

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

**PLANNING & ZONING AND
REGULAR SESSION
DECEMBER 3, 2020**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, December 3, 2020, with ten members present via Zoom: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District, Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. Kane, Commissioner Fifth District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Emerick Cross and Melissa Sieben, Assistant County Administrators; Carol Godsil, Deputy UG Clerk; Gunnar Hand, Director of Planning and Urban Design; Janet Parker, Administrative Assistant; Alley Porter, Commission Liaison; Juliann VanLiew, Director of Public Health Department; Dr. Allen Greiner, Health Officer; Dr. Erin Corriveau, Deputy Local Health Officer; Angel Obert, Assistant Director of Parks & Recreation; and Rocki Mayes, Program Supervisor in County Administrator's Office.

Mayor Alvey said before I call the meeting to order, I want to announce that due to COVID-19, some committee members, staff, and public are attending remotely via Zoom as well as on site. 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 the public, that is observing, knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

Due to COVID-19 requirements, in person public comment has been suspended unless otherwise required by law. The public is allowed to participate by Zoom or submit comments by email prior to the meeting and those comments will be included in the record of this meeting.

Mayor Alvey called the meeting to order. Would the Clerk please call the roll?

Roll call: Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Alvey.

Mayor Alvey said the invocation will be given by Commissioner Harold Johnson of Faith Deliverance Church of God in Christ.

Mayor Alvey asked the Clerk, are there any revisions to tonight's agenda? **Carol Godsil, UG Deputy Clerk**, said no, there are no revisions this evening.

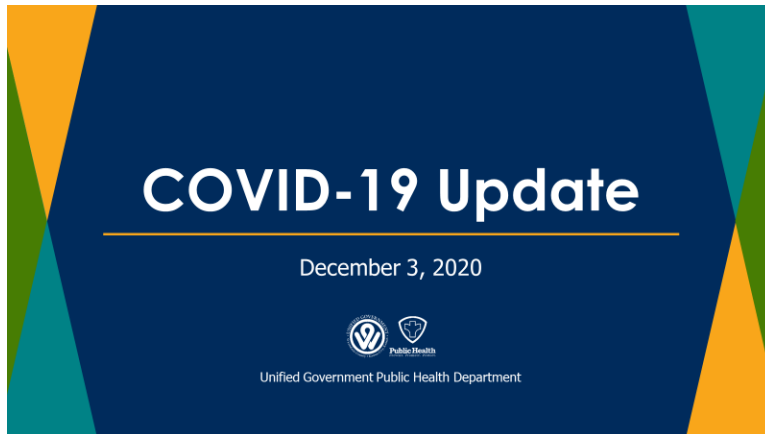
Mayor Alvey said alright, so we have two parts to our meeting. The Planning and Zoning followed by the Regular Commission meeting, but first we will take action on the Mayor's Agenda before we move into Planning and Zoning.

MAYORS AGENDA

ITEM NO. 1 – 20541...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.

Mayor Alvey said our first order of business is a resolution extending the state of local health emergency for the Covid-19 pandemic for the county of Wyandotte, Kansas. I'd recognize Juliann VanLiew, Public Health Director and ask that she provide an update on Covid here in Wyandotte County.



Juliann VanLiew, Director of Health Department, said I am going to preemptively apologize. I have a toddler who's currently having a massive meltdown so please forgive me if you hear screams in the background. I'm doing my best. I appreciate your time this evening, Dr. Greiner and Dr. Corriveau are here with me for kind of a bit of a standard update for us.

Agenda

- COVID data update
- Hospital update
- Health orders enforcement
- CDC Recommendation changes
- Some good news

We will go ahead and dive in with our data update, talk about our health orders and some CDC recommendations you may have heard about, and what's on the horizon for us.

COVID-19 Update				
INDICATOR	KANSAS	JOHNSON COUNTY	KANSAS CITY, MO	WYANDOTTE COUNTY
Positive cases	162,061	24,796	23,066	11,180
Case rate (per 100,000)	5,571	4,235	4,791	6,803
Deaths	1,679	293	294	180
Death rate (per 100,000)	58	50	61	110



Our standard kind of table that we tend to look at here shows that we are just a bit over 11,000 cases currently. Our case rate per 100,000 is nearing 7,000. Although, if you remember presentations past, are Johnson County and Kansas City, Missouri, were previously about half of our rate, so they are catching up to us which means cases are accelerating in some of the jurisdictions around us a little bit quicker than what we are experiencing here, which is obviously a positive for our population. Our deaths are still sitting at 180 as they have been for a few days now, but our death rate does remain significantly higher than those around us.

Wyandotte County Situational Update

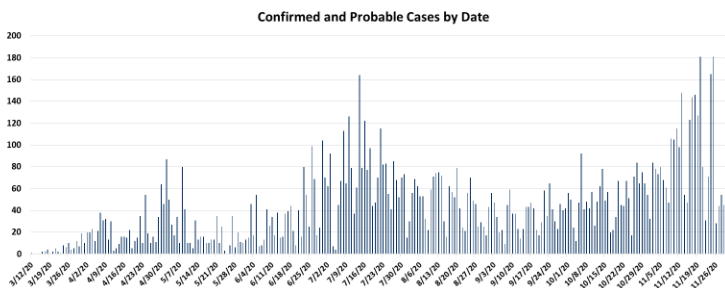
Rolling 7-day average

- New cases per day: **75**
- Deaths: **0**
- Percent positivity (entire county – symptomatic and asymptomatic): **38%**

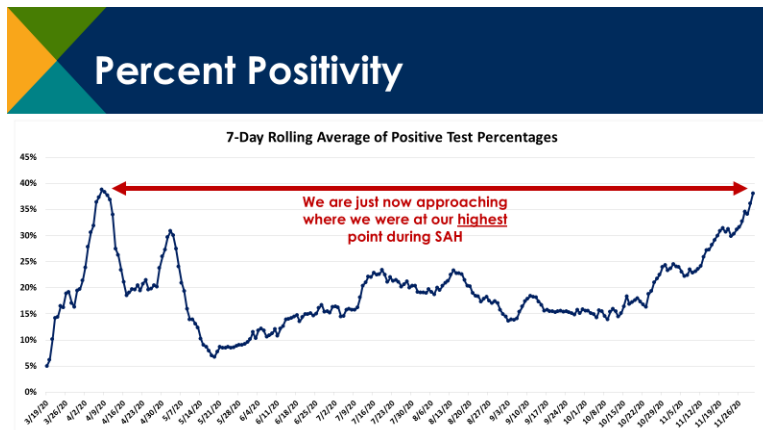


When we look at our 7-day rolling average, we are at about 75 new cases a day. I'll talk a little bit more about why I think that's a slightly false number because of what the last week has shown us. Our deaths are at zero for the last seven days, which is fantastic, although as we've mentioned before, it's often a two, three or even four-week lag before deaths catch-up when we have case spikes. Lastly, our percent positivity is just very, very high at the moment at 38%.

