowding of construction equipment and vehicles. The proposed use is not for residential use, therefore there not a potential for undue concentrations of population.

PREVIOUS ACTIONS

BZA-2400 (simultaneous application for a variance)
SP-2020-73 (simultaneous application for a special event space)

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 23, 2020 (in conjunction with the neighborhood meeting for SP-2020-73 and BZA-2400) by virtual meeting via Google Meet. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Dust
Noise
Parking and Paving
Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2020-72, subject to:

- 1) **Approval of BZA-2400, which would allow a variance from Section 27-675(a), requiring that all parking spaces, drive aisles, and driveways that serve a commercial business be paved (NOTE: Appeal was approved);**
- 2) **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 3) **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;**
- 4) **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
- 5) **Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable;**
- 6) **The applicants should work to recycle the brewery waste it can and properly dispose of the waste it cannot recycle. Regardless, the applicants must comply with all local, county, state, and federal waste disposal regulations;**
- 7) **Provide at least as many ADA-compliant parking spaces as required by Section 27-676(a). Based on the most recently submitted parking plan, there are 68 planned parking spaces, at least three (3) of which must be ADA-compliant, which includes paving those parking spaces, the access**

- aisles, and the path from the parking spaces to an ADA-accessible door at the event space;
- 8) All parking, paved or not, must be striped to dimensions compliant with Section 27-669;
 - 9) The special event space and brewery may share parking lots, subject to a review in the event of an increase in capacity, seating, or building footprint by either use;
 - 10) All relevant building permits and flatwork work permits for constructing or expanding structures and for paving parking spaces must be satisfactorily issued;
 - 11) Landscape screening must be planted along the eastern neighboring property, as it may adversely affect the adjacent property, per the City Planning Commission's discretion;
 - 12) Per Section 27-673(a), any lights used to illuminate the parking area shall be so arranged, located or screened as to direct light away from any adjoining or abutting residential district;
 - 13) Parking shall be limited to designated paved or gravel areas as allowed through this variance, but no parking on the grass is allowed;
 - 14) Install or maintain rumble strips at the entrance of the driveway from Donahoo Road, in order to prevent gravel from being carried or spilled into the right-of-way; and
 - 15) The special event space and brewery may share parking lots, subject to a review in the event of an increase in capacity, seating, or building footprint by either use.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP-2020-72** subject to all comments and suggestions outlined in the staff report(s), and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Aerial Map
Zoning Map
Photos of Property Provided by Staff, Dated July 13, 2020
Statement from the Applicants
Site Plan Submitted by the Applicants
Photos of Property Provided by the Applicants
Neighborhood Meeting Notice, July 13, 2020
Neighborhood Meeting Minutes, July 23, 2020

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing		
Special Use	November 9, 2020 Approval	December 3, 2020

STAFF CONTACT: **Michael Farley**
 mfarley@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#SP-2020-72** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2020-72**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 2:10:40:

SPECIAL USE PERMIT APPLICATION #SP-2020-72 – KAREN AND NATHANIEL SCHOTANUS WITH RANGE 23 BREWING – SYNOPSIS: Special Use Permit for a microbrewery at 13400 Donahoo Road. **Detailed Outline of Requested Action:** The applicants, Karen and Nathaniel Schotanus, are requesting a Special Use Permit to operate a microbrewery. The microbrewery would brew and serve both beer and non-alcoholic beverages. The microbrewery may operate on the property in conjunction with an event space, for which a Special Use Permit is simultaneously being requested.

SPECIAL USE PERMIT APPLICATION #SP-2020-73 – BILL AND MARY BASLER – SYNOPSIS: Special Use Permit for an event space with live entertainment at 13400 Donahoo Road. **Detailed Outline of Requested Action:** The applicants, Bill and Mary Basler, are requesting a Special Use Permit to allow for an event space. The event space would help Due West Ranch be more successful by opening an additional revenue stream and by raising more awareness for the ranch and its offering. The event space may operate on the property in conjunction with a microbrewery, for which a Special Use Permit is simultaneously being requested.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The testimony at the Board of Zoning Appeals meeting earlier this evening;
7. The Notice in the Wyandotte Echo; and,
8. The Notices to property owners.

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

Present in Support:

- Nathaniel Schotanus, applicant for SP-2020-72, 11240 Lakeview Drive, Kansas City, Kansas 66109

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:14:38: Planning Director Hand stated that #SP-2020-72 is associated with a Board of Zoning Appeals case that was heard earlier this evening for the micro-brewery. Staff carried over the conditions from that case to these applications and recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 2:15:46:

On motion by Ms. Pauley, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit #SP-2020-72:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

- 1) Approval of BZA-2400, which would allow a variance from Section 27-675(a), requiring that all parking spaces, drive aisles, and driveways that serve a commercial business be paved;
- 2) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- 3) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
- 4) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

- 5) Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable;
- 6) The applicants should work to recycle the brewery waste it can and properly dispose of the waste it cannot recycle. Regardless, the applicants must comply with all local, county, state, and federal waste disposal regulations;
- 7) Provide at least as many ADA-compliant parking spaces as required by Section 27-676(a). Based on the most recently submitted parking plan, there are 68 planned parking spaces, at least three (3) of which must be ADA-compliant, which includes paving those parking spaces, the access aisles, and the path from the parking spaces to an ADA-accessible door at the event space;
- 8) All parking, paved or not, must be striped to dimensions compliant with Section 27-669;
- 9) The special event space and brewery may share parking lots, subject to a review in the event of an increase in capacity, seating, or building footprint by either use;
- 10) All relevant building permits and flatwork work permits for constructing or expanding structures and for paving parking spaces must be satisfactorily issued;
- 11) Landscape screening must be planted along the eastern neighboring property, as it may adversely affect the adjacent property, per the City Planning Commission's discretion;
- 12) Per Section 27-673(a), any lights used to illuminate the parking area shall be so arranged, located or screened as to direct light away from any adjoining or abutting residential district;
- 13) Parking shall be limited to designated paved or gravel areas as allowed through this variance, but no parking on the grass is allowed;
- 14) Install or maintain rumble strips at the entrance of the driveway from Donahoo Road, in order to prevent gravel from being carried or spilled into the right-of-way; and
- 15) The special event space and brewery may share parking lots, subject to a review in the event of an increase in capacity, seating, or building footprint by either use.

On motion by Mr. Miller, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit #SP-2020-73:

Carson

Chairman

Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

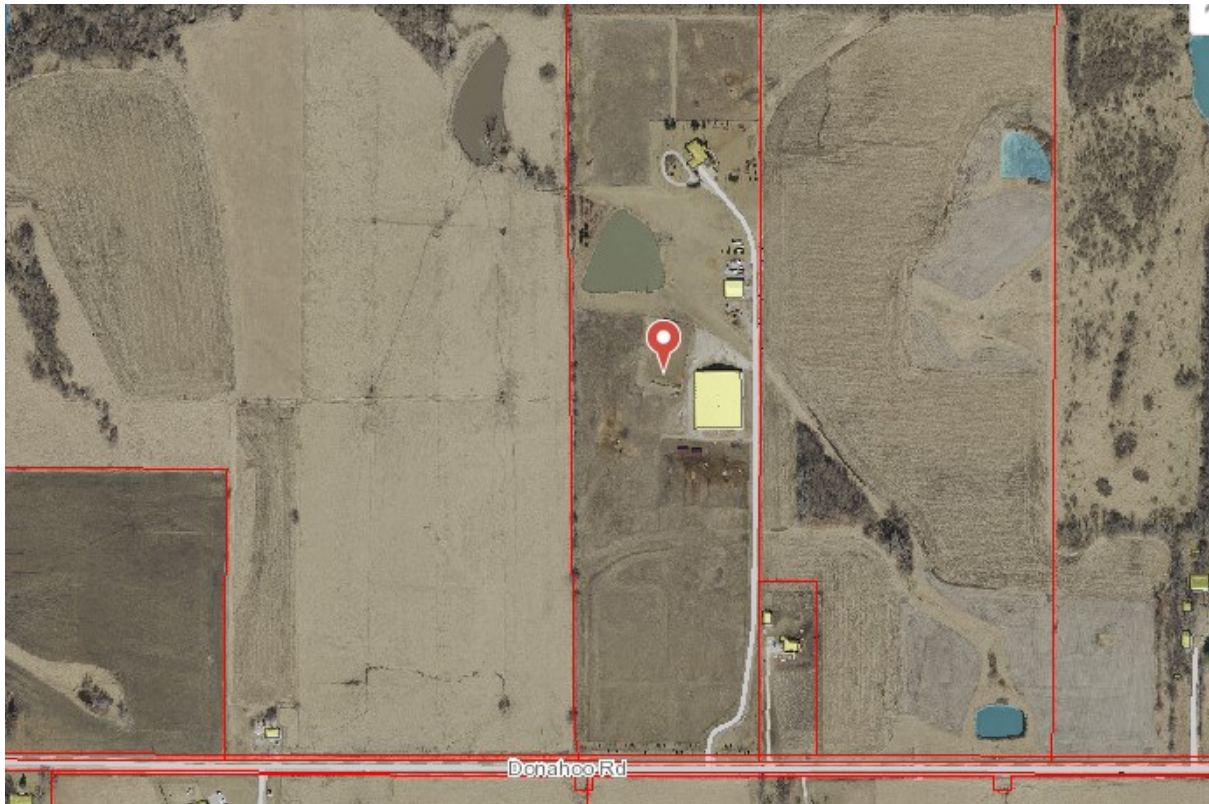
Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

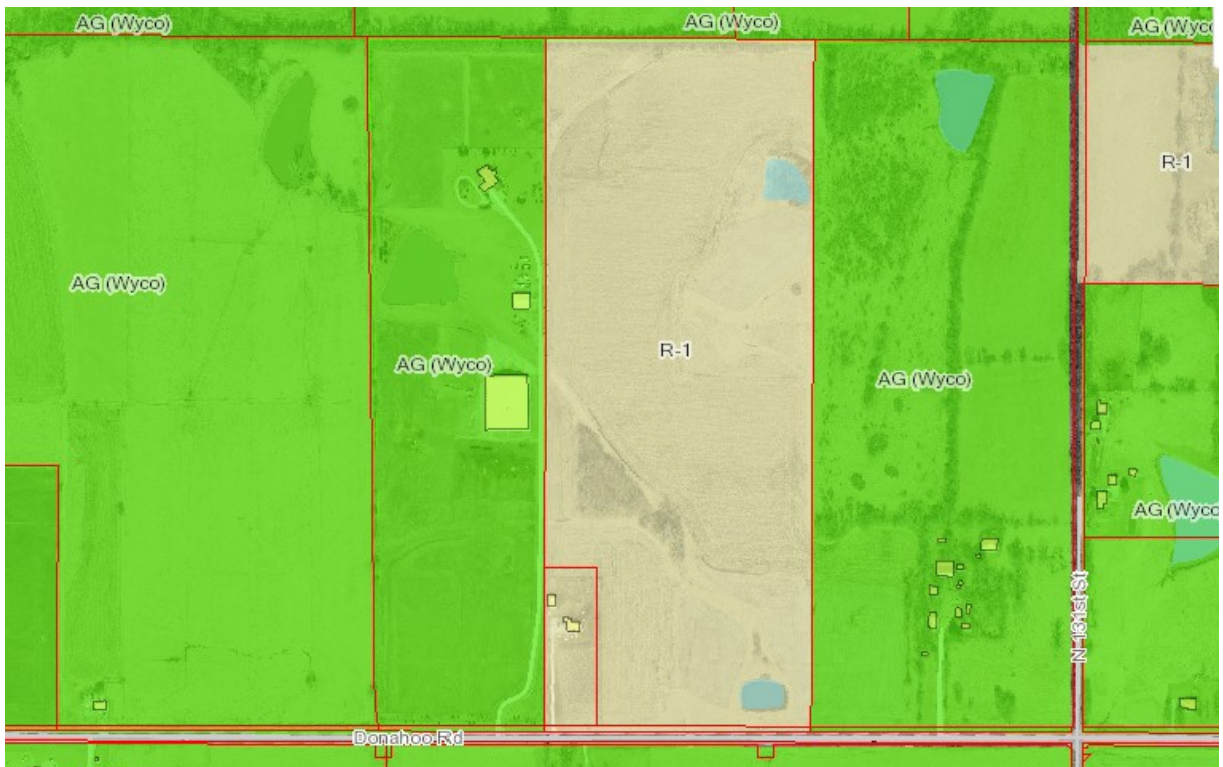
- 1) Approval of BZA-2400, which would allow a variance from Section 27-675(a), requiring that all parking spaces, drive aisles, and driveways that serve a commercial business be paved;
- 2) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- 3) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
- 4) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
- 5) Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable;
- 6) Provide at least as many ADA-compliant parking spaces as required by Section 27-676(a). Based on the most recently submitted parking plan, there are 68 planned parking spaces, at least three (3) of which must be ADA-compliant, which includes paving those parking spaces, the access aisles, and the path from the parking spaces to an ADA-accessible door at the event space;

- 7) All parking, paved or not, must be striped to dimensions compliant with Section 27-669;
- 8) The special event space and brewery may share parking lots, subject to a review in the event of an increase in capacity, seating, or building footprint by either use;
- 9) All relevant building permits and flatwork work permits for constructing or expanding structures and for paving parking spaces must be satisfactorily issued;
- 10) Landscape screening must be planted along the eastern neighboring property, as it may adversely affect the adjacent property, per the City Planning Commission's discretion;
- 11) Per Section 27-673(a), any lights used to illuminate the parking area shall be so arranged, located or screened as to direct light away from any adjoining or abutting residential district;
- 12) Parking shall be limited to designated paved or gravel areas as allowed through this variance, but no parking on the grass is allowed;
- 13) Install or maintain rumble strips at the entrance of the driveway from Donahoo Road, in order to prevent gravel from being carried or spilled into the right-of-way; and
- 14) The special event space and brewery may share parking lots, subject to a review in the event of an increase in capacity, seating, or building footprint by either use.

Aerial Map



Zoning Map



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED JULY 13, 2020



Upper Left: North-facing view of the driveway at 13400 Donahoo Road.

Upper Right: Northwest-facing view of the property, from the right-of-way driveway apron off of Donahoo Road.

Left: North-facing view of property (circled), from Donahoo Road.

STATEMENT FROM THE APPLICANTS

7: State why, in your opinion, the requested action(s) is justified:

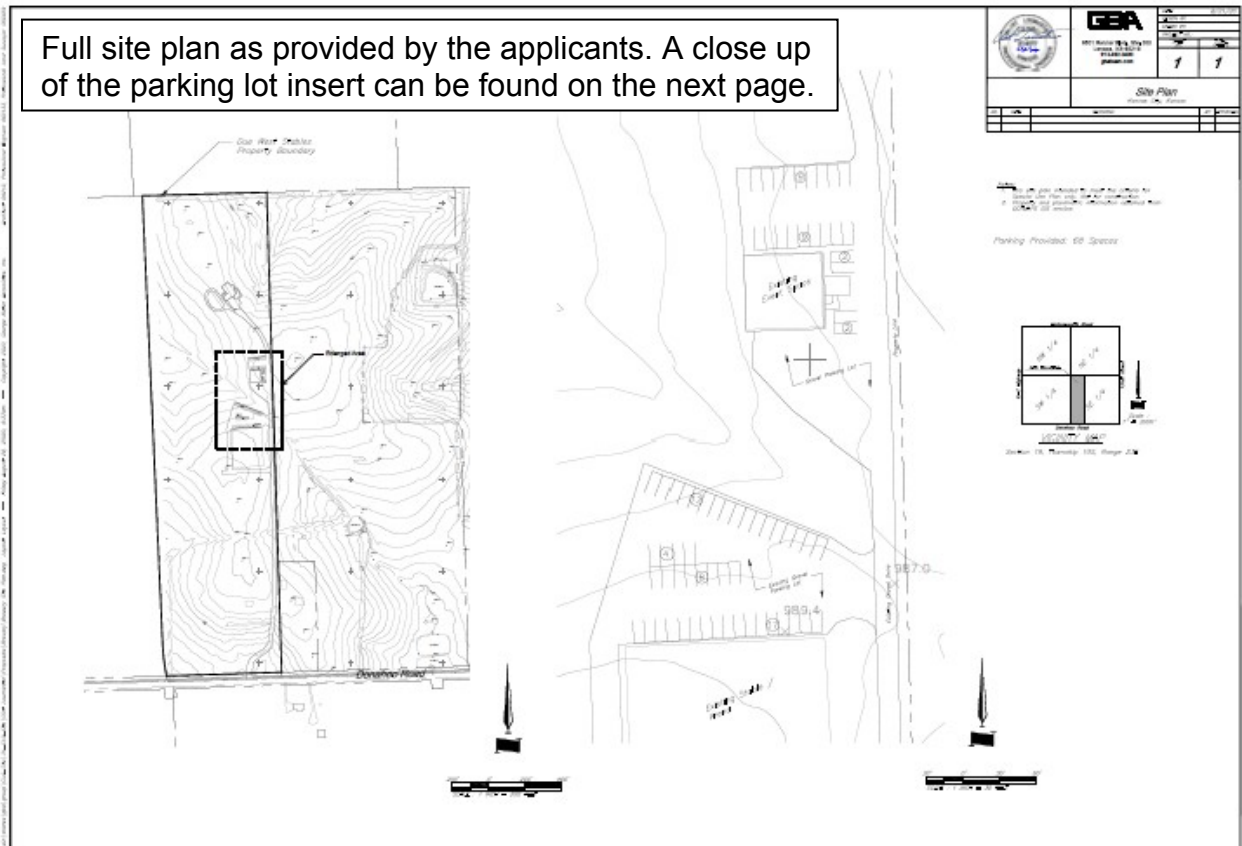
We believe a small, locally owned brewery can help define the culture of our neighborhood and bring balance to the area's largely chain-based and tourist-focused retail and entertainment.

Small breweries are frequently found in areas of economic growth and function as both a tourist destination, with people seeking out local breweries, and as a local staple for people who live nearby.

For our neighbors and other KCK residents that want to support small, local businesses, we are providing the opportunity for them to spend their dollars right here instead of traveling to other areas to do so.

We believe that everyone should have the opportunity to take advantage of our products and the brewery experience, regardless of whether they choose to consume alcohol or not. Therefore, in addition to beer, we will be brewing non-alcoholic beverages in a family-friendly environment.

SITE PLAN SUBMITTED BY THE APPLICANTS



SITE PLAN SUBMITTED BY THE APPLICANTS, CONT.

Close up of the driveway
and existing parking lots,
with parking spaces
identified and quantified.



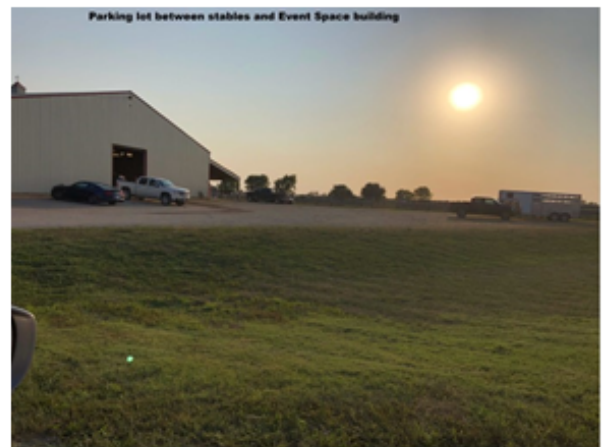
PHOTOS OF PROPERTY PROVIDED BY THE APPLICANTS



Location of proposed ADA parking spots.
Will be adjacent to existing concrete pad
and walk.



Lot to the north of the building.



Main lot for the barn and stables.

NEIGHBORHOOD MEETING NOTICE, JULY 13, 2020

July 13, 2020

Due West Ranch
13400 Donahoo Rd.
Kansas City, KS 66109

SUBJECT: Neighborhood Meeting

We have filed an application with the Department of Urban Planning and Land Use #SP-2020-73. The purpose of this special use permit is for Due West Ranch to have a rentable event space at our shop building.

We are having a neighborhood meeting on July 23, 2020 from 6:00-7:30p.m. It will be a virtual meeting via Google Meet. This is a browser-based service so no software download is required. Just enter this following link into your browser to join.

meet.google.com/cvm-hrzt-wec

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

We look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact us at the address/phone number listed below with your questions or concerns.

Sincerely,

Bill and Mary Basler
13400 Donahoo Rd.
Kansas City, KS 66109
913.620.2940

MINUTES: Due West Ranch and Range 23 Brewing Neighborhood Meeting

Application Number: SP2020-72 & SP2020-73

Date and Location: 7/23/2020 18:00 – Virtual meeting via Google Meet

Meeting called to order at: 18:00

Names of people in attendance: 3

Introductions: Nate and Karen Schotanus introduced Bill Basler representing Due West Ranch.

Presentation by applicant and/or team: Powerpoint was offered up. No participants attended. The Powerpoint included points about the Ranch's event space and how nothing different from what has been occurring for the past few years has changed. In addition, the portions of the presentation about the brewery included the location and the hours of operation, name meaning and history, mission, values, and vision. The presentation explained products produced including non-alcoholic offerings.

Questions and answers: There were no neighbors present other than the co-applicants and therefore no questions.

Meeting adjourned at: 18:32

Minutes taken by: Nate Schotanus



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: December 3, 2020
Re: SP-2020-73

GENERAL INFORMATION

Applicant:
Bill and Mary Basler

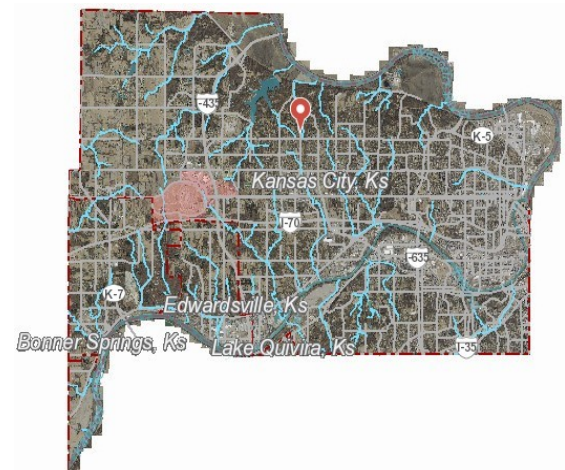
Status of Applicant:
Property Owners
Due West Ranch
13400 Donahoo Road
Kansas City, Kansas 66109

Requested Action:
Approval of a Special Use Permit.

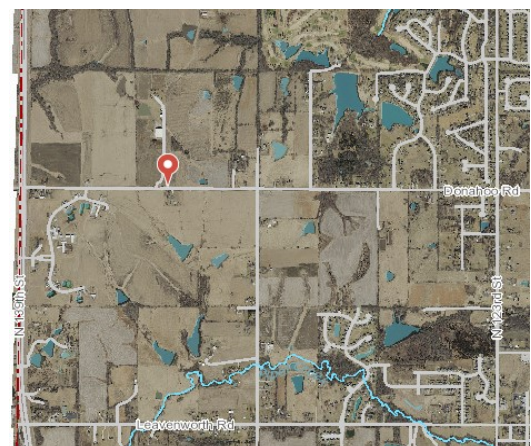
Date of Application:
June 19, 2020

Purpose:
Special Use Permit for an event space.

Property Location:
13400 Donahoo Road



↑
N



↑
N

Commission District:	District Commissioner: Mike Kane (District 5) Commissioner At Large: Melissa Bynum (At-Large District 1)
Existing Zoning:	AG (WyCo) Agriculture District
Adjacent Zoning:	North: AG (WyCo) Agriculture District South: AG (WyCo) Agriculture District East: R-1 Single Family District West: AG (WyCo) Agriculture District
Adjacent Uses:	North: Agricultural portion of homestead South: Agriculture land East: Single-family homestead West: Undeveloped agriculture land
Total Tract Size:	39.52 Acres
Master Plan Area:	The subject property is within the Prairie-Delaware-Piper Master Plan.
Master Plan Designation:	The Prairie-Delaware-Piper Master Plan designates the property as Low-Density Residential, Office, and Business Park.
Major Street Plan:	The Major Street Plan classifies Donahoo Road as a Class C Thoroughfare.
Required Parking:	Section 27-668(a)(11) requires one (1) space for each four (4) seats in a place of assembly, auditoriums, theatres, and concert halls.
Advertisement:	<u>The Wyandotte Echo</u> – July 16, 2020 Letters to Property Owner – July 16, 2020, August 3, 2020, September 9, 2020 and November 25, 2020.
Public Hearings:	November 9, 2020
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Bill and Mary Basler, are requesting a Special Use Permit to allow for an event space. The event space would help Due West Ranch be more successful by opening an additional revenue stream and by raising more awareness for the ranch and its offering. The event space may operate

on the property in conjunction with a microbrewery, for which a Special Use Permit is simultaneously being requested.

City Ordinance Requirements: Article VIII Sections 27-592 through 27-606

Zoning Enforcement Issues: There are no outstanding Notices of Violation associated with the subject property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is predominately agricultural and features large parcels of 15+ acres. Development in the neighborhood is minimal—some parcels have a mix of primary residence and agricultural accessory buildings, while other parcels feature few or no structures.

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

The applicant has plenty of space (nearly 40 acres) to serve as a buffer between the event space and its related facilities and the neighboring properties. Additionally, the neighboring properties are zoned AG (WyCo) or R-1 and are all similarly large parcels. Large parcels can mitigate the externalities coming from special uses on nearby properties. Therefore, a special use such as an event space has the potential to be compatible with the surrounding properties.

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

The property is on a 40-acre parcel and is already outfitted with two (2) buildings. The only potential issue with the current layout is the proximity of the driveway to the neighboring property to the east. The driveway runs closely parallel to the property boundary line.

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

The property is not vacant but is currently used as a horse ranch and a primary residence. A microbrewery is simultaneously being proposed for the property.

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

Special Use Permits are not addressed in the Prairie-Delaware-Piper Master Plan, nor are event spaces specifically addressed. Part of the property is designated as Office land use by the Prairie-Delaware-Piper Master Plan (PDPMP). The PDPMP describes the Office land use designation as sometimes “located to buffer residential development from more intensive commercial retail development”. While not an office building, the low-intensity use of land for an event space can also serve as a buffer between the growing mixed-use

development on Donahoo Road to the west, around the K-7 intersection, and the rural properties and farmland to the east.

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

An event space, in conjunction with the proposed microbrewery (SP-2020-72), will increase traffic to the property. Donahoo Road is a designated a Class C Thoroughfare and serves all east-west traffic in the Piper area between Leavenworth Road and Hollingsworth Road. The applicant should provide the hours of operation and maximum capacity of the indoor event space.

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

While local businesses are the economic lifeblood of any community, an event space itself is not necessary for the convenience and welfare of the public. The current arrangement of the property and its structures, however, is designed to keep most activity away from the road and the property boundaries. With an appropriate site plan and business model, there is little reason to believe that an event space would inherently cause substantial or permanent injury to the appropriate use, visual quality, or marketability of adjoining properties.

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

Depending on the hours of operation, an event space may utilize large lights for outdoor gathering areas and its associated parking lot. Noise too could be a factor, both from the general noise coming from the hosted events, as well as any music coming associated with the hosted event. Applicant should submit more details about outdoor lights and any noise mitigation measures.

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

Concerns related to pollution is light pollution and dust. The light pollution comes from outdoor lights and noise pollution from a property hosting both an event and an operating microbrewery, and the dust comes from cars driving up and down the gravel driveway. Because of the rural and quiet nature of the area, it is possible that light and noise may reach a level that would not be considered a nuisance in more densely populated parts of the county have the potential to be a nuisance on the applicant property. During a busy event, dust from cars driving on the driveway could kick up dust into the neighboring property, due to the close proximity of the driveway to the adjacent property.

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

All parking spaces and driveways must be paved. Therefore, increased impermeable areas may increase runoff and could present a potential threat to the natural state of the area.

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

Event spaces allow community, family, and social organizations to gather. In normal circumstances, there would be no further concern from Staff. With the ongoing and future threats of COVID-19, however, it is best practice for Staff to also consider the epidemiological aspects of public health and an event space's impact on the state of public health. If the applicants were granted the Special Use Permit to operate an event space, they should be aware of the great impact their venue can have on the community—for the better and for worse. Staff encourages the applicants to impose crowd maximums and social distancing measures that are stricter than the applicable guidelines, whatever those may be at any given time.

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

The applicants have provided staff with a parking plan that exceeds the parking minimum requirements for a special event space. The capacity of the event space is 133, which requires at least 34 total parking spaces. The parking plan demonstrates 68 parking spaces, which far exceeds the parking minimum.

PREVIOUS ACTIONS

BZA-2400 (simultaneous application for a variance)
SP-2020-72 (simultaneous application for a microbrewery)

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 23, 2020 (in conjunction with the neighborhood meeting for SP-2020-72 and BZA-2400) by virtual meeting via Google Meet. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Dust
Large Social Gatherings
Noise
Parking and Paving
Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2020-73, subject to:

- 1) **Approval of BZA-2400, which would allow a variance from Section 27-675(a), requiring that all parking spaces, drive aisles, and driveways that serve a commercial business be paved (NOTE: Appeal was approved);**
- 2) **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 3) **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;**
- 4) **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;**
- 5) **Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable;**
- 6) **Provide at least as many ADA-compliant parking spaces as required by Section 27-676(a). Based on the most recently submitted parking plan, there are 68 planned parking spaces, at least three (3) of which must be ADA-compliant, which includes paving those parking spaces, the access aisles, and the path from the parking spaces to an ADA-accessible door at the event space;**
- 7) **All parking, paved or not, must be striped to dimensions compliant with Section 27-669;**
- 8) **The special event space and brewery may share parking lots, subject to a review in the event of an increase in capacity, seating, or building footprint by either use;**

- 9) All relevant building permits and flatwork work permits for constructing or expanding structures and for paving parking spaces must be satisfactorily issued;
- 10) Landscape screening must be planted along the eastern neighboring property, as it may adversely affect the adjacent property, per the City Planning Commission's discretion;
- 11) Per Section 27-673(a), any lights used to illuminate the parking area shall be so arranged, located or screened as to direct light away from any adjoining or abutting residential district;
- 12) Parking shall be limited to designated paved or gravel areas as allowed through this variance, but no parking on the grass is allowed;
- 13) Install or maintain rumble strips at the entrance of the driveway from Donahoo Road, in order to prevent gravel from being carried or spilled into the right-of-way; and
- 14) The special event space and brewery may share parking lots, subject to a review in the event of an increase in capacity, seating, or building footprint by either use.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP-2020-72** subject to all comments and suggestions outlined in the staff report(s), and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Aerial Map
Zoning Map
Photos of Property Provided by Staff, Dated July 13, 2020
Site Plan Submitted by the Applicants
Photos of Property Provided by the Applicants
Neighborhood Meeting Notice, July 13, 2020
Neighborhood Meeting Minutes, July 23, 2020

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Unified Government Commission</u>
Public Hearing		
Special Use	November 9, 2020 Approval	December 3, 2020

STAFF CONTACT: Michael Farley, mfarley@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#SP-2020-73** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2020-73**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 2:10:40:

SPECIAL USE PERMIT APPLICATION #SP-2020-72 – KAREN AND NATHANIEL SCHOTANUS WITH RANGE 23 BREWING – SYNOPSIS: Special Use Permit for a microbrewery at 13400 Donahoo Road. **Detailed Outline of Requested Action:** The applicants, Karen and Nathaniel Schotanus, are requesting a Special Use Permit to operate a microbrewery. The microbrewery would brew and serve both beer and non-alcoholic beverages. The microbrewery may operate on the property in conjunction with an event space, for which a Special Use Permit is simultaneously being requested.

SPECIAL USE PERMIT APPLICATION #SP-2020-73 – BILL AND MARY BASLER – SYNOPSIS: Special Use Permit for an event space with live entertainment at 13400 Donahoo Road. **Detailed Outline of Requested Action:** The applicants, Bill and Mary Basler, are requesting a Special Use Permit to allow for an event space. The event space would help Due West Ranch be more successful by opening an additional revenue stream and by raising more awareness for the ranch and its offering. The event space may operate on the property in conjunction with a microbrewery, for which a Special Use Permit is simultaneously being requested.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;

5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The testimony at the Board of Zoning Appeals meeting earlier this evening;
7. The Notice in the Wyandotte Echo; and,
8. The Notices to property owners.

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

Present in Support:

- Nathaniel Schotanus, applicant for SP-2020-72, 11240 Lakeview Drive, Kansas City, Kansas 66109

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:14:38: Planning Director Hand stated that #SP-2020-72 is associated with a Board of Zoning Appeals case that was heard earlier this evening for the micro-brewery. Staff carried over the conditions from that case to these applications and recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 2:15:46:

On motion by Ms. Pauley, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit #SP-2020-72:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

- 1) **Approval of BZA-2400, which would allow a variance from Section 27-675(a), requiring that all parking spaces, drive aisles, and driveways that serve a commercial business be paved;**
- 2) **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all**

ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

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- 5) Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable;
- 6) The applicants should work to recycle the brewery waste it can and properly dispose of the waste it cannot recycle. Regardless, the applicants must comply with all local, county, state, and federal waste disposal regulations;
- 7) Provide at least as many ADA-compliant parking spaces as required by Section 27-676(a). Based on the most recently submitted parking plan, there are 68 planned parking spaces, at least three (3) of which must be ADA-compliant, which includes paving those parking spaces, the access aisles, and the path from the parking spaces to an ADA-accessible door at the event space;
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- 15) The special event space and brewery may share parking lots, subject to a review in the event of an increase in capacity, seating, or building footprint by either use.

On motion by Mr. Miller, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit #SP-2020-73:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

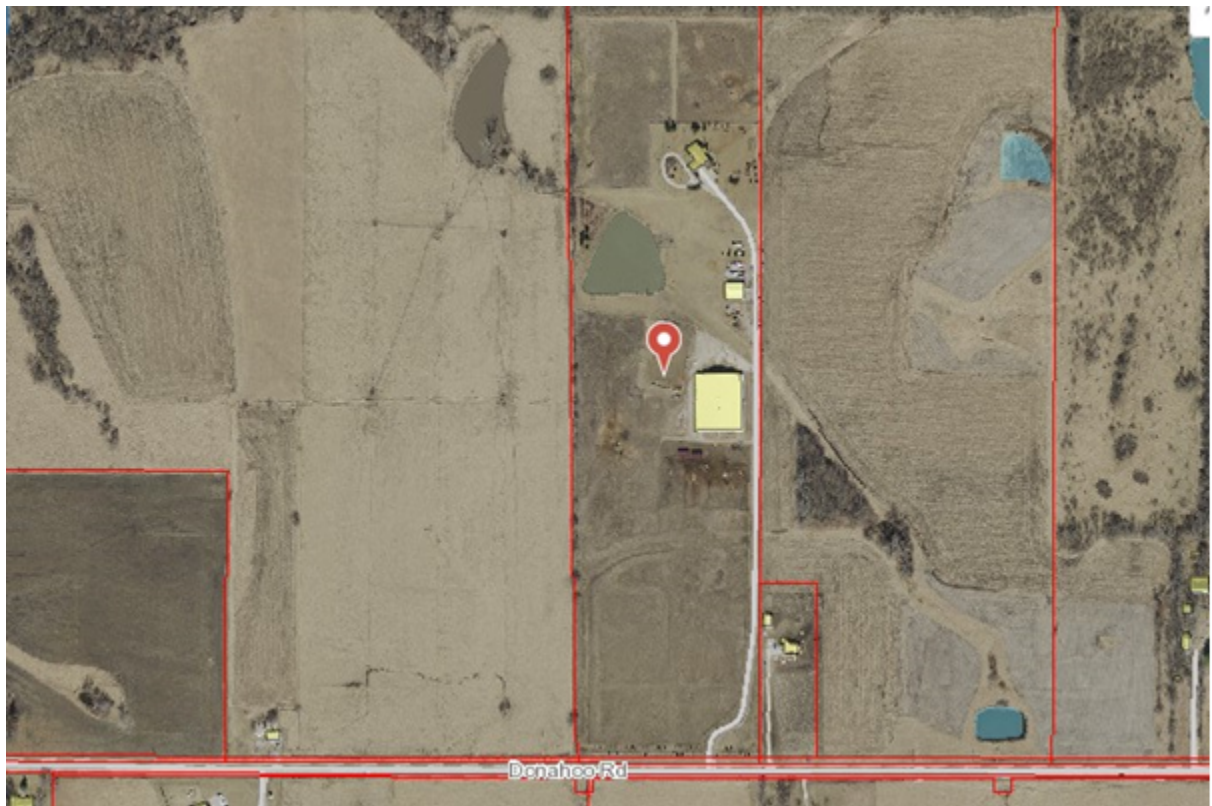
Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

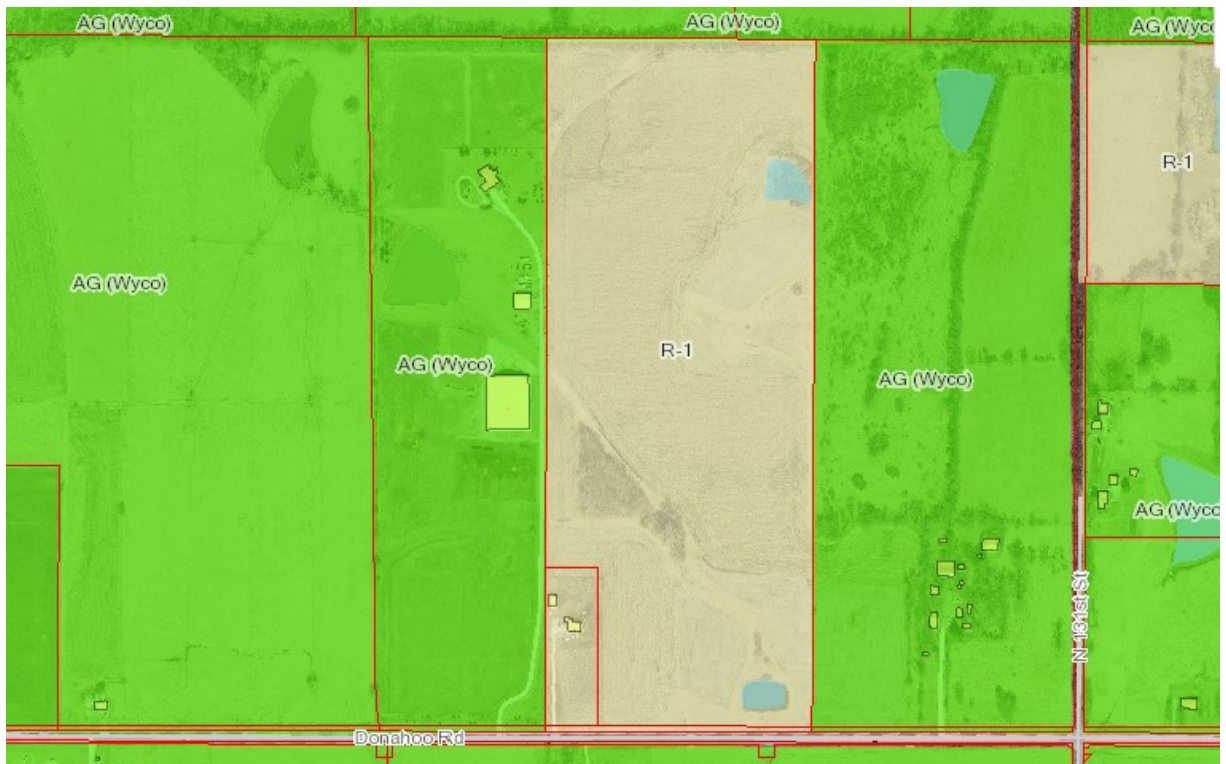
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Aerial Map



Zoning Map



Photos of Property Provided by Staff, Dated July 13, 2020

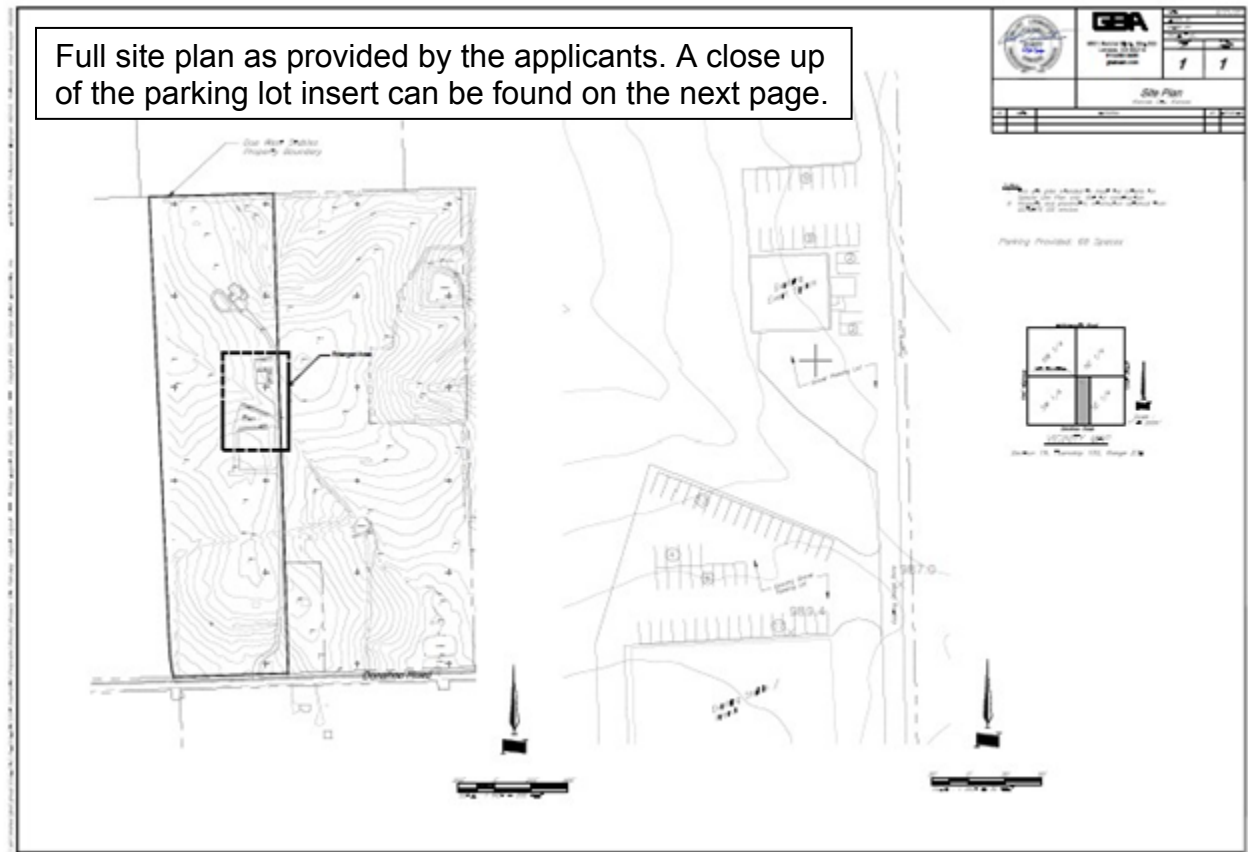


Upper Left: North-facing view of the driveway at 13400 Donahoo Road.

Upper Right: Northwest-facing view of the property, from the right-of-way driveway apron off of Donahoo Road.

Left: North-facing view of property (circled), from Donahoo Road.

SITE PLAN SUBMITTED BY THE APPLICANTS



SITE PLAN SUBMITTED BY THE APPLICANTS, CONT.

Close up of the driveway
and existing parking lots,
with parking spaces
identified and quantified.



PHOTOS OF PROPERTY PROVIDED BY APPLICANTS



Location of proposed ADA parking spots. Will be adjacent to existing concrete pad and walk.



Lot to the north of the building.



Main lot for the barn and stables.

NEIGHBORHOOD MEETING NOTICE, JULY 13, 2020

July 13, 2020

Due West Ranch
13400 Donahoo Rd.
Kansas City, KS 66109

SUBJECT: Neighborhood Meeting

We have filed an application with the Department of Urban Planning and Land Use #SP-2020-73. The purpose of this special use permit is for Due West Ranch to have a rentable event space at our shop building.

We are having a neighborhood meeting on July 23, 2020 from 6:00-7:30p.m. It will be a virtual meeting via Google Meet. This is a browser-based service so no software download is required. Just enter this following link into your browser to join.

meet.google.com/cvm-hrzt-wec

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

We look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact us at the address/phone number listed below with your questions or concerns.

Sincerely,

Bill and Mary Basler
13400 Donahoo Rd.
Kansas City, KS 66109
913.620.2940

MINUTES: Due West Ranch and Range 23 Brewing Neighborhood Meeting

Application Number: SP2020-72 & SP2020-73

Date and Location: 7/23/2020 18:00 – Virtual meeting via Google Meet

Meeting called to order at: 18:00

Names of people in attendance: 3

Introductions: Nate and Karen Schotanus introduced Bill Basler representing Due West Ranch.

Presentation by applicant and/or team: Powerpoint was offered up. No participants attended. The Powerpoint included points about the Ranch's event space and how nothing different from what has been occurring for the past few years has changed. In addition, the portions of the presentation about the brewery included the location and the hours of operation, name meaning and history, mission, values, and vision. The presentation explained products produced including non-alcoholic offerings.

Questions and answers: There were no neighbors present other than the co-applicants and therefore no questions.

Meeting adjourned at: 18:32

Minutes taken by: Nate Schotanus



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: December 3, 2020
Re: Petition #SP-2020-88

GENERAL INFORMATION

Applicant:
Paul C. Ridgeway

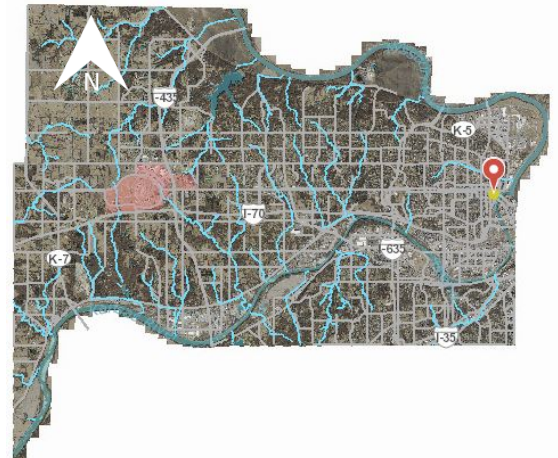
Status of Applicant:
Property Owner:
419 Armstrong Avenue
Kansas City, Kansas 66101

Requested Action:
The approval of a Home
Occupation Special Use
Permit.

Date of Application:
August 28, 2020

Purpose:
To offer personal training in
the applicant's home.

Property Location:
419 Armstrong Avenue
Kansas City, Kansas 66101



Commission Districts:	Commissioner At Large: Tom Burroughs District Commissioner: Brian McKiernan
Existing Zoning:	R-1(B) Single Family District
Adjacent Zoning:	North: C-D District South: R-1(B) Single Family District East: R-1(B) Single Family District West: R-1(B) Single Family District
Adjacent Uses:	North: The University of Kansas Health System South: Single Family Homes East: Single Family Homes West: Single Family Homes
Total Tract Size:	0.14 Acre
Master Plan Area:	This property is within the boundaries of the Central Area Master Plan.
Master Plan Designation:	The Central Area Master Plan designates this area as Urban Density.
Major Street Plan:	The Major Street Plan classifies Ann Avenue as a Local Street.
Parking Requirements:	Section 27-455(d) requires that two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling.
Advertisement:	<u>The Wyandotte Echo</u> – September 17, 2020 Letters to Property Owner – September 16, 2020 and November 25, 2020
Public Hearings:	November 9, 2020 and December 3, 2020
Public Support:	Support has been expressed by one (1) neighbor. Two (2) neighbors appeared in support at the November 9, 2020 City Planning Commission meeting.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Paul C. Ridgeway, is seeking a Home Occupation Special Use Permit for the purpose of conducting personal fitness training sessions at his residence at 419 Armstrong Avenue. The applicant intends to

instruct one (1) client at a time. Sessions will be temporarily held on a raised wooden deck in the back of the home.

Support has been expressed by one (1) neighbor, John Headrick.

In the future, the applicant intends to remove the existing deck, pour a new driveway, and build a new garage with a rooftop deck. This garage will be used to store one (1) vehicle and train clients. Staff notes that the home is within the Environs of two (2) historic districts. Any new construction or alteration to the exterior of the home and/or accessory structure must go through the historical review process. There have been seven (7) Notices of Violation issued on the property between the years of 2010 and 2019. The applicant states that they were for yard maintenance, painting upkeep, and debris and that they have all been taken care of.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is residential in nature, comprised of single-family homes in the Strawberry Hill Neighborhood.

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

The zoning and uses are set out above. The proposed use is not compatible with the current zoning as it is designated for single-family residential. Operating this property as the location of personal training sessions has the potential to create issues related to noise, parking, and other concerns related to overcrowding. The applicant states that only one (1) client will be present on the property at a time, so overcrowding will not be an issue.

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

This property is suitable for use as a single-family home. The property could be suitable for one-on-one training if properly managed. Removal of the restrictions that require a Special Use Permit for such activities has the potential to create issues such as parking, excessive noise, and overcrowding.

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

This property is not vacant. It is a single-family residence currently occupied by the applicant.

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

Special Use Permits are not addressed in the Master Plan. The Central Area Master Plan designates this area as Urban Density. The proposed commercial use does not conform to the Master Plan.

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

The proposed use will increase vehicular traffic but should not exceed the capacity of the Local Street to accommodate it if managed properly.

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

The proposed use is not necessary for the convenience and welfare of the public but provides a convenience in the form of fitness services. If managed properly, the use of the property will not substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property. Noise could potentially create problems for neighbors, if not managed properly.

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

Elevated noise levels could be an issue that is related to the proposed use if not managed properly. The use of weights may create issues of noise but will not cause vibrations to the earth. Dust and illumination are not expected to be issues.

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

The proposed use will not pollute the air, land, or water as it is an existing, permitted single family residence.

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing single-family residence in a built-out neighborhood. The applicant is proposing to construct a garage. All buildings must be properly permitted.

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

The relative gain or loss to the public health, safety, and welfare is likely to be minimal as it only provides the convenience of fitness classes with some economic benefit. If denied, the landowner could not use the property as a place

of business but may still use the property as their primary residence, rent the property, or sell it.

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

The proposed use will not create issues of overcrowding as only one (1) client at a time will be on the premises. If the applicant abides by the outlined conditions, undue concentrations of population should not be an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a virtual meeting on October 22nd. No one attended. Support has been expressed, via email, by one (1) neighbor, John Headrick.

KEY ISSUES

Noise
Street Parking
Historical Review Process
Undefined Hours of Operation

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2020-88, subject to:

1. **Maximum number of clients at one time shall be one (1);**
2. **All classes must take place between the hours of 6:00a.m. and 10:00p.m.;**
3. **No classes are allowed to be conducted outside, and must be held within new garage when construction is complete;**
4. **A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;**
5. **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;**
6. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively**

responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations; and,

7. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **#SP-2020-88** subject to all comments and suggestions outlined in the staff report(s) and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes

Zoning Map

Aerial Map

Site Photographs Provided by Staff, Dated September 16, 2020

Letter from Applicant

Quote from Contractor

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	November 9, 2020	December 3, 2020
Special Use	Approval	

STAFF CONTACT:

Shana Shanteau

sshanteau@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#SP-2020-88** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2020-88** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Hearing starts at 2:17:30:

SPECIAL USE PERMIT APPLICATION #SP-2020-88 – PAUL RIDGWAY –

SYNOPSIS: Special Use Permit for a personal trainer at 419 Armstrong Avenue.

Detailed Outline of Requested Action: The applicant, Paul C. Ridgeway, is seeking a Home Occupation Special Use Permit for the purpose of conducting personal fitness training sessions at his residence at 419 Armstrong Avenue. The applicant intends to instruct one (1) client at a time. Sessions will be temporarily held on a raised wooden deck in the back of the home. Support has been expressed by one (1) neighbor, John Headrick. In the future, the applicant intends to remove the existing deck, pour a new driveway, and build a new garage with a rooftop deck. This garage will be used to store one (1) vehicle and train clients. Staff notes that the home is within the Environs of two (2) historic districts. Any new construction or alteration to the exterior of the home and/or accessory structure must go through the historical review process. There have been seven (7) Notices of Violation issued on the property between the years of 2010 and 2019. The applicant states that they were for yard maintenance, painting upkeep, and debris and that they have all been taken care of.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Paul Ridgway, applicant, 419 Armstrong Avenue, Kansas City, Kansas 66101
- Mr. Mesmer, 706 North 5th Street, Kansas City, Kansas 66101
- David Gfeller, 423 Armstrong Avenue, Kansas City, Kansas 661012

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:21: Planning Director Hand stated there is no off-street parking for this requested personal trainer Special Use Permit. Staff discussed this with the applicant and they offered to only have one (1) client at a time. There is limited access from the alley that would allow for resident parking only. The staff conditions state that there will be no clients until the new garage is constructed and the classes will be held wholly within the new accessory structure. Staff recommends approval, subject to the conditions in the staff report.

Motion and Vote starts at 2:22:02:

On motion by Ms. Huey, seconded by Mr. Mohler, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **#SP-2020-88**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

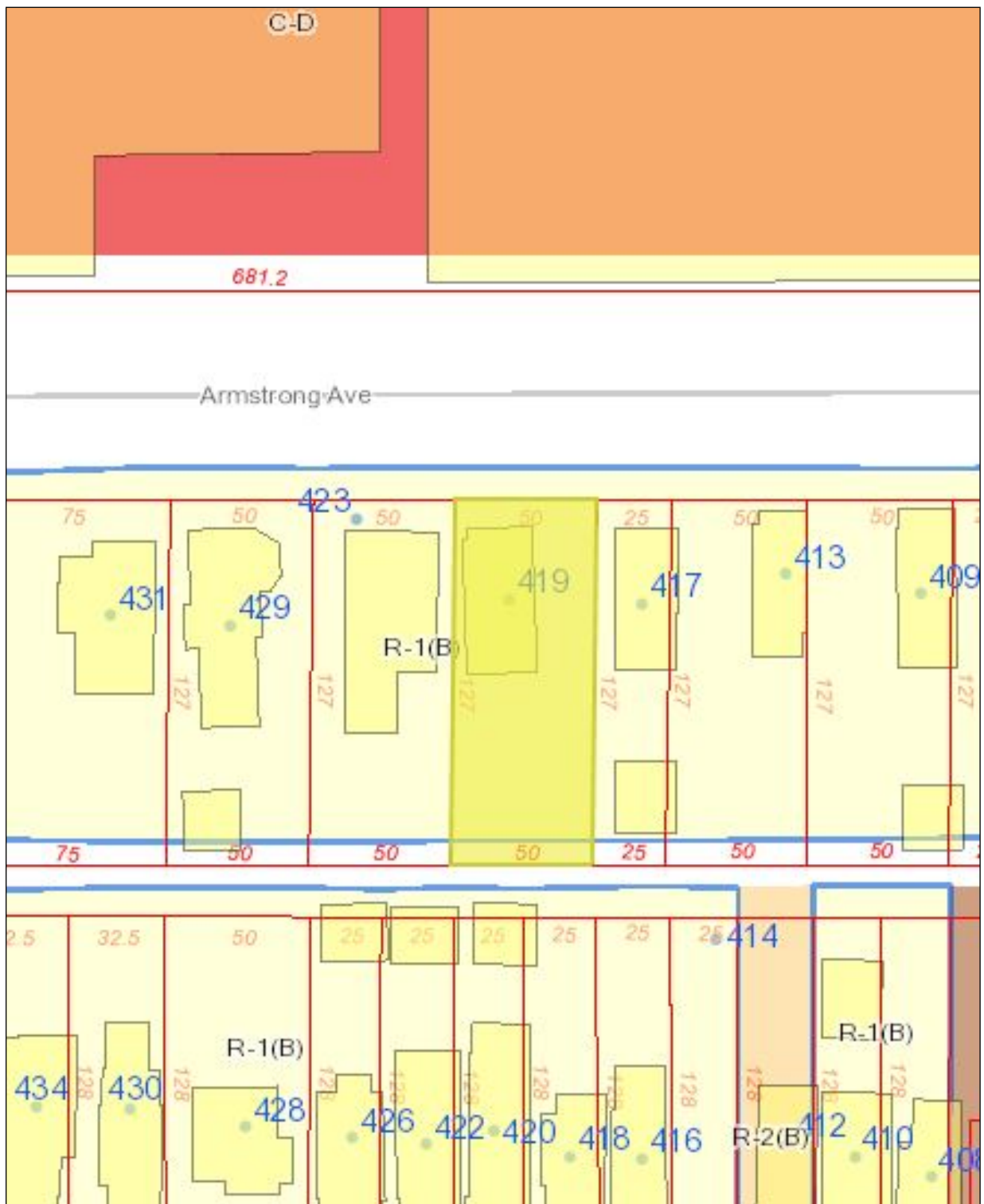
Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

- 1. Maximum number of clients at one time shall be one (1);**
- 2. All classes must take place between the hours of 6:00a.m. and 10:00p.m.;**
- 3. No classes are allowed to be conducted outside, and must be held within new garage when construction is complete;**
- 4. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;**

- 5. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;**
- 6. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations; and,**
- 7. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.**

Zoning Map:



Aerial Map:



Site Photographs Provided by Staff, Dated September 16, 2020:







Additional Info From Applicant:

At present the area designated for my project is a raised wooden deck in acceptable though not great condition. There is mostly grass and a small slope with some concrete footings and a small sidewalk that runs the length of my backyard.

What is the proposed use(s) for the applicant 's property? My plan is to remove the existing deck entirely, level the slope and pour a new concrete driveway. On top of this driveway i will build a garage with a rooftop deck. The garage will be large enough to be used as both a place to store one vehicle and to train personal training clients in one on one sessions. The equipment that this studio will be outfitted with will not be expansive comprising of a mat area, a squat rack with one bench and a pull up/dip station as well as a series of dumbbells and an accompanying rack. I will only be training clients one at a time and firmly believe that the space provided by this structure will more than suffice for my stated needs.