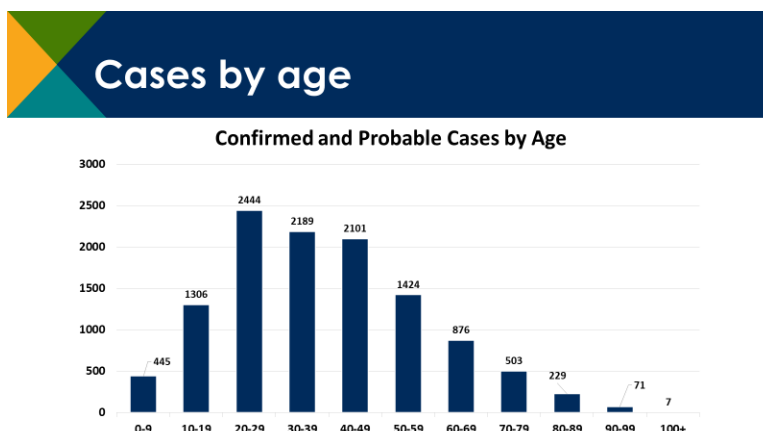
Cases by Date



So you can see here at the graph of cases over time. Obviously, if you look at the right portion of this, you can see the major uptick we've seen in recent weeks. I would caution you to read too much into the last four, five, or six days that you can see there where there's a drop off. We did not test out at our Kmart site on Thanksgiving Day, or the Friday after, or the weekend. Four days, where we did not test at our site, which is the largest testing site in the county, means that we just simply didn't test enough to see those cases popping up. Just want to make sure folks know that that rebound is going to happen quickly and that decrease there really did not reflect reality.



I mentioned our percent positivity around 38%. As you can see here on the left-hand side, we're nearing the percent positivity that we saw at the height of our stay-at-home order back in April, which is obviously problematic. The big difference between now and then is that at that point when our percent was 38% positivity, we were testing about 100 folks a day. Now we're testing between 650 and 700 folks a day. So, a 38% percent positivity means way, way, way more cases now than it did then.



Lastly before I pass it off here, just a reminder that we continue to see growth within our case rates for our younger demographic. Even just a month ago, our zero to nine and our 10 to 19 demographics had much lower numbers. Those continue to rise as well as our 20 to 29 and our 30 and 40-year old's, our middle-aged folks as well. We are not continuing to see massive upticks in our older population in terms of their number of cases.

I'm going to pass it off now to our Health Officer Dr. Greiner.

Health Order Enforcement

- Visits to date: 103 since 11/9 (4-5 per day)
- Response time: < 1 Day
- Common visits include **restaurants** (29), **gas stations** (15), and **grocery/large retail** (12)
- 95 first visits, 6 second visits, 1 third visits
- Most businesses comply after one visit
- Current focus is on education; no citations written



Dr. Allen Greiner, Health Officer, said we wanted to tell you a little bit about what's going on with our relatively new safety inspectors. You may have heard us talk previously about how we were going to move into hiring a couple of retired police officers who wanted to get involved in COVID and that's happened now. They've been going since the 9th of November. Basically, following up on reports we get on the 311 line or complaints that get called into the Police Department or the Sheriff's Office. You can see that they've made a bunch of visits. They're making four to five visits to places of business, or other entities in the counties, per day. They're doing that in about a 24 hour or less turnaround time. You can see most of the places have been restaurants, gas stations, grocery stores, etcetera.

What they're doing is going out and its education first just like what we did in the stay-at-home order way back when with cooperation from the Police Department. When they make a first visit, it's all about talking to ownership/management trying to figure out what's going on and provide education on the importance of mask use and social distancing and setting things up so that folks are safe.

They've made six-second visits and only one-third visit. They've not issued any citations. If that happens, they would have to coordinate with us at the Health Department as well as PD

who is aware of that. That could happen, but so far, we feel like people are really complying. The education is well received and the businesses, as well as individuals in those environments, are making changes which we think is really good. This has been a really positive program so far and we hope that continues in the coming weeks and months.

COVID Compliance Inspections

Main findings

- Employee screening is poor
 - 56/102 (54.9%) businesses screen for symptoms and/or fever
- Employee mask compliance is moderate
 - 29/102 (28.4%) businesses had at least 1 employee with no mask
- Customer mask compliance is moderate
 - 19/76 (25%) reports for public-facing businesses had 1 customer with no mask
- Social distancing is good, but we can make more signs available
 - 69/87 (79.3%) relevant reports indicate distancing can be maintained
 - 29/87 (33.3%) indicate business use floor markers



This is more about the inspections. We are, you know, with the data they're collecting, some of it's good, some it's not so good. Employee screening in businesses is a little lower than we'd like. We want all businesses asking their employees when they arrive for the day whether they've got any symptoms; getting their temperature taken on arrival. Over 50% are doing that, but we'd like to see that rise.

Mask compliance is moderate. They're looking at all the employees in a situation and documenting whether a 100% of those employees are wearing masks or not. Many of the businesses have at least one employee that has no mask, but that's lower. Customer mask compliance is also moderate and they're looking at is there one customer in there with no mask. About a quarter are seeing that situation, but social distancing is good.

They're seeing pretty good social distancing. They're taking a bunch of signs and floor stickers out and providing those to businesses and that stuff seems to be well received, so we think that that's something that we can continue to work on.

Contact Tracing

- HD Contact Tracing Team
 - 30 full time contact tracers, 20 part time student volunteers, 7 volunteer UG employees
- Behind on cases
 - Prioritizing new cases and individuals age 0 – 30
 - Encouraging individuals to assist in conducting their own contact tracing



What's going on with contact tracing. Well, with the major spike in cases we've had since the beginning of November and having it many times hundreds and hundreds of new cases each day, we've fallen behind. Even with 57 contact tracers, right? Now we've got 30 full-time contact tracers, 20 part-time student volunteers, and 7 volunteers that are UG employees that have been redeployed. We've talked about this before. A case can take anywhere from 45 minutes to 3 or 4 hours sometimes just to talk to one positive person and figure out who all they've been in contact with.

We're back to where we're 600 or 700 cases behind now and trying to really get on top of that and prioritize what this workforce can do and what we might need additional help for. Right now what we're doing is new cases that roll in, we're trying to prioritize them and not worry so much about a case that may be six, seven, nine days old. Then we're trying to focus in on individuals that are younger, ages 0 to 30. The reason for that is we think those individuals are more likely to be more active in the community. Maybe it's school, maybe it's in other environments and they're more likely to spread to multiple people. We will keep that focus and we may be asking the State again for some assistance in the other groups or looking for other strategies. This is not just us. This is really a nationwide problem we're seeing with this huge increase in cases that's happened this fall.

We also have encouragement for people to do their own contact tracing. We have a great flyer for that as well.

New CDC Recommendations

- CDC's new guidance published 12/2/20: reduce quarantine period of individuals exposed to COVID to 7 or 10 days (depending on testing).
- "KDHE continues to recommend the 14-day quarantine and monitoring after being exposed to COVID-19. The incubation period for this disease is still 14 days"
-Dr. Lee Norman, KDHE Secretary
- **UGPHD will NOT be adopting new CDC guidance as it is not evidence based**

<https://www.cdc.gov/coronavirus/2019-ncov/more/scientific-brief-options-to-reduce-quarantine.html>



You may have heard this week about the Centers for Disease Control new guidance on quarantine. We're not sure what motivated this. The Kansas Department of Health and Environment is continuing to recommend a 14-day quarantine period for those who have a close contact to a positive case. We looked at all the evidence and the documents CDC put out. We just don't feel like the scientific evidence is there to justify this at this time. They put some data out about how people's chance of transmitting the virus after 10 days in quarantine is anywhere from 1 to 5.5%, I think were the numbers they put out there.