14480 W. 187th Terr. Olathe, KS 66062 (913) 469-6349

Our Promise: Quality work at affordable prices.

Proposal # 9080

Date 9-10-20

Name: **Paul Ridgway**
Street Address: **419 Armstrong Ave**
City, State, Zip Code: **Kansas City, KS**

Phone: (816) 617-8257
Email: ridgway3@gmail.com

Garage Addition (24 x 30 feet):

- Grade site for garage.
- Dig four foot trench for foundation.
- Pour footer and set rebar for walls per code.
- Set forms for stem walls.
- Pour foundation per uniform building codes.
- Backfill foundation and compact soil.
- Bring in base rock and compact.
- Tie 1/2 " rebar on two foot centers.
- Pour garage floor a minimum of four inches thick.
- Frame 15' walls with 2 x 4 studs.
- Set headers for new doors.
- Frame for roof with trusses, 16" on center.
- Install fascia on ends of rafters.
- Install 1/2" decking on joists and cover with two runs of 30 lb. felt.
- Install drip edge around perimeter of decking on new structure.
- Roof new structure with composition shingles consistent with current roof.
- Side exterior of new structure with LP Smart sheet siding.
- Install seamless 5-inch aluminum gutters with down spouts.
- Frame opening with header and install 3' exterior door.
- Trim exterior of doors.
- Paint exterior of structure with Sherwin Williams paint.

Total \$ 64,750.00

- **Quote includes all labor and materials.**
- **To add a wood deck above 1/2 of the garage would add \$ 14,000.00 to the project.**

ACCEPTANCE OF PROPOSAL
The above price, specifications and conditions are satisfactory and
are hereby accepted. You are authorized to do the work as specified.

SIGNATURE _____

DATE ACCEPTED _____



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: Petition #SP-2020-92

GENERAL INFORMATION

Applicant:
Trebor and Elizabeth Ross

Status of Applicant:
Operator
5219 Barton Drive
Shawnee, Kansas 66203

Requested Action:
Approval of a Special Use Permit (expired
on January 25, 2020).

Date of Application:
September 25, 2020

Purpose:
To continue to keep livestock on the
property.

Property Location:
1700 South 38th Street
Kansas City, KS 66106



Commission Districts:	Commissioner At Large: Tom Burroughs (At-Large District 2) District Commissioner: Christian Ramirez (District 3)
Existing Zoning:	R-2 Two Family District
Adjacent Zoning:	North: R-2 Two Family District South: R-2 Two Family District East: RP-5 Planned Apartment District West: R-1(B) Single Family District
Adjacent Uses:	North: Single family home South: Single family home East: Apartments (Kansas City Housing Authority) West: Single family home
Total Tract Size:	4.24 Acres
Master Plan Area:	City-Wide Master Plan
Master Plan Designation:	The City-Wide Master Plan designates this property as Low Density Residential.
Major Street Plan:	The Major Street Plan classifies South 38 th Street as a Local Street.
Required Parking:	Sec. 27-456 Two off-street parking spaces shall be provided on the premises for each dwelling unit, at least one of which shall be in a garage or carport. When no more than two off-street parking spaces are provide for each dwelling unit on the premises, and when the lot has less than 20 feet of continuous street curb length for each dwelling unit, and where visitor and guest parking spaces are not provided elsewhere, the front yard setback measured from the front lot line to the garage door shall not be less than 36 feet, and space shall be provided in the drive for the parking of two passenger cars for each dwelling unit. Two (2) off-street parking spaces are provided. The use does not require additional parking that is available on the property.
Advertisement:	<u>The Wyandotte Echo</u> – October 15, 2020 Letters to Property Owner – October 14, 2020 and November 25, 2020
Public Hearings:	November 9, 2020
Public Support:	None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Trebor and Elizabeth Ross, are seeking a renewal of their Special Use Permit to continue to keep livestock, specifically farm chickens, cows and goats on 4.24 acres at 1700 South 38th Street. The current owner lives at the property, and the applicant will continue to keep livestock on the property with the owner's permission.

City Ordinance Requirements: 27-592 through 27-606

Zoning Enforcement Action: There are no Notice of Violations for this property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The proposed use is on a large residential lot with other large residential lots to the west and south. There is higher density Kansas City Housing Authority project in the area, but this site is buffered by wooded areas and topography. The Argentine Neighborhood with smaller residential lots is to the north.

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

The zoning and uses of the properties are set out above. The proposed use is relatively compatible with the properties to the west and south. The property is buffered by topography and woods from the properties to the east. The proposed use could create compatibility issues with the single-family houses to the north, but there have not been any zoning violations related to the current Special Use Permit.

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

The property is not suitable to keep four (4) cows, unless their grass is heavily supplemented with grain because 4.24 acres can only support two (2) cows. Removal of the restrictions will not detrimentally affect nearby property provided the animals are adequately contained and buffered from the properties to the north.

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

The property is not vacant. The owner lives in the existing residence.

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

Special Use Permits are not addressed in the Master Plan. Low Density Residential allows single-family detached residences, institutional uses such as elementary and middle schools, small churches (less than 50,000 square feet), libraries, parks and open space.

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

The proposed use will not increase the amount of vehicular traffic to the point where it exceeds the capacity of the Local Street to accommodate it because only the applicant and property owner will be on the property.

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

The keeping of chickens, cows, and goats is not reasonably necessary for the convenience and welfare of the public. The proposed use has the possibility of injuring the appropriate use, visual quality, or marketability of adjoining property if the applicant does not properly maintain the property.

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

The proposed animals could make noise that may become a nuisance for nearby property owners. In the past, other special use permit petitions with livestock have had issues with noise. The large size and secluded nature of the property does mitigate these concerns to a certain extent.

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

The proposed use may pollute the air, land, and water if the applicant does not take the necessary steps to properly handle the animal waste and manage feeding to maintain ground cover.

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

This proposed use will not destroy an irreplaceable natural resource, as there are not waterways adjacent to this property and trees are not being removed for more pastureland.

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

The relative gain to the public health, safety, and welfare is minimal. If this application is denied, the applicant will not be able to have livestock on the property and will need to find another alternative. Because the land is not owned by the applicant, if the property is sold by the owner, the new property owner must agree for the use to continue.

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

The proposed use will not result in overcrowding of land or cause undue concentrations of population as there is enough space for goats, cows and chickens to roam and graze if their cattle are supplemented with hay and grain feed as the Conservation District noted ground cover has been maintained and needs to continue, otherwise there are too many animals on this Special Use Permit to be sustainable.

PREVIOUS ACTIONS

Special Use Permit (#SP-2018-7) was approved by the Board of Commissioners on January 25, 2018 for two (2) years to keep four (4) cows, four (4) goats and fifty (50) chickens.

NEIGHBORHOOD MEETING

To keep livestock, a neighborhood meeting is not required, however, it is highly recommended by Planning Staff. The applicant held a neighborhood meeting on October 26, 2020 by e-mail and phone. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Odor
Noise
Waste Management
Animal Enclosures

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2020-92, subject to:

- 1. This special use permit is for four (4) goats, four (4) cows and thirty (30) chickens;**

2. Any future accessory structure requires a variance because there is already a detached garage on the property;
 - a. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process.
3. Animal waste shall be picked up weekly on site and added to the compost as described by the applicant or properly disposed that complies with local, State and Federal regulations and standards.
4. Ground cover shall be continuously maintained, and grazing areas shall be rotated quarterly to so no one specific area is overgrazed.
5. The applicant shall contact the Conservation District at (913) 334-6329 to ensure soils to not become eroded and affect the stream.
6. Electric fences are not permitted;
7. All animal enclosures and compost areas must be at least 100 feet from the north property line;
8. All animals must be totally enclosed at all times and shall not be at large on the property or neighboring properties;
9. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
10. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations; and,
11. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **#SP-2020-92** subject to all comments and suggestions outlined in the staff report(s), and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Aerial Map
Zoning Map
Applicant Response Letter / Neighborhood Meeting Minutes
Neighborhood Meeting Affidavit
Site Photographs Provided by Staff dated on October 8, 2020.
Conservation District Comment Letter

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	November 9, 2020	December 3, 2020
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#SP-2020-92** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2020-92**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 2:22:58:

SPECIAL USE PERMIT APPLICATION #SP-2020-92 – TREBOR AND ELIZABETH ROSS – SYNOPSIS: Special Use Permit for farm animals (chickens, goats and cows) at 1700 South 38th Street (previous special use permit expired on January 2, 2020.)

Detailed Outline of Requested Action: The applicants, Trebor and Elizabeth Ross, are seeking a renewal of their Special Use Permit to continue to keep livestock, specifically farm chickens, cows and goats on 4.24 acres at 1700 South 38th Street. The current owner lives at the property, and the applicant will continue to keep livestock on the property with the owner's permission.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Trebor Ross, applicant, 5219 Barton Drive, Shawnee, Kansas 66203

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:33:39: Planning Director Hand stated that the Special Use Permit is requesting four (4) cows, four (4) goats and 30 chickens. This is a renewal of a Special Use Permit and the applicant is requesting approval for five (5) years. There have been no Notices of Violation over the past two (2) years and staff has not received any opposition to this application. Staff reviewed the comments from the Conservation District and included them as part of the staff report and also in the summary of recommended conditions. Director Hand stated that the staff recommends approval for five (5) years, subject to the conditions in the staff report.

Motion and Vote starts at 2:34:40:

On motion by Mr. Reasons, seconded by Mr. Mohler, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **#SP-2020-92:**

Carson

Chairman

Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

1. This special use permit is for four (4) goats, four (4) cows and thirty (30) chickens;
2. Any future accessory structure requires a variance because there is already a detached garage on the property;
 - a. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process.
3. Animal waste shall be picked up weekly on site and added to the compost as described by the applicant or properly disposed that complies with local, State and Federal regulations and standards.
4. Ground cover shall be continuously maintained, and grazing areas shall be rotated quarterly to so no one specific area is overgrazed.
5. The applicant shall contact the Conservation District at (913) 334-6329 to ensure soils to not become eroded and affect the stream.
6. Electric fences are not permitted;
7. All animal enclosures and compost areas must be at least 100 feet from the north property line;
8. All animals must be totally enclosed at all times and shall not be at large on the property or neighboring properties;
9. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
10. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations; and,
11. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the

Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

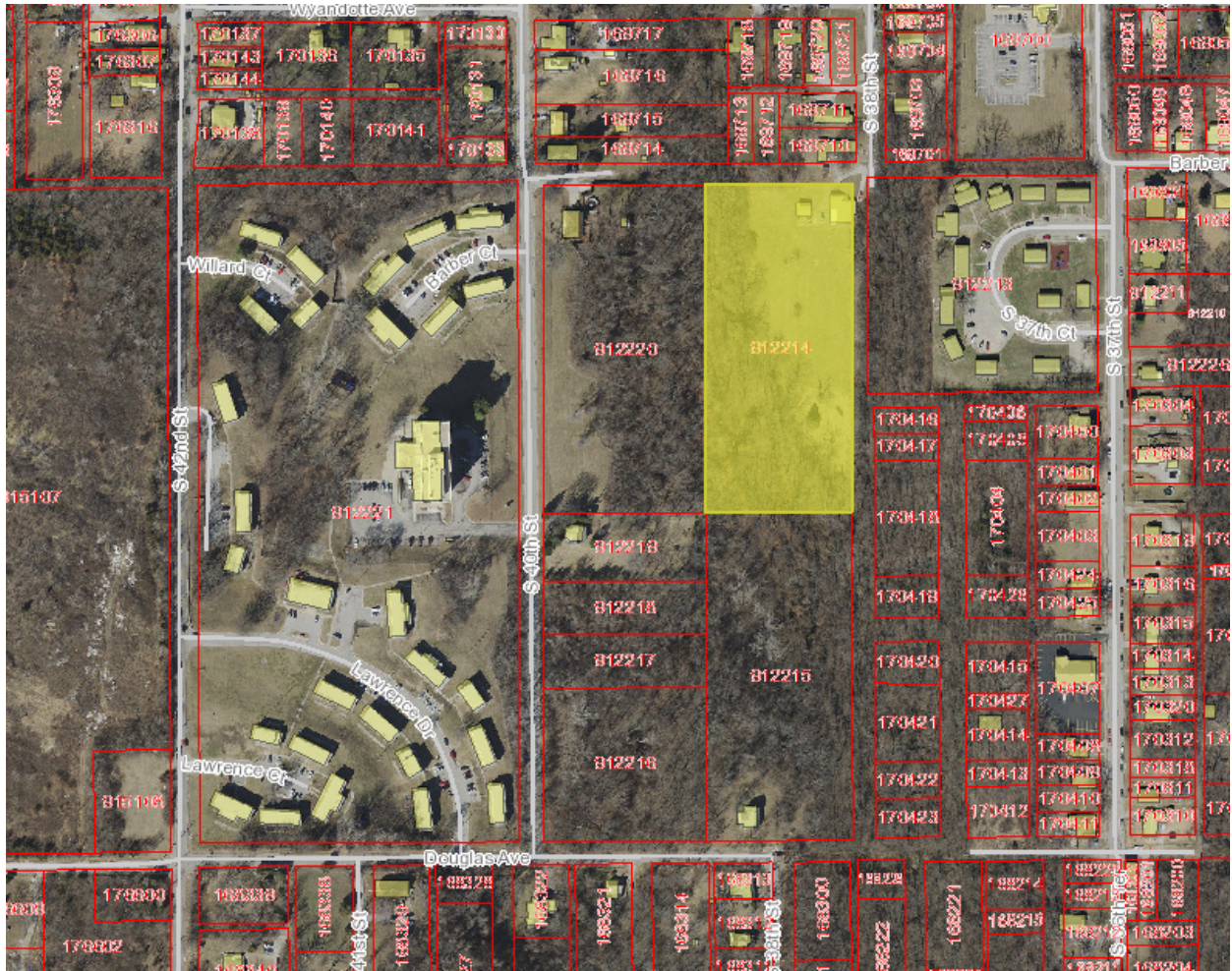
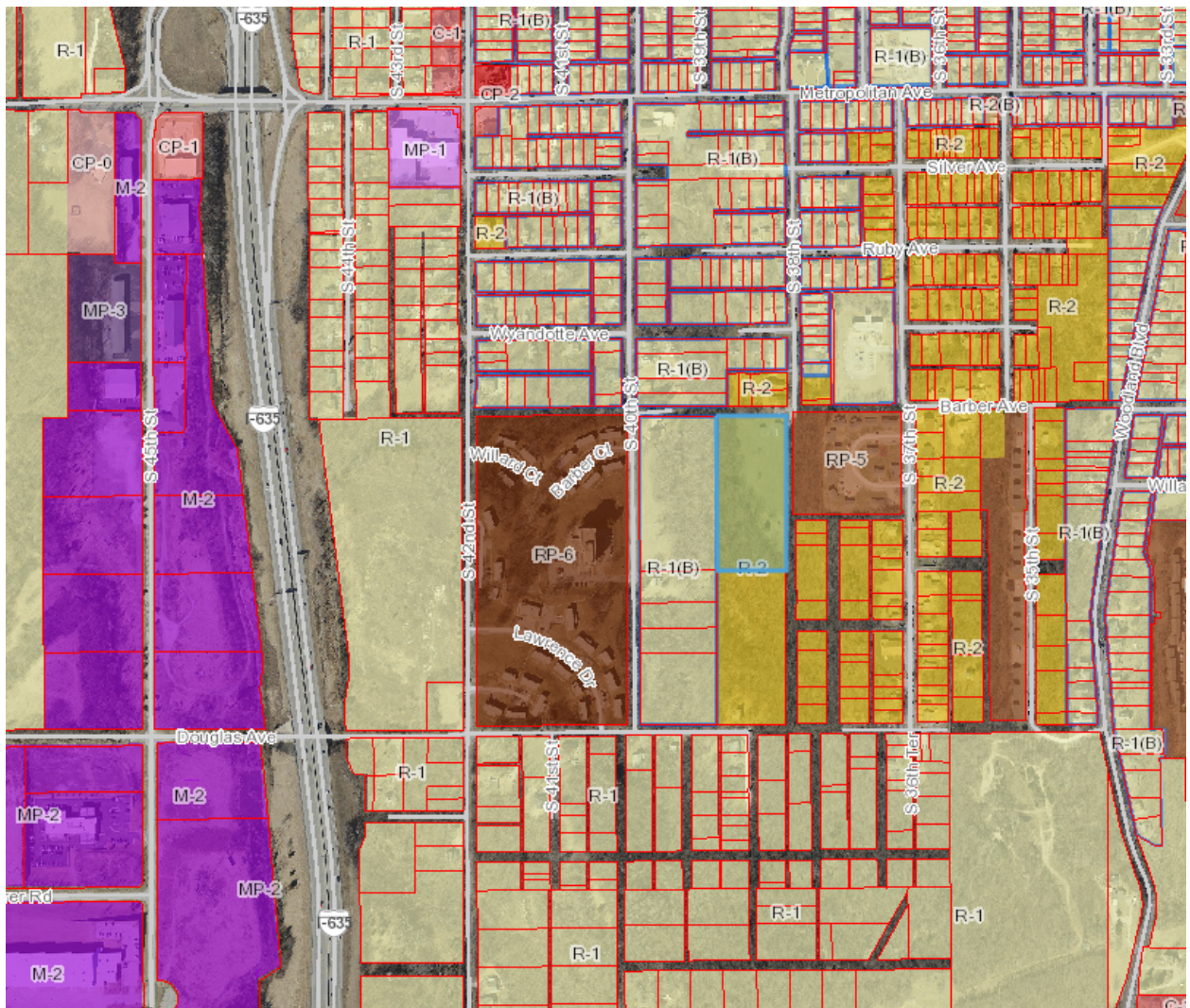


Figure 1. Aerial Map of 1700 South 38th Street as outlined in yellow (provided by UG Maps).



On October 26th 2020 We had our neighborhood meeting we received no emails or phone calls asking questions about the plan for the property.

1. We understand there is a \$125.00 fee we will pay after approval.
2. We have 4 goats 3 cows and 1 calf, 30 chickens on the property We have eaten some of the chickens.
3. We have not built any new structures.
4. This is a hobby Farm.
5. We have a woven fence and cattle panels.
6. Agree
7. Agree
8. Agree

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

Comes now Trebor + Elizabeth Russ of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # _____.
2. That I conducted a neighborhood meeting on Oct. 26th 2020.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

 Russ, Trebor Russ
Affiant

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

My commission expires _____ of _____, 200_.

Notary Public







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

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

October 13, 2020

RE: SP-2020-92 Trebor and Elizabeth Ross farm animals 1700 South 38th Street

Dear Mr. Hand:

The Wyandotte County Conservation District, with technical assistance from the Natural Resources Conservation Service, has completed an environmental review of this site for SP-2020-92 Trebor and Elizabeth Ross farm animals 1700 South 38th Street.

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

MAPS AND REPORTS

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

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

- There are two major soil types identified: Knox silt loam, 18 to 30 percent slopes and Knox silt loam, 7 to 12 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.
- The area seems to be well fenced. Ground cover has been maintained. Good management of ground cover needs to continue.
- Any animal waste needs to be disposed of properly so that the stream is not contaminated.

Technical assistance is available from our office. Limitation maps, detail soil reports and a conservation plan can also be requested for this site from our office.

The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological investigation may be needed. The natural soils and drainage pattern may have been changed in this area due to previous urban development. Therefore, the physical composition influencing the structure of the natural soil has already been altered; however, some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineations on the map include soils that differ from the named soil. Soil lines may not be exact therefore; on site investigation is needed for site specific planning.

If you have any comments or questions, please do not hesitate to call me.

Sincerely,

Cheri Miller
District Manager

enclosures



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: Petition #SP-2020-93

GENERAL INFORMATION

Applicant:
Daniel Chang

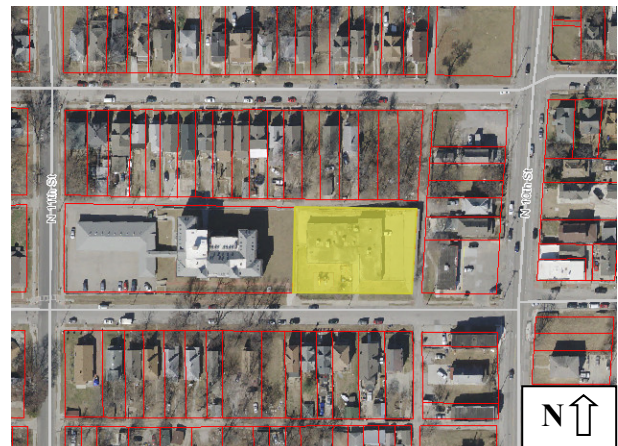
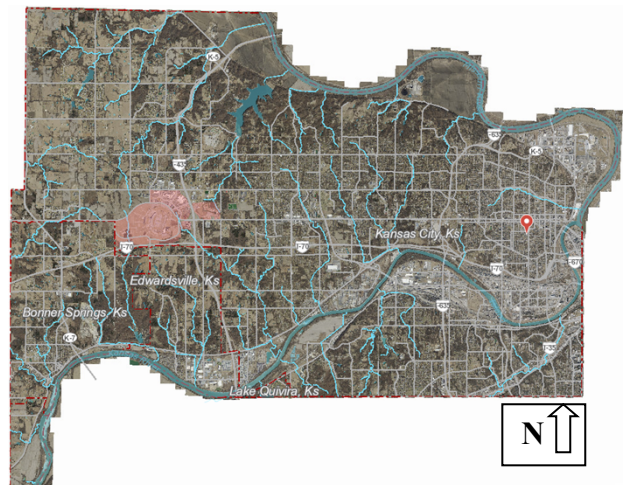
Status of Applicant:
Operator
Evergreen Daycare
1030 Orville Avenue
Kansas City, Kansas 66102

Requested Action:
Renewal of a Special Use Permit (expired
on June 25, 2020).

Date of Application:
September 25, 2020

Purpose:
To continue to operate a daycare facility.

Property Location:
1030 Orville Avenue
Kansas City, KS 66102



Commission Districts:	Commissioner At Large: Tom Burroughs (At-Large District 2) District Commissioner: Brian McKiernan (District 2)
Existing Zoning:	R-1(B) Single Family District
Adjacent Zoning:	North: R-1(B) Single Family District (across the alley) South: R-1(B) Single Family District East: R-1(B) Single Family and C-3 Commercial Districts West: RP-5 Planned Apartment District
Adjacent Uses:	North: Single family homes South: Single family homes (across Orville Avenue) East: Convenience store and single-family homes (across the alley) West: Lowell Lofts Apartment (senior housing)
Total Tract Size:	0.59 Acres
Master Plan Area:	Central Area Master Plan
Master Plan Designation:	The Master Plan designates this property as Public/Semi-Public.
Major Street Plan:	The Major Street Plan classifies North 10 th Street as a Class C Thoroughfare and Orville Avenue as Local Street.
Required Parking:	Sec. 27-454 Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling. The use does not require additional parking that cannot already be accommodated in the existing parking lot and the 15-minute loading zone (Monday through Friday from 6:00 AM to 6:30 PM) in front of their building on Orville Avenue.
Advertisement:	<u>The Wyandotte Echo</u> – October 15, 2020 Letters to Property Owner – October 14, 2020 and November 25, 2020
Public Hearings:	November 9, 2020 and December 3, 2020
Public Support:	The applicant submitted an e-mail from the property owner of Historic Lowell Lofts Apartments.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Daniel Chang, applied for the renewal of a Special Use Permit (expired on June 25, 2020) to continue to operate a daycare in an existing elementary school at 1030 Orville Avenue.

City Ordinance Requirements: 27-592 through 27-606

Zoning Enforcement Action: There are no Notice of Violations by the Planning and Urban Design Department for this property. Code Enforcement cited the property eleven (11) times between 2006 – 2020 for graffiti on the alley wall and one (1) time for weeds in the alley in 2018.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is comprised of single-family residential homes to the north, south and east. There is an existing convenience store across the alley to the east and Lowell Lofts for seniors are adjacent to the west.

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

The zoning and uses of properties nearby are set out above. The proposed use is compatible with the surrounding properties as this site is a former school and a daycare operates within the existing building.

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

The property is suitable for the uses it has been restricted because the building is formerly a school and a childcare facility is proper adaptive reuse of the property that would not require any more parking than a school. The removal of restrictions will not detrimentally affect nearby property as the continuation of the daycare is within a former elementary school building.

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

The property is not vacant. The daycare facility has been operating within the building since 2013.

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

Special Use Permits are not addressed in the Master Plan. Public/Semi-Public allows schools, publicly-owned lands and buildings, churches, other non-for-profit owned land and buildings.

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

Considering that the area was designed to accommodate a school, Staff does not believe that there will be any traffic impacts that exceeds the capacity of the Class C and Local Streets to accommodate it.

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

The continuation of the childcare facility adds the convenience of having another option for daycare to the neighborhood. There is no foreseen negative effect on the community and the surrounding neighborhood.

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

This is not foreseen to be an issue as noise normally associated with a daycare would occur on the property during normal weekday, business hours.

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

The proposed use will not pollute the air, land or water because the childcare facility will be operated within the existing building.

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

This is not foreseen to be an issue as it is an existing building in a built-out neighborhood.

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

Daycare has public health, safety, and welfare benefits as it provides parents and guardians another childcare option. Staff recognizes significant hardships imposed on those nearby.

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

The proposed use will not result in overcrowding of land or cause undue concentrations of population because there is a significant amount of space in the building for teachers and children support this use.

PREVIOUS ACTIONS

- Special Use Permit (#SP-2015-32) was approved by the Board of Commissioners for five (5) years on June 25, 2015.
- Special Use Permit (#SP-2013-24) was approved by the Board of Commissioners for two (2) years on May 30, 2013.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on October 22, 2020 by in-person meeting at 1030 Orville Avenue.

Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2020-93, subject to:

1. The hours of operation shall be Monday through Friday, 6:30 AM to 6:00 PM;
2. All signage posted on-site shall comply with the sign code, which may require a sign permit. Prior to installing any signage, contact the Department of Planning and Urban Design;
3. Continue to maintain the occupation tax application with the Business License Division;
4. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
5. The Special Use Permit shall be valid for ten (10) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and

- approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
6. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **#SP-2020-93** subject to all comments and suggestions outlined in the staff report(s), and subject to the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Aerial Map
Zoning Map
Applicant Response Letter
Neighborhood Meeting Minutes
Neighborhood Meeting Affidavit
Letter of Support from property owner of Historic Lowell Lofts Apartments
Site Photographs Provided by Staff dated on October 8, 2020.

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	November 9, 2020	December 3, 2020
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#SP-2020-93** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to

resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2020-93**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2020-93 – DANIEL CHANG WITH EVERGREEN DAYCARE – SYNOPSIS: Renewal of a Special Use Permit (#SP-2015-32 – expired 6/25/2020) for a day care center at 1030 Orville Avenue. **Detailed Outline of Requested Action:** The applicant, Daniel Chang, applied for the renewal of a Special Use Permit (expired on June 25, 2020) to continue to operate a daycare in an existing elementary school at 1030 Orville Avenue.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publication in The ECHO for the Special Use Permit; and,
7. The notices to property owners.

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

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

On motion by Mr. Miller, seconded by Ms. Armstrong, the Planning Commission voted as follows to **APPROVE** the items on the Consent Agenda:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye
Motion to APPROVE Passed: 7 to 0	
Subject to:	

#SP-2020-93:

1. The hours of operation shall be Monday through Friday, 6:30 AM to 6:00 PM;
2. All signage posted on-site shall comply with the sign code, which may require a sign permit. Prior to installing any signage, contact the Department of Planning and Urban Design;
3. Continue to maintain the occupation tax application with the Business License Division;
4. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
5. The Special Use Permit shall be valid for ten (10) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
6. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.



Figure 1. Aerial Map of 1030 Orville Avenue as outlined in yellow (provided by UG Maps).

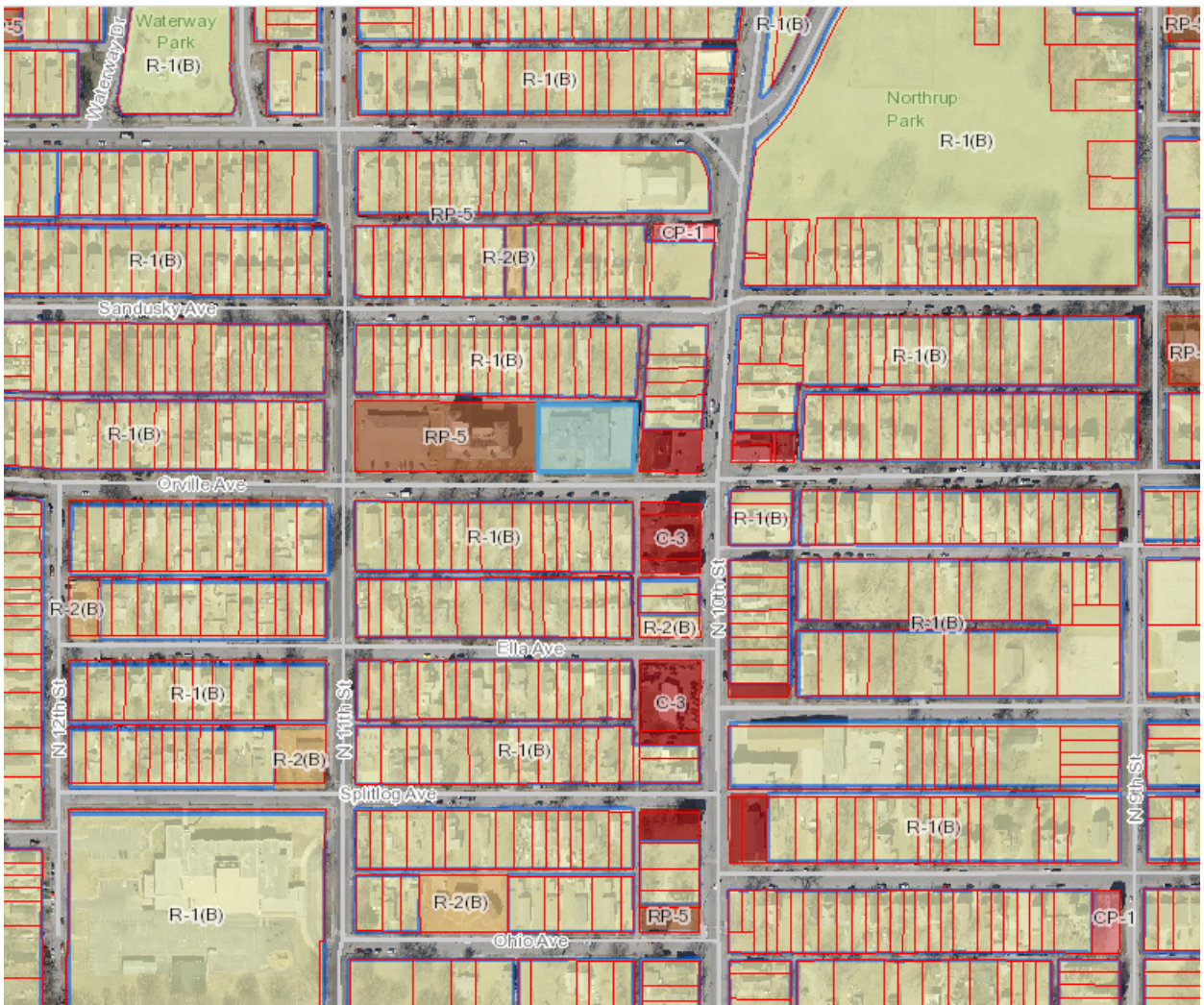


Figure 2. Zoning Map of 1030 Orville Avenue as outlined in blue (provided by UG Maps).

Re: Application # SP-2020-93

1. Ordinance publication fee will be mailed right after the Commissioners meeting.
2. We are licensed to take up to 76 children and we have 55 registered children as of end of September, 2020. We have 8 employees working at the center.
3. We are open Mon – Fri, from 6:30 am – 6:00 pm.
4. Before the pandemic, parents would bring the children to their classes but since March of this year, we have not allowed parents or anyone other than staff and maintenance crew to come inside the building during business hours. Parents now drop children off at the door after we check the temperature of the child(ren).
5. We have the signages on the building for passing traffic and we post flyers at local stores. We also take advantage of multimedia, such as Facebook and Instagram.
6. We have been complying with Kansas City and Wyandotte County's sign code.
7. Our occupation tax and business license are maintained and filed up to date.

I would like to request 10 years extension on our Special Use Permit.

MINUTES

Application Number: SP-2020-93

Date & Location: 1030 Orville Avenue

Kansas City, KS 66102

October 22nd, 2020

Meeting called to order at: 6:30 pm

Name of a person attending:

NONE

Introductions: Evergreen Daycare has been in business at this location for last 8 years and has been outstanding business / neighbor to the community.

We plan on taking care of children and leading them to have a brighter future for years to come.

Meeting adjourned at: 7:00 PM

Minutes taken by: Daniel Chang (DANIEL CHANG)

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE

Comes now DANIEL CHANG, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2020-93
2. That I conducted a neighborhood meeting on 10/22/2020.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.


Affiant

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

My commission expires _____ of _____, 200_.

Notary Public



Daniel Chang <evergreendaycareks@gmail.com>

1030 Orville special use permit - SUPPORT2 messages

Senator Chris Steineger

<senator.steineger@gmail.com>

Mon, Oct 19, 2020 at 4:25 PM

To: planninginfo@wycokck.org, evergreendaycareks@gmail.com

To whom it may concern,

RE: special use permit renewal for 1030 Orville

I am the owner of Historic Lowell Lofts senior apartments next door at 1040 Orville. We support the application and proposed day care business at 1030 Orville. Daniel Chang and his family have been good neighbors for many years and have helped beautify the neighborhood with their gardens and plants. There are no conflicts with their day care and Lowell Lofts senior residents, in fact our residents on the east side enjoy to watch the children at play time in the front yard.

Best wishes to the Chang family and Evergreen Day Care,

Chris Steineger

Owner

Historic Lowell Lofts Apts.

1040 Orville

KCKS

Daniel Chang <evergreendaycareks@gmail.com>

Mon, Oct 19, 2020 at 5:56 PM

To: Senator Chris Steineger <senator.steineger@gmail.com>

Thank you Mr. Steineger for your kind input on my request. God bless.

[Quoted text hidden]





Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: Petition #SP-2020-94

GENERAL INFORMATION

Applicant:
Doug Clements

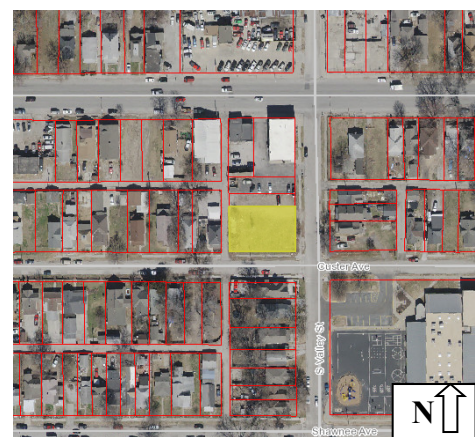
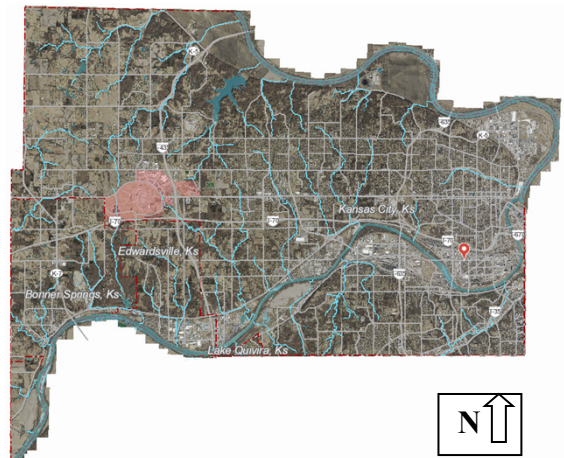
Status of Applicant:
Kansas City Kansas Public Schools
2010 North 59th Street
Kansas City, KS 66104

Requested Action:
Renewal of a Special Use Permit (expired on
January 11, 2020).

Date of Application:
October 25, 2020

Purpose:
To continue to use a twenty-two (22) space
parking lot for staff at John Fiske Elementary
School.

Property Location:
616 South Valley Street



Commission Districts: Commissioner At Large: Tom Burroughs (At-Large District 2)
District Commissioner: Brian McKiernan (District 2)

Existing Zoning: C-1 Limited Business and R-2(B) Two Family Districts

Adjacent Zoning: **North:** R-2(B) Two Family District
South: R-2(B) Two Family District
East: R-2(B) Two Family District
West: R-2(B) Two Family District

Existing Uses: **North:** Vacant lot and restaurant
South: Duplex
East: Single family homes
West: Single family homes

Total Tract Size: 0.20 Acre

Master Plan Area: Armourdale Master Plan

Master Plan Designation: The Master Plan designates this property as Residential.

Major Street Plan: The Major Street Plan classifies South Valley Street and Custer Avenue as Local Streets.

Required Parking: None.

Advertisement: The Wyandotte Echo – October 15, 2020
Letters to Property Owner – October 14, 2020 and November 25, 2020

Public Hearings: November 9, 2020 and December 3, 2020

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Doug Clements with the Kansas City Kansas Public Schools, applied for a renewal of a Special Use Permit (expired on January 11, 2020) to continue to use a twenty-two (22) space parking lot for staff at John Fiske Elementary School at 616 South Valley Street.

City Ordinance Requirements: 27-592 through 27-606

Zoning Enforcement Action: There are no Notice of Violations for this property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is comprised of single-family homes and duplexes. Kansas Avenue is less than one (1) block north of this parcel, which is a major east-west corridor through Armourdale.

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

The zoning and uses of properties nearby is set out above. Because this parking lot will be secured and used exclusively by the Kansas City Kansas Public Schools staff, there will not be cars left on the property overnight or junked and untagged vehicles being stored on the property. There has not been any further commitment to use the lot for public meetings or other events.

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

The removal of the restrictions will not detrimentally affect nearby property as the continuation of the parking lot is solely for employees and is gated when not in use.

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

The property is not vacant. The parking lot was built in 2018.

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

Special use permits are not addressed in the Master Plan. The 1979 Armourdale Master Plan does not list allowable uses for the Residential designation.

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

The parking lot will result in an increase in the amount of vehicular traffic, but only before and after school is in session and not to the point where it exceeds the capacity of the Local Streets to accommodate it.

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

The proposed use is reasonably necessary for staff working at the school. The proposed parking lot has not and will not substantially injure the appropriate use, visual quality or marketability of adjoining property if the parking lot is well maintained, secured and screened from public view.

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

The noise or illumination that is normally associated with a parking lot that will be used for school staff will be of such intensity as not to create problems for nearby property because the lot will be used on weekdays during school hours. No commitment has been made to open the lot at night, for public meetings or special events. Illumination associated with headlights from cars should be mitigated for adjacent property owners as fencing and landscaping screening has been installed around the perimeter of the site.

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

The proposed use will not pollute the air, land or water as this parking lot is only for John Fiske Elementary School staff. Stormwater runoff has been designed appropriately to filter runoff before it infiltrates the storm water drainage system.

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

The proposed use will not damage or destroy an irreplaceable natural resource because it is an existing building in a built-out neighborhood.

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

The relative gain to the public health, safety, and welfare compared to the hardship imposed on the landowners is minimal as the parking lot will continue to serve employees for the elementary school.

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

The proposed use will not result in overcrowding of land or cause undue concentrations of population because the parking lot is built to accommodate only twenty-two (22) vehicles for staff and employees that are not parking on the school grounds.

PREVIOUS ACTIONS

Special Use Permit (#SP-2017-70) was approved by the Board of Commissioners for two (2) years on January 11, 2018.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on October 26, 2020 by in-person meeting at 616 South Valley Street.

Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Screening
Security

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2020-94, subject to:

1. The parking lot fencing shall be maintained and replaced or repaired where necessary to remain to good condition;
2. The parking lot will be open strictly during the hours that John Fiske Elementary is open;
3. Although no lights are installed on the property, any parking lot lighting, in the future shall have 90-degree cutoff fixtures. One (1) footcandle shall not be exceeded at the property line;
4. No junk, untagged, salvaged and/or inoperable vehicles may be brought to and kept on this property. Additionally, vehicles shall not be stored overnight on this property;
5. Trees shall be continuously maintained and replaced as necessary;
6. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
7. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **#SP-2020-94** subject to all comments and suggestions outlined in the staff report(s), and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Aerial Map
Zoning Map
Applicant Response Letter
Neighborhood Meeting Sign-in Sheet
Neighborhood Meeting Minutes
Neighborhood Meeting Affidavit
Site Plan (original from 2017)
Grading Plan (original from 2017)
Landscape Plan (original from 2017)
Site Photographs taken by Planning Staff dated October 13, 2020.

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	November 9, 2020	December 3, 2020
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#SP-2020-94** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2020-94**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 2:35:53:

SPECIAL USE PERMIT APPLICATION #SP-2020-94 – DOUG CLEMENTS WITH USD 500 – SYNOPSIS: Special Use Permit for a staff parking lot at John Fiske Elementary School at 616 South Valley Street (previous Special Use Permit expired January 11, 2020.) **Detailed Outline of Requested Action:** The applicant, Doug Clements with the Kansas City Kansas Public Schools, applied for a renewal of a Special Use Permit (expired on January 11, 2020) to continue to use a twenty-two (22) space parking lot for staff at John Fiske Elementary School at 616 South Valley Street.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Doug Clements, applicant, USD 500, 2010 North 59th Street, Kansas City, Kansas 66104

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:38:47: Planning Director Hand stated this is a Special Use Permit for a parking lot associated with John Fiske School in the Armourdale area. It was originally built to City standards so there are no changes or updates to be made. Staff carried over the existing conditions and recommends approval for five (5) years subject to the conditions in the staff report. In response to Chairman Carson's question about rezoning, Director Hand recommended that the

Commission continue with a Special Use Permit for this case as a more permanent rezoning of the property to a commercial district that would allow the use by right would not be appropriate for the wholly residential area.

Motion and Vote starts at 2:40:38:

On motion by Mr. Miller, seconded by Mr. Mohler, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **#SP-2020-94**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

1. The parking lot fencing shall be maintained and replaced or repaired where necessary to remain to good condition;
2. The parking lot will be open strictly during the hours that John Fiske Elementary is open;
3. Although no lights are installed on the property, any parking lot lighting, in the future shall have 90-degree cutoff fixtures. One (1) footcandle shall not be exceeded at the property line;
4. No junk, untagged, salvaged and/or inoperable vehicles may be brought to and kept on this property. Additionally, vehicles shall not be stored overnight on this property;
5. Trees shall be continuously maintained and replaced as necessary;
6. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
7. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

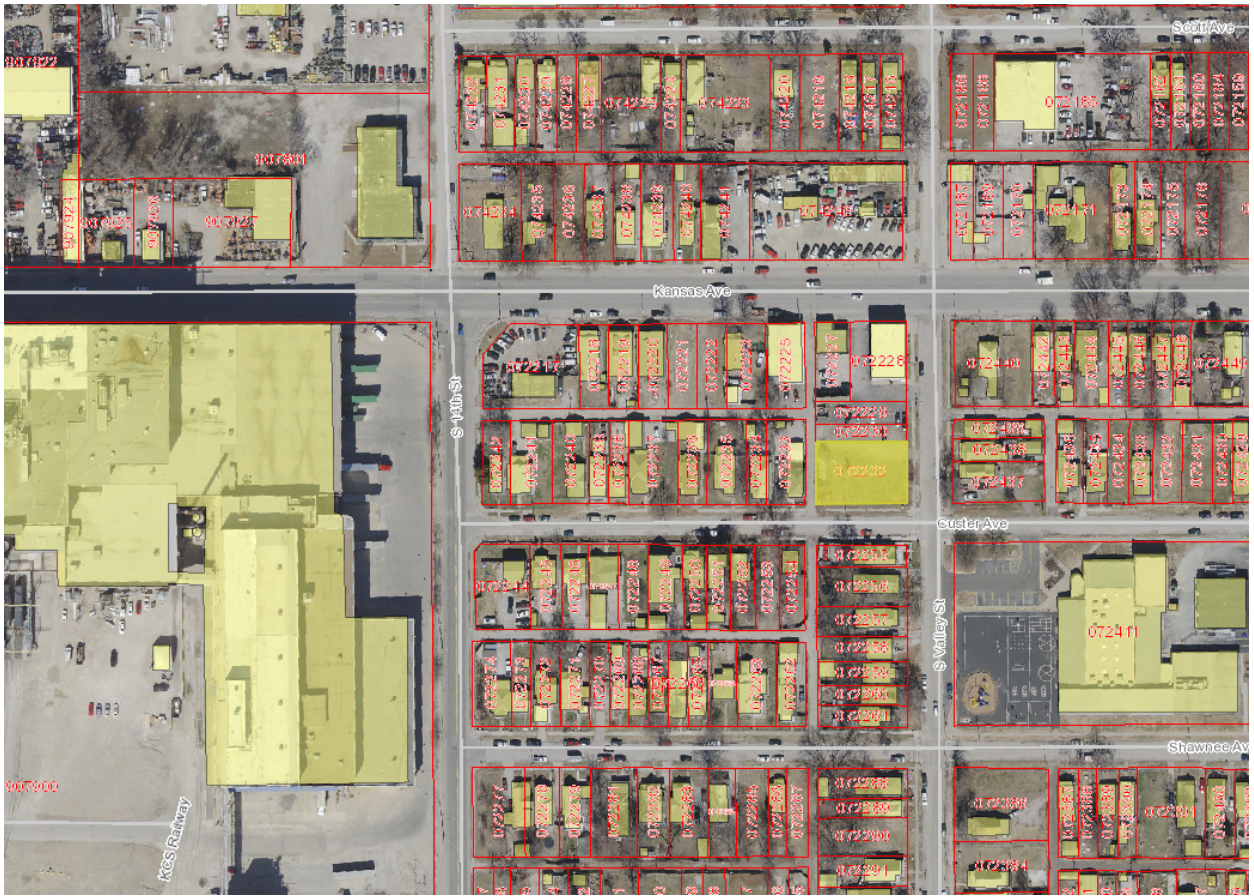


Figure 1. Aerial Map of 616 South Valley Street as indicated in yellow (provided by UG Maps).

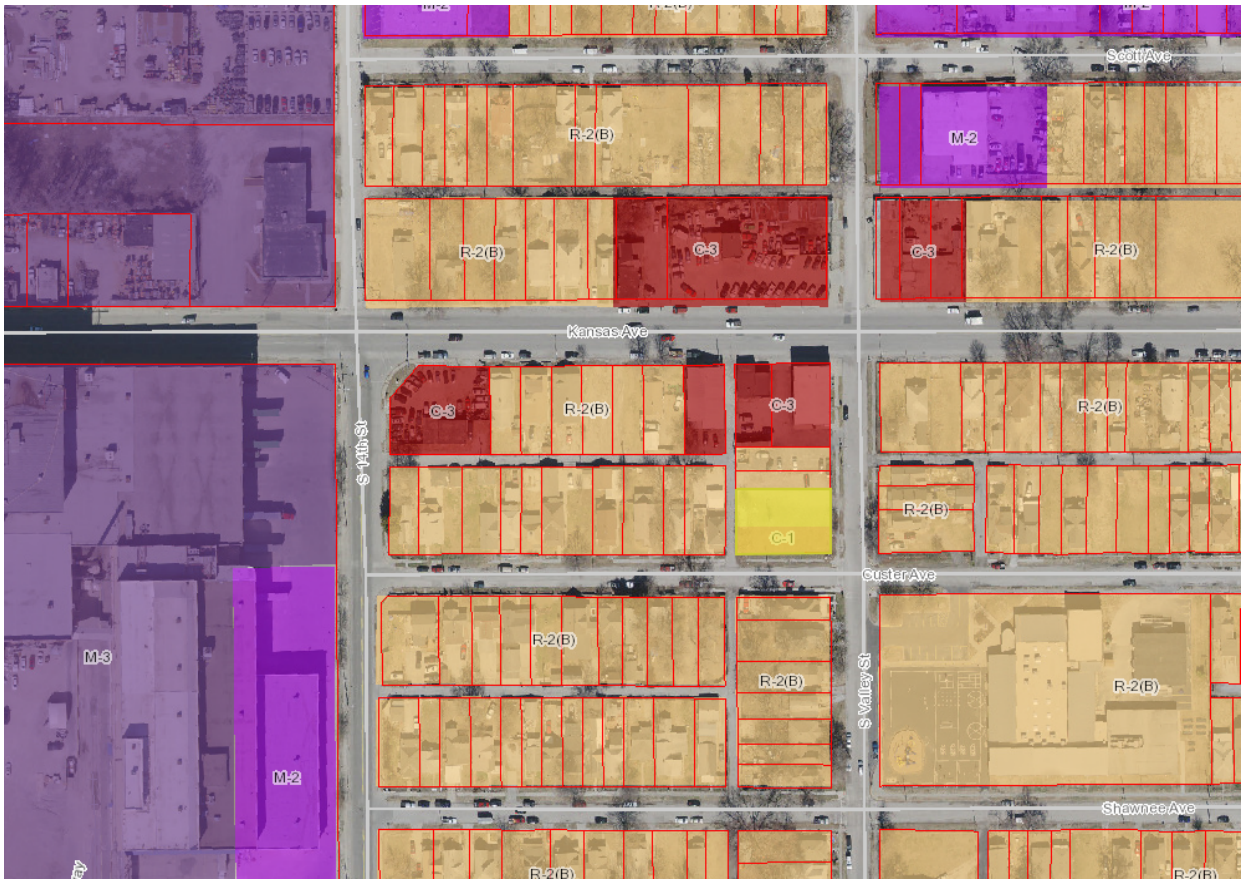


Figure 2. Zoning Map of 616 South Valley Street as indicated in yellow (provided by UG Maps).

2. Virtual Meeting.
3. You can have people contact you via email and/or phone call.

The deadline for the neighborhood meeting is October 26, 2020 and on October 28, 2020 you are required to send your information to Janet L. Parker, CSC/APC, Executive Assistant, either by email (jparker@wycokck.org) or U.S. mail (Department of Urban Planning and Land Use, 701 North 7th Street, Suite 423, Kansas City, Kansas 66101):

1. List of people who participated in your in-person, Zoom or Skype meeting (if you were able to hold one.)
2. List of people who contacted you with questions and comments – please document their names and questions/comments.
3. Signed affidavit that you held the meeting (it is not required to be notarized because of COVID-19.)

KEY ISSUES

Security.

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper. Paid, 10/29
2. The parking lot is closed at night and is gated to prevent access for non-school personnel, however, is the parking lot used for evening functions, such as school assemblies, conferences or community meetings outside the regular school schedule? The lot could potentially be used by staff.
3. While this parking lot is used for John Fiske Elementary School staff, the standard for privacy fences adjacent to residential properties are as follows:
 - a. A 6' wood fence with masonry columns every 32' shall be constructed. The lot was constructed to this standard.

Sec. 27-700(b)(7) states that were a parking lot serves other than single-family or two-family dwellings and is adjacent to or across an alley from property zoned for single-family or two-family use, such parking lot shall be provided with an architectural screen at least four feet in height above the paving surface. Buffer plantings or landscape screening may be

substituted if protection from headlights is not determined to be necessary. Where more stringent requirements exist, they shall apply.

This parking lot, albeit for an elementary school is essentially a commercial parking lot. Staff has stipulated parking lots adjacent to residential properties install a 6' wood privacy fence with masonry columns regardless of how often the lot will be used by the operator. Staff understands the school district's request, but the code and this standard is applied to all applicants. *The lot was constructed to this standard*

4. The parking lot will be open strictly during the hours that John Fiske Elementary is open.
5. Although no lights are installed on the property, any parking lot lighting, in the future shall have 90-degree cutoff fixtures. One (1) footcandle shall not be exceeded at the property line. *acknowledged*
6. No junk, untagged, salvaged and/or inoperable vehicles may be brought to and kept on this property. Additionally, vehicles shall not be stored overnight on this property. *acknowledged*
7. All shade trees shall be at least 2" caliper planted as measured 12" above ground. Ornamental deciduous trees shall be six (6) to eight (8) feet in height. Evergreen trees shall be five (5) to six (6) feet in height. *acknowledged and built to this standard*

Planning Engineering Comments:

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

STAFF RECOMMENDATION

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend of Petition #SP-2020-94 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

Aerial Map
Zoning Map
Site Plan (original from 2017)
Grading Plan (original from 2017)
Landscape Plan (original from 2017)
Site Photographs taken by Planning Staff dated October 13, 2020.

6:00 pm

[illegible]



Maintenance Shop

2220 North 59th St.
(913) 627-3850

Kansas City, KS 66104
Fax: (913) 627-3894

WWW.KCKPS.ORG

October 28, 2020

Janet Parker
Urban Planning, UG
701 N. 7th St., Suite 423
Kansas City, Kansas 66101

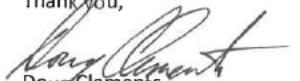
Re: SP-2020-94
Neighborhood meeting
Neighbors that made contact with comments/questions

Janet,

I conducted an in-person, on-site neighborhood meeting for SP-2020-94 at 6:00pm.
There were no attendees.

I also had provided my email and contact information in the neighborhood meeting letter, inviting those with questions to contact me directly. As of this date I have received no calls, emails or other messages from any person on the contact list.

Thank you,


Doug Clements
Director of Physical Properties

INSPIRING EXCELLENCE: EVERY GROWNUP, EVERY CHILD, EVERY DAY

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Ks)
COUNTY OF WYANDOTTE) SS:

Comes now DOUG CLEMENTS, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2020-94.
2. That I conducted a neighborhood meeting on OCTOBER 26, 2020.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Doug Clements
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28th day of October, 2020

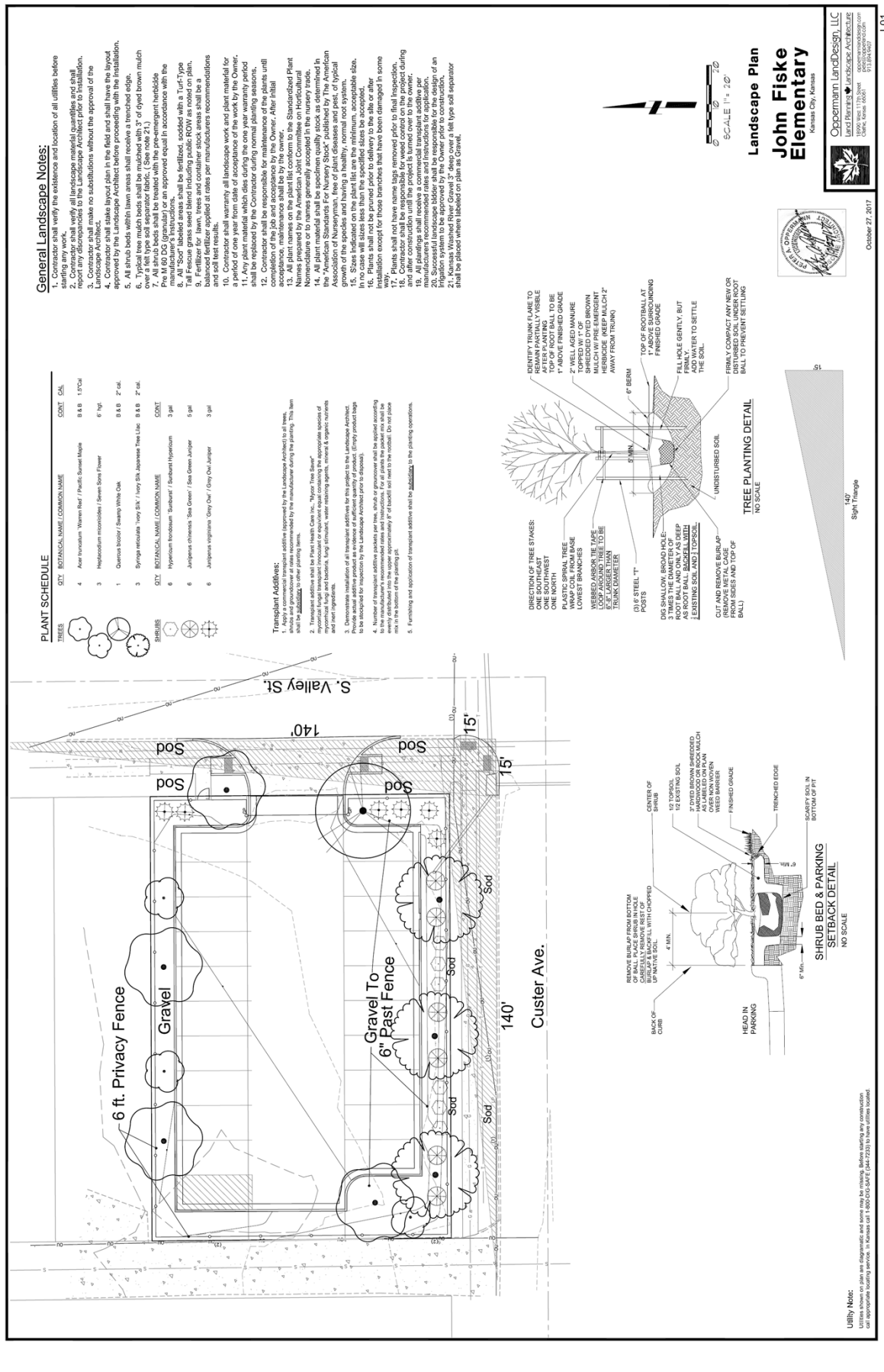
My commission expires 02 of February, 2020



Jamia J. Warren
Notary Public











Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: Petition #SP-2020-95

GENERAL INFORMATION

Applicant:
Trent Gaddy

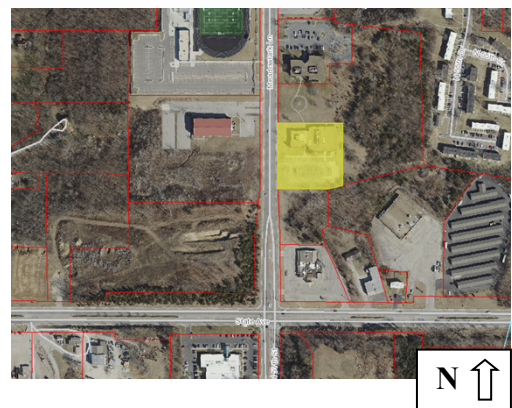
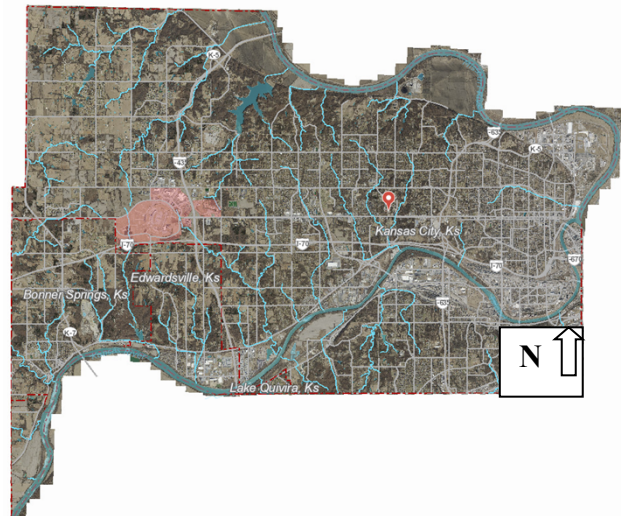
Status of Applicant:
Applicant
1110 Grand Boulevard
Kansas City, MO 64106

Requested Action:
Approval of a Special Use Permit.

Date of Application:
September 25, 2020

Purpose:
To receive shipments, store and ship inventory
for an office.

Property Location:
1223 Meadowlark Lane
Kansas City, KS 66102



Commission Districts:	Commissioner At Large:	Melissa Bynum (At-Large District 1)
	District Commissioner:	Gayle E. Townsend (District 1)
Existing Zoning:	CP-0 Planned Nonretail Business District	
Adjacent Zoning:	North:	CP-0 Planned Nonretail Business District
	South:	CP-1 Planned Limited Business and B-P Planned Business Park Districts
	East:	CP-0 Planned Nonretail Business District
	West:	CP-3 Planned Commercial District
Adjacent Uses:	North:	Undeveloped land
	South:	Undeveloped land and Kansas City Kansas Public School kitchen
	East:	Undeveloped land
	West:	Housing Authority maintenance building
Total Tract Size:	2.11 Acres	
Master Plan Area:	City-Wide Master Plan	
Master Plan Designation:	The Master Plan designates this property as Mixed Use.	
Major Street Plan:	The Major Street Plan classifies Meadowlark Lane as a Class A Thoroughfare.	
Required Parking:	Sec. 27-463(e) Uses in this district, except those situated in the area herein described as the central business district, require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. The office building did not receive an initial variance for a reduction in parking prior to construction in 1989. The use does not require additional parking that is available in the parking lot.	
Advertisement:	<u>The Wyandotte Echo</u> – October 15, 2020 Letters to Property Owner – October 14, 2020 and November 25, 2020	
Public Hearings:	November 9, 2020 and December 3, 2020	
Public Support:	Two (2) people appeared in support at the November 9, 2020 City Planning Commission meeting.	
Public Opposition:	None to date.	

PROPOSAL

Detailed Outline of Requested Action: The applicant, Trent Gaddy, applied for a Special Use Permit to allow interior building receipt, storage and shipping of inventory for a watch repair and business office within an office building at 1223 Meadowlark Lane.

City Ordinance Requirements: 27-592 through 27-606

Zoning Enforcement Action: There are no Notice of Violations for this property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The property is within a corridor along Meadowlark Lane that has a mixture of commercial uses but is the transition area between the commercial thoroughfare along State Avenue and single family and apartments north towards Parallel Parkway.

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

The zoning and uses of properties nearby are set out above. The office and warehousing space is not necessarily compatible with the office zoning to the north, however the Kansas City Kansas Public Schools central kitchen to the east has outbound delivery trucks that deliver meals to the schools that operates in a similar manner as this proposed use.

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

The removal of restrictions will not detrimentally affect nearby property as the work performed will occur inside the residence and no pickups will occur on site.

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

The property has been vacant since 2014. The previous use was a parking lot for an automotive related business. Additionally, after 2014, this site was used as a donation center, however there is no record of licensure at this location.

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

Special Use Permits are not addressed in the Master Plan. Mixed Use designation allows specialty retail, sit-down restaurants, convenience retail uses (banks, drug stores, etc.), professional and office services, institutional uses (churches, schools, libraries, etc.), parks, plazas, open space, and mixed-density residential uses. Proposed use does not conform as it is inherently industrial due to its disassembly, reassembly and sale of goods.

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

The proposed use will not increase the amount of vehicular traffic to the point where it exceeds the capacity of the Class A Thoroughfare to accommodate it, and the office building was designed to receive parcels from shipping companies.

Staff's concern is the frequency of truck traffic coming to the site and the potential for a truck to be parked at the loading dock on a daily basis, when the zoning is for a professional and office services.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public and will not permanently injure the appropriate use, visual quality, or marketability of adjoining property because the business operation will be conducted within the office building and this special use permit is not permanent.

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

The noise, vibration, dust or illumination that would normally be associated with such use is of such duration and intensity as not to create problems for nearby property because the use does not create excessive noise, vibration or illumination relative to other types of nonretail commercial uses that would be permitted in the zoning district.

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

The proposed use should not pollute the air, land or water because the storage of inventory of watch parts is conducted within the office building.

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

The proposed use will not damage or destroy an irreplaceable natural resource because the business operation is conducted within an existing office building in a mostly built-out neighborhood.

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

The relative gain to the public health, safety and welfare compared on the hardship imposed on the landowner is minimal. If the application is denied, the applicant will need to find an alternate location that allows storage of inventory and receiving and shipping of items.

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

The proposed use will not result in overcrowding of land or cause undue concentrations of population as there is sufficient parking available on site.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on October 26, 2020 by Virtual Meeting (Zoom). Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Inventory
Quantity of daily deliveries
Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2020-95, subject to:

1. **Hours of operation shall be Monday through Friday from 8:00 AM to 5:30 PM.**
2. **All storage shall be within the building;**
3. **Truck deliveries shall occur during the normal hours of operation;**
4. **No box trucks or freight trucks may be parked overnight on the property;**
5. **No customers are permitted to come and pick up orders or inventory;**
6. **The parking lot shall be repaved and restriped;**
7. **All signage shall comply with the sign code;**
8. **File an occupation tax application with the Business License Division prior to opening;**

9. A building permit may be required for a change of occupancy. Please contact the Building Inspection Department for further details and to begin that process.
10. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
11. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
12. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **#SP-2020-95** subject to all comments and suggestions outlined in the staff report(s), and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Aerial Map
Zoning Map
Applicant Response E-mail
Neighborhood Meeting Sign-in Sheet and Minutes
Neighborhood Meeting Affidavit
Floor Plan
Site Photographs Provided by Staff dated on October 13, 2020
Letter of Support from the Wyandotte Economic Development Council

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	November 9, 2020	December 3, 2020
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#SP-2020-95** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2020-95**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Hearing starts at 2:41:38:

SPECIAL USE PERMIT APPLICATION #SP-2020-95 – TRENT GADDY WITH JULES BOREL AND COMPANY – SYNOPSIS: Special Use Permit to allow the receiving of inventory at the dock, storage within the building interior and shipping at 1223 Meadowlark Lane. **Detailed Outline of Requested Action:** The applicant, Trent Gaddy, applied for a Special Use Permit to allow interior building receipt, storage and shipping of inventory for a watch repair and business office within an office building at 1223 Meadowlark Lane.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Trent Gaddy, applicant, 7801 West 52nd Street, Mission, Kansas 66202
- Matt Watkins, realtor representing a couple of property owners in the area and he is the Chairman of the Housing Authority (not speaking on their behalf)
- Marcia Harrington, WYEDC, 727 Minnesota Avenue, Kansas City, Kansas

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:00:10: Planning Director Hand stated that this property has been vacant for quite some time and is currently zoned CP-O, which is primarily intended for office use. The use as described is uniquely industrial and in discussions with the applicant, it was stated that while a rezoning would greater certainty, staff would not support industrial zoning in this location because the use would fit in the M-1 Light Industrial and Industrial Park zoning and there is no M-1 zoning near this property. Staff worked closely with the applicant to file this Special Use Permit and its conditions of approval. He further stated that this Special Use Permit is for the Temporary Use of Land (for industrial purposes) and according to the code can only be approved for a maximum of two (2) year increments. Staff recommends approval, subject to the conditions in the staff report and staff looks forward to this business being located here.

Senior Counsel Waters stated that according to Section 27-593, approval of temporary use of land applications are limited to no more than two (2) years. He stated that the

staff is bound by this code. Planning Director Hand stated that in the ongoing updating of the zoning code, staff is working towards including a hybrid category that this use would fall under, if and when adopted in the near future. Approval of the code is expected in 2021, and the applicant did not want to wait until it was approved to move forward with their project.

Motion and Vote starts at 3:05:30:

On motion by Mr. Mohler, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **#SP-2020-95**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

1. **Hours of operation shall be Monday through Friday from 8:00 AM to 5:30 PM.**
2. **All storage shall be within the building;**
3. **Truck deliveries shall occur during the normal hours of operation;**
4. **No box trucks or freight trucks may be parked overnight on the property;**
5. **No customers are permitted to come and pick up orders or inventory;**
6. **The parking lot shall be repaved and restriped;**
7. **All signage shall comply with the sign code;**
8. **File an occupation tax application with the Business License Division prior to opening;**
9. **A building permit may be required for a change of occupancy. Please contact the Building Inspection Department for further details and to begin that process.**
10. **The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
11. **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the**

- petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
12. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

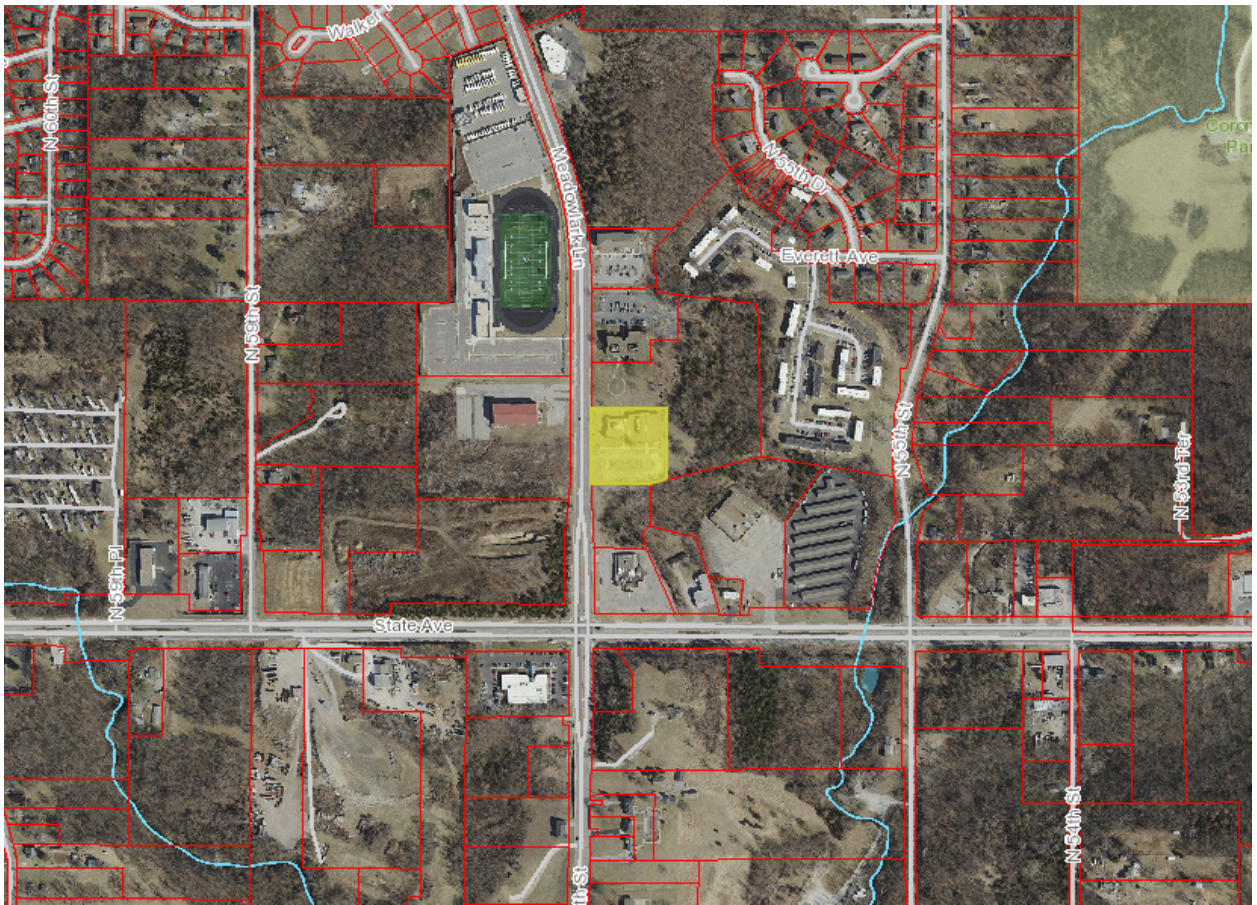


Figure 1. Aerial Map of 1223 Meadowlark Lane as outlined in yellow (provided by UG Maps).

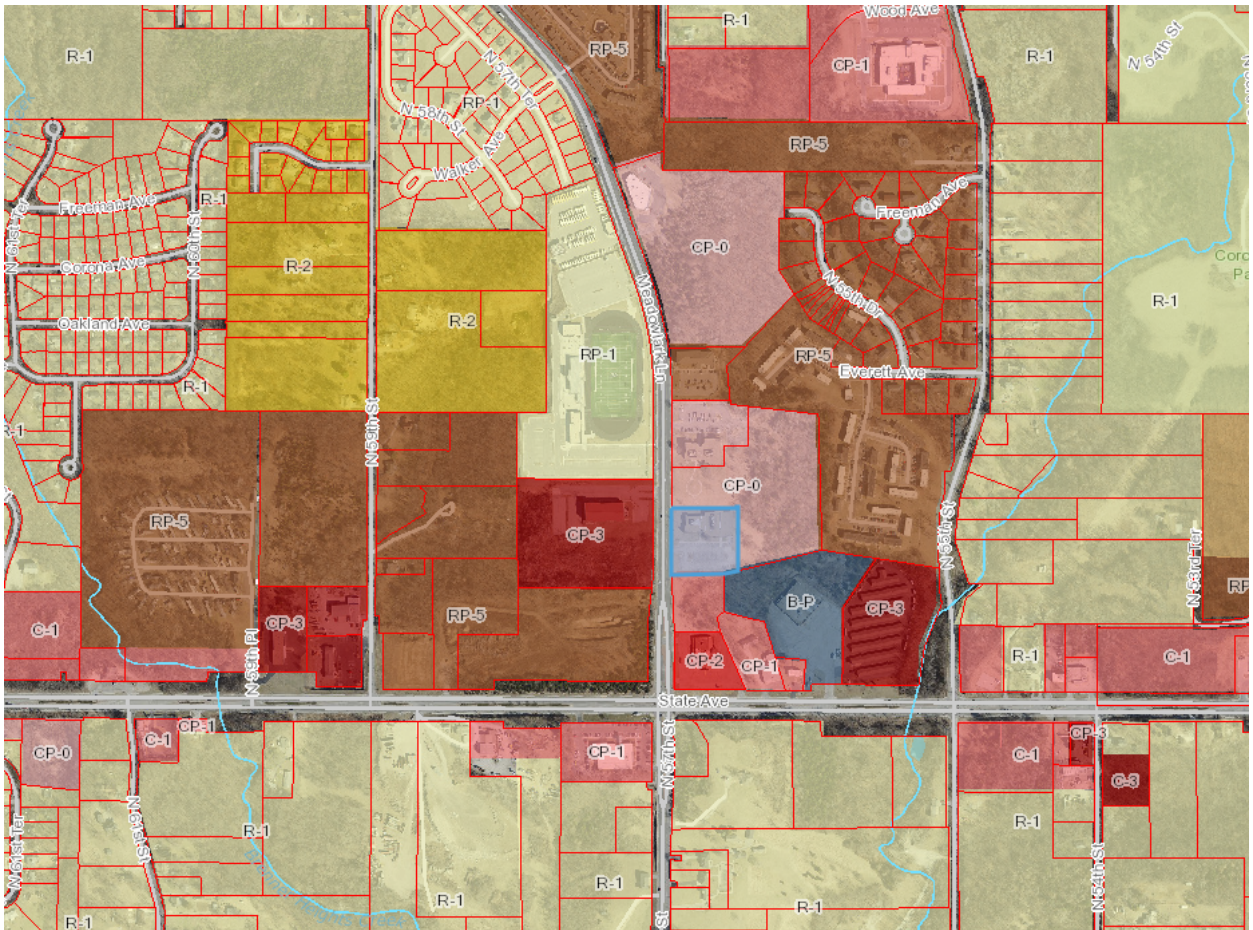


Figure 2. Zoning Map of 1223 Meadowlark Lane as outlined in blue (provided by UG Maps).

Toy, Byron

From: Trent Gaddy <trent@julesborel.com>
Sent: Wednesday, October 28, 2020 11:21 AM
To: Parker, Janet; EDR
Cc: Toy, Byron; PlanningInfo; Gary Borel
Subject: RE: #SP-2020-95 Draft Staff Report
Attachments: SP-2020-95.DRAFT.PDF; Jules Borel Presentation.pptx

Importance: High

Good morning KCK UG team,

Below are Jules Borel answers/comments to questions/comments posed by Planning and Urban Design.

I have also included a power point presentation that elaborates on the Company's history, business, and plans for 1223 Meadowlark Lane. It's really helpful in painting the picture of who we are and what we do. If possible, I would like to share/present it at the Public Hearing on November 9th 2020.

1. **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.** Noted, we will comply.
2. **How many employees will there be in the office building?** Currently we have 22 employees.
3. **What are the proposed hours of operation?** Our regular operation hours are 8:00 am to 5:30 pm, Monday through Friday.
4. **What inventory will be stored within the building?** Everything a Watchmaker needs. i.e. Watch Parts, Batteries, Tools, Watch Cleaning Supplies, Equipment to evaluate watches, Watchmaker Benches
5. **How much inventory will be stored in the building?** Inventory on average is valued at \$1.6 million, subject to ~\$100,000
6. **How many daily truck trips will be coming and going from the site?** We have a USPS, UPS, & FedEx (box trucks) pickup and delivery daily. On average once, sometimes twice, a week we will have either a freight (semi) delivery or pickup. No, trucks are ever parked/left on the property. 15-30 minutes is generally the max amount of time any given truck in on the property.
7. **What types of trucks will be delivering to and shipping from the site, semi-tractor, box trucks (FedEx, UPS, etc.)?** See above answer to question 6.
8. **Will customers be able to come to the office and pick up orders?** No
9. **How will the business be advertised?** Website, Email, Post Mail

10. The parking lot is degraded and needs to be resurfaced and restriped. To be done, already obtained a quote (\$36,295)

11. Per the Business License Division: a. If approved, the applicant will need to file the occupation tax application with our office for the business activity. Noted, we will comply.

Thank you and best regards,

Trent Gaddy

General Manager

Jules Borel & Co.

Serving Watchmakers & Jewelers with integrity, excellence & vision for 100 years.

1110 Grand Boulevard

Kansas City, Missouri 64106

Phone: 816-421-6110 ext. 314

Email: trent@julesborel.com

From: Parker, Janet [mailto:jparker@wycokck.org]

Sent: Wednesday, October 21, 2020 10:45 AM

To: Trent Gaddy <trent@julesborel.com>

Cc: Toy, Byron <btoy@wycokck.org>; Parker, Janet <jparker@wycokck.org>

Subject: #SP-2020-95 Draft Staff Report

Importance: High

Attached are the “draft” comments on this application. Please submit additional information/requested plans **electronically** to EDR@wycokck.org by **Wednesday, October 28, 2020**, at 12:00 Noon. Failure to respond will result in the case being held over for one month or a recommendation of denial.

Please also email the minutes, along with the attendance sheet, for your neighborhood meeting to Janet Parker (jparker@wycokck.org or Fax: 913-573-5796) by **Wednesday, October 28, 2020**.

NOTE: This application **will not** appear on any agenda until Public Works and Planning comments are resolved. Please email your Planner listed below regarding Planning comments and Martin Ntonjira for engineering questions, at mntonjira@wycokck.org.

Thank you,

Janet L. Parker, CSC/APC

Executive Assistant to Gunnar H. Hand, AICP

Director of Planning

MEETING MINUTES

Meeting subject: Property at 1223 Meadowlark Lane Kansas City, KS

Application number: SP-20402-00080 (Ref: SP-2020-95)

Date and location: Zoom Video Conference at 6:00 PM on October 26, 2020

People in attendance:

- Gary Borel, President, Jules Borel & Co.
- Trent Gaddy, General Manager, Jules Borel & Co.
- Cindy Borel, Jules Borel & Co.
- John Sweeney, Relator representing Jules Borel & Co.
- Don Maddox, Relator representing SA Holdings
- Marcia Harrington, CECD of Wyandotte Economic Development Council
- Matt Watkins, Representing three parties on petition contact list (Chairman - Kansas City KS Housing Authority; Realtor - Mohammed Haque, Representative - 4101 Powell Avenue LLC)

Minutes:

Gary Borel called the meeting to order at 6:01 PM on October 26, 2020. Jules Borel & Co. prepared a detailed presentation; however, all in attendance stated they were already familiar with both Jules Borel and Co. and the company's plans for 1223 Meadowlark Lane.

Matt Watkins discussed how the Meadowlark Lane area has seen a great revitalization over the last 3-5 years. He estimated 20 million dollars have been invested in the area. He specially referenced the Housing Authority and the "state of the art" USD 500 school district food facility which has six-dock doors located behind 1223 Meadowlark Lane. Trent Gaddy responded that he hopes Jules Borel & Co. can contribute to the revitalization. Both Matt Watkins and Marcia Harrington agreed that the company would be a great addition to the area.

Matt Watkins stated he would request letters of support for the SUP. He specially referenced Leavenworth Road Association, the Medical Offices near the property, as well as the Housing Authority. Marcia Harrington agreed that this was a good idea, and stated her intention to obtain one from WYEDC and potentially Business West. Don Maddux will request to have SA Holdings provide a letter of support as well.

Matt Watkins asked if Jules Borel & Co. intended to do an NRA. Trent Gaddy confirmed. Marcia Harrington stated that based on the area, the rebate would be 95% on the improvements made over a five-year period. The conversation then segued to a conversation related to industrial growth and improvement in Wyandotte County. Matt Watkins referenced the new Amazon distribution center and new 800,000 sq. ft. Urban Outfitters building. Marcia Watkin talked about the large growth in e-commerce related business in the area. Trent Gaddy commented that Jules Borel fits right with those types of e-commerce companies. All agreed.

Trent Gaddy asked if there were any additional comments or questions. Everyone replied no. Gary Borel thanked everyone for coming and for their time. He stated that the SUP was critical for us to purchase and operate in the new building. Matt Watkins, Marcia Harrington, and Don Maddux commented that they were looking forward to having us in Wyandotte county very soon. Matt Watkins stated he thought it would be a plus for the area and that there was no signs of objection. All agreed.

With no further questions or comments, Gary Borel adjourned the meeting at 6:32 PM.

Questions and answers:

Jules Borel & Co. received one phone call from Mr. Mohammed Haque prior to the meeting on October 21, 2020.

Person asking the question: Mohammed Haque, 15121 Dearborn Street Overland Park, Kansas 66223

Person answering the question: Gary Borel

Mohammed introduced himself to Gary Borel indicating he wanted to find out more about Jules Borel & Co. Mohammed owns land next to Meadowlark that is listed by Matt Watkins at Reece Nichols. I gave Mohammed brief history of our company, and described our role in the watchmaking industry. Mohammed was very positive about the prospect of the property selling. Mohammed did not have any concern about the UPS or FedEx traffic. Mohammed stated his approval, and offered us the opportunity to purchase his land if the Meadowlark building did not work out for us.

Meeting adjourned: 6:32 PM

Minutes taken by: Cindy Borel & Trent Gaddy

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)

COUNTY OF WYANDOTTE)

Comes now Trent Gaddy , of lawful age, sound mind and upon

his/her oath states as follows:

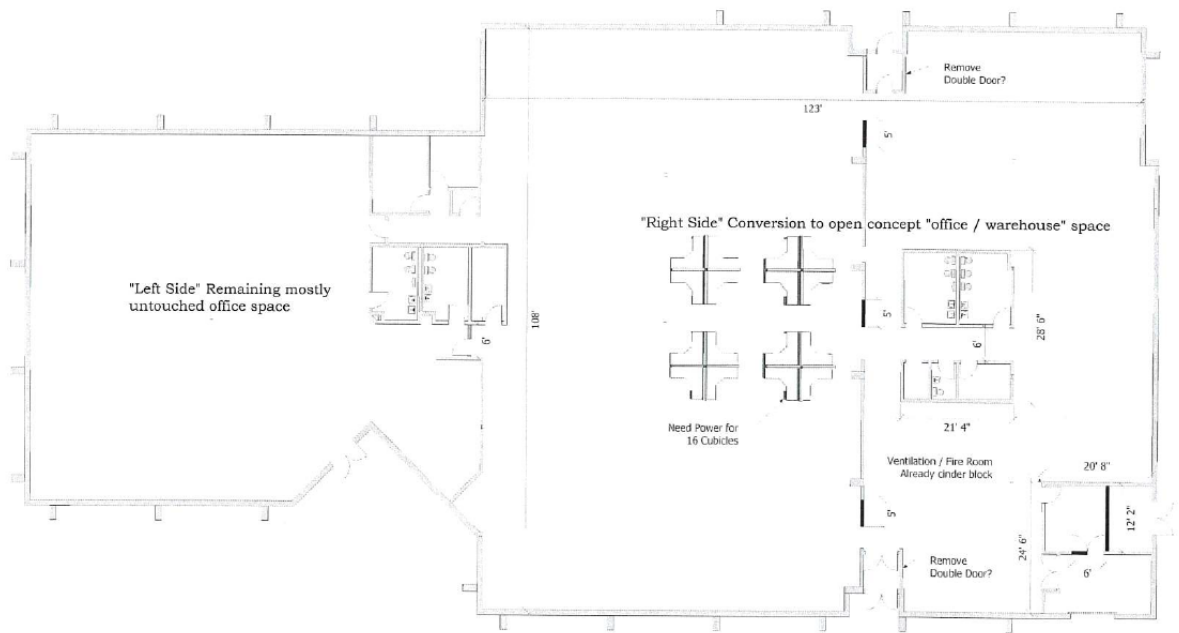
1. That I am the petitioner for Petition # SP-20402-00080 .
2. That I conducted a neighborhood meeting on Oct 26, 2020 .
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

**Trent
Gaddy**

Digitally signed by Trent Gaddy
DN: cn=Trent Gaddy, o=ou,
email=trent@julesbores.com,
c=US
Date: 2020.10.27 16:18:27 -0500

Affiant







To: Unified Government Planning Commission
From: Marcia Harrington, Wyandotte Economic Development Council
Date: November 4, 2020
Subject: Jules Borel & Co. – Special Use Permit (SUP) Application

My name is Marcia Harrington, Senior Director of Business Retention and Workforce Solutions for the Wyandotte Economic Development Council (WYEDC) and a resident of District 7 in Bonner Springs. The purpose of this letter is to pledge WYEDC's support for the proposed Special Use Permit for Jules Borel & Company at 1223 Meadow Lark Lane, Kansas City Kansas.

Jules Borel & Co. is a distributor of watch and jewelry parts that has been in business for 100 years. They currently reside at 1110 Grand Boulevard, Kansas City, MO and are a growing company. Due to their growth, they need a bigger building and one that is more conducive to their business and 25 employees. Gary Borel, President, and Trent Gaddy, General Manager, have indicated that they have found the perfect building to meet their needs at 1223 Meadow Lark Lane. With some reconfiguration of the building interior, it will accommodate their current and future warehouse and office needs. Their entire operation is conducted inside the building, except for deliveries to which there is an existing dock door. Their estimated investment will be \$1,250,000, which is a significant amount for a small company. Our understanding is that a 2-year SUP is being recommended by the Planning Department to allow this company to operate at the building. Mr. Borel would prefer either a 5-10 year SUP or a re-zoning of the property, so they have long-term certainty about the company's status at this KCK location. The \$1.2 million investment is a large investment for a small company to make with the uncertainty of a short-term, 2-year status. They are aware of conditions that must be met and held in conformance for the duration of the SUP for it to be extended or for a subsequent rezoning to occur.

Our key points are:

- The company has been in business for 100 years, so they have a proven track record of stability.
- Due to company growth, they would move their business from Missouri to Kansas to make an investment of approximately \$1,250,000 in Kansas City Kansas, along with an employee base of 25.
- Jules Borel & Company will add an investment into the corridor without detracting from the neighborhood. Their business operations would be confined to the interior of the building with no outside operations or storage. A few daily truck deliveries would occur.
- The building has been vacant since 2016 since KVC Hospitals relocated.
- Their operation conforms well to their neighbors directly across the road – Housing Authority maintenance facility, the KCKPS bus facility just down the road to the north and State Tractor around the corner to the south.
- The previous tenant used the truck dock in its current zoning status.
- A 2-year SUP does not provide long-term certainty to the company for what they deem is the best building and location for their expansion needs. Therefore, a longer term SUP would be desired by the company.

The WYEDC supports this project and we urge you to do so as well. Thank you for your consideration.



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: **Petition #SP-2020-96**

GENERAL INFORMATION

Applicant:
Ryan Denk

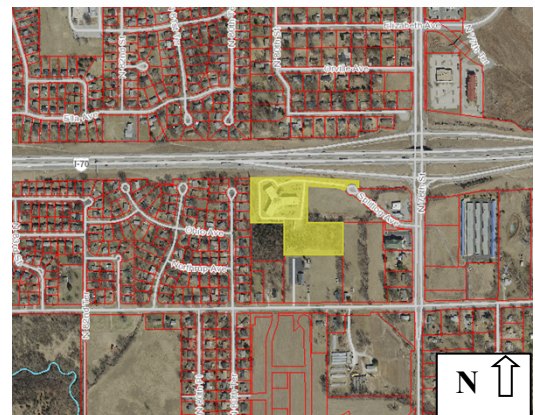
Status of Applicant:
McAnany Van Cleave & Phillips, P.A.
10 East Cambridge Circle Drive, Suite 300
Kansas City, Kansas 66103

Requested Action:
Renewal of a Special Use Permit (expired
April 26, 2020).

Date of Application:
September 25, 2020

Purpose:
To continue to allow tractor trailer truck parking at
the American Motel.

Property Location:
7949 Splitlog Avenue
Kansas City, KS 66112



Commission Districts:	Commissioner At Large: Tom Burroughs (At-Large District 2) District Commissioner: James (Jim) Walters (District 7)
Existing Zoning:	CP-1 Planned Limited Business and R-1 Single Family Districts
Adjacent Zoning:	North: None (Interstate 70) South: R-1 Single Family District East: CP-1 Planned Limited Business and R-1 Single Family Districts West: R-1 Single Family District
Adjacent Uses:	North: Interstate 70 right-of-way South: Vacant land and a church East: Vacant property West: Single family homes
Total Tract Size:	6.71 Acres
Master Plan Area:	City-Wide Master Plan
Master Plan Designation:	The City-Wide Master Plan designates this property as Community Commercial.
Major Street Plan:	The Major Street Plan classifies Splitlog Avenue as a Local Street.
Required Parking:	Sec. 27-668(a)(8) One (1) space for each guest room plus one space for each two employees on the largest shift, plus adequate parking for banquet rooms, meeting rooms, restaurants and lounge areas. The property owner created a parking pad for these trailers separate from the parking requirement for the motel guests and employees. The use does not require additional parking.
Advertisement:	<u>The Wyandotte Echo</u> – October 15, 2020 Letters to Property Owner – October 14, 2020 and November 25, 2020
Public Hearings:	November 9, 2020 and December 3, 2020
Public Support:	None to date.
Public Opposition:	Opposition was expressed at the April 9, 2018 City Planning Commission meeting relating concerns/issues with the fence. No one appeared in opposition at the November 9, 2020 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Ryan Denk, applied for the renewal of a Special Use Permit (expired on April 26, 2020) to continue to park tractor trailer trucks at the American Motel. The continuation of the proposed use includes seven (7) truck trailer parking spaces in the southeast corner of the parking lot at 7949 Splitlog Avenue.

City Ordinance Requirements: 27-592 through 27-606

Zoning Enforcement Action: There are no Notice of Violations for this property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is comprised of single-family residential homes to the west and Interstate 70 to the north.

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

The zoning and uses of properties nearby are set out above. The parking of tractor trailers and the intensity of the commercial use is not compatible with the single-family residences to the west. Screening has been installed along the west property line, blocking the view of the trucks and trailers from the residences.

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

Appropriate screening has been installed; therefore, the removal of the restrictions should not detrimentally affect nearby property because the parking of tractor trailer trucks is temporary in nature.

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

The property is not vacant. The motel is an existing business operating since 1986.

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

Special Use Permits are not addressed in the Master Plan. Community Commercial designation allows grocery stores, medium-sized (25,000 to 75,000 square feet) box stores, commercial centers with sit-down restaurants, drive-through restaurants, banks, drug stores, service stations, convenience stores, auto-supply stores, general services, car lots, auto body and repair shops, and other auto-oriented uses are allowed, but will be required to meet higher site design standards.

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

The proposed use will not result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it because there is ample parking space on site. There is substantial parking and the majority of the trucks arrive in the late evening hours on Splitlog Avenue, which only serves the motel at this location.

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

Since the screening has been installed, the proposed use will not permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

The movement of tractor trailer trucks late at night could create problems associated with noise and light for nearby single-family residences.

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

This is not foreseen to be an issue as it is an existing, permitted business.

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

This is not foreseen to be an issue as it is an existing business in a built-out neighborhood.

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

The relative gain to the public health, safety and welfare is negligible for the proposed use, however, it would be a hardship on the individual landowner to prevent tractor trailer trucks from continuing to be parked on the site.

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

If the owner continues to allow seven (7) tractor trailer trucks to be parked on site, the proposed use will not result in overcrowding of land on the property. There is enough parking on site for guests as not to cause undue concentrations of population.

PREVIOUS ACTIONS

Special Use Permit (#SP-2018-45) was approved by the Board of Commissioners for two (2) years on April 26, 2018.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on October 22, 2020 by virtual meeting. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Security
Parking
Noise
Light/Glare

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2020-96, subject to:

1. Tractor trailer trucks are to be parked only in the seven (7) designated parking spaces in the south east corner of the parking lot;
2. All parking lot lighting shall have 90-degree cutoff fixtures on them, as not to exceed one (1) footcandle at the property line;
3. The eight (8) foot fence was constructed on the west side of the property and all truck parking and access is located in the southeast corner of the property (where it was originally designated) as recommended by staff with #SP-2018-45 in 2018;
4. The applicant will need to file and maintain a current business occupation tax application with the Business License Division;
5. No outside storage on site;
6. No inoperable vehicles kept on site;
7. Restripe the seven (7) truck trailer parking spaces;
8. If conditions are not adhered to this Special Use Permit may be brought to the Unified Government Board of Commissioners for revocation;
9. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
10. The Special Use Permit shall be valid for two (2) years for the temporary use of land or commercial or industrial purposes of land from the

publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **#SP-2020-96** subject to all comments and suggestions outlined in the staff report(s), and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Aerial Map
Zoning Map
Applicant Response Letter
Neighborhood Meeting Minutes
Neighborhood Meeting Affidavit
Site Photographs Provided by Staff dated on October 8, 2020.

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	November 9, 2020	December 3, 2020
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#SP-2020-96** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2020-96**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 3:06:40:

SPECIAL USE PERMIT APPLICATION #SP-2020-96 - RYAN DENK WITH MCANANY VAN CLEAVE & PHILLIPS, P.A. – SYNOPSIS: Renewal of a Special Use Permit (#SP-2018-45 – expired 4/26/2020) to allow tractor trailer truck parking at 7949 Splitlog Avenue. **Detailed Outline of Requested Action:** The applicant, Ryan Denk, applied for the renewal of a Special Use Permit (expired on April 26, 2020) to continue to park tractor trailer trucks at the American Motel. The continuation of the proposed use includes seven (7) truck trailer parking spaces in the southeast corner of the parking lot at 7949 Splitlog Avenue.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Spencer Low, representing the applicant, McAnany Van Cleave & Phillips, 10 East Cambridge Circle Drive, Suite 300, Kansas City, Kansas 66103
- Ron White, representing the American Motel

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:10:50: Planning Director Hand stated this Special Use Permit is for the continuation of parking tractor trailer trucks at the hotel and the staff carried over the previously approved conditions. Staff has not received any opposition and there have been no Notices of Violation on the property. Staff recommends approval, subject to the conditions in the staff report.

Motion and Vote starts at 3:12:40:

On motion by Mr. Miller, seconded by Mr. Mohler, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **#SP-2020-96:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

1. Tractor trailer trucks are to be parked only in the seven (7) designated parking spaces in the south east corner of the parking lot;
2. All parking lot lighting shall have 90-degree cutoff fixtures on them, as not to exceed one (1) footcandle at the property line;
3. The eight (8) foot fence was constructed on the west side of the property and all truck parking and access is located in the southeast corner of the property (where it was originally designated) as recommended by staff with **#SP-2018-45** in 2018;
4. The applicant will need to file and maintain a current business occupation tax application with the Business License Division;
5. No outside storage on site;
6. No inoperable vehicles kept on site;
7. Restripe the seven (7) truck trailer parking spaces;
8. If conditions are not adhered to this Special Use Permit may be brought to the Unified Government Board of Commissioners for revocation;
9. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,

- 10. The Special Use Permit shall be valid for two (2) years for the temporary use of land or commercial or industrial purposes of land from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.**

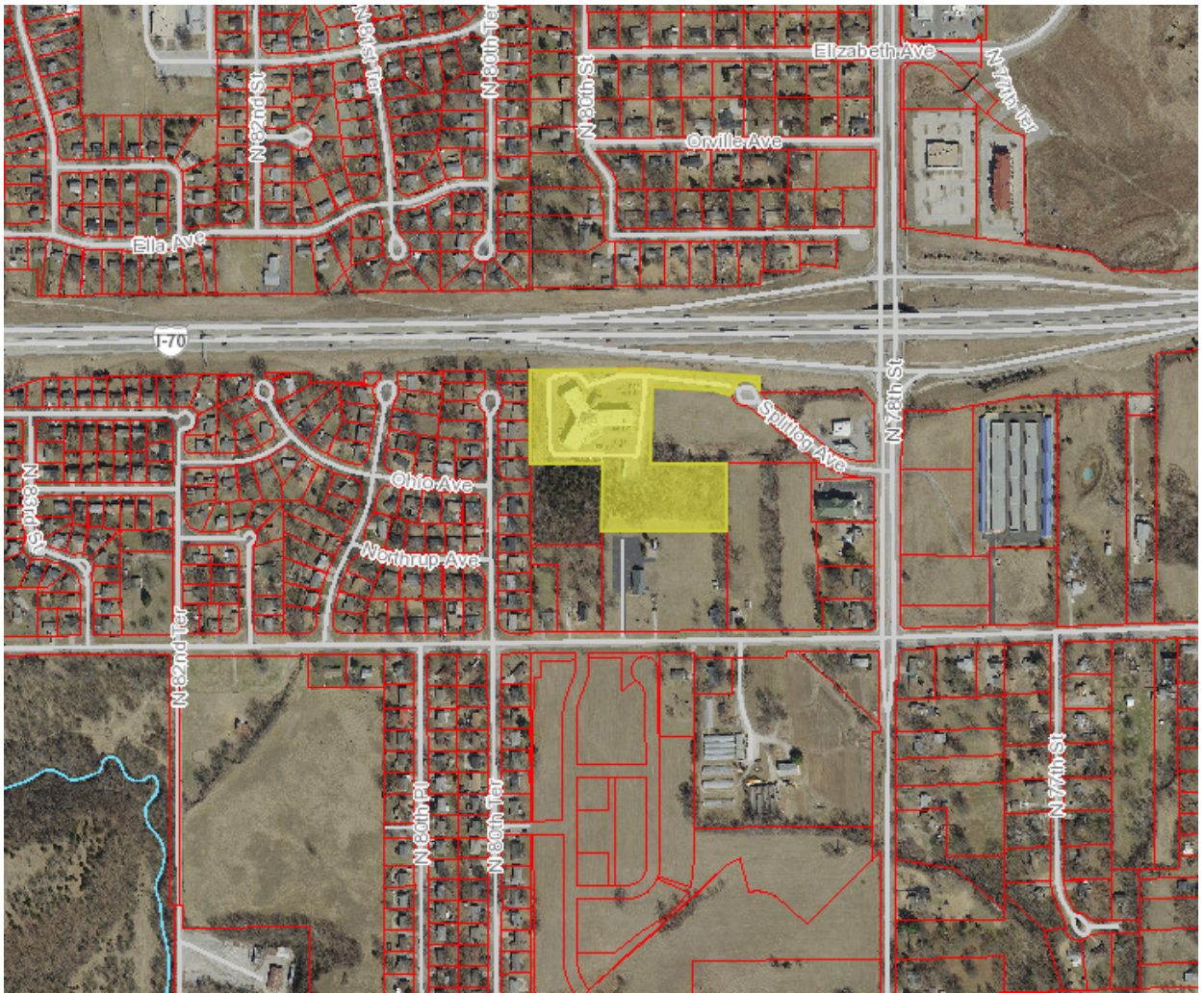


Figure 1. Aerial Map of 7949 Splitlog Avenue outlined in yellow (provided by UG Maps).

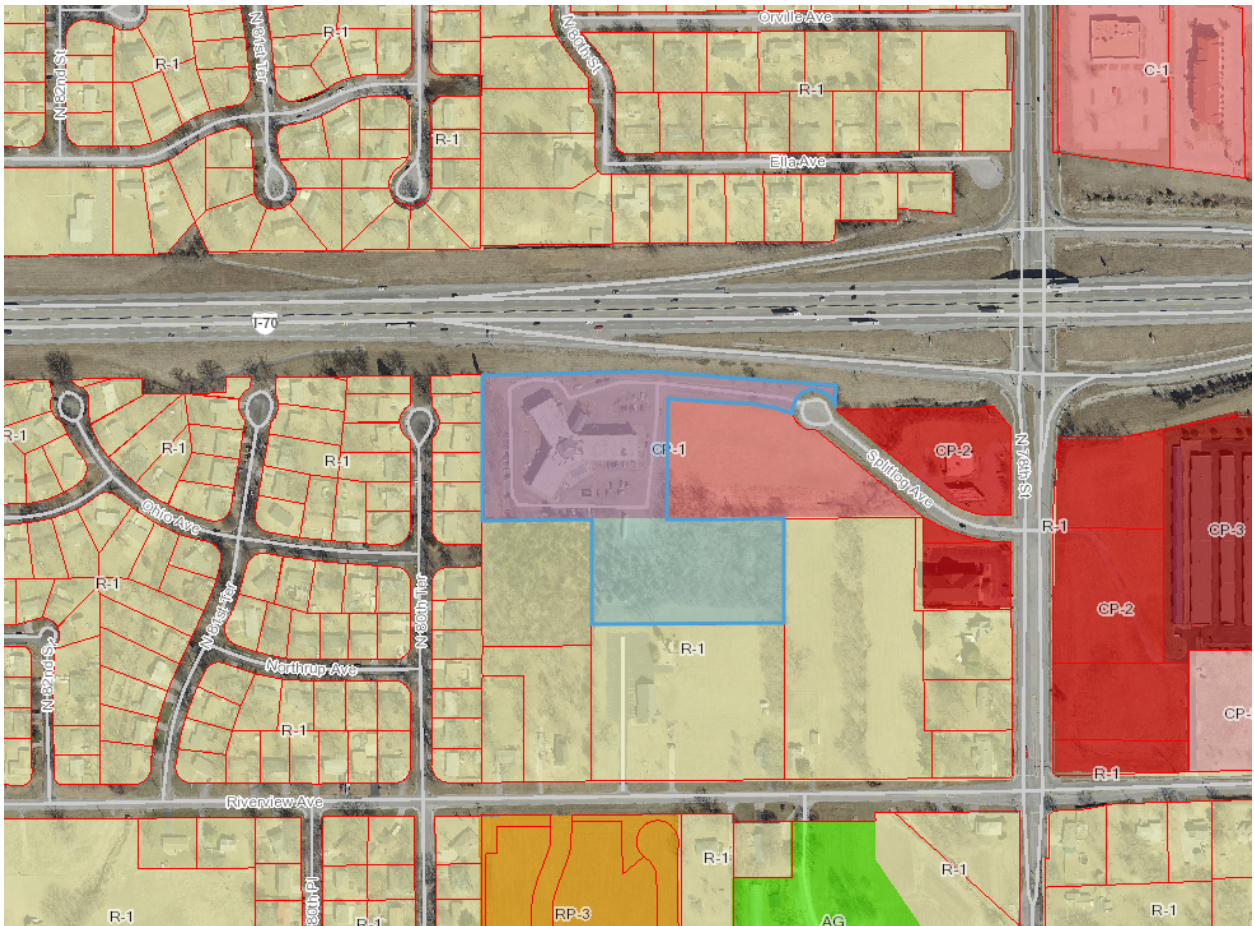


Figure 2. Zoning Map of 7949 Splitlog Avenue as outlined in blue (provided by UG Maps).



McAnany, Van Cleave & Phillips, P.A.
Attorneys at Law Since 1901
Kansas City • St. Louis
Springfield • Omaha • Tulsa

Spencer A. Low
Direct Dial: (913) 573-3701
slow@mvplaw.com

November 2, 2020

Sent via email to btoy@wycokck.org
Byron Toy
Dept. of Urban Planning and Land Use
Unified Government Wy Co/KCK
701 N. 7th Street, Suite 423
Kansas City, KS 66101

Re: American Inn Motel – Truck/Trailer Parking – SP-2020-96
MVP File No.: 3547.00000

Dear Byron:

I apologize for the tardiness of this Response Letter. Below please find answers to the two questions posed in the Draft Staff Report:

2. How long does the owner intend to allow tractor trailer trucks to park on the property?

Response: we intend to allow tractor-trailer parking within this specific part of our property indefinitely.

3. How will the operator assure only seven trucks are parking on-site?

Response: We typically have four to six tractor-trailers in this parking lot at a time. We monitor the lot throughout the day and night to ensure that the number does not exceed seven.

Lastly, as to the comment about 90-degree cutoffs for the lighting, to the best of our knowledge there are no lights on the western property line and the rest of the lot are within a separate parking lot that we also own. We are double-checking with the lighting company to ensure that this is the case and that the lighting is compliant.

If you have any questions or need anything further, please feel free to contact me.

Sincerely,



10 East Cambridge Circle Drive, Suite 300, Kansas City, Kansas 66103
www.mvplaw.com Ph 913.371.3838 Fax 913.371.4722
KANSAS MISSOURI ILLINOIS ARKANSAS OKLAHOMA NEBRASKA IOWA

May 11, 2020
Page 2

A handwritten signature in black ink, appearing to read 'S. Low', with a large, stylized 'S' and 'L'.

Spencer A. Low
Direct: (913) 573-3701
slow@mvplaw.com

7JY4605.DOCX

MINUTES FOR NEIGHBORHOOD MEETING

Application #SP-2020-96

Meeting Held: October 22, 2020, by videoconference

Meeting called to order at 5:30 p.m.

Attendees:

- Ron White
- Spencer Low

No neighbors attended the meeting, so no presentation was given and no questions were asked. Mr. White and Mr. Low remained in the video call for 30 minutes, until 6:00 p.m. to ensure that no neighbors were running late.

Meeting adjourned at 6:00 p.m.

Minutes taken by: Spencer A. Low

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

Comes now Ron White, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition #SP-2020-96.
2. That I conducted a neighborhood meeting on October 22, 2020.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

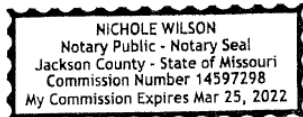
Further affiant saith not.



Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26th day of October, 2020

My commission expires 25th of March, 2022





Notary Public





ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in #SP-2020-48, commonly known as 5015 Gibbs Road, Kansas City, Kansas, legally described as:

Tract 9156, Section 36, Township 11, Range 24; Beginning 170 feet east and 55 feet south of the northwest corner of the northeast quarter; N43E-21.23 feet, east 384.98 feet, south 240 feet, west 400 feet, north 225 feet to point of beginning. Containing 2.2 AC M/L, located at approximately 5015 Gibbs Road, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of an auto body shop.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1.) **The requirements and conditions from the City Planning Commission that were approved with COZ 3152, SP-2017-65, and PR-2018-20 will continue to be applied to this property along with any new conditions that may be added. Compliance with the Commercial Design Guidelines and potential**

future infrastructure improvements will continue to be applied to this property along with any new conditions that may be added.

The stipulations and comments from the previous actions are attached below for reference:

1. No wrecked cars in parking lot
 2. Only employee parking in parking lot
 3. No outside storage in parking lot
 4. 8 a.m. – 5 p.m. - hours of operation
 5. All doors closed while working on vehicles
 6. Paint booth must be filtered
 7. Any dumpster kept outside shall be screened per the code to match the building.
- 2.) Applicant must acknowledge the following statement:
Both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, stipulations, and requirements. Failure to make the necessary improvements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations.
- 3.) CP-3 District regulations specify a 30,000 pound gross vehicle weight rating (GVWR) limit. Semi-trucks and/or semi-trailers exceed this limit and are not allowed to park on the property other than in performance of delivering supplies to the business;
- 4.) The vegetation growing in the parking lot must be removed. The cracked or damaged pavement must be patched and sealed;
- 5.) No outside parking of inoperable or wrecked vehicles at any time. Vehicles in any stage of repair must be stored inside at all times. This also applies to any employee vehicles parked on the property; and,
- 6.) Applicant is different than the legal entity listed as the property owner. Submit a signed and notarized Owner's Affidavit Form for Huffman Holdings LLC.
- Staff Response: The applicant has provided the required Affidavit.
- 7.) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Department of Planning + Urban Design no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.
- 8.) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The

property may also be subject to enforcement actions and administrative citations.

- 9.) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.
- 10.) Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request.
- 11.) Applicant must acquire and maintain a business license for each proposed use.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2020.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in #SP-2020-75, commonly known as 1634 South 29th Street, Kansas City, Kansas, legally described as:

BLOCK 39, LOT 45: BEGINNING NORTHWEST CORNER; EAST 30 FEET ALONG NORTH LINE, SOUTHWESTERLY TO SOUTH LINE, WEST 27 FEET TO SOUTHWEST CORNER, NORTH TO POINT OF BEGINNING, MULVANES ADDITION REPLAT BLOCK 33-39, 42-45, A SUBDIVISION IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS, LOCATED AT APPROXIMATELY 1634 SOUTH 29TH STREET, KANSAS CITY, KANSAS.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of **a group home/emergency shelter**.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1. The maximum number of children in the home shall not exceed six (6);**
- 2. No more than four (4) cars at one time at the location;**

3. The four (4) off-street parking spaces are to be utilized before parking in an on-street parking space. The sidewalk must be kept clear of parked cars;
4. Must obtain a business license;
5. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.
6. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations.
7. If approved, the Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____,
2020.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in #SP-2020-76, commonly known as 2605 West 39th Avenue Kansas City, Kansas, legally described as:

All that part of Block 2, ROSEDALE PARK, a subdivision of land in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof and all of that part of Cherokee Street vacated by City Ordinance No. 45967 and all that part of Lake Avenue vacated by City Ordinance No. 45967 described as follows: Beginning at the intersection of the center line of said Lake Avenue and the Southerly prolongation of the Easterly line of the above-mentioned Block 2, ROSEDALE PARK; thence North 89 degrees 52 minutes 13 seconds West along the center line of Lake Avenue 184.33 feet to its intersection with the Southeasterly right of way line of 39th Avenue; thence Northeasterly on a curve to the left, having a radius of 175.0 feet, an arc distance of 53.08 feet; thence North 40 degrees 19 minutes 47 seconds East 92.60 feet; thence continuing along said right of way line on a curve to the right, having a radius of 110.0 feet, an arc distance of 95.59 feet to its intersection with its existing Westerly right of way line of Springfield Street; thence South 0 degrees 10 minutes 0 seconds West along said Westerly right of way line 143.55 feet to the point of beginning. NOTE: According to the tax rolls of the Unified Government of Wyandotte County/Kansas City, Kansas Treasurer's office, a portion of the above legal description is located in parts of Lots 20, 21, 22, 23 and 24 in Block 2, ROSEDALE PARK. Located at approximately 2605 West 39th Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a day care center.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1. Sidewalks are required to be installed. Please install a new 5-foot-wide sidewalk on the north/west side of the property along 39th Avenue/Lake Avenue to the western edge of the property. Replace broken sidewalks on the east side of the property and install an ADA ramp at the corner of Springfield and 39th Avenue;**
- 2. Landscaping is required and must be maintained. Please install street trees every 30 feet along Springfield and 39th/Lake Avenue;**
- 3. Provide a Landscaping Plan that meets all code requirements and provides shade for any outdoor play areas (Note: Applicant has submitted a plan for review by staff);**
- 4. Provide a site plan showing all parking and striping requirements and public improvements;**
- 5. Must comply with Commercial Design Guidelines which state (Sec. 27-573):**
 - a. General property maintenance;**
 - b. Repaint the building;**
 - c. Install a trash enclosure;**
 - d. General landscaping and screening; and**
 - e. Parking lot improvements.**
- 6. All future signage must be permitted through the Department of Urban Design and Planning;**
- 7. Must maintain a business license with the Business Licensing Department;**
- 8. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 9. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and**

10. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2020.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in #SP-2020-81, commonly known as 4146 State Line Road Kansas City, Kansas, legally described as:

Hanover Heights #3, a subdivision of land in Kansas City, Wyandotte County, Kansas, the South 5' of Lot 3, and all of Lot 4, located at approximately 4146 State Line Road, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Special Use Permit for temporary lodging for families of patients at The University of Kansas Health System.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1. If ever returned to a single-family residence, the detached garage will be replaced by the owner. This structure will need to go before the City Landmarks Commission before receiving a building permit;**

2. Any renovating, replacement, or expansion will need to go through City Landmarks Commission for review as the house is in the Hanover Heights Historic District;
3. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one foot candle as measured from said property line;
4. If approved, applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented.
5. No more than 9 people, including the one (1) on-site caretaker allowed at one time;
6. No on-street parking allowed. Must only utilize the five (5) off-street parking stalls;
7. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
8. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
9. Applicant must keep a current Occupational Tax License with the Business License Department; and,
10. If approved, the Special Use Permit shall be valid for ten (10) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2020.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in #SP-2020-83, commonly known as 11255 Leavenworth Road, Kansas City, Kansas, legally described as:

The West 10 acres of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Section 34, Township 10, Range 23, in Wyandotte County Kansas, located at approximately 11255 Leavenworth Road, Kansas City Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit continuation of live entertainment.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1) **15 parking spaces on concrete need to be striped in compliance with Section 27-669;**
- 2) **ADA-accessible parking and signage must be installed on the concrete parking lot in compliance with Section 27-676(a);**
- 3) **The applicants must apply for a building permit for the concrete parking lot and pass final inspection;**

- 4) The following permits have been issued by the Building Inspections Division and have not be satisfactorily resolved, according to records. The following permits must be resolved and/or pass final inspection before SP-2020-83 can be granted:
 - a. Building Permit #11300-00292, issued June 9, 2011, final inspection disapproved June 5, 2015; and
 - b. Electrical Permit #11380-01281, issued July 26, 2011, final inspection disapproved June 5, 2015; and
 - c. Stop Work Order #19395-00173, issued July 26, 2019;
- 5) As per the conditions of approval in the SP-2013-29 and SP-2015-28 reports, any expansion of the parking lot requires concrete or asphalt paving in compliance with Section 27-675.
- 6) The applicants must apply for and receive a sign permit for the “Rowe Ridge” stone monument sign in the front yard. e granted.
- 7) The applicants will need to apply for and receive a sign permit the vinyl banner on the deck of the winery building unless it can be proven that the sign is exempt under Section 27-721(b)(1).
- 8) Any additional signage must comply with the sign code and be permitted through the Urban Planning and Land Use Department.
- 9) A concrete driveway apron must be installed per UG standards.
- 10) Applicant must maintain a current business occupation tax application and entertainment license.
- 11) Subject to approval, the Special Use Permit shall be valid for five (5) years.
- 12) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.
- 13) All conditions must be satisfactorily met before the applicants can resume operations under the Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2020.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

#SP-2020-84

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in #SP-2020-84, commonly known as 4112 Booth Street, Kansas City, Kansas, legally described as:

The South 30 feet of Lot 4 and the North 10 feet of Lot 5, Bonaventure, a subdivision in Kansas City, Wyandotte County, Kansas, according to the recorded Plat thereof. Located at approximately 4112 Booth Street, Kansas City, Kansas

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental/AirBNB.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1. Maximum number of guests shall be six (6);**
- 2. All parking must be off-street, maximum number of vehicles is three (3);**
- 3. Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
- 4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
- 5. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy. Include the contact information for Host Compliance:
913-246-5133 www.hostcompliance.com/tips ;**
- 6. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 7. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
- 8. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.**

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2020.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in #SP-2020-87, commonly known as 310 North 11th Street, Kansas City, Kansas, legally described as:

The East 5 feet of Lot 1, all of Lots 2 thru 31, Block 2, Belle View addition also all of Lots 1 thru 40, Block 6, Lowell Springs including vacated streets and alleys all in the City of Kansas City, Wyandotte County, Kansas according to the recorded plans thereof, located at approximately 310 North 11th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for the Temporary Use of Land for a modular classroom for M. E. Pearson Elementary School.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Lights used to illuminate the parking area shall be so arranged, located or screened as to direct light away from any adjoining or abutting residential district. The source of lights shall be hooded or controlled. Bare**

- incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light cast on adjacent residential property shall not exceed one (1) foot candle as measured from said property line;
2. The modular classroom must be painted to match primary structure;
 3. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 4. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 5. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2020.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

(First published _____)

#3232

ORDINANCE NO. _____

AN ORDINANCE rezoning property hereinafter described located at approximately 13635 Hollingsworth Road, in Kansas City, Kansas, by changing the same from its present zoning of AG (WYCO) Agriculture District to R-1 Single Family District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF
THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY,
KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on May 29, 2020, by the owners of property to have the zoning of said property changed from its present zoning of AG (WYCO) Agriculture District to R-1 Single Family District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE 6TH P.M. IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMNECING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE S88°33'23"W, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1268.03 FEET; THENCE S01°39'27"E, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HOLLINGWORTH ROAD AS IT NO EXISTS, ALSO KNOWN TO BE THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE N88°33'23"E, ALONG SAID SOUTH LINE, A DISTANCE OF 450.00 FEET; THENCE S01°39'27"E, A DISTANCE OF 200.00 FEET; THENCE S88°33'23"W, A DISTANCE OF 450.00 FEET; THENCE N01°39'27"W, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. CONTAINS 89,621.82 SQUARE FEET

MORE OR LESS 2.05 ACRES, Located at approximately 13635 Hollingsworth Road, Kansas City,

be changed from its present zoning of AG (WYCO) Agriculture District to R-1 Single Family District as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. The Urban Planning and Land Use Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for R-1 Single Family District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____
DAY OF _____, 2020.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY: _____
DAVID ALVEY
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

UNIFIED GOVERNMENT CLERK



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: **Change of Zone Petition #3223 and #MP-2020-3**

GENERAL INFORMATION

Applicant:
Brad Haymond

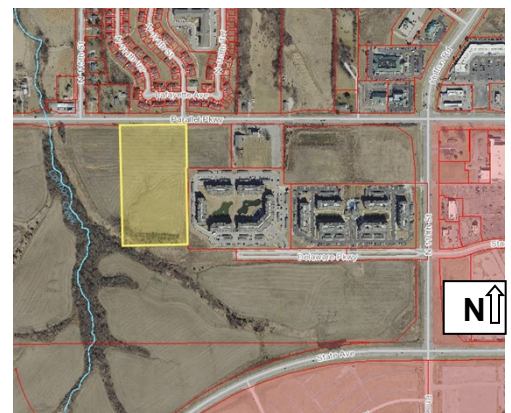
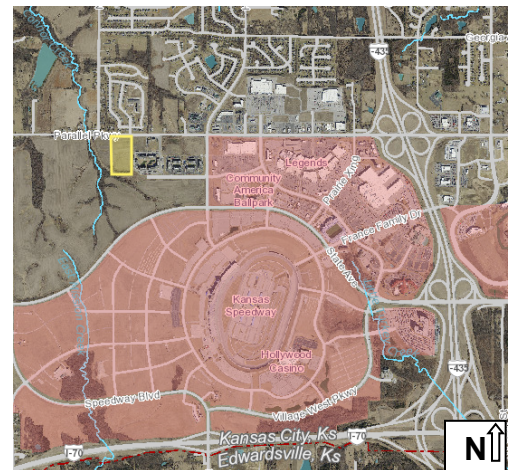
Status of Applicant:
Representative
Dustin Burton with Renaissance Infrastructure
Consulting
132 Abbie Avenue
Kansas City, KS 66103

Requested Actions:
Change of Zone from A-G Agriculture District to
RP-5 Planned Apartment District.