It's got two tiers to it. A person who doesn't get tested for COVID and is in quarantine, can do a 10-day quarantine, under their guidance, and then come out of that quarantine. But they acknowledged there's some risk that that person can transmit after day 10. They've also said a person could come out of quarantine if they go 7 days and then they get a PCR test that's negative; and they've said well, in that case, the chance of the person transmitting it after day 7 is a little higher, maybe 5 to 12%.

We just don't understand why they've done this, so we are going to go along with the Kansas Department of Health and Environment for now and stick with our 14-day quarantine number. We think that evidence is strong, and we think the public knows that number right now. So, we feel like okay, we'll re-look at this after the holidays are over, but to me, it seems like this should have waited until after the holidays are over anyway. We'll see. Some other counties across our region are going to change to this reduced quarantine but we're not, at least at this point.

Hospital Capacity

- Capacity challenges **significant** and continuing to grow
 - ~20% of all patients at KU hospital have COVID-19
 - 170 COVID-19 patients total in KU hospital
 - 55 COVID-19 in ICU, 35 COVID-19 on ventilators (57% of total vented patients)
 - Nursing ratios changing due to staff shortages/exhaustion
 - Elective surgeries have halted
 - Patients being housed/treated at the Indian Creek location to expand hospital bed capacity
 - Another ward converted to house ICU patients



So, this goes to Dr. Corriveau. I will turn it over to her from here.

Dr. Erin Corriveau, Deputy Local Health Officer, said I want to share with you some news about hospital capacity. I'm sure that many of you have seen on the national news that unfortunately, as a nation, now over a 100,000 people are hospitalized with COVID-19 in the United States. We're also having some pretty significant challenges still in Wyandotte County. I just wanted to point out some numbers here and some of the changes that are occurring within KU Hospital.

Of course, as you know, Dr. Greiner and I are both staff there. About 20% of all the patients at KU, at this point in time, have COVID-19, which is pretty significant. This morning, 170 patients within the hospital were COVID-19 positive.

As far as our ICU capacity, 55 patients with COVID are in the ICU and 35 of those are currently on ventilators. Just to give you a sense of this, so the great majority of people who are on ventilators in the hospital right now have COVID-19.

Unfortunately, nursing ratios are starting to change at this point such that in the ICU setting especially, we generally have one nurse for every two patients. At this point in time, we're needing to change that one nurse for three patients. We know that that type of ratio change does have unfortunate consequences, potentially.

Elected surgeries have really slowed down and in some cases halted all together. Patients are also being treated at our Indian Creek location. We needed to essentially open up a new space away from the main hospital to house patients, and those are patients who do not have COVID-19. We're also in the process of converting another ward within KU Hospital to serve ICU patients.

Hospital Capacity

- ICU ethics team continues to work should rationing of care become necessary
- Preparation at KU to shift staffing as needed
 - ICU/ED, FM/ED, resident physicians, etc.
- Continued difficulty with transfers and rationing of care occurring now in rural Kansas
 - Wichita, Oklahoma City, Tulsa, etc. desperate for beds/staff



Our ICU Ethics Committee continues to talk about how we would distribute care should rationing be necessary in the future. We are also kind of concerned that there may be some staff shifting that needs to happen. What I mean by that is, for instance, if we need more people tending to ICU patients, it may be potentially needed for some of our emergency room doctors to go to the ICU to work. Perhaps maybe our family medicine doctors may need to staff the emergency room and that sort of thing.

We're also having really continued difficulty with transferring patients really all around the region. Dr. Greiner and I are part of a group where we get together with our rural health officers and we're learning that there's still significant issues with transferring patients, of course, from rural areas into bigger cities. It's not just in Kansas City, the whole region, you know, including Wichita, Oklahoma City, Tulsa, etcetera. We're just having a rough time because there's not many beds available.

Some Good News

A new data-driven model shows that wearing masks saves lives – and the earlier you start, the better

- Counties were assigned a mask-wearing score (0-5)
 - Wyandotte County score = 3.4 (relatively high)
 - National average = 2.98
- If Wyandotte County had a mask score that was the national average from June 1 – Oct. 1: **"Wyandotte County would have had 101.5% more cases and 150 more deaths"**.

<https://theconversation.com/a-new-data-driven-model-shows-that-wearing-masks-saves-lives-and-the-earlier-you-start-the-better-149621>



Despite some bad news to report, I do want to say that there was some really cool news this morning. There was an article written, I believe in Great Britain, that gave a really nice shoutout

to Wyandotte County. I want to say to the community and to all of you, thank you so much for wearing your masks. I mean, we got a really high what they call, mask wearing score and so they looked at a lot of different communities. Looking between the months of June to October, they said boy, Wyandotte County really had some great guidance there. They wore their masks and it looks like because of that, we were able, as a community, to save probably as many as 150 lives, which is really quite incredible. So, kudos to all of you.

What's Next?

- Thank you, WyCo for adhering to new Health Orders
- We are all in this together

Despite working hard, we fear that even with full compliance these measures will not sufficiently decrease spread of COVID-19 during the current surge



Again, we've been in our new health orders now for almost two weeks. Tomorrow will mark the two-week point for our current health orders. Of course, mask wearing, social distancing, and our gathering limitations to ten are what are currently in place. We appreciate how well all of you guys are doing. As Dr. Greiner pointed out, many of our businesses are complying just beautifully with that and, you know, complying after just one educational visit, which is great.

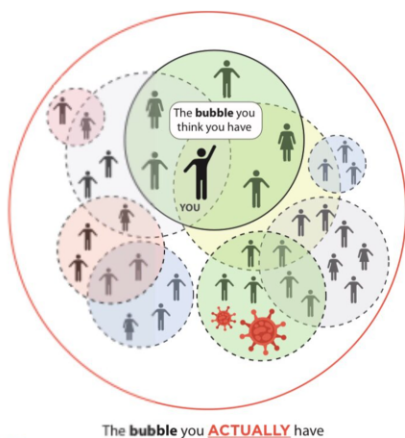
However, you know, I do want to make the point that we're in quite a surge right now. At the Health Department, we're beginning to wonder that even if we're complying with the current orders, if that is actually going to be enough to decrease the spread of this virus and help save that hospital capacity that we're really thinking we're going to be needing, especially after this Thanksgiving holiday.

Reminder: Define your "bubble"

- The holidays are an important time to re-commit strongly to a small "bubble" of individuals who you may be around without a mask
- We recommend **limiting your bubble** to immediate members of your household
 - Talk to your family seriously about mask wearing around EVERYONE else beyond your bubble. No exceptions!
 - Make a plan with those in your "bubble" about next steps if a member is exposed.



One thing that we're thinking about that I want to remind everybody about is defining your bubble. We think that the holidays and really right now is a really important time because of this surge in COVID cases to recommit to a really tight bubble. What that is, is it's those individuals that you trust. You've talked to them about how they're keeping their masks on. They're not needlessly interacting with others. They're not taking trips to multiple stores and that sort of thing, if they don't absolutely have to, that you trust those individuals to make good choices and wear masks when they're outside of the house. We're asking all of you please, limit your social bubble right now, really tightly, to only those who are in your immediate household.



We think that this is going to be incredibly important, and we wonder if we're having trouble getting the point across about what your bubble actually is. This schematic just makes the point that the bubble that you think you have there, which is the black circle, may actually be much larger. You can see that that person thinks that they have that small little bubble, however, all those people in that person bubble, they actually have these really big bubbles around them too and suddenly that one person has all these people that they're interacting with through those people

who they thought were in their bubble. It's time for us to really talk with our household members and get really serious about this.

Goals:

- We intend to **keep children in school** for as long as possible.
- We know that **mask wearing** around every single person outside your immediate household **stops the spread of COVID-19 and saves lives.**
- We know that it will be hard to stay at home without **economic relief.** We are pressing leaders for economic support for families and businesses.
- We are committed to continued **coordination with metro leaders** with the goal of preventing illness and saving lives in Wyandotte County.



Just a final slide here. We're talking about some big goals that we've got in the Health Department and we just want to put it all out there for you. We intend to keep children in school for as long as we possibly can. We think that the things that we can do to keep them in school is to drive down that infection rate within our community, but we've still been in really close touch with our superintendents and teachers and our school nurses and we just think that it's really important for them to stay in school.

Also, we really are trying to emphasis masks wearing. Just like I said, when you get outside of your bubble, you've got to put a mask on. We know that that stops the spread of COVID-19 and we know that it saves lives. We saw that awesome article that came out today that mentioned Wyandotte County. All of you know how to do it, so we're asking that that mask wearing thing just really keep that at the core of what we do to stop the spread of this virus.

We also understand at the Health Department that this is really a difficult time. We think that it's going to be really difficult to do much more in terms of we don't want to shutdown businesses, we don't want to shutdown schools, or other things that we need. Those things are going to have to keep going until we've got some economic relief, whether that be at the federal level, or state level, or whatever. We are pushing for that so that we can hopefully help stop the spread of this virus, but we understand that this is a difficult time. We are trying to support our businesses and our families by advocating for that type of economic relief.

The last thing that I want to say is that we're continuing to stay in close touch with other metro leaders, with health officers, and with directors of health departments. A shoutout to Mayor

Alvey and how well he's been communicating with other elected officials in the county. We are really committed, I think, to moving together also with our colleagues around these initiatives to stop the spread of COVID. With that I believe that's our last slide.



I will kick it back to Mayor Alvey for questions.

Mayor Alvey said we do have a resolution to extend the state of local health emergency. Do we have a copy of that available? Do we have the language for that? **Ms. Godsil** said it should be in the agenda packet, electronically even. Did you want me to get that and read that? **Mayor Alvey** said right.

Mayor Alvey asked, questions or comments from the Commission, otherwise, I'd entertain a motion.

ACTION: **RESOLUTION NO. R-83a-20**, "A resolution extending the state of local health emergency for the COVID-19 pandemic for the county of Wyandotte, Kansas, through March 15, 2021." **Commissioner Markley made a motion, seconded by Commissioner Ramirez, to adopt the resolution.** Roll call was taken on the motion and there were eight "Ayes," Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez. (Commissioner Townsend did not vote due to connectivity issues.)

Mayor Alvey said thank you Doctors Corriveau and Greiner and Julianne. Thank you for all your hard work, continually keeping us updated and being at the forefront really in efforts in the Metropolitan area. The leadership that you have exhibited is widely known and we appreciate what you're doing to lead us, so thank you.

PLANNING AND ZONING CONSENT AGENDA

Mayor Alvey said we'll now hear the Planning and Zoning matters next. I'd ask the Clerk to read the statement, required by state law, governing the Planning and Zoning portion of our meeting, followed by the items on the Planning and Zoning Consent Agenda.

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

Ms. Godsil asked if any member of the Commission wished to disclose any contact with proponents or opponents on any item on the agenda. **Mayor Alvey** said seeing none.

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

Mayor Alvey asked, does any member of the Commission, Administrator, or public wish to set-aside any item on the Planning and Zoning Consent Agenda? If an item is not set-aside, all items on the Planning and Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission. (There were no set-asides.) **Mayor Alvey** asked the Clerk if we received any requests from the public to set-aside an item. **Ms. Godsil** said no requests from the public had been received.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve the Planning and Zoning Consent Agenda.** Roll call was taken on the motion and there were nine "Ayes," Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend. (**Ms. Cobbins** stated, Commissioner Townsend just notified the Clerk's Office that her vote is a yes.)

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 20540...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, submitted by Gunnar Hand, Director of Planning and Urban Design. 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 notices of violation on this property. One 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. 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 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.
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.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Change of Zone Application #3229, subject to the stipulations.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 2 – 20542....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, submitted by Gunnar

Hand, Director of Planning and Urban Design. 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 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 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.
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.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Change of Zone Application #3230, subject to the stipulations.** Roll call was taken on the motion and there were nine "Ayes," Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 3 – 20543...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, submitted by Gunnar Hand, Director of Planning and Urban Design. 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 other home on the block has already changed zoning from M-2 General Industrial District to R-2(B) Two-Family District. There has been 9 notices of violations on the property between the

years 2001 and 2018 for trash, inoperable vehicles, vehicles with expired tags, and vehicles on an unimproved surface. 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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Change of Zone Application #3238, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 4 – 20544...CHANGE OF ZONE APPLICATION #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 Hand, Director of Planning and Urban Design. 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 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 2 notices of violations on this property. One in the year 2014 for chipped paint and one in 2011 for repair needed on the retaining wall. 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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Change of Zone Petition #3239, subject to the

stipulations. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 5 – 20545...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, submitted by Gunnar Hand, Director of Planning and Urban Design. The applicant 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 Planning Commission voted 7 to 0 to recommend approval of Change of Zone Application #3240, subject to:

1. Comply with the following landscaping requirements.
 - a. Per the Prairie-Delaware-Piper Area Master Plan, all residential lots shall have two- trees per 5,000 square feet per lot, up to five trees per lot. One 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 shade tree per dwelling in the front or side yard.)
 - b. Per Section 27-700(a) requires one tree per 7,000 square feet for uses other than residences.
 - 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.
 1. 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:
 - a. Increases in density or intensity of residential uses by more than five percent.
 - b. Increases of lot coverage by more than five percent.
 - c. Decreases of areas devoted to open space of more than five percent (5%) or the substantial relocation of such areas.

- d. Changes of traffic circulation patterns that will affect traffic outside of the project boundaries.
 - e. 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.
- 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.
- 2. 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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Change of Zone Application #3240, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 20546...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, submitted by Gunnar Hand, Director of Planning and Urban Design. 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. 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 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 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 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.
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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2020-72 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 2 – 20547...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, submitted by Gunnar Hand, Director of Planning and Urban Design. 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 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 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 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 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.
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.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2020-73 for two years, subject to the stipulations.** Roll call was taken on the motion and there were nine "Ayes," Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 3 – 20548...SPECIAL USE PERMIT APPLICATION #SP-2020-88 - PAUL RIDGWAY