A Master Plan Amendment from Planned
Commercial and Business Park (Prairie Delaware
Piper Master Plan) to High Density Residential
(City-Wide Master Plan).

Date of Application: April 24, 2020

Purpose: To rezone and plat one
multi-family residential
lot to build 323 apartment units.



Property Location:	1921 North 118 th Street
Commission District:	Commissioner At Large: Tom Burroughs District Commissioner: James (Jim) Walters
Existing Zoning:	A-G Agriculture District
Adjacent Zoning:	North: RP-3 Planned Townhouse District South: A-G Agriculture District East: RP-5 Planned Apartment and R-1 Single Family Districts West: A-G Agriculture District
Adjacent Uses:	North: Senior Living townhomes South: Undeveloped land (south of Delaware Parkway) East: Apartments and a church West: Undeveloped farmland
Total Tract Size:	15.92 acres
Master Plan Designation:	The Prairie Delaware Piper Master Plan designates this property as Planned Commercial and Business Park.
Major Street Plan:	The Major Street Plan classifies Parallel Parkway as a Class A Thoroughfare and Delaware Parkway as a Parkway.
Required Parking:	Sec. 27-460(d) One and one-half parking spaces shall be provided for each dwelling unit that has one bedroom or less. Two parking spaces shall be provided for each dwelling unit that has two bedrooms or more. 540 parking spaces are required. 512 parking spaces are provided subject to approval by the Board of Zoning Appeals.
Advertisement:	<u>The Wyandotte Echo</u> – Change of Zone - May 14, 2020; Master Plan Amendment – May 14, 2020 Letters to Property Owners – Change of Zone – May 14, 2020, June 1, 2020, August 3, 2020, October 7, 2020; Plat – May 14, 2020, June 1, 2020, August 3, 2020, October 7, 2020 and November 25, 2020; Master Plan Amendment – May 14, 2020, June 1, 2020, August 3, 2020, October 7, 2020 and November 25, 2020.
Public Hearings:	November 9, 2020 and December 3, 2020
Public Support:	None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Brad Haymond, wants to rezone a portion of 1921 North 118th Street from A-G Agriculture District to RP-5 Planned Apartment District and amend the master plan from Planned Mixed Business Park/Commercial (Prairie Delaware Piper Master Plan) to High Density Residential (City-Wide Master Plan) to build a 323 unit apartment complex on 15.92 undeveloped acres. The complex consists of four (4) buildings, including garages and carports and a clubhouse.

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

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The character of the neighborhood is generally comprised of retail auto-orientated businesses to the north and east of the overall Village West Apartments, Phase 1 and Phase 2. The site is close to Piper Plaza, Plaza at the Speedway, and The Legends Outlets. There are large, undeveloped agriculturally zoned tracts of land to the west and south of this application and the Kansas Speedway property is further south, across State Avenue.

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

The zoning and uses of properties nearby are set out above. The proposed use is compatible with the commercial businesses in the area. This will be an extension of the apartment complexes to the east, although there are different operators.

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

The removal of the restrictions should not detrimentally affect nearby property because there are existing apartment complexes and auto-oriented commercial retail centers to the east. The quality of this development may enhance the commercial development that is within the Village West area. It may restrict future uses on the undeveloped land south and west of this application because the area is master planned as Business Park / Planned Commercial and typically residential of any kind is not compatible with most uses found in a business park.

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

The length of time the property has been vacant (undeveloped) is unknown; the property is farmland that has never been developed.

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

The proposed development is reasonably necessary for individuals and young, business professionals who want to live in the area, but do not want to purchase a single-family detached home or townhome. Furthermore, with the Cerner offices to the southeast at Village West Parkway and State Avenue, those employees may be seeking a place to live that is in close proximity to their employer. The proposed use could permanently injure the appropriate use, visual quality or marketability of nearby property. However, given the landowner selling the applicant this tract knows of the plan, we presume he thinks it will benefit the land as the market seeks residential development where commercial office planned.

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

The proposed development with 323 units will increase traffic along North 110th Street, Parallel Parkway, and Delaware Parkway, especially when the Village West area has multiple events happening consecutively during a weekend, such as a T-Bones baseball game, Sporting Kansas City soccer game and a concert or race at the Kansas Speedway. Those events will definitely adversely affect the road capacity and safety of State Avenue, North 110th Street and Parallel and Delaware Parkways.

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

The proposed use does not conform to the Prairie Delaware Piper Master Plan. A master plan amendment has been filed and is part of this application.

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

The proposed use should not cause environmental harm because a retention pond is proposed to the south which will capture runoff before it is discharged into the storm sewer.

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

a. *Water service*

Available

b. Sanitary sewer service

Available

c. Storm water control

To be designed to meet City Code

d. Police

Police service is provided by West Patrol, District #225

e. Fire

Fire service is provided by Fire Station #6 located at 98th Street and State Avenue.

f. Transit

Kansas City ATA does not provide transit service along North 110th Street. The closest transit stop is located at Wal-Mart in Plaza at the Speedway, Routes #101 and #116 approximately ¾-mile or along Village West Parkway between Sunflower Lane and Stadium Parkway, Routes #101 and #113 approximately 7/8-mile from the property line.

g. Schools

Piper USD 203

h. Streets

To be designed to meet Public Works standards.

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

The proposed use will have a beneficial economic impact on the community. Studies referenced in many Kansas City, Kansas zoning hearings of the past indicate that people buy homes near their apartments.

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

With amendments made to the Master Plan and possible variances, the project will be able to meet applicable ordinance requirements.

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

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, the owners will still have property that is able to be developed, however, not in the form they originally intended.

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

The development can be used safely without danger to health, flood, erosion or excessive noise. Fire protection may have an issue as there is not 360-degree access for all buildings.

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

The Major Street Plan classifies Parallel Parkway as a Class A Thoroughfare, North 110th Street as a Class B Thoroughfare and Delaware Parkway as a Parkway. Streets will be designed to provide a safe, convenient and functional system for vehicular traffic, and having such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.

Planning and Planning Engineering Staff have concerns about this development becoming a pass through from Parallel Parkway to Delaware Parkway for residences of Village West Apartments Phases 1 and 2 as an alternate route to get around the 110th and Parallel Parkway intersection.

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

Buildings and streets are so arranged as to afford adequate light, and open space to facilitate fire protection except for the possibility of the courtyard facing sides of the apartment buildings. The inner facades of the buildings open toward the clubhouse and upper and courtyards, which restricts fire facilitation access.

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

The development is designed so that the site is more level with Delaware Parkway. Doing so means that site must be cut into from north to south, with the grade falling with the surrounding property east to west. The natural drainage course of Connor Creek will not be modified during pre- or post-construction of

this development.

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

Amenities are provided for the residents only within the complex and sidewalks will be provided along Parallel Parkway and Delaware Parkway that the general public can use.

PREVIOUS ACTIONS

None as this property was previous farmland and undeveloped.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on October 22, 2020 by virtual meeting.

Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Compliance with the City-Wide Master Plan High Density Residential Designation
Compliance with the City-Wide Master Plan Multi-Family Residential Design Guidelines
Planning Engineering Comments
Proximity to Connor Creek

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted **7 to 0** to recommend **APPROVAL** of Master Plan Amendment #MP-2020-4.

The Planning Commission voted **6 to 1** to recommend **APPROVAL** of Change of Zone Application #3223, subject to:

- 1. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;**
- 2. Per the Multi-Family Residential Design Guidelines, the applicant has agreed to relocate the detached garages along Parallel Parkway to another location on-site, its placement can be determined by the applicant;**
- 3. Per the City-Wide Master Plan High-Density Residential standards, sidewalk/trails shall be a minimum of eight-feet (8') wide;**

4. All pedestrian walkways shall be designed to provide direct access and connections to and from the primary entrances to each principal multi-family building, sidewalks on adjacent properties that extend to the boundaries shared with this development, and any public park, greenway or other public/semi-public use;
5. The northeast corner of Building 1 should be emphasized from a pedestrian-scale due to its relationship and proximity to Parallel Parkway, as this is the primary entrance for residents and prospective tenants with the leasing office, mail room and clubhouse amenities are located in this corner of the building;
6. Site amenities shall comply with those approved in the City-Wide Master Plan Multi-Family Residential Design Guidelines;
7. Safe rooms shall be determined at the final plan review level; however, all residents must have access to shelters whether in the clubhouse or within the building itself;
8. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, all sides of a multi-family building shall display a similar level of quality and architectural interest. Most a building's architectural features and treatments shall not be restricted to a single façade;
9. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, on buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least every fifty-feet (50') of building wall length;
10. Downspouts shall be internalized;
11. Sec. 27-460(f) A reasonable amount of landscaping is required on all projects with emphasis on softening the visual impact of parking areas and enhancing the overall appearance Trees are required at not less than one (1) per 4,500 square feet of site area. The site is 12.838 acres, including Lot 1 and Tract A, which requires 124 trees, exclusive of the street trees and parking lot island trees requirements;
12. All overstory trees shall be at least 4" caliper when planted. All ornamental trees shall be at least 2" caliper when planted. All evergreens shall be at least six (6') feet when planted. All shrubs shall be five (5) gallons when planted;
13. All landscaping shall be irrigated;
14. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and the trash enclosure.
 - (b) 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 (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;
15. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view by an architectural screen;

16. Mechanical equipment or other utilities whether on the ground or mounted on the building shall be screened from public view. The screening shall either be dense landscaping with a minimum of six-foot (6') evergreens or an architectural wall constructed from the same materials as the main building;
17. Satellite dishes shall not be erected on the exterior of patios and decks. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets and the public;
18. Shall comply with the sign ordinance; and,
19. Shall comply with Planning Engineering and Public Works comments.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **#3223** and Master Plan Amendment **#MP-2020-3**, subject to all comments and suggestions outlined in the staff report(s) and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Neighborhood Meeting Affidavit
KCKFD Comments
GeoSpatial Services Department Comments
High Density Residential Master Plan Regulations
Multi-Family Residential Design Guidelines
Amenity Design Guidelines
Preliminary Plat
Site Plan
Grading Plan
Landscape Plan
Building Elevations
Site Photography (provided by Google Maps)

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	November 9, 2020	December 3, 2020
Rezoning	Approval	
Public Hearing	November 9, 2020	N/A
Preliminary Plat Approved		
Public Hearing	November 9, 2020	December 3, 2020
Master Plan Amendment	Approval	

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Master Plan Amendment #MP-2020-3, as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements.

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

OR

I move the Unified Government Board of Commissioners **DENY** Master Plan Amendment #MP-2020-3, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned:

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition #3223 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #3223 as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 1:09:00:

MASTER PLAN AMENDMENT #MP-2020-4 – BRAD HAYMOND WITH NORTHPOINT DEVELOPMENT – SYNOPSIS: Master Plan Amendment from Planned Commercial and Business Park (Prairie Delaware Piper Master Plan) to High Density Residential (City-Wide Master Plan) at 11501 Parallel Parkway.

CHANGE OF ZONE APPLICATION #3223 – BRAD HAYMOND WITH NORTHPOINT DEVELOPMENT – SYNOPSIS: Change of Zone from A-G Agriculture District to RP-5 Planned Apartment District for future apartment complex development at 11501 Parallel Parkway.

VILLAGE WEST III – SYNOPSIS: Preliminary Plat for two (2) multi-family lots for 323 dwelling units at 11501 Parallel Parkway.

Detailed Outline of Requested Action: The applicant, Brad Haymond, wants to rezone a portion of 1921 North 118th Street from A-G Agriculture District to RP-5 Planned Apartment District and amend the master plan from Planned Mixed Business Park/Commercial (Prairie Delaware Piper Master Plan) to High Density Residential (City-Wide Master Plan) to build a 323 unit apartment complex on 15.92 undeveloped acres. The complex consists of four (4) buildings, including garages and carports and a clubhouse.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners; and,
8. The testimony at the Board of Zoning Appeals meeting earlier this evening.

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

Present in Support:

- Brad Haymond, applicant, NorthPoint Development, 4825 NW 41st Street, Suite 500, Riverside, MO 64150

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:18:50: Planning Director Hand stated that this case is associated with Appeal #2386, which was approved by the Board of Zoning Appeals earlier this evening. The decision comes down to the Commercial Design Guidelines and how they are interpreted. Staff added a stipulation to remove the three (3), one-story detached garages along Parallel Parkway and put an emphasis on pedestrian circulation and scale. The applicant has agreed to move them elsewhere. He further stated that the conditions have addressed the other pedestrian focused issues. There will be a pedestrian crossway into the main entrance of the building directly to and from Parallel Parkway. Director Hand stated that staff feels confident that they can continue to work with the applicant on the remaining conditions of approval during the final plan process. Regarding Condition #2, that the applicant would like removed, staff felt it important to bring it to the Planning Commission for either conditional approval as is, or for its removal. Staff felt that the entire complex should be shifted north closer to Parallel Parkway. He further stated that there are some Planning Engineering comments related to access on Parallel Parkway and the adjacent property to the east that need to be addressed in the final plan. Staff recommends approval subject to the conditions in the staff report.

The Commission asked Director Hand to indicate how the building/parking would look if the building was shifted to the north. Director Hand showed them on the map and where the parking would be relocated in compliance with the Multi-Family Design Guidelines. He stated that staff will continue to work with the applicant to make site plan and any other improvements for the final plan.

Motion and Vote starts at 1:34:01:

On motion by Mr. Miller, seconded by Mr. Reasons, the Planning Commission voted as follows to recommend **APPROVAL** of Master Plan Amendment **#MP-2020-4:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

On motion by Mr. Miller, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application **#3223**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	No
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 6 to 1

Subject to:

1. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
2. Per the Multi-Family Residential Design Guidelines, the applicant has agreed to relocate the detached garages along Parallel Parkway to another location on-site, its placement can be determined by the applicant;
3. Per the City-Wide Master Plan High-Density Residential standards, sidewalk/trails shall be a minimum of eight-feet (8') wide;
4. All pedestrian walkways shall be designed to provide direct access and connections to and from the primary entrances to each principal multi-family building, sidewalks on adjacent properties that extend to the boundaries shared with this development, and any public park, greenway or other public/semi-public use;
5. The northeast corner of Building 1 should be emphasized from a pedestrian-scale due to its relationship and proximity to Parallel Parkway, as this is the primary entrance for residents and prospective tenants with the leasing office, mail room and clubhouse amenities are located in this corner of the building;
6. Site amenities shall comply with those approved in the City-Wide Master Plan Multi-Family Residential Design Guidelines;
7. Safe rooms shall be determined at the final plan review level; however, all residents must have access to shelters whether in the clubhouse or within the building itself;
8. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, all sides of a multi-family building shall display a similar level of quality and architectural interest. Most a building's architectural features and treatments shall not be restricted to a single façade;

9. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, on buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least every fifty-feet (50') of building wall length;
10. Downspouts shall be internalized;
11. Sec. 27-460(f) A reasonable amount of landscaping is required on all projects with emphasis on softening the visual impact of parking areas and enhancing the overall appearance. Trees are required at not less than one (1) per 4,500 square feet of site area. The site is 12.838 acres, including Lot 1 and Tract A, which requires 124 trees, exclusive of the street trees and parking lot island trees requirements;
12. All overstory trees shall be at least 4" caliper when planted. All ornamental trees shall be at least 2" caliper when planted. All evergreens shall be at least six (6') feet when planted. All shrubs shall be five (5) gallons when planted;
13. All landscaping shall be irrigated;
14. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and the trash enclosure.
 - (c) 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 (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;
15. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view by an architectural screen;
16. Mechanical equipment or other utilities whether on the ground or mounted on the building shall be screened from public view. The screening shall either be dense landscaping with a minimum of six-foot (6') evergreens or an architectural wall constructed from the same materials as the main building;
17. Satellite dishes shall not be erected on the exterior of patios and decks. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets and the public;
18. Shall comply with the sign ordinance; and,
19. Shall comply with Planning Engineering and Public Works comments.

On motion by Mr. Miller, seconded by Ms. Pauley, the Planning Commission voted as follows to **APPROVE Village West III Preliminary Plat:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present

Miller Aye
Mohler Aye
Pauley Aye
Reasons Aye
Motion to APPROVE Passed: 7 to 0
Subject to the above stipulations.

May 26, 2020

Byron Toy
Lead Planner
Urban Planning and Land Use
Unified Government of Wyandotte County/ Kansas City, Kansas
701 North 7th Street, Room 423
Kansas City, KS 66101

Re: **Village West Apartments III- COZ #3223, Preliminary PLAT- #MP-2020-3**

Mr. Toy,

Please see the following responses to Urban Planning and Land Use comments:

Urban Planning and Land Use Comments:

General Planning:

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

Response: Acknowledged

2. Sec. 27-460(c)(1) Height shall not be more than four (4) stories. Four buildings are taller than four (4) stories. A variance application must be submitted and approved by the Board of Zoning Appeals in order for five (5) stories to be constructed.

If the Board of Zoning Appeals denies the variance request, the buildings must be four (4) stories in height.

Response: The buildings are 4 stories with a basement as permitted in the IBC for this construction type. This is similar to the 2 preceding projects to the east, where basements were incorporated to adapt the buildings to site grading. The basement is useful in providing the required storm shelters as well.

3. Sec. 27-460(d) One and one-half parking spaces shall be provided for each dwelling unit that has one bedroom or less. Two parking spaces shall be provided for a dwelling unit that has two bedrooms or more.

As proposed, based on the dwelling count of the 323 units, 540 parking spaces are required. 512 spaces are provided on site, which is a deficit of 28 spaces. A variance from the Board of Zoning Appeals must be approved in order to have less than what the RP-5 Planned Apartment District regulations requires.

Response: The parking as shown in the site plan is sufficient as shown in the previous 2 apartment projects to the east.

4. Sec. 27-460(c)(2)e. For parking and other paved areas: Not less than 25 feet from any street line and not less than six (6) feet from any other property line.

Response: Per section 27-211.F of the zoning code, planned districts can reduce offsets from a public street park parking/paved area. Site plan adjusted parking at parallel to 18ft offset

5. Sec. 27-460(c)(3) Lot area shall not be less than 1,500 square feet per dwelling unit; provided however, that an area equal to at least 40 percent of the site area is maintained as nonvehicular open space.

Response: Acknowledged, development area contains 559,310 sq.ft. of which approximately 236,430 sq.ft. is open space

6. Per the City-Wide Master Plan, the maximum length of a multi-family residential building shall be 200 feet. The units average 225 feet in length. Revise and resubmit.

Response: As per the 2 projects to the East, we do have buildings longer than 200 feet. We would request a variance on this item. The market receives the larger buildings well, especially in the instance of the integrated club/amenity center as is proposed here. The 20- foot constraint does not always play out well on site and does not provide for the most efficient building footprint per the IBC.

7. Per the City-Wide Master Plan High-Density Residential standards, sidewalk/trails shall be a minimum of eight-feet (8') wide.

Response: Acknowledged, trails and trail connections will be 8ft wide

8. All pedestrian walkways shall be designed to provide direct access and connections to and between the following:

- a. The primary entrance or entrances to each principal multi-family building;
- b. To any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the multi-family development; and,
- c. Any adjacent public park, greenway, or other public/semi-public use, including but not limited to schools, libraries, churches, parks, etc.

Response: Acknowledged, internal sidewalk connections to each building entry will be developed with final development plans

9. What amenities are being provided for residents? A dog park is depicted on the site plan adjacent to the trash enclosure and a sidewalk that is internal to the development that connects to the sidewalk on Delaware Parkway.

The "trail" depicted on the site and landscape plans does not appear to be 8' wide and is really too small to be considered a trail because it simply connects the parking lot to Delaware Parkway. The proposed concrete sidewalk/trail shall encircle Tract A so residents can walk or run laps around the stormwater retention basin in addition to having a larger interconnected loop around the perimeter of the property, so residents can exercise and remain on site. Additionally, there shall be a cross walk in the

parking lot in between Buildings 3 and 4 as one exits the lower courtyard to connect to the trail in Tract A.

Response: Final amenities will be provided with the final development plan. Preliminarily, site amenities include internal sidewalks, dog park facilities, and trail connection to Delaware

10. Safe rooms shall be determined at the final plan review level; however, all residents must have access to shelters whether in the clubhouse or within the building itself.

Response: Safe rooms will be provided, as in the first 2 projects to the east.

Building Architecture:

1. Label the building renderings, as they do not match the building elevations. Building elevations do not match the site plan. Revise and resubmit.

Response: Renderings will be re-labeled

2. The other two Village West apartment developments do not have physical access to Parallel Parkway. Based on the proposed design, it appears that while Parallel Parkway is an access point, the primary access will be off Delaware Parkway, as with the other apartment complexes.

Response: Delaware and Parallel will both be full access points. It is expected that more traffic will be received at the Parallel entrance

The buildings should be pushed towards the edge (i.e. frontage), Parallel and Delaware Parkways respectively, increasing their presence on the street. Relocate the amenities, detention, and parking internal to the development accordingly.

Response: The project as shown internalizes the amenities and parking by having the garage buildings "front" the property lines on the north, east, and west lines. The detention amenity is located closer to Delaware due to topographical constraints

3. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, to the maximum extent feasible, garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from the arterial or collector street frontage.

Response: See above response

Parallel Parkway and Delaware Parkway are Class A Thoroughfare and Collector, respectively. Design of the garages and carports, and surface parking must be internalized within the development and not along these major streets.

Response: see response #2

4. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, all sides of a multi-family building shall display a similar level of quality and architectural interest. Most a building's architectural features and treatments shall not be restricted to a single façade.

Response: Materials will be applied in a 4-sided fashion.

5. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, on buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least every fifty-feet (50') of building wall length.

Response: Rooflines will be varied per this comment. Given the building module, the greatest single parapet length would likely be 52 feet, though this may never occur.

6. The proposed garages shall match the exterior façade of the apartment complex. Stone veneer needs to be included on the front, sides and rear of the garages.

Response: Garages will be clad as per request.

7. Downspouts shall be painted to match the building and recessed into the corners of building as not to be in plain view of the public.

Response: The buildings are flat-roofed, so all roof drainage will be internal.

Landscaping and Screening:

1. Sec. 27-460(f) A reasonable amount of landscaping is required on all projects with emphasis on softening the visual impact of parking areas and enhancing the overall appearance. Trees are required at not less than one (1) per 4,500 square feet of site area.

Response: Acknowledged, plan has been revised

The site is 12.838 acres, including Lot 1 and Tract A, which requires 124 trees, exclusive of the street trees and parking lot island trees requirements. Revise and resubmit the landscape plan to add 46 additional trees throughout the development.

Response: At this time, Delaware Parkway is not planned to extend past the proposed apartment development. Street trees cannot be property located until this future infrastructure is designed

2. The street trees that are depicted on sheet L.100 along Parallel Parkway shall be reflected on Delaware Parkway, specifically on Tract A as the Delaware Parkway right-of-way begins to curve south.

Response: Per the Unified Development Code, Sec. 27-702 – Planting requirements, shade trees are to be 2" caliper, ornamental deciduous trees are to be 6ft to 8ft in height, and evergreen trees are to be 5ft to 6ft in height. The proposed tree sizes are reflective of these code requirements

3. All overstory trees shall be at least 4" caliper when planted. All ornamental trees shall be at least 2" caliper when planted. All evergreens shall be at least six (6') feet when planted. All shrubs shall be five (5) gallons when planted.

Response: acknowledged

4. All landscaping shall be irrigated.

Response: acknowledged

5. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and the trash enclosure.

Response: acknowledged

a. 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 (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.

Response: acknowledged

6. All utility connections, this includes green electrical boxes and freestanding electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view by an architectural screen.

Response: acknowledged

7. Mechanical equipment or other utilities whether on the ground or mounted on the building shall be screened from public view. The screening shall either be dense landscaping with a minimum of six-foot (6') evergreens or an architectural wall constructed from the same materials as the main building.

Response: acknowledged

8. Satellite dishes shall not be erected on the exterior of patios and decks. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets and the public.

Response: acknowledged

Signage:

1. Shall comply with the sign ordinance

Response: acknowledged

Please feel free to contact me if you have any additional questions.

Sincerely,

RENAISSANCE INFRASTRUCTURE CONSULTING

Dusty Burton, PE
Project Manager

Village West III Apartments Virtual Neighborhood Meeting Minutes

Meeting Date: October 22, 2020

Meeting Time: 5:30 PM

Location: Microsoft Teams Meeting <https://bit.ly/36Kg0t4>

Attendees:

Name	Organization
Dustin Burton	Renaissance Infrastructure Consulting
Brad Haymond	Northpoint
Steve Allison	Property Owner/Applicant
Tim Baldrige	NSPJ

Purpose of Meeting:

This was a virtual neighborhood meeting to review the Village West III project site plan and address any comments/concerns from the public. The meeting invitations were mailed out 10/07/2020 to the recipient list provided by the Urban Planning & Land Use Department.

Meeting Minutes:

Meeting started at 5:30pm and was held open until 6:30pm. No adjacent property owners joined during this time.

Meeting Questions/Comments:

None

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Missouri)

) SS:

COUNTY OF Jackson)

Comes now Dustin Burton, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition COZ#3223, #MP-2020-4, Village West III Plat, BOZA#2386.
2. That I conducted a neighborhood meeting on October 22, 2020.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.



Affiant

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

My commission expires _____ of _____, 200_.

Notary Public

DEVELOPMENT REVIEW COMMITTEE

Unified Government of Wyandotte County/ Kansas City, Kansas



FIRE DEPARTMENT-FIRE PREVENTION DIVISION

815 North 6th St.
Kansas City, Kansas 66101

(913) 573-5550
(913) 551-0490 fax

DEPARTMENTAL REQUIREMENTS AND RECOMMENDATIONS

DRC No. Prelim Plat Address: 115th and Parallel
Development Name: Village West III Description: Apt Complex
STAFF ONLY: ☐ A ☐ A/C ☐ F & F ☐ H/C ☐ R/A

Ordinance Requirements:

Before this Department can approve the issuance of a building permit for the above-named project, the developer, owner or contractor must address / agree with the following requirements, stipulated by the Unified Government Ordinances, by signing this form.

- 1) Compliance with the International Building Code -2012 Edition
 - 2) Compliance with the International Fire Code – 2012 Edition
 - 3) Compliance with current NFPA 101® Life Safety Code
 - 4) Compliance with existing fire codes, all applicable City ordinances, State rules and regulations
- Submit automatic fire sprinkler/fire alarm plans and calculations for approval prior to installation.
Use of explosives requires application and approval from the City Fire Marshal.

*Fire department access roads must comply with Sec. 503, D103, and D105, 2012 IFC. Note that for aerial vehicle access min. width of 26ft is required and for clearance around fire hydrant locations.

*Page CO6- FT Turning Template the shown path of the truck cannot cross ANY curbing, island or proposed parking spaces. Minimum turn radii of 25 ft is required and compliant access for 30ft or higher buildings must be between 15ft and 30ft per Sec.D105, 2012 IFC. No dimensions shown on drawing and truck track crosses curbing and islands at multiple points.

NOTE: Items highlighted with (*) must be addressed prior to departmental approval.

Harvey Fields II

Digitally signed by Harvey Fields II
Date: 2020.05.08 14:39:55 -05'00'

5/8/2020

Attending DRC Member: _____

Date

I, _____, as _____ of the above referenced project, do hereby certify that I will comply with all of the above ordinance requirement(s), and give consideration to the recommendation(s) above.

Signature and Date

Contact Phone Number and Email Address

Mailing Address, City, State, and Zip Code



GeoSpatial Services
A Division of the Knowledge Office

710 North 7th Street Suite 200
Kansas City, Kansas 66101

Phone: (913) 573-2941
Fax: (913) 573-4106

To: Gunnar Hand, Urban Planning and Land Use
Janet Parker, Urban Planning and Land Use
From: Robert Ringel, GIS Analyst, Unified Government GSS
Date: May 11, 2020
RE: **VILLAGE WEST III**

We have researched the official county records for the above plat as submitted to Urban Planning and Land Use by:
Renaissance Infrastructure Consulting

And we have determined the following:

Takes part of CIC-TAS Parcel:
949200

Owner-of-Record:
Minnesota Avenue, Inc.

Jurat Signature:
None

We find that the plat is: **Presently unacceptable for posting.**

Please note the following comment.

1) Preliminary
The plat is preliminary.



High-Density Residential: These uses are intended to provide for future housing needs through the construction of **attached** owner and renter occupied mid-rise and high-rise residential developments.

- Allowed Uses:
 - Mid-rise and high-rise apartment buildings and/or condominiums
 - Institutional uses such as elementary, middle and high schools, churches, libraries, etc.
 - Parks, plazas, courtyards and open space
- Discouraged Uses:
 - All industrial uses
 - Business parks
 - Single-family detached residences
- Required Infrastructure:
 - Access to gravity sewer.
 - Access to highway or a Class A or B thoroughfare or boulevard.
 - Minimum 8-foot sidewalk/trail.
- Open Space:
 - None; however, rooftop gardens, courtyards, plazas and other "people places" are encouraged.
- Recommended Density:
 - 16 dwelling units per acre and greater
- Green Principles:
 - High densities support mass transit.
 - Incentives should be provided for:
 - Use of National Association of Home Builders (NAHB) Green Standards.
 - Energy Star qualified buildings.
 - Green roofs and landscaped open and common spaces.
 - Bicycle and pedestrian connections to adjacent neighborhoods.
 - Enhanced pedestrian amenities including site furniture, trash receptacles, lighting, etc.
 - Transit oriented development (TOD).
- Cultural Principles:
 - Provides a distinctive housing choice
- Design Guidelines:
 - All developments must meet the minimum guidelines outlined on pages 45-46.
- Amenity Guidelines:
 - All new development projects must meet the minimum amenity guidelines outlined on page 42. Projects less than 50 dwelling units are not subject to these guidelines.

Multi-Family Residential Design Guidelines

The following design guidelines apply to all new multi-family developments.

- Pedestrian walkways and sidewalks shall be a minimum of six-feet (6') wide.
- All pedestrian walkways shall be designed to provide direct access and connections to and between the following:
 - The primary entrance or entrances to each principal multi-family building;
 - To any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the multi-family development;
 - Any adjacent commercial land uses, including but not limited to retail shopping centers, office buildings, restaurants, or personal service establishments; and
 - Any adjacent public park, greenway, or other public/semi-public use including but not limited to schools, libraries, churches, parks, etc.
- To the maximum extent feasible, garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from the arterial or collector street frontage.
- Provide distinctive, quality, consistent, architectural character and style in new multi-family development that avoids monotonous and featureless building massing and design.
- The maximum length of a multi-family residential building shall be 200 feet.
- No more than six (6) townhome units shall be attached in any single row.
- There should be a consistency in architectural style among multiple buildings within a development and surrounding area. Each building should have a definitive and consistent style. Mixing of various architectural styles on the same building or buildings dilutes the character of the area.
- All sides of a multi-family building shall display a similar level of quality and architectural interest. The majority of a building's architectural features and treatments shall not be restricted to a single façade.
- All building entries adjacent to an arterial, collector or local street or private drive with on-street parking shall be pedestrian-scaled. Pedestrian-scaled entries are those that provide an expression of human activity or use in relation to building size. Doors, windows, entrance-ways, and other features such as corners, setbacks, and offsets can be used to create pedestrian scale.
- Fronts of buildings should be articulated through the use of bays, insets, balconies, porches, or stoops related to entrances and windows.
- All multi-family building elevations shall contain windows, except when necessary to assure privacy for adjacent property owners. Windows should be located to maximize the possibility of occupant surveillance of entry-ways, recreation areas, and laundry areas.





- On buildings where sloping roofs are the predominant roof type, each building shall have a variety of roof forms. For instance, a gable or hip configuration should be used with complimentary sheds, dormers, and other minor elements. Other roof forms will be considered on a case-by-case basis. On buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least one every fifty-feet (50') of building wall length.
- Unity of design will be maintained through the use of similar materials and colors throughout all multi-family developments.
- High-quality building materials will be used that are durable, attractive, and have low maintenance requirements.
- For all multi-family buildings including duplexes, triplexes, fourplexes and townhomes, an amount equal to forty percent (40%) of the total net exterior wall area of each building elevation, excluding gables, windows, door, and related trim, shall be brick or stone. The balance of next exterior wall may be lap siding (excluding vinyl lap siding) and/or stucco.
- Exterior building materials **shall not** include the following:
 - Board and batten wood
 - Smooth-faced or gray concrete block
 - Painted concrete block
 - Tilt-up concrete panels
 - Field painted or pre-finished standard corrugated metal siding
 - Standard single or double tee concrete systems
 - Vinyl siding
- The rehabilitation of existing multi-family structures shall require the use of alternate materials subject to approval by the City Planning Commission.
- Predominant roof materials shall be high quality, durable material such as, but not limited to:
 - Wood shake shingles
 - Clay or concrete tiles
 - Composition shingles
 - Asphalt shingles
 - Other materials considered on a case-by-case basis
- Landscaping is required to screen all parking areas and service entries.

Amenity Guidelines

Amenities within residential developments are an important factor when potential home buyers consider purchasing a home. Amenities enhance the overall value of a neighborhood and allow residents to meet and get to know one another.

Single-Family Residential Amenity Guidelines

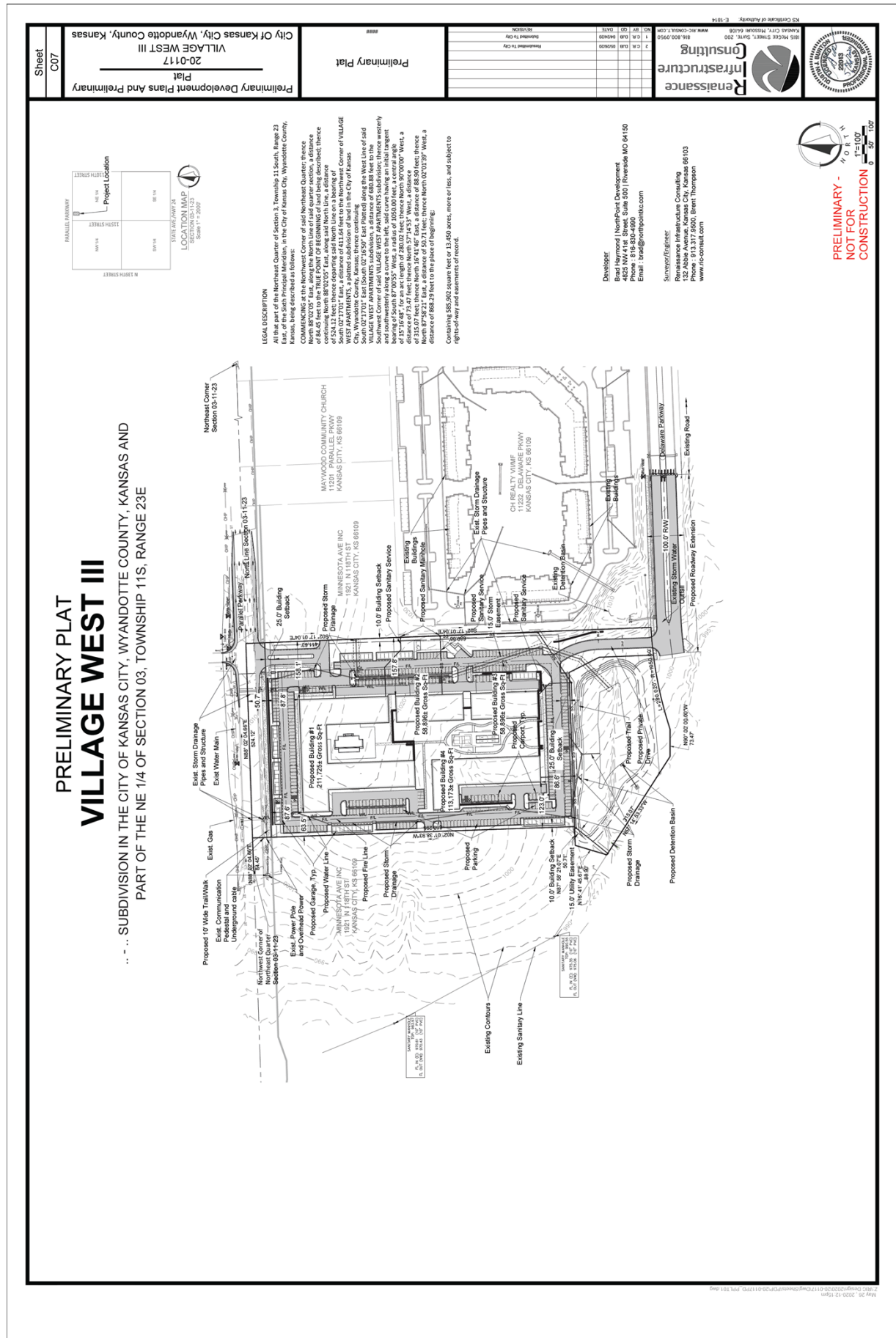
Amenities are required for each residential subdivision. The requirements are based on the number of units within the subdivision. Residential developments of any unit type with fewer than 50 dwelling units are required to have one (1) Small Amenity. Residential developments with 50-to-200 dwelling units are required to have two (2) Amenities. Only one (1) of the required amenities may be a Small Amenity. Residential developments with more than 200 dwelling units are required to have three (3) Amenities, of which one (1) amenity may be considered a Small Amenity. All amenities will be built in the first phase of the development.

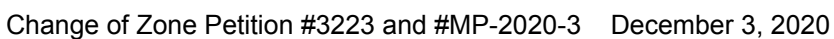
Multi-Family Residential Amenity Guidelines

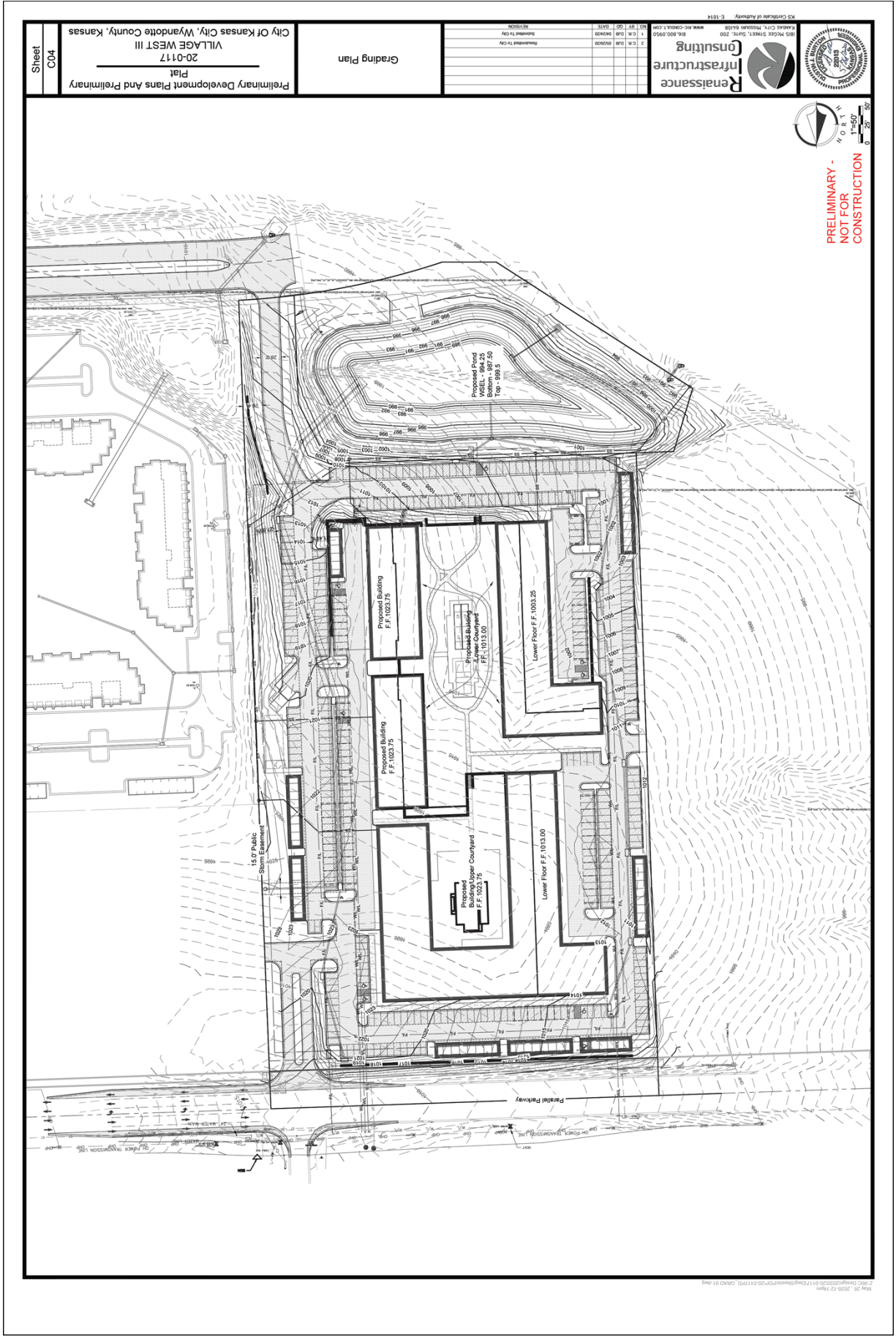
Multi-family developments shall incorporate recreational amenities based on the number of units within the development. Multi-family developments with less than 25 dwelling units are required to have one (1) Small Amenity. Multi-family developments with 25-to-150 dwelling units are required to have two (2) amenities. Only one (1) of the required amenities may be a Small Amenity. Multi-family development projects with more than 150 dwelling units are required to have three (3) amenities, of which one (1) amenity may be considered a Small Amenity. All amenities will be built in the first phase of the development.

Residential Amenity Reference Table

Small:	
Basketball, volleyball, or other court sport.	
Open play area of at least 15,000 square feet with maximum of three (3) percent slope and tow benches and one play structure.	
One picnic area with a minimum size of five-thousand (5,000) square feet and including a minimum of two (2) picnic tables, one (1) shelter, and one (1) barbeque grill/pit per area.	
Option provided by owner, but must be considered equal to one of the other small options.	
Regular:	
Swimming pool	
Golf Course	
Residential Clubhouse	
Two (2) basketball, volleyball, or other court sports.	
Two (2) tot lots with a minimum size of four-thousand (4,000) square feet per area, one (1) play structure per lot, one (1) bench per lot.	
Two (2) picnic areas with a minimum size of five-thousand (5,000) square feet and including a minimum of two (2) picnic tables, one (1) shelter, and one (1) barbeque grill/pit per area.	
Trail(s) for pedestrians and/or bicycles that connect(s) to the overall trail network within the area. This trail may be within preserved natural corridor.	
Option provided by owner, but must be considered equal to one of the other regular options.	







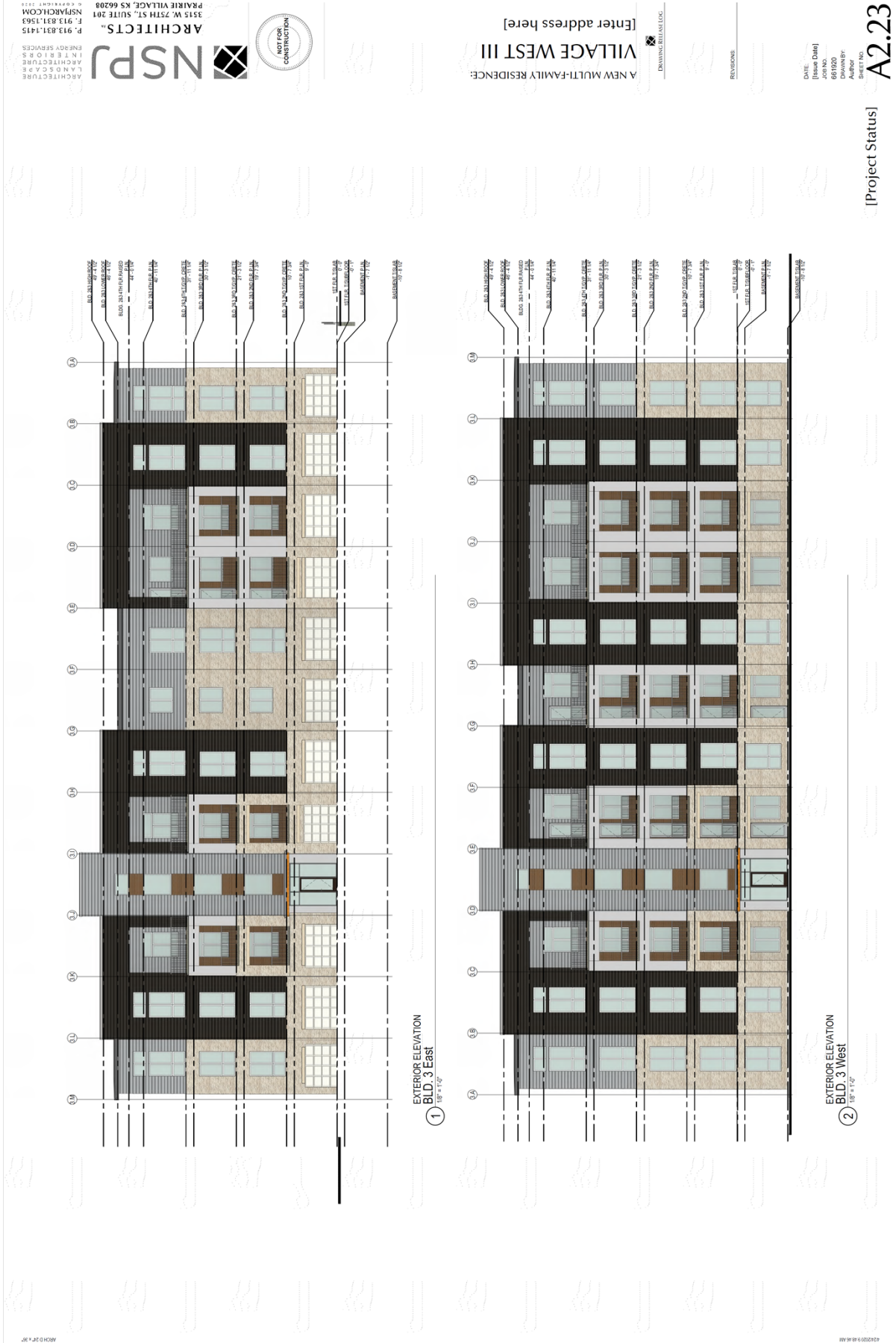
4. ALL NEW PLANT BED AREAS TO BE IRRIGATED. REFER TO SPECIFICATIONS FOR IRRIGATION SYSTEM DESCRIPTION.
5. REFER TO L1.000 SERIES SHEETS FOR TREE PLANTINGS.
6. REFER TO L3.000 SERIES SHEETS FOR PLANTING DETAILS & SPECIFICATIONS.
7. IN THE EVENT OF WORK IN OR ON THE SANITARY MAIN, ANY TREES OR PLANTINGS PLACED WITHIN THE SEWER EASEMENT MAY BE REMOVED WITHOUT REPLACEMENT OR COMPENSATION THERE OF AND SHALL BE REPLACED BY THE PROPERTY OWNER AS REQUIRED BY THE CITY.
8. STRIP TOP SOIL & SAVE FOR PLANTING AREAS. EXCAVATE TO A DEPTH OF 18" FOR ALL PLANTING BEDS AND REPLACE WITH PLANTING SOIL MIX. REFER TO L3.000 FOR PLANTING SOIL MIX.
9. STEPPING STONES SHALL BE HICKORY GREY FLAGSTONE AS PROVIDED BY SEMCO. ROCKS SHALL BE APPROVED EQUAL. 24" SQ. MIN SIZE 2-3" THICK.
10. ROCK BEDS SHALL BE SALT & PEPPER CORALLES. 6"-10" SIZE BY SEMCO DISTRIBUTORS OR APPROVED EQUAL. ALL ROCK BED AREAS SHALL HAVE FILTER FABRIC & BE 4" MIN. DEPTH.

[illegible]

PROVIDED SITE SHRUBS:
1) 323 SHRUBS MINIMUM

PRELIMINARY DEVELOPMENT PLAN

2 EXTERIOR ELEVATION
BLD. 1 North
1/16" = 1'-0"

















Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: December 3, 2020

Re: **Change of Zone Petition #3223 and #MP-2020-3**

GENERAL INFORMATION

Applicant:
Brad Haymond

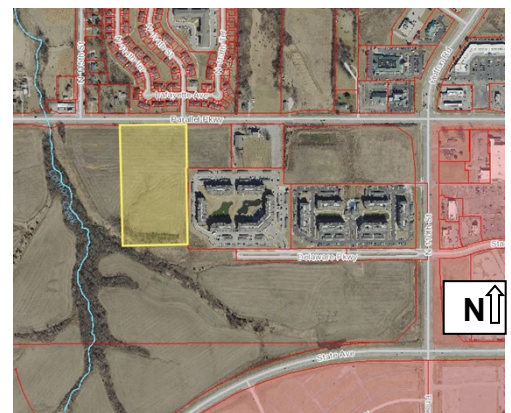
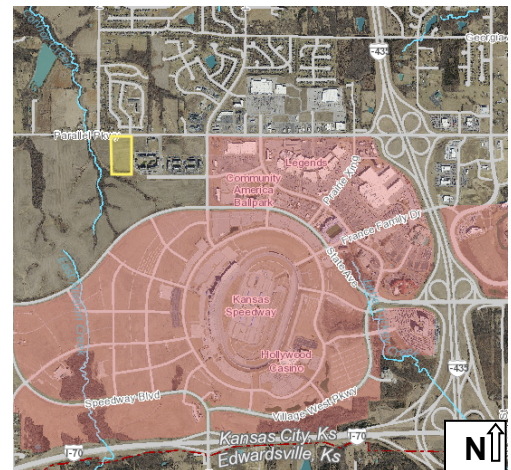
Status of Applicant:
Representative
Dustin Burton with Renaissance Infrastructure
Consulting
132 Abbie Avenue
Kansas City, KS 66103

Requested Actions:
Change of Zone from A-G Agriculture District to
RP-5 Planned Apartment District.

A Master Plan Amendment from Planned
Commercial and Business Park (Prairie Delaware
Piper Master Plan) to High Density Residential
(City-Wide Master Plan).

Date of Application: April 24, 2020

Purpose: To rezone and plat one
multi-family residential
lot to build 323 apartment units.



Property Location:	1921 North 118 th Street
Commission District:	Commissioner At Large: Tom Burroughs District Commissioner: James (Jim) Walters
Existing Zoning:	A-G Agriculture District
Adjacent Zoning:	North: RP-3 Planned Townhouse District South: A-G Agriculture District East: RP-5 Planned Apartment and R-1 Single Family Districts West: A-G Agriculture District
Adjacent Uses:	North: Senior Living townhomes South: Undeveloped land (south of Delaware Parkway) East: Apartments and a church West: Undeveloped farmland
Total Tract Size:	15.92 acres
Master Plan Designation:	The Prairie Delaware Piper Master Plan designates this property as Planned Commercial and Business Park.
Major Street Plan:	The Major Street Plan classifies Parallel Parkway as a Class A Thoroughfare and Delaware Parkway as a Parkway.
Required Parking:	Sec. 27-460(d) One and one-half parking spaces shall be provided for each dwelling unit that has one bedroom or less. Two parking spaces shall be provided for each dwelling unit that has two bedrooms or more. 540 parking spaces are required. 512 parking spaces are provided subject to approval by the Board of Zoning Appeals.
Advertisement:	<u>The Wyandotte Echo</u> – Change of Zone - May 14, 2020; Master Plan Amendment – May 14, 2020 Letters to Property Owners – Change of Zone – May 14, 2020, June 1, 2020, August 3, 2020, October 7, 2020; Plat – May 14, 2020, June 1, 2020, August 3, 2020, October 7, 2020 and November 25, 2020; Master Plan Amendment – May 14, 2020, June 1, 2020, August 3, 2020, October 7, 2020 and November 25, 2020.
Public Hearings:	November 9, 2020 and December 3, 2020
Public Support:	None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Brad Haymond, wants to rezone a portion of 1921 North 118th Street from A-G Agriculture District to RP-5 Planned Apartment District and amend the master plan from Planned Mixed Business Park/Commercial (Prairie Delaware Piper Master Plan) to High Density Residential (City-Wide Master Plan) to build a 323 unit apartment complex on 15.92 undeveloped acres. The complex consists of four (4) buildings, including garages and carports and a clubhouse.

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

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The character of the neighborhood is generally comprised of retail auto-orientated businesses to the north and east of the overall Village West Apartments, Phase 1 and Phase 2. The site is close to Piper Plaza, Plaza at the Speedway, and The Legends Outlets. There are large, undeveloped agriculturally zoned tracts of land to the west and south of this application and the Kansas Speedway property is further south, across State Avenue.

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

The zoning and uses of properties nearby are set out above. The proposed use is compatible with the commercial businesses in the area. This will be an extension of the apartment complexes to the east, although there are different operators.

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

The removal of the restrictions should not detrimentally affect nearby property because there are existing apartment complexes and auto-oriented commercial retail centers to the east. The quality of this development may enhance the commercial development that is within the Village West area. It may restrict future uses on the undeveloped land south and west of this application because the area is master planned as Business Park / Planned Commercial and typically residential of any kind is not compatible with most uses found in a business park.

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

The length of time the property has been vacant (undeveloped) is unknown; the property is farmland that has never been developed.

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

The proposed development is reasonably necessary for individuals and young, business professionals who want to live in the area, but do not want to purchase a single-family detached home or townhome. Furthermore, with the Cerner offices to the southeast at Village West Parkway and State Avenue, those employees may be seeking a place to live that is in close proximity to their employer. The proposed use could permanently injure the appropriate use, visual quality or marketability of nearby property. However, given the landowner selling the applicant this tract knows of the plan, we presume he thinks it will benefit the land as the market seeks residential development where commercial office planned.