Synopsis: Home Occupation Special Use Permit for a personal trainer at 419 Armstrong Avenue, submitted by Gunnar Hand, Director of Planning and Urban Design. The applicant intends to instruct one 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 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 vehicle and train clients. Staff notes that the home is within the Environs of two 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 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 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.
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.
7. The Special Use Permit shall be valid for one 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 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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2020-88 for one year, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 4 – 20549...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 1/2/2020), submitted by Gunnar Hand, Director of Planning and Urban Design. The current owner lives at the property, and the applicant will

continue to keep livestock on the property with the owner's permission. 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 goats, for cows and thirty 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.
11. The Special Use Permit shall be valid for five 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 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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2020-92 for five years., subject to the stipulations. Roll call was taken on the motion

and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 5 – 20538...SPECIAL USE PERMIT APPLICATION #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 Hand, Director of Planning and Urban Design. 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 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 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.
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.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2020-93 for ten years, subject to the stipulations.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 6 – 20550...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 1/11/2020), submitted by Gunnar Hand, Director of Planning and Urban Design. 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-foot candle 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.
7. The Special Use Permit shall be valid for five 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 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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2020-94 for five years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 7 – 20551...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, submitted by Gunnar Hand, Director of

Planning and Urban Design. 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.
12. The Special Use Permit shall be valid for two 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 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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2020-95 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 8 – 20552...SPECIAL USE PERMIT APPLICATION #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 Hand, Director of Planning and Urban Design. The continuation of the proposed use includes seven truck trailer parking spaces in the southeast corner of the parking lot at 7949 Splitlog Avenue. 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 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 foot-candle at the property line.
3. The eight-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 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.
10. The Special Use Permit shall be valid for two 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 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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve Special Use Permit Application #SP-2020-96 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

MISCELLANEOUS – ORDINANCES

ITEM NO. 1 – 20554...An ordinance authorizing a Special Use Permit (#SP-2020-48) for continuation of an auto body shop at 5015 Gibbs Road, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-107-20**, “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.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 2 – 20555...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 Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-108-20**, “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.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 3 – 20556...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 Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-109-20**, “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.” **Commissioner**

McKiernan made a motion, seconded by Commissioner Markley, to approve ordinance. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 4 – 20558...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 Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-110-20**, “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.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 5 – 20559...An ordinance authorizing a Special Use Permit (#SP-2020-83) for continuation of live entertainment at 11255 Leavenworth Road, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-111-20**, “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.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 6 – 20562...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 Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-112-20**, “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.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 7 – 20563...An ordinance authorizing a Special Use Permit (#SP-2020-85) for an earthen fill at 732 North 57th Street, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-113-20**, “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.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 8 – 20568...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 Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-114-20**, “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.” **Commissioner**

McKiernan made a motion, seconded by Commissioner Markley, to approve ordinance. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

ITEM NO. 9 – 20569...An ordinance rezoning property at 13635 Hollingsworth Road (#3232) from AG (WYCO) Agriculture District to R-1 Single Family District, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-115-20**, “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.” **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Townsend.

PLANNING AND ZONING NON-CONSENT AGENDA

Mayor Alvey said now we have two items under the Planning and Zoning Non-Consent Agenda. These items are related, they’ll be heard together. Change of Zone Petition #3223, Brad Haymond with Northpoint Development. Seeking a Change of Zone from AG Agricultural District to RP-5 Planned Apartment District for future apartment complex development at 11501 Parallel Parkway. Planning Commission voted 6 to 1 for approval. The companion item Master Plan Amendment MP-2020-4, Brad Haymond with Northpoint Development to amend the Master Plan from Planned Commercial and Business Park to High Density Residential at 11501 Parallel Parkway. Planning Commission votes seven to zero, recommend approval, I’d ask staff to make some opening remarks. Mr. Hand.

CHANGE OF ZONE APPLICATION

ITEM NO. 1 – 20539...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,
and

ITEM NO. 1 – 20553...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, submitted by Gunnar Hand, Director of Planning and Urban Design. The applicant 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 buildings, including garages and carports and a clubhouse. 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 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 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 feet when planted. All shrubs shall be five 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 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.
19. Shall comply with Planning Engineering and Public Works comments.

Gunnar Hand, Director of Planning and Urban Design, this is tied to the Master Plan Amendment for the same property. The Planning Commission approved the plat that created the parcel for this at our Commission hearing in November. It's for a 323-unit apartment complex. Thus far, on the property, there's been no NOV's. There was no opposition to the case.

Staff worked with the applicant in regard to the design of the project as it relates to the Planning Commission's Multifamily Design Guidelines. We did work through some issues related to pedestrian circulation. There's a condition of approval associated with that as well as pedestrian orientation at the Planning Commission hearing. The Planning Commission struck one of the conditions of approval.

Based on the Multifamily Design Guidelines, there's a general intent of those guidelines to be pedestrian oriented, and staff felt that the building was situated in a way that was too far away from Parallel Parkway. We ask that the building be moved closer to Parallel Parkway. Commission struck that condition of approval but left in place other conditions as it relates to pedestrian circulation, both externally and internally, as well as providing certain pedestrian facilities.

We believe that we can use those conditions of approval if approved tonight by the Board of Commissioners to work with the applicant as they finalize some of the details of this project in their final plan moving forward. With that, we recommend approval.

Mayor Alvey asked, is the applicant available to present application? Please state your name and address for the record please.

Brad Hayman, NorthPoint Development, 4825 NW 41st St., Riverside MO, said I just wanted to run through just a quick overview of the plans. For those of you who aren't familiar with this, we're the developer on the first two phases, just to the east of this site. Both of those are approximately \$50M investments in the community. It's just gone extremely well for us and we're back here for a third time to hopefully continue that great streak and provide some great communities and opportunity for residents to come and live in Wyandotte County.

What we're proposing here is similar to the first two phases but a slightly difference in appearance. It's 323 units in 4 different buildings. Similar to the second phase, if you've been out there, so it is a little bit more dense. It has an internal clubhouse that's integrated into the main building on the north side there that is up towards Parallel Parkway. So, that's one difference is that this one will really kind of have some presence off of Parallel Parkway and stretch all the way down to Delaware Parkway, where we'll be doing an extension of Delaware Parkway in conjunction with this development as well too; access off of both roads there.

It has a, ultimately, it's kind of got parking around the parameters with a courtyard that's in the middle of the property. Those amenities will consist of: heated saltwater pools, even have a couple of bocce ball courts and a pickle ball court planned in kind of middle terraced courtyard.

So, similar to the first two projects, it is a four-story project and kind of a combination of studio, one-bedroom and two-bedrooms with den units that are kind of mixed throughout the community.

In this elevation, you can kind of see that integrated clubhouse here on the corner. It's kind of distinct there as you come in and offers a great opportunity for people that live within that building to be able to pull right in, to whether a garage or a parking stall, go into their unit, go pick up their mail, and enjoy amenities without ever leaving the building in inclement weather; which has just been a great accommodation that we did in the second phase that has gone over extremely well.

That's pretty well the synopsis of the project. We're just looking forward to having another opportunity to work with the community there and continue the streak of great success.

Mayor Alvey said now I'll open the public hearing. Clerk have we received any notification from the public who wished to express comments in favor of this item? **Ms. Godsil** said no public comments for or against were received. **Mayor Alvey** said okay.

Mayor Alvey asked, is there anyone online from the public who would like to speak in favor of Change of Zone Petition #3223 or Master Plan Amendment #MP-2020-4? If so, please raise your hand to be acknowledged. **Ms. Cobbins** said, Mr. Mayor, I do not see anyone raising their hands as an attended.

Mayor Alvey asked, have we received any notification of opposition? **Ms. Godsil** said the Clerk's Office has not received any notice of opposition from the public.