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

The proposed development with 323 units will increase traffic along North 110th Street, Parallel Parkway, and Delaware Parkway, especially when the Village West area has multiple events happening consecutively during a weekend, such as a T-Bones baseball game, Sporting Kansas City soccer game and a concert or race at the Kansas Speedway. Those events will definitely adversely affect the road capacity and safety of State Avenue, North 110th Street and Parallel and Delaware Parkways.

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

The proposed use does not conform to the Prairie Delaware Piper Master Plan. A master plan amendment has been filed and is part of this application.

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

The proposed use should not cause environmental harm because a retention pond is proposed to the south which will capture runoff before it is discharged into the storm sewer.

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

a. *Water service*

Available

b. Sanitary sewer service

Available

c. Storm water control

To be designed to meet City Code

d. Police

Police service is provided by West Patrol, District #225

e. Fire

Fire service is provided by Fire Station #6 located at 98th Street and State Avenue.

f. Transit

Kansas City ATA does not provide transit service along North 110th Street. The closest transit stop is located at Wal-Mart in Plaza at the Speedway, Routes #101 and #116 approximately ¾-mile or along Village West Parkway between Sunflower Lane and Stadium Parkway, Routes #101 and #113 approximately 7/8-mile from the property line.

g. Schools

Piper USD 203

h. Streets

To be designed to meet Public Works standards.

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

The proposed use will have a beneficial economic impact on the community. Studies referenced in many Kansas City, Kansas zoning hearings of the past indicate that people buy homes near their apartments.

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

With amendments made to the Master Plan and possible variances, the project will be able to meet applicable ordinance requirements.

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

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, the owners will still have property that is able to be developed, however, not in the form they originally intended.

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

The development can be used safely without danger to health, flood, erosion or excessive noise. Fire protection may have an issue as there is not 360-degree access for all buildings.

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

The Major Street Plan classifies Parallel Parkway as a Class A Thoroughfare, North 110th Street as a Class B Thoroughfare and Delaware Parkway as a Parkway. Streets will be designed to provide a safe, convenient and functional system for vehicular traffic, and having such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.

Planning and Planning Engineering Staff have concerns about this development becoming a pass through from Parallel Parkway to Delaware Parkway for residences of Village West Apartments Phases 1 and 2 as an alternate route to get around the 110th and Parallel Parkway intersection.

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

Buildings and streets are so arranged as to afford adequate light, and open space to facilitate fire protection except for the possibility of the courtyard facing sides of the apartment buildings. The inner facades of the buildings open toward the clubhouse and upper and courtyards, which restricts fire facilitation access.

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

The development is designed so that the site is more level with Delaware Parkway. Doing so means that site must be cut into from north to south, with the grade falling with the surrounding property east to west. The natural drainage course of Connor Creek will not be modified during pre- or post-construction of

this development.

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

Amenities are provided for the residents only within the complex and sidewalks will be provided along Parallel Parkway and Delaware Parkway that the general public can use.

PREVIOUS ACTIONS

None as this property was previous farmland and undeveloped.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on October 22, 2020 by virtual meeting.

Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Compliance with the City-Wide Master Plan High Density Residential Designation
Compliance with the City-Wide Master Plan Multi-Family Residential Design Guidelines
Planning Engineering Comments
Proximity to Connor Creek

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted **7 to 0** to recommend **APPROVAL** of Master Plan Amendment #MP-2020-4.

The Planning Commission voted **6 to 1** to recommend **APPROVAL** of Change of Zone Application #3223, subject to:

- 1. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;**
- 2. Per the Multi-Family Residential Design Guidelines, the applicant has agreed to relocate the detached garages along Parallel Parkway to another location on-site, its placement can be determined by the applicant;**
- 3. Per the City-Wide Master Plan High-Density Residential standards, sidewalk/trails shall be a minimum of eight-feet (8') wide;**

4. All pedestrian walkways shall be designed to provide direct access and connections to and from the primary entrances to each principal multi-family building, sidewalks on adjacent properties that extend to the boundaries shared with this development, and any public park, greenway or other public/semi-public use;
5. The northeast corner of Building 1 should be emphasized from a pedestrian-scale due to its relationship and proximity to Parallel Parkway, as this is the primary entrance for residents and prospective tenants with the leasing office, mail room and clubhouse amenities are located in this corner of the building;
6. Site amenities shall comply with those approved in the City-Wide Master Plan Multi-Family Residential Design Guidelines;
7. Safe rooms shall be determined at the final plan review level; however, all residents must have access to shelters whether in the clubhouse or within the building itself;
8. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, all sides of a multi-family building shall display a similar level of quality and architectural interest. Most a building's architectural features and treatments shall not be restricted to a single façade;
9. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, on buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least every fifty-feet (50') of building wall length;
10. Downspouts shall be internalized;
11. Sec. 27-460(f) A reasonable amount of landscaping is required on all projects with emphasis on softening the visual impact of parking areas and enhancing the overall appearance Trees are required at not less than one (1) per 4,500 square feet of site area. The site is 12.838 acres, including Lot 1 and Tract A, which requires 124 trees, exclusive of the street trees and parking lot island trees requirements;
12. All overstory trees shall be at least 4" caliper when planted. All ornamental trees shall be at least 2" caliper when planted. All evergreens shall be at least six (6') feet when planted. All shrubs shall be five (5) gallons when planted;
13. All landscaping shall be irrigated;
14. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and the trash enclosure.
 - (b) 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 (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;
15. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view by an architectural screen;

16. Mechanical equipment or other utilities whether on the ground or mounted on the building shall be screened from public view. The screening shall either be dense landscaping with a minimum of six-foot (6') evergreens or an architectural wall constructed from the same materials as the main building;
17. Satellite dishes shall not be erected on the exterior of patios and decks. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets and the public;
18. Shall comply with the sign ordinance; and,
19. Shall comply with Planning Engineering and Public Works comments.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **#3223** and Master Plan Amendment **#MP-2020-3**, subject to all comments and suggestions outlined in the staff report(s) and the conditions of the City Planning Commission.

ATTACHMENTS

November 9, 2020 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Neighborhood Meeting Affidavit
KCKFD Comments
GeoSpatial Services Department Comments
High Density Residential Master Plan Regulations
Multi-Family Residential Design Guidelines
Amenity Design Guidelines
Preliminary Plat
Site Plan
Grading Plan
Landscape Plan
Building Elevations
Site Photography (provided by Google Maps)

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	November 9, 2020	December 3, 2020
Rezoning	Approval	
Public Hearing	November 9, 2020	N/A
Preliminary Plat Approved		
Public Hearing	November 9, 2020	December 3, 2020
Master Plan Amendment	Approval	

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Master Plan Amendment #MP-2020-3, as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements.

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

OR

I move the Unified Government Board of Commissioners **DENY** Master Plan Amendment #MP-2020-3, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned:

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition #3223 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #3223 as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

November 9, 2020 City Planning Commission Minutes:

Hearing starts at 1:09:00:

MASTER PLAN AMENDMENT #MP-2020-4 – BRAD HAYMOND WITH NORTHPOINT DEVELOPMENT – SYNOPSIS: Master Plan Amendment from Planned Commercial and Business Park (Prairie Delaware Piper Master Plan) to High Density Residential (City-Wide Master Plan) at 11501 Parallel Parkway.

CHANGE OF ZONE APPLICATION #3223 – BRAD HAYMOND WITH NORTHPOINT DEVELOPMENT – SYNOPSIS: Change of Zone from A-G Agriculture District to RP-5 Planned Apartment District for future apartment complex development at 11501 Parallel Parkway.

VILLAGE WEST III – SYNOPSIS: Preliminary Plat for two (2) multi-family lots for 323 dwelling units at 11501 Parallel Parkway.

Detailed Outline of Requested Action: The applicant, Brad Haymond, wants to rezone a portion of 1921 North 118th Street from A-G Agriculture District to RP-5 Planned Apartment District and amend the master plan from Planned Mixed Business Park/Commercial (Prairie Delaware Piper Master Plan) to High Density Residential (City-Wide Master Plan) to build a 323 unit apartment complex on 15.92 undeveloped acres. The complex consists of four (4) buildings, including garages and carports and a clubhouse.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated November 9, 2020;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners; and,
8. The testimony at the Board of Zoning Appeals meeting earlier this evening.

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

Present in Support:

- Brad Haymond, applicant, NorthPoint Development, 4825 NW 41st Street, Suite 500, Riverside, MO 64150

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:18:50: Planning Director Hand stated that this case is associated with Appeal #2386, which was approved by the Board of Zoning Appeals earlier this evening. The decision comes down to the Commercial Design Guidelines and how they are interpreted. Staff added a stipulation to remove the three (3), one-story detached garages along Parallel Parkway and put an emphasis on pedestrian circulation and scale. The applicant has agreed to move them elsewhere. He further stated that the conditions have addressed the other pedestrian focused issues. There will be a pedestrian crossway into the main entrance of the building directly to and from Parallel Parkway. Director Hand stated that staff feels confident that they can continue to work with the applicant on the remaining conditions of approval during the final plan process. Regarding Condition #2, that the applicant would like removed, staff felt it important to bring it to the Planning Commission for either conditional approval as is, or for its removal. Staff felt that the entire complex should be shifted north closer to Parallel Parkway. He further stated that there are some Planning Engineering comments related to access on Parallel Parkway and the adjacent property to the east that need to be addressed in the final plan. Staff recommends approval subject to the conditions in the staff report.

The Commission asked Director Hand to indicate how the building/parking would look if the building was shifted to the north. Director Hand showed them on the map and where the parking would be relocated in compliance with the Multi-Family Design Guidelines. He stated that staff will continue to work with the applicant to make site plan and any other improvements for the final plan.

Motion and Vote starts at 1:34:01:

On motion by Mr. Miller, seconded by Mr. Reasons, the Planning Commission voted as follows to recommend **APPROVAL** of Master Plan Amendment **#MP-2020-4:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 7 to 0

On motion by Mr. Miller, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application **#3223**:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	No
Huey	Aye
Jones	Not Present
Miller	Aye
Mohler	Aye
Pauley	Aye
Reasons	Aye

Motion to RECOMMEND APPROVAL Passed: 6 to 1

Subject to:

1. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
2. Per the Multi-Family Residential Design Guidelines, the applicant has agreed to relocate the detached garages along Parallel Parkway to another location on-site, its placement can be determined by the applicant;
3. Per the City-Wide Master Plan High-Density Residential standards, sidewalk/trails shall be a minimum of eight-feet (8') wide;
4. All pedestrian walkways shall be designed to provide direct access and connections to and from the primary entrances to each principal multi-family building, sidewalks on adjacent properties that extend to the boundaries shared with this development, and any public park, greenway or other public/semi-public use;
5. The northeast corner of Building 1 should be emphasized from a pedestrian-scale due to its relationship and proximity to Parallel Parkway, as this is the primary entrance for residents and prospective tenants with the leasing office, mail room and clubhouse amenities are located in this corner of the building;
6. Site amenities shall comply with those approved in the City-Wide Master Plan Multi-Family Residential Design Guidelines;
7. Safe rooms shall be determined at the final plan review level; however, all residents must have access to shelters whether in the clubhouse or within the building itself;
8. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, all sides of a multi-family building shall display a similar level of quality and architectural interest. Most a building's architectural features and treatments shall not be restricted to a single façade;

9. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, on buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least every fifty-feet (50') of building wall length;
10. Downspouts shall be internalized;
11. Sec. 27-460(f) A reasonable amount of landscaping is required on all projects with emphasis on softening the visual impact of parking areas and enhancing the overall appearance. Trees are required at not less than one (1) per 4,500 square feet of site area. The site is 12.838 acres, including Lot 1 and Tract A, which requires 124 trees, exclusive of the street trees and parking lot island trees requirements;
12. All overstory trees shall be at least 4" caliper when planted. All ornamental trees shall be at least 2" caliper when planted. All evergreens shall be at least six (6') feet when planted. All shrubs shall be five (5) gallons when planted;
13. All landscaping shall be irrigated;
14. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and the trash enclosure.
 - (c) 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 (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;
15. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view by an architectural screen;
16. Mechanical equipment or other utilities whether on the ground or mounted on the building shall be screened from public view. The screening shall either be dense landscaping with a minimum of six-foot (6') evergreens or an architectural wall constructed from the same materials as the main building;
17. Satellite dishes shall not be erected on the exterior of patios and decks. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets and the public;
18. Shall comply with the sign ordinance; and,
19. Shall comply with Planning Engineering and Public Works comments.

On motion by Mr. Miller, seconded by Ms. Pauley, the Planning Commission voted as follows to **APPROVE Village West III Preliminary Plat:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Not Present
Ernst	Aye
Huey	Aye
Jones	Not Present

Miller Aye
Mohler Aye
Pauley Aye
Reasons Aye
Motion to APPROVE Passed: 7 to 0
Subject to the above stipulations.

May 26, 2020

Byron Toy
Lead Planner
Urban Planning and Land Use
Unified Government of Wyandotte County/ Kansas City, Kansas
701 North 7th Street, Room 423
Kansas City, KS 66101

Re: **Village West Apartments III- COZ #3223, Preliminary PLAT- #MP-2020-3**

Mr. Toy,

Please see the following responses to Urban Planning and Land Use comments:

Urban Planning and Land Use Comments:

General Planning:

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

Response: Acknowledged

2. Sec. 27-460(c)(1) Height shall not be more than four (4) stories. Four buildings are taller than four (4) stories. A variance application must be submitted and approved by the Board of Zoning Appeals in order for five (5) stories to be constructed.

If the Board of Zoning Appeals denies the variance request, the buildings must be four (4) stories in height.

Response: The buildings are 4 stories with a basement as permitted in the IBC for this construction type. This is similar to the 2 preceding projects to the east, where basements were incorporated to adapt the buildings to site grading. The basement is useful in providing the required storm shelters as well.

3. Sec. 27-460(d) One and one-half parking spaces shall be provided for each dwelling unit that has one bedroom or less. Two parking spaces shall be provided for a dwelling unit that has two bedrooms or more.

As proposed, based on the dwelling count of the 323 units, 540 parking spaces are required. 512 spaces are provided on site, which is a deficit of 28 spaces. A variance from the Board of Zoning Appeals must be approved in order to have less than what the RP-5 Planned Apartment District regulations requires.

Response: The parking as shown in the site plan is sufficient as shown in the previous 2 apartment projects to the east.

4. Sec. 27-460(c)(2.e. For parking and other paved areas: Not less than 25 feet from any street line and not less than six (6) feet from any other property line.

Response: Per section 27-211.F of the zoning code, planned districts can reduce offsets from a public street park parking/paved area. Site plan adjusted parking at parallel to 18ft offset

5. Sec. 27-460(c)(3) Lot area shall not be less than 1,500 square feet per dwelling unit; provided however, that an area equal to at least 40 percent of the site area is maintained as nonvehicular open space.

Response: Acknowledged, development area contains 559,310 sq.ft. of which approximately 236,430 sq.ft. is open space

6. Per the City-Wide Master Plan, the maximum length of a multi-family residential building shall be 200 feet. The units average 225 feet in length. Revise and resubmit.

Response: As per the 2 projects to the East, we do have buildings longer than 200 feet. We would request a variance on this item. The market receives the larger buildings well, especially in the instance of the integrated club/amenity center as is proposed here. The 20- foot constraint does not always play out well on site and does not provide for the most efficient building footprint per the IBC.

7. Per the City-Wide Master Plan High-Density Residential standards, sidewalk/trails shall be a minimum of eight-feet (8') wide.

Response: Acknowledged, trails and trail connections will be 8ft wide

8. All pedestrian walkways shall be designed to provide direct access and connections to and between the following:

- a. The primary entrance or entrances to each principal multi-family building;
- b. To any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the multi-family development; and,
- c. Any adjacent public park, greenway, or other public/semi-public use, including but not limited to schools, libraries, churches, parks, etc.

Response: Acknowledged, internal sidewalk connections to each building entry will be developed with final development plans

9. What amenities are being provided for residents? A dog park is depicted on the site plan adjacent to the trash enclosure and a sidewalk that is internal to the development that connects to the sidewalk on Delaware Parkway.

The "trail" depicted on the site and landscape plans does not appear to be 8' wide and is really too small to be considered a trail because it simply connects the parking lot to Delaware Parkway. The proposed concrete sidewalk/trail shall encircle Tract A so residents can walk or run laps around the stormwater retention basin in addition to having a larger interconnected loop around the perimeter of the property, so residents can exercise and remain on site. Additionally, there shall be a cross walk in the

parking lot in between Buildings 3 and 4 as one exits the lower courtyard to connect to the trail in Tract A.

Response: Final amenities will be provided with the final development plan. Preliminarily, site amenities include internal sidewalks, dog park facilities, and trail connection to Delaware

10. Safe rooms shall be determined at the final plan review level; however, all residents must have access to shelters whether in the clubhouse or within the building itself.

Response: Safe rooms will be provided, as in the first 2 projects to the east.

Building Architecture:

1. Label the building renderings, as they do not match the building elevations. Building elevations do not match the site plan. Revise and resubmit.

Response: Renderings will be re-labeled

2. The other two Village West apartment developments do not have physical access to Parallel Parkway. Based on the proposed design, it appears that while Parallel Parkway is an access point, the primary access will be off Delaware Parkway, as with the other apartment complexes.

Response: Delaware and Parallel will both be full access points. It is expected that more traffic will be received at the Parallel entrance

The buildings should be pushed towards the edge (i.e. frontage), Parallel and Delaware Parkways respectively, increasing their presence on the street. Relocate the amenities, detention, and parking internal to the development accordingly.

Response: The project as shown internalizes the amenities and parking by having the garage buildings "front" the property lines on the north, east, and west lines. The detention amenity is located closer to Delaware due to topographical constraints

3. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, to the maximum extent feasible, garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from the arterial or collector street frontage.

Response: See above response

Parallel Parkway and Delaware Parkway are Class A Thoroughfare and Collector, respectively. Design of the garages and carports, and surface parking must be internalized within the development and not along these major streets.

Response: see response #2

4. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, all sides of a multi-family building shall display a similar level of quality and architectural interest. Most a building's architectural features and treatments shall not be restricted to a single façade.

Response: Materials will be applied in a 4-sided fashion.

5. Per the City-Wide Master Plan Multi-Family Residential Design Guidelines, on buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least every fifty-feet (50') of building wall length.

Response: Rooflines will be varied per this comment. Given the building module, the greatest single parapet length would likely be 52 feet, though this may never occur.

6. The proposed garages shall match the exterior façade of the apartment complex. Stone veneer needs to be included on the front, sides and rear of the garages.

Response: Garages will be clad as per request.

7. Downspouts shall be painted to match the building and recessed into the corners of building as not to be in plain view of the public.

Response: The buildings are flat-roofed, so all roof drainage will be internal.

Landscaping and Screening:

1. Sec. 27-460(f) A reasonable amount of landscaping is required on all projects with emphasis on softening the visual impact of parking areas and enhancing the overall appearance. Trees are required at not less than one (1) per 4,500 square feet of site area.

Response: Acknowledged, plan has been revised

The site is 12.838 acres, including Lot 1 and Tract A, which requires 124 trees, exclusive of the street trees and parking lot island trees requirements. Revise and resubmit the landscape plan to add 46 additional trees throughout the development.

Response: At this time, Delaware Parkway is not planned to extend past the proposed apartment development. Street trees cannot be property located until this future infrastructure is designed

2. The street trees that are depicted on sheet L.100 along Parallel Parkway shall be reflected on Delaware Parkway, specifically on Tract A as the Delaware Parkway right-of-way begins to curve south.

Response: Per the Unified Development Code, Sec. 27-702 – Planting requirements, shade trees are to be 2" caliper, ornamental deciduous trees are to be 6ft to 8ft in height, and evergreen trees are to be 5ft to 6ft in height. The proposed tree sizes are reflective of these code requirements

3. All overstory trees shall be at least 4" caliper when planted. All ornamental trees shall be at least 2" caliper when planted. All evergreens shall be at least six (6') feet when planted. All shrubs shall be five (5) gallons when planted.

Response: acknowledged

4. All landscaping shall be irrigated.

Response: acknowledged

5. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and the trash enclosure.

Response: acknowledged

a. 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 (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.

Response: acknowledged

6. All utility connections, this includes green electrical boxes and freestanding electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view by an architectural screen.

Response: acknowledged

7. Mechanical equipment or other utilities whether on the ground or mounted on the building shall be screened from public view. The screening shall either be dense landscaping with a minimum of six-foot (6') evergreens or an architectural wall constructed from the same materials as the main building.

Response: acknowledged

8. Satellite dishes shall not be erected on the exterior of patios and decks. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets and the public.

Response: acknowledged

Signage:

1. Shall comply with the sign ordinance

Response: acknowledged

Please feel free to contact me if you have any additional questions.

Sincerely,

RENAISSANCE INFRASTRUCTURE CONSULTING

Dusty Burton, PE
Project Manager

Village West III Apartments Virtual Neighborhood Meeting Minutes

Meeting Date: October 22, 2020

Meeting Time: 5:30 PM

Location: Microsoft Teams Meeting <https://bit.ly/36Kg0t4>

Attendees:

Name	Organization
Dustin Burton	Renaissance Infrastructure Consulting
Brad Haymond	Northpoint
Steve Allison	Property Owner/Applicant
Tim Baldrige	NSPJ

Purpose of Meeting:

This was a virtual neighborhood meeting to review the Village West III project site plan and address any comments/concerns from the public. The meeting invitations were mailed out 10/07/2020 to the recipient list provided by the Urban Planning & Land Use Department.

Meeting Minutes:

Meeting started at 5:30pm and was held open until 6:30pm. No adjacent property owners joined during this time.

Meeting Questions/Comments:

None

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Missouri)

) SS:

COUNTY OF Jackson)

Comes now Dustin Burton, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition COZ#3223, #MP-2020-4, Village West III Plat, BOZA#2386.
2. That I conducted a neighborhood meeting on October 22, 2020.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.



Affiant

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

My commission expires _____ of _____, 200_.

Notary Public

DEVELOPMENT REVIEW COMMITTEE

Unified Government of Wyandotte County/ Kansas City, Kansas



FIRE DEPARTMENT-FIRE PREVENTION DIVISION

815 North 6th St.
Kansas City, Kansas 66101

(913) 573-5550
(913) 551-0490 fax

DEPARTMENTAL REQUIREMENTS AND RECOMMENDATIONS

DRC No. Prelim Plat Address: 115th and Parallel
Development Name: Village West III Description: Apt Complex
STAFF ONLY: ☐ A ☐ A/C ☐ F & F ☐ H/C ☐ R/A

Ordinance Requirements:

Before this Department can approve the issuance of a building permit for the above-named project, the developer, owner or contractor must address / agree with the following requirements, stipulated by the Unified Government Ordinances, by signing this form.

- 1) Compliance with the International Building Code -2012 Edition
 - 2) Compliance with the International Fire Code – 2012 Edition
 - 3) Compliance with current NFPA 101® Life Safety Code
 - 4) Compliance with existing fire codes, all applicable City ordinances, State rules and regulations
- Submit automatic fire sprinkler/fire alarm plans and calculations for approval prior to installation.
Use of explosives requires application and approval from the City Fire Marshal.

*Fire department access roads must comply with Sec. 503, D103, and D105, 2012 IFC. Note that for aerial vehicle access min. width of 26ft is required and for clearance around fire hydrant locations.

*Page CO6- FT Turning Template the shown path of the truck cannot cross ANY curbing, island or proposed parking spaces. Minimum turn radii of 25 ft is required and compliant access for 30ft or higher buildings must be between 15ft and 30ft per Sec.D105, 2012 IFC. No dimensions shown on drawing and truck track crosses curbing and islands at multiple points.

NOTE: Items highlighted with (*) must be addressed prior to departmental approval.

Harvey Fields II

Digitally signed by Harvey Fields II
Date: 2020.05.08 14:39:55 -05'00'

5/8/2020

Attending DRC Member: _____

Date

I, _____, as _____ of the above referenced project, do hereby certify that I will comply with all of the above ordinance requirement(s), and give consideration to the recommendation(s) above.

Signature and Date

Contact Phone Number and Email Address

Mailing Address, City, State, and Zip Code



GeoSpatial Services
A Division of the Knowledge Office

710 North 7th Street Suite 200
Kansas City, Kansas 66101

Phone: (913) 573-2941
Fax: (913) 573-4106

To: Gunnar Hand, Urban Planning and Land Use
Janet Parker, Urban Planning and Land Use
From: Robert Ringel, GIS Analyst, Unified Government GSS
Date: May 11, 2020
RE: **VILLAGE WEST III**

We have researched the official county records for the above plat as submitted to Urban Planning and Land Use by:
Renaissance Infrastructure Consulting

And we have determined the following:

Takes part of CIC-TAS Parcel:
949200

Owner-of-Record:
Minnesota Avenue, Inc.

Jurat Signature:
None

We find that the plat is: **Presently unacceptable for posting.**

Please note the following comment.

1) Preliminary
The plat is preliminary.



High-Density Residential: These uses are intended to provide for future housing needs through the construction of **attached** owner and renter occupied mid-rise and high-rise residential developments.

- Allowed Uses:
 - Mid-rise and high-rise apartment buildings and/or condominiums
 - Institutional uses such as elementary, middle and high schools, churches, libraries, etc.
 - Parks, plazas, courtyards and open space
- Discouraged Uses:
 - All industrial uses
 - Business parks
 - Single-family detached residences
- Required Infrastructure:
 - Access to gravity sewer.
 - Access to highway or a Class A or B thoroughfare or boulevard.
 - Minimum 8-foot sidewalk/trail.
- Open Space:
 - None; however, rooftop gardens, courtyards, plazas and other "people places" are encouraged.
- Recommended Density:
 - 16 dwelling units per acre and greater
- Green Principles:
 - High densities support mass transit.
 - Incentives should be provided for:
 - Use of National Association of Home Builders (NAHB) Green Standards.
 - Energy Star qualified buildings.
 - Green roofs and landscaped open and common spaces.
 - Bicycle and pedestrian connections to adjacent neighborhoods.
 - Enhanced pedestrian amenities including site furniture, trash receptacles, lighting, etc.
 - Transit oriented development (TOD).
- Cultural Principles:
 - Provides a distinctive housing choice
- Design Guidelines:
 - All developments must meet the minimum guidelines outlined on pages 45-46.
- Amenity Guidelines:
 - All new development projects must meet the minimum amenity guidelines outlined on page 42. Projects less than 50 dwelling units are not subject to these guidelines.

Multi-Family Residential Design Guidelines

The following design guidelines apply to all new multi-family developments.

- Pedestrian walkways and sidewalks shall be a minimum of six-feet (6') wide.
- All pedestrian walkways shall be designed to provide direct access and connections to and between the following:
 - The primary entrance or entrances to each principal multi-family building;
 - To any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the multi-family development;
 - Any adjacent commercial land uses, including but not limited to retail shopping centers, office buildings, restaurants, or personal service establishments; and
 - Any adjacent public park, greenway, or other public/semi-public use including but not limited to schools, libraries, churches, parks, etc.
- To the maximum extent feasible, garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from the arterial or collector street frontage.
- Provide distinctive, quality, consistent, architectural character and style in new multi-family development that avoids monotonous and featureless building massing and design.
- The maximum length of a multi-family residential building shall be 200 feet.
- No more than six (6) townhome units shall be attached in any single row.
- There should be a consistency in architectural style among multiple buildings within a development and surrounding area. Each building should have a definitive and consistent style. Mixing of various architectural styles on the same building or buildings dilutes the character of the area.
- All sides of a multi-family building shall display a similar level of quality and architectural interest. The majority of a building's architectural features and treatments shall not be restricted to a single façade.
- All building entries adjacent to an arterial, collector or local street or private drive with on-street parking shall be pedestrian-scaled. Pedestrian-scaled entries are those that provide an expression of human activity or use in relation to building size. Doors, windows, entrance-ways, and other features such as corners, setbacks, and offsets can be used to create pedestrian scale.
- Fronts of buildings should be articulated through the use of bays, insets, balconies, porches, or stoops related to entrances and windows.
- All multi-family building elevations shall contain windows, except when necessary to assure privacy for adjacent property owners. Windows should be located to maximize the possibility of occupant surveillance of entry-ways, recreation areas, and laundry areas.





- On buildings where sloping roofs are the predominant roof type, each building shall have a variety of roof forms. For instance, a gable or hip configuration should be used with complimentary sheds, dormers, and other minor elements. Other roof forms will be considered on a case-by-case basis. On buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least one every fifty-feet (50') of building wall length.
- Unity of design will be maintained through the use of similar materials and colors throughout all multi-family developments.
- High-quality building materials will be used that are durable, attractive, and have low maintenance requirements.
- For all multi-family buildings including duplexes, triplexes, fourplexes and townhomes, an amount equal to forty percent (40%) of the total net exterior wall area of each building elevation, excluding gables, windows, door, and related trim, shall be brick or stone. The balance of next exterior wall may be lap siding (excluding vinyl lap siding) and/or stucco.
- Exterior building materials **shall not** include the following:
 - Board and batten wood
 - Smooth-faced or gray concrete block
 - Painted concrete block
 - Tilt-up concrete panels
 - Field painted or pre-finished standard corrugated metal siding
 - Standard single or double tee concrete systems
 - Vinyl siding
- The rehabilitation of existing multi-family structures shall require the use of alternate materials subject to approval by the City Planning Commission.
- Predominant roof materials shall be high quality, durable material such as, but not limited to:
 - Wood shake shingles
 - Clay or concrete tiles
 - Composition shingles
 - Asphalt shingles
 - Other materials considered on a case-by-case basis
- Landscaping is required to screen all parking areas and service entries.

Amenity Guidelines

Amenities within residential developments are an important factor when potential home buyers consider purchasing a home. Amenities enhance the overall value of a neighborhood and allow residents to meet and get to know one another.

Single-Family Residential Amenity Guidelines

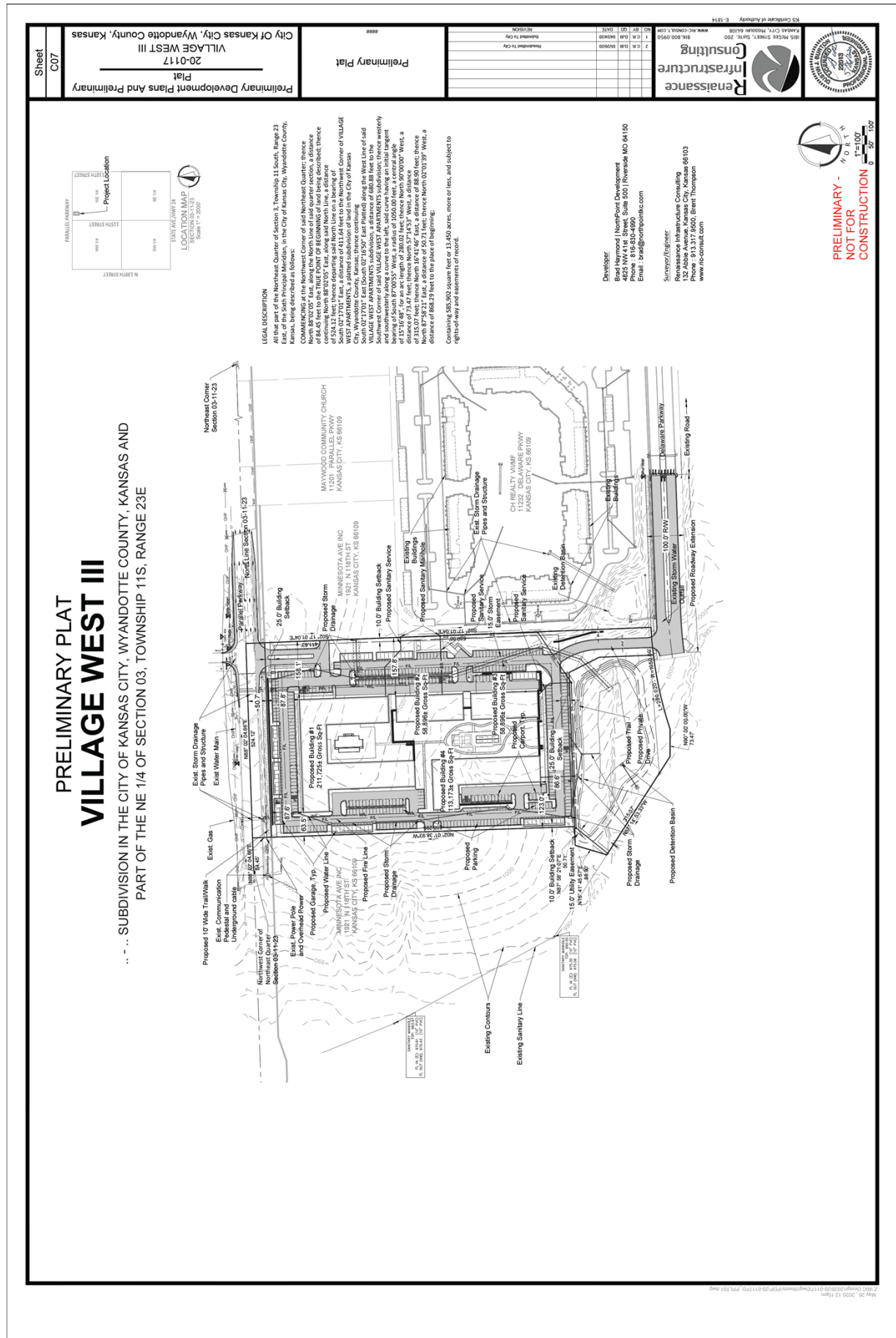
Amenities are required for each residential subdivision. The requirements are based on the number of units within the subdivision. Residential developments of any unit type with fewer than 50 dwelling units are required to have one (1) Small Amenity. Residential developments with 50-to-200 dwelling units are required to have two (2) Amenities. Only one (1) of the required amenities may be a Small Amenity. Residential developments with more than 200 dwelling units are required to have three (3) Amenities, of which one (1) amenity may be considered a Small Amenity. All amenities will be built in the first phase of the development.

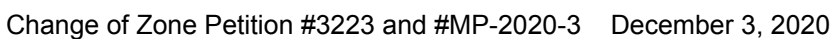
Multi-Family Residential Amenity Guidelines

Multi-family developments shall incorporate recreational amenities based on the number of units within the development. Multi-family developments with less than 25 dwelling units are required to have one (1) Small Amenity. Multi-family developments with 25-to-150 dwelling units are required to have two (2) amenities. Only one (1) of the required amenities may be a Small Amenity. Multi-family development projects with more than 150 dwelling units are required to have three (3) amenities, of which one (1) amenity may be considered a Small Amenity. All amenities will be built in the first phase of the development.

Residential Amenity Reference Table

Small:	
Basketball, volleyball, or other court sport.	
Open play area of at least 15,000 square feet with maximum of three (3) percent slope and low benches and one play structure.	
One picnic area with a minimum size of five-thousand (5,000) square feet and including a minimum of two (2) picnic tables, one (1) shelter, and one (1) barbeque grill/pit per area.	
Option provided by owner, but must be considered equal to one of the other small options.	
Regular:	
Swimming pool	
Golf Course	
Residential Clubhouse	
Two (2) basketball, volleyball, or other court sports.	
Two (2) tot lots with a minimum size of four-thousand (4,000) square feet per area, one (1) play structure per lot, one (1) bench per lot.	
Two (2) picnic areas with a minimum size of five-thousand (5,000) square feet and including a minimum of two (2) picnic tables, one (1) shelter, and one (1) barbeque grill/pit per area.	
Trail(s) for pedestrians and/or bicycles that connect(s) to the overall trail network within the area. This trail may be within preserved natural corridor.	
Option provided by owner, but must be considered equal to one of the other regular options.	







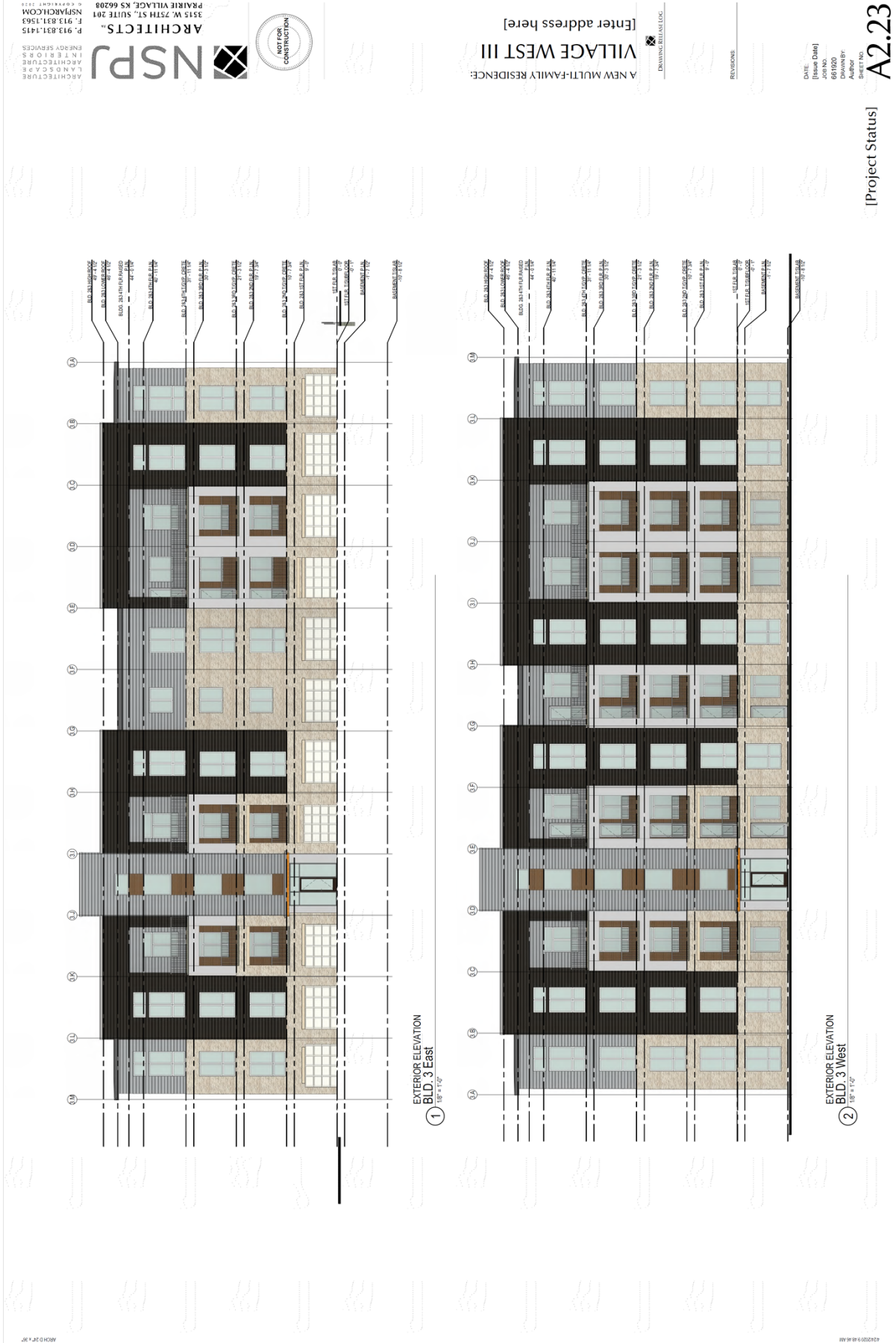
4. ALL NEW PLANT BED AREAS TO BE IRRIGATED. REFER TO SPECIFICATIONS FOR IRRIGATION SYSTEM DESCRIPTION.
5. REFER TO L1.100 SERIES SHEETS FOR TREE PLANTINGS.
6. REFER TO L3.100 SERIES SHEETS FOR PLANTING DETAILS & SPECIFICATIONS.
7. IN THE EVENT OF WORK IN OR ON THE SANITARY MAIN, ANY TREES OR PLANTINGS PLACED WITHIN THE SEWER EASEMENT MAY BE REMOVED WITHOUT REPLACEMENT OR COMPENSATION THERE OF AND SHALL BE REPLACED BY THE PROPERTY OWNER AS REQUIRED BY THE CITY.
8. STRIP TOP SOIL & SAVE FOR PLANTING AREAS. EXCAVATE TO A DEPTH OF 18" FOR ALL PLANTING BEDS AND REPLACE WITH PLANTING SOIL MIX. REFER TO L3.100 FOR PLANTING SOIL MIX.
9. STEPPING STONES SHALL BE HICKORY GREY FLAGSTONE AS PROVIDED BY SEMCO MATERIALS OR APPROVED EQUAL. 24" SQ. MIN. SIZE, 2-3" THICK.
10. ROCK BEDS SHALL BE SALT & PEPPER CORBELLES, 5'-10" SIZE, BY SEMCO DISTRIBUTORS OR APPROVED EQUAL. ALL ROCK BED AREAS SHALL HAVE 18" FILTER FABRIC & BE 6" MIN. DEPTH.

[illegible]

1) 323 SHRUBS MINIMUM

PRELIMINARY DEVELOPMENT PLAN

2 EXTERIOR ELEVATION
BLD. 1 North
1/16" = 1'-0"

















Staff Request for Commission Action

Tracking No. 20522

Full Commission Meeting Date: 12/3/20

Committee: Full Commission

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

Publication Required: Yes 12/10/2020

<u>Date:</u> 11/17/2020	<u>Contact Name:</u> James Bain	<u>Contact Phone:</u> x5077	<u>Contact Email:</u> jbain@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> Project Name: Kansas City Levees project along Argentine, Armourdale and CID Levee System – CMIP 5057 The Commission adopted Resolution No. R-52-19, declaring the project to be necessary, valid public improvement project and authorizing a survey to identify and describe the property to be acquired. This project is the second eminent domain action for the Levee Project. It includes all tracts for the Armourdale and CID Raises and the Armourdale and CID Pump Stations., submitted by E. James Bain, Assistant Counsel. The Ordinance directs the Chief Counsel to commence legal proceedings to acquire the property described in the survey and necessary for project.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> 3. Ordinance.Action 2 Eminent Domain Ordinance 11.13.20				

First Published: _____

ORDINANCE NO. _____

AN ORDINANCE condemning interests in real property for the Kansas Cities Levees Flood Risk Management Project along the Kansas River, and directing the Chief Counsel to institute eminent domain proceedings as provided by law to acquire the real property interests from the tracts and parcels of land described herein.

**BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

1. The following real property interests are hereby condemned and appropriated to the Unified Government of Wyandotte County/Kansas City Kansas for the Kansas Cities Levees Flood Risk Management Project to locate, construct, reconstruct, operate and maintain the Levee System along the Kansas River within Kansas City, Wyandotte County, Kansas to-wit:

Armourdale Unit: Tract No. 1

Fee Simple Owner: Nickloy Properties, LLC

Property Address: 4001 Kaw Drive, Kansas City, KS. 66102

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Northwest Quarter of Section 18 & Northeast Quarter of Section 18, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the North Quarter Corner of Section 18, Township 11 South, Range 25 East; Thence with the West Line of the Northeast ¼ of said Section 18, South 00°52'05" West 459.24 feet to the northerly right-of-way line of the Union Pacific Railroad as now established; Thence along said line, South 58°44'55" East 928.40 feet to the Southwest Corner of Tract IV described in Document No. 2012R-11445 in the Office of the Wyandotte County Recorder of Deeds; Thence along the Westerly boundary of said Tract IV North 24°57'05" East 14.13 feet to the "point of beginning"; Thence continuing along said line North 24°57'05" East 18.25 feet; Thence departing said line South 74°30'25" East 62.81 feet; Thence South 64°08'56" East 11.15 feet to the easterly boundary of Tract IV described in Document No. 2012R-11445 in the Office of the Wyandotte County Recorder of Deeds; Thence with the easterly boundary of said Tract IV, South 24°57'05" West 35.42 feet; Thence departing said line, North 59°33'41" West 73.44 feet to the "point of beginning", containing 2,025 square feet or 0.046 acres, more or less.

Temporary Work Area Easements in:

A tract of land being part of the Northwest Quarter of Section 18 & Northeast Quarter of Section 18, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the North Quarter Corner of Section 18, Township 11 South, Range 25 East; Thence with the West Line of the Northeast $\frac{1}{4}$ of said Section 18, South $00^{\circ}52'05''$ West 80.04 feet; Thence departing said West line North $89^{\circ}07'55''$ West 530.75 feet to the "point of beginning"; Thence South $60^{\circ}17'02''$ East 78.31 feet; Thence South $16^{\circ}08'24''$ East 39.70 feet; Thence South $19^{\circ}09'37''$ West 36.18 feet to the southerly boundary of Tract I as described in Document No. 2012R-11445 in the Office of the Wyandotte County Recorder of Deeds; Thence along said line North $60^{\circ}08'16''$ West 20.58 feet; Thence departing said line North $19^{\circ}09'37''$ East 17.65 feet; Thence North $16^{\circ}08'24''$ West 29.87 feet; Thence North $60^{\circ}17'02''$ West 102.47 feet; Thence North $64^{\circ}39'17''$ West 119.01 feet to the northerly boundary of Tract I described in Document No. 2012R-11445 in the Office of the Wyandotte County Recorder of Deeds; Thence along said line 65.58 feet by arc distance along a curve to the right having a radius of 1412.72 feet and a chord that bears South $73^{\circ}36'56''$ East 65.57 feet; Thence South $72^{\circ}17'07''$ East 89.68 feet; Thence 1.47 feet by arc distance along a curve to the left having a radius of 1054.37 feet and a chord that bears South $72^{\circ}19'31''$ East 1.47 feet to the "point of beginning", containing 5,088 square feet or 0.11 acres, more or less.

AND

A tract of land being part of the Northwest Quarter of Section 18 & Northeast Quarter of Section 18, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the North Quarter Corner of Section 18, Township 11 South, Range 25 East; Thence with the West Line of the Northeast $\frac{1}{4}$ of said Section 18, South $00^{\circ}52'05''$ West 459.24 feet to the northerly right-of-way line of the Union Pacific Railroad as now established; Thence along said line, South $58^{\circ}44'55''$ East 918.30 feet to the "point of beginning"; Thence departing said northerly line North $31^{\circ}13'53''$ East 13.91 feet; Thence South $59^{\circ}37'00''$ East 8.56 feet; to the westerly boundary of Tract IV described in Document No. 2012R-11445 in the Office of the Wyandotte County Recorder of Deeds; Thence along said line South $24^{\circ}57'05''$ West 14.13 feet to the northerly right-of-way line of the Union Pacific Railroad as now established; Thence along said line, North $58^{\circ}44'55''$ West 10.10 feet to the "point of beginning", containing 130 square feet or 0.0002 acres, more or less.

AND

A tract of land being part of the Northwest Quarter of Section 18 & Northeast Quarter of Section 18, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the North Quarter Corner of Section 18, Township 11 South, Range 25 East; Thence with the West Line of the Northeast $\frac{1}{4}$ of said Section 18, South $00^{\circ}52'05''$ West 459.24 feet to the northerly right-of-way line of the Union Pacific Railroad as now established; Thence along said line, South $58^{\circ}44'55''$ East 918.30 feet; Thence departing said northerly line North

31°13'53" East 13.91 feet; Thence South 59°37'00" East 8.56 feet; to the westerly boundary of Tract IV described in Document No. 2012R-11445 in the Office of the Wyandotte County Recorder of Deeds; Thence along said line North 24°57'05" East 18.25 feet to the "point of beginning"; Thence continuing along said line North 24°57'05" East 10.14 feet; Thence departing said westerly boundary South 74°30'25" East 62.05 feet; Thence South 64°08'56" East 11.90 feet to the easterly boundary of Tract IV described in Document No. 2012R-11445 in the Office of the Wyandotte County Recorder of Deeds; Thence with the easterly boundary of said Tract IV, South 24°57'05" West 10.00 feet; Thence departing said line, North 64°08'56" West 11.15 feet; Thence North 74°30'25" West 62.81 feet to the "point of beginning", containing 740 square feet or 0.016 acres, more or less.

Armourdale Unit: Tract No. 7

Fee Simple Owner: Kansas City 454, LLC

Property Address: 2101 Kansas Avenue, Kansas City, KS. 66102

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land in the Northeast ¼ of Section 20, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at Northeast Corner of Section 20, Township 11 South, Range 25 East; Thence North 88°56'24" West 1576.40 feet; Thence South 01°03'36" West 195.35 feet to the "point of beginning", said point being on the South right-of-way line of Kansas Avenue; Thence departing said line, South 39°26'57" East 164.55 feet; Thence South 36°23'45" East 398.07 feet; Thence South 32°05'17" East 649.33 feet; Thence South 00°47'07" West 55.00 feet to the northeasterly right-of-way line of the Kansas City Southern Railway; Thence with said line the following courses and distances: 323.15 feet by arc distance along a curve to the right having a radius of 5568.57 feet and a chord that bears North 32°59'56" West 323.10 feet; Thence North 31°15'23" West 292.21 feet; Thence 292.84 feet by arc distance along a curve to the left having a radius of 3581.42 feet and a chord that bears North 33°35'56" West 292.76 feet; Thence North 35°56'28" West 114.39 feet; Thence 161.64 feet by arc distance along a curve to the left having a radius of 1042.49 feet and a chord that bears North 40°22'59" West 161.48 feet; Thence 59.10 feet by arc distance along a curve to the left having a radius of 1856.96 feet and a chord that bears North 43°54'47" West 59.10 feet; Thence 43.12 feet by arc distance along a curve to the left having a radius of 688.18 feet and a chord that bears North 44°53'04" West 43.11 feet to the South right-of-way line of Kansas Avenue; Thence with said line, South 89°05'53" East 47.84 feet to the "point of beginning", containing 36,776 square feet or 0.84 acres, more or less.

A Temporary Work Area Easement in:

A tract of land in the Northeast ¼ of Section 20, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at Northeast Corner of Section 20, Township 11 South, Range 25 East, Thence North 88°56'24" West 1576.40 feet; Thence South 01°03'36" West 195.35 feet to the "point of

beginning”, said point being on the South right-of-way line of Kansas Avenue; Thence along said South right-of-way line South 89°05’53” East 13.12 feet; Thence departing said line, South 39°26’57” East 156.32 feet; Thence South 36°23’45” East 398.71 feet; Thence South 32°05’17” East 634.23 feet; Thence South 00°47’07” West 18.43 feet; Thence North 32°05’17” West 649.33 feet; Thence North 36°23’45” West 398.07 feet; Thence North 39°26’57” West 164.55 feet to the “point of beginning”, containing 12,008 square feet or 0.27 acres, more or less.

Armourdale Unit: Tract No. 12
Armourdale Pump Station Unit Tract 1a

Fee Simple Owner: EWI Building Company III, LLC
Property Address: 1675 Argentine Blvd., Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land situated in the Southwest $\frac{1}{4}$ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the West Quarter Corner of Section 21, Township 11 South, Range 25 East; Thence with the West line of the Southwest $\frac{1}{4}$ of said section, South 00°25’46” West 547.24 feet; Thence departing said line, South 89°34’14” East 30.29 feet to the “point of beginning”; Thence South 24°06’23” East 101.79 feet; Thence South 48°03’16” East 60.85 feet; Thence South 29°31’31” East 256.86 feet; Thence South 41°00’42” East 484.22 feet; Thence South 54°53’49” East 331.66 feet; Thence South 30°24’48” East 16.86 feet; Thence South 01°21’51” West 60.21 feet to the easterly line of Parcel A-63 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line 1009.31 feet by arc distance along a curve to the right having a radius of 2253.63 feet and a chord that bears North 45°01’37” West 1000.89 feet to a point on the easterly boundary of Parcel A-62 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said boundary the following courses and distances: North 58°29’39” East 10.01 feet; Thence 226.79 feet by arc distance along a curve to the right having a radius of 2237.06 feet and a chord that bears North 29°12’48” West 226.69 feet; Thence departing said line, North 00°24’38” East 77.46 feet to the “point of beginning”, containing 66,247 square feet or 1.52 acres, more or less.

Temporary Work Area Easements in:

A tract of land situated in the Southwest $\frac{1}{4}$ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the West Quarter Corner of Section 21, Township 11 South, Range 25 East; Thence with the West line of the Southwest $\frac{1}{4}$ of said section, South 00°25’46” West 547.24 feet; Thence departing said line, South 89°34’14” East 30.29 feet to the “point of beginning”; Thence North 00°24’38” East 24.10 feet; Thence South 24°06’23” East 121.60 feet; Thence South 48°03’16” East 60.36 feet; Thence South 29°31’31” East 149.93 feet; Thence North 26°03’02” East 46.78 feet; Thence North 14°00’32” East 107.17 feet; Thence North 31°28’32” East 134.97

feet; Thence North 27°01'47" West 52.74 feet; Thence South 89°37'33" East 14.06 feet; Thence 39.64 feet by arc distance along a curve to the right having a radius of 564.88 feet and a chord that bears South 45°27'06" East 39.63 feet; Thence South 27°01'47" East 22.68 feet; Thence South 31°28'32" West 145.14 feet; Thence South 14°00'32" West 105.96 feet; Thence South 26°03'02" West 78.68 feet; Thence North 29°31'31" West 185.47 feet; Thence North 48°03'16" West 60.85 feet; Thence North 24°06'23" West 101.79 feet to the "point of beginning", containing 12,282 square feet or 0.28 acres, more or less.

AND

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the West Quarter Corner of Section 21, Township 11 South, Range 25 East; Thence with the West line of the Southwest ¼ of said section, South 00°25'46" West 547.24 feet; Thence departing said line, South 89°34'14" East 30.29 feet to the "point of beginning"; Thence South 24°06'23" East 101.79 feet; Thence South 48°03'16" East 60.85 feet; Thence South 29°31'31" East 256.86 feet; Thence South 41°00'42" East 43.94 feet to the "point of beginning"; Thence South 85°35'39" East 35.62 feet; Thence South 41°00'42" East 129.67 feet; Thence North 90°00'00" East 237.88 feet; Thence North 00°00'00" East 55.97 feet; Thence North 90°00'00" East 222.04 feet; Thence South 01°21'51" West 493.02 feet; Thence North 30°24'48" West 16.86 feet; Thence North 54°53'49" West 331.66 feet; Thence North 41°00'42" West 440.28 feet to the "point of beginning", containing 133,680 square feet or 3.06 acres, more or less.

AND

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the West Quarter Corner of Section 21, Township 11 South, Range 25 East; Thence with the South line of Argentine Boulevard, South 89°34'00" East 152.44 feet to the "point of beginning"; Thence continuing with said line, South 89°37'33" East 10.75 feet; Thence South 00°22'27" West 289.47 feet; Thence South 58°37'40" East 83.79 feet; Thence South 27°01'47" East 21.89 feet; Thence South 00°22'27" West 54.33 feet; Thence North 27°01'47" West 63.04 feet; Thence North 58°37'40" West 90.86 feet; Thence North 00°22'27" East 121.13 feet; Thence South 89°37'33" East 14.32 feet; Thence North 00°21'15" East 182.50 feet to the "point of beginning", containing 8,054 square feet or 0.18 acres, more or less.

A Permanent Access Easement in:

A tract of land being part of Lots 13-21 together with parts of vacated alleys running East and West and North and South through Clifton Place Addition as recorded in Plat Book 4, Page 23 and Plat Book 17, Page 30A in the office of the Wyandotte County Register of Deeds and being situate in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth

Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Beginning at the Northwest Corner of Lot 18, Clifton Place; Thence with the North Line of said lot, South 89°37'33" East 29.72 feet; Thence departing said line, North 49°22'26" East 57.16 feet; Thence North 03°13'03" East 87.61 feet to the North Line of Lot 13, Clifton Place; Thence with said line and the Easterly projection thereof, South 89°37'33" East 45.51 feet to the centerline of a vacated alley; Thence with said centerline, South 00°21'15" West 125.00 feet to the Easterly projection of the North Line of Lot 18, Clifton Place; Thence with the Northerly Line of Lot 18 and it's Easterly projection, North 89°37'33" West 26.65 feet; Thence departing said line, South 31°45'57" West 184.51 feet to the Southwest Corner of Lot 19, Clifton Place, said point being on the East right-of-way line of 18th Street; Thence with said line, North 00°22'27" East 157.50 feet to the "point of beginning", containing 14,422 square feet, more or less.

Armourdale Unit: Tract No. 14, 15 & 16

Fee Simple Owner: Kansas City Railcar Service, Inc., a Kansas corporation

Property Address: 1162 & 1147 S. 14th, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

Permanent Flood Protection Easements in:

Tract 14

A tract of land being part of the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northwest Corner Block B, F.J. Bairds Addition to Armourdale as recorded in Plat Book 2, Page 40 in the office of the Wyandotte County Register of Deeds; Thence with the West Line Block B, South 01°20'37" West 62.24 feet to the "point of beginning"; Thence departing said West line South 30°24'47" East 110.03 feet to the Northerly boundary of Parcel A-35 as conveyed to the Kaw Valley Drainage District by Wyandotte County District Court Case No. 50495-B; Thence with said Northerly boundary 66.82 feet by arc distance along a curve to the right having a radius of 2186.15 feet and a chord that bears North 58°44'50" West 66.81 feet to the West line of Block B; Thence along said West line, North 01°20'37" East 60.25 feet to the "point of beginning", containing 1,756 square feet or 0.04 acres, more or less.

Tract 15

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeast Corner of Block B of F.J. Baird's Addition to Armourdale (now Kansas City, Kansas) as recorded in Plat Book 2 at Page 40 in the office of the Wyandotte County Register of Deeds, said point being on the West right-of-way line of South 14th Street as originally platted; Thence with the West right-of-way line of now vacated 14th Street, South

00°42'29" West 360.03 feet to the Northerly boundary of Parcel A-35 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line North 23°55'16" East 4.83 feet to the "point of beginning"; Thence departing said line, North 23°44'31" East 15.00 feet; Thence South 66°28'34" East 16.71 feet to the East right-of-way line of now vacated South 14th Street as originally platted; Thence with said line, South 00°37'24" East 16.33 feet to the Northerly boundary of said Parcel A-35; Thence with said line 23.12 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 66°23'03" West 23.12 feet to the "point of beginning", containing 300 square feet or 0.006 acres, more or less.