Mayor Alvey asked, is there anyone from the public who would like to speak in opposition? If so, please raise your hand. **Ms. Cobbins** said no one is requesting to speak in opposition, Mr. Mayor.

Mayor Alvey said thank you. I'll now close the public hearing.

Mayor Alvey asked, Mr. Haymond, do you have any closing comments? **Mr. Haymond** said no, sir. I think it was a great overview given my Mr. Hand. We're just looking forward to an opportunity to continue to invest and bring another great project and successful project out to this part of Wyandotte. **Mayor Alvey** said thank you.

Mayor Alvey said I'll entertain a motion for Change of Zone Petition #3223. **Ms. Cobbins** said, Mr. Mayor, Commissioner Bynum has her hand up. **Mayor Alvey** said I was going to bring that after we get the motion and second. That's okay, Commissioner Bynum.

Commissioner Bynum asked, are these two items going to be voted together or separate? **Mayor Alvey** said separately. **Commissioner Bynum** said okay, thanks. I would make a motion for approval of this item. I do support the project. I was a little confused by Mr. Hand's comment about orientation of the buildings more toward Parallel. I'm not sure I understood that. But my only point to that is I don't believe there's any sidewalks on Parallel at that location.

Mr. Hand said, again, the applicant submitted this project as the most urban of their projects. As the Multifamily Design Guidelines layout, there's sort of a great emphasis on pedestrian orientation and scale as it addresses the street frontage. This is the project as proposed. It has since changed as a condition of approval. That's included today. For instance, it will build a sidewalk for this section of Parallel Parkway. This is typical in these parts of Wyandotte County where we're sort of piecing together a sidewalk network as we move along and develop projects. It would essentially go from curb to sidewalk to garages to drive isles to parking to eternal sidewalk to building. So, we were hoping that they could move the building closer to Parallel Parkway so it felt like it was on Parallel Parkway as opposed to sit back from Parallel Parkway.

Instead, we worked through the site design with the applicant. As you can see right here, originally it proposed there were three garages, detached garages along Parallel Parkway that would have blocked that sort of pedestrian connection. So, they have agreed to remove those from the northern part of the property and they would move them somewhere else. I think they said they were going to move them on the western property line. Again, that's something that we'll

see in the final plan development, but it is a part of the condition of approval here to move those specifically. So, between that and some other pedestrian circulation issues, we think that we can address a lot of them at final planning. **Commissioner Bynum** said okay, excellent, thank you.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Walters, to approve Change of Zone Application #3223, subject to the stipulations.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend has contacted the Clerk’s Office and her vote is an aye), McKiernan, Ramirez.

Action: **Commissioner Walters made a motion, seconded by Commissioner Bynum, to approve Master Plan Amendment #MP-2020-4, subject to the stipulations.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend’s vote is an aye), McKiernan, Ramirez.

REGULAR CONSENT AGENDA

Mayor Alvey asked, does any member of the Commission, or the County Administrator, wish to set-aside any item on the regular Consent Agenda? If an item is not set-aside, all items on the regular Consent Agenda will be voted on by one vote. (There were no set-asides.)

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve all items as submitted.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 1 – 20522...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.

Action: **ORDINANCE NO. O-116-20**, “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.” **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 2 – 20557... 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.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 3 – 20495...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.

Action: **RESOLUTION NO. R-84-20**, “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.” **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 4 – 20498...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.

Action: **RESOLUTION NO. R-85-20**, “A resolution authorizing the Mayor of the Unified Government of Wyandotte County/Kansas City, Kansas, 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.” **Commissioner**

McKiernan made a motion, seconded by Commissioner Ramirez, to adopt the resolution. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 5 – 20564... PLAT: PIPER LAKE NORTH

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

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve and authorize the Mayor to sign said plat.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 6 – 20565... 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.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve and authorize the Mayor to sign said plat.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 7 – 20567...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.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve and authorize the Mayor to sign said plat. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (Ms. Cobbins said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 8 – 20566... PLAT: KAW VALLEY DRAINAGE DISTRICT FIRST REPLAT

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

Action: Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve and authorize the Mayor to sign said plat. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (Ms. Cobbins said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 9 – MINUTES

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

Action: Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (Ms. Cobbins said Commissioner Townsend is voting aye), McKiernan, Ramirez.

ITEM NO. 10 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated November 19, 2020.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to receive and file. Roll call was taken on the motion and there were

nine “Ayes,” Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (Ms. Cobbins said Commissioner Townsend is voting aye), McKiernan, Ramirez.

STANDING COMMITTEES AGENDA

ITEM NO. 1 – 20507...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.

Mayor Alvey said our final item, Trail Network Development project. This item was presented last Monday to the Public Works and Safety Standing Committee. It was approved unanimously to move to the full Commission. This is for a decision regarding which trail to fund in Phase 1. I’d ask Commissioner Bynum, who chaired that standing committee meeting, for any additional comments before I call on staff.

Commissioner Bynum said it’s a great opportunity for a trail, beginning of a Trail Network Program. I believe there are four parks under consideration. We had a really good discussion and at the end of the day, decided it was a better discussion for our entire Commission. So, that is why we moved it forward to full Commission. Thank you for that. I’ll hand it back to you.

Trail Network and Development Program

UNIFIED GOVERNMENT
PARKS AND RECREATION DEPARTMENT



Angel Obert, Assistant Director of Parks & Recreation, said as Commissioner Bynum said, this is a Trail Network and Development Program. I just want to start off by saying, you know we're really excited about this program. We just had a soft ribbon cutting, socially distance, of the Jersey Creek Trail resurfacing. As we all know, our parks have been used a lot throughout this pandemic and trails now more than ever. This is something that is very important to our community, and we're just really excited to be able to move this project forward.

PROJECT INTRODUCTION

The Trail Network and Development Program was implemented to facilitate the development and implementation of a more robust trails network throughout Wyandotte County that will allow for connection points to neighboring communities through the use of sidewalk improvements, on-street trails/bike paths, off-road trails, and other mixed-use forms of trails.

The new trail will be funded by the Tourism & Convention Fund, a special revenue fund used to improve, promote or generate additional tourism into Kansas City, KS and is distributed between the Convention and Visitors' Bureau and the Unified Government. Funding has been allocated annually for this project.

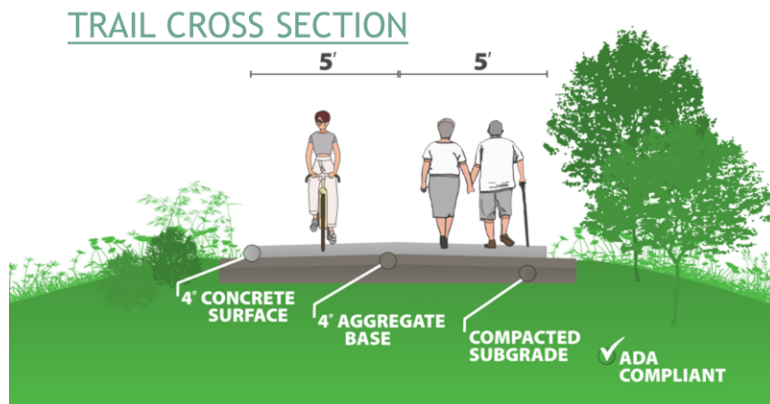


A little bit about the project introduction. This is a Trail Network and Development Program. It was implemented to facilitate the development and implementation of a more robust trails network throughout Wyandotte County that will allow for connection points to neighboring communities through the use of sidewalk improvements, on-street trails, bike paths, off-road trails, and other mixed-use of trails.

This new trail will be funded by the Tourism and Convention Fund. A special revenue fund used to improve, promote, and regenerate additional tourism in Kansas City, Kansas; and is distributed between the Convention and Visitor's Bureau and the Unified Government. Funding has been allocated annually for this project.

As part of this project, we want to work with the Commission to help determine which park will receive a new trail, which is why we will be presenting the four park recommendations here tonight that we'll walk through.

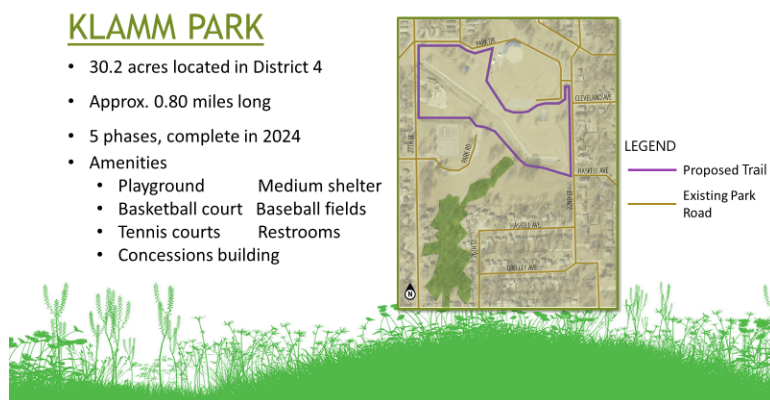
The recommendation—we came to these four park recommendations through information from the 2017 Master Plan, so we've been referring to that and getting a lot of our guidance from there and also working with the professionals at Benesch.



This picture here is a depiction of what to expect what the trail will look like. The trail will be ten foot wide. It will be ADA compliant and made with four inches of pavement on top of four inches of gravel. The Master Plan in 2017 did recommend and refer that building ADA accessible, paved trail networks throughout the four parks that we will walk through was recommended.



The first park we'll walk through is Klam Park. Klam Park is a 30.2-acre park.



The picture here in the purple is the proposed trail route. It's approximately .80 miles long. This trail would take five phases to complete and slated completion date of 2024. Klamm Park has some great amenities: playground, basketball court, tennis courts, a medium shelter there, baseball fields, and restrooms.

Some positive comments about Klamm Park. This was the Park Board's first recommendation, so we did take this presentation to the Park Board back in October. Out of the four parks, Klamm Park was their first recommendation. This park has easy access. It is a flat open area. Some challenges with Klamm Park are that there is limited parking; lighting is an issue. Also, you can see on this map that it is split in half by a drainage ditch.



The next recommendation is Rosedale. Rosedale is a 72.9-acre park.



You can see here in purple the proposed trail within the park. It would be approximately .65 miles long. Since it is a shorter trail, it would only take three phases and would be slated to be completed in 2023.

As most of you know, Rosedale is one of our most used parks. It has great amenities: playgrounds, baseball fields, skate parks, tennis courts, restrooms. There's a big disc golf population here at Rosedale, shelters and ball fields.

For some positive comments. The Park Board did favor Rosedale Park as their second recommendation. It's a highly used park. As you can see, it has great amenities. It's only a three phase project so the turnaround time and completion would be pretty quick on that one.

Some challenges with Rosedale are that it can get pretty crowded, which is sometimes a good problem to have, that means people are out using our parks. This trail could impose on the frisbee golf and there's also limited parking here, especially during times when the park is being highly used.



A third recommendation is Pierson Park. Pierson Park is 113.5 acres.

PIERSON PARK

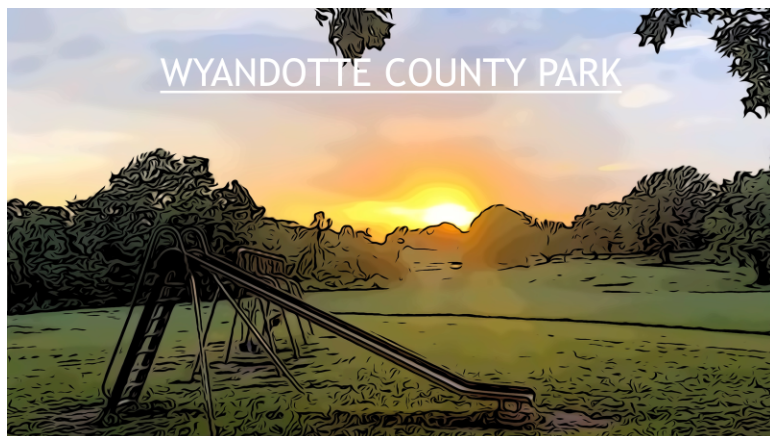
- 113.5 acres located in District 6
- Approx. 1.05 miles long
- 7 phases, complete in 2027
- Amenities
 - Playgrounds Tennis courts
 - Large shelters Skate park
 - Dock Fishing Lake
 - Viewing tower Restrooms



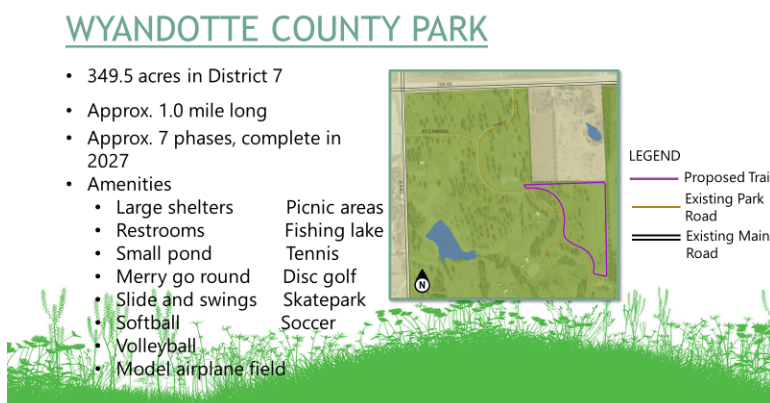
The proposed trail you see here in purple is actually split almost into two loops. It would be approximately 1.05 miles total between the two. This would be a larger project, a longer project with seven phases to be completed in 2027.

The amenities at Pierson are great. You know, playgrounds, large shelters, small fishing lake, tennis court, skate park, also some restrooms located here. Some positive comments for Pierson Park are: it is highly used, there's great parking here at Pierson, and it has really good connectivity between the schools and the neighborhoods.

Some challenges with Pierson, as you'll see, it is split into two because the topography of Pierson can be very challenging to create trails. If anyone's been to Pierson, a lot of brush. There's some small rolling hills. So, it wouldn't be a consistent pathway; it would be split into two.



The fourth recommendation would be Wyandotte County Park. Wyandotte County Park is a 349.5-acre park; one of our larger parks.



The proposed trail here in purple would be approximately one mile long. It would take roughly seven phases also to be completed in 2027. Wyandotte County Park has a lot of amenities as one of our larger parks. There are many things to do there: large shelters, small playgrounds, slides, swings, soft ball, baseball fields, you have tennis; pretty much anything you'd like to do, you can come to Wyandotte County Park.