Tract 16

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; thence with the East line of the Southwest ¼ of said Section 21, South 00°36'15" West 1337.05 feet; Thence departing said line, North 89°23'45" West 600.61 feet to the Northeast Corner of a tract of land described in Book 3750 at Page 630 in the office of the Wyandotte County Register of Deeds; Thence with the East line of said tract, South 00°38'09" West 576.14 feet to the North line of Parcel A-57 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case 50495-B; Thence with said line the following courses and distances: 217.94 feet by arc distance along a curve to the right having a radius of 2151.98 and a chord that bears North 83°28'05" West 217.85 feet to the "point of beginning"; Thence continuing with said line, 30.01 feet by arc distance along a curve to the right having a radius of 2151.98 feet and a chord that bears North 80°10'02" West 30.01 feet; Thence departing said line North 09°44'31" East 5.14 feet; Thence South 80°15'29" East 30.01 feet; Thence South 09°44'31" West 5.18 feet to the "point of beginning", containing 156 square feet or 0.003 acres, more or less.

AND

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; thence with the East line of the Southwest ¼ of said Section 21, South 00°36'15" West 1337.05 feet; Thence departing said line, North 89°23'45" West 600.61 feet to the Northeast Corner of a tract of land described in Book 3750 at Page 630 in the office of the Wyandotte County Register of Deeds; Thence with the East line of said tract, South 00°38'09" West 576.14 feet to the North line of Parcel A-57 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case 50495-B; Thence along the North line of Parcel A-57 the following courses and distances: 473.06 feet by arc distance along a curve to the right having a radius of 2151.98 feet and a chord that bears North 80°04'19" West 472.10 feet; Thence South 16°11'18" West 15.03 feet; Thence 35.86 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 73°24'29" West 35.86 feet to the "point of beginning"; Thence continuing with said line, 30.01 feet by arc distance along a curve to the right having a radius of

2166.98 feet and a chord that bears North 72°32'14" West 30.01 feet; Thence departing said line, North 17°42'03" East 15.03 feet; Thence South 72°16'42" East 30.02 feet; Thence South 17°44'33" West 14.90 feet to the "point of beginning", containing 450 square feet or 0.01 acres, more or less.

AND

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; thence with the East line of the Southwest ¼ of said Section 21, South 00°36'15" West 1337.05 feet; Thence departing said line, North 89°23'45" West 600.61 feet to the Northeast Corner of a tract of land described in Book 3750 at Page 630 in the office of the Wyandotte County Register of Deeds; Thence with the East line of said tract, South 00°38'09" West 576.14 feet to the North line of Parcel A-57 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case 50495-B; Thence with the North line of Parcel A-57 the following courses and distances: 473.06 feet by arc distance along a curve to the right having a radius of 2151.98 feet and a chord that bears North 80°04'19" West 472.10 feet; Thence South 16°11'18" West 15.03 feet; Thence 118.76 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 72°18'44" West 118.75 feet to the "point of beginning"; Thence continuing on said line 30.01 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 70°20'44" West 30.01 feet; Thence departing said line, North 19°44'29" East 15.07 feet; Thence South 70°15'29" East 30.01 feet; Thence South 19°44'34" West 15.02 feet to the "point of beginning", containing 452 square feet or 0.01 acres, more or less.

AND

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; thence with the East line of the Southwest ¼ of said Section 21, South 00°36'15" West 1337.05 feet; Thence departing said line, North 89°23'45" West 600.61 feet to the Northeast Corner of a tract of land described in Book 3750 at Page 630 in the office of the Wyandotte County Register of Deeds; Thence with the East line of said tract, South 00°38'09" West 576.14 feet to the North line of Parcel A-57 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case 50495-B; Thence with the North line of Parcel A-57 the following courses and distances: 473.06 feet by arc distance along a curve to the right having a radius of 2151.98 feet and a chord that bears North 80°04'19" West 472.10 feet; Thence South 16°11'18" West 15.03 feet; Thence 216.30 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 71°01'22" West 216.21 feet to the "point of beginning"; Thence continuing with said line 30.02 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 67°45'59" West 30.02 feet; Thence departing said line,

North 23°44'52" East 15.52 feet; Thence South 66°15'29" East 30.01 feet; Thence South 23°44'50" West 14.73 feet to the "point of beginning", containing 455 square feet or 0.01 acres, more or less.

AND

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; thence with the East line of the Southwest ¼ of said Section 21, South 00°36'15" West 1337.05 feet; Thence departing said line, North 89°23'45" West 600.61 feet to the Northeast Corner of a tract of land described in Book 3750 at Page 630 in the office of the Wyandotte County Register of Deeds; Thence with the East line of said tract, South 00°38'09" West 576.14 feet to the North line of Parcel A-57 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case 50495-B; Thence with the North line of Parcel A-57 the following courses and distances: 473.06 feet by arc distance along a curve to the right having a radius of 2151.98 feet and a chord that bears North 80°04'19" West 472.10 feet; Thence South 16°11'18" West 15.03 feet; Thence 265.06 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 70°22'41" West 264.90 feet to the "point of beginning"; Thence continuing with said line, 6.97 feet more or less by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 66°46'54" West 6.97 feet to the West line of the East ½ of the Southwest ¼ of said Section 21; Thence with said line, North 00°37'24" East 16.33 feet; Thence departing said line, South 66°28'34" East 13.38 feet; Thence South 23°44'29" West 15.00 feet to the "point of beginning", containing 153 square feet or 0.003 acres, more or less.

Temporary Work Area Easements in:

Tract 14

A tract of land being part of the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northwest Corner Block B, F.J. Bairds Addition to Armourdale as recorded in Plat Book 2, Page 40 in the office of the Wyandotte County Register of Deeds; Thence with the West Line Block B, South 01°20'37" West 43.23 feet to the "point of beginning"; Thence departing said West line South 30°24'48" East 144.16 feet to the Northerly boundary of Parcel A-35 as conveyed to the Kaw Valley Drainage District by Wyandotte County District Court Case No. 50495-B; Thence with said Northerly boundary North 59°30'53" West 20.57 feet; Thence departing said Northerly line North 30°24'47" West 110.03 feet to the West line of Block B; Thence along said West line, North 01°20'37" East 19.00 feet to the "point of beginning", containing 1,271 square feet or 0.02 acres, more or less.

Tract 15:

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeast Corner of Block B of F.J. Baird's Addition to Armourdale (now Kansas City, Kansas) as recorded in Plat Book 2 at Page 40 in the office of the Wyandotte County Register of Deeds, said point being on the West right-of-way line of South 14th Street as originally platted; Thence with the West right-of-way line of now vacated South 14th Street as originally platted, South 00°42'29" West 329.77 feet to the "point of beginning"; Thence departing said line, South 69°26'57" East 24.62 feet to the East right-of-way line of now vacated South 14th Street as originally platted; Thence with said line, South 00°37'24" West 10.14 feet; Thence departing said line North 66°28'34" West 16.71 feet; Thence South 23°44'31" West 15.00 feet to the Northerly boundary of Parcel A-35 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line, South 23°55'16" West 4.83 feet to the West right-of-way line of said vacated South 14th Street; Thence with said line, North 00°42'29" East 30.26 feet to the "point of beginning", containing 303 square feet or 0.006 acres, more or less.

Tract 16:

A tract of land situated in the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; thence with the East line of the Southwest ¼ of said Section 21, South 00°36'15" West 1337.05 feet; Thence departing said line, North 89°23'45" West 600.61 feet to the Northeast Corner of a tract of land described in Book 3750 at Page 630 in the office of the Wyandotte County Register of Deeds; Thence with the East line of said tract, South 00°38'09" West 562.34 feet to the "point of beginning"; Thence continuing with said line, South 00°38'09" West 13.80 feet to the North line of Parcel A-57 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line, 217.94 feet by arc distance along a curve to the right having a radius of 2151.98 feet and a chord that bears North 83°28'05" West 217.85 feet; Thence departing said line, North 09°44'31" East 5.18 feet; Thence North 80°15'29" West 30.01 feet; Thence South 09°44'31" West 5.14 feet to the North line of Parcel A-57; Thence with said line the following courses and distances: 225.11 feet by arc distance along a curve to the right having a radius of 2151.98 feet and a chord that bears North 76°46'16" West 225.00 feet; Thence South 16°11'18" West 15.03 feet; Thence 35.86 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 73°24'29" West 35.86 feet; Thence departing said line, North 17°44'33" East 14.90 feet; Thence North 72°16'42" West 30.02 feet; Thence South 17°42'03" West 15.03 feet to the North line of Parcel A-57; Thence with said line, 52.89 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 71°26'29" West 52.89 feet; Thence departing said line, North 19°44'34" East 15.02 feet; Thence North 70°15'29" West 30.01 feet; Thence South 19°44'29" West 15.07 feet to the North line of Parcel A-57; Thence with said line, 67.53 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 69°03'22" West 67.53 feet; Thence departing said line, North 23°44'50" East 14.73 feet; Thence North 66°15'29" West 30.01 feet; Thence South 23°44'52" West 15.52 feet to the North line of Parcel

A-57; Thence with said line, 18.75 feet by arc distance along a curve to the right having a radius of 2166.98 feet and a chord that bears North 67°07'18" West 18.75 feet; Thence departing said line, North 23°44'29" East 15.00 feet; Thence North 66°28'34" West 13.38 feet more or less to the West line of the East ½ of the Southwest ¼ of said Section 21; Thence with said line, North 00°37'24" East 10.14 feet; Thence departing said line South 69°26'57" East 213.86 feet; Thence South 72°16'42" East 120.41 feet; Thence South 80°15'29" East 337.87 feet; Thence South 88°11'20" East 77.11 feet to the "point of beginning", containing 11,297 square feet or 0.25 acres, more or less.

Armourdale Unit: Tract No. 17

Armourdale Pump Station Unit Tract 2a

Fee Simple Owner: Hansen Property Development, Inc.

Property Address: 1142 S. 12th, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

Permanent Flood Protection Easements in:

A tract of land located in the Southwest 1/4 of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; Thence with East line of the Southwest ¼ of said Section 21, South 00°36'15" West 1305.64 feet; Thence departing said line, North 89°23'45" West 40.60 feet to the West right-of-way line of 12th Street; Thence with said line, South 00°37'49" West 557.59 feet to the "point of beginning"; Thence continuing with said line, South 00°37'49" West 67.17 feet to the North right-of-way line of Parcel A-59 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case 50495-B; Thence with said line 68.51 feet by arc distance along a curve to the right having a radius of 15,397.51 feet and a chord that bears North 88°32'51" West 68.51 feet; Thence departing said right-of-way line, North 01°44'31" East 19.63 feet; Thence South 87°44'34" East 24.41 feet; Thence North 43°24'36" East 64.38 feet to the "point of beginning", containing 2,370 square feet or 0.05 acres, more or less.

AND

A tract of land located in the Southwest 1/4 of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; Thence with the East line of the Southwest ¼ of said Section 21; South 00°36'15" West 1305.64 feet; Thence departing said line, North 89°23'45" West 40.60 feet; Thence South 00°37'39" West 624.76 feet to the North right-of-way line of Parcel A-59 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said right-of-way line the following courses and distances: 237.63 feet by arc distance along a curve to the right having a radius of 15,397.51 feet and a chord that bears North 88°13'58" West 237.63 feet to the "point

of beginning”; Thence continuing with said line, 29.91 feet by arc distance along a curve to the right having a radius of 15,397.51 feet and a chord that bears North 87°44’06” West 29.91 feet; Thence departing said line, North 02°18’48” East 5.48 feet; Thence South 87°58’20” East 29.86 feet; Thence South 01°44’50” West 5.60 feet to the “point of beginning”, containing 166 square feet or 0.003 acres, more or less.

AND

A tract of land located in the Southwest 1/4 of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; Thence with East line of the Southwest ¼ of said Section 21, South 00°36’15” West 1305.64 feet; Thence departing said line, North 89°23’45” West 40.60 feet to the West right-of-way line of 12th Street; Thence with said line, South 00°37’49” West 624.76 feet to the North right-of-way line of Parcel A-59 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said right-of-way line the following courses and distances: 486.72 feet by arc distance along a curve to the right having a radius of 15,397.51 feet a chord that bears North 87°46’10” West 486.70 feet to the “point of beginning”; Thence continuing with said line the following courses and distances: 18.20 feet by arc distance along a curve to the right having a radius of 15,397.51 feet a chord that bears North 86°49’48” West 18.20 feet; Thence North 86°47’46” West 11.82 feet; Thence departing said line, North 01°44’31” East 5.06 feet; Thence South 88°15’29” East 30.01 feet; Thence South 01°44’31” West 5.81 feet to the “point of beginning”, containing 163 square feet or 0.003 acres, more or less.

Temporary Work Area Easements in:

A tract of land located in the Southwest 1/4 of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; Thence with the East line of the Southwest ¼ of said section, South 00°36’15” West 1305.64 feet; Thence departing said line, North 89°23’45” West 40.60 feet to the West right-of-way line of 12th Street; Thence with said line, South 00°37’49” West 542.87 feet to the “point of beginning”; Thence continuing with said line, South 00°37’49” West 14.73 feet; Thence departing said line, South 43°24’36” West 64.38 feet; Thence North 87°44’34” West 13.28 feet; Thence North 43°24’36” East 83.93. feet to the “point of beginning”, containing 742 square feet or 0.01 acres, more or less.

AND

A tract of land located in the Southwest 1/4 of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; Thence with the East line of the Southwest ¼ of said Section 21, South 00°36'15" West 1305.64 feet; Thence departing said line, North 89°23'45" West 40.60 feet to the West right-of-way line of 12th Street; Thence with said line, South 00°37'49" West 624.76 feet to the North right-of-way line of Parcel A-59 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case 50495-B; Thence with said line the following courses and distances: 68.51 feet by arc distance along a curve to the right having a radius of 15,397.51 feet and a chord that bears North 88°32'51" West 68.51 feet to the "point of beginning"; Thence continuing with said line, 169.12 feet by arc distance along a curve to the right having a radius of 15397.51 feet and a chord that bears North 88°06'19" West 169.12 feet; Thence departing said line, North 01°44'50" East 5.60 feet; Thence North 87°58'20" West 29.86 feet; Thence South 02°18'48" West 5.48 feet to the North line of said Parcel A-59; Thence with said line, 219.18 feet by arc distance along a curve to the right having a radius of 15397.51 feet and a chord that bears North 87°16'18" West 219.18 feet; Thence departing said line, North 01°44'31" East 5.81 feet; Thence North 88°15'29" West 30.01 feet; Thence South 01°44'31" West 5.06 feet to the North line of said Parcel A-59; Thence with said line, North 86°47'46" West 27.58 feet; Thence 16.03 feet by arc distance along a curve to the right having a radius of 2151.98 feet and a chord that bears North 86°34'58" West 16.03 feet; Thence departing said line, North 00°38'09" East 13.80 feet; Thence South 88°11'20" East 492.04 feet; Thence South 01°44'31" West 19.63 feet to the "point of beginning", containing 8,527 square feet or 0.19 acres, more or less.

A Permanent Access Easement in:

A tract of land being part of the Southwest ¼ of Section 21, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 21, Township 11 South, Range 25 East; Thence South 00°36'15" West 1680.85 feet; Thence North 90°00'00" West 40.77 feet to the "point of beginning", said point being on the West right-of-way line of 12th Street; Thence with said line, South 00°37'50" West 249.11 feet to the Northerly boundary of Parcel A-59 as conveyed to the Kaw Valley Drainage District by Wyandotte County District Court Case No. 50495-B; Thence with said boundary 65.44 feet by arc distance along a curve to the right having a radius of 15397.50 feet and a chord that bears North 88°33'12" West 65.44 feet; Thence departing said line, North 00°00'00" West 247.45 feet; Thence North 90°00'00" East 68.16 feet to the "point of beginning", containing 16,585 square feet, more or less.

Armourdale Unit: Tract No. 20

Fee Simple Owner: K & W Land Company, LLC

Property Address: 1200 S. 7th St. Trafficway, Kansas City, KS. 66115

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Southwest ¼ of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; Thence South 89°29'31" West 1305.50 feet to the West right-of-way line of Seventh Street Trafficway; Thence continuing with said West right-of-way line of Seventh Street Trafficway, South 00°11'40" East 1407.68 feet to the "point of beginning"; Thence continuing with said West line, South 00°11'40" East 38.75 feet to the Northerly boundary of Parcel A-41 as conveyed to the Kaw Valley Drainage District by Wyandotte County District Court Case No. 50495-B; Thence with said Northerly boundary 140.60 feet by arc distance along a curve to the right having a radius of 8854.25 feet and a chord that bears South 72°49'59" West 140.60 feet to the Southwest Corner of a tract of land described in Book 5217 Page 0263 in the office of the Wyandotte County Register of Deeds; Thence along the West line of said tract of land described in Book 5217 Page 0263, North 00°11'40" West 41.03 feet; Thence departing said line North 73°43'40" East 139.95 feet to the "point of beginning", containing 5,391 square feet or 0.12 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being part of the Southwest ¼ of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; Thence South 89°29'31" West 1305.50 feet to the West right-of-way line of Seventh Street Trafficway; Thence with said West right-of-way line of Seventh Street Trafficway, South 00°11'40" East 1098.97 feet to the "point of beginning"; Thence continuing with said West line, South 00°11'40" East 308.71 feet; Thence departing said line South 73°43'40" West 139.95 feet to the West line of a tract of land described in Book 5217 Page 0263 in the office of the Wyandotte County Register of Deeds; Thence along the West line of said tract of land described in Book 5217 Page 0263, North 00°11'40" West 310.06 feet to the Northwest corner of said tract of land described in Book 5217 Page 0263 in the office of the Wyandotte County Register of Deeds; Thence along the Northerly line of said tract North 74°15'36" East 139.58 feet to the "point of beginning", containing 41,604 square feet or 0.95 acres, more or less.

Armourdale Unit: Tract No. 21

Fee Simple Owner: Prime Investments, Inc.

Property Address: 1200 & 1210 S. 5th Street, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Southwest ¼ of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; thence with the East line of the Southwest ¼ of said Section 22, South 00°59'21" West 663.16 feet to the landward boundary Parcel A-46 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line, South 78°12'27" West 23.22 feet; Thence South 08°11'44" West 199.31 feet to the "point of beginning"; Thence continuing South 08°11'44" West 6.94 feet to the Northerly boundary of tract of land condemned by the City of Kansas City, Kansas on November 15, 1932 by Ordinance No. 26681; Thence with

the boundaries of said tract the following courses and distances: South 62°45'00" West 708.00 feet; Thence 338.38 feet by arc distance along a curve to the right having a radius of 2575.84 feet and a chord that bears South 66°30'48" West 338.14 feet; Thence 169.22 feet by arc distance along a curve to the right having a radius of 8830.20 feet and a chord that bears South 70°49'33" West 169.22 feet to the Easterly right-of-way line 7th Street; Thence with said line, North 18°28'56" West 7.53 feet; Thence departing said line, North 72°34'42" East 186.32 feet; Thence North 66°17'57" East 260.97 feet; Thence North 62°44'05" East 771.77 feet to the "point of beginning", containing 6,583 square feet or 0.15 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being part of the Southwest ¼ of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; thence with the East line of the Southwest ¼ of said Section 22, South 00°59'21" West 663.16 feet; Thence departing said line, South 78°12'27" West 23.22 feet; Thence South 08°11'41" West 71.36 feet to the "point of beginning"; Thence continuing South, 08°11'44" West 48.44 feet; Thence South 39°16'21" West 137.54 feet; Thence North 62°44'05" East 87.16 feet; Thence South 08°11'44" West 12.28 feet; Thence South 62°44'05" West 771.77 feet; Thence South 66°17'57" West 260.97 feet; Thence South 72°34'42" West 186.32 feet to the East right-of-way line of 7th Street; Thence with said line, North 18°26'56" West 10.00 feet; Thence departing said line, North 72°34'42" East 185.96 feet; Thence North 66°17'57" East 260.11 feet; Thence North 62°44'05" East 628.62 feet; Thence North 39°16'21" East 236.64 feet to the "point of beginning", containing 16,899 square feet or 0.38 acres, more or less.

A Permanent Access Easement in:

A tract of land being part of the East One Half of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; Thence with the West Line of the Southeast ¼ of said Section 22, South 00°59'21" West 633.10 feet to the Northwesterly right-of-way line of Parcel A-31 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said boundary, North 78°12'27" East 30.77 feet to the Easterly right-of-way line of Parcel A-31; Thence along the said Easterly line, South 01°00'52" West 78.39 feet to the "Point of Beginning"; Thence departing said Easterly right-of-way line of Parcel A-31 South 89°57'03" East 168.89 feet; Thence South 26°56'03" East 31.51 feet; Thence South 63°48'42" West 191.10 feet; Thence North 26°52'18" West 32.74 feet; Thence North 09°03'05" East 11.70 feet to the Easterly right-of-way line of Parcel A-31; Thence North 01°00'52" East 71.82 feet to the "point of beginning", containing 13,119 square feet, more or less.

Armourdale Unit: Tract No. 22

Fee Simple Owner: Premier Investments, LLC

Property Address: 1101 S. 5th Street, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

Permanent Flood Protection Easements in:

A tract of land being part of the East One Half of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; Thence with the West Line of the Southeast $\frac{1}{4}$ of said Section 22, South $00^{\circ}59'21''$ West 633.10 feet to the Northwestern right-of-way line of Parcel A-31 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence continuing with said boundary the following courses and distances, North $78^{\circ}12'27''$ East 30.77; Thence South $01^{\circ}00'52''$ West 123.99 feet to the "Point of Beginning"; Thence departing said line North $83^{\circ}51'49''$ East 126.75 feet to the Northwestern right-of-way line of Parcel A-31 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said Northwestern line the following courses and distances, South $62^{\circ}46'53''$ West 84.07 feet; Thence South $27^{\circ}13'07''$ East 8.58 feet; Thence South $62^{\circ}46'53''$ West 46.60; Thence North $27^{\circ}12'37''$ West 31.07 feet; Thence North $01^{\circ}00'52''$ East 26.22 feet to the "point of beginning", containing 3,518 square feet or 0.08 acres, more or less.

AND

A tract of land being part of the East One Half of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; Thence with the West Line of the Southeast $\frac{1}{4}$ of said Section 22, South $00^{\circ}59'21''$ West 491.72 feet; Thence departing said line South $89^{\circ}00'39''$ East 577.39 feet to the "Point of Beginning"; Thence North $46^{\circ}29'39''$ East 25.70 feet to the Northwestern right-of-way line of Parcel A-31 as depicted on survey by Schmitz, King & Associates dated 05/31/2012; Thence along said line South $43^{\circ}30'21''$ East 20.00 feet; Thence South $46^{\circ}29'39''$ West 28.06 feet; Thence departing said Northwestern line North $36^{\circ}46'31''$ West 20.14 feet to the "point of beginning", containing 538 square feet or 0.012 acres, more or less.

AND

A tract of land being part of the East One Half of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; Thence with the West Line of the Southeast $\frac{1}{4}$ of said Section 22, South $00^{\circ}59'21''$ West 397.38 feet; Thence departing said line South $89^{\circ}00'39''$ East 701.95 feet to the "Point of Beginning"; Thence North $48^{\circ}13'31''$ East 43.00 feet; Thence South $41^{\circ}46'29''$ East 20.17 feet to the Northwestern right-of-way line of Parcel A-31 as depicted on survey by Schmitz, King & Associates dated 05/31/2012; Thence continuing along said line South $46^{\circ}29'39''$ West 27.37 feet; Thence North $43^{\circ}30'21''$ West 6.46 feet; Thence South $46^{\circ}29'39''$ West 15.00 feet; Thence departing said Northwestern line North $43^{\circ}30'21''$ West 15.00 feet to the "point of beginning", 791 square feet or 0.018 acres, more or less.

AND

A tract of land being part of the East One Half of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; Thence with the West Line of the Southeast $\frac{1}{4}$ of said Section 22, South $00^{\circ}59'21''$ West 157.81 feet; Thence departing said line South $89^{\circ}00'39''$ East 907.99 feet to the "Point of Beginning"; Thence North $47^{\circ}29'46''$ East 317.32 feet to the Easterly line of Lot 2, Prime Industrial Development II as recorded in Plat Book 39 Page 12 in the office of the Wyandotte County Register of Deeds; Thence along said Easterly line South $24^{\circ}38'37''$ East 17.56 feet to the Northwestern right-of-way line of Parcel A-31 as depicted on survey by Schmitz, King & Associates dated 05/31/2012; Thence with said line the following courses and distances, South $47^{\circ}13'53''$ West 215.93 feet; Thence South $40^{\circ}10'51''$ West 96.50 feet; Thence departing said line North $43^{\circ}03'11''$ West 30.00 feet to the "point of beginning", containing 6,049 square feet or 0.13 acres, more or less.

Temporary Work Area Easements in:

A tract of land being part of the East One Half of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; Thence with the West Line of the Southeast $\frac{1}{4}$ of said Section 22, South $00^{\circ}59'21''$ West 633.10 feet to the Northwestern right-of-way line of Parcel A-31 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said boundary the following courses and distances, North $78^{\circ}12'27''$ East 30.77 feet; Thence continuing with said line, South $01^{\circ}00'52''$ West 108.87 feet to the "Point of Beginning"; Thence departing said line North $83^{\circ}51'49''$ East 163.78 feet to the Northwestern right-of-way line of Parcel A-31 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence along said Northwestern line South $62^{\circ}46'53''$ West 41.71 feet; Thence departing said line South $83^{\circ}51'49''$ West 126.75 feet to the Northwestern right-of-way line of Parcel A-31; Thence North $01^{\circ}00'52''$ East 15.12 feet to the "point of beginning", containing 2,179 square feet or 0.05 acres, more or less.

AND

A tract of land being part of the East One Half of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Center of Section 22, Township 11 South, Range 25 East; Thence with the West Line of the Southeast $\frac{1}{4}$ of said Section 22, South $00^{\circ}59'21''$ West 157.81 feet; Thence departing said line South $89^{\circ}00'39''$ East 907.99 feet to the "Point of Beginning"; Thence North $43^{\circ}03'11''$ West 10.00 feet; Thence North $47^{\circ}29'46''$ East 320.63 feet to the Easterly line Lot 2 Prime Industrial Development II as recorded in Plat Book 39 Page 12 in the office of the Wyandotte County Register of Deeds; Thence along said East line South $24^{\circ}38'37''$ East 10.51 feet; Thence departing said line South $47^{\circ}29'46''$ West 317.32 feet to the "point of beginning", containing 3,190 square feet or 0.07 acres, more or less.

Armourdale Unit: Tract No. 23

Fee Simple Owner: Prime Investments, Inc.

Property Address: 1105 S. 5th Street, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of Lot 2, Prime Industrial Development II as recorded in Plat Book 39 at Page 12 in the office of the Wyandotte County Register of Deeds. Said tract being situate in the East $\frac{1}{2}$ of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southwesterly Corner of Lot 2, Prime Industrial Development II; Thence with the Westerly line of said Lot 2, North $24^{\circ}38'37''$ West 76.39 feet "point of beginning"; Thence continuing with the Westerly line of Lot 2, North $24^{\circ}38'37''$ West 17.56 feet; Thence departing said line, North $48^{\circ}15'49''$ East 308.01 feet to the Northerly line of said Lot 2; Thence 17.96 feet by arc distance along a curve to the left having a radius of 1000.40 feet and a chord that bears North $76^{\circ}48'42''$ East 17.96 feet; Thence South $40^{\circ}04'49''$ East 5.81 feet to the Northerly line of Parcel A-31 as conveyed to the Kaw Valley Drainage District by Wyandotte County District Court Case No. 50495-B; Thence with said line the following courses and distances: South $50^{\circ}33'23''$ West 2.54 feet; Thence South $48^{\circ}06'58''$ West 245.05 feet; Thence South $46^{\circ}56'48''$ West 81.21 feet to the "point of beginning", containing 4,792 square feet or 0.11 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being part of Lot 2, Prime Industrial Development II as recorded in Plat Book 39 at Page 12 in the office of the Wyandotte County Register of Deeds. Said tract being situate in the East $\frac{1}{2}$ of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southwesterly Corner of Lot 2, Prime Industrial Development II; Thence with the Westerly line of said Lot 2, North 24°38'37" West 93.95 feet "point of beginning"; Thence continuing with the Westerly line of Lot 2, North 24°38'37" West 10.51 feet; Thence departing said line, North 48°12'01" East 286.73 feet to the Northerly line of said Lot 2; Thence 20.94 feet by arc distance along a curve to the left having a radius of 1000.40 feet and a chord that bears North 77°55'32" East 20.94 feet; Thence departing said Northerly line of Lot 2, South 48°15'49" West 308.01 feet to the "point of beginning", containing 3,034 square feet or 0.06 acres, more or less.

Armourdale Unit: Tract No. 25

Fee Simple Owner: Premier Investments, LLC

Property Address: 30 Osage Avenue, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Northeast Quarter of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the point of intersection of the East line of Adams Street (formerly 1st Street) with the South line of Osage Avenue in Armourdale now a part of Kansas City, Kansas; Thence with the East right-of-way line of Adams Street, North 00°01'07" West 60.61 feet; Thence departing said line, North 89°57'59" East 293.94 feet to the Westerly line of Parcel A-11 as conveyed to the Kaw Valley Drainage District in Wyandotte County District Court Case No. 50495-B; Thence with said line, North 35°38'46" East 95.88 feet to the "point of beginning"; Thence departing said line, North 20°34'21" East 106.91 feet to the Southerly right-of-way line of the Kansas City Southern Railroad; Thence with said line, 16.68 feet by arc distance along a curve to the right having a radius of 447.19 feet and a chord that bears South 57°02'11" East 16.68 feet; Thence continuing with said line, South 55°57'58" East 11.15 feet to the Westerly line of Parcel A-11; Thence along said line South 35°38'46" West 104.33 feet to the "point of beginning", containing 1,453 square feet or 0.03 acres, more or less.

Temporary Work Area Easements in:

A tract of land being part of the Northeast Quarter of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the point of intersection of the East line of Adams Street (formerly 1st Street) with the South line of Osage Avenue in Armourdale now a part of Kansas City, Kansas; Thence with the East line of Adam's Street, North 00°01'07" West 35.60 feet to the "point of beginning"; Thence continuing with said line, North 00°01'17" West 25.00 feet; Thence departing said line, North 89°57'59" East 293.94 feet to the Westerly line of Parcel A-11 as conveyed to the Kaw Valley Drainage District in Wyandotte County District Court Case No. 50495-B; Thence with said line the following courses and distances: South 35°38'46" West 22.38 feet; Thence South

36°09'08" West 8.46 feet; Thence departing said line, South 89°57'59" West 275.92 feet to the "point of beginning", containing 7,125 square feet or 0.16 acres, more or less.

AND

A tract of land being part of the Northeast Quarter of Section 22, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the point of intersection of the East line of Adams Street (formerly 1st Street) with the South line of Osage Avenue in Armourdale now a part of Kansas City, Kansas; Thence with the East right-of-way line of Adams Street, North 00°01'07" West 60.61 feet; Thence departing said line, North 89°57'59" East 293.94 feet to the Westerly line of Parcel A-11 as conveyed to the Kaw Valley Drainage District in Wyandotte County District Court Case No. 50495-B; Thence with said line, North 35°38'46" East 39.55 feet to the "point of beginning"; Thence departing said line, North 01°14'29" East 179.94 feet to the Southerly right-of-way line of the Kansas City Southern Railroad; Thence with said line, 74.78 feet by arc distance along a curve to the right having a radius of 447.19 feet and a chord that bears South 62°53'45" East 74.70 feet; Thence departing said line, South 20°34'21" West 106.91 feet to the Westerly line of Parcel A-11; Thence with said line, South 35°38'46" West 56.32 feet to the "point of beginning", containing 6,908 square feet or 0.15 acres, more or less.

Armourdale Unit: Tract No. 30

Fee Simple Owner: Prime Investments, Inc.

Property Address: 10 Shawnee Avenue, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Southeast Quarter Section 15, the Southwest Quarter Section 14, the Northeast Quarter of Section 22, the Northwest Quarter of Section 23, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at a point on the North right-of-way line of Shawnee Avenue as said road now exists and the East right-of-way line of vacated Railroad Street; Thence North 00°33'06" East 897.59 feet to a point on the East right-of-way line of vacated Railroad Street, said point also being on the South line of Prime Industrial Development as recorded in Plat Book 37 at Page 63 in the office of the Wyandotte County Register of Deeds; Thence with the South line of Prime Industrial Development, South 89°26'54" East 560.26 feet to the "point of beginning"; Thence continuing with said South line, South 89°26'54" East 47.69 feet to the Westerly line of Parcel A-50 as conveyed to the Kaw Valley Drainage District in Wyandotte County District Court Case No. 50495-B; Thence with the Westerly line of Parcel A-50 of the Kaw Valley Drainage District the following courses and distances: South 14°25'32" West 235.14 feet; Thence South 20°45'09" West 257.16 feet; Thence departing said line North 11°13'19" East 105.02 feet; Thence North 12°48'46" East 334.38 feet; Thence North 10°36'37" East 40.29 feet to the "point of beginning", containing 14,737 square feet or 0.33 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being part of the Southeast Quarter Section 15, the Southwest Quarter Section 14, the Northeast Quarter of Section 22, the Northwest Quarter of Section 23, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at a point on the North right-of-way line of Shawnee Avenue as said road now exists and the East right-of-way line of vacated Railroad Street; Thence North 00°33'06" East 897.59 feet to a point on the East right-of-way line of vacated Railroad Street, said point also being on the South line of Prime Industrial Development as recorded in Plat Book 37 at Page 63 in the office of the Wyandotte County Register of Deeds; Thence with the South line of Prime Industrial Development, South 89°26'54" East 534.86 feet to the "point of beginning"; Thence continuing with said line, South 89°26'54" East 25.40 feet; Thence departing said line South 10°36'37" West 40.29 feet; Thence South 12°48'46" West 334.38 feet; Thence South 11°13'19" West 105.02 feet to the Westerly line of Parcel A-50 as conveyed to the Kaw Valley Drainage District in Wyandotte County District Court Case No. 50495-B; Thence with the Westerly line of Parcel A-50 of the Kaw Valley Drainage, South 19°25'02" West 175.41 feet; Thence departing said line North 11°13'19" East 278.99 feet; Thence North 12°48'46" East 334.25 feet; Thence North 10°36'37" East 35.37 feet to the "point of beginning", containing 14,106 square feet or 0.32 acres, more or less.

Armourdale Unit: Tract No. 31

Fee Simple Owner: Prime Investments, Inc.

Property Address: 1 Kansas Avenue, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Southwest ¼ of Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southwest Corner of Lot 2, Prime Industrial Development as recorded in Plat Book 37, Page 63 in the office of the Wyandotte County Register of Deeds; Thence with the South Line of said subdivision, South 89°26'54" East 600.26 feet to the "point of beginning"; Thence departing said line, North 10°36'37" East 370.67 feet; Thence North 00°23'09" East 258.62 feet; Thence South 72°32'16" East 58.94 feet to the westerly boundary of Parcel A-50 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with the boundary of said parcel the following courses and distances: South 00°33'06" West 72.02 feet; Thence South 56°45'35" East 5.04 feet; Thence South 89°23'53" East 5.00 feet; Thence South 00°36'07" East 53.00 feet; Thence South 14°24'36" West 68.88 feet; Thence South 03°43'26" West 146.17 feet; Thence South 08°55'56" West 84.85 feet; Thence South 14°25'32" West 187.40 feet to the South Line of Lot 1, Prime Industrial Development; Thence with said line, North 89°26'54" West 47.69 feet to the "point of beginning", containing 34,082 square feet or 0.78 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being located in the Southwest ¼ of Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southwest Corner of Lot 2, Prime Industrial Development as recorded in Plat Book 37, Page 63 in the office of the Wyandotte County Register of Deeds; Thence with the South Line of said subdivision, South 89°26'54" East 574.86 feet to the "point of beginning"; Thence departing said line, North 10°36'37" East 381.21 feet; Thence North 00°23'09" East 255.40 feet; Thence South 72°32'16" East 24.61 feet; Thence South 00°23'09" West 258.62 feet; Thence South 10°36'37" West 370.67 feet to the South Line of Lot 1, Prime Industrial Development; Thence with said line, North 89°26'54" West 25.40 feet to the "point of beginning", containing 15,447 square feet or 0.35 acres, more or less.

Armourdale Unit: Tract No. 32

Fee Simple Owner: Prime Investments, Inc.

Property Address: 557 River Park Drive, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Southwest ¼ of Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northwest Corner of Lot 1A, River Park as recorded in Plat Book 39, Page 3 in the office of the Wyandotte County Register of Deeds; Thence with the North Line of Lot 1A the following courses and distances: 56.14 feet by arc distance along a curve to the right having a radius of 838.56 feet and a chord that bears North 88°37'40" East 56.13 feet; Thence South 89°27'19" East 567.72 feet; Thence 10.51 feet by arc distance along a curve to the left having a radius of 466.34 feet and a chord that bears North 89°53'57" East 10.51 feet to the "point of beginning"; Thence continuing with the North Line of Lot 1A, 44.14 feet by arc distance along a curve to the left having a radius of 466.34 feet and a chord that bears North 86°32'30" East 44.13 feet to the West Line of Parcel A-51 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line, South 06°31'16" East 99.65 feet; Thence North 80°38'29" West 11.58 feet; Thence South 06°31'16" East 1.61 feet to the South Line of Lot 1A, River Park as recorded in Plat Book 39, Page 3 in the office of the Wyandotte County Register of Deeds; Thence with said line, North 89°23'16" West 41.73 feet; Thence departing said line, North 01°25'51" West 95.64 feet to the "point of beginning", containing 4,699 square feet or 0.10 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being part of the Southwest ¼ of Section 14 and the Southeast ¼ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Beginning at the Northwest Corner of Lot 1A, River Park as recorded in Plat Book 39, Page 3 in the office of the Wyandotte County Register of Deeds; Thence with the North Line of said Lot 1A, 56.14 feet by arc distance along a curve to the right having a radius of 838.56 feet and a chord that bears North 88°37'40" East 56.13 feet; Thence South 89°27'19" East 567.72 feet; Thence 10.51 feet by arc distance along a curve to the left having a radius of 466.34 feet and a chord that bears North 89°53'57" East 10.51 feet; Thence departing said line, South 01°25'51" East 95.64 feet to the South Line of said Lot 1A; Thence with the boundary of said lot 1A the following courses and distances: North 89°23'16" West 392.04 feet; Thence North 85°12'24" West 126.06 feet; Thence North 89°23'16" West 50.00 feet; Thence 110.10 feet by arc distance along a curve to the right having a radius of 70.00 feet and a chord that bears North 44°19'43" West 99.10 feet; Thence North 00°43'44" East 13.50 feet to the "point of beginning", containing 57,715 square feet or 1.32 acres, more or less.

Armourdale Unit: Tract No. 33

Fee Simple Owner: Premier Investments, L.L.C.

Property Address: 555 River Park Drive, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Southwest $\frac{1}{4}$ of Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southeast Corner of Lot 1, River Park as recorded in Plat Book 39, Page 3 in the office of the Wyandotte County Register of Deeds; Thence with the South Line of said Lot 1, 13.18 feet by arc distance along a curve to the right having a radius of 466.34 feet and a chord that bears South 83°01'13" West 13.18 feet to the "point of beginning"; Thence continuing with said line 44.14 feet by arc distance along a curve to the right having a radius of 466.34 feet and a chord that bears South 86°32'30" West 44.13 feet; Thence departing said line, North 01°25'51" West 90.87 feet; Thence North 02°29'04" East 105.65 feet to the westerly line of Parcel A-51 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line, the following courses and distances: South 18°01'16" East 97.63 feet; Thence South 06°31'16" East 101.55 feet to the "point of beginning", containing 5,654 square feet or 0.12 acres, more or less.

Temporary Work Area Easements in:

A tract of land being located in the Southwest $\frac{1}{4}$ of Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southeast Corner of Lot 1, River Park as recorded in Plat Book 39, Page 3 in the office of the Wyandotte County Register of Deeds; Thence with the South Line of said Lot 1, 57.32 feet by arc distance along a curve to the right having a radius of 466.34 feet and a chord

that bears South 85°43'55" West 57.29 feet to the "point of beginning"; Thence continuing with said line, 10.00 feet by arc distance along a curve to the right having a radius of 466.34 feet and a chord that bears South 89°51'59" West 10.00 feet; Thence departing said line, North 01°25'51" West 90.99 feet; Thence North 02°29'04" East 132.74 feet to the westerly boundary of Parcel A-51 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line, South 18°01'16" East 28.55 feet; Thence departing said line, South 02°29'04" West 105.65 feet; Thence South 01°25'51" East 90.87 feet to the "point of beginning", containing 2,102 square feet or 0.04 acres, more or less.

AND

A tract of land being part of the Southwest ¼ of Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeasterly Corner of Lot 1, River Park as recorded in Plat Book 39, Page 3 in the office of the Wyandotte County Register of Deeds; Thence with the northerly line of said Lot 1, South 76°11'41" West 19.35 feet to the "point of beginning", said point being on the westerly boundary of Parcel A-51 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line the following courses and distances: South 23°01'16" East 131.58 feet; Thence South 19°41'26" East 78.44 feet; Thence South 17°51'19" East 64.71 feet; Thence departing said line, North 34°28'04" West 26.14 feet; Thence North 21°32'00" West 250.27 feet to the northerly line of said Lot 1; Thence with said line, North 76°11'41" East 9.19 feet to the "point of beginning", containing 2,749 square feet or 0.06 acres, more or less.

Armourdale Unit: Tract No. 34

Fee Simple Owner: Premier Investments, L.L.C.

Property Address: 433 River Park Drive, Kansas City, KS. 66105

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land located in the East ½ of Section 15 and the West ½ of Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northernmost Corner of Lot 2, River Park, recorded in Plat Book 39 at Page 3 in the office of the Wyandotte County Register of Deeds; Thence with Northerly boundary of said Lot 2, 68.47 feet by arc distance along a curve to the left having a radius of 523.15 feet and a chord that bears South 52°56'57" West 68.42 feet to the Westerly boundary of Parcel A-51 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line the following courses and distances: South 22°25'55" East 65.07 feet; Thence South 17°13'28" East 322.31 feet; Thence South 20°55'53" East 253.79 feet; Thence North 66°24'25" East 9.78 feet to the "point of beginning"; Thence continuing with said line, North 66°24'25" East 28.22 feet; Thence South 25°15'20" East 256.90 feet; Thence South

26°12'57" East 51.61 feet; Thence departing said line, North 57°49'25" West 57.88 feet; Thence North 27°42'47" West 126.32 feet; Thence North 22°03'27" West 134.55 feet "point of beginning", containing 9,186 square feet or 0.21 acres, more or less.

Temporary Work Area Easements in:

A tract of land located in the East ½ of Section 15 and the West ½ of Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northernmost Corner of Lot 2, River Park as recorded in Plat Book 39 at Page 3 in the office of the Wyandotte County Register of Deeds; Thence with Northerly boundary of said Lot 2, 68.47 feet by arc distance along a curve to the left having a radius of 523.15 feet and a chord that bears South 52°56'57" West 68.42 feet to the Westerly boundary of Parcel A-51 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line the following courses and distances: South 22°25'55" East 65.07 feet; South 17°13'28" East 322.31 feet; Thence South 20°55'53" East 253.79 feet; Thence North 66°24'25" East 9.78 feet to the "point of beginning"; Thence South 22°03'27" East 134.55 feet; Thence South 27°42'47" East 126.32 feet; Thence South 57°49'25" East 57.88 feet; Thence South 26°12'57" East 233.18 feet; Thence South 24°16'52" East 79.71 feet; Thence South 23°01'16" East 169.26 feet; Thence departing said Westerly boundary South 66°58'44" West 10.00 feet; Thence North 23°01'16" West 169.15 feet; Thence North 24°16'52" West 79.43 feet; Thence North 26°12'57" West 230.18 feet; Thence North 57°49'25" West 57.74 feet; Thence North 27°42'47" West 129.50 feet; Thence North 22°03'27" West 66.91 feet; Thence North 13°42'20" West 68.86 feet to the "point of beginning", containing 7,671 square feet or 0.17 acres, more or less.

AND

A tract of land located in the East ½ of Section 15 and the West ½ of Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northernmost Corner of Lot 2, River Park as recorded in Plat Book 39 at Page 3 in the office of the Wyandotte County Register of Deeds; Thence with the Northerly line of said Tract 2, 68.47 feet by arc distance along a curve to the left having a radius of 523.15 feet and a chord that bears South 52°56'57" West 68.42 feet to the "point of beginning" said point being on the Westerly line of Parcel A-51 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line the following courses and distances: South 22°25'55" East 65.07 feet; Thence South 17°13'28" East 322.31 feet; Thence South 20°55'53" East 253.79 feet; Thence departing said line, South 69°04'07" West 10.00 feet; Thence North 20°55'53" West 254.11 feet; Thence North 17°13'28" West 216.26 feet; Thence South 76°01'46" West 201.07 feet to the Westerly boundary of Lot 2, River Park; Thence with said boundary 262.53 feet by arc distance along a curve to the right having radius of 523.15 feet and a chord that bears North 34°49'23" East 259.78 feet to the "point of beginning", containing 25,923 square feet or 0.59 acres, more or less.

AND

A tract of land located in the East ½ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northernmost Corner of Lot 2, River Park as recorded in Plat Book 39 at Page 3 in the office of the Wyandotte County Register of Deeds; Thence with the Northerly and Westerly boundaries of said Lot 2 the following courses and distances: 643.88 feet by arc distance along a curve to the left having a radius of 523.15 feet a chord that bears South 21°26'22" West 604.00 feet; Thence South 13°49'15" East 483.90 feet to the "point of beginning"; Thence departing the Westerly line of said Lot 2, South 36°41'57" East 71.82 feet to the right-of-way line of River Park Drive; Thence with said line, 36.51 feet by arc distance along a curve to the left having a radius of 60.00 feet and a chord that bears South 37°09'54" West 35.95 feet to the Westerly boundary of said Lot 2; Thence with said line, North 13°49'14" West 88.79 feet to the "point of beginning", containing 1,173 square feet or 0.02 acres, more or less.

Armourdale Unit: Tract No. 36, 38 & 46

Fee Simple Owner: PBI-Gordon Corporation

Property Address: 317R S. 3rd Street, Kansas City, KS. 66118; 233 Bunker Avenue, Kansas City, KS. 66118; 300 S. 3rd Street, Kansas City, KS. 66118; 201 Central Ave. Viaduct Ramp, Kansas City, KS. 66118 & 251 Central Avenue, Kansas City, KS. 66118

Real Property Interest(s) to be Acquired:

Permanent Flood Protection Easements in:

A tract of land being part of the Morris and Company Lands Plat as recorded in Plat Book 8 at Page 36A in the office of the Wyandotte County Register of Deeds and being located in the Northeast ¼ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southwest Corner of Lot 4, Block 7, Riverside Addition as recorded in Plat Book 3 at Page 36A in the office of the Wyandotte County Register of Deeds; Thence with the South line of Lot 4 and the Easterly projection thereof, South 89°06'34" East 140.00 feet to the West line of the Morris and Company Lands Plat; Thence with said line, South 00°24'25" West 446.43 feet; Thence departing said line, South 89°35'35" East 579.51 feet to the "point of beginning"; Thence North 63°17'13" East 16.69 feet to the Westerly right-of-way line of Parcel A-24 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case 50495-B; Thence with said line the following courses and distances: South 26°14'39" East 333.14 feet; Thence South 22°25'55" East 144.54 feet; Thence South 68°21'17" West 5.00 feet; Thence South 22°25'55" East 11.0 feet; Thence South 68°21'07" West 3.87 feet; Thence departing said line, North 25°02'03" West 251.75 feet; Thence North 26°55'46" West 235.81 feet to the "point of beginning", containing 6,917 square feet or 0.15 acres, more or less.

AND

A tract of land being part of the Morris and Company Lands Plat as recorded in Plat Book 8 at Page 36A in the office of the Wyandotte County Register of Deeds and being located in the Northeast ¼ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southwest Corner of Lot 4, Block 7, Riverside Addition as recorded in Plat Book 3 at Page 36A in the office of the Wyandotte County Register of Deeds; Thence with the South line of Lot 4 and the Easterly projection thereof, South 89°06'34" East 140.00 feet to the West line of the Morris and Company Lands Plat; Thence with said line, South 00°24'25" West 332.51 feet; Thence departing said line, South 89°35'35" East 534.31 feet to the "point of beginning"; Thence North 63°17'13" East 5.00 feet to the Westerly right-of-way line of Parcel A-24 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case 50495-B; Thence with said line the following courses and distances: South 26°42'47" East 112.00 feet; Thence South 63°17'13" West 16.73 feet; Thence departing said line, North 26°55'46" West 44.45 feet; Thence North 01°09'08" West 27.57 feet; Thence North 26°42'47" West 42.68 feet to the "point of beginning", containing 1,233 square feet or 0.028 acres, more or less.

AND

A tract of land being part of the Morris and Company Lands Plat as recorded in Plat Book 8 at page 36A in the office of the Wyandotte County Register of Deeds and being located in the Northeast ¼ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeast Corner of Lot 12, Block 8 of Riverside Addition as recorded in Plat Book 3 at Page 36A in the office of the Wyandotte County Register of Deeds; Thence North 87°21'02" East 19.97 to the West line of Morris and Company Lands Plat as recorded in Plat Book 8 at Page 36A in the office of the Wyandotte County Register of Deeds; Thence departing said line, South 89°08'24" East 100.68 feet to the "point of beginning"; Thence continuing South 89°08'24" East 8.35 feet; Thence South 29°14'45" East 9.41 feet; Thence North 88°22'36" West 9.03 feet; Thence North 25°53'16" West 8.98 feet to the "point of beginning", containing 70 square feet or 0.0016 acres, more or less.

AND

A tract of land being part of Block 8 of Riverside Addition as recorded in Plat Book 3 at Page 36A and part of Tract 3 Morris and Company Lands Plat recorded in Plat Book 8 at Page 36A in the office of the Wyandotte County Register of Deeds and being located in the Northeast ¼ of Section 15, Township 11 South, Range 25 East of the of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Beginning at the Northeast Corner of Lot 1, Block 8 of Riverside Addition; Thence with the East line of said block, South 00°24'02" West 39.61 feet; Thence departing said line, 72.69 feet by arc distance along a curve to the right having a radius of 9134.64 feet and a chord that bears South 27°42'33" East 72.69 feet; Thence North 86°53'31" West 14.27 feet; Thence North 88°51'13" West 19.99 feet to the East line of said Block 8; Thence departing said line, North 13°53'46" West 106.57 feet to the North line of said Block 8; Thence with said line, South 88°32'31" East 26.32 feet to the "point of beginning", containing 2,426 square feet or 0.05 acres, more or less.

AND:

A tract of land being part of Tract No. 3 Morris and Company Lands Plat as recorded in Plat Book 8 at Page 36A in the office of the Wyandotte County Register of Deeds and being located in the Northeast ¼ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeast Corner of Lot 1, Block 8 of Riverside Addition as recorded in Plat Book 3 at Page 36A in the office of the Wyandotte County Register of Deeds; Thence with the East line of said Block 8, South 00°24'02" West 39.61 feet; Thence departing said line, 151.80 feet by arc distance along a curve to the left having a radius of 9134.64 feet and a chord bearing South 27°57'26" East 151.80 feet to the "point of beginning"; Thence 30.04 feet by arc distance along a curve to the left having a radius of 9134.64 feet and a chord that bears South 28°31'39" East 30.04 feet; Thence South 64°06'44" West 13.50 feet; Thence North 25°53'16" West 30.01 feet; Thence North 64°06'44" East 12.12 feet to the "point of beginning", containing 384 square feet or 0.008 acres, more or less.

Temporary Work Area Easements in:

A tract of land being part of Block 7, Riverside Addition as recorded in Plat Book 3 at Page 36A and part of Tracts 1 and 2 of Morris and Company Lands Plat as recorded in Plat Book 8 at Page 36A in the office of the Wyandotte County Register of Deeds and being part of the Northeast ¼ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows: (Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southwest Corner of Lot 4, Block 7 of Riverside Addition; Thence with the South line of said Lot 4 and the Easterly projection thereof, South 89°06'34" East 124.16 feet; Thence departing said line, 65.22 feet by arc distance along a curve to the left having a radius of 83.65 feet and a chord that bears North 70°36'27" West 63.58 feet; Thence North 62°56'44" East 81.69 feet; Thence South 21°58'52" East 86.30 feet; Thence 51.45 feet by arc distance along a curve to the right having a radius of 108.65 feet and a chord that bears South 08°24'53" East 50.98 feet; Thence 65.17 feet by arc distance along a curve the left having a radius of 80.02 feet and a chord that bears South 18°10'48" East 63.38 feet; Thence South 41°30'43" East 383.19 feet; Thence South 29°05'32" East 536.91 feet; Thence 120.84 feet by arc distance along a curve to the left having a radius of 80.02 feet and a chord that bears South 72°21'20" East 109.68 feet; Thence North 64°22'52" East 116.79 feet; Thence with said line, South 25°02'03" East 19.71 feet to the Westerly line of Parcel A-24 conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence departing said line, South 68°21'07" West 11.13 feet; Thence South 22°25'55" East 6.08 feet; Thence South 64°22'52" West 105.15 feet; Thence 158.60 feet by arc distance along a curve to the right having radius of

105.02 feet and a chord that bears North 72°21'20" West 143.95 feet; Thence North 29°05'32" West 534.19 feet; Thence North 41°30'43" West 380.47 feet; Thence 85.53 feet by arc distance along a curve to the right having a radius of 105.02 feet and a chord that bears North 18°10'48" West 83.19 feet; Thence 53.39 feet by arc distance along a curve to the left having a radius of 83.65 feet and a chord that bears North 13°07'54" West 52.49 feet to the West line of Morris and Company Lands Plat; Thence with said line, North 00°24'39" East 18.58 feet; Thence North 89°06'34" West 15.84 feet to the "point of beginning", containing 35,650 square feet or 0.81 acres, more or less.

AND

A tract of land being part of Tract No. 3, Morris and Company Lands Plat as recorded in Plat Book 8 at Page 36A in the office of the Wyandotte County Register of Deeds and being located in the Northeast ¼ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeast Corner of Lot 12, Block 8 of Riverside Addition to the City of Kansas City and recorded in Plat Book 3 at Page 36A in the office of the Wyandotte County Register of Deeds; Thence North 87°21'02" East 19.97 feet to the West line of Morris and Company Lands Plat; Thence departing said line, South 89°08'24" East 77.63 feet to the "point of beginning"; Thence continuing South 89°08'24" East 23.05 feet; Thence South 25°53'16" East 8.98 feet; Thence South 88°22'36" East 9.03 feet; Thence South 29°14'45" East 11.65 feet; Thence North 88°22'36" West 33.01 feet; Thence North 25°53'16" West 19.91 feet to the "point of beginning", containing 508 square feet or 0.01 acres, more or less.

AND

A tract of land being part of Block 8, Riverside Addition to the City of Kansas City as recorded in Plat Book 3 at Page 36A in the office of the Wyandotte County Register of Deeds and being located in the Northeast ¼ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeast Corner of Lot 1, Block 8, Riverside Addition, thence with the North line of said lot, North 88°32'31" West 26.32 feet to the "point of beginning"; Thence departing said line, South 13°53'46" East 106.57 feet to the East line of said Block 8; Thence with said line, South 00°24'02" West 19.34 feet; Thence departing said line, North 86°53'31" West 15.25 feet; Thence North 14°11'54" West 126.36 feet to the North line of said Block 8; Thence with said line, South 88°32'31" East 20.77 feet to the "point of beginning", containing 2,443 square feet or 0.05 acres, more or less.

AND

A tract of land being part of Tract No. 3, Morris and Company Lands Plat as recorded in Plat Book 8 at Page 36A in the office of the Wyandotte County Register of Deeds and being located in the Northeast ¼ of Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian

in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeast Corner of Lot 1, Block 8, Riverside Addition as recorded in Plat Book 3 at Page 36A in the office of the Wyandotte County Register of Deeds; Thence with the East line of said block, South 00°24'02" West 39.61 feet; Thence departing said line, 72.69 feet by arc distance along a curve to the left having a radius of 9134.64 feet and a chord that bears South 27°42'33" East 72.69 feet to the "point of beginning"; Thence continuing 79.11 feet by arc distance along a curve to the left having a radius of 9134.64 feet and a chord that bears South 28°11'06" East 79.11 feet; Thence South 64°06'44" West 12.12 feet; Thence South 25°53'16" East 30.01 feet; Thence North 64°06'44" East 13.50 feet; Thence 17.38 feet by arc distance along a curve to the left having a radius of 9134.64 feet and a chord that bears South 28°40'34" East 17.38 feet; Thence North 89°08'24" West 27.27 feet; Thence North 25°53'16" West 107.98 feet to the West line of Morris and Company Lands Plat; Thence with said line, North 00°25'05" East 14.59 feet; Thence departing said line, South 86°53'31" East 14.27 feet to the "point of beginning", containing 2,230 square feet or 0.05 acres, more or less.

Armourdale Unit: Tract No. 39, 40 & 43

Fee Simple Owner: 402 Central Avenue, LLC

Property Address: 300, 310, 314 & 402 Central Avenue, Kansas City, KS. 66118

Real Property Interest(s) to be Acquired:

Permanent Flood Protection Easements in:

A tract of land situated in the Southeast $\frac{1}{4}$ of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the South Quarter Corner of Section 10, Township 11 South, Range 25 East; Thence with the South line of said section, South 88°32'31" East 1218.82 feet; Thence departing said line, North 01°27'29" East 40.53 feet to the North right-of-way line of Central Avenue as originally platted, and the "point of beginning"; Thence departing said line North 09°19'06" East 104.17 feet; Thence North 76°43'51" West 212.02 feet; Thence North 23°23'27" West 196.78 feet, to the easterly right-of-way line of North 4th Street as originally platted; Thence with said line, North 00°25'05" East 224.48 feet; Thence departing said line, South 88°32'31" East 67.52 feet to the westerly boundary of Parcel A-17 as conveyed to the Kaw Valley Drainage District through Wyandotte County District Court Case No. 50495-B; Thence with said line the following courses and distances: South 37°22'22" East 136.00 feet; Thence South 30°28'09" East 135.55 feet; Thence North 72°22'47" East 4.70 feet; Thence South 27°23'07" East 180.54 feet; Thence 82.92 feet by arc distance along a curve to the right having a radius of 97.08 feet and a chord that bears South 15°23'20" East 80.42 feet; Thence South 11°08'02" West 96.07 feet, more or less, to the North right-of-way line of Central Avenue as originally platted; Thence with said line, North 88°48'39" West 43.19 feet to the "point of beginning", containing 86,787 square feet or 1.99 acres, more or less.

AND

A tract of land situated in the Southeast $\frac{1}{4}$ of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the South Quarter Corner of Section 10, Township 11 South, Range 25 East; Thence with the South line of said section, South $88^{\circ}32'31''$ East 889.52 feet; Thence departing said line, North $00^{\circ}25'05''$ East 500.51 feet to the "point of beginning"; said point also being on the West right-of-way line of North 4th Street as originally platted; Thence departing said West right-of-way line North $23^{\circ}23'27''$ West 30.06 feet; Thence North $00^{\circ}53'56''$ West 70.28 feet; Thence North $45^{\circ}15'29''$ East 56.88 feet; Thence North $67^{\circ}38'08''$ East 3.94 feet to the centerline of North 4th Street as originally platted; Thence along said line South $00^{\circ}25'05''$ West 70.30 feet; Thence departing said line North $88^{\circ}32'31''$ West 30.00 feet to the West right-of-way line of North 4th Street as originally platted; Thence along said line South $00^{\circ}25'05''$ West 69.86 feet to the "point of beginning", containing 2,879 square feet or 0.06 acres, more or less.

Temporary Work Area Easements in:

A tract of land situated in the Southeast $\frac{1}{4}$ of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the South Quarter Corner of Section 10, Township 11 South, Range 25 East; Thence with the South line of said section, South $88^{\circ}32'31''$ East 1218.82 feet; Thence departing said line, North $01^{\circ}27'29''$ East 40.53 feet to the North right-of-way line of Central Avenue as originally platted, and the "point of beginning"; Thence along said line, North $88^{\circ}48'39''$ West 10.10 feet; Thence departing said line, North $09^{\circ}19'06''$ East 96.26 feet; Thence North $76^{\circ}43'51''$ West 207.71 feet; Thence North $23^{\circ}23'27''$ West 178.99 feet, more or less, to the easterly right-of-way line of North 4th Street as originally platted; Thence with said line, North $00^{\circ}25'05''$ East 24.78 feet; Thence departing said line, South $23^{\circ}23'27''$ East 196.78 feet; Thence South $76^{\circ}43'51''$ East 212.02 feet; Thence South $09^{\circ}19'06''$ East 104.17 feet to the "point of beginning", containing 4,980 square feet or 0.11 acres, more or less.

AND

A tract of land situated in the Southeast $\frac{1}{4}$ of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the South Quarter Corner of Section 10, Township 11 South, Range 25 East; Thence with the South line of said section, South $88^{\circ}32'31''$ East 889.52 feet; Thence departing said line, North $00^{\circ}25'05''$ East 475.73 feet to the "point of beginning"; said point also being on the West right-of-way line of North 4th Street as originally platted; Thence departing said line North $23^{\circ}23'27''$ West 28.57 feet; Thence North $00^{\circ}53'56''$ West 26.15 feet; South $23^{\circ}23'27''$ East 30.06 feet to the West right-of-way line of North 4th Street as originally platted; Thence

along said line South 00°25'05" West 24.78 feet to the "point of beginning", containing 293 square feet or 0.006 acres, more or less.

AND

A tract of land situated in the Southeast ¼ of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the South Quarter Corner of Section 10, Township 11 South, Range 25 East; Thence with the South line of said section, South 88°32'31" East 889.52 feet; Thence departing said line, North 00°25'05" East 475.73 feet to a point on the West right-of-way line of North 4th Street as originally platted; Thence departing said line North 23°23'27" West 28.57 feet; Thence North 00°53'56" West 96.42 feet to the "point of beginning"; Thence continuing North 00°53'56" West 13.87 feet; Thence North 45°15'29" East 47.27 feet; Thence North 80°18'15" East 10.90 feet to the centerline of North 4th Street as originally platted; Thence along said line South 00°25'25" West 7.44 feet; Thence departing said line South 67°38'08" West 3.94 feet; Thence South 45°15'29" West 56.88 feet to the "point of beginning", containing 579 square feet or 0.013 acres, more or less.

CID Unit: Tract No. 27

Fee Simple Owner: National Retail Properties, LP

Property Address: 350 N. James Street, Kansas City, KS. 66118

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the East 1/2 of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southeasterly Corner of Lot 239 located on the West side of vacated 1st Street, (originally platted as Wood Street) in the original plan of Kansas City, Kansas as recorded in Plat Book 1 at Page 9 in the office of the Wyandotte County Register of Deeds; Thence with the Southerly line of Lot 239 in the Westerly projection thereof, South 62°30'57" West 295.91 feet to the Centerline of vacated 2nd Street (originally platted as Armstrong Street); Thence with said centerline, South 27°27'26" East 141.73 feet to the Northerly right-of-way line of the Kansas City Southern Railroad; Thence with said line the following courses and distances: South 62°29'44" West 40.09 feet; Thence 59.59 feet by arc distance along a curve to the left having a radius of 1943.08 feet and a chord that bears South 61°24'49" West 59.59 feet to the "point of beginning"; Thence continuing with said line, 140.67 feet by arc distance along a curve to the left having a radius of 1943.08 feet and a chord that bears South 58°27'39" West; Thence South 56°20'22" West 106.49 feet to the land work right-of-way line of the Kaw Valley Drainage District as depicted on the United States Army Corps of Engineers record drawings dated December 1979, Contract No. DACW41-77-C-0053 with the revised date of July 14, 1980; Thence with said line the following courses and distances: North 07°03'17" West 101.92 feet;

Thence North 02°54'24" West 97.57 feet; Thence North 04°06'42" West 96.77 feet; Thence North 01°52'06" East 182.95 feet; Thence North 12°45'53" East 46.13 feet; Thence North 16°47'17" East 49.24 feet; Thence North 19°43'31" East 50.09 feet; Thence North 22°52'12" East 48.83 feet; Thence North 28°56'03" East 49.64 feet; Thence North 33°02'58" East 462.14 feet; Thence North 33°03'12" East 112.24 feet; Thence South 55°27'45" East 21.45 feet; Thence departing said line, South 33°13'36" West 68.74 feet; Thence South 70°04'05" West 31.34 feet; Thence South 33°15'42" West 219.74 feet; Thence South 31°34'15" West 204.90 feet; Thence South 33°13'36" West 107.18 feet; Thence South 24°05'36" West 33.30 feet; Thence South 58°46'39" East 167.33 feet; Thence South 08°17'43" West 175.12 feet; Thence South 09°04'54" East 194.27 feet; Thence South 70°31'41" East 28.79 feet; Thence South 05°30'13" East 34.53 feet to the "point of beginning", containing 101,568 square feet or 2.33 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being part of the East 1/2 of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Southeasterly Corner of Lot 239 located on the West side of vacated 1st Street, (originally platted as Wood Street) in the original plan of Kansas City, Kansas as recorded in Plat Book 1 at Page 9 in the office of the Wyandotte County Register of Deeds; Thence with the Southerly line of Lot 239 in the Westerly projection thereof, South 62°30'57" West 295.91 feet to the Centerline of vacated 2nd Street (originally platted as Armstrong Street); Thence with said centerline, South 27°27'26" East 141.73 feet to the Northerly right-of-way line of the Kansas City Southern Railroad; Thence with said line the following courses and distances: South 62°29'44" West 40.09 feet; Thence 48.66 feet by arc distance along a curve to the left having a radius of 1943.08 feet and a chord that bears South 61°34'29" West 48.66 feet to the "point of beginning"; Thence continuing with said line, 10.93 feet by arc distance along a curve to the left having a radius of 1943.08 feet and a chord that South 60°41'46" West 10.93. feet; Thence departing said line, North 05°30'13" West 34.53 feet; Thence North 70°31'41" West 28.79 feet; Thence North 09°04'54" West 194.27 feet; Thence North 08°17'43" East 175.12 feet; Thence North 58°46'39" West 167.33 feet; Thence North 24°05'36" East 33.30 feet; Thence North 33°13'36" East 107.18 feet; Thence North 31°34'15" East 204.90 feet; Thence North 33°15'42" East 219.74 feet; Thence North 70°04'05" East 31.34 feet; Thence North 33°13'36" East 68.74 feet; Thence South 55°27'45" East 10.00 feet; Thence South 33°13'36" West 627.96 feet; Thence South 58°46'39" East 181.97 feet; Thence South 08°48'25" West 151.81 feet; Thence South 05°23'42" East 262.88 feet to the "point of beginning", containing 37,139 square feet or 0.85 acres, more or less.

CID Unit: Tract No. 29

Fee Simple Owner: Advantage Metals Recycling LLC

Property Address: 201 N. 2nd, Kansas City, KS. 66118

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land situated in the Southeast ¼ of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the most southerly corner of Lot 138 on Water Street in the Original Town of Kansas City, Kansas; Thence along northeasterly right-of-way line of Water Street, North 27°27'27" West 184.45 feet to the most southerly corner of Tract 16, Armour and Company; Thence South 62°37'02" West 146.48 feet to the "point of beginning"; Thence continuing South 62° 37' 02" West 5.44 feet to a point on the Kaw Valley Drainage District landward boundary line as described in Book 1147, Pages 269-271 in the Office of the Wyandotte County Register of Deeds; Thence with said line the following courses and distances: North 24°36'19" West 23.31 feet; Thence South 65°14'24" West 24.00 feet; Thence North 23°45'35" West 45.00 feet; Thence North 25°54'22" West 299.84 feet; Thence North 22°09'30" West 97.64 feet; Thence North 19°41'03" West 195.28 feet; Thence North 08°24'37" West 36.49 feet; Thence departing said line, South 18°00'18" East 96.74 feet; Thence South 24°37'09" East 524.21 feet; Thence South 47°15'10" East 41.57 feet; Thence South 23°45'35" East 36.22 feet to the "point of beginning", containing 9,777 square feet or 0.22 acres, more or less.

A Temporary Work Area Easement in:

A tract of land situated in the Southeast ¼ of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the most southerly corner of Lot 138 on Water Street in the Original Town of Kansas City, Kansas; Thence along the northeasterly right-of-way line of Water Street, North 27°27'27" West 184.45 feet to the most southerly corner of Tract 16, Armour and Company; Thence South 62°37'02" West 121.95 feet to the "point of beginning"; Thence continuing with said line, South 62° 37' 02" West 24.53 feet; Thence North 23°45' 35" West 36.22 feet; Thence North 47°15'10" West 41.57 feet; Thence North 24°37'09" West 524.21 feet; Thence North 18°00'18" West 96.74 feet to a point on the Kaw Valley Drainage District landward boundary line as described in Book 1147, Pages 269-271 in the Office of the Wyandotte County Register of Deeds; Thence with said line, North 08°24'37" West 142.34 feet; Thence departing said line, South 16°59'15" East 185.61 feet; Thence South 25°50'09" East 646.58 feet to the "point of beginning", containing 22,866 square feet or 0.52 acres, more or less.

CID Unit: Tract No. 30 & 32

Fee Simple Owner: 200 Central, LLC

Property Address: 200 & 235R Central Avenue, Kansas City, KS. 66118

Real Property Interest(s) to be Acquired:

Permanent Flood Protection Easements in:

Tract 30

A tract of land being part of Allotments 11 and 12 of the Silas Armstrong Estate described in Wyandotte County District Court Partition Case No. 911 and being located in the Southeast ¼ of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the intersection of the East right-of-way line of Water Street as originally platted and the Northerly line of Allotment 12 of the Silas Armstrong Estate, said point also being the Northwest Corner of Lot 152 as located on the East right-of-way-line of Water Street in the original plat of Old Kansas City, Kansas; Thence with the Northerly line of Allotment 12, South 62°37'02" West 151.92 feet to the landward right-of-way line of the Kaw Valley Drainage District depicted on United States Army Corps of Engineer Record Drawings dated December 1979, Contract No. DACW41-77-C-0053, revised on July 14, 1980; Thence with said line the following courses and distances: South 57°34'42" West 3.04 feet; Thence South 27°48'38" East 102.31 feet to the "point of beginning"; Thence departing said line, South 26°20'49" East 312.41 feet; Thence South 64°32'26" West 6.59 feet to the landward right-of-way line of the Kaw Valley Drainage District depicted on United States Army Corps of Engineer Record Drawings dated December 1979, Contract No. DACW41-77-C-0053, revised on July 14, 1980; Thence with said line the following courses and distances: North 25°39'13" West 84.63 feet; Thence North 26°36'31" West 120.02 feet; Thence North 22°47'29" West 20.02 feet; Thence North 27°19'43" West 87.67 feet; Thence North 63°27'42" East 6.37 feet to the "point of beginning", containing 1,817 square feet or 0.04 acres, more or less.

AND

Tract 32

A tract of land being part of the Southeast ¼ of Section 10 and the Northeast ¼ Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the Northeasterly Corner Lot 4, Kansas City Stock Yards (North Yards) Subdivision as recorded in Plat Book 34, Page 59 in the office of the Wyandotte County Register of Deeds; Thence with the Easterly line of said Lot 4, South 27°33'14" East 129.30 feet to southeasterly corner of a tract of land owned by the City of Kansas City, Kansas recorded in Book 3907 Page 221 in the office of the Wyandotte County Register of Deeds; Thence departing said southeasterly corner and the Easterly line of Lot 4 along the Southerly line of a said tract owned by the City of Kansas City, Kansas, South 66°16'05" West 102.98 feet to the "point of beginning"; Thence departing said Southerly Line, South 23°15'40" East 249.39 feet to the landward right-of-way line of the Kaw Valley Drainage District depicted on United States Army Corps of Engineer Record Drawings dated December 1979, Contract No. DACW41-77-C-0053, revised on July 14, 1980; Thence along said line the following courses and distances, North 25°51'02" West 212.77 feet; Thence South 65°29'08" West 19.12 feet; Thence North 28°36'00" West 174.96 feet; Thence North 64°20'47" East 10.84 feet; Thence departing said line South 26°44'09" East 137.87 feet to the Southerly line of a said tract owned by the City of Kansas City, Kansas recorded in Book 3907 Page 221 in the office of the Wyandotte County Register of Deeds; Thence along said line North 66°16'05" East 25.82 feet to the "point of beginning", containing 3,329 square feet or 0.07 acres, more or less.

Temporary Work Area Easements in:

Tract 30

A tract of land being part of Allotments 11 and 12 of the Silas Armstrong Estate described in Wyandotte County District Court Partition Case No. 911 and being located in the Southeast ¼ of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the intersection of the East right-of-way line of Water Street as originally platted and the Northerly line of Allotment 12 of the Silas Armstrong Estate, said point also being the Northwest Corner of Lot 152 as located on the East right-of-way line of Water Street in the original plat of Old Kansas City, Kansas; Thence with Northerly line of Allotment 12, South 62°37'02" West 121.95 feet to the "point of beginning"; Thence South 24°05'38" East 577.41 feet to the Northerly line of Central Avenue as it currently exists; Thence with said line, South 70°45'58" West 16.32 feet to the landward right-of-way line of the Kaw Valley Drainage District depicted on United States Army Corps of Engineer Record Drawings dated December 1979, Contract No. DACW41-77-C-0053, revised on July 14, 1980; Thence with said line, North 25°39'13" West 159.50 feet; Thence departing said line, North 64°32'26" East 6.59 feet; Thence North 26°20'49" West 312.41 feet to the Easterly right-of-way line of the Kaw Valley Drainage District; Thence with said line, North 27°48'38" West 102.31 feet; Thence continuing with said line, North 57°34'42" East 3.04 feet to the Northerly line of Allotment 12; Thence with said line, North 62°37'02" East 29.97 feet to the "point of beginning", containing 12,307 square feet or 0.28 acres, more or less.

And

Tract 32

A tract of land being part of the Southeast ¼ of Section 10 and the Northeast ¼ Section 15, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the Northeasterly Corner Lot 4, Kansas City Stock Yards (North Yards) Subdivision as recorded in Plat Book 34, Page 59 in the office of the Wyandotte County Register of Deeds; Thence with the Easterly line of said Lot 4, South 27°33'14" East 129.30 feet to southeasterly corner of a tract of land owned by the City of Kansas City, Kansas recorded in Book 3907 Page 221 in the office of the Wyandotte County Register of Deeds; Thence departing said southeasterly corner and the Easterly line of Lot 4 along the Southerly line of a said tract owned by the City of Kansas City, Kansas, South 66°16'05" West 92.97 feet to the "point of beginning"; Thence departing said Southerly Line, South 23°15'40" East 470.62 feet to the landward right-of-way line of the Kaw Valley Drainage District depicted on United States Army Corps of Engineer Record Drawings dated December 1979, Contract No. DACW41-77-C-0053, revised on July 14, 1980; Thence along said line North 25°51'02" West 221.37 feet; Thence departing said line North 23°15'40" West 249.39 feet to the Southerly line of a said tract owned by the City of Kansas City, Kansas recorded in Book 3907 Page 221 in the office of the Wyandotte County Register of Deeds; Thence along said line North 66°16'05" East 10.00 feet to the "point of beginning", containing 3,601 square feet or 0.08 acres, more or less.

CID Unit: Tract No. 34

Fee Simple Owner: Carojoto, L.L.C.

Property Address: 1414 Genessee St., Kansas City, KS. 66102

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Northwest $\frac{1}{4}$ of Fractional Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the Southwest Corner Lot 1, Gateway 2000 - Kansas as recorded in Plat Book 28, Page 23 in the office of the Wyandotte County Register of Deeds; Thence with the South line of said Lot 1, South 87°01'55" East 17.06 feet to the Point of Beginning; Thence departing said South Line Lot 1, North 19°58'43" West 275.53 feet along the landward right-of-way line of the Kaw Valley Drainage District depicted on United States Army Corps of Engineer Record Drawings dated December 1979, Contract No. DACW41-77-C-0053, revised on July 14, 1980; Thence continuing with said line, North 13°05'23" West 123.03 feet; Thence North 02°12'42" West 233.92 feet; to the Northerly Line of said Lot 1; Thence along said line North 62°33'05" East 160.32 feet; Thence departing said Northerly Line Lot 1, South 21°36'45" East 349.88 feet; Thence South 18°12'41" East 394.58 feet; to the South Line Lot 1; Thence with said line North 87°01'55" West 263.78 feet; to the "point of beginning", containing 157,503 square feet or 3.61 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being part of the Northwest $\frac{1}{4}$ of Fractional Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the Southwest Corner Lot 1, Gateway 2000 - Kansas as recorded in Plat Book 28, Page 23 in the office of the Wyandotte County Register of Deeds; Thence with the South line of said Lot 1, South 87°01'55" East 280.84 feet to the Point of Beginning; Thence departing said South Line Lot 1, North 18°12'41" West 394.58 feet; Thence North 21°36'45" West 349.88 feet; to the Northerly Line Lot 1; Thence along said line North 62°33'05" East 23.12 feet; Thence departing said Northerly Line Lot 1, South 21°36'45" East 352.91 feet; Thence South 18°12'41" East 404.17 feet to the South Line Lot 1; Thence along said line North 87°01'55" West 24.67 feet to the Point of Beginning, containing 17,271 square feet or 0.39 acres, more or less.

CID Unit: Tract No. 35

Fee Simple Owner: Livestock Exchange, LLC

Property Address: 200 S. James St., Kansas City, KS. 66118

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Northwest ¼ and the Southwest ¼ of Fractional Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the Southwest Corner of Fractional Section 6, Township 49 North, Range 33 West, Jackson County, Missouri, Thence with the Kansas/Missouri State Line, South 01°12'37" West 806.86 feet to the Point of Beginning; Thence continuing with said line South 01°12'37" West 47.32 feet; Thence departing said line North 86°31'57" West 52.44 feet to the landward right-of-way line of the Kaw Valley Drainage District depicted on United States Army Corps of Engineer Record Drawings dated December 1979, Contract No. DACW41-77-C-0053, revised on July 14, 1980; Thence continuing along said line North 06°18'22" West 23.52 feet; Thence North 24°56'02" West 37.23 feet; Thence North 10°43'56" West 120.26 feet; Thence 593.27 feet by arc distance along a curve to the left having a radius of 10945.21 feet and a chord that bears North 16°25'50" West 593.20 feet; Thence North 17°55'43" West 17.02 feet; Thence 221.44 feet by arc distance along a curve to the left having a radius of 5690.81 feet and a chord that bears North 19°05'26" West 221.43 feet; Thence South 70°00'41" West 13.99 feet; Thence North 21°54'57" West 97.59 feet; Thence North 22°38'24" West 286.61 feet; Thence North 25°06'12" West 201.05 feet; Thence North 24°37'05" West 230.51 feet; Thence North 26°21'36" West 216.16 feet; Thence North 19°58'43" West 4.11 feet; to the South Line Lot 1, Gateway 2000 – Kansas as recorded in Plat Book 28 Page 23 in the office of the Wyandotte County Register of Deeds; Thence continuing along said line South 87°01'55" East 263.78 feet; Thence departing said South Line Lot 1, South 24°01'23" East 358.02 feet; Thence South 46°22'30" West 193.87 feet; Thence South 24°44'48" East 473.95 feet; Thence South 19°29'32" East 389.37 feet; Thence South 13°04'54" East 207.49 feet; Thence South 10°35'42" West 62.32 feet; Thence South 16°33'57" East 153.01 feet; Thence South 37°44'13" East 123.13 feet; Thence South 17°07'20" East 89.72 feet; to the "point of beginning", containing 160,706 square feet or 3.68 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being part of the Northwest ¼ and the Southwest ¼ of Fractional Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the Southwest Corner of Fractional Section 6, Township 49 North, Range 33 West, Jackson County, Missouri. Thence with the Kansas/Missouri State Line, North 01°16'15" East 766.05 feet to the Point of Beginning; Thence departing said line North 87°01'57" West 409.20 feet; Thence South 24°01'23" East 81.91 feet; Thence South 46°22'30" West 193.65 feet; Thence South 24°44'48" East 458.56 feet; Thence South 19°29'32" East 391.71 feet; Thence South 13°04'54" East 213.60 feet; Thence South 10°35'42" West 61.58 feet; Thence South 16°33'57" East 143.15 feet; Thence South 37°44'13" East 123.01 feet; Thence South 17°07'20" East 24.47 feet to the Kansas/Missouri State Line; Thence along said line South 01°12'37" West

73.14 feet; Thence departing said line North 17°07'20" West 89.72 feet; Thence North 37°44'13" West 123.13 feet; Thence North 16°33'57" West 153.01 feet; Thence North 10°35'42" East 62.32 feet; Thence North 13°04'54" West 207.49 feet; Thence North 19°29'32" West 389.37 feet; Thence North 24°44'48" West 473.95 feet; Thence North 46°22'30" East 193.87 feet; Thence North 24°01'23" West 358.02 feet; to the South Line Lot 1, Gateway 2000 – Kansas as recorded in Plat Book 28 Page 23 in the office of the Wyandotte County Register of Deeds; Thence with said line South 87°01'55" East 554.96 feet; to the Kansas/Missouri State Line; Thence with said line South 01°16'15" West 250.16 feet; to the "point of beginning", containing 163,592 square feet or 3.75 acres, more or less.

CID Unit: Tract No. 38

Fee Simple Owner: American Crane and Tractor Parts, Inc.

Property Address: 2200 State Line Road, Kansas City, KS. 66103

Real Property Interest(s) to be Acquired:

Permanent Flood Protection Easements in:

A tract of land being situate in the Southwest $\frac{1}{4}$ of Fractional Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the Southwest Corner of Fractional Section 6, Township 49 North, Range 33 West, Jackson County, Missouri, said point being on the Kansas and Missouri State boundary; Thence with said boundary South 01°12'37" West 854.18 feet to the "point of beginning"; Thence continuing with said boundary South 01°12'37" West 29.96 feet; Thence South 89°07'00" West 47.98 feet to the landward right-of-way line of the Kaw Valley Drainage District depicted on United States Army Corps of Engineer Record Drawings dated December 1979, Contract No. DACW41-77-C-0053, revised on July 14, 1980; Thence with said line North 06°18'22" West 34.07 feet; Thence departing said line, South 86°31'57" East 52.44 feet; to the "point of beginning", containing 1,599 square feet or 0.03 acres, more or less.

AND

A tract of land being part of the Southwest $\frac{1}{4}$ of Fractional Section 14 and the Northwest $\frac{1}{4}$ of Fractional Section 23, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the Southwest Corner of Fractional Section 6, Township 49 North, Range 33 West, Jackson County, Missouri, said point being on the Kansas and Missouri State boundary; Thence with said boundary, South 01°12'37" West 914.30 feet to the "point of beginning"; Thence South 01°12'37" West 133.58 feet; Thence South 15°02'02" West 61.89 feet; Thence South 02°26'17" West 128.48 feet; Thence South 09°59'02" West 662.41 feet; Thence South 14°27'24" West 312.51 feet; Thence South 73°26'07" East 4.96 feet; Thence South 16°33'53" West 246.87 feet; Thence South 21°05'19" West 75.50 feet; Thence South 43°12'56" West 26.01 feet; Thence 169.44 feet by arc distance along a curve to the left having a radius of 4624.25 feet and a chord that bears North 17°24'22" East 169.43 feet; Thence 454.94 feet by arc

distance along a curve to the left having a radius of 5213.32 feet and a chord that bears North 13°51'23" East 454.80 feet; Thence North 11°21'23" East 450.30 feet; Thence 185.58 feet by arc distance along a curve to the left having a radius of 1951.13 feet and a chord that bears North 08°37'46" East 185.51 feet; Thence North 56°31'08" West 34.43 feet to the Easterly right-of-way line of the Kaw Valley Drainage District determined from record drawings dated December 1979 from the United States Army Corps of Engineers Contract No. DACW41-77-C-0053 with the revised date of July 14, 1980; Thence with said line the following courses and distances: North 06°00'20" East 5.56 feet; Thence North 04°16'19" East 52.49 feet; Thence North 03°06'11" East 52.33 feet; Thence North 01°23'53" East 52.27 feet; Thence North 00°06'36" West 52.37 feet; Thence North 01°52'33" West 48.94 feet; Thence North 22°38'16" East 79.14 feet; Thence North 04°32'44" West 19.80 feet; Thence North 89°17'06" East 44.63 feet to the "point of beginning", containing 41,281 square feet or 0.94 acres, more or less.

AND

A tract of land being situate in the Northwest $\frac{1}{4}$ of Fractional Section 23, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the West Quarter Corner of Section 7, Township 49 North, Range 33 West, Jackson County, Missouri, said point being on the Kansas and Missouri State boundary; Thence departing said boundary, North 88°41'41" West 49.92 feet; Thence South 01°22'58" West 54.16 feet; Thence North 88°47'14" West 284.67 feet to the "point of beginning"; Thence continuing North, 88°47'14" West 16.14 feet; Thence 149.24 feet by arc distance along a curve to the left having a radius of 4624.25 feet and a chord that bears North 19°46'27" East 149.24 feet; Thence South 06°44'33" West 76.55 feet; Thence South 21°23'32" West 69.55 feet to the "point of beginning", containing 1,755 square feet or 0.40 acres, more or less.

Temporary Work Area Easements in:

A tract of land being situate in the Southwest $\frac{1}{4}$ of Fractional Section 14 and the Fractional Northwest $\frac{1}{4}$ of Section 23, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the West Quarter Corner of Section 7, Township 49 North, Range 33 West, Jackson County, Missouri, said point being on the Kansas and Missouri State boundary; Thence with said boundary, North 01°12'37" East 844.11 feet "point of beginning"; Thence departing said boundary, South 73°22'53" West 37.33 feet; Thence North 79°54'16" West 47.75 feet; Thence South 10°05'44" West 135.76 feet; Thence South 16°33'53" West 519.43 feet; Thence South 21°05'19" West 75.90 feet; Thence South 56°00'18" West 34.27 feet; Thence 4.01 feet by arc distance along a curve to the left having a radius of 4624.25 feet and a chord that bears North 18°28'50" East 4.01 feet; Thence North 43°12'56" East 26.01 feet; Thence North 21°05'19" East 75.50 feet; Thence North 16°33'53" East 246.87 feet; Thence North 73°26'07" West 4.96 feet; Thence North 14°27'24" East 312.51 feet; Thence North 09°59'02" East 662.41 feet; Thence North 02°26'17" East 128.48 feet; Thence North 15°02'02" East 61.89 feet to the Kansas/Missouri State boundary; Thence with said boundary, South 01°12'37" West 750.73 feet to the "point of beginning", containing 49,215 square feet or 1.12 acres, more or less.

AND

A tract of land being situate in the Northwest $\frac{1}{4}$ of Fractional Section 23, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.

Commencing at the West Quarter Corner of Section 7, Township 49 North, Range 33 West, of the Fifth Principal Meridian, Jackson County, Kansas, said point being on the Kansas and Missouri State boundary; Thence departing said boundary, North $88^{\circ}41'41''$ West 49.92 feet; Thence South $01^{\circ}22'58''$ West 54.16 feet; Thence North $88^{\circ}47'14''$ West 274.30 feet to the "point of beginning"; Thence continuing North $88^{\circ}47'14''$ West 10.37 feet; Thence North $21^{\circ}23'32''$ East 69.55 feet; Thence North $06^{\circ}44'33''$ East 76.55 feet; Thence 6.57 feet by arc distance along a curve to the left having a radius of 4624.25 feet and a chord that bears North $18^{\circ}48'32''$ East 6.57 feet; Thence South $01^{\circ}18'30''$ West 85.09 feet; Thence South $21^{\circ}14'50''$ West 66.68 feet to the "point of beginning", containing 1,102 square feet or 0.02 acres, more or less.

CID Unit: Tract No. 41

Fee Simple Owner: C & H Midwest, LLC

Property Address: 2366 State Line Road, Kansas City, KS. 66103

Real Property Interest(s) to be Acquired:

A Permanent Flood Protection Easement in:

A tract of land being part of the Northwest $\frac{1}{4}$ of Section 23, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeast Corner Lot 1 in the W.A. Bunker's Subdivision, as recorded in Book 1 Page 42 in the office of the Wyandotte County Register of Deeds; Thence with the North line of said W.A. Bunker's Subdivision, North $88^{\circ}47'14''$ West 481.69 feet to the "point of beginning"; Thence departing said North line South $28^{\circ}53'38''$ West 93.22 feet to the Westerly line of W.A. Bunker's Subdivision as it now exists; Thence with said Westerly line North $01^{\circ}12'46''$ East 3.84 feet to the Easterly Line of a Tract conveyed to the Atchison Santa Fe Railroad on January 15, 1938; Thence along said line 87.67 feet by arc distance along a curve to the left having a radius of 12,112.67 feet and a chord that bears North $27^{\circ}20'14''$ East 87.67 feet to the North line of W.A. Bunker's Subdivision; Thence along said Line South $88^{\circ}47'14''$ East 4.70 feet to the "point of beginning", containing 264 square feet or 0.006 acres, more or less.

A Temporary Work Area Easement in:

A tract of land being part of the Northwest $\frac{1}{4}$ of Section 23, Township 11 South, Range 25 East of the Sixth Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Universal Transverse Mercator (UTM) Zone 15 Coordinate System.)

Commencing at the Northeast Corner Lot 1 in the W.A. Bunker's Subdivision, as recorded in Book 1 Page 42 in the office of the Wyandotte County Register of Deeds; Thence with the North line of said W.A. Bunker's Subdivision, North 88°47'14" West 457.18 feet to the "point of beginning"; Thence departing said North line South 28°46'57" West 146.53 feet to the Westerly line of W.A. Bunker's Subdivision as it now exists; Thence along said Westerly line North 01°12'46" East 47.34 feet; Thence departing said line North 28°53'38" East 93.22 feet to the North line of W.A. Bunker's Subdivision; Thence along said line South 88°47'14" East 24.52 feet to the "point of beginning", containing 2,617 square feet or 0.06 acres, more or less.

;

2. It is hereby found that the costs of such project will be paid by the Unified Government of Wyandotte County/Kansas City, Kansas, subject to reimbursement from the United States Army Corps of Engineers.
3. The Chief Counsel of the Unified Government of Wyandotte County/Kansas City, Kansas is hereby ordered and directed forthwith to commence eminent domain proceedings for the acquisition of the above-described real property interests and to do and perform all things which might be necessary and required by law to acquire the aforementioned rights in and to said property.
4. This ordinance shall take effect and be in force after its passage, approval and publication.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF
_____, 2020.**

Honorable David W. Alvey
Mayor/CEO
Unified Government of
Wyandotte County/Kansas City, Kansas

Bridgette Cobbins, Clerk

APPROVED AS TO FORM

Kenneth J. Moore, Chief Counsel



Staff Request for Commission Action

Tracking No. 20557

Full Commission Meeting Date: 12/3/20

Committee:

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

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
11/24/2020	Mike Taylor	x5565	mtaylor@wycokck.org	Public Relations

Item Description:

Adoption of the 2021 State Legislative Programs,
submitted by Mike Taylor, Public Relations Director.

The legislative program was presented to the Commission on November 5 via a public Zoom meeting and to a joint meeting of the UG Commission and Wyandotte County Legislative Delegation during a special session on November 19, 2020.

Approve 2020 State Legislative Program

Action Requested:

Adopt program

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

2021-UG State Legislative Program_

2021



Unified Government Legislative Program

Unified Government of Wyandotte County/Kansas City, Kansas
701 North 7th Street
Kansas City, Kansas 66101

About This Legislative Program

This Legislative Program is based on the principle that Federal, State and Local Governments are all partners in the effort to make Kansas and its communities great places for people to live, work and play.

The Home Rule Amendment of the Kansas Constitution is the foundation of local government, the bedrock of our belief in independence and the benchmark of the right to determine our own destiny. The Unified Government urges the Kansas Legislature to defend and protect the Home Rule Rights and authority guaranteed in the Kansas Constitution to citizens and their local governments.

The Kansas Legislature should resist efforts to dictate policies and impose laws on cities, counties and schools because locally elected city, county and school leaders are best equipped to address issues and problems in their own communities. Local control allows citizens, working with the local officials they've elected, to decide what laws work best for their children and families.

The Kansas Legislature should renew a partnership and cooperative spirit with city, county and school leaders to address the issue of increasing property taxes caused by the shifting of costs from state government to local governments and schools. The Kansas Legislature should not continue solving its budget shortfalls by taking revenues belonging to or legally obligated to city and county governments and should reject placing more of the burden for funding education on local taxpayers.

Lobbyist's Pledge

I pledge to be ethical, honest and sincere in my dealings with legislators, staff and citizens.

I will vigorously represent the interests of the Unified Government and its citizens, but my lobbying efforts will be guided by a standard of civility and professionalism.

I will always try to remember every viewpoint deserves a fair hearing and even in the heat of debate, will be reminded that we are all working for the same goal of making Kansas and our communities better places for the citizens we represent.

Mike Taylor
Public Relations Director
Unified Government of Wyandotte County/Kansas City

2021 Priority Issues

Youth Fatality Review Board

The Unified Government sees community benefit in establishing a Youth Fatality Review Board to better find and establish techniques to reduce the number of youth deaths in the community. The Unified Government calls for changes in State law which allows counties to access their own data on child and youth deaths so that public health interventions can be discussed. By doing so, child and youth violence and fatality can be approached more appropriately as a predictable and therefore preventable event in Wyandotte County.

Alternate Construction Delivery

The Unified Government supports changes in State law which allow local governments to use design build and construction manager at risk techniques for public construction projects. These techniques have saved Wyandotte County taxpayers millions of dollars on several major public construction projects, but are difficult to use under current State laws.

Property Taxation

All property taxing authorities, including cities, counties, school districts, community colleges, State of Kansas, and special districts, should be equally transparent and have to abide by the same limitations and requirements.

Property Tax Appraisals

The Unified Government favors procedural changes to the tax appeals process that are balanced and sensible for both the taxpayer and local governments. State law should require the Board of Tax Appeals to adhere to the same rules, guidelines and accepted practices County Appraisers are required to follow. County governments should be allowed to appeal property tax decisions to District Court, the same as the taxpayer is allowed.

Medicaid Expansion

The Unified Government supports the expansion of Kansas Medicaid program which will improve access to care for those most vulnerable in Wyandotte County. It is estimated that expansion would provide insurance for 10,131 uninsured Wyandotte County residents, bring \$67.8-million in new annual healthcare spending to Wyandotte County and create hundreds of new healthcare jobs.

Eminent Domain

The Unified Government supports the use of eminent domain for economic development projects which eliminate blight and allow revitalization and rebirth in urban areas.

Public Right-of-Way

Cities must maintain their ability to regulate the public right-of-way and recover reasonable compensation for use of the right-of-way. Kansas policy should not be dictated by overreaching federal mandates. The Unified Government opposes efforts to codify in State law Federal Communications Commission directives limiting the power of cities.

Internet Sales Tax Collections

In order to ensure a fair playing field between Main Street businesses and online businesses, sales tax should be levied on digital goods transactions including print, audio, video, software, games and streaming services that provide those digital goods.

COVID-19 Contact Tracing

The Unified Government supports removing restrictions on Health Departments and their ability to conduct contact tracing for COVID-19. Health departments must be allowed to collect appropriate information, identify contacts of positive COVID-19 cases, and work with employers to appropriately trace and stop the spread of COVID-19 in our community.

Tax and Finance

Motor Vehicle Taxes

The Unified Government supports changes in the tax formula used to assess motor vehicles to equalize motor vehicle taxes from county to county.

Budget Timeline

The Unified Government supports legislation to allow the adoption of local government budgets by November 30, but keep the August 25 deadline for certification of the amount of ad valorem tax revenue needed.

Property Tax Lid Election Process

The Unified Government supports repeal of the tax lid. If repeal does not occur, the Unified Government supports additional exemptions to make the law more workable and replacing the current election process with a protest petition. The current election procedures do not coordinate with local government budget timelines and are unworkable. The costs of holding an election are excessive and unnecessary.

Protecting Local Government Revenues

The Kansas Legislature should not solve its budget shortfalls by taking revenues belonging to or legally obligated to city and county governments and should reject placing more of the burden for funding vital services on local taxpayers.

Property Appraisal and Valuation

The Unified Government supports a fair and expedient appeals process for county classification and valuation disputes. This includes policies which encourage timely payment by taxpayers. The Unified Government supports property appraisals based on fair market value and opposes caps on property valuations as inequitable and unconstitutional.

Tax/Spending Mandates

The Unified Government opposes any state-imposed limits on the taxing and spending authority of cities. Local spending and taxing decisions are best left to locally elected officials and the citizens they serve. The Unified Government supports repeal of the unnecessary and unworkable property lid.

KPERS

Changes to the KPERS system should not reduce benefits promised to public employees nor impact the ability of a city/county to hire and retain qualified public employees while keeping costs reasonable for local governments.

City-County Highway Funds

The Special City-County Highway Fund is essential to maintaining local roads and should be fully funded and not diverted for other purposes. Such funding includes fees from out-of-state commercial vehicles which are now being diverted to the State General Fund contrary to state law. The Legislature should also maintain funding for the Connecting Link program.

Unfunded Mandates

The Kansas Legislature should oppose reducing the State budget by shifting work to local governments without adequate funding to pay for those increased duties. The Legislature should also not impose mandated functions, activities, or regulations on local governments without providing financial resources to meet the costs of carrying out those mandates.

Local Ad Valorem Tax Reduction Fund

The Unified Government urges the Legislature to restore its commitment to reducing city and county property taxes by following state law and honoring previously made commitments. This should include reinstating the Local Ad Valorem Tax Reduction (LAVTR) program and use of casino gaming revenues to reduce property taxes. This partnership is a far better way to influence property tax rates than artificial and arbitrary controls such as caps on assessed valuations or tax and spending lids on local governments.

Community and Economic Development

Prevailing Wage

The Unified Government supports paying prevailing wage on public works projects and economic development projects where tax incentives are given. The Unified Government strongly urges the Kansas Legislature to repeal the law banning the use of prevailing wage on public works and economic development projects.

Food Sales Tax

The Unified Government supports the lowering of the State portion of the sales tax on groceries.

Abandoned Housing

The Unified Government supports legislation which streamlines and expedites the process for local governments, neighborhood organizations and private businesses to deal with the blight of abandoned, nuisance and foreclosed properties to protect the rights and property values of surrounding property owners.

Rental Inspections and Vacant Structure Registries

The Unified Government supports giving cities the authority to require inspections of rental housing for the safety of tenants and to protect the rights and property values of surrounding property owners. The Unified Government supports the ability of cities to establish and operate registries for vacant structures.

Public Education

Quality schools are the foundation for the future economic success of Kansas. A public education and Community College system which helps create a well-educated and trained workforce is crucial to successful communities. The Unified Government supports a funding formula for Community Colleges that gives full funding without increasing or placing an undue burden on local property taxes.

Immigration

The Unified Government opposes State immigration enforcement measures because they place unreasonable and expensive burdens on local government.

Tourism

Wyandotte County offers destination attractions which draw millions of visitors a year to Kansas. The Unified Government urges the State of Kansas to enact a comprehensive tourism plan and increase funding of tourism promotion and marketing.

Public Transit

The Unified Government supports increased state funding of public transit. The Unified Government also supports regional partnerships to improve and expand public transit options for Kansas City area residents. The Kansas Legislature should help, not hinder, efforts to fund regional public transit in the metropolitan Kansas City area.

STAR Bonds and Economic Development

STAR Bonds have proven to be one of the most effective economic development and job creation tools in the State of Kansas. The Unified Government encourages the Kansas Legislature to continue a workable STAR Bond policy with maximum flexibility and without unnecessary restrictions. The Unified Government encourages the Kansas Legislature to work with local governments in developing innovative economic development tools.

Public Safety

Police Reform

The Unified Government supports the work of local police departments to make communities safer. Any State proposals for police reform should be focused on providing resources for local law enforcement and encouraging good police practices with decisions left to local elected officials.

Municipal Courts

The Unified Government supports local control of municipal courts and the judicial authority of municipal court judges to determine the best procedures for operating the court. Municipal courts must not be limited or restricted in bonding decisions. All fines and fees collected by the court should be retained by the local government, except for restitution payable to another party and state assessments under current state law. Municipalities should be allowed to set appropriate fees and fines.

Law Enforcement Discretion

Local government must have discretion in establishing law enforcement vehicle pursuit policies and the ability of law enforcement officers to use discretion in determining when to make an arrest.

Medical Charges

The Unified Government believes the first person responsible for the payment of medical costs should be the individuals in custody. The entity charging the crime should be responsible in the event those costs cannot be recovered from the person charged with the crime. The UG supports the pooling of resources between all State and Local law enforcement agencies.

Asset Forfeiture

The Unified Government and KCK Police Department support the use of asset forfeiture as an important component in reducing the financial gains from criminal acts while providing civil due process. All assets forfeited, or the proceeds of the from the sale of assets, should remain with the local government that seizes the property.

Emergency 911 Services

Cities and counties should maintain local control of the 911 system and the 911 tax should continue to include both wireline and wireless communications. The Unified Government supports legislation providing flexibility for local governments to utilize these funds to provide emergency services.

Juvenile Justice

The Unified Government supports changes in the way the system deals with juvenile offenders, however, the financial responsibility and burden for these changes cannot be passed down to local units of government.

Community Corrections

The Unified Government supports full funding for community-corrections programs and grants, including programs for behavioral-health initiatives. Community corrections programs for adults reduce community risk and offender recidivism, which decreases taxpayer expense.

Mental Health and Jails

The Unified Government supports full state funding for community mental health services and policies that promote treatment over incarceration of the mentally ill in county jails. The Unified Government also supports State funding when the State used County facilities.

Local Control and Police Powers

The Unified Government opposes all legislation which restricts the regulatory authority of cities to protect the health, safety and welfare of the public.

Local Government Operations

Protecting Home Rule and Local Control

The Unified Government supports the ability of local elected officials to make decisions for their communities, particularly local tax and revenue decisions, as called for by the Home Rule Amendment of the Kansas Constitution approved by voters in 1960. The Unified Government urges the Kansas Legislature to respect the philosophy of local control and honor the Home Rule Amendment of the Kansas Constitution.

Municipal Utilities

The Unified Government supports the ability of cities to operate municipal electric, water, sewer, storm water, solid waste, telecommunications and broadband services. We further support the ability of cities to set and control the rates of municipal utilities. The Unified Government supports continued local control over power supply decisions.

Public Property and Rights-of-Way

Local government and the citizens they represent should be allowed to control and manage public lands and right-of-way as they see fit. This includes collecting franchise fees and other revenues from private companies and individuals which use public lands for personal benefit or profit.

City Elections

City elections should remain non-partisan and separate from state and national elections. The filing location for city elections should return to the City Clerk's Office.

Legislative Advocacy

The Unified Government supports current law allowing the use of state and local tax dollars to provide information and advocate on behalf of our community and its citizens.

Alternative Revenue Sources

Locally elected officials and the citizens they represent should be allowed authority to structure and implement taxes and revenues which best suit the individual community without prohibitions and restrictions imposed by the Kansas Legislature. This includes local earnings/income taxes, development excise taxes, and other local taxes and fees now prohibited by state law.

Unfunded Mandates

The Unified Government believes the State Legislature should not impose mandated functions, activities, or regulations on local governments without providing financial resources to meet the costs of carrying out those mandates.

Publications and Notices

The undeniable right of the public to be informed about the actions of its government should not be compromised. At the same time, government officials have a responsibility to ensure the tax money required to keep citizens informed through legal notices and publications is spent in an effective and efficient way.

Open Meetings and Open Records

The Unified Government believes openness in government is essential to building public confidence. Open meetings and records laws should balance the public's right to know with the necessity of protecting private individuals and the ability of public agencies to conduct the essential business of the public. All levels of government should be subject to the same open meetings and open records requirements.

Public Health and Environment

Local Health Department Funding

The Unified Government supports increasing funding for local public health to protect the health of Wyandotte County residents. The State of Kansas ranks near the bottom nationally for state support for local public health; a 2017 study conducted by Trust for America's Health, ranks Kansas 44th for state support to public health. State aid to local health departments has remained unchanged since 1995.

Mental Health and Jails

The Unified Government supports allocating additional resources for behavioral health programs. Funds should be allocated for community mental health centers and additional bed space for psychiatric patients to reduce the number of people with behavioral or substance abuse issues who are inappropriately incarcerated in county jails.

T21 Policy

The Unified Government supports raising the age of legal access for the sale of tobacco products to persons 21 years of age and older across the State of Kansas. While all cities in Wyandotte County now have T21 ordinances, the passing of a statewide T21 law would allow for greater coordination and strengthening of enforcement.

Expedited Partner Therapy

The Unified Government supports legislation explicitly allowing and providing guidelines for Expedited Partner Therapy in the case of sexually transmitted infections. EPT is the clinical practice of treating sex partners of patients diagnosed with chlamydia by providing prescriptions or medications to the patient to take to their partner without a health care provider first examining the partner. Kansas is one of only six states which do not explicitly allow EPT.

Serving Senior Populations and Area Agency on Aging Issues

The Unified Government supports legislation to provide improved support for aging populations in local communities, including full funding of Home and Community Based Services for the Frail Elderly waiver; funding Access to Core Services; and legislation to allow unused prescription drugs from nursing homes, hospice and other health care agencies to be distributed for use by medically indigent seniors.

University of Kansas Medical Center and Hospital

The Unified Government recognizes the unique and vital role played by the University of Kansas Medical Center and University of Kansas Hospital and strongly supports efforts to create and promote the region as a nationally recognized center for life sciences, cancer research and treatment. The Unified Government supports actions and efforts which will increase the presence and impact of both institutions in Wyandotte County.

Energy Efficiency

The Unified Government supports energy efficiency and the development of a statewide energy policy which enables local governments to act individually or in cooperation with others to address energy efficiency. Funding for the Efficiency Kansas program which assists homeowners in improving their homes should be restored.

Energy and Environmental Mandates

The Unified Government opposes federal and state mandates which regulate the operations of municipal electric, water, solid waste, storm water, telecommunications and broadband utility services which do not come with adequate funding to address the mandate.

Stormwater Management

The Unified Government endorses regional and cooperative solutions to stormwater quality and quantity challenges and encourages the Kansas Department of Health and Environment and the Environmental Protection Agency to work with cities and provide technical support in the implementation of reasonable regulations related to stormwater management.



Staff Request for Commission Action

Tracking No. 20495

Full Commission Meeting Date: 12/3/20

Committee: Public Works & Safety

Date of Standing Committee Action: 11/16/20

(If none, please explain):

Publication Required: Yes

<u>Date:</u> 11/25/2020	<u>Contact Name:</u> James Bain	<u>Contact Phone:</u> x5077	<u>Contact Email:</u> jbain@wycokck.org	<u>Department/Division:</u> Legal
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Item Description:

Project Name: Safe Routes to School, Phase G, Carl B. Bruce Middle School and Caruthers Elementary School (CMIP No. 3037)

A resolution declaring that this project is necessary and valid improvement project, submitted by James Bain, Assistant Counsel. This project is part of the UG Safe Routes to School program that has the objective to provide safe paths for pedestrians, reduce congestion, and rehabilitate neighborhoods. It will provide pedestrian access between two schools, transit routes, and other activity centers. The project will include reconstruction of sidewalks in disrepair and building gaps between existing sidewalks from Cleveland Ave. and Waverly Ave. between 18th St. and 10th St. as well as north-south connectors between Cleveland Ave. and Parallel Pkwy. along 13th Street and 11th Street. This Resolution directs the Chief Counsel to cause a survey and description of such parcels to be undertaken and prepared by a licensed land surveyor or a professional engineer to identify and describe the property to be acquired for this project, and to submit an Ordinance authorizing the exercise of eminent domain and to undertake all other necessary actions to complete the acquisition of such parcels.

Action Requested:

To adopt the resolution.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

1 Resolution.SRTS G

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, use and repair of the **Safe Routes to School, Phase G, Carl B. Bruce Middle School and Caruthers Elementary School (CMIP No. 3037)** all in Wyandotte County, Kansas.

**BE IT RESOLVED BY THE COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

SECTION 1. It is hereby found and determined necessary that certain lands be condemned for public use providing for land necessary for construction, maintenance, operation, use and repair of the **Safe Routes to School, Phase G, Carl B. Bruce Middle School and Caruthers Elementary School (CMIP No. 3037)**. This project is part of the UG Safe Routes to School program that has the objective to provide safe paths for pedestrians, reduce congestion, and rehabilitate neighborhoods. It will provide pedestrian access between two schools, transit routes, and other activity centers. The project will include reconstruction of sidewalks in disrepair and building gaps between existing sidewalks from Cleveland Ave. and Waverly Ave. between 18th St. and 10th St. as well as north-south connectors between Cleveland Ave. and Parallel Pkwy. along 13th Street and 11th Street. This project is all in Wyandotte County, Kansas.

SECTION 2. The Board of Commissioners hereby directs and authorizes its Chief Counsel to cause a survey and description of such parcels to be undertaken and filed with the Clerk of Wyandotte County/Kansas City, Kansas; to thereafter prepare and submit to the Board of Commissioners an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Board of Commissioners to initiate eminent domain proceedings in the District Court of Wyandotte County, and to undertake all other necessary actions to complete acquisition of such parcels.

SECTION 3. This resolution shall be published once in the official County, newspaper, The Wyandotte Echo.

**ADOPTED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

THIS _____ DAY OF _____, 2020.

UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

Edward J. Bain
Assistant Counsel



Staff Request for Commission Action

Tracking No. 20498

Full Commission Meeting Date: 12/3/20

Committee: Public Works & Safety

Date of Standing Committee Action: 11/16/20

(If none, please explain):

Publication Required: No

<u>Date:</u> 11/25/2020	<u>Contact Name:</u> Chase Cook	<u>Contact Phone:</u>	<u>Contact Email:</u> ccook@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> A Resolution authorizing the Mayor to sign an addendum to the Interlocal Cooperation Agreement between the Unified Government and the City of Bonner Springs, Kansas, submitted by Chase Cook, Assistant Counsel. The addendum will extend the long standing agreement with Bonner Springs to provide street maintenance and emergency services to the unincorporated area of Loring in 2021.				
<u>Action Requested:</u> To adopt the resolution and authorize the Mayor to sign.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Loring Resolution - 10.29.20, UG.BonnerSprings.1Year.Agreement(2021).Final				

RESOLUTION NO. _____

**BE IT RESOLVED BY THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS**

That the Mayor of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby authorized and directed to execute in the name of the Unified Government and to attach the seal of the Unified Government thereto as the voluntary act of the Unified Government as Addendum to the Interlocal Cooperation Agreement among the Unified Government of Wyandotte County/Kansas City, Kansas and Bonner Springs, Kansas for street maintenance and emergency services to the unincorporated area of Loring being dated _____. The County Administrator and Unified Government employees are directed to take any action required and to execute any instruments necessary to satisfy the intent of this Resolution.

THIS RESOLUTION IS ADOPTED by the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas, this ____ of _____ 2020.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS

By:

David Alvey
Mayor/Chief Executive

(SEAL)
ATTEST

Unified Government Clerk

Approved as To Form:

Misty S. Brown, Deputy Chief Counsel

ADDENDUM TO INTERLOCAL COOPERATION AGREEMENT

THIS ADDENDUM is made and entered into this ____ day of _____, 2020, by and between the Unified Government County/Kansas City, Kansas, the City of Bonner Springs, Kansas, adding additional terms to the Interlocal Cooperation Agreement entered into by and among the parties and the City of Edwardsville and dated May 16, 1996, and to the 1997, 1998, 1999, 2001, 2002, 2003, 2007, 2013, 2018, 2019, and 2020 Addenda to the Agreement.

WHEREAS, the parties wish to amend certain provision of the Agreement and addenda.

NOW THEREFORE, the parties agree as follows:

1. Paragraph 8 of the Agreement is amended to read as follows:

8. Street Maintenance. Bonner Springs will provide for a one (1) year period street maintenance, traffic control signs and devices, snow removal, right-of-way mowing, pavement markings and guardrail maintenance for the Loring area, the unincorporated areas of Delaware township south of Bonner Springs. The Unified Government agrees to pay in each fiscal year \$113,454.27 beginning in fiscal year 2021. Bonner Springs shall perform, pursuant to its ordinances and state laws, noxious and general weed control within the Loring area, as well as within Bonner Springs. The Unified Government agrees to provide storage and sale of weed control chemicals. The Unified Government does further agree to use whatever authority is has under Kansas law to assist Bonner Springs in the above noted responsibilities. The Unified Government will be responsible for property maintenance of Unified Government owned properties in Bonner Springs and the Loring Area.

2. Paragraph 10 of the Agreement is amended to read as follows:

10. Emergency Services. Bonner Springs will provide police, fire, and ambulance services to the Loring area for a one (1) year period, beginning January 1, 2021 for the annual sum of \$29,072.65.

3. Paragraph 11 of the Agreement is amended to read as follows:

11. Payments. All annual payments to be made pursuant to this agreement shall be made no later than February 3, 2021.

4. The Interlocal Cooperation Agreement dated 1996, subsequent addenda and their terms re incorporated herein.
5. All other provisions of the Interlocal Cooperation Agreement and the 1998 addendum shall remain as previously agreed to, consistent with this addendum.

IN WITNESS WHEREOF, the parties hereto have executed the above and foregoing Addendum the day and year and written above.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS

David Alvey
Mayor/CEO

Attest:

Unified Government Clerk

Date: _____

(Seal)

CITY OF BONNER SPRINGS, KANSAS

By: _____
Jeff Harrington
Mayor

Attest:

Christina Brake, City Clerk

Date: _____

(Seal)



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

November 18, 2020

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for **PIPER LAKE NORTH**

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of PIPER LAKE NORTH located at 124th and Meadow Lane and being developed by Mutual Savings Association FSA.

Currently, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

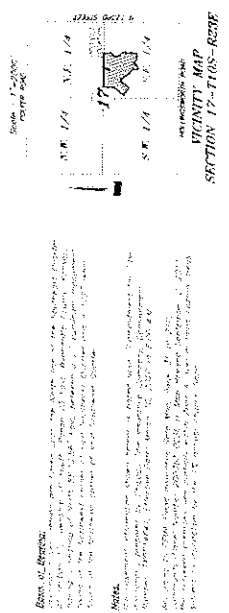
Brent E. Thompson, P.S.
County Surveyor

Troy Shaw, P.E.
County Engineer

Attachments

FILED TIK
NOV 19 2020
UNIFIED GOVERNMENT CLERK

(A Subdivision in the Southeast Quarter of Section 17, Township 10 South, Range 23 East, Kansas City, Wyandotte County, Kansas)

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Signature: BSh **BRENDA S. BROOKS** Notary Public - State of Kansas **Brenda S. Brooks** Notary - expires 11-20-2022

[illegible]

The authors thank Prof. J. J. van Veen for his interest in this work.
 Received March 10, 1976
 Accepted May 10, 1976

[illegible]

Handwritten entry on a lined page, likely a ledger or notebook. The text is written in cursive and includes a date "1870" and a signature "J. H. H. H.". There is a circular stamp on the right side of the page, which appears to be a library or archival stamp. The stamp contains the text "LIBRARY OF THE UNIVERSITY OF CHICAGO" and "JAN 10 1870".