Some positive comments. As you know, we have our first inclusive playground here that we just opened earlier this Spring. There's lots of momentum here at Wyandotte County Park. It has potential to be a destination park. We do get the most feedback from our community that they'd really like some safe areas to walk. We see a lot of walkers here in Wyandotte County Park just out on the road.

Some challenges with Wyandotte County Park is that there is limited lighting. It's not directly connected to a neighborhood, so driving to the park would be essential. This would be staff and also the professional's recommendation of where to begin our first trail project out of the four.

QUESTIONS OR COMMENTS



Those would be the four recommendations. Happy to take any questions or field any comments.

Mayor Alvey asked, any questions or comments from the Commission?

Ms. Obert said what we're looking for tonight is just some guidance and a decision on where the Commission would like to invest the first round or invest the funds for the first project. Ideally, we'd like to do all four down the road, but we got to start with one. We were advised to come to the Commission and get some guidance.

Mayor Alvey said, Angel, I have a question. I'm assuming that Klamm Park, the greatest density surrounds Klamm Park, and then would the second most residential density be at Rosedale? **Ms. Obert** said yes, that's correct. However, we did do some data tracking as far as movement and activity within the city, and Wyandotte County Park did have a lot and Rosedale had showed up as the most movement and activity throughout the city in regard to location of parks.

Commissioner Johnson said thank you, Mayor. You kind of gave me my lead in, in the sense of the density of the area surrounding Klamm Park. Obviously, Klamm Park is near and dear to my heart, but as we continue to talk about health equity and health access, we're glad and thankful for the work that's been done.

Mayor Alvey said I'm afraid we lost Commissioner Johnson. While we wait for him to come back on, we'll go to Mr. Ramirez and then we'll come back to Commissioner Johnson when he comes back on.

Commissioner Ramirez said I think what Commissioner Johnson was going to say is, I do support what he was saying. I do support the recommendation of the Park Board for Klamm Park. Rosedale is in my district. I would love to have a trail in that park. Like I said at a committee, I would like to see trails in all our parks, but we have to do them one by one. I believe for this first round, for this first time, I would support the recommendation that Klamm Park be the first one that we provide funding for.

I would want to thank Angel and our Parks Department for wanting to put this together. Advancing our parks—everyone knows parks and rec is true and dear to my heart. I want to thank them for all the work they've done for bringing these four recommendations together, and I hope that we can continue to do advancements and improvements to our parks like these. Again, I would support the Park's Board recommendation.

Commissioner Walters said I was really going to kind of echo what had previously been said. I think we should put the first walking trail where it could do the most good, and I support the Klamm Park recommendation.

Commissioner Bynum said I support Klamm Park as well. Commissioner Johnson started speaking about health equity and health access, and those were the points that I was going to bring. I think it's an opportunity to add a nice amenity in an underserved area. It's Klamm Park for me, thanks.

Mayor Alvey said, Commissioner Johnson, you came back on. **Commissioner Johnson** said if first you don't succeed, just find another device. Again, I think it's already been indicated in terms of the density, the opportunity to access and provide access to a nerd that has not historically received it. I support the Klamm Park and with that, would like to make a motion that we would approve that as the first park for this process.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Bynum, to approve Klamm Park for the first trail.**

Commissioner Markley said, Mayor, I was just going to ask; staff indicated that Klamm Park was recommended by the Park's Board. Staff's recommendation was for Wyandotte Park, so I was just curious for staff to provide a little bit of reasoning for that difference.

Ms. Obert said the further data that we ended up collecting, like I said, was part of the movement and activity mapping that came up. Unfortunately, we didn't incorporate that into here, but Wyandotte County Park area did have more activity and movement in that park location. The way that they gathered that data, our GIS mapping within the UG also can do the same thing, but it's based off of GPS tracking.

You go to that area. As you drive around that area, if you're tracking your run, or you're using maps on your phone, it's all gathered through a data system. **Commissioner Markley** asked, so the idea being to track, like is this going to be used if we build it here. **Ms. Obert** said yes. You could build the argument around that, yes. In that data that was collected and how we looked at it from that point of view was it was just a more active area. If you took those four parks and you were to see these four maps, you would really see Wyandotte County Park light up as far as movement and activity. Klamm Park, not so much, but again, that's not the same comparison as the density of the population around that area. **Commissioner Markley** said okay.

Commissioner Philbrook said I understand why the Parks Committee wants Klamm Park. I understand that. We're in a great need for good walking locations for both. As Commissioner Johnson mentioned, our health rankings, we need to do whatever we can to help that.

I also want to make a comment that, of course, these monies come from the Convention and Visitors Bureau funding to increase tourism, and that's also another reason why I can see they picked Wyandotte Park out toward Bonner, but I am in support of Klamm Park, but I almost have to lean as to number two being Wyandotte. I just thought I'd throw my two cents worth in there.

Commissioner Burroughs asked, is there anything else proposed besides just the walking path itself? Will there be benches or water available along the pathway to allow those that are challenged mobility to have a place to sit and rest? Was that discussed while the trails were being discussed for these parks? **Ms. Obert** said I could also let Jack speak to that, but for this particular project where we are bringing forward is just the trail and typically we do like to add benches along the way. Jack, correct me if I'm wrong, but I believe we just put a new restroom there and the new restrooms that we install now have water fountains.

Jack Webb, Deputy Director of Parks & Recreation, said yes. All new restrooms we install will now have a water fountain feature to it. We do, on most of these big walking trails, we do place benches throughout it. We do that in house, though.

Commissioner Burroughs said great. Thank you, Jack.

Commissioner Bynum said just another quick comment. I think to Ms. Obert's point about activity; this is an opportunity for Klamm to have increased activity. That's it.

Commissioner McKiernan said, Angel, I know that it would be significantly shorter than any of the rest of these and it wouldn't really connect necessarily with other trails, we've been talking for several years about the possibility of a walking path at St. Margaret's Park. I would just be curious; does it even enter this discussion as to the possibility of getting a similarly constructive path because I'm guessing it would only be about a half mile long. It looks like the shortest of these is a mile. There are some differences, but would it qualify for consideration in the future?

Ms. Obert said absolutely, Commissioner McKiernan. I know you and I have discussed that before. It would absolutely qualify for the trail network development funding so that's something that we can consider, absolutely.

Rocki Mayes, Program Supervisor in County Administrator's Office, said Commissioner Townsend has contacted the Clerk's Office and said that she is in support of Klam Park.

Mayor Alvey said thank you so much.

Commissioner Johnson said I'm glad you mentioned that. Thank you, Rocki. I will just finally say that you all are aware, some of you all are aware that we've received funding through Mid-America Regional Council for a northeast heritage trail. This is a trail that we're hoping that will lead us from the Kaw Point, from Kaw Point rather all the way to the ruins at Quindaro. So, I think that this is a good connection point between both parts, or between the trail itself and the park itself, I'm sorry, that will be really complimentary and will encourage more walking in areas that we've not had the opportunities to do so. Just wanted to make that acknowledgment as well.

Mayor Alvey said we have a motion and a second. Roll call, please.

Roll call was taken on the motion and there were nine "Ayes," Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend (**Ms. Cobbins** said Commissioner Townsend's voting aye), McKiernan, Ramirez.

MAYOR ALVEY

ADJOURNED THE MEETING AT 8:17 P.M.

December 3, 2020

Bridgette D. Cobbins
Unified Government Clerk

mbb

December 3, 2020