[illegible]

Sheet 1 of 1

GEBA
GEORGE BUTLER ASSOCIATES, INC.
2700 TWO VICTORY / SUITE 200 / WASHINGTON, D.C. 20001
202-462-1100 / FAX 202-462-1101 / 202-462-1102 / 202-462-1103 / 202-462-1104 / 202-462-1105 / 202-462-1106 / 202-462-1107 / 202-462-1108 / 202-462-1109 / 202-462-1110 / 202-462-1111 / 202-462-1112 / 202-462-1113 / 202-462-1114 / 202-462-1115 / 202-462-1116 / 202-462-1117 / 202-462-1118 / 202-462-1119 / 202-462-1120 / 202-462-1121 / 202-462-1122 / 202-462-1123 / 202-462-1124 / 202-462-1125 / 202-462-1126 / 202-462-1127 / 202-462-1128 / 202-462-1129 / 202-462-1130 / 202-462-1131 / 202-462-1132 / 202-462-1133 / 202-462-1134 / 202-462-1135 / 202-462-1136 / 202-462-1137 / 202-462-1138 / 202-462-1139 / 202-462-1140 / 202-462-1141 / 202-462-1142 / 202-462-1143 / 202-462-1144 / 202-462-1145 / 202-462-1146 / 202-462-1147 / 202-462-1148 / 202-462-1149 / 202-462-1150 / 202-462-1151 / 202-462-1152 / 202-462-1153 / 202-462-1154 / 202-462-1155 / 202-462-1156 / 202-462-1157 / 202-462-1158 / 202-462-1159 / 202-462-1160 / 202-462-1161 / 202-462-1162 / 202-462-1163 / 202-462-1164 / 202-462-1165 / 202-462-1166 / 202-462-1167 / 202-462-1168 / 202-462-1169 / 202-462-1170 / 202-462-1171 / 202-462-1172 / 202-462-1173 / 202-462-1174 / 202-462-1175 / 202-462-1176 / 202-462-1177 / 202-462-1178 / 202-462-1179 / 202-462-1180 / 202-462-1181 / 202-462-1182 / 202-462-1183 / 202-462-1184 / 202-462-1185 / 202-462-1186 / 202-462-1187 / 202-462-1188 / 202-462-1189 / 202-462-1190 / 202-462-1191 / 202-462-1192 / 202-462-1193 / 202-462-1194 / 202-462-1195 / 202-462-1196 / 202-462-1197 / 202-462-1198 / 202-462-1199 / 202-462-1200 / 202-462-1201 / 202-462-1202 / 202-462-1203 / 202-462-1204 / 202-462-1205 / 202-462-1206 / 202-462-1207 / 202-462-1208 / 202-462-1209 / 202-462-1210 / 202-462-1211 / 202-462-1212 / 202-462-1213 / 202-462-1214 / 202-462-1215 / 202-462-1216 / 202-462-1217 / 202-462-1218 / 202-462-1219 / 202-462-1220 / 202-462-1221 / 202-462-1222 / 202-462-1223 / 202-462-1224 / 202-462-1225 / 202-462-1226 / 202-462-1227 / 202-462-1228 / 202-462-1229 / 202-462-1230 / 202-462-1231 / 202-462-1232 / 202-462-1233 / 202-462-1234 / 202-462-1235 / 202-462-1236 / 202-462-1237 / 202-462-1238 / 202-462-1239 / 202-462-1240 / 202-462-1241 / 202-462-1242 / 202-462-1243 / 202-462-1244 / 202-462-1245 / 202-462-1246 / 202-462-1247 / 202-462-1248 / 202-462-1249 / 202-462-1250 / 202-462-1251 / 202-462-1252 / 202-462-1253 / 202-462-1254 / 202-462-1255 / 202-462-1256 / 202-462-1257 / 202-462-1258 / 202-462-1259 / 202-462-1260 / 202-462-1261 / 202-462-1262 / 202-462-1263 / 202-462-1264 / 202-462-1265 / 202-462-1266 / 202-462-1267 / 202-462-1268 / 202-462-1269 / 202-462-1270 / 202-462-1271 / 202-462-1272 / 202-462-1273 / 202-462-1274 / 202-462-1275 / 202-462-1276 / 202-462-1277 / 202-462-1278 / 202-462-1279 / 202-462-1280 / 202-462-1281 / 202-462-1282 / 202-462-1283 / 202-462-1284 / 202-462-1285 / 202-462-1286 / 202-462-1287 / 202-462-1288 / 202-462-1289 / 202-462-1290 / 202-462-1291 / 202-462-1292 / 202-462-1293 / 202-462-1294 / 202-462-1295 / 202-462-1296 / 202-462-1297 / 202-462-1298 / 202-462-1299 / 202-462-1300 / 202-462-1301 / 202-462-1302 / 202-462-1303 / 202-462-1304 / 202-462-1305 / 202-462-1306 / 202-462-1307 / 202-462-1308 / 202-462-1309 / 202-462-1310 / 202-462-1311 / 202-462-1312 / 202-462-1313 / 202-462-1314 / 202-462-1315 / 202-462-1316 / 202-462-1317 / 202-462-1318 / 202-462-1319 / 202-462-1320 / 202-462-1321 / 202-462-1322 / 202-462-1323 / 202-462-1324 / 202-462-1325 / 202-462-1326 / 202-462-1327 / 202-462-1328 / 202-462-1329 / 202-462-1330 / 202-462-1331 / 202-462-1332 / 202-462-1333 / 202-462-1334 / 202-462-1335 / 202-462-1336 / 202-462-1337 / 202-462-1338 / 202-462-1339 / 202-462-1340 / 202-462-1341 / 202-462-1342 / 202-462-1343 / 202-462-1344 / 202-462-1345 / 202-462-1346 / 202-462-1347 / 202-462-1348 / 202-462-1349 / 202-462-1350 / 202-462-1351 / 202-462-1352 / 202-462-1353 / 202-462-1354 / 202-462-1355 / 202-462-1356 / 202-462-1357 / 202-462-1358 / 202-462-1359 / 202-462-1360 / 202-462-1361 / 202-462-1362 / 202-462-1363 / 202-462-1364 / 202-462-1365 / 202-462-1366 / 202-462-1367 / 202-462-1368 / 202-462-1369 / 202-462-1370 / 202-462-1371 / 202-462-1372 / 202-462-1373 / 202-462-1374 / 202-462-1375 / 202-462-1376 / 202-462-1377 / 202-462-1378 / 202-462-1379 / 202-462-1380 / 202-462-1381 / 202-462-1382 / 202-462-1383 / 202-462-1384 / 202-462-1385 / 202-462-1386 / 202-462-1387 / 202-462-1

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**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

November 18, 2020

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for **COPART II**

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of COPART II located at 88th and Gibbs road and being developed by Copart of Kansas Inc.

Currently, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, P.S.
County Surveyor

Troy Shaw, P.E.
County Engineer

Attachments

FILED TK
NOV 19 2020
UNIFIED GOVERNMENT CLERK



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

November 18, 2020

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for **ROTTINGHAUS ADDITION**

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of ROTTINGHAUS ADDITION located at 139th (K-7) and Hollingsworth Road and being developed by Tom Rottinghaus.

Currently, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, P.S.
County Surveyor

Troy Shaw, P.E.
County Engineer

FILED

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NOV 19 2020

UNIFIED GOVERNMENT CLERK

Attachments



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

November 18, 2020

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for **KAW VALLEY DRAINAGE DISTRICT FIRST
REPLAT**

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of KAW VALLEY DRAINAGE DISTRICT FIRST REPLAT located at 24th Street and Cheyenne Avenue and being developed by Kaw Valley Drainage District.

Currently, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, P.S.
County Surveyor

Troy Shaw, P.E.
County Engineer

Attachments

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NOV 19 2020

UNIFIED GOVERNMENT CLERK

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

SPECIAL SESSION, THURSDAY, NOVEMBER 5, 2020

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, November 5, 2020, with ten members present online. Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District (arrived at 5:17 p.m.); Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. Ramirez, Commissioner Third District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Bridgette Cobbins, Unified Government Clerk; Alan Howze, Melissa Sieben, and Emerick Cross; Assistant County Administrator's; Misty Brown, Deputy Chief Counsel; Kathleen VonAchen, Chief Financial Officer; Mike Taylor, Public Relations Director; Jeff Fisher, Executive Director of Public Works; Jeff Miles, Interim Fleet Services Manager; Vincent Billaci, Street Division Manager; and Dave Reno, Public Works Program Coordinator.

MAYOR ALVEY said before I call the meeting to order, I want to announce that due to COVID-19, individuals are attending remotely. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure that you announce yourself by name and title every time you speak so that the public participating knows who is speaking. This is critical given the number of remote participants in his current guidance from the Kansas Attorney General.

MAYOR ALVEY called the meeting to order.

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

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, November 5, 2020, at 5:00 p.m. by way of Zoom and online

for a presentation on an overview of the proposed Legislative Program followed by Winter Weather Report by Public Works.

Due to COVID-19 the public will be able to observe or listen to the meeting live on YouTube or UGTV or through Zoom.

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

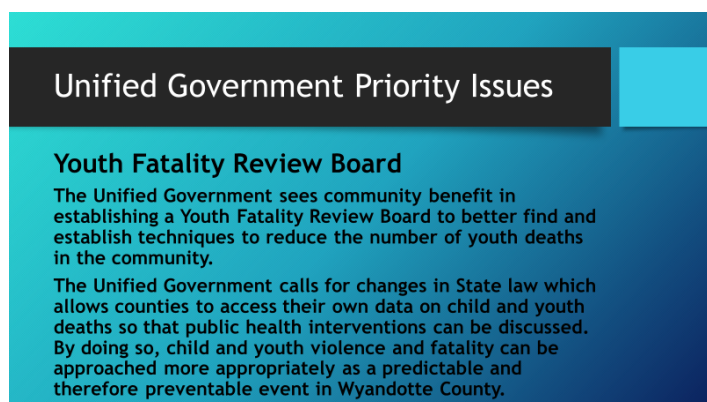
Mayor Alvey said we have two presentations tonight; the proposed Legislative Program followed by the Winter Weather Report by Public Works.

Doug Bach, County Administrator, said this evening the first part of our agenda is to go over a proposed 2021 Legislative Program as we consider this both for our State Legislative Program and Federal Legislative Program. Last year the Commission told us that you wanted to break up this session per years. We had always just come together, offer comments to it, and then come back and met with our delegation regarding our program. It was indicated last year it would be good for our Commission to meet first, go over it, discuss this and then we would move forward. So, this is really part one. We will go through it to make sure this is the direction we want to go on the different items that are laid out and then in a couple of weeks we will invite members of our delegation to come in and have an opportunity to convey with them some of the thoughts we have for this years program.

With that, I'm going to recognize Mike Taylor who serves as our Lobbyist in Topeka and has for a number of years. He's going to walk through this, what we have proposed in this years' agenda.



Mike Taylor, Public Relations Director, said I'm going to go over some of the new items. 2021 Legislative Issues, I'm going to talk about some of the new issues that have come into the fold and there are some kind of unique issues that we haven't traditionally seen.



One of the first ones is a request by the Health Department and this is the establishment of a Youth Fatality Review Board. The Health Department believes it would be a big benefit for us to be able to better find and establish techniques to reduce the number of youth deaths in the community. This would allow us, not so much by name, but to review the number of deaths whether it be by homicide, suicide, car accident. The Health Board talked to you a little bit about that last week. The hitch is, it's going to require a change in state law to allow us to access that information about those deaths. We're going to ask for a change in state law that would allow us to have better access to that information and be able to do some analysis and, hopefully, the goal would be then to see how our youth and youth is defined in this by ages 1 to 24 years of age and maybe come up with some prevention techniques or some other things that would allow us to better deal with that issue.

Unified Government Priority Issues

Alternate Construction Delivery

The Unified Government supports changes in State law which allow local governments to use design build and construction manager at risk techniques for public construction projects.

These techniques have saved Wyandotte County taxpayers millions of dollars on several major public construction projects, but are difficult to use under current State laws.

The next one is Alternate Construction Delivery. This was requested by Public Works and what it would do, it would allow local governments less restrictive ways to use design, build or construction manager at risk techniques as opposed to the traditional, that we're all used to, the traditional bid process. We've used this technique and the most recent example of that is the Turner Diagonal Project which finished millions of dollars less and months and months ahead of schedule because we were able to hire a contractor who could design and build simultaneously. The problem is, again, the state law is pretty restrictive on how we could use that.

We've also used a similar technique down at the Kaw Point Wastewater Treatment Plant and, again, it saved us a lot of money, so Public Works would be very interested and I know other Kansas communities are as well in us trying to seek some changes that would give us more latitude in using these kind of new techniques to increase the timeline on projects and save taxpayers money.

Unified Government Priority Issues

COVID-19 Contact Tracing

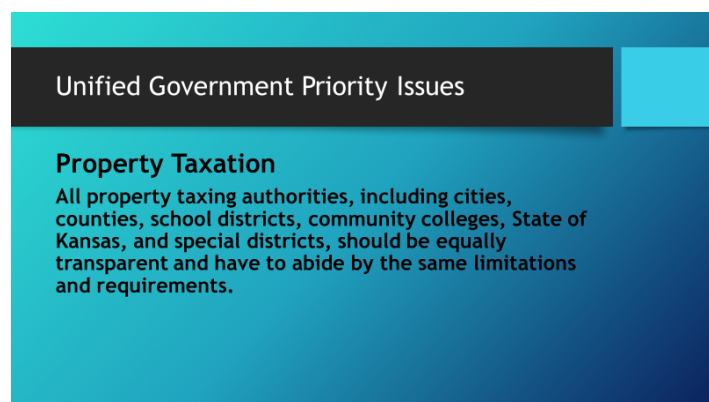
The Unified Government supports removing restrictions on Health Departments and their ability to conduct contact tracing for COVID-19.

Health departments must be allowed to collect appropriate information, identify contacts of positive COVID-19 cases, and work with employers to appropriately trace and stop the spread of COVID-19 in our community.

Another health issue is on our contact tracing with the COVID and one of the problems the Health Department tells me is that there are restrictions, and these have to do with privacy regulations, but we are pretty restricted in the information we can get. So, if a person tests positive for COVID,

in order for us to say alright, who were you with in the past 10 days, for example, and then we can go contact those people and instruct them they should probably be tested as well.

The problem is we're not allowed to have access to a lot of that information because of privacy concerns. The Health Department would like us to get some changes to that to allow them better access to that information so that we can do a better job of tracking down and, hopefully, controlling the spread of the COVID virus.



Property Taxation; if you remember, last year there was an effort to pass legislation called the Truth in Taxation Law and supposedly it was based off of a law in Utah although it was not exactly the way Utah did it. This was much more restrictive and if we raised taxes above where we were the previous year, we would have to report all of this.

The big complaint that we had was they didn't allow any exemptions, so if we built a new \$300K project that suddenly went on the tax rolls, that's obviously going to increase the taxes we collect, but we wouldn't be able to exempt that and count that as new growth and we think that was totally wrong. The other thing is, they didn't apply it to school districts, community colleges or the State of Kansas itself which whenever assessed value goes up in a community, the State of Kansas collects a lot more money off of their 20 mils for schools and 1.5 mils for State, but they wouldn't have to report it the same way.

One of our big arguments, and it will be again this year if it comes back, we should all be equally transparent with that and have to face the same kind of limitations. By the way, that bill did pass the legislature, but we were successful, and by we, I mean the League and Association of Counties and ourselves involved in that got the Governor to veto that legislation. It didn't go into effect and we think it may come back.

Unified Government Priority Issues

Property Tax Appraisals

The Unified Government favors procedural changes to the tax appeals process that are balanced and sensible for both the taxpayer and local governments. State law should require the Board of Tax Appeals to adhere to the same rules, guidelines and accepted practices County Appraisers are required to follow. County governments should be allowed to appeal property tax decisions to District Court, the same as the taxpayer is allowed.

We think Property Tax Appraisals kind of tied together with this would be another issue and has been for the last couple of years. This is the same policy that was in our program for the last couple of years and that is asking the State Board of Tax Appeals to adhere to the same rules, guidelines, and accepted practices that our County Appraiser has to use. Right now, as you all know, there has been some crazy, I'll call them crazy, decisions by the Board of Tax Appeals on what properties are actually valued at and they give these big breaks and it costs us a lot of money and gives really some unfair breaks. So, we're asking that they put into the law or the procedures that the Board of Tax Appeals have to follow the same basic rules that we do when we appraise that property.

The other thing is, they made a change a few years ago that said the taxpayer is able to appeal a property tax decision or an appraisal to District Court, but we're not as the County, allowed to do that. We think that's probably unconstitutional, certainly wrong, and that we ought to have the same right as an individual taxpayer to be able to appeal a voted decision to the District Court.

Unified Government Priority Issues

Internet Sales Tax Collections

The Unified Government supports State legislation establishing a program to collect State and Local sales tax from in-state purchasers. Remitted taxes should be distributed using existing methods for State and Local governments.

In order to ensure a fair playing field between Main Street businesses and online businesses, sales tax should be levied on digital goods transactions including print, audio, video, software, games and streaming services that provide those digital goods.

An oldie, but a goody, one that's been around forever, and we hope that we can get this law actually put on the books in Kansas, and many companies are already following it, but that's Internet Sales Tax Collections. Many, many businesses from Walmart to a lot of others are now following this and they are remitting the local and state sales taxes. If somebody goes online and orders from Amazon or from some third party seller, that they should have to collect the sales taxes that would be due as if they purchased that at a store in the Legends, for example. It's been a big fight for a number of years.

The Wayfair decision which went in front of the Supreme Court two years ago said no, that's appropriate, internet sales tax companies should have to collect that sales tax and remit it to the state and local governments. So, we're going to push and try to get that once again pushed and try to get that on the books.

Unified Government Priority Issues

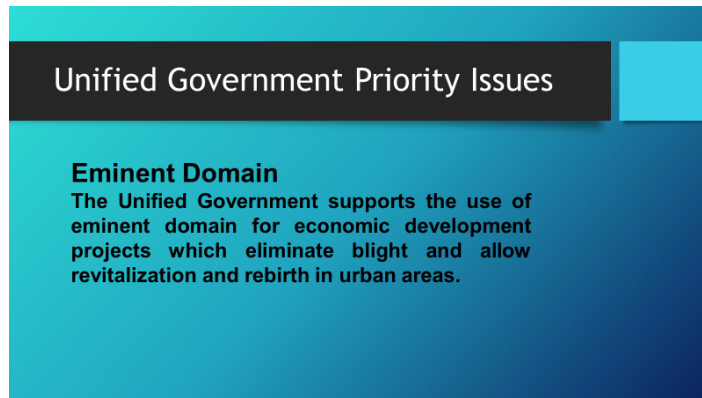
Medicaid Expansion

The Unified Government supports the expansion of Kansas Medicaid program which will improve access to care for those most vulnerable in Wyandotte County. It is estimated that expansion would provide insurance for 10,131 uninsured Wyandotte County residents, bring \$67.8-million in new annual healthcare spending to Wyandotte County and create hundreds of new healthcare jobs.

Another one we've tried for a number of years is Medicaid Expansion. We've been so close, so close many times. Last year even though the Majority Leader of the Senate, Jim Denning, a Republican came together with Governor Kelly and they worked out a compromise and together, jointly, introduced this bill to allow Medicaid Expansion and it was blocked by other leaders in the Senate and not even allowed to have a vote. One of the reasons that happened, quite honestly, is because that leadership knew the votes to pass this, and it had already passed the house, the votes to pass this Medicaid Expansion there were the votes on the Senate floor to do that which is why they held it up and wouldn't allow it to be voted on or else we would have had Medicaid Expansion probably two years ago, certainly last year.

As you can see on the screen, it would help more than 10,000 of our uninsured Wyandotte County residents and create—given the health care is so big in our community, the estimates are

this would create almost \$68M in new healthcare spending and create hundreds of new jobs because so many more people would have access to health care.



This is one that's been a standard in our platform for a long time. We still, even though it's prohibited, support the use of eminent domain for economic development projects which helps eliminate blight and allows for revitalization and rebirth in urban areas. That was blocked a number of years ago after a decision called the Kelo Decision came out of the United States Supreme Court and said that it was wrong for a government to take property from a private individual and then hand it over to, for example, a developer to do a new development. It was left then to the states to decide how the states would do that.

The State of Kansas, even though we fought it hard, chose to actually prohibit that practice and, quite honestly, we were one of the last cities in the state to use this and we did two projects with it. We did the Sun Fresh at 18th & I-70 when we took down that old abandoned truck stop and we used it for the Indian Springs project and those were, as far as I can tell, the last two economic development eminent domain projects that was done in the state of Kansas. We are going to ask again, and I won't get into a lot of detail, but we may well be asking to see if we can't revisit that issue because we think it would be beneficial.

Unified Government Priority Issues

Public Right-of-Way

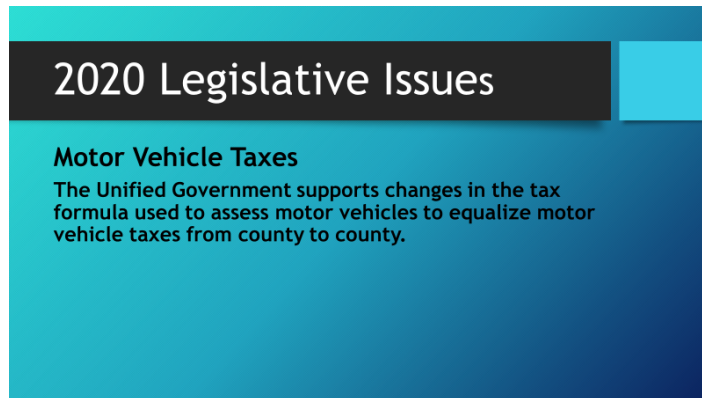
Cities must maintain their ability to regulate the public right-of-way and recover reasonable compensation for use of the right-of-way. Kansas policy should not be dictated by overreaching federal mandates.

The Unified Government opposes efforts to codify in State law Federal directives limiting the power of cities.

Public Right-of-Way; this was also an issue from last year and we, quite honestly, lost this battle. This has to do with largely the telecom companies that want to go into our right-of-way's and put up monopoles or other things particularly now as 5G is growing. We do have some regulation agreements with them, but pretty much they can come in any time they want and hang these microwave oven size transmitters on their lines that run between poles or go in and put in a pole and stack those on them.

We've got an example of it right down the street here, 6th Street, where you can look as you're headed around the corner from Barnett over to Ann, you can see those transmitters and it's an aesthetic issue, but also we think we ought to be able to have more control over the use of our right-of-way's.

We think, even though the telecom's won a big victory last year and got that bill passed, we think and have picked up intelligence information, they're going to come back and ask for even more, so we're going to work with other cities and ask that we have more control of our right-of-way, that the telecom companies, particularly, can't just come in and tear up our right-of-way's and put poles or transmitters wherever they want without having some kind of agreement with us or permits.



This is one that Commissioner Walters has asked for, for a couple of years and we're putting it in. As you know, the way motor vehicle taxes work, the calculation is tied to your ad valorem mill levy. The long and short of that is, in counties with a higher mill levy and that means schools, community colleges, the city, the county, you're going to pay higher car taxes as well because the formulas are tied together.

Counties with lower mill levies, the car taxes are cheaper and that's on the same vehicle and Commissioner Walter's thinks that, and it's a good idea, thinks that we ought to try to equalize that so that no matter where you register your car, if I'm driving a 2018 Honda CRV, I could register it in Wyandotte County for the same cost that I could register it and pay my taxes in Saline County.

The problem with this is to equalize those motor vehicle taxes, we're going to get a lot of flack from counties where they have the lower tax and that's going to be kind of a big fight, but we're going to see what we can do to pitch this idea. I've talked to the Association of Counties about it for a couple of years and they're not really on board with it, and I don't particularly want to take this issue on alone, but we're going to see if we can't build a coalition and at least get this considered by the House or Senate Tax Committee.



Those are kind of the new issues that I see coming up in 2021 and, of course, you always have to be quick in responding because things come up that you never anticipate, but we'll see what happens.

The other thing I want to mention is, we're not sure how the legislative session is going to work this year because of the COVID pandemic. They adjourned way early last year, so that they didn't all have to be around each other. You know 125 members in the House, 40 members in the Senate, but the legislative rules do not allow for Zoom meetings and I'm not sure how you would actually conduct a Zoom meeting in floor debate with 125 people. So, they are going to have to visit that issue to figure out if we're actually going to be meeting in person. They've been doing committee meetings via live streaming, but in terms of doing the full body, that's not really in the legislative rules. They would have to get together and change that rule if they want to try to that by Zoom. I'm watching that closely to see exactly how they decide procedurally to actually go ahead and hold the legislative session starting in 2021. Hopefully, the pandemic will be waiving and over but I'm not seeing any signs of that yet.

That's kind of a big overview and I'll be glad to take questions and open it up for your discussion.

Commissioner Walters said my thank you for adding that item. I wanted to explain just a little bit more and hope I can get the rest of the commissioners to support this. I think, Mike, in your presentation the assumption is that somebody at the State would do a lot of arithmetic and come up with sort of an average revenue amount or taxation amount and apply that across the board and some counties would have their fees lowered and some counties would have their fees increased. It doesn't have to be that way. For example, they could find the lowest cost county across Kansas

and establish that as the benchmark and if some county loses revenue, they have every ability to increase their mill levy to make it zero out and, likewise, if some county increases their revenue, they have every right to lower their mill levy to zero it out.

The commissioners of the county have every ability to make this a zero net revenue affect, but right now I just see a lot of inequity. It just so happens that just last week a new neighbor stopped me and said you know I had to pay \$200 more to register my vehicle when I moved from Shawnee and there's yeah, you do, and we can't do anything about that. So, that's a little frustrating.

If they would adopt this, each county commissioner would have absolute control over how they tax their citizens, so that's my perspective on it.

Mr. Taylor said I think it's a good idea. When I first brought this issue to the Association of Counties I think, Jim, it's probably been three years ago, I got a lot of pushback on it and I'm going to take it to them again to see if I can't change their perspective on this. I certainly wouldn't want to go in and have the Association of Counties opposing this, but if I can get them to at least stay neutral or maybe if I'm a good enough lobbyist, I can get them to help us support some legislation to get this pushed.

Commissioner Walters said when I mentioned this to Lew Levin, his first reaction was well we would lose revenue. If we lower our taxes on vehicles, we will lose revenue. Well, yeah, but if that's a concern, we can always raise our mill levy if we want to make sure we don't lose revenue, but it gets us in control instead of the State and removes the incentive for people to register their cars outside our county which is frequent. Believe me, it's frequent.

Mayor Alvey said the Alternate Construction Delivery; I appreciate the fact that Jeff Fisher brought this forward. It seems like that ought to be an easy move since I thought I heard the Transportation Secretary describe that part of Governor Kelly's and her approach moving forward to expedite projects across the State was to use this very methodology and it was used on the Turner Diagonal. There was a little bit of pushback I thought when they first tried it, but the Turner Diagonal ought to be the proof case that this is an effective way.

My only concern is that I often hear from folks, and I hear it at the Kansas League of Municipalities, it is the same way—similar to the Property Taxation. The issue there is that

somehow local governments are not competent to do what they need to do, therefore, the State Legislature has to be in charge even of local government. That seems to be a common thread that comes out. Other than that complication, it seems to be the Alternate Construction Delivery ought to be a slam-dunk.

Mr. Taylor said, Mayor, I would hope so. I think we will and traditionally on this issue when it has come up, to just make little tweaks to it, there has been pushback from the heavy constructors and from a lot of the traditional contractors who are used to going through the traditional bid process. So, before the session starts, if you all want to leave this in the program, I'm going to reach out to my contacts with those groups and try to minimize some of that opposition. I think they would still be able to get as much business as they ever did. For some reason there is a fear that if we go out under design, build or construction manager at risk, that they are going to lose business and I don't think that's true, so we're going to have to make a good case to convince them that no, and it's worked well. Again, we've got the Turner Diagonal and the Kaw Point facility to point to how it has worked so well for us and saved taxpayers millions of dollars.

Mayor Alvey said it brings projects to fruition much faster with fewer design changes because it's all part of the same process.

Mayor Alvey said the other thing on the Property Taxation, I don't know that that piece fully captures—that that statement fully captures what that proposal is or that initiative is. In the Senate, I believe, it's requiring us to send out an additional communication which would simply increase the cost of communication, but what I think is lost in this is there is an assumption that somehow people do not have adequate opportunity to attend to—or what moves a county commission is making or a city is making in terms of mill levy when in fact it's my experience that's it's a very transparent straight forward process. It's almost like—I think it's attacking a strawman. So, I just think maybe on that piece we need to flush out what that initiative is that is being brought forward and what specifically—maybe we need to adopt the language from the League of Kansas Municipalities on that.

Mr. Taylor said right, and a lot of that language that I had there is from the League and for brevity I shortened it some, but if we look back into the Tax and Finance section, there's a little more detail, but I agree with everything you just said. We opposed it on all those grounds you just

mentioned. I just thought it would be a little lengthy to put every bit of that language because it was a complex bill. One of our big objections on that, and it will still continue to be, is that it didn't give us any kind of an exemption for new development and growth which the Utah law that they said was a model of was actually exempted new growth. Like I said, if we built a new \$300M development somewhere and that goes on the tax rolls, we would have to notify taxpayers that we're collecting more revenue than we did the previous year even though that revenue didn't exist before. We think that just doesn't make any sense at all. I agree and we can flush out a little more language if you want, but we're exactly on track with the League on that and all of those arguments.

Mayor Alvey said having met with the Senator who is proposing this, frankly, I believe it is just a bit of posturing to present herself as being advocate for taxpayers when in fact she is actually increasing the revenue burden, I mean the cost burden, because she wants to double down on the notices and how they go out. I could not discern in any way how this would increase transparency. What we do is already transparent. It's out there, it's straightforward. It just seems to me a strawman.

Mayor Alvey asked, questions or comments from the Commission? Seeing none, thank you Mike for that presentation. That will take us to our next topic which is the Winter Public Works Program and I will pass it back on to Mr. Bach.

Doug Bach, County Administrator, said the next item up is just an update to go over with the Commission some of the things we have in place as we anticipate the winter months coming upon us. With cold weather comes snow and ice and we have operations set forth to work with that, so our team is here this evening. They will run through just a few things that we're doing so the Commission will understand what we do when we see snow come in during the day or overnight.

I will recognize our Director of Public Works Jeff Fisher to lead off for the team.



Jeff Fisher, Executive Director of Public Works, said I will recognize a few people that joined me for the presentation. We have Vincent Billaci, our Streets Manager; Jeff Miles, our Fleet Manager, and David Reno. I'm really excited working with these guys. They are really making some meaningful improvements.

Before I get started on the presentation I did want to make a quick update. You might recall about a month ago we were supposed to make this presentation and, unfortunately, that day we had a serious accident with one of our teammates, Tim Saint. He has been in good hands, he has been real strong, his family has been real strong. We stay in constant contact with him and his wife. He's went through some pretty serious procedures, but all in all he is doing as well as you could possibly expect, and we are looking forward to having him back one day soon.

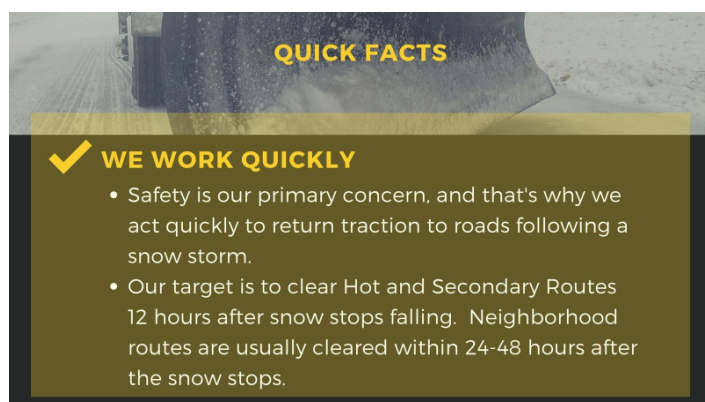
Winter Weather Operations; we've made this presentation for the last couple of years to roughly describe or highlight our programs, our procedures, our protocols. I think most people appreciate this service quite a bit and respect the work that's done. We get a lot of positive feedback so we're real excited about getting started this winter. Obviously, we're expecting weather and we're ready for it.

QUICK FACTS

✓ **WE TREAT A LOT OF STREETS**

- Kansas City, Kansas has 2,400 lane miles of streets that need to be treated multiple times every year.
- Over the previous 5 years, we've averaged 9,700 tons of material usage per season.
- Last year, we responded to 13 storm events.

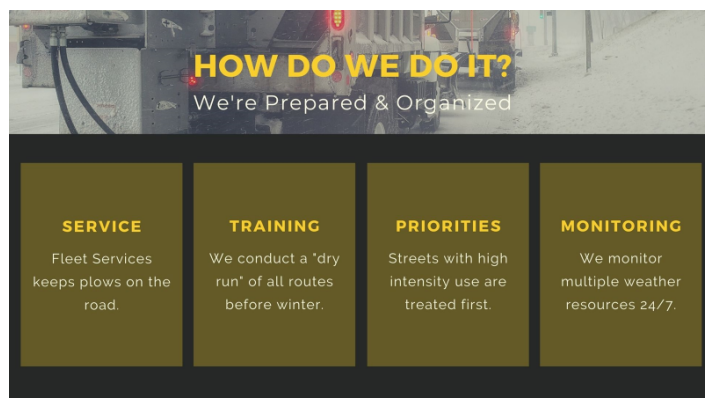
You've heard us mention, at least me, a few times that we have a big system to manage. We have 2,400 lane miles in Kansas City, Kansas. That is 400 lane miles bigger than Overland Park to give you a reference. This crew does an excellent job in winter weather and we aim to continue doing that. Over the last 5 years we've used—we've averaged about 9,700 tons of material. Last year we had about 13 storms and 7 of those were within a 12 day period. That was a rough stretch. It really challenged our resources. We did an excellent job though.



Safety obviously is paramount for not only the public, but our drivers. We take a lot of precautions. In fact, I will say we are moving to 12-hour shifts this winter from the 16-hour shift schedule. That is primarily for the safety of our drivers and the public. We believe we're going to get—we're going to do some excellent things with this. It's tough on these drivers to be out there in the middle of the night plowing and then go for 16 hours, so we're going to shorten it to 12 hours. We're excited about that for our drivers.

Our target is to clear hot and secondary routes in 12 hours after the snow stops and the neighborhood routes within 24-48 hours. I will say this winter might be particularly challenging because of COVID. As you know, this summer we had 21 vacancies in the Street Division alone and I know there are a number of vacancies in Parks that are a big part of this operation. We have our (inaudible) in. It takes a little time, so we have Water Pollution Control employees that are stepping up and jumping in and getting trained and we're excited about that. Of course Parks is always a big help, so I think we will be able to deliver, but it might be a little tricky for us.

I will let Jeff Miles take it over for a little bit.



Jeff Miles, Interim Fleet Services Manager, said I'm going to start out with training. Some of you guys remember last year that we did our first annual rodeo out at the Indian Springs Mall. This is something that a lot of other cities, most other cities I should say, has done for several years. We started last year and just kind of tippy-toed in it. This year we really raised the bar, made it much more challenging. We had 49 participants and I'm happy to say the Mayor was one of them who did quite well, and Vinny wanted me to pass on that as soon as you get a CDL, Mayor, you can out and help drive these trucks with us. We did have the Street Department, we had Water Pollution Control, and I'm happy to report through this more challenging course everybody improved from last year to this year and that includes—of course, we do this not only for a team building event, but as well as for new employees. Instead of just sending them out in the middle of a winter storm, this gives this a weight in a safe environment to practice and the veterans, it lets them sharpen their skills as well.

In addition, we did partner up with the city of Prairie Village and the city of Edgerton as well and they came out and helped us make the course. Next year our goal is we're going to compete side by side with other municipalities to just continue to raise that bar.

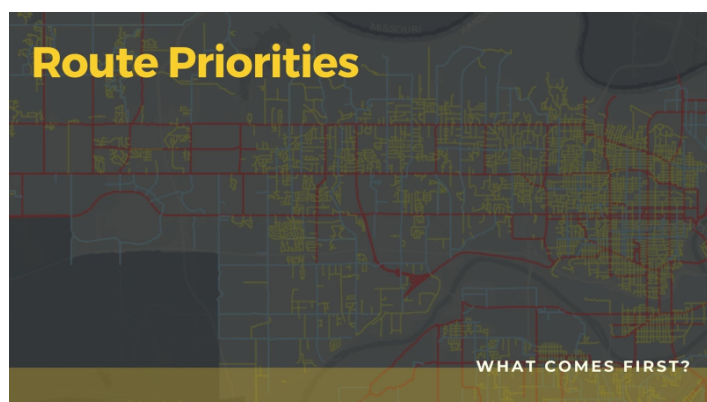


I will shift to service now. Very similar hours. We're going to the 12-hour shift as well as Streets for our teams safety as well but getting prepared for the winter in Fleet Services is really a three event. We start in late summer and Vinny's team puts all the piles together. They bring them in the Fleet. We do a complete once over on them making sure they're operational and ready to go for the winter as well as what we've stepped up is calibration. The spreaders you see in back of all the trucks require constant calibration to where it's putting just the right amount of salt down on the street. Too much is obviously detrimental to our infrastructure and not enough is not being productive, so it's a calibration that we do and that we're putting down just the right amount and ultimately save from wasted salt as well.

Once an event comes, our crews come in to work—they identify hours as the street crews and they're on hand to do normal repairs when there are no snow trucks in our shop, but when an emergency happens, an emergency repair or even a plow, we have several plows that are backup plows. They will bring the trucks in and we do a quick swap out and get the trucks right back out on the streets.

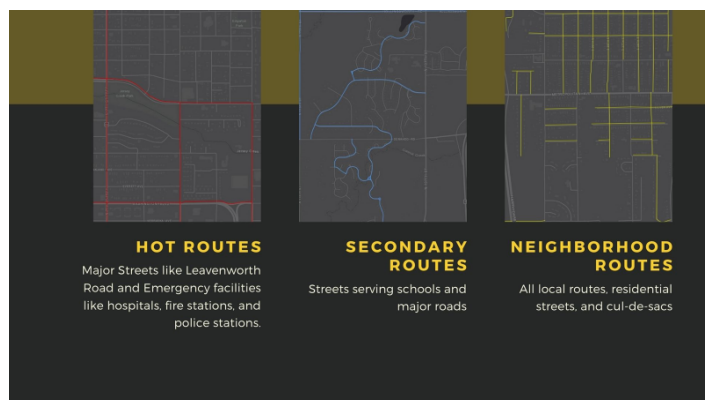
After an event is a very important part of service as well. Vinny and his team does a great job of cleaning the vehicles to keep them from corroding and causing damage. They bring them into us, and we do a post event inspection of the trucks and get them prepared for the next event.

With that said, I'm going to shift it off to Vinny and he is going to go over route priorities.

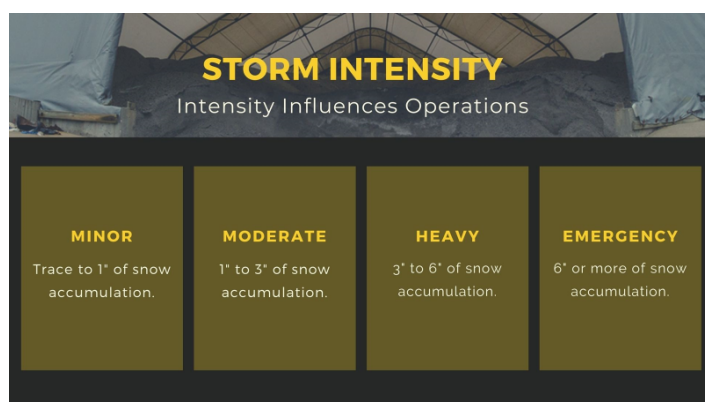


Vincent Billaci, Street Division Manager, said before jumping into route priorities, I will mention the monitoring we do throughout the season. We are constantly monitoring the weather, road temperatures and any incoming systems. We utilize a service called Weather or Not which

gives us detailed forecast specific to our county as well as the multiple local meteorologist gets prepared for each event.



Snow routes are prioritized based on traffic volume as well as the speed of travel on those roads. The first we have is hot routes. These are main roads such as Parallel, State Avenue, Metropolitan and any roads with emergency facilities or hospitals. From there we move on to secondary routes. These are collector roads out in neighborhood routes that feed the hot routes. Last we have neighborhood routes which are, of course, residential roads, cul-de-sacs and dead ends.

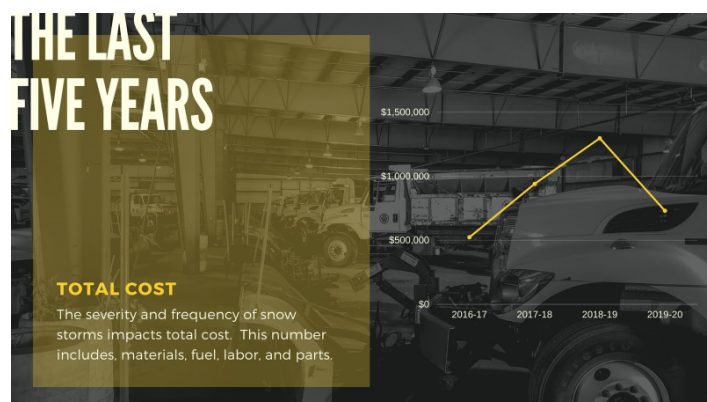


Just the different types of events and how we respond to those. A minor event is going to be a trace to 1 inch, and this was the majority of our storms last year. We'll have a crew in, and they will at least be treating the bridges and potentially more on the higher end of this. A moderate event is 1 to 3 inches. We'll be treating hot routes and secondaries on these. A heavy event is 3 to 6 inches of snow. We get a lot of assistance from Parks & Rec on those and we'll be plowing and treating all routes. Snow emergency; anything over 6 inches. By ordinance, the Director of

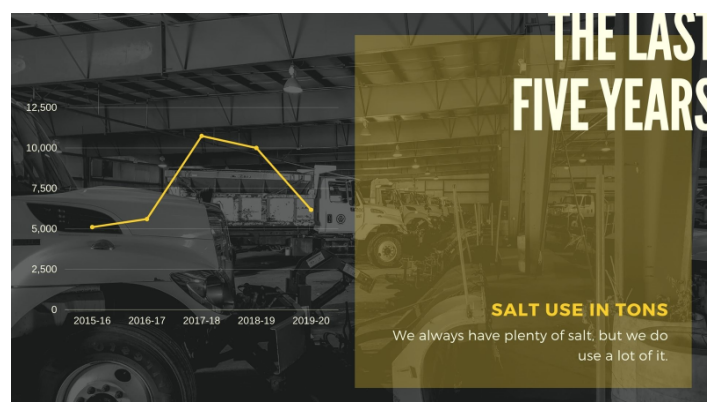
Public Works can declare a snow emergency at any of these levels, but it will most likely be at this higher event.

For those that recall, we actually did this in November of 2018. Snow emergency, until it's terminated, no vehicle shall operate in a manner in which they can become stalled by reason of not being equipped with radio tires, snow tires, or having tire chains. It's likely in conjunction with a snow emergency a parking emergency will be declared. With this, no parking is allowed on designated snow routes and all vehicles must be removed within two hours of the declaration.

With these type of events we will again receive a lot of assistance from Parks & Rec and we will be plowing and treating all routes.



This graph shows the 5-year average of the total cost, so this is materials, labor, fuel and any parts that were used. It's directly related to the number of events as well as accumulation totals. Last season, the 2019-2020 season, we had 13 events but only two of those were over 3 inches. The rest were dustings and the couple freezing fog events. As Jeff mentioned, January was a particularly tough month. We had 7 events in 12 days.



This graph again, it's a 5-year average of the salt usage. Again, it's directly related to the number of events as well as accumulation totals. From here I will turn it over to Dave Reno.



Dave Reno, Public Works Program Coordinator, said first, I really do need to recognize that Jeff, Vinny and Miles were part of Build A Culture which appreciates the importance of communications really on a fundamental level. Our team values this work, and we actively apply ourselves to improving on it every day. For the last two years Public Works has taken a number of important steps towards increasing our communications both internally and externally. Internally our snow crews are actively communicating with the Police Department, Fire Department, with BPU during snow storms and this is really very important because it contributes to community-wide safety benefits. If an ambulance needs to get access to a house at the bottom of the hill to save a life, our snow crews won't just know about it, they'll be on-site to make sure that ambulance has the access that it needs. If an icy tree falls into the street and 20,000 residents lose power, our snow crews won't just know about it, they'll be on-site to make sure the BPU has a safe access that they need to get the heat turned back on.

Now, externally, Public Works actively engages the community through neighborhood organizations, business associations, public schools, of course; through our website and then on social media. Every year Vinny and I travel to one or two Livable Neighborhood meetings and give a presentation to our local neighborhood leaders about what they can expect during a snow storm, how our crews prioritize routes, who they can call with issues, and of course what they can do to help us be even more efficient than we already are.

In addition to those presentation to Livable Neighborhoods, we also travel out to local groups by invitation. So, for those watching at home, please do feel free to reach out about us to

present at one of your neighborhood meetings. We're happy to get out there, get your questions answered. Even this year, it's by Zoom instead of in-person.

In addition to these sort of traditional approaches to community engagement, Public Works also has embraced the use of social media to provide really real time updates about our activity before, during and after a snow event.

Throughout the course of a snow storm we're going to post at least three times on the Facebook page and that's at city of KCK, so the first post almost always describes what we're doing whether that's pretreating neighborhood routes or monitoring an incoming storm with expected low temperatures and heavy snow. The second post usually follows a number of hours later and it lets our community know how things are going. Are hot routes clear, is there still time—do we still have some tough patches of ice out there, what about we're just finishing up stuff, working through neighborhood routes, that kind of thing.

Now, the third post that follows generally shows up when snow operations are complete. This is the time when crews are heading home for some rest, vehicles are being repaired by Miles and his crew and, of course, traction has been restored to streets. Although we may still have crews out touching things up, really at this time operations have wound down and the process of preparing for the next storm has begun.

Last year Public Works also started doing something new and for the most part it really runs in tandem with the posts that appear on social media. What is it? It's easy. It's communicating directly with our local school districts about snow operations, so we do this through in-text message thread with leaders or their designees throughout the course of a storm. The method is really similar to the one on social, but it's really geared toward keeping our districts informed about conditions on the road. This communication helps our school officials make more informed decisions about not just potential school closing, but the safety of staff that are still right now are working in local schools. We continue that communication now. We're going to continue it moving forward and I think everyone involved agrees that it really does add quite a bit of value to the work that we do on behalf of the community.

On a quick final note, I want to speak just a little bit about adding a value to our community. There is a type of outreach we perform that doesn't always have direct educational benefits to snow removal operations, but it really is none-the-less an extremely important community engagement endeavor and so what is it. It's easy. It's called having a little bit of fun.



Here's a great photo of that fun in practice. Last year we thought it might be cool to have some local students paint a snowplow as sort of a pilot program and after asking around a bit, Ms. Alvarado's preschool class M.E. Pierson Elementary said that they would be happy to paint a snowplow, and this is the result. So, a huge shoutout to M.E. Pierson and Ms. Alvarado's class again this year given the success of this pilot and really the interest it generated, Public Works would like to continue to do this and we would like to expand this opportunity to more schools in the future. Obviously, COVID-19 has thrown something of a wrench in the program for this year, but we're certainly still interested in continuing in the future as the health and safety allows.

With that said, I will send the presentation back over to Jeff so he can cover another interesting Winter Weather Program.



Mr. Fisher said this is real exciting. We hoped to have this off the ground by winter but with COVID impacts we weren't able to do that. It will be ready sometime maybe in February. It is a Salt Brine operation. Most people have noticed the white stripes on the KDOT system in other cities. That's Brine and we will have that same system that will be used to improve safety ahead of a storm, to improve effectiveness of the operations that we normally have, and so we're all

looking forward to that. Vinny's team and Jeff's team, this was a big team effort; Streets, Fleet, Water Pollution Control, Facilities, and Parks all involved in making this thing happen. It will be quite an enhancement to the operations.



Those teams—everybody involved takes a lot of pride in this. They work really hard, they work long hours, it's challenging. There are some things that the public can do to help. Obviously, in winter weather if you don't have to go somewhere, please don't. If you can avoid parking on the street, that would be appreciated. This presents a number of different challenges and makes it very difficult for the drivers to do an effective job and in a lot of cases makes it difficult for folks to get to where they need to go safely.

Property owners are responsible for mailboxes. Please secure your mailbox. If it's not, it's very possible that the snow pushed to the side from the plow will push it over. When you're shoveling the driveway, when you're looking out to the street from your driveway, shovel to the right. If you shovel to the left, it's highly possible the snowplow will come by and push it back into your driveway.

For folks with kids we encourage you not to allow them to make snow caves and piles along the street or in cul-de-sacs. Our drivers may not see them, and we don't want that, so please don't let the kids make snow caves in the piles.



I will let Mr. Reno and Mr. Billaci run through some frequently asked questions.

Mr. Reno said these are just some questions that we hear every year and so Vinny and I thought it would be useful to just run through them real quick. Vinny, the first question is up. I promise no curveballs on here. Why isn't that snow truck plowing the street? **Mr. Billaci** said as mentioned previously depending on the event and accumulation totals, we might not be plowing, or that particular driver could be traveling to their assigned route.

Mr. Reno said Question No. 2, Why is snow blocking my driveway? It's super annoying. **Mr. Billaci** said we definitely don't do that intentionally. One way you can prevent this, as Jeff said, looking out to the street as you're shoveling your driveway push that snow to the right. That prevents the snowplow from dragging it back through. Also, snowplows are going to make numerous attempts down each street to clear it, so waiting until the plow is completely finished with your road before shoveling will also help this.

Mr. Reno said what about this next one here. What knocked my mailbox over? **Mr. Billaci** said the answer to that is the snow knocked it over. As Jeff mentioned, snow is quite heavy especially when you think of an entire lane of snow being pushed to the side, so it's very important to make sure your mailbox is sturdy and withstand that weight.

Mr. Reno said lastly, why is that snowplow not applying salt to the road? **Mr. Billaci** said, again, I mean they may only be plowing at that time or the operators could be heading to their assigned route or could be heading back to get more material. Mr. Fisher, it's back to you.

Mr. Fisher said that's all we have. We'll entertain any questions you might have.

Mayor Alvey asked any questions or comments from the Commission. Seeing none, I'm going to say thank you for that update. It was very informative, and I liked that little last piece. The real question is why is there snow anyway, period. Just get rid of the damn stuff.

MAYOR ALVEY ADJOURNED
THE MEETING AT 5:49 p.m.

Bridgette Cobbins
Unified Government Clerk

dt



Suite 323
Kansas City, Kansas 66101-3070

Unified Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: November 19, 2020

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tpl

Attachment

1. ELECTION ABSTRACT:

Abstract of votes cast in Wyandotte County, State of Kansas, at the General Election, held November 3, 2020.

Action: Received and filed.

2. REPORT:

Self-Supporting Municipal District/Downtown Improvement District (SSMID) financial report for the month of October 2020.

Action: Received and filed.

3. COMMUNICATION:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Reissue?</u>	<u>Date Issued</u>	<u>AMOUNT</u>	<u>FUND / ACD</u>	<u>Vendor Name/Number</u>	<u>Reason for void</u>
883084	NO	11/13/2020	\$260	790 2118	Atkins, Richard S III #8775P	Issued in error
883085	NO	11/13/2020	\$440	790 2118	Carmack, Helen #8774P	Issued in error
883086	NO	11/13/2020	\$277.04	790 2118	CLM Enterprises dba Mema's Bakery #8776P	Issued in error
883089	NO	11/13/2020	\$189.44	790 2118	Joshua, Patricia #8777P	Issued in error

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED NOVEMBER 17, 2020

Section III - Separation

Name	Department/Division	Eff. Date	Job Title
Kyondrea L Harvey	Sheriff/Detention	11/3/20	Deputy

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Daniel E Albright	Police	12/10/20	Sr. Patrolman
Rodney J Boston	Police	12/10/20	Sr. Patrolman
Alex M Bruce	Police	12/24/20	Sr Sergeant
Francisco G. Calderon	Police	12/10/20	Sr. Patrolman
Vanessa Calderon	Fire/Comm	11/16/20	Fire Comm Dispatcher
Michael E Dalsing	Police	12/10/20	Sr. Patrolman

Ricardo Grado Jr	Police	12/10/20	Sr. Patrolman
Keeley M Hanson	Fire	11/24/20	Firefighter III
Miguel A Leal	Police	12/10/20	Sr. Patrolman
Zachary J Mahoney	Fire	11/24/20	Firefighter III
Joseph M Markovich	Police	12/10/20	Sr. Patrolman
Ahmad A Moukaddem	Fire	11/24/20	Firefighter III
Taylor M Phiakeo	Police	12/10/20	Sr. Patrolman
Kyler E Reed	Sheriff/Juv	12/11/20	Juv Care Worker I
Brian N Roberts	Fire	11/24/20	Firefighter III
Connor D Scherer	Fire	11/24/20	Firefighter III
Andrew G. Schneider	Fire	11/24/20	Firefighter III
Jamara N Scott	Sheriff/Juv	12/11/20	Juv Care Worker I
Anthony H Serrano	Sheriff/Detention	12/8/20	Deputy
Reginald C Shields	Sheriff/Juv	12/19/20	Juv Care Worker I
Rachael L. Yearsley	Police	12/10/20	Sr. Patrolman

Action: Received and filed. Copy previously forwarded to Payroll.

5. CERTIFICATES OF INSURANCE:

Allied Universal Topco, LLC (and additional insureds)
 Garney Holding Company/Garney Companies, Inc./Garney Construction/Garney Pacific,
 Inc./Garney Federal, Inc.

Action: Referred to License.

6. BUSINESS BONDS:

Electrical Bonds:

Richard A. Davey DBA Lesser Electric
 Electrical Investments, Inc.
 Elite Electric, KC, LLC (2)
 Empire Solar Group, LLC
 Hemmert Electric, Inc.
 Zarda Electric

HVAC Bond:

Sommers Company, Inc.

Mechanical Contractor's Bonds:

Reddi Services, Inc. DBA Brush Creek Heating and Cooling
 Reddi Services, Inc. DBA Reddi Root'r

Mechanical/HVAC Bonds:

Automated Control Systems Corp. (2)

Miscellaneous Bond:
Tim Galvin DBA Galvin Electric Company

Plumber's Bonds:
Accurate Mechanical, LLC
B.L. Air Inc.
Hunt Plumbing, Inc.
Reddi Services, Inc. DBA Reddi Root'r

Action: Referred to License.

7. CONTINUATION CERTIFICATES:

Electrical Contractor's Bond:
B A Barnes Electric, Inc.
Torgeson Electric Company

Pawn Broker's Bond:
Sol's Loan Office

Plumber's Bond:
Dennis Hunt DBA Kaw Valley Plumbing

Action: Referred to License.

8. CANCELLATION NOTICES:

Electrical Contractor's Bond:
Market Ready Properties, Inc.

HVAC Bond:
Autumn Fitzgerald DBA Autumn Heating & Cooling, LLC

Mechanical Contractor's Bond:
AAIM Services, LLC

Miscellaneous Bonds:
DT Mechanical, Inc.
Scott the Electrician, LLC

Plumber's Bond:
Market Ready Properties

Action: Referred to License.

9. REINSTATEMENT NOTICE:

HVAC Bond:
Sam's Heating & Cooling, Inc.

Action: Referred to License.

10. APPLICATIONS FOR CMB LICENSE (OP):

F&A, LLC/Rick Rehorn DBA One Stop N Shop, 901 Minnesota Ave.
Walmart, Inc./ Kenneth Richardson DBA Walmart #6172, 2300 Metropolitan Ave.
Walmart, Inc./Keith Pappert DBA Sam's Club #4870, 10510 Parallel Pkwy.

Action: Referred to License.

11. APPLICATIONS FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

Michael Damron DBA Coach Lite Club, 2103 S. 34th St.
James W. Hendricks DBA Danny's Bar & Grill, 10940 Parallel Pkwy., Suite Q
Jeremy Lane DBA Deep Roots Restaurant and Bar, 4601 Shawnee Dr.

Action: Referred to License.

12. APPLICATION FOR PRIVATE CLUB CLASS B:

Pauline Wyrick DBA Ray's Coach Club, 1102 Osage Ave.

Action: Referred to License

13. APPLICATIONS FOR MASSAGE THERAPIST LICENSE:

Jill Degani DB/with Chateau Avalon, 701 Village West Pkwy.
Lauren Miller DB/with Chateau Avalon, 701 Village West Pkwy.
Darryl Olive DB/with KC Fitness Link, 541 Central Ave.

Action: Referred to License.

14. APPLICATION FOR MASSAGE THERAPY BUSINESS LICENSE:

Darryl Olive/Rick Rehorn DBA KC Fitness Link, 541 Central Ave.

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 20507

Full Commission Meeting Date: 12/3/20

Committee: Public Works & Safety

Date of Standing Committee Action: 11/16/20

(If none, please explain):

Publication Required: No

<u>Date:</u> 11/25/2020	<u>Contact Name:</u> Angel Obert	<u>Contact Phone:</u> x8354	<u>Contact Email:</u> aobert@wycokck.org	<u>Department/Division:</u> Parks & Recreation
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Item Description:

Trail Network Development Program. We will be presenting four park locations for future trail development using data and information from the 2017 Parks Master Plan. The four park site location recommendations are Klamm, Pierson, Rosedale or Wyandotte County Park. This project went before Park Board in September.

Action Requested:

We would like the Commissioners to vote on which trail they would like to see funding invested.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List: