

UPDATE
JULY 29, 2021 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM

FULL COMMISSION (P/Z)

You are invited to a Zoom webinar.

When: Jul 29, 2021, 07:00 PM Central Time (US and Canada)

Topic: Full Commission - P&Z/Public Hearings: CDBG Budget and ARPA Adopt CDBG Budget

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87169923661?pwd=eFIMSHg2Kyt6czBPUWdvRUNIRzIRZz09>

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I. CALL TO ORDER

II. ROLL CALL

**III. INVOCATION GIVEN BY COMMISSIONER HAROLD JOHNSON, FAITH
DELIVERANCE CHURCH OF GOD IN CHRIST**

IV. PLEDGE OF ALLEGIANCE

V. REVISIONS TO THURSDAY, JULY 29, 2021 AGENDA

**New Item Planning and Zoning Consent Agenda – Miscellaneous – Ordinances – Item
No. 6**

AN ORDINANCE authorizing a Special Use Permit (SP2021-048) for grading and site preparation at 1705, 1735, 1811, and 1831 South 45th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

Tracking #: 21973

VI. CLERK'S STATEMENT

(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)

VII. PLANNING AND ZONING CONSENT AGENDA

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

IX. MAYOR'S AGENDA

PLANNING AND ZONING

JULY 29, 2021

- X. REGULAR CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. ADMINISTRATOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

PLANNING AND ZONING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. COZ2021-020 - NP TURNER INDUSTRIAL, LLC

Synopsis: Change of Zone from R-1 Single Family, RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District for continuation of the warehousing, distribution and light manufacturing development at 725 North 74th Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21947

2. COZ2021-021 - NP TURNER INDUSTRIAL, LLC

Synopsis: Change of Zone from R-1 Single Family and C-1 Limited Business Districts to MP-2 Planned General Industrial District for Turner Logistics Center East Building 5 at 900 North 69th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21948

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2021-042 - BRYAN STOKES

Synopsis: Special Use Permit to keep farm animals at 734 South 76th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 21902

2. SP2021-045 - JAMES SULLIVAN WITH SULLIVAN PALMER ARCHITECTS

Synopsis: Special Use Permit for auto storage and maintenance building at 1037 South 26th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21903

3. **SP2021-053 - DEBORAH BEAUCHAMP**

Synopsis: Renewal of a Home Occupation Special Use Permit (SP-2019-61 - expired 6/27/2021) for a Short-Term Rental/AirBnB at 11827 Marxen Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 21944

4. **SP2021-054 - KIRAN CHELLURI**

Synopsis: Renewal of a Special Use Permit (SP-2020-30 - expired 4/30/2021) for a Short-Term Rental/AirBnB at 3846-3848 North 123rd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21945

5. **SP2021-057 - MKEC ENGINEERING, INC.**

Synopsis: Special Use Permit for earthen fill at 1930 South 74th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21949

6. **SP2021-058 - LAURA L. SANCHEZ**

Synopsis: Renewal of a Home Occupation Special Use Permit (SP-2019-91 - expires 8/27/2021) for a Homestead Montessori Farm School at 3800 Weaver Court, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 21946

C. VACATION APPLICATION

1. **VAC2021-007 - BLAIR THEDINGER**

Synopsis: Vacation of an alley at 415 Stine Avenue and 1417 South 5th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21950

D. PLAN REVIEW APPLICATIONS

1. **PR2021-017 - STACI BOWEN**

Synopsis: Preliminary Plan Review for the redevelopment of Lot 47 in the Plaza at the Speedway for Whataburger at 10780 Parallel Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21953

2. **PR2021-018 - DANIELLE SHARMACHARY WITH DUGAN DESIGN GROUP**

Synopsis: Preliminary and Final Plan Review for a Chipotle restaurant at 7750 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design,

573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21954

E. MISCELLANEOUS

1. **MPL2021-007 - NP TURNER INDUSTRIAL, LLC**

Synopsis: Master Plan Amendment from Low Density Residential to Industrial at 725 North 74th Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21951

2. **MPL2021-009 - NP TURNER INDUSTRIAL, LLC**

Synopsis: Master Plan Amendment from Low Density Residential to Industrial at 900 North 69th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21952

F. MISCELLANEOUS - ORDINANCES (The following ordinances formalize previous Commission approval.)

1. AN ORDINANCE authorizing a Special Use Permit (SU20-00097) to operate a transitional/group home at 933 Quindaro Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21955

2. AN ORDINANCE authorizing a Special Use Permit (SP-2020-77) for a mechanic, used auto sales and continuing an import/export business at 900 South 66th Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21956

3. AN ORDINANCE authorizing a Special Use Permit (SP-2020-97) to operate a new automotive repair, auto body and used car sales business at 927 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21958

4. AN ORDINANCE authorizing a Special Use Permit (SP-2020-101) for continuation of an auto body shop at 744 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21959

5. AN ORDINANCE authorizing a Special Use Permit (SP2021-028) for continuation of a Short-Term Rental/AirBnB at 2706 Espenlaub Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR**

APPROVAL)
Tracking #: 21960

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR JULY 29, 2021

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

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

IX. MAYOR'S AGENDA

X. REGULAR CONSENT AGENDA

1. NOMINATION: BOARDS & COMMISSIONS

Synopsis: Nomination to Boards & Commissions:

Broderick Crawford to the Law Enforcement Advisory Board, 7/29/21-12/13/21, submitted by Commissioner Philbrook

Tracking #: 21940

2. MINUTES

Synopsis: Minutes from regular session of April 8, 2021; and special sessions of June 24 and July 1, 2021.

Tracking #: MINUTES

3. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated July 1, 8, 15, and 22, 2021.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

1. PUBLIC HEARING/RESOLUTION: COMMUNITY DEVELOPMENT 2021 ANNUAL ACTION PLAN

Synopsis: Conduct a public hearing to consider approval of the 2021-2022 Annual Action Plan to be submitted to HUD, submitted by Wilba Miller, Director of Community Development.

The first public hearing was held March 12, 2021.

Tracking #: 21942

2. PUBLIC HEARING: AMERICAN RESCUE PLAN ACT (ARPA), LOCAL FISCAL RECOVERY FUNDS DIRECT AID TO THE UNIFIED GOVERNMENT

Synopsis: Conduct a public hearing regarding the American Rescue Plan Act (ARPA) to consult with members of communities that have been historically underrepresented or underserved in the Federal Government with the objective to increase coordination, communication, and engagement with community-based organizations and civil rights organizations, as encouraged by U.S. Presidential Order 13985, *On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, submitted by Kathleen VonAchen, Chief Financial Officer.

For information and comment only.

Tracking #: 21957

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. RESOLUTION: APPOINTMENT OF COUNTY APPRAISER

Synopsis: A resolution appointing Matthew Willard as the Wyandotte County Appraiser, effective July 29, 2021, expiring June 30, 2025, or until the position is deemed vacated prior thereto, submitted by Doug Bach, County Administrator.

Tracking #: 21961

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, JULY 29, 2021**

**VII. PLANNING AND ZONING CONSENT AGENDA
F. MISCELLANEOUS – ORDINANCES**

NEW ITEM

- 6. AN ORDINANCE** authorizing a Special Use Permit (SP2021-048) for grading and site preparation at 1705, 1735, 1811 and 1831 South 45th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751, **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21973

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2021-048, commonly known as 1705, 1735, 1811 and 1831 South 45th Street, Kansas City, Kansas, legally described as:

LOT 4, I-635 INDUSTRIAL PARK

A parcel of land in the Northwest Quarter of Section 30, Township 11 South, Range 25 East of the 6th Principal Meridian in Kansas City, Wyandotte County, Kansas being more particularly described as follows: Commencing at the point of intersection of the North line of the Southwest Quarter of the Northwest Quarter of said Section 30 with the East line of the Southwest Quarter of the Northwest Quarter of said Section 30; Thence South 89° 36' 02" West 25.00 feet, along the North line of the Southwest Quarter of the Northwest Quarter of said Section 30, to a point on the West right-of-way line of 45th Street, as now established, said point being the "Point of Beginning" of the parcel herein described; Thence South 0° 02' 43" East 325.01 feet, along said West right-of-way line, to the Southeast corner of said Lot 4; Thence South 89° 36' 02" West 410.10 feet, along the South line of said Lot 4, to the Southwest corner of said Lot 4; Thence North 0° 02' 43" West 325.01 feet, along the West line of said Lot 4, to the Northwest corner of said Lot 4; Thence North 89° 36' 02" East 410.10 feet to the point of beginning of the parcel herein described containing 133,282 square feet or 3.0597 acres, more or less. Subject to all easements and restrictions of record.

LOT 5, I-635 INDUSTRIAL PARK

A parcel of land in the Northwest Quarter of Section 30, Township 11 South, Range 25 East of the 6th Principal Meridian in Kansas City, Wyandotte County, Kansas being more particularly described as follows: Commencing at the point of intersection of the North line of the Southwest Quarter of the Northwest

Quarter of said Section 30 with the East line of the Southwest Quarter of the Northwest Quarter of said Section 30; Thence South 0° 02' 43" West 325.01 feet, along the East line of the Southwest Quarter of the Northwest Quarter of said Section 30 and the center line of 45th Street, as now established; Thence South 89° 36' 02" West 25.00 feet, to a point on said West right-of-way line, said point also being the Northeast corner of said Lot 5 and the "Point of Beginning" of the parcel herein described; Thence South 0° 02' 43" West 325.01 feet, along the East line of said Lot 5, to the Southeast corner of said Lot 5; Thence South 89° 36' 02" West 410.10 feet, along the South line of said Lot 5, to the Southeast corner of said Lot 5; Thence North 0° 02' 43" West 325.01 feet, along the West line of said Lot 5, to the Northwest corner of said Lot 5; Thence North 89° 36' 02" East 410.10 feet to the point of beginning of the parcel herein described containing 133,282 square feet or 3.0597 acres, more or less. Subject to all easements and restrictions of record.

LOT 6, I-635 INDUSTRIAL PARK

A parcel of land in the Northwest Quarter of Section 30, Township 11 South, Range 25 East of the 6th Principal Meridian in Kansas City, Wyandotte County, Kansas being more particularly described as follows: Commencing at the point of intersection of the North line of the Southwest Quarter of the Northwest Quarter of said Section 30 with the East line of the Southwest Quarter of the Northwest Quarter of said Section 30; Thence South 0° 02' 43" West 650.02 feet, along the East line of the Southwest Quarter of the Northwest Quarter of said Section 30 and the center line of 45th Street, as now established; Thence South 89° 36' 02" West 25.00 feet, to a point on said West right-of-way line, said point also being the Northeast corner of said Lot 6 and the "Point of Beginning" of the parcel herein described; Thence South 0° 02' 43" West 325.01 feet, along the East line of said Lot 6, to the Southeast corner of said Lot 6; Thence South 89° 36' 02" West 410.10 feet, along the South line of said Lot 6, to the Southeast corner of said Lot 6; Thence North 0° 02' 43" West 325.01 feet, along the West line of said Lot 6, to the Northwest corner of said Lot 6; Thence North 89° 36' 02" East 410.10 feet to the point of beginning of the parcel herein described containing 133,282 square feet or 3.0597 acres, more or less. Subject to all easements and restrictions of record.

LOT 7, I-635 INDUSTRIAL PARK

A parcel of land in the Northwest Quarter of Section 30, Township 11 South, Range 25 East of the 6th Principal Meridian in Kansas City, Wyandotte County, Kansas being more particularly described as follows: Commencing at the point of intersection of the North line of the Southwest Quarter of the Northwest Quarter of said Section 30 with the East line of the Southwest Quarter of the Northwest Quarter of said Section 30; Thence South 0° 02' 43" West 975.03 feet, along the East line of the Southwest Quarter of the Northwest Quarter of said Section 30 and the center line of 45th Street, as now established; Thence South

89° 36' 02" West 25.00 feet, to a point on said West right-of-way line, said point also being the Northeast corner of said Lot 7 and the "Point of Beginning" of the parcel herein described; Thence South 0° 02' 43" West 321.70 feet, along said West right-of-way line; to the Southeast corner of said Lot 7; Thence South 89° 35' 52" West 410.10 feet, along the South line of said Lot 7, to the Southwest corner of said Lot 7; Thence North 0° 02' 43" West 321.72 feet, along the West line of said Lot 7, to the Northwest corner of said Lot 7; Thence North 89° 36' 02" East 410.10 feet to the point of beginning of the parcel herein described containing 131,961 square feet or 3.0294 acres, more or less. Subject to all easements and restrictions of record.

LOT 8, I-635 INDUSTRIAL PARK

A parcel of land in the Northwest Quarter of Section 30, Township 11 South, Range 25 East of the 6th Principal Meridian in Kansas City, Wyandotte County, Kansas being more particularly described as follows: Commencing at Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 30; Thence North 0° 07' 43" East 25.00 feet, along the West line of the Southwest Quarter of the Northwest Quarter of said Section 30 and the center line of 45th Street, as now established; Thence North 89° 35' 52" East 25.00 feet, to a point on said East right-of-way line, of 45th Street as now establish, said "Point of Beginning" of the parcel herein described; Thence South 0° 02' 43" West 321.70 feet, along said East right-of-way line, to the Northwest corner of said Lot 8; Thence North 89° 36' 02" East 446.28 feet, along the North line of said Lot 8, to the Northeast corner of said Lot 8; Thence South 6° 46' 53" East 53.06 feet, along the East line of said Lot 8 and the West right-of-way line of I-635 Highway, as now establish; Thence South 7° 15' 17" West 103.08 feet, along the East line of said Lot 8, and the West right-of-way line of I-635 Highway, as now establish; Thence South 6° 46' 53" East 167.81 feet, along the East line of said Lot 8 and the West right-of-way line of I-635 Highway, as now establish, to North right-of-way line of Douglas Avenue, as now establish, said point also being the Southeast corner of said Lot 8; Thence South 89° 35' 52" West 459.09 feet, along the North line of said Douglas Avenue, to the point of beginning of the parcel herein described containing a total area of 144,183 square feet or 3.3099 acres, more or less. Subject to all easements and restrictions of record.

LOT 9, I-635 INDUSTRIAL PARK

A parcel of land in the Northwest Quarter of Section 30, Township 11 South, Range 25 East of the 6th Principal Meridian in Kansas City, Wyandotte County, Kansas being more particularly described as follows: Commencing at Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 30; Thence North 0° 02' 43" East 346.70 feet, along the West line of the Southwest Quarter of the Northwest Quarter of said Section 30 and the center line of 45th Street, as now established; Thence North 89° 35' 52" East 25.00 feet, to a point on said East right-of-way line, of 45th Street as now establish, said "Point of

Beginning" of the parcel herein described; Thence South 0° 02' 43" West 325.01 feet, along said East right-of-way line; to the Northeast corner of said Lot 9; Thence North 89° 36' 02" East 407.92 feet, along the North line of said Lot 9, to the Northeast corner of said Lot 9; Thence South 6° 46' 53" East 327.03 feet, along the East line of said Lot 9 and the West right-of-way line of I-635 Highway, as now establish, to the Southeast corner of said lot 9; Thence South 89° 36' 02" West 446.28, along the South line of said Lot 9, to the point of beginning of the parcel herein described containing a total are of 138,809 square feet or 3.1866 acres, more or less. Subject to all easements and restrictions of record.

LOT 10, I-635 INDUSTRIAL PARK

A parcel of land in the Northwest Quarter of Section 30, Township 11 South, Range 25 East of the 6th Principal Meridian in Kansas City, Wyandotte County, Kansas being more particularly described as follows: Commencing at Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 30; Thence North 0° 02' 43" East 671.71 feet, along the West line of the Southwest Quarter of the Northwest Quarter of said Section 30 and the center line of 45th Street, as now established; Thence North 89° 36' 02" East 25.00 feet, to a point on said East right-of-way line, of 45th Street as now establish, said "Point of Beginning" of the parcel herein described; Thence North 0° 02' 43" West 325.01 feet, along said East right-of-way line; to the Northwest corner of said Lot 10. Thence North 89° 36' 02" East 369.56 feet, along the North line of said Lot 10, to the Northeast corner of said Lot 10; Thence South 6° 46' 53" East 327.03 feet, along the East line of said Lot 8 and the West right-of-way line of I-635 Highway, as now establish, to the Southeast corner of said Lot 10; Thence South 89° 36' 02" West 407.92, along the South line of said Lot 10, to the point of beginning of the parcel herein described containing a total area of 126,342 square feet or 2.9004 acres, more or less. Subject to all easements and restrictions of record.

LOT 11, I-635 INDUSTRIAL PARK

A parcel of land in the Northwest Quarter of Section 30, Township 11 South, Range 25 East of the 6th Principal Meridian in Kansas City, Wyandotte County, Kansas being more particularly described as follows: Commencing at Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 30; Thence North 0° 07' 43" East 996.72 feet, along the West line of the Southeast Quarter of the Northwest Quarter of said Section 30 and the center line of 45th Street, as now established; Thence North 89° 36' 02" East 25.00 feet, to a point on said East right-of-way line of 45th Street, as now established, said point being the "Point of Beginning" of the parcel herein described; Thence North 0° 02' 43" West 259.67 feet, along said East right-of-way line; to the South line of the excepted tract of said Lot 11; Thence North 89° 36' 16" East 129.04 feet, along said South line of said Lot 11, to the approximate top of slope of said Lot 11; Thence Northeasterly 267.00 feet, more or less, along said top of slope, to the North line of said Lot 11; Thence North 89° 36' 16" East 233.22 feet, along the

North line of said Lot 11, to the West right-of-way line of I-635 Highway, as now established; Thence South 3° 33' 59" East 175.37 feet, along the East line of said Lot 11 and the West right-of-way line of I-635 Highway, as now establish; Thence South 28° 35' 36" East 215.42 feet, along the East line of said Lot 11 and the West right-of-way line of I-635 Highway, as now establish; Thence South 6° 46' 53" East 192.88 feet, along the East line of said Lot 11 and the West right-of-way line of I-635 Highway, as now establish, to Southeast corner of said lot 11; Thence South 89° 36' 02" West 369.56 along the South line of said Lot 11, to the point of beginning of the parcel herein described containing a total area of 128,360 square feet or 2.9467 acres, more or less. Subject to all easements and restrictions of record.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for grading and site preparation.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1) **Rumble strips and/or other mitigation measures must be installed at all entry/exit points from the subject properties to the public right-of-way in order to keep dirt and gravel from tracking onto the road;**
- 2) **Dust mitigation measures must be implemented throughout the grading process;**
- 3) **According to Sec. 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;**
- 4) **All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Any illumination that results from use of the parking lot shall not be seen or otherwise impact adjacent residential uses;**
- 5) **Contractors involved in this project will need to file and maintain a current business occupation tax application with the Business License Division;**
- 6) **Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable;**
- 7) **Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit**

issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Section 8-610 through Section 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;

- 8) Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
- 9) 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;
- 10) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
- 11) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Section 4. Take Effect. This ordinance shall take effect as of the date of its

publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2021.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: July 29, 2021

Re: **Change of Zone Petition COZ2021-020 and Master Plan Amendment MPL2021-007**

GENERAL INFORMATION

Applicant:
NP Turner Industrial, LLC

Status of Applicant:
Representative
Continental Consulting Engineers, Inc.
11006 Parallel Parkway, Suite 1
Kansas City, KS 66109

Requested Actions:
Change of Zone from R-1 Single Family and RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District.

Master Plan Amendment from Parks/Open Space, Low Density Residential, Medium Density Residential and Mixed Use to Industrial (City-Wide Master Plan).

Date of Application: May 26, 2021



Purpose:	To rezone and create three (3) lots to build three (3) buildings (Building 7 – 202,032 square feet, Building 8 – 301,944 square feet and Building 9 – 405,600 square feet) for a warehouse and distribution center.		
Property Location:	7200 Tauromee Avenue, 743 North 74 th Drive, 725 North 74 th Drive, 7315 Tauromee Avenue and 530 North 72 nd Street		
Commission Districts:	Commissioner At Large: Melissa Bynum District #8 Commissioner: Jane Winkler Philbrook		
Existing Zoning:	R-1 Single Family and RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts		
Surrounding Zoning:	North:	R-1 Single Family, CP-2 Planned General Business and CP-3 Planned Commercial Districts	
	South:	R-1 Single Family District	
	East:	RP-5 Planned Apartment District and KDOT Right-of-Way	
	West:	RP-4 Planned Garden Apartment and R-1 Single Family Districts	
Existing Uses:	North:	Single family homes and a home improvement store (across State Avenue)	
	South:	Industrial business park (currently under construction)	
	East:	Single family homes and senior living apartments	
	West:	Undeveloped land and right-of-way	
Total Tract Size:	127.17 Acres		
Master Plan Area:	City-Wide Master Plan		
Master Plan Designation:	The City-Wide Master Plan designates this property as Low Density Residential, Medium Density Residential, Parks/Open Space, and Mixed Use. Low Density Residential allows single-family detached residences, institutional uses such as elementary and middle schools, small churches (less than 50,000 square feet), libraries and parks, open space, etc. Medium Density Residential allows garden apartments, attached residences including townhomes, duplexes, triplexes, fourplexes, institutional uses such as elementary, middle and high schools, churches, libraries, parks and open space. Parks and Open Space allows active and passive parks, open space and trails. Mixed Use allows specialty retail, sit-down		

restaurants, convenience retail uses such as banks, drug stores, professional and office services, institutional uses such as churches, schools, libraries, etc., parks, plaza, open space, and mixed-density residential uses.

Major Street Plan:	The Major Street Plan classifies I-70 Highway as a freeway, State Avenue as a Class A Thoroughfare, North 72 nd Street (College Parkway) as a Class C Thoroughfare, and Tauromee Avenue as a Collector Street.
Required Parking:	For buildings larger than 50,000 square feet, parking is determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government Board of Commissioners shall make the final determination upon recommendation of the Planning Commission. Building 7 proposes 203 parking spaces. Building 8 proposes 278 parking spaces. Building 9 proposes 208 parking spaces.
Advertisement:	<u>The Wyandotte Echo</u> – Change of Zone - June 17, 2021; Master Plan Amendment – June 17, 2021 Letters to Property Owners – Change of Zone – June 16, 2021 and July 22, 2021; Plat – June 16, 2021; Master Plan Amendment – June 16, 2021 and July 22, 2021
Public Hearings:	July 12, 2021 and July 22, 2021
Public Support:	None to date.
Public Opposition:	Two (2) people appeared in opposition at the July 12, 2021 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, NP Turner Industrial, LLC wants to rezone from R-1 Single Family and RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District, create three (3) lots to build three (3) buildings (Building 7 – 202,032 square feet, Building 8 – 301,944 square feet and Building 9 – 405,600 square feet) and amend the City Wide Master Plan from Parks/Open Space, Low Density Residential, Medium Density Residential and Mixed Use to Industrial for a warehouse and distribution center at 7200 Tauromee Avenue, 743 North 74th Drive, 725 North 74th Drive, 7315 Tauromee Avenue and 530 North 72nd Street on 127.17 acres.

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

Code Enforcement History: There is no history of Notice of Violations for this property.

FACTORS TO BE CONSIDERED

1. Neighborhood character

This project spans a large area with several uses. The site area is primarily undeveloped land with existing thick tree stands throughout the area. There are residential townhomes (Villas of Stonebridge) west of the project area. Commercial uses exist further north of North 74th Drive along State Avenue. This location is also adjacent to several major roadways; I-70 to the south adjacent the southern property line of Building 8e, College Parkway to the east. Appropriate preservation of open space and screening is essential.

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

The zoning and uses of properties nearby are not compatible with the southwest area of this development, as established single-family homes and townhomes are in this general direction and these residents must drive along Tauromee Avenue and North 74th Drive leave and return to their residences. The proposed uses are not compatible with the surrounding area.

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

The property is not suitable due to topography, adjacent uses, and limited access. All of these need to be addressed.

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

Portions of the properties along North 74th Drive and Tauromee Avenue have never been developed. Northpoint Development has purchased residences along Tauromee Avenue and North 72nd Street for their business park.

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

The proposed use will produce economic activity; however, the proposed use is not reasonably necessary for the convenience and welfare of the public as there will be an industrial building adjacent the property lines southwest of Building 8 and west of the detention basins of Building 9, and will substantially injure the appropriate use, visual quality and marketability of the residences.

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

The proposed use will increase traffic and parking demand; however, all traffic shall enter from Tauromee Avenue, and continue west of until reaching North 72nd Street where traffic will turn south to enter Building 8 and north on North 74th Drive to enter Building 9. There shall be no access from the north on North 74th Street, from the south on North 72nd Street or from the west on Tauromee.

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

The proposed use does not conform to the Master Plan. An amendment to Industrial has been submitted by the applicant.

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

The site, as proposed will be graded similar to Turner Logistics Center East with the majority of the trees removed for building pads and parking. There are established tree stands to the throughout this development area which are partially not part of a detention basin or building pad. These tree stands, through preservation will soften the front of the building and customer parking from all vantage points along the public streets.

This development area is dense with existing, mature trees and these homes that border this development and the residents that must drive on the public streets to get to the major arterials (State Avenue and College Parkway) and highways (Interstate 70) do not need to feel as though they are driving through an industrial business park.

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

a. *Water service*

Water service is provided by BPU.

b. *Sanitary sewer service*

Sanitary sewer service is provided by the UG.

c. *Storm water control*

To be designed to meet City Code.

d. *Police*

Police service is provided by West Patrol, District #221.

e. *Fire*

Fire service is provided by Fire Station #11.

f. Transit

Kansas City ATA provides transit service along College Parkway and I-70, Route #114 and State Avenue, Route #101.

g. Schools

Public education service provided by Turner USD 202.

h. Streets

See item #6 above.

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

The proposed use will have a positive economic impact on the community by turning fairly low density residential and undeveloped lots into taxable lots with industrial buildings.

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

With revisions to public improvements, landscaping, berming and fencing, the proposed use is capable of meeting applicable ordinance requirements.

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

There is no relative gain to the public health, safety and welfare compared to the hardship imposed on the landowner, although all traffic will be restricted to Tauromee Avenue via College Parkway/Turner Diagonal.

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

Development can be used safely without danger to health or peril from fire, flood, and erosion. There will be excessive noise associated with this industrial development, the truck docks will be located in the rear, which will be external to the development adjacent to Building 9 facing North 74th Drive.

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

The primary entrance will be off Tauromee Avenue via Turner Diagonal/College Parkway with a realignment of North 74th Drive. There is no access into the development from State Avenue, west from 78th Street on Tauromee or north

from 72nd Street, so heavy trailer and truck traffic should not become a nuisance for those remaining residences on North 74th Drive.

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

Buildings, lots, blocks, parcels and streets will be arranged so as to afford adequate light, open space, or air to facilitate protection, and to provide for long-term sustained real estate values provided proper berming, fencing and screening is constructed and continuously maintained.

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

Development patterns have been designed with minimal due regard to topography, much of the site has been graded flat. Most of the natural vegetation has been removed except for the existing tree stands around the perimeter along the northern and western edge of the property.

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

This is an industrial development and as such does not have the amenities stated above, although staff has made recommendations to improve walkability and non-vehicular transportation and transit by coordinating with KCATA to have a transit stop on College Parkway/Turner Diagonal just north of Tauromee Avenue and pedestrian access via sidewalks throughout the development along North 72nd Street, North 74th Drive and Tauromee Avenue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 28, 2021 by Virtual Meeting (Zoom). Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Floodway Mitigation
Pedestrian and Transit Access
Screening from North 74th Drive, Tauromee Avenue and North 72nd Street
Truck Noise
Lighting / Glare
Existing Topographic and Natural features
Sidewalk and Trails Master Plan

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Change of Zone COZ2021-020 and Master Plan Amendment MPL2021-007, subject to:

1. **Manufacturing uses are permitted on the property that are restricted to the MP-1 use regulations and shall comply with Sec. 27-468(c)(3) No use shall be permitted or so operated as to produce or emit:**
 - a. **Smoke, dust, fly ash, gas, or odorous emission not in compliance with Chapter 3 (Code of the Unified Government of Wyandotte County/Kansas City, Kansas, Chapter 3 – Air Pollution).**
 - b. **Vibration or concussion perceptible without instruments at the property line.**
 - c. **Noise greater than 75dB(A) at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night noise level average to exceed 65 dB(A) for any residence for a sustained period.**
 - d. **Industrial waste which may overburden the public sewage facilities or produce odor or unsanitary effects beyond the property line;**
2. **Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;**
3. **Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;**
4. **Utility easements shall connect with easements established in adjoining properties;**
5. **Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;**
6. **To alleviate all impact on the regulatory floodway within Mill Creek, Staff prefers construction a bridge rather than installing a box culvert;**
7. **Provide an enhanced screening plan more in line with that done for Plaza at the Speedway as the truck trailers will be highly visible from 74th Drive and Tauromee Avenue;**

8. With the southbound transit stop located north of Tauromee Avenue, constructing a five (5) foot wide sidewalk on the north right-of-way along Tauromee Avenue will ensure employees have a safe and reliable means to walk to Building 9 without having to cross the 72nd Street and Tauromee Avenue or 74th Drive and Tauromee Avenue intersections;
9. In addition to adding a sidewalk on the east side of North 74th Drive, add a sidewalk on the west side North 74th Drive to connect to the Villas of Stonebridge residential development;
10. The trail connection point to Tauromee Avenue will be within the project boundary. The developer is finalizing the purchasing agreement with KTA and KDOT for excess right-of-way that the connection is currently shown within;
11. Staff understands the site restraints, however Building 7 is situated on the same lot as the proposed streamway trail per the Sidewalk and Trails Master Plan. Greater discussion is necessary during the Final Development Plan and Final Plat to guarantee that the trail extends south of Tauromee Avenue. Crushed and compacted limestone is the preferred trail surface rather than mulch which is more susceptible to wash out;
12. Crosswalks shall be added to driveways and intersections where sidewalks are connected along and across Tauromee Avenue, North 74th Drive and North 72nd Street. Crosswalks shall be ADA compliant;
13. The access drive for Water Pollution Control shall be paved;
14. Sec. 27-469(c)(1)d. No use shall be permitted or so operated as to produce or emit: Noise greater than 80 decibels at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night level average to exceed 65 decibels for any residence for a sustained period;
15. No truck traffic on North 74th Drive, North 72nd Street or on Tauromee Avenue, west of Building 8. All truck traffic shall be routed on Tauromee Avenue via College Parkway/Turner Diagonal;
16. The loading dock doors shall be painted to match the building or a complimentary color as the primary building;
17. Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building;
18. For context, the development of Turner Logistics Center West is sandwiched in between a residential area, comprised of single-family homes and townhomes, Interstate 70 and College Parkway. There are multiple access points to get to Buildings 7 – 9 on Tauromee Avenue via 78th Street and College Parkway and North 74th Drive via State Avenue. These buildings will be highly visible along North 74th Drive and Tauromee Avenue as residents must drive past these buildings to reach their neighborhood, instead of the forested, rural setting that exists now whereas Turner Logistics Center East has one access point within that development. All traffic enters and exits onto Orville Avenue and the development is self-contained. Residents should not have to drive through the logistics park to get to College Parkway via Tauromee Avenue. The overall development should be designed in a manner that hides this industrial business park from residents that live along

- Tauromee Avenue and North 74th Street (Village of Stonebridge) and will drive through this area to get to I-70;
19. Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcels and Tauromee Avenue, North 74th Drive, North 72nd Street and College Parkway/KDOT ROWs;
 20. In addition to trees being planted on top of the existing ridge line, trees shall be infilled on the downward slope to increase the screening along North 74th Drive;
 21. Install more evergreens to ensure that during the winter months, Building 9 is not visible from the adjacent residences to the west;
 22. Relandscape the north slope of Building 9 and remaining void areas throughout the development site, not limited to: north and south sides along Tauromee Avenue west of the creek crossing, in between the east side of Building 8 and North 72nd Street and the southwest corner of North 72nd Street/Tauromee Avenue intersection, west of the cul-de-sac west of Building 9, and east of Building 9 and the trailer/truck storage;
 23. Trees shall wrap around the perimeter of the detention basin slopes, be planted at the top and on slopes, and always seek to replant those trees lost due to the development;
 24. Trash compactors shall be screened from public view;
 25. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
 26. Sec. 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;
 27. Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 554 trees are required to be planted. This does not include the street trees to be planted along North 72nd Street, North 74th Drive, Tauromee Avenue, or parking lot island trees;
 28. Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaces not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center;
 29. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty

- (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue;
30. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
 31. All landscaping shall be irrigated;
 32. Shall comply with the sign ordinance;
 33. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sec.8-610 through Sec.8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.
 34. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable; and,
 35. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2021-020** and **MPL2021-007** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Photography
Zoning Map
Land Use Map
Applicant Response Letter
Neighborhood Meeting Minutes
Preliminary Plat
Site Plan
Grading and Utility Plan
Landscape Plan
Sight Lines
Building Elevations
Site Photographs taken by Staff on December 16, 2020

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Unified Government Board of Commissioners</u>
Public Hearing	July 12, 2021	July 29, 2021
Rezoning	Approval	

Public Hearing	July 12, 2021	July 29, 2021
Master Plan	Approval	

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition MPL2021-007 as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition MPL2021-007, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition COZ2021-020 as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition COZ2021-020 as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

Hearing starts at 1:08:27:

MASTER PLAN AMENDMENT MPL2021-007 – NP TURNER INDUSTRIAL, LLC – SYNOPSIS: Master Plan Amendment from Low Density Residential to Industrial at 725 North 74th Drive.

CHANGE OF ZONE APPLICATION COZ2021-020 – NP TURNER INDUSTRIAL, LLC - SYNOPSIS: Change of Zone from R-1(B) Single Family, RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District for continuation of the warehousing, distribution and light manufacturing development at 725 North 74th Drive.

PLAT2021-012 – NP TURNER INDUSTRIAL, INC. – SYNOPSIS: Preliminary Plat for Turner Logistics Center West at 725 North 74th Drive.

Detailed Outline of Requested Action: The applicant, NP Turner Industrial, LLC wants to rezone from R-1 Single Family and RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District, create three

(3) lots to build three (3) buildings (Building 7 – 202,032 square feet, Building 8 – 301,944 square feet and Building 9 – 405,600 square feet) and amend the City Wide Master Plan from Parks/Open Space, Low Density Residential, Medium Density Residential and Mixed Use to Industrial for a warehouse and distribution center at 7200 Tauromee Avenue, 743 North 74th Drive, 725 North 74th Drive, 7315 Tauromee Avenue and 530 North 72nd Street on 127.17 acres.

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

Code Enforcement History: There is no history of Notice of Violations for this property.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and
7. The Notices to property owners.

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

Present in Support:

- Jim Kraatz, Brody Sherar and Brett Powell, Northpoint Development, 8425 Northwest 41st Street, Suite 500, Riverside, Missouri
- Phil Gibbs, Jr. and Andrew Talkin, Continental Engineers

Present in Opposition:

- John Strharsky, 515 North 75th Street, Kansas City, Kansas
- Teresa Davis, 7428 Orville Avenue, Kansas City, Kansas

Staff Recommendation starts at 1:35:57: Planning Director Hand stated that staff has worked with the applicant on this project for some time while also working on the final plans for Turner East. He stated that staff has made it clear that the Turner East project is completely different than this project on west side of College Boulevard. This proposal will extend Tauromee Avenue to the new intersection of College Parkway and Orville Street. He said this project represents a big change to the existing Master Plan designation and zoning district. He stated that this proposal is effectively an industrial park in the middle of a residential neighborhood just south of a primary transit corridor (State Avenue). The applicant in his presentation outlined the conditions they have worked through with the staff, including maximizing the preservation of existing tree stands working to maintain the character of Tauromee as much as possible, as well as other screening and buffering to soften the industrial park as possible. Director Hand

stated that this project is in the Mid-Town area and one (1) of the conditions is restricting all uses to those of the MP-1 District, which is the least intensive industrial district. Staff informed the applicant from the beginning that staff prefers a bridge over Mill Creek as opposed to the proposed box culvert. There is a transit stop that is planned north of Tauromee Avenue along College Parkway. Sidewalks should be constructed on the north right-of-way along Tauromee Avenue to ensure employees have a safe and reliable means to walk (to Building 9) without having to cross 72nd Street. Staff has requested sidewalks on both sides of the new Tauromee extension in addition to adding a sidewalk on the east side of North 72nd Street and a sidewalk on the west side of North 74th Drive to connect to the Villas of Stonebridge residential development. There is an agreement based on the purchase of property from a private owner for Mill Creek to be preserved. The Sidewalk and Trails Master Plan requires a new trail on Mill Creek that would go from the new 74th Drive, down Tauromee to the new 72nd Street and staff would prefer that it continue along the creek corridor on the east side of their building and wrapping around before crossing the freeway. Director Hand further stated that in lieu of that path there is a path forward to have the trail go along the corridor to Tauromee and connecting to the sidewalk rebuilt. If that is the path forward, staff will work with the applicant to make sure those sidewalks match the trail standards – 10' sidewalk on the south side of Tauromee and east side of 72nd Street. Regarding traffic, staff has a condition that all traffic be signed so no trucks are allowed west of the new 74th Street. (He showed the Commission on the map where the signage would be located). He further stated that there is a way for trucks to connect to all the buildings in the development and stay out of the residential neighborhoods. Even with signage, experience has shown that there will be errant drivers on occasion. Staff can further investigate, as per public comments today, any additional methods to prevent truck traffic west of the development. He further stated that this is a significant change in the existing topography and the applicant has worked hard to squeeze in the development to create a ring of existing tree lines and ridges trying to preserve as many of the existing trees as possible, which provides better screening for the residential neighborhoods. Staff put great emphasis on revegetating the proposed stormwater ponds and landscaping along Tauromee Avenue to soften the view from the street. As the applicant stated, there is no way they can completely screen it from Tauromee Avenue. With the exception of the comments this evening, staff received no letters in support nor opposition and there are no Notices of Violation on the property. Staff recommends approval subject to the conditions in the staff report. He also stated that one of the people tonight commented about the notice area. The Statutory requirement is to notify property owners within 200 feet of the property in question and the residential subdivision is about 400 feet away from the project.

Chairman Carson asked staff to check the signage at 74th and Tauromee to see if there are no truck traffic signs. Director Hand stated that they were.

Commissioner Miller asked staff to follow up on the truck pull off area (rest area) lighting that was mentioned by Ms. Davis. Director Hand stated that staff will follow up with KDOT and it should be noted that there are no such lights planned for this development.

Commissioner Jones asked if there will be any follow-up with Ms. Davis concerning the lighting. Director Hand stated that staff can follow up with her after his meeting with KDOT if she provides staff with her contact information at planninginfo@wycokck.org.

Motion and Vote starts at 1:46:25:

On motion by Mr. Miller, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL** of **Master Plan Amendment MPL2021-007**

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

Motion to RECOMMEND APPROVAL Passed: 6 to 0

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zoning Application COZ2021-020:**

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

Motion to RECOMMEND APPROVAL Passed: 6 to 0

Subject to:

1. Manufacturing uses are permitted on the property that are restricted to the MP-1 use regulations and shall comply with Sec. 27-468(c)(3) No use shall be permitted or so operated as to produce or emit:
 - a. Smoke, dust, fly ash, gas, or odorous emission not in compliance with Chapter 3 (Code of the Unified Government of Wyandotte County/Kansas City, Kansas, Chapter 3 – Air Pollution).
 - b. Vibration or concussion perceptible without instruments at the property line.
 - c. Noise greater than 75dB(A) at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night noise level average to exceed 65 dB(A) for any residence for a sustained period.
 - d. Industrial waste which may overburden the public sewage facilities or produce odor or unsanitary effects beyond the property line;

2. **Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;**
3. **Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;**
4. **Utility easements shall connect with easements established in adjoining properties;**
5. **Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;**
6. **To alleviate all impact on the regulatory floodway within Mill Creek, Staff prefers construction a bridge rather than installing a box culvert;**
7. **Provide an enhanced screening plan more in line with that done for Plaza at the Speedway as the truck trailers will be highly visible from 74th Drive and Tauromee Avenue;**
8. **With the southbound transit stop located north of Tauromee Avenue, constructing a five (5) foot wide sidewalk on the north right-of-way along Tauromee Avenue will ensure employees have a safe and reliable means to walk to Building 9 without having to cross the 72nd Street and Tauromee Avenue or 74th Drive and Tauromee Avenue intersections;**
9. **In addition to adding a sidewalk on the east side of North 74th Drive, add a sidewalk on the west side North 74th Drive to connect to the Villas of Stonebridge residential development;**
10. **The trail connection point to Tauromee Avenue will be within the project boundary. The developer is finalizing the purchasing agreement with KTA and KDOT for excess right-of-way that the connection is currently shown within;**
11. **Staff understands the site restraints, however Building 7 is situated on the same lot as the proposed streamway trail per the Sidewalk and Trails Master Plan. Greater discussion is necessary during the Final Development Plan and Final Plat to guarantee that the trail extends south of Tauromee Avenue. Crushed and compacted limestone is the preferred trail surface rather than mulch which is more susceptible to wash out;**
12. **Crosswalks shall be added to driveways and intersections where sidewalks are connected along and across Tauromee Avenue, North 74th Drive and North 72nd Street. Crosswalks shall be ADA compliant;**
13. **The access drive for Water Pollution Control shall be paved;**
14. **Sec. 27-469(c)(1)d. No use shall be permitted or so operated as to produce or emit: Noise greater than 80 decibels at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night level average to exceed 65 decibels for any residence for a sustained period;**
15. **No truck traffic on North 74th Drive, North 72nd Street or on Tauromee Avenue, west of Building 8. All truck traffic shall be routed on Tauromee Avenue via College Parkway/Turner Diagonal;**

16. The loading dock doors shall be painted to match the building or a complimentary color as the primary building;
17. Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building;
18. For context, the development of Turner Logistics Center West is sandwiched in between a residential area, comprised of single-family homes and townhomes, Interstate 70 and College Parkway. There are multiple access points to get to Buildings 7 – 9 on Tauromee Avenue via 78th Street and College Parkway and North 74th Drive via State Avenue. These buildings will be highly visible along North 74th Drive and Tauromee Avenue as residents must drive past these buildings to reach their neighborhood, instead of the forested, rural setting that exists now whereas Turner Logistics Center East has one access point within that development. All traffic enters and exits onto Orville Avenue and the development is self-contained. Residents should not have to drive through the logistics park to get to College Parkway via Tauromee Avenue. The overall development should be designed in a manner that hides this industrial business park from residents that live along Tauromee Avenue and North 74th Street (Village of Stonebridge) and will drive through this area to get to I-70;
19. Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcels and Tauromee Avenue, North 74th Drive, North 72nd Street and College Parkway/KDOT ROWs;
20. In addition to trees being planted on top of the existing ridge line, trees shall be infilled on the downward slope to increase the screening along North 74th Drive;
21. Install more evergreens to ensure that during the winter months, Building 9 is not visible from the adjacent residences to the west;
22. Relandscape the north slope of Building 9 and remaining void areas throughout the development site, not limited to: north and south sides along Tauromee Avenue west of the creek crossing, in between the east side of Building 8 and North 72nd Street and the southwest corner of North 72nd Street/Tauromee Avenue intersection, west of the cul-de-sac west of Building 9, and east of Building 9 and the trailer/truck storage;
23. Trees shall wrap around the perimeter of the detention basin slopes, be planted at the top and on slopes, and always seek to replant those trees lost due to the development;
24. Trash compactors shall be screened from public view;
25. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
26. Sec. 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or

- combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;
27. Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 554 trees are required to be planted. This does not include the street trees to be planted along North 72nd Street, North 74th Drive, Tauromee Avenue, or parking lot island trees;
 28. Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaces not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center;
 29. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue;
 30. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
 31. All landscaping shall be irrigated;
 32. Shall comply with the sign ordinance;
 33. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sec. 8-610 through Sec. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.
 34. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable; and,
 35. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not

submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mr. Ernst, seconded by Mrs. Jones, the Planning Commission voted as follows to **APPROVE** of **PLAT2021-012**:

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

Motion to APPROVE Passed: 6 to 0
Subject to the above conditions



Figure 1. Aerial photograph of Turner Logistics Center West (provided by UG Maps).

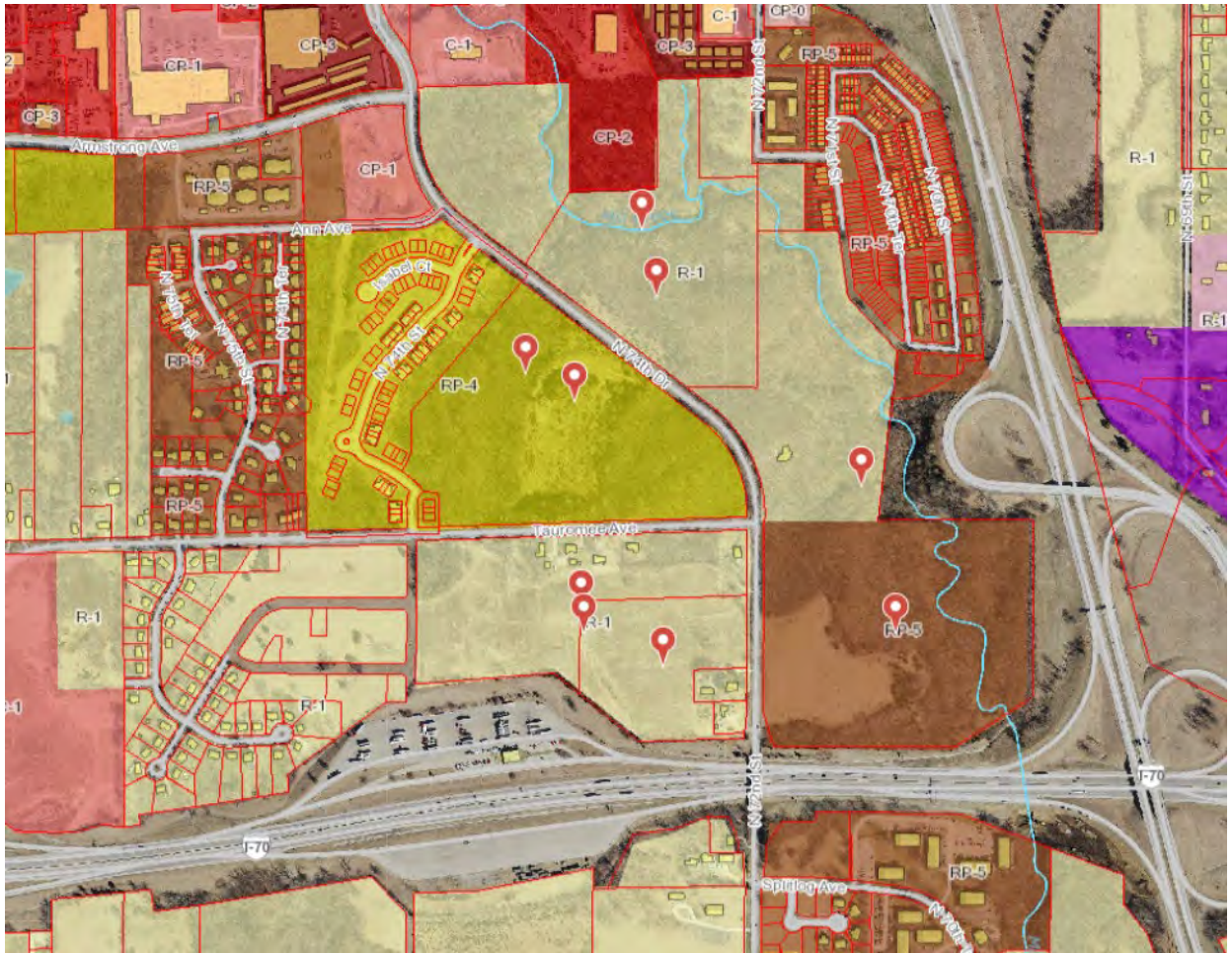


Figure 2. Zoning Map of Turner Logistics Center West provided by UG Maps).

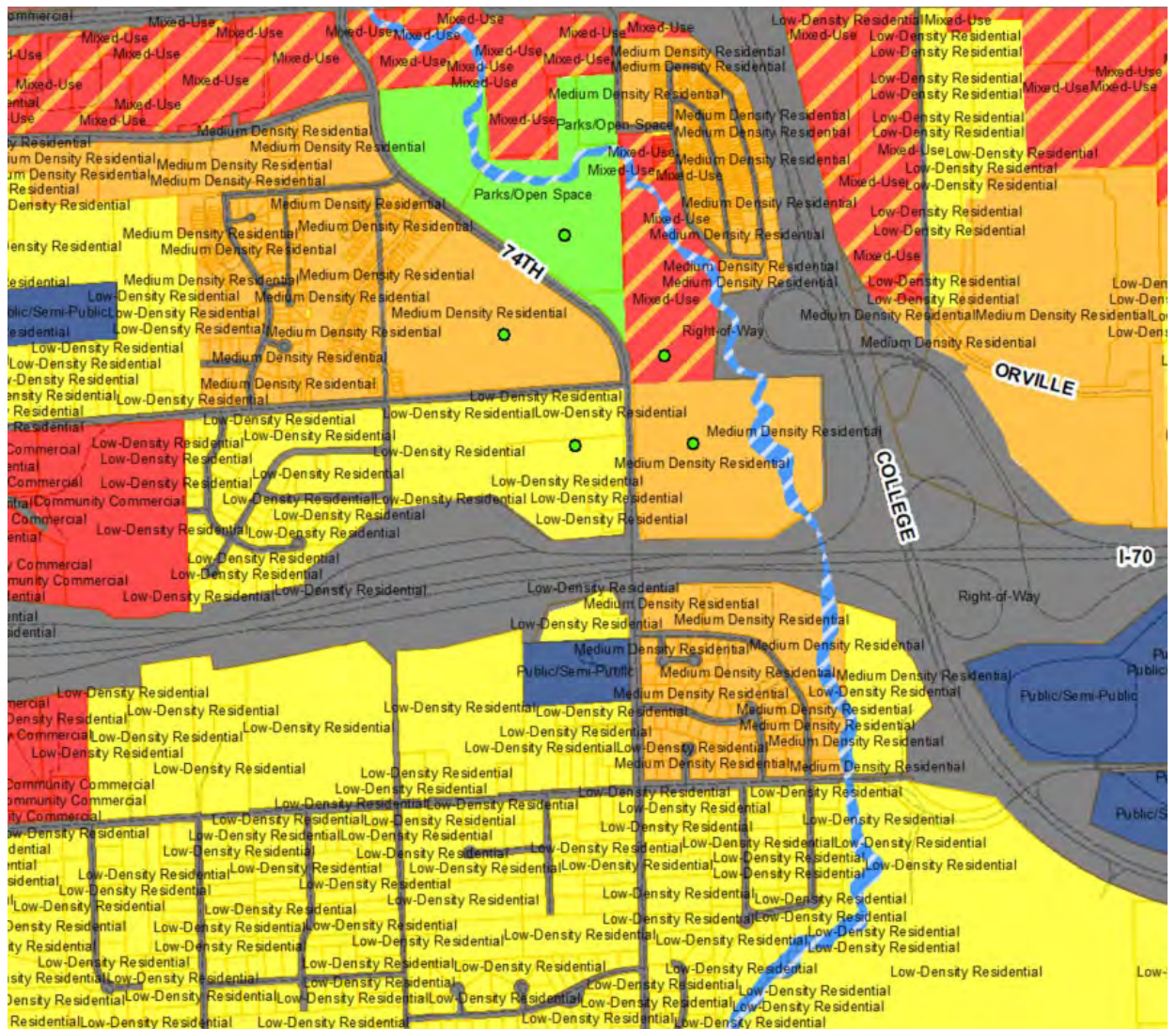


Figure 3. City-Wide Master Plan Land Use Map of Turner Logistics Center West (provided by ArcMap).

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- 4) Please coordinate with Harvey Fields (913-573-5947), KCK Fire Department regarding hydrant locations, fire lanes, emergency access etc. that need to be addressed.

We have been in contact with Harvey Fields regarding hydrants, fire lanes and emergency access as we have been constructing the first 3 buildings. We will continue to coordinate with him.

- 5) Construction plans shall be reviewed and approved prior to UG final approval and construction permit acquisition. **Understood.**
- 6) Retaining walls greater than 3'-6" in height shall be designed by a State of Kansas Professional Engineer. Retaining walls taller than 8' in height shall be tiered per planning requirements or UG approval of a design variance. Construction plans shall include retaining wall calculations, details, and final plans, including pre-manufactured or modular block type retaining walls, which shall be reviewed and approved prior to UG approval and construction permit acquisition. **Understood.**
- 7) The preliminary plat shall incorporate County Surveyor comments. Typically, the County Surveyor makes separate technical review of the plat and will submit comments directly to the preparer of the plat.

These comments have been received and responses have been submitted directly to the country surveyor.

- 8) See Erosion Control review for additional comments. **See responses above.**
- 9) See Storm Drainage review for additional comments. **See responses above.**
- 10) See Sanitary Sewer review for additional comments. **See responses above.**
- 11) See Stormwater Quality review for additional comments. **See responses above.**
- 12) Final development plans / plat will have to be approved before going to planning commission with approval to obtain permits. This will include final engineering, calculations, and complete drawings with construction notes and details. The Final Development Plans / Plat must meet the requirements of UG standards and criteria. Only preliminary drawings and studies are required at this time. **Understood.**

Planning and Urban Design Comments

General Planning

- 1) Provide examples of the proposed manufacturing businesses that could operate within the development. Manufacturing operations cannot be visible, audible, or odorous for surrounding property owners along Tauromee Avenue, North 74th Drive and North 75th Street.

Staff proposed the following manufacturing stipulation: Manufacturing uses are permitted on the property that are restricted to the MP-1 use regulations and shall comply with Sec. 27-468(c)(3) No use shall be permitted or so operated as to produce or emit:

- a. Smoke, dust, fly ash, gas, or odorous emission not in compliance with Chapter 3 (Code of the Unified Government of Wyandotte County/Kansas City, Kansas, Chapter 3 – Air Pollution).
- b. Vibration or concussion perceptible without instruments at the property line.

- c. Noise greater than 75dB(A) at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night noise level average to exceed 65 dB(A) for any residence for a sustained period.
- d. Industrial waste which may overburden the public sewage facilities or produce odor or unsanitary effects beyond the property line.

We are okay with limiting the proposed manufacturing uses identified with Sec. 27-468(b) and to comply with Sec. 27-468(c)(3), while remaining MP-2 zoning.

- 2) Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity.
Understood.
- 3) Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat.
Understood, utility easements will be included on the final plat and plans.
- 4) Utility easements shall connect with easements established in adjoining properties.
Understood.
- 5) Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided.
All new power, telephone, and cable television will be provided by underground wiring.
- 6) To alleviate all impact on the regulatory floodway within Mill Creek, Staff prefers construction a bridge rather than installing a boxculvert. **We are currently studying options for this creek crossing. Further discussion with staff is required.**
- 7) Provide an enhanced screening plan more in line with that done for Plaza at the Speedway as the truck trailers will be highly visible from 74th Drive and Tauromee Avenue.

Per the submitted plan, truck trailers will be screened from 74th Drive and Tauromee. A combination of berming and architectural screen fence will be used along 74th Drive and Tauromee to screen the view of the Building 9 truck courts. The Building 8 truck courts will be screened from Tauromee Avenue or 74th Drive as the truck court has been placed at the rear of the building.

- 8) The sidewalk shall be a minimum the (10) feet in width along the south side of Tauromee Avenue. A five (5) foot sidewalk is required along the north side of Tauromee Avenue.
A sidewalk ten feet in width will be constructed on the south side of Tauromee Avenue. Previous conversations with staff during the DRC pre-application meeting indicated that a five foot sidewalk on the north side of Tauromee Avenue would not be necessary. Further discussion with staff may be required.

- 9) In addition to adding a sidewalk on the east side of North 74th Drive, add a sidewalk on the west side North 74th Drive to connect to the Villas of Stonebridge residential development.
Previous conversations with staff during the DRC pre-application meeting indicated that a sidewalk would only be needed on one side of both Tauromee Avenue and 74th Drive. Further discussion with staff may be required.
- 10) Staff has concerns where the Mill Creek trail connects outside of the project boundary. Dedicate the trail/creek property on the plat.
The trail connection point to Tauromee Avenue will be within the project boundary. The developer is finalizing the purchasing agreement with KTA and KDOT for the excess right of way that the connection is currently shown within.
- 11) How does the trail connect to the sidewalk network?
The trail connection to the proposed Tauromee Avenue corridor will allow pedestrian access to College Parkway, Turner Diagonal, and State Avenue to the east. The existing 5' sidewalk on the south side of Tauromee will be replaced with a 10' sidewalk and allow access to 78th Street to the west.
- 12) Will the southern end of the new trail be within the southern boundary?
The current proposal is for the trail to begin north of Building 9 on N. 74th Drive and terminate at Tauromee Avenue. Due to terrain and site restraints, constructing a trail south of Tauromee Avenue would be very difficult to accomplish. The total trail length is currently shown at approximately 2400' in length. Per discussion with staff at the DRC pre-application meeting, this trail will likely be constructed with mulch or gravel and follow an alignment that provides the least impact to existing tree stands.
- 13) Crosswalks shall be added to driveways and intersections where sidewalks are connected along and across Tauromee Avenue, North 74th Drive and North 72nd Street.
a. Are these crosswalks ADA compliant?
ADA compliant crosswalks will be included with final development plans.
- 14) What is the extension off the southern entrance drive of Lot 3 extending south and east towards the Mill Creek and the floodplain?
The UG Water Pollution Control Department has asked for an access road off of this drive for maintenance of the public sanitary sewer system. This drive will be gated.
- 15) How will noise be mitigated?
a. Sec. 27-469(c)(1)d. No use shall be permitted or so operated as to produce or emit: Noise greater than 80 decibels at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night level average to exceed 65 decibels for any residence for a sustained period.
Buildings 7 & 8 are oriented with the truck docks facing away from Tauromee Avenue and 72nd street to reduce the noise impact. The storefront side of the buildings are facing the public roads and will not produce or emit significant noise. In the areas where the truck docks are facing the public roads, there is berming, landscaping, and separation between the building and the road/neighboring properties to minimize the noise impact.

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- 16) No truck traffic on North 74th Drive, North 72nd Street or on Tauromee Avenue, west of Building 8. All truck traffic shall be routed on Tauromee Avenue via College Parkway/Turner Diagonal.

We anticipate all truck traffic will be routed on Tauromee Avenue via College Parkway/Turner Diagonal. No truck access signs can be install to prevent trucks from making wrong turns.

Building Architecture

- 1) The loading dock doors shall be painted to match the building or a complimentary color as the primary building. **Understood.**
- 2) Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building. **Understood.**

Landscaping and Screening

- 1) For context, the development of Turner Logistics Center West is sandwiched in between a residential area, comprised of single-family homes and townhomes, Interstate 70 and College Parkway. There are multiple access points to get to Buildings 7 – 9 on Tauromee Avenue via 78th Street and College Parkway and North 74th Drive via State Avenue. These buildings will be highly visible along North 74th Drive and Tauromee Avenue as residents must drive past these buildings to reach their neighborhood, instead of the forested, rural setting that exists now whereas Turner Logistics Center East has one access point within that development. All traffic enters and exits onto Orville Avenue and the development is self-contained. **The west side is located on undeveloped land abutting I-70, I-70 trailer parking and Collage Parkway. A new road will be constructed to provide connection so the Logistics Center will have access to a road suitable for truck traffic and not require adjacent residents to drive through the development. The subdivision to the west, Villas of Stoneridge will still have the same access to their subdivision as they have today and will not have to drive thru the logistics park. They will also be able to access College Parkway from their subdivision if they choose to drive thru the logistics park.**
- 2) Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcels and Tauromee Avenue, North 74th Drive, North 72nd Street and College Parkway/KDOT ROWs. **Existing tree stands will be preserved west of N. 74th Drive between the proposed detention basins and the Villas of Stonebridge. The average width of the tree stand preservation in this area is approximately 200'. Existing tree stands will also be preserved to the north and east of the site along Mill Creek. These preservation areas can be seen on the site line sections, sheets L2.01-L2.10, and the updated landscaping plans.**
- 3) How will the appearance of the loading docks (west side) of Building 9 be softened along North 74th Drive. There has been some effort made to save the existing tree line within the development, but this overall development will be grubbed and graded to the

property line. The proposed detention basins west of N. 74th Drive have been shifted to the east in order to maintain existing trees along the top of the existing ridge line. In addition, an 8' berm with an 8' tall architectural screen fence will be constructed between the Building 9 truck courts and N. 74th Drive to soften the view from the public road.

- 4) The landscaping and site lines west of Buildings 8 and 9, the remaining townhomes and single-family homes must be screened at the time the Temporary Certificate of Occupancy is issued. Creative solutions are warranted with berms, fencing and landscaping. A variance will be required if the building is not screened from public view (the trailers are screened from view). The proposed detention basins west of N. 74th Drive have been shifted to the east in order to maintain existing trees along the top of the existing ridge line. In addition, an 8' berm with a 8' tall architectural screen fence will be constructed between the Building 9 truck courts and N. 74th Drive to soften the view from both the public road and adjacent residential. The truck court and dock doors will be screened from view at all times. During the winter months, portions of Building 9 may be visible from the adjacent residential to the west. Refer to West Sightline Sections 1-5 on sheet L2.01.

A combination of deciduous and evergreen trees as well as an 8' tall architectural screen fence will be used to screen the view of Building 8 from the adjacent residential to the west. Refer to West Sightline Sections 6-8 on sheet L2.02.

- 5) Re-landscape the north slope of Building 9 and remaining void areas throughout the development site, not limited to: north and south sides along Tauromee Avenue west of the creek crossing, in between the east side of Building 8 and North 72nd Street and the southwest corner of North 72nd Street/Tauromee Avenue intersection, west of the cul-de-sac west of Building 9, and east of Building 9 and the trailer/truck storage.
The landscape plan has been enhanced with additional deciduous and evergreen trees in the areas of concern.
- 6) Trees shall wrap around the perimeter of the detention basin slopes, be planted at the top and on slopes, and always seek to replant those trees lost due to the development.
Additional trees have been added around the basin slopes both east and west of Building 9. Trees were placed in areas that would provide the greatest impact on screening.
- 7) Trash compactors shall be screened from public view.
Understood.
- 8) Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials.
Understood.
- 9) How will lighting be mitigated?
 - a. Sec. 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare,

from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures.

Lighting will be mitigated with strategic placement and the use of 90 degree cutoff fixtures. All foot candle readings at adjacent residential property lines will measure no more than one foot candle.

- 10) Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 554 trees are required to be planted. This does not include the street trees to be planted along North 72nd Street, North 74th Drive, Tauromee Avenue, or parking lot island trees.

Our calculation for required number of trees to be planted was based on the disturbed area (3,967,444 sf / 10,000 sf = 397 trees) as we plan to maintain +/-38 acres of existing tree stands. In addition to the required trees based on site area, street trees will be planted along N. 72nd Street, N. 74th Drive and Tauromee Avenue at 50' O.C. Parking lot island trees will be provided at not less than 1 per 20 passenger spaces.

- 11) Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaced not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center.

Buffer areas with existing tree stands that range from 100' – 250' in width have been maintained between the Building 9 detention basins and the west property line. Buffer areas with existing tree stands that range from 150'-400' have been maintained between Building 9 and the east property line. A mixture of berming, architectural screen wall, and landscaping will be utilized to provide enhanced screening of Building 8 from the adjacent residential zoning to the west.

- 12) All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue.

Understood.

- 13) All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers). **Understood.**

- 14) All landscaping shall be irrigated. **Understood.**

Signage

- 1) Shall comply with the sign ordinance. **Understood.**

Planning Engineering Comments

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

COZ2021-020 Neighborhood Meeting – Meeting Minutes

Attendee Name/Address	Attendee Comment/Question	Owner Response
Jeff Siler 6217 Holliday Dr Kansas City, KS 66106	It doesn't look like you're going to disturb the neighborhood where my (Jeff's) property lies, is that correct?	That is correct. We will only be grading within our disturbance limits and there is also a buffer area between your (Jeff's) property and where we will be grading.
	The intersection at Orville Avenue and College Parkway dead ends to the West. Will it continue to 72 nd Street?	Yes, that is correct. Tauromee will travel West and tie into the existing 72 nd Street.
	You will not be doing anything to the creek? It will remain where it is currently?	That is correct. We are preserving a buffer area around the creek. We will need to cross the creek as we bring Tauromee Avenue from College Avenue to 72 nd Street though.
	If we're not disturbing Jeff's area then he is not concerned with the development. He is "in pretty good shape".	
	Jeff is pleased with the develop and it won't disrupt what he is doing. Jeff offered to speak in favor of the development at the Planning Commission public hearing.	
Clifford Dale Owner of the Mason Jar at 941 N 74 Dr, Kansas City, KS 66112	Are there any tenants signed yet? Clifford is curious about the kind of jobs the development would be bringing to the area.	We do not have any signed leases as it currently stands but to give Clifford an idea of the type of jobs that we will be bringing – There is a mixture of general warehouse workers and skilled laborers working on the East side of Turner for the various tenants in those buildings. As well as office workers.
	Will there be any more buildings or just these 3? What about East of Building 7?	There will be no more buildings. Building 7, 8 and 9 are the only buildings currently planned for this land. The area East of Building 7 will be preserved for the creek.
	When will construction start and finish?	Grading will start in September 2021. Building 9 construction will begin in Spring 2022 and end in early November. Building 7 & 8 will trail building 9 by a couple of months.
	Clifford was complimentary of the look of the buildings. Stated he was happy the development would be bringing in more businesses more jobs and more tax revenue. Clifford also offered to speak in favor of the development at the Planning Commission public hearing.	

Owner Attendees:

Brody Sherar

James Kraatz

Brett Powell

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF MISSOURI)
COUNTY OF RIVERSIDE) SS:

Comes now BRODY SHERAR, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # COZ2021-020
2. That I conducted a neighborhood meeting on 6/28/2021 at 6:30 PM
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

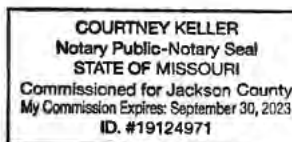
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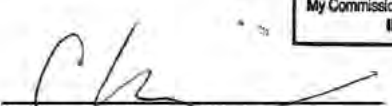


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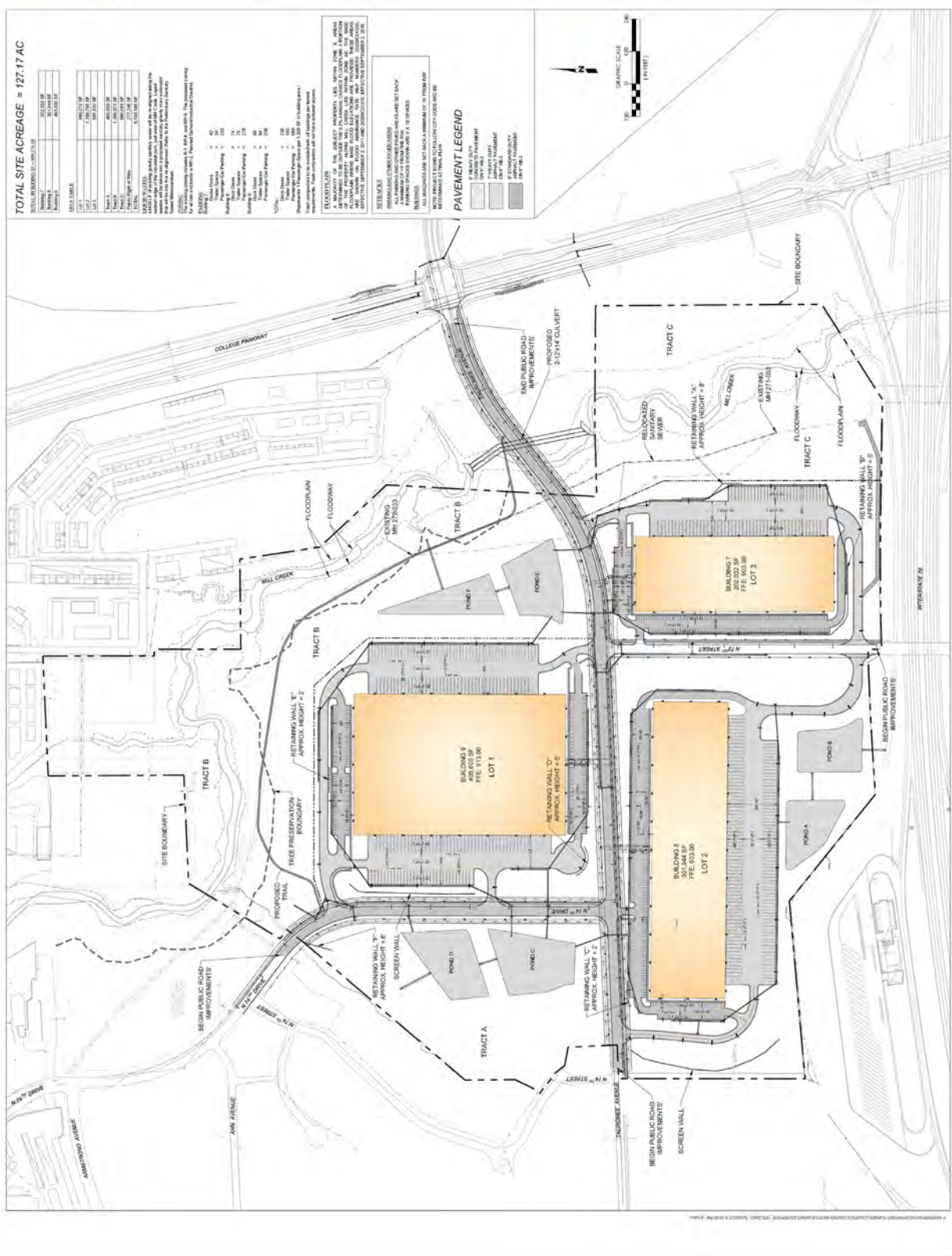
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29 day of June, 2021.

My commission expires Sep. of 30, 2023.





Notary Public





studio North
ARCHITECTURE

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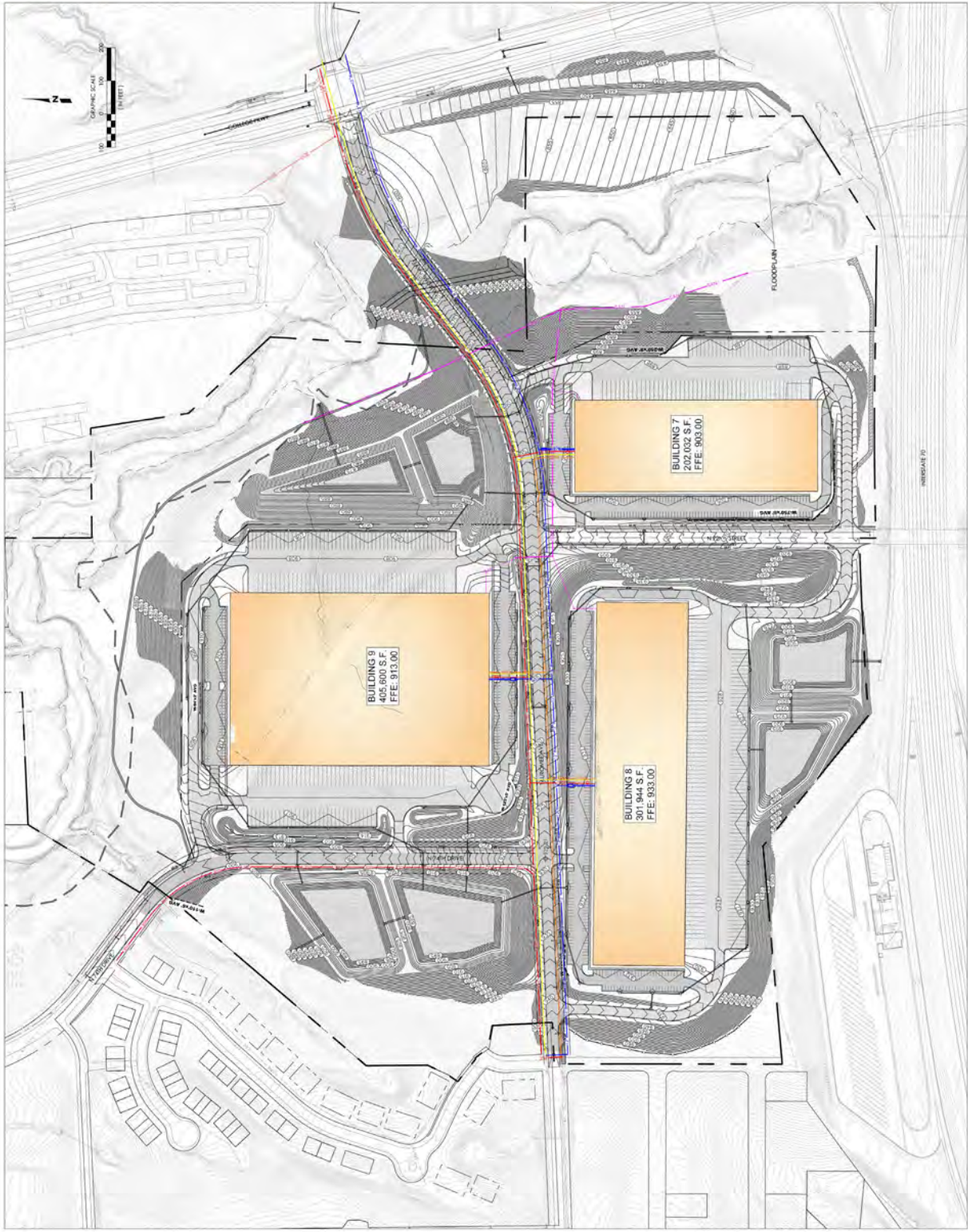
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Know what's below,
Call before you dig

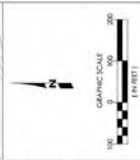
TURNER
LOGISTICS
WEST

Project No.	1000000000
Client	TURNER LOGISTICS WEST
Location	1000000000
Scale	1" = 100'
Sheet No.	1000000000
Sheet Title	1000000000

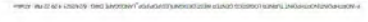


C3.00
Overall Utility and
Grading Plan











studio North
ARCHITECTURE

1000 N. 74th Ave., Suite 100
Chicago, IL 60630
Tel: 773.334.4444
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Continental
Tires

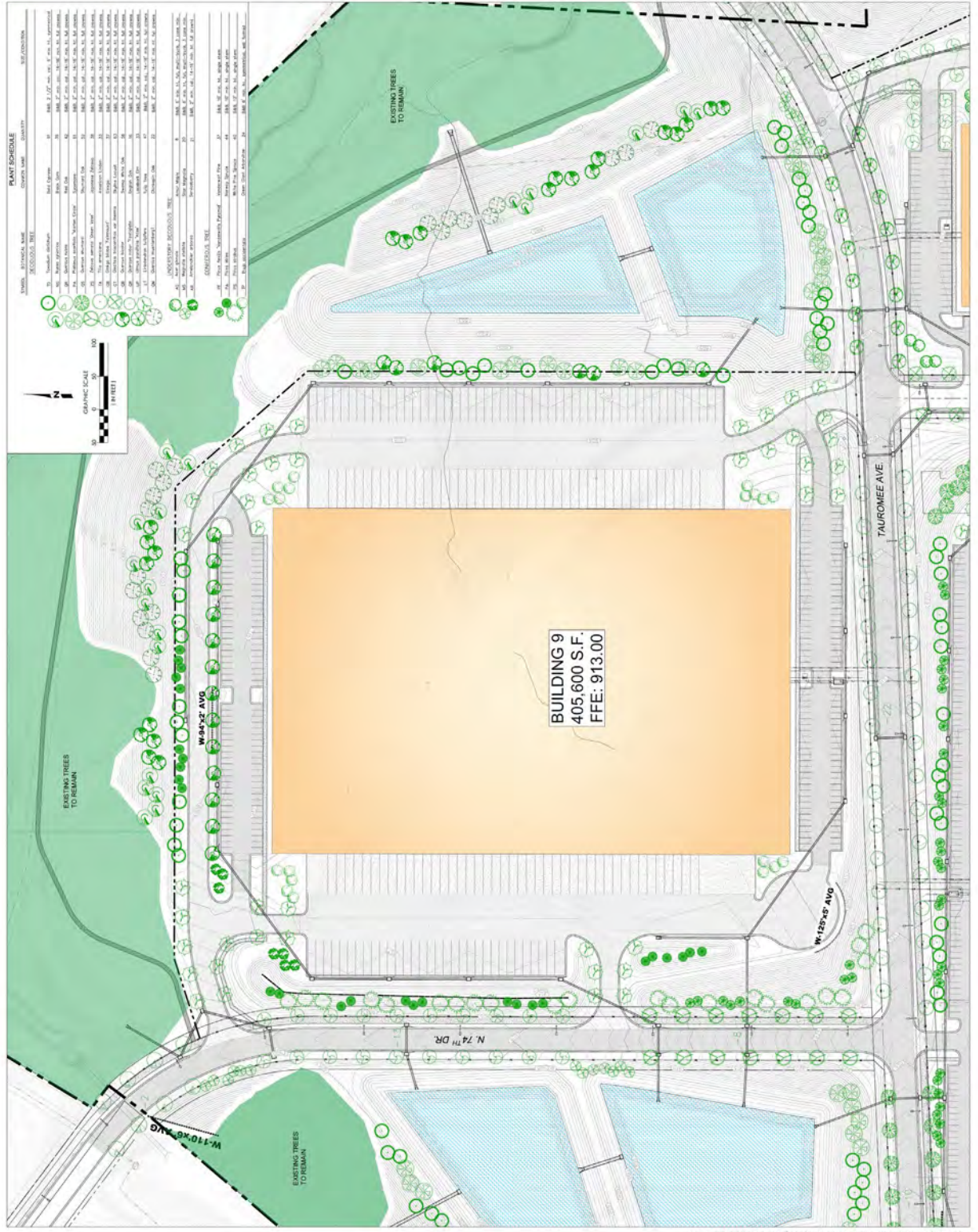


811
Call before you dig

TURNER
LOGISTICS
WEST

Project No.	2021-007
Client	Turner Logistics West
Location	Chicago, IL
Date	July 29, 2021
Scale	1" = 40'
Sheet No.	L1.03
Sheet Title	Primary Landscape Plan

L1.03
Primary Landscape Plan
Building 9



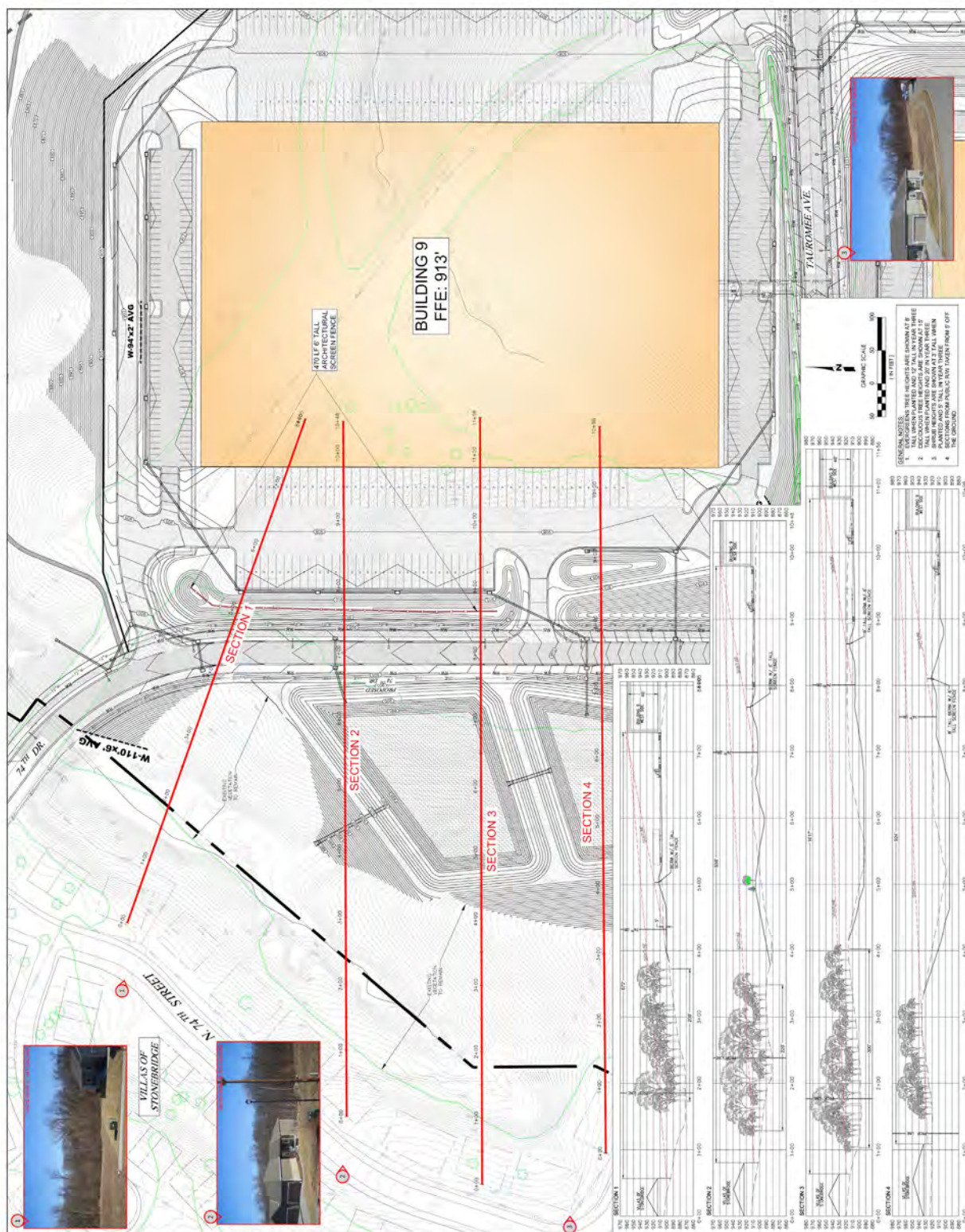


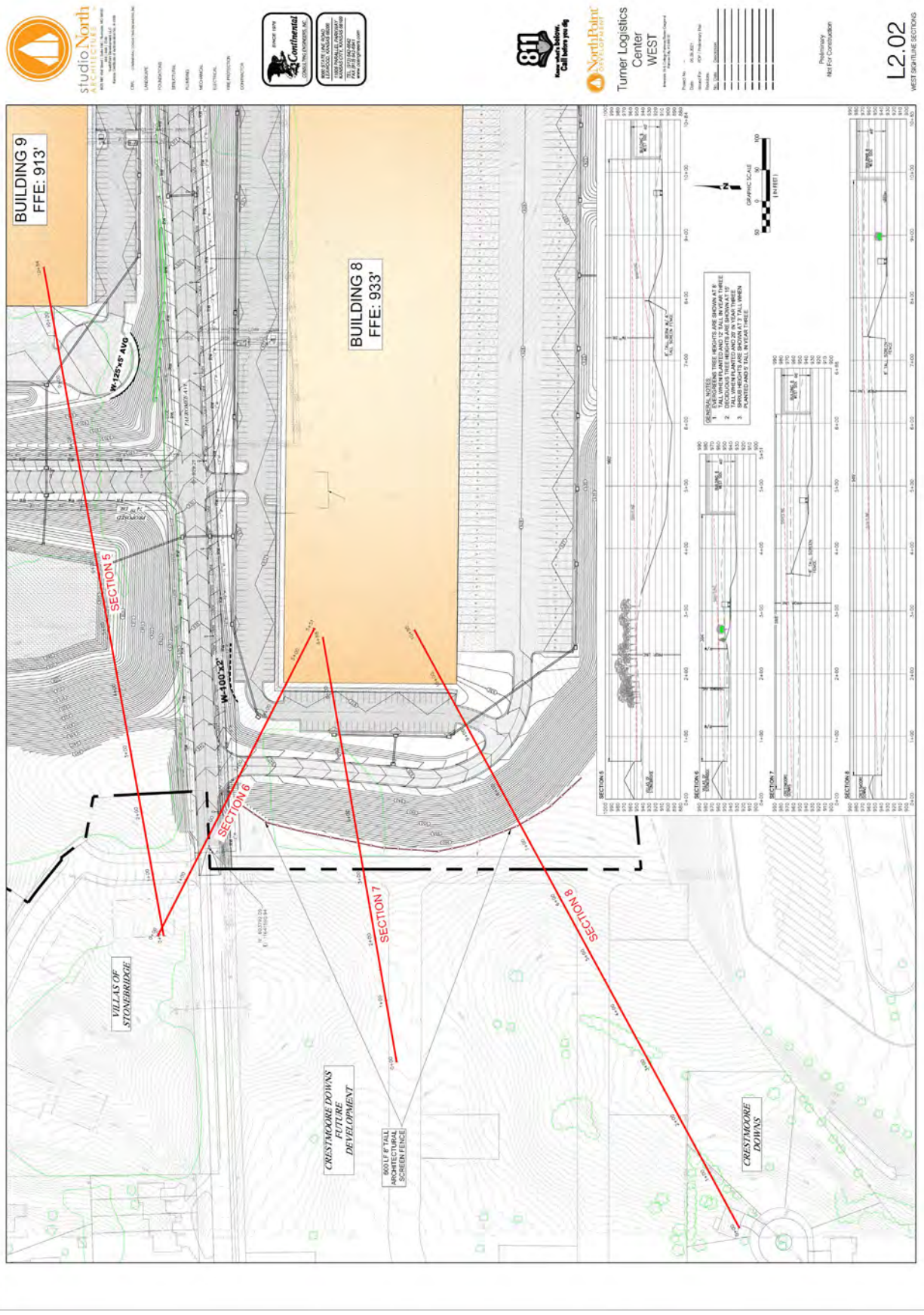
Turner Logistics
Center
WEST

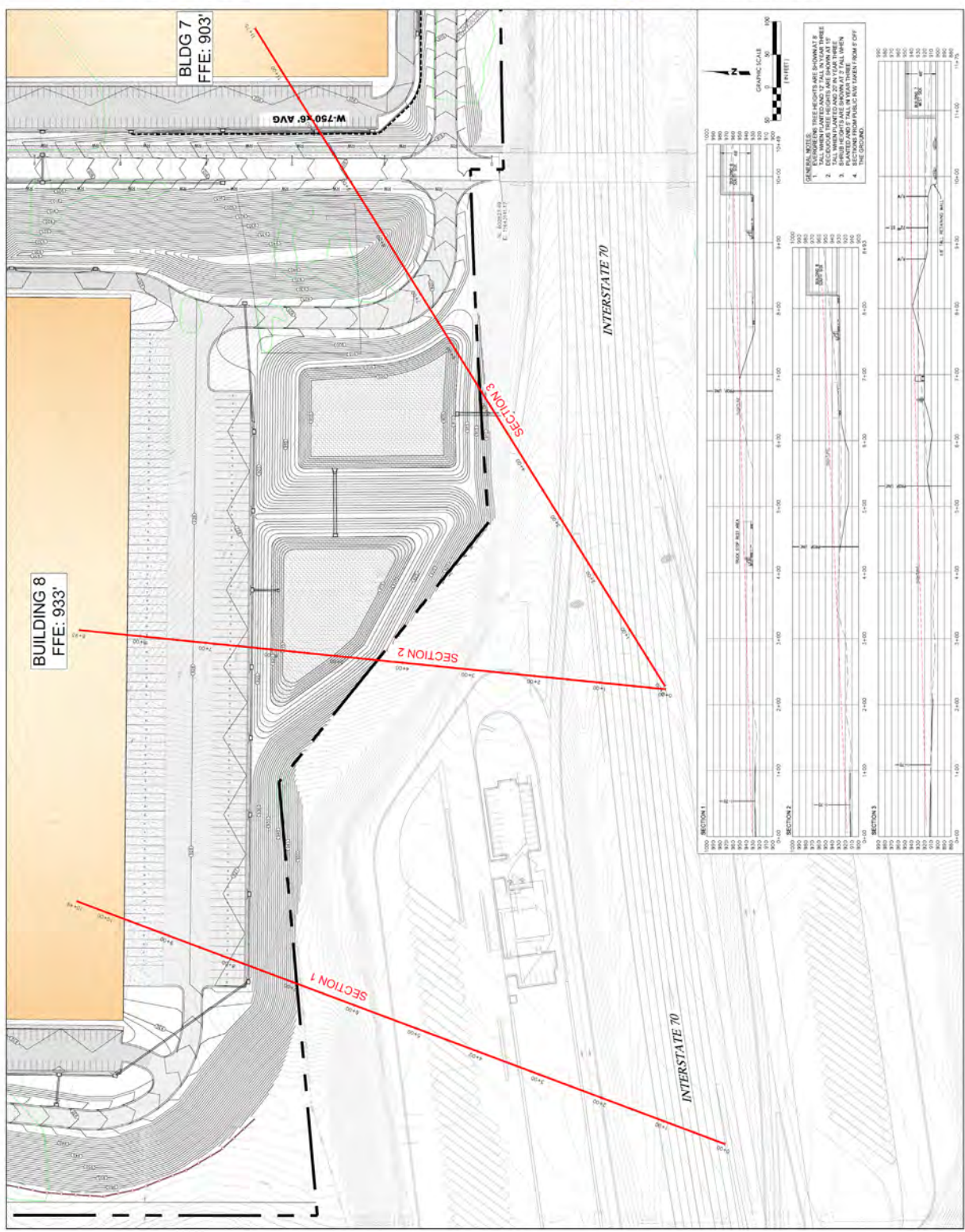
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Date: 05-28-2017
Issued by: PMP's Productivity Plus
Reviewed by:
By: Date: Comments:

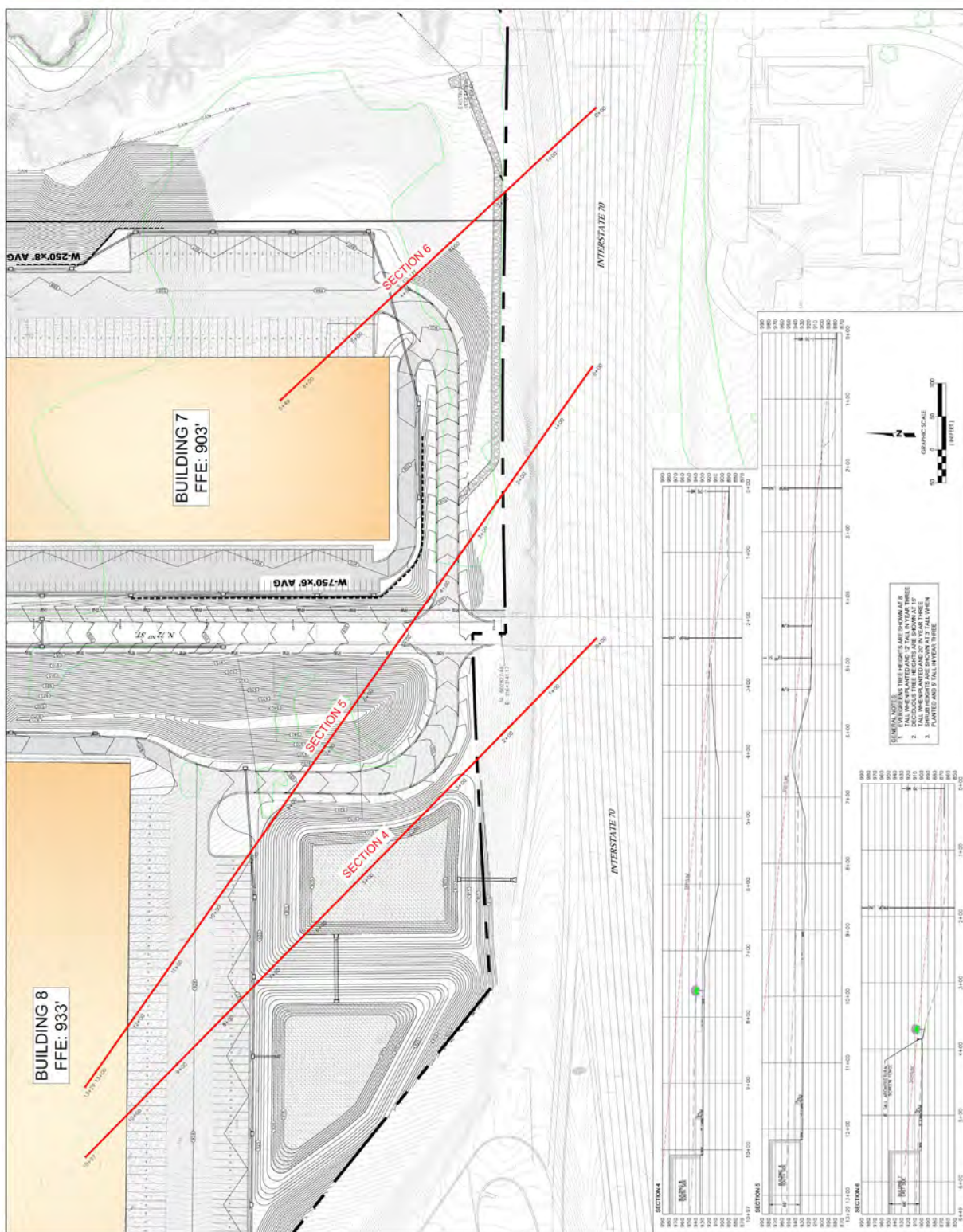
Preliminary
Not For Construction

L2.01





L2.03
SOUTH SIGHTLINE SECTION





studio North
ARCHITECTURE
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San Francisco, CA 94103
Phone: 415.774.8888
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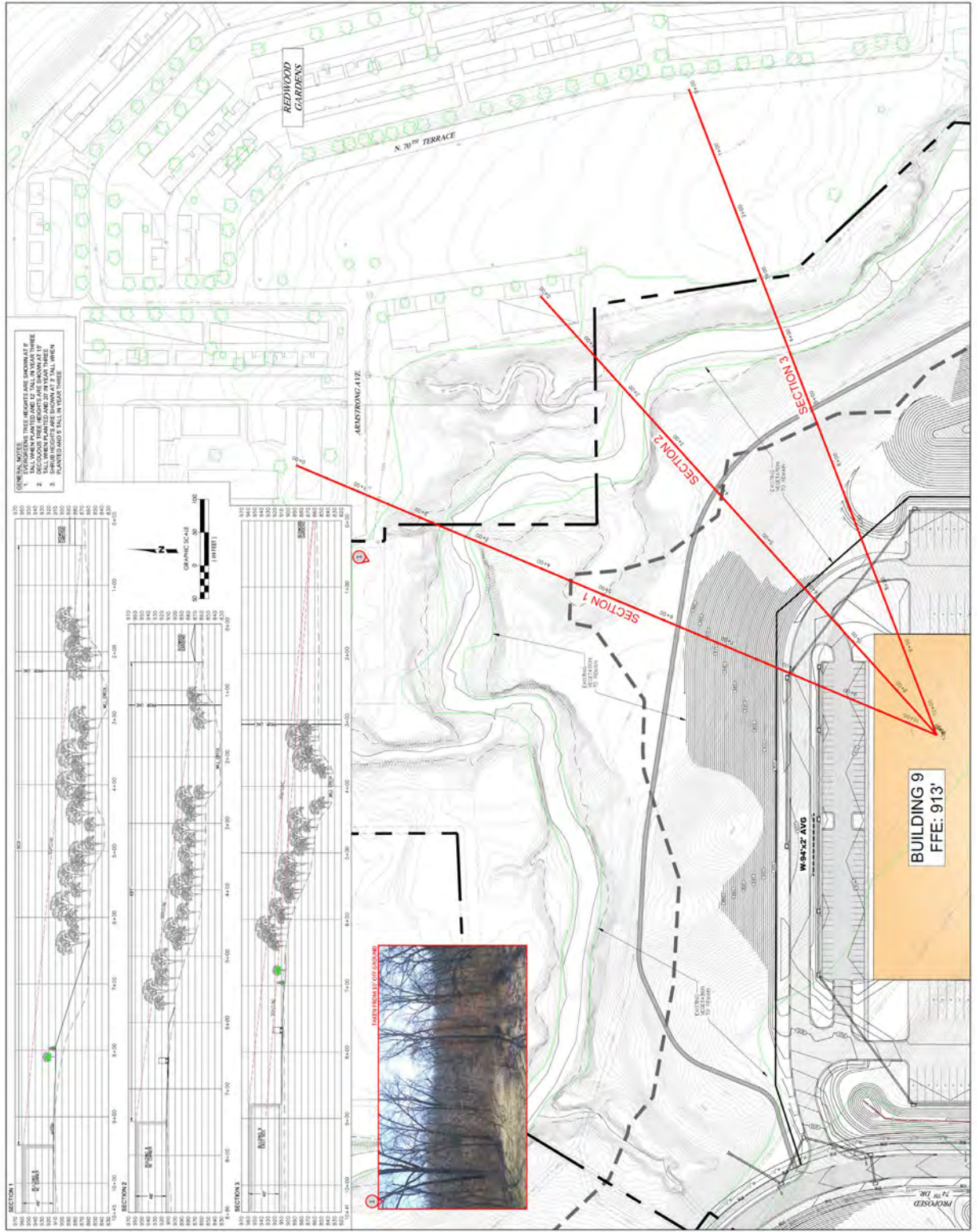
811
Call before you dig
NorthBay
Call before you dig

Turner Logistic
Center
WEST

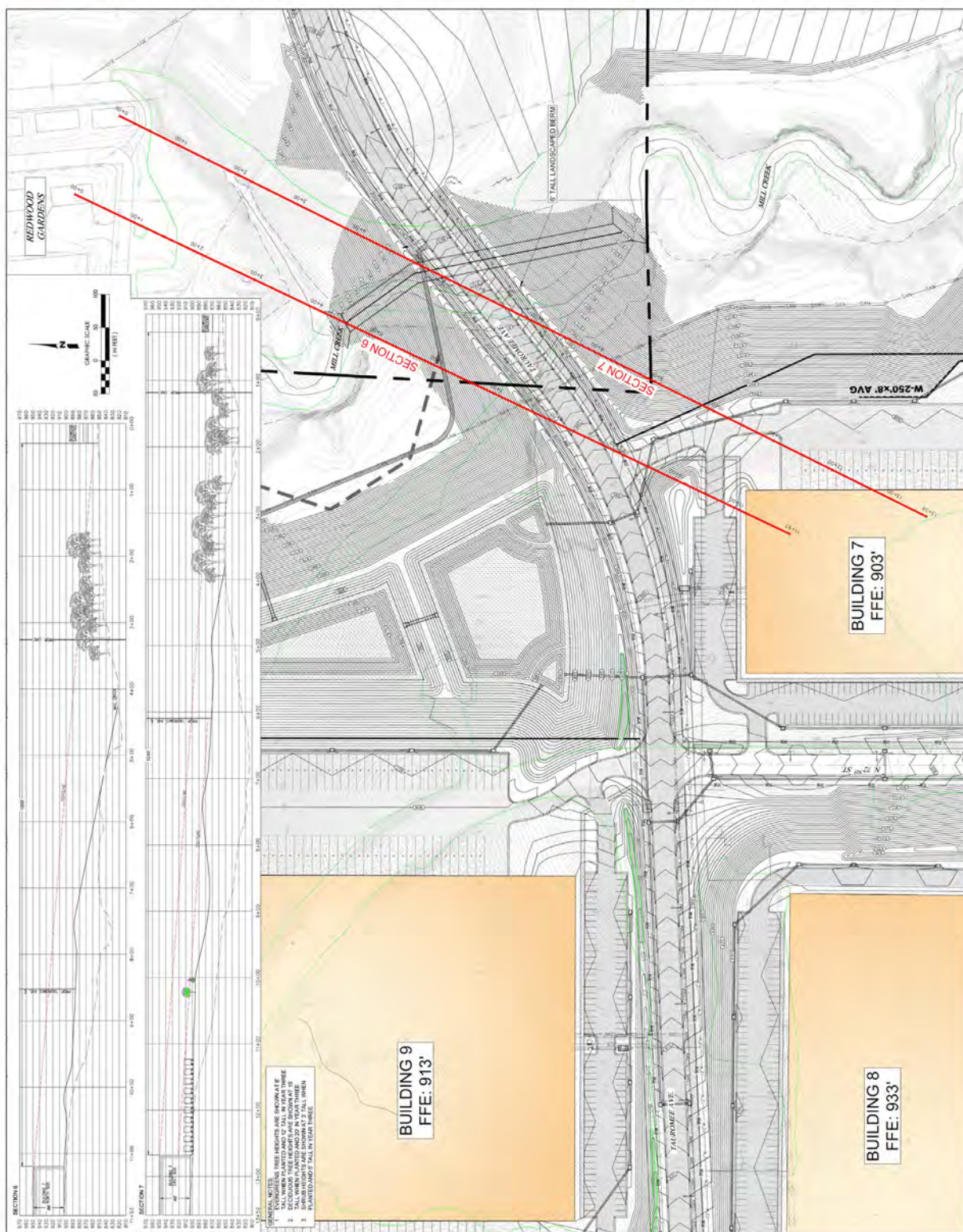
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Drawing No.:
Revision:
Date:
Scale:

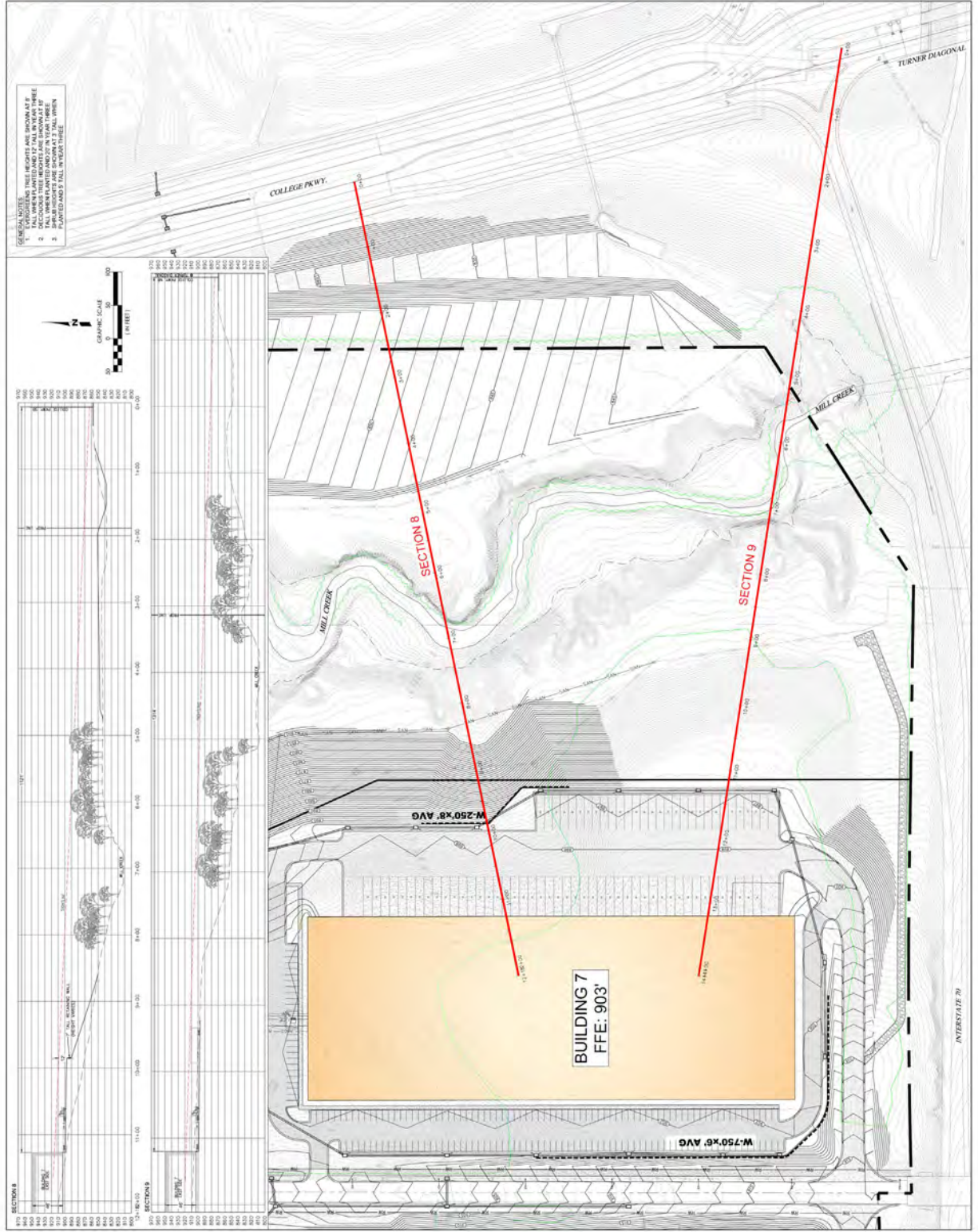
Prepared by:
Checked by:
Reviewed by:
Approved by:

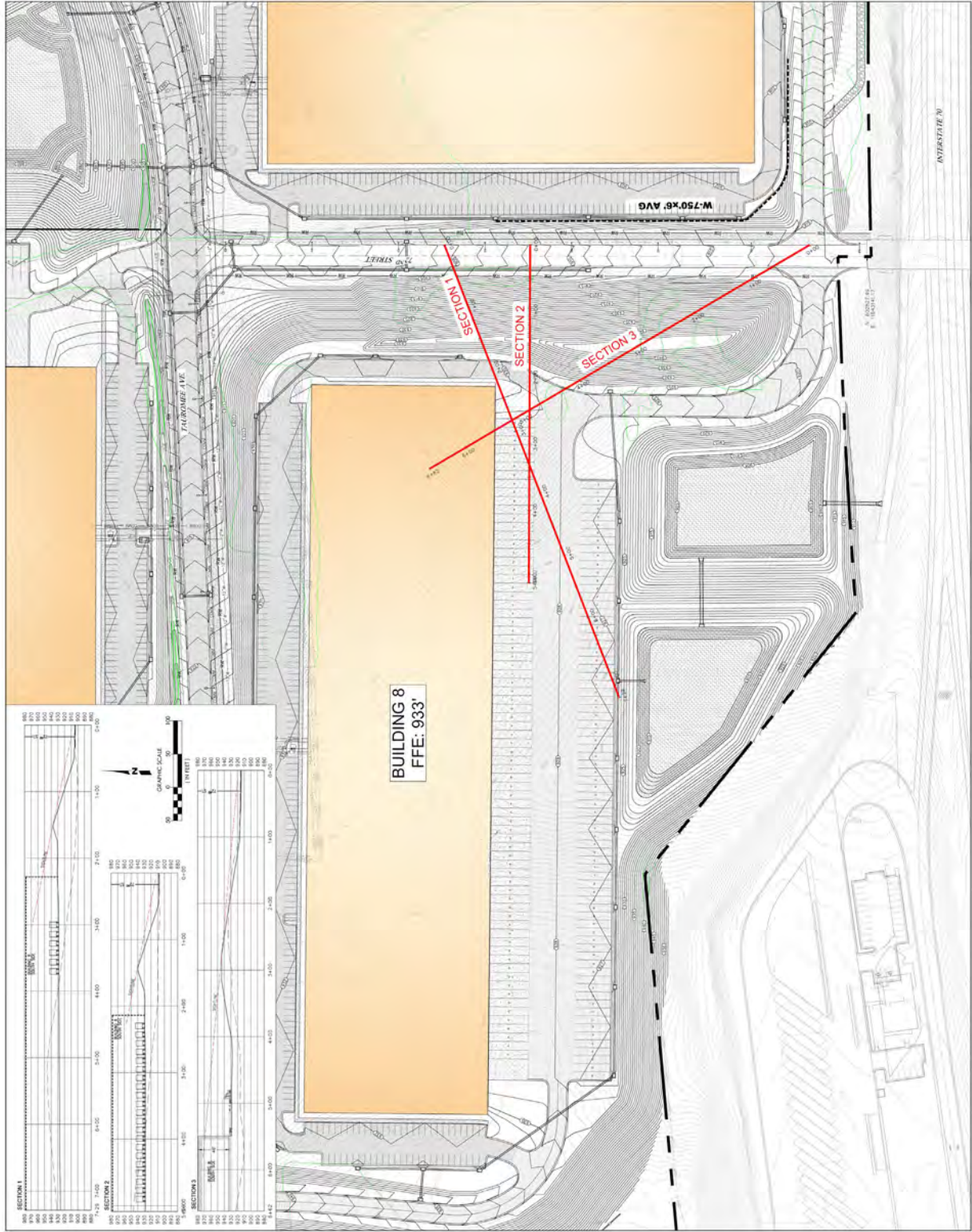
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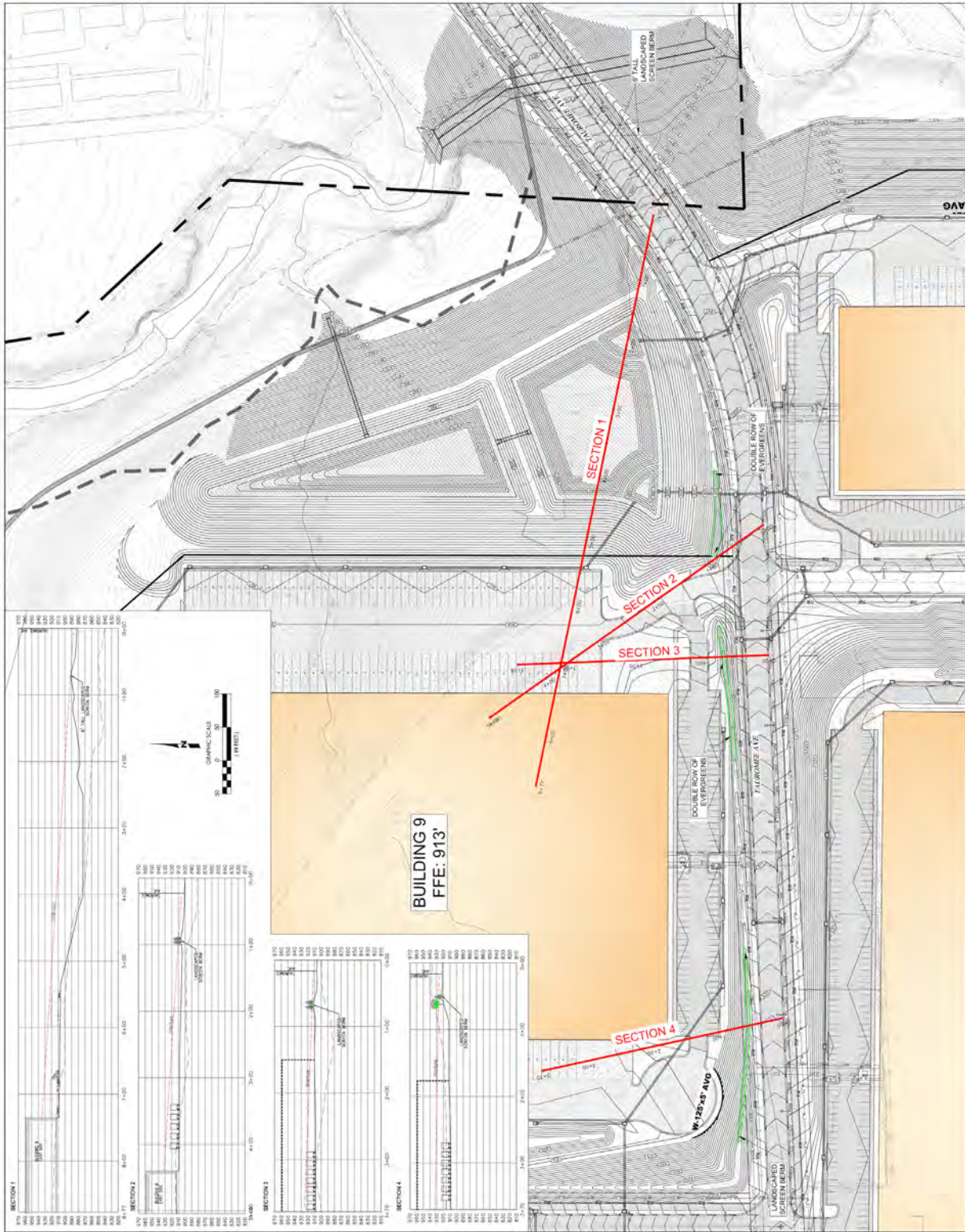














studioNorth
architectural

10000 N. 10th Avenue, Suite 100
Denver, CO 80231
Tel: 303.733.1100
www.studiobn.com

OWNER: Turner Logistics Center West
ARCHITECT: studioNorth
DATE: 07/29/2021
PROJECT NO: 2021-020

PROJECT LOCATION: 10000 N. 10th Avenue, Suite 100
DENVER, CO 80231

PROJECT TYPE: INDUSTRIAL

PROJECT PHASE: PRELIMINARY

PROJECT STATUS: IN PROGRESS



Turner Logistics Center West

10000 N. 10th Avenue, Suite 100
Denver, CO 80231

PROJECT NO: 2021-020

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DENVER, CO 80231

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PROJECT NO: 2021-020

PROJECT LOCATION: 10000 N. 10th Avenue, Suite 100
DENVER, CO 80231

PROJECT TYPE: INDUSTRIAL

PROJECT PHASE: PRELIMINARY

PROJECT STATUS: IN PROGRESS

A1.01
BUILDING ELEVATIONS





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ARCHITECTURE
11111 1st Avenue, Suite 100
Boulder, CO 80501
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Fax: 303.440.1112
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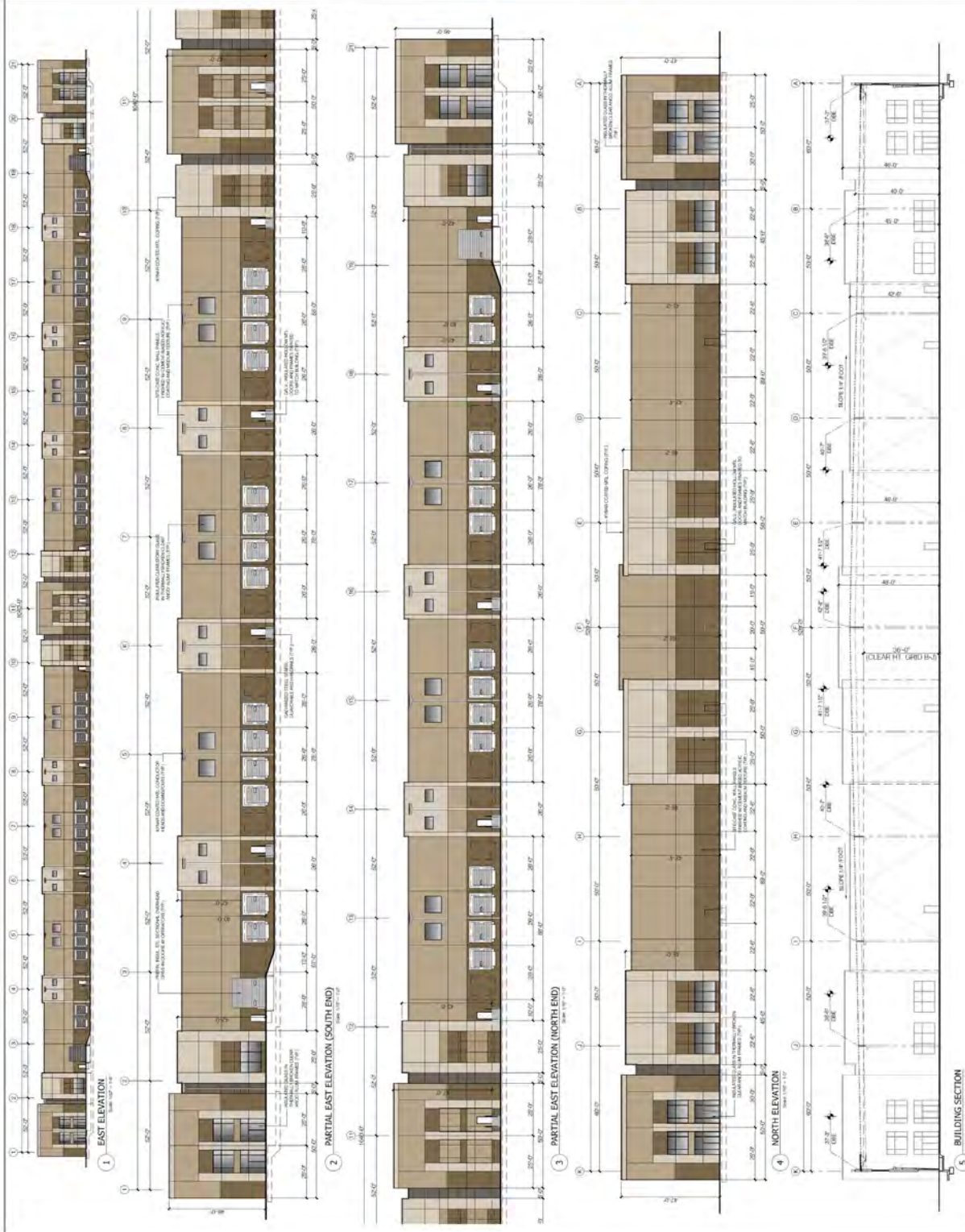
Tuner Logistics
Center
West

Project No. 10-00000000
Drawing No. 10-00000000
Scale: 1/8" = 1'-0"

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A1.02
BUILDING ELEVATIONS





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TEAM
ARCHITECT: STUDIO NORTH ARCHITECTURE
ENGINEER: HKS
GENERAL CONTRACTOR: [blank]
OWNER: [blank]

PROJECT
TUNER LOGISTICS CENTER WEST
10000 N. 10th Ave, Suite 100
Denver, CO 80231

DATE: 07/29/2021



NorthPoint
CAPITAL
Tuner Logistics Center West
10000 N. 10th Ave, Suite 100
Denver, CO 80231

Project No.	
Client Name	
Project Address	
City	
State	
Zip	
Phone	
Fax	
Email	
Website	



A2.01
BUILDING ELEVATIONS

- COLOR COATING LEGEND**
- 1. PAINT (EXTERIOR)
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studioNorth
ARCHITECTURE

10000 10th Avenue, Suite 100
Boulder, CO 80501
Phone: 303.440.1111
Fax: 303.440.1112
www.studiobn.com

OWNER: TURNER LOGISTICS CENTER WEST
ARCHITECT: STUDIO NORTH ARCHITECTURE
DATE: 07/29/2021
PROJECT NO: COZ2021-020 AND MPL2021-007

1. CONCEPT DESIGN
2. SCHEMATIC DESIGN
3. PRELIMINARY DESIGN
4. PERMITTING
5. CONSTRUCTION ADMINISTRATION
6. POST OCCUPANCY EVALUATION



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West

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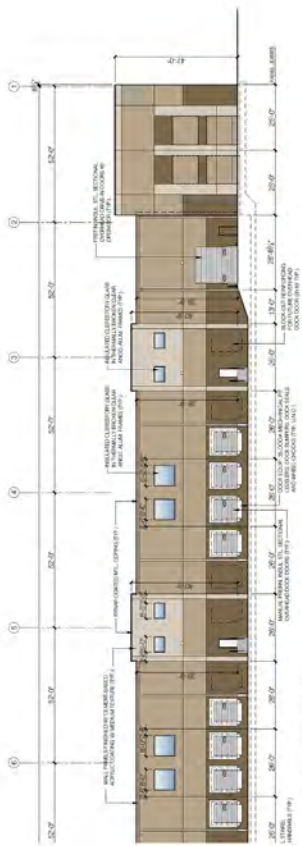
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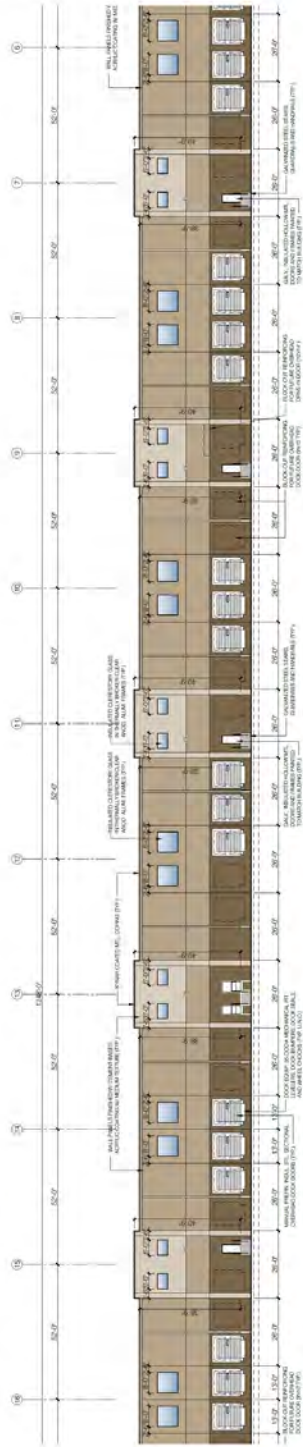
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COLOR COATING LEGEND

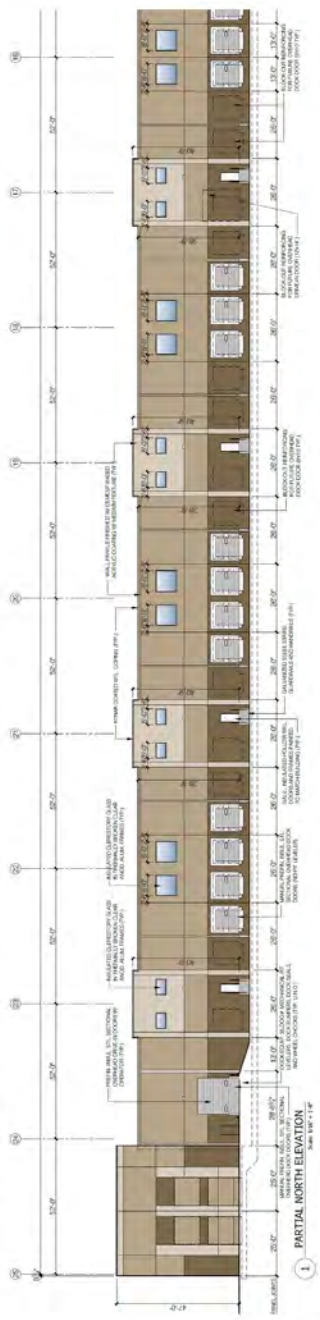
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3 PARTIAL NORTH ELEVATION
Scale: 1/8" = 1'-0"



2 PARTIAL NORTH ELEVATION
Scale: 1/8" = 1'-0"



1 PARTIAL NORTH ELEVATION
Scale: 1/8" = 1'-0"

A2.02
BUILDING ELEVATIONS





Figure 4. Site photograph of Turner Logistics Center West looking northeast on Tauromee Avenue (provided by Planning Staff).



Figure 5. Site photograph of Turner Logistics Center West looking east on Tauromee Avenue (provided by Planning Staff).



Figure 6. Site photograph of Turner Logistics Center West looking east on Tauromee Avenue (provided by Planning Staff).



Figure 7. Site photograph of Turner Logistics Center West looking west on Tauromee Avenue (provided by Planning Staff).



Figure 8. Site Photograph of Turner Logistics Center West looking south on North 74th Drive (provided by Planning Staff).



Figure 9. Site Photograph of Turner Logistics Center West looking north on North 74th Drive (provided by Planning Staff).



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: July 29, 2021

Re: **Petition COZ2021-021 and Master Plan MPL2021-009**

GENERAL INFORMATION

Applicant:
NP Turner Industrial, LLC

Status of Applicant:
Representative
Continental Consulting Engineers, Inc.
11006 Parallel Parkway, Suite 1
Kansas City, KS 66109

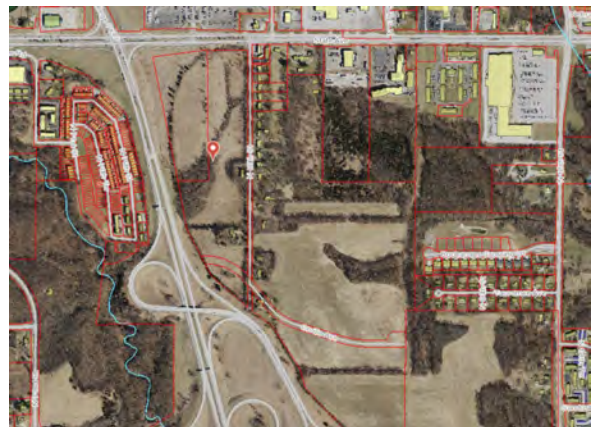
Requested Actions:
Change of Zone from R-1 Single Family and
C-1 Limited Business Districts to MP-2
Planned General Industrial District.

Master Plan Amendment from Low Density
Residential and Mixed Use to Industrial (City-
Wide Master Plan).

Date of Application: May 26, 2021

Purpose: To rezone and create two (2)
lots to build one (1) 346,826 square foot
building for a warehouse and distribution
center.

Property Location: 900 North 69th Street



Commission Districts:	Commissioner At Large: Melissa Bynum District #8 Commissioner: Jane Winkler Philbrook		
Existing Zoning:	R-1 Single Family and C-1 Limited Business Districts		
Surrounding Zoning:	North:	CP-2 Planned General Business Districts	
	South:	MP-2 Planned General Industrial District	
	East:	MP-2 Planned General Business	
	West:	None (no zoning on former KTA right-of-way and College Parkway right-of-way)	
Existing Uses:	North:	Home improvement store (across State Avenue)	
	South:	Industrial business park (currently under construction)	
	East:	Industrial business park (currently approved)	
	West:	Undeveloped land and right-of-way	
Total Tract Size:	29.33 Acres		
Master Plan Area:	City-Wide Master Plan		
Master Plan Designation:	The City-Wide Master Plan designates this property as Low Density Residential and Mixed Use. Low Density Residential allows single-family detached residences, institutional uses such as elementary and middle schools, small churches (less than 50,000 square feet), libraries and parks, open space, etc. Mixed Use allows specialty retail, sit-down restaurants, convenience retail uses such as banks, drug stores, professional and office services, institutional uses such as churches, schools, libraries, etc., parks, plaza, open space, and mixed-density residential uses.		
Major Street Plan:	The Major Street Plan classifies I-70 Highway as a freeway, State Avenue as a Class A Thoroughfare, North 72 nd Street (College Parkway) as a Class C Thoroughfare, and North 69 th Street as a Local Street.		
Required Parking:	For buildings larger than 50,000 square feet, parking is determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government Board of Commissioners shall make the final determination upon recommendation of the Planning Commission. Building 5 proposes 341 parking spaces.		

Advertisement:	<u>The Wyandotte Echo</u> – Change of Zone - June 17, 2021; Master Plan Amendment – June 17, 2021 Letters to Property Owners – Change of Zone – June 16, 2021 and July 22, 2021; Plat – June 16, 2021; Plan Review – June 16, 2021; Master Plan Amendment – June 16, 2021 and July 22, 2021
Public Hearings:	July 12, 2021 and July 29, 2021
Public Support:	None to date.
Public Opposition:	One (1) person appeared at the July 12, 2021 City Planning Commission meeting

PROPOSAL

Detailed Outline of Requested Action: The applicant, NP Turner Industrial, LLC wants to rezone from R-1 Single Family and C-1 Limited Business District to MP-2 Planned General Industrial District, preliminary and final plat two (2) lots and amend the City-Wide Master Plan from Low Density Residential to Industrial to build one (1) industrial building (Building 5 – 346,826 square feet) at 900 North 69th Street on 29.33 acres.

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

Code Enforcement History: There is no history of Notice of Violations for this property.

FACTORS TO BE CONSIDERED

1. Neighborhood character

This project spans a large area with several uses. The site area is primarily undeveloped land with existing thick tree stands along the west property line. There are residential townhomes across College Parkway from this project area to the west. Commercial uses exist along State Avenue to the north of the project site. This location is also adjacent to several major roadways; I-70 to the south adjacent the southern property line of Building 3, College Parkway to the west and State Avenue to the north. Appropriate screening is essential.

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

The zoning and uses of properties nearby are not compatible with the southeast corner of this intersection, as College Parkway and State Avenue intersection is a major commercial artery that runs through the City and is the entry way to Kansas City Kansas Community College, however, the prospective uses are compatible with the zoning and uses to the south within the currently under development industrial business park.

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

The property is suitable for the developer to continue with the industrial business park. Removal of the restrictions will not detrimentally affect the commercial businesses on State Avenue and there is no direct access to State Avenue for Turner Logistics Center tenants.

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

Portions of the properties along North 69th Street have been vacant for a few months, as Northpoint Development has purchased residences on the block for the business park.

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

The proposed use will produce social economic activity; however, the proposed use is not reasonably necessary for the convenience and welfare of the public as there will be an industrial building abutting the property line east of a parcel on the southeast corner of the College Parkway and State Avenue intersection that is not zoned (former KDOT right-of-way) and undeveloped, and will substantially injure the appropriate use, visual quality and marketability of that vacant parcel.

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

The proposed use will increase traffic and parking demand; however, all traffic shall enter from Orville Avenue, and continue north of 69th Street internal to the development. There shall be no access to/from State Avenue, which is the County's primary transit corridor.

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

The proposed use does not conform to the Master Plan. An amendment to Industrial has been submitted by the applicant.

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

The majority of the site has been graded from the previous construction phases of the expanding industrial business park. There are established tree stands to the west which are partially not in the project area. That will assist in softening the front of the building and customer parking from College Parkway.

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

a. Water service

Water service is provided by BPU.

b. Sanitary sewer service

Sanitary sewer service is provided by the UG.

c. Storm water control

To be designed to meet City Code.

d. Police

Police service is provided by West Patrol, District #221.

e. Fire

Fire service is provided by Fire Station #11.

f. Transit

Kansas City ATA provides transit service along College Parkway and I-70, Route #114 and State Avenue, Route #101.

g. Schools

Public education service provided by Turner USD 202.

h. Streets

See item #6 above.

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

The proposed use will have a positive economic impact on the community by turning low density residential and uncut vacant lots into taxable lots with industrial buildings.

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

With revisions to public improvements, landscaping, berming and fencing, the proposed use is capable of meeting applicable ordinance requirements.

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

There is no relative gain to the public health, safety and welfare compared to the hardship imposed on the landowner, although all traffic will be restricted to Orville Avenue and North 69th Street from the south.

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

Development can be used safely without danger to health or peril from fire, flood, and erosion. There will be excessive noise associated with this industrial development, but the truck docks will be in the rear, which will be internal to the development adjacent to Building 4.

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

North 69th Street will be privatized. The primary entrance will be off Orville Avenue via Turner Diagonal/College Parkway with an extension of North 69th Street and cul-de-sac. There is no access into the development from State Avenue, so heavy trailer and truck traffic should not become a nuisance for those remaining residences on 69th Street.

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

Buildings, lots, blocks, parcels and streets will be arranged so as to afford adequate light, open space, or air to facilitate protection, and to provide for long-term sustained real estate values provided proper berming, fencing and screening is constructed and continuously maintained.

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

Development patterns have been designed with minimal due regard to topography, much of the site has been graded flat. Most of the natural vegetation has been removed except for the existing tree stands around the perimeter along the northern and western edge of the property.

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

This is an industrial development and as such does not have the amenities stated above, although staff has made recommendations to improve walkability and non-vehicular transportation and transit by coordinating with KCATA to have a transit stop on College Parkway/Turner Diagonal just north of Orville Avenue and pedestrian access via sidewalks throughout the development to State Avenue and 65th Street via emergency only entrances.

PREVIOUS ACTIONS

- Change of Zone Petition COZ-0008, Turner Logistics Center Fifth Plat and Master Plan Amendment MPL2021-002 was approved by the City Planning Commission on February 8, 2021 and Unified Government Board of Commissioners on February 25, 2021, respectively.
- Change of Zone Petition #3213 was approved by the City Planning Commission and Unified Government Board of Commissioners on January 13, 2020 and January 30, 2020, respectively for Turner Logistics Center.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 28, 2021 by Virtual Meeting (Zoom). Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Pedestrian and Transit Access
Screening from College Parkway/Turner Diagonal and State Avenue
Truck Noise
Lighting / Glare
Existing Access onto State Avenue
Existing Topographic and Natural features

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of COZ2021-021 and MPL2021-009, subject to:

1. **Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;**
2. **Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;**

3. Utility easements shall connect with easements established in adjoining properties;
4. Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
5. Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building;
6. The sidewalk shall be a minimum ten (10) feet in width along the west side of North 69th Street. A five (5) foot sidewalk is required along the east side of the North 69th Street;
7. The connection to State Avenue shall be access for emergency vehicles only. The drive shall be landscaped and meander from State Avenue to North 69th Street, as not to attract attention as a public entrance;
8. Similar to the emergency only access on North 65th Street, a sidewalk shall be constructed to connect State Avenue to North 69th Street;
9. Staff wants to work with the applicant at the Development Review Committee (DRC) to consolidate the driveway access and remove drive and parking lot access to the cul-de-sac. Access and maneuvering shall be internalized and linked to the existing access point onto North 69th Street;
10. The developer shall create a separate parcel along State Avenue for non-industrial use;
11. The loading dock doors shall be painted to match the building or a complimentary color as the primary building;
12. Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcel and College Parkway and State Avenue ROWs;
13. The north, west and south sides of the building shall be softened from State Avenue, College Parkway and the College Parkway and Orville Avenue intersection. Trees shall be added accordingly to soften the facades;
14. Add more trees along the detention basins, west and south of the southwest corner of the building;
15. The Board of Zoning Appeals denied Appeal #2365 for reduced landscaping except for the following:
 - a. The development needs a landscaping plan similar to Amazon and Plaza at the Speedway. Where there are rows of houses, they need more than evergreen trees; they need berms, fencing and evergreens; a considerable landscape buffer of single-family residences is required to make sure that the industrial neighbor that moves in does not interfere with the residential homes. The presentation event said that the trees that are evergreens do not suffice here. Only leaving those trees that are there will not screen this effectively; it will help, but the trees have leaves for the most part. Staff wants to ensure that the residences adjacent to project cannot see it; if they are up high and the residents are down low then they need to work on how to prevent the noise. It needs to be fully screened and they need to make sure that the noise from the trucks and the lights do not interfere with the residential living. Director Richardson further stated that this use is coming to this

neighborhood where people have been living for a very long time and it is no different than what has been done where a business moved next to a residence and had lots of trucks and noise related to them. They will have to screen the property a little beyond The Salvation Army because of the residential senior living community. With the exception of the area adjacent to the Gables motel and the truck company (Apex), staff recommends denial.

16. Trash compactors shall be screened from public view;
17. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
18. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;
19. Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 128 trees are required to be planted. This does not include the street trees to be planted along North 69th Street and State Avenue;
20. Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaced not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center;
21. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue;
22. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
23. All landscaping shall be irrigated;
24. Shall comply with the sign ordinance;

25. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable; and,
26. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2021-021** and **MPL2021-009** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Photography
Zoning Map
Land Use Map
GeoSpatial Services Department Comment Letter
County Surveyor Comment Letter
Applicant Response Letter
Neighborhood Meeting Minutes
Preliminary Plat
Final Plat
Site Plan
Grading Plan
Landscape Plan
Site Lighting
Sight Lines
Building Elevations
Site Photographs taken by Staff on December 16, 2020

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	July 12, 2021	July 29, 2021
Rezoning	Approval	
Public Hearing	July 12, 2021	July 29, 2021
Master Plan	Approval	

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition MPL2021-009 as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition MPL2021-009, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition COZ2021-021 as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition COZ2021-021 as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

Hearing starts at 1:49:25:

MASTER PLAN AMENDMENT MPL2021-009 – NP TURNER INDUSTRIAL, LLC –

SYNOPSIS: Master Plan Amendment from Low Density Residential to Industrial at 900 North 69th Street.

CHANGE OF ZONE APPLICATION COZ2021-021 – NP TURNER INDUSTRIAL, LLC

- SYNOPSIS: Change of Zone from R-1 Single Family and C-1 Limited Business Districts to MP-2 Planned General Industrial District for Turner Logistics Center East Building 5 at 900 North 69th Street.

PLAT2021-013 – NP TURNER INDUSTRIAL, INC. – SYNOPSIS: Preliminary and Final Plat for Turner Logistics Center Sixth Plat at 900 North 69th Street.

PLAN REVIEW APPLICATION PR2021-021 – NP TURNER INDUSTRIAL, LLC –

SYNOPSIS: Final Plan Review for Turner Logistics Center East Building 5 at 900 North 69th Street.

Detailed Outline of Requested Action: The applicant, NP Turner Industrial, LLC wants to rezone from R-1 Single Family and C-1 Limited Business District to MP-2 Planned General Industrial District, preliminary and final plat two (2) lots and amend the City-Wide Master Plan from Low Density Residential to Industrial to build one (1) industrial building (Building 5 – 346,826 square feet) at 900 North 69th Street on 29.33 acres.

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

Code Enforcement History: There is no history of Notice of Violations for this property.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and

7. The Notices to property owners.

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

Present in Support:

- Jim Kraatz, Brody Sherar and Brett Powell, Northpoint Development, 8425 Northwest 41st Street, Suite 500, Riverside, Missouri

Present in Opposition:

- Teresa Davis, 7428 Orville Avenue, Kansas City, Kansas

Staff Recommendation starts at 1:59: Planning Director Hand stated that traffic studies are taken into consideration when reviewing a new development. The studies are based on all seasons, and the roadways are designed to meet the projected demand. For this development on the east side, as well as the case on the west side that was just heard, the roads will be designed for the businesses to function without issues assuming the truck drivers only use Tauromee off College Boulevard. He further stated that the project in this application has been considered several times by the Planning Commission. This application is before the Commission tonight as the applicant has acquired additional property and has therefore adapted their site plan and plat. Staff conditions have not changed significantly since these last reviews. The staff has conditioned sidewalks on both sides of 69th Street and there is only emergency and pedestrian connectivity via a dogleg that he showed the Commission to State Avenue. Director Hand stated that the gas station on State Avenue was required to have a sidewalk on the east side of their part of 69th Street so staff would only request that the applicant tie into that sidewalk moving forward; they would not need to cross over to the gas station's property. Staff worked extensively with the applicant to improve screening around the buildings from College Parkway and State Avenue similar to Building 1, which required additional screening plus the screening variance for Buildings 2 and 4. Staff has added a condition of approval to find a way to consolidate the driveways from the cul-de-sac to the driveway (he showed on the map), and staff will continue to work with the applicant at the Development Review Committee (DRC) level on this issue. Also, there is a parcel to the north off State Avenue that remains for a non-industrial development along the Unified Government's primary transit corridor. He stated that staff has received no letters in support nor opposition and there are no Notices of Violation on this property. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 2:03:33:

On motion by Mr. Connelly, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL** of **Master Plan Amendment MPL2021-009:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Aye

Ernst	Aye
Huey	Not Present
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 6 to 0

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zoning Application COZ2021-021**:

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

Motion to RECOMMEND APPROVAL Passed: 6 to 0

Subject to:

1. **Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;**
2. **Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;**
3. **Utility easements shall connect with easements established in adjoining properties;**
4. **Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;**
5. **Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building;**
6. **The sidewalk shall be a minimum ten (10) feet in width along the west side of North 69th Street. A five (5) foot sidewalk is required along the east side of the North 69th Street;**
7. **The connection to State Avenue shall be access for emergency vehicles only. The drive shall be landscaped and meander from State Avenue to North 69th Street, as not to attract attention as a public entrance;**
8. **Similar to the emergency only access on North 65th Street, a sidewalk shall be constructed to connect State Avenue to North 69th Street;**

9. Staff wants to work with the applicant at the Development Review Committee (DRC) to consolidate the driveway access and remove drive and parking lot access to the cul-de-sac. Access and maneuvering shall be internalized and linked to the existing access point onto North 69th Street;
10. The developer shall create a separate parcel along State Avenue for non-industrial use;
11. The loading dock doors shall be painted to match the building or a complimentary color as the primary building;
12. Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcel and College Parkway and State Avenue ROWs;
13. The north, west and south sides of the building shall be softened from State Avenue, College Parkway and the College Parkway and Orville Avenue intersection. Trees shall be added accordingly to soften the facades;
14. Add more trees along the detention basins, west and south of the southwest corner of the building;
15. The Board of Zoning Appeals denied Appeal #2365 for reduced landscaping except for the following:
 - a. The development needs a landscaping plan similar to Amazon and Plaza at the Speedway. Where there are rows of houses, they need more than evergreen trees; they need berms, fencing and evergreens; a considerable landscape buffer of single-family residences is required to make sure that the industrial neighbor that moves in does not interfere with the residential homes. The presentation event said that the trees that are evergreens do not suffice here. Only leaving those trees that are there will not screen this effectively; it will help, but the trees have leaves for the most part. Staff wants to ensure that the residences adjacent to project cannot see it; if they are up high and the residents are down low then they need to work on how to prevent the noise. It needs to be fully screened and they need to make sure that the noise from the trucks and the lights do not interfere with the residential living. Director Richardson further stated that this use is coming to this neighborhood where people have been living for a very long time and it is no different than what has been done where a business moved next to a residence and had lots of trucks and noise related to them. They will have to screen the property a little beyond The Salvation Army because of the residential senior living community. With the exception of the area adjacent to the Gables motel and the truck company (Apex), staff recommends denial.
16. Trash compactors shall be screened from public view;
17. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
18. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled.

Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;

19. Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 128 trees are required to be planted. This does not include the street trees to be planted along North 69th Street and State Avenue;
20. Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaced not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center;
21. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue;
22. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
23. All landscaping shall be irrigated;
24. Shall comply with the sign ordinance;
25. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable; and,
26. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to **APPROVE PLAT2021-012**:

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

Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Not Present

Motion to APPROVE Passed: 6 to 0
Subject to the above conditions

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to **APPROVE PR2021-21:**

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

Motion to APPROVE Passed: 6 to 0
Subject to the above conditions



Figure 1. Aerial photograph of Turner Logistics Center (provided by UG Maps).

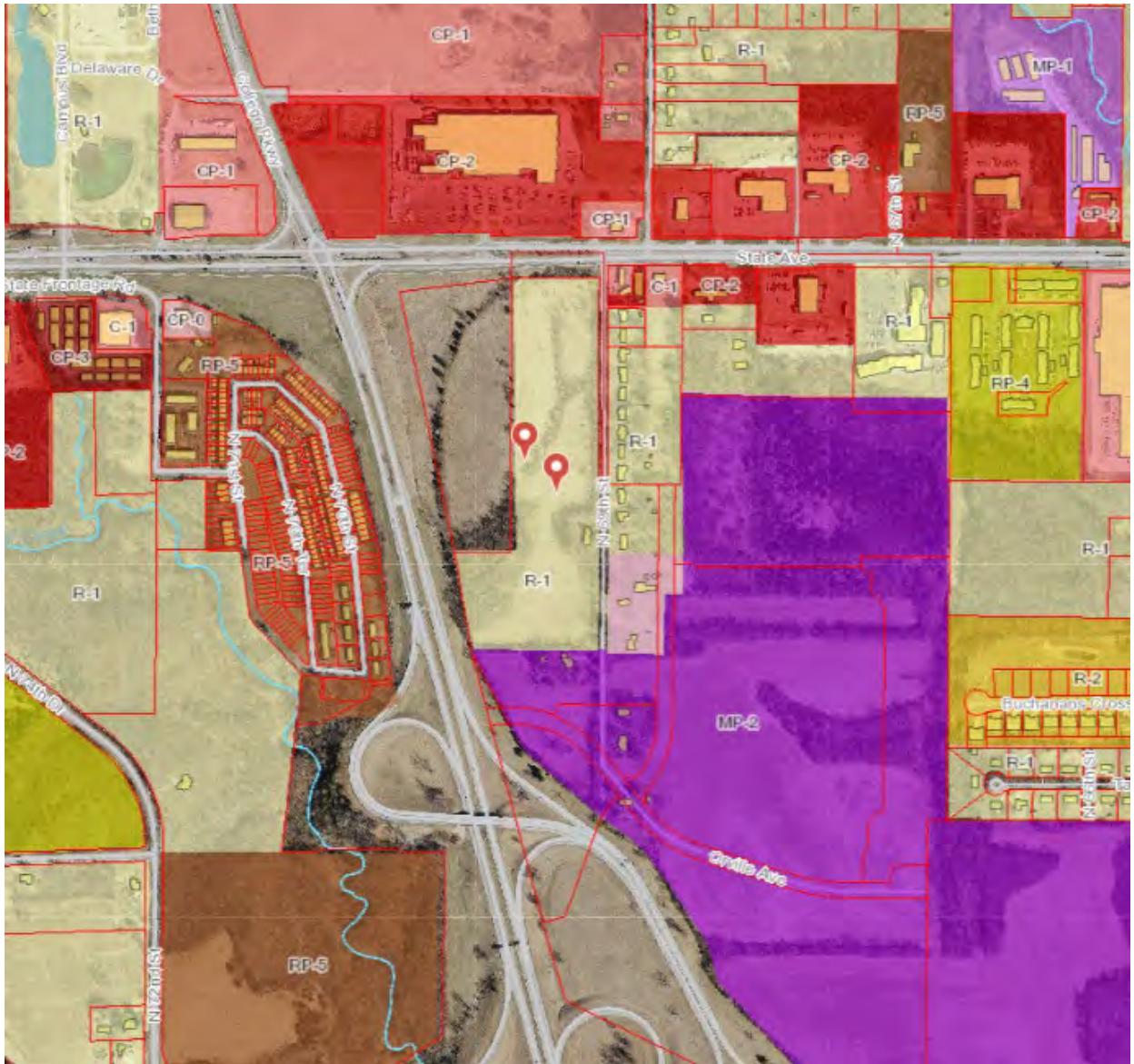


Figure 2. Zoning Map of Turner Logistics Center (provided by UG Maps).

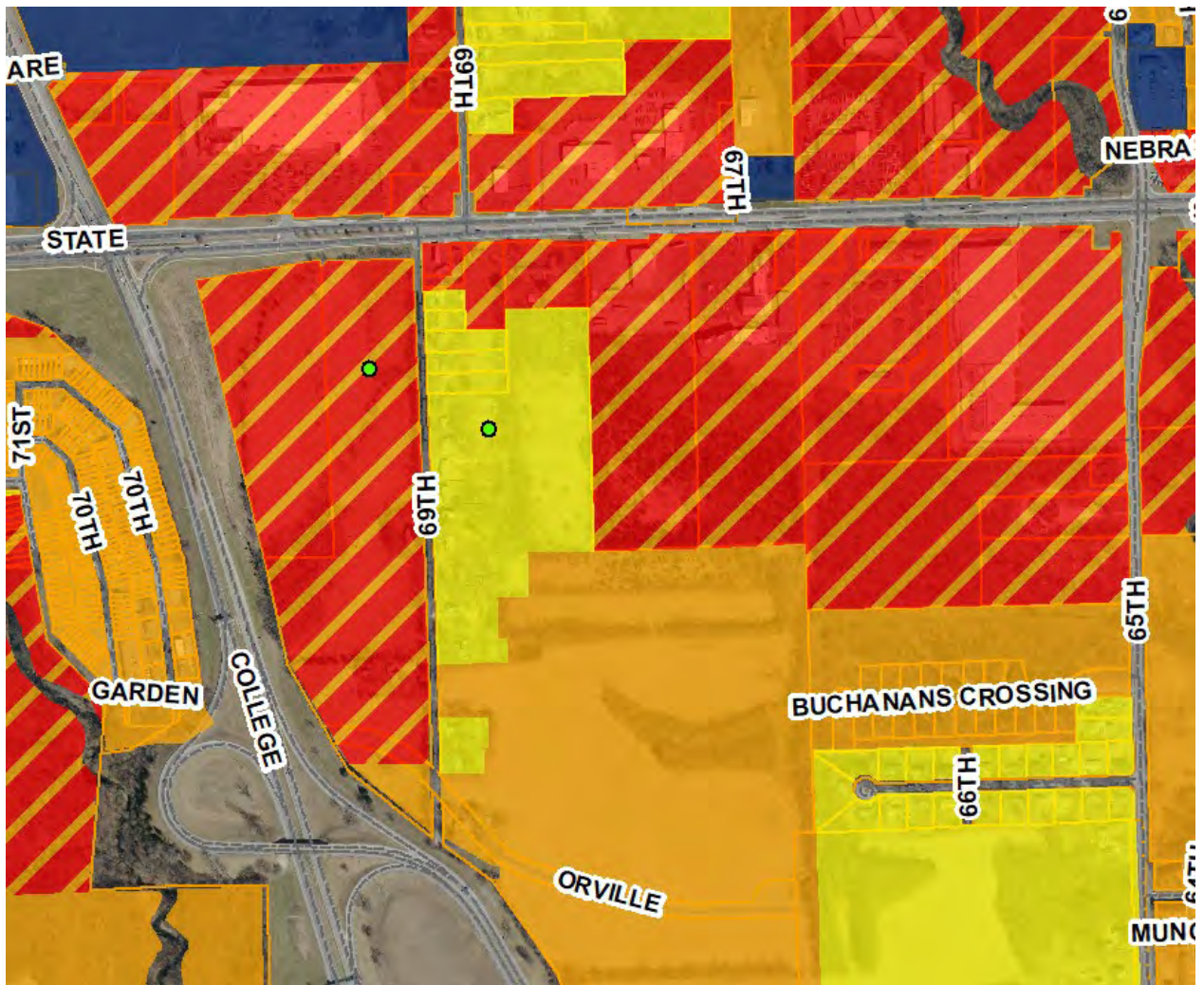


Figure 3. City-Wide Master Plan Land Use Map of Turner Logistics Center (provided by ArcMap).



GeoSpatial Services
A Division of the Knowledge Office

710 North 7th Street Suite 200
Kansas City, Kansas 66101

Phone: (913) 573-2941
Fax: (913) 573-4106

To: Gunnar Hand, Planning and Urban Design
Janet Parker, Planning and Urban Design
From: Robert Ringel, GIS Analyst, Unified Government GSS
Date: June 8, 2021
RE: **TURNER LOGISTICS CENTER SIXTH PLAT**

We have researched the official county records for the above plat as submitted to
Planning and Urban Design by:
Continental Consulting Engineers, Inc.

And we have determined the following:

Takes all of CIC-TAS Parcels:

422602, 925305, 925306, 925307 & 925320

Takes part of CIC-TAS Parcel:

422502

Owners-of-Record:

NP Turner Industrial, LLC; Leticia I. Garcia Romero & Karen A. Romero
Anchondo; Benjamin Bortnick

Jurat Signatures:

Nathaniel Hagedorn, Authorized Person – NP Turner Industrial, LLC;
Leticia I. Romero Garcia & Karen A. Anchondo Romero

We find that the plat is: **Presently unacceptable for posting.**

Please note the following comments.

1) Dimension

There is a missing dimension along the west line of Lot 2.

2) Corner Ties

I don't see any ties to corners found.

3) Ownership

Not all ownership has been acquired.



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5700
FAX (913) 573-5727

June 11, 2021

Sam DePriest
Continental Engineers Inc.
11006 Parallel Parkway,
Kansas City, KS 66109

Re: Final Plat of TURNER LOGISTICS CENTER 6TH PLAT

Dear Mr DePriest

I have reviewed your submittal of the above captioned plat and have these comments for your review:

- Need a minimum of two reference ties to controlling corners. They can be section corners or other found monumentation. You show one section corner so that might be the easiest since you have down work in this area already.
- Please submit a closure report for the out boundary of the plat.
- Label the north line of the northwest quarter of the northwest quarter.
- Label the north line of the northeast quarter of the northwest quarter.

If I can be of any further assistance, please feel free to contact me at your convenience.

Sincerely,

Brent E. Thompson, PS.
County Surveyor

Cc: Martin Ntonjira
Robby Ringel
Janet Parker

Turner Logistics Center East
747 N. 69th Street
Kansas City, Kansas 66109

Turner Logistics Center Building 5 and Sixth Plat
COZ2021-021, MPL2021-009, PLAT2021-013, PR2021-021

Responses to staff comments can be found below in red.

Engineering Comments

Erosion Control No. 1

- 1) With final plans, provide an erosion control plan in accordance with UG criteria including erosion control notes, construction sequence, identifying the 3 stages of construction, indicate when BMP's are to be placed and when they are to be removed, and applicable maintenance requirements. (Review UG Guidelines and Checklist). **A detailed set of Land disturbance plans for grading operations was submitted to KDHE on June 14, 2021 and to the UG on June 17, 2021.**

General Engineering Review No. 1

- 1) See PDF markup.
 - a. **The southern half of the State Avenue R/W adjacent the plat boundary was included as part of the plat and rededicated as right-of-way. The plat boundary extended to the section line.**
 - b. **R/W on 69th Street has been removed and is now a Tract. This has been updated on the plat that was resubmitted to the county surveyor.**
 - c. **The 30' access easement was dedicated on the Fifth Plat as part of a plan with Buildings 5 and 6. With Buildings 5 and 6 becoming a single building, this access easement is no longer needed and therefore vacated with the Sixth Plat.**
- 2) The final plat shall incorporate County Surveyor comments. Typically, the county surveyor makes separate technical review of the plat and will submit comments directly to the prepared of the plat. **Understood, county surveyor comments have been addressed and submitted to directly to the county surveyor.**
- 3) Construction plan shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition. **Understood.**

Planning and Urban Design Comments

General Planning

- 1) Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity. **Understood.**
- 2) Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat.

The final plat will include 10' easements along each side of the proposed lot lines.

- 3) Utility easements shall connect with easements established in adjoining properties.
Understood.
- 4) Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided.
All proposed electrical power, telephone, and cable will be installed underground.
- 5) Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building. **Understood.**
- 6) The sidewalk shall be a minimum the (10) feet in width along the west side of North 69th Street. A five (5) foot sidewalk is required along the east side of the North 69th Street. **The current site plan indicates a 10' sidewalk west of N 69th Street and a 5' sidewalk along the East side of N 69th Street as stated above.**
- 7) The connection to State Avenue shall be access for emergency vehicles only. The drive shall be landscaped and meander from State Avenue to North 69th Street, as not to attract attention as a public entrance.

A portion of the existing N. 69th Street will remain as a public access point to the existing gas station from State Avenue. The proposed emergency access road will begin at the property line (Sixth Plat boundary). Landscaping has been added along the proposed emergency access road (see Sheet L1.01).

- 8) Similar to the emergency only access on North 65th Street, a sidewalk shall be constructed to connect State Avenue to North 69th Street.
As mentioned in response to Staff Comment #7, a section of the existinig 69th Street will remain as a public access point to the existing gas station from State Avenue. Per the submitted plans, a sidewalk will be constructed to the edge of our North property line. The emergency access drive will be utilized as a sidewalk, similar to the emergency access road on 65th Street.
- 9) Consolidate the driveway access and remove drive and parking lot access to the cul-de-sac. Access and maneuvering shall be internalized and linked to the existing access point onto North 69th Street.
New 69th Street is a private road internal to the industrial park and is not public. The intent of the current layout is to separate passenger vehicles from truck traffic. We request that the connection to the cul-de-sac on the private road remain as shown similar to the cul-de-sac connection along Orville Avenue for Buildings 1 and 3.
- 10) The developer shall create a separate parcel along State Avenue for non- industrial use.
A +/-1.5 acres parcel has been preserved along State Avenue for non-industrial use.

Building Architecture

- 1) The loading dock doors shall be painted to match the building or a complimentary color as the primary building. **Understood.**

Landscaping and Screening:

- 1) Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcel and College Parkway and State Avenue ROWs.

A majority of the existing tree stand at the southwest corner of Building 5 will be preserved. The remainder of existing vegetating along the west and north property lines is brush and will be replaced with a mix of deciduous and evergreen trees as part of an enhanced landscape plan.

- 2) The north, west and south sides of the building shall be softened from State Avenue, College Parkway and the College Parkway and Orville Avenue intersection. Trees shall be added accordingly to soften the facades.

The proposed landscape plan includes a mix of deciduous, evergreen and ornamental trees along the north and west property lines to help soften views from State Avenue, College Parkway and the College Parkway and Orville intersection.

- 3) Add more trees along the detention basins, west and south of the southwest corner of the building.

The revised landscape plan includes more trees along the detention basins at the southwest corner of Building 5.

- 4) The Board of Zoning Appeals denied Appeal #2365 for reduced landscaping except for the following:
 - a. The development needs a landscaping plan similar to Amazon and Plaza at the Speedway. Where there are rows of houses, they need more than evergreen trees; they need berms, fencing and evergreens; a considerable landscape buffer of single-family residences is required to make sure that the industrial neighbor that moves in does not interfere with the residential homes. The presentation event said that the trees that are evergreens do not suffice here. Only leaving those trees that are there will not screen this effectively; it will help, but the trees have leaves for the most part. Staff wants to ensure that the residences adjacent to project cannot see it; if they are up high and the residents are down low then they need to work on how to prevent the noise. It needs to be fully screened and they need to make sure that the noise from the trucks and the lights do not interfere with the residential living. Director Richardson further stated that this use is coming to this neighborhood where people have been living for a very long time and it is no different than what has been done where a business moved next to a residence and had lots of trucks and noise related to them. They will have to screen the property a little beyond The Salvation Army because of the residential senior living community. With the exception of the area adjacent to the Gables motel and the truck company (Apex), staff recommends denial. **Understood.**

5) Trash compactors shall be screened from public view.
Understood.

6) Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials. **Understood.**

7) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures.

Understood.

8) Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 128 trees are required to be planted. This does not include the street trees to be planted along North 69th Street and State Avenue. **Understood.**

9) Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaces not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center. **Understood.**

10) All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue. **Understood.**

11) All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers).
Understood.

12) All landscaping shall be irrigated. **Understood.**

Signage:

1) Shall comply with the sign ordinance. **Understood.**

Planning Engineering Comments:

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

Brody Sherar
4825 NW 41st Street
Riverside, MO 64150

7/2/2021

Byron Toy
Principal Planner
Unified Government
701 North 7th Street, Suite 423
Kansas City, KS 66101

Dear Byron,

The neighborhood meeting for our COZ2021-021 application was held on Monday 6/28/2021 at 6:00PM. Three representatives of NorthPoint were present at the meeting along with two representatives from our civil engineering consultant, Continental Consulting Engineering:

Myself, Brody Sherar
Brett Powell
James Kraatz
Phil Gibbs Jnr.
Andrew Talkin

All five of us were present for the entire duration of the meeting and no one else appeared.

Regards,

Brody Sherar

A handwritten signature in blue ink, appearing to be 'Brody Sherar', with a long horizontal flourish extending to the right.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF MISSOURI)
COUNTY OF RIVERSIDE) SS:

Comes now BRODY SHERAN, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # CO72021-021
2. That I conducted a neighborhood meeting on 6/28/2021 at 6:00 PM
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

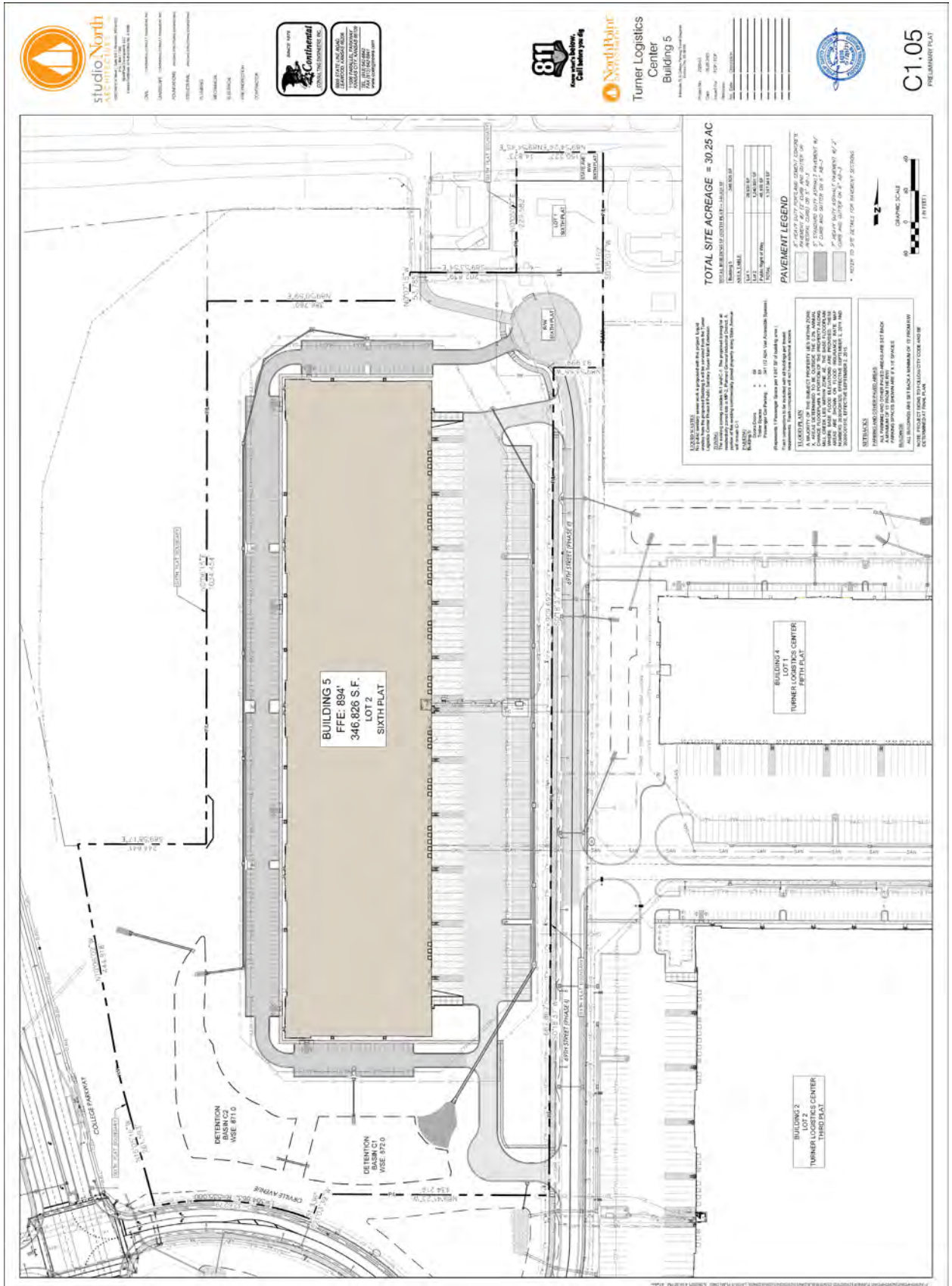
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29 day of June, ~~200~~ 2021

My commission expires 30 of SEP, 2023 ~~200~~

COURTNEY KELLER
Notary Public-Notary Seal
STATE OF MISSOURI
Commissioned for Jackson County
My Commission Expires: September 30, 2023
ID. #19124971

Notary Public





STUDIO NORTH ARCHITECTURE
10000 N. 10TH AVE., SUITE 100
DENVER, CO 80231
TEL: 303.733.8800
WWW.STUDIONORTHARCH.COM

OWNER: TURNER LOGISTICS CENTER
ARCHITECT: STUDIO NORTH ARCHITECTURE
ENGINEER: HKS ENGINEERING
PLANNING: HKS PLANNING
LANDSCAPE: HKS LANDSCAPE
INTERIOR DESIGN: HKS INTERIOR DESIGN
FURNITURE: HKS FURNITURE
LIGHTING: HKS LIGHTING
SOUND: HKS SOUND
PAINT: HKS PAINT
CONSTRUCTION: HKS CONSTRUCTION



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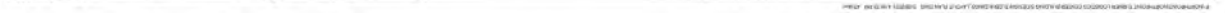
NorthPoint
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Turner Logistics Center
Building 5
10000 N. 10TH AVE., SUITE 100
DENVER, CO 80231
TEL: 303.733.8800
WWW.STUDIONORTHARCH.COM



C2.02
GENERAL LAYOUT







studioNorth
ARCHITECTURE
ARCHITECTS
1000 PINE STREET, SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
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OWNER: TURNER LOGISTICS CENTER
ARCHITECT: STUDIO NORTH ARCHITECTURE
ENGINEER: HKS ENGINEERING
LANDSCAPE ARCHITECT: HKS LANDSCAPE ARCHITECTURE
PLANTING: HKS LANDSCAPE ARCHITECTURE
LIGHTING: HKS LANDSCAPE ARCHITECTURE
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PAVING: HKS LANDSCAPE ARCHITECTURE
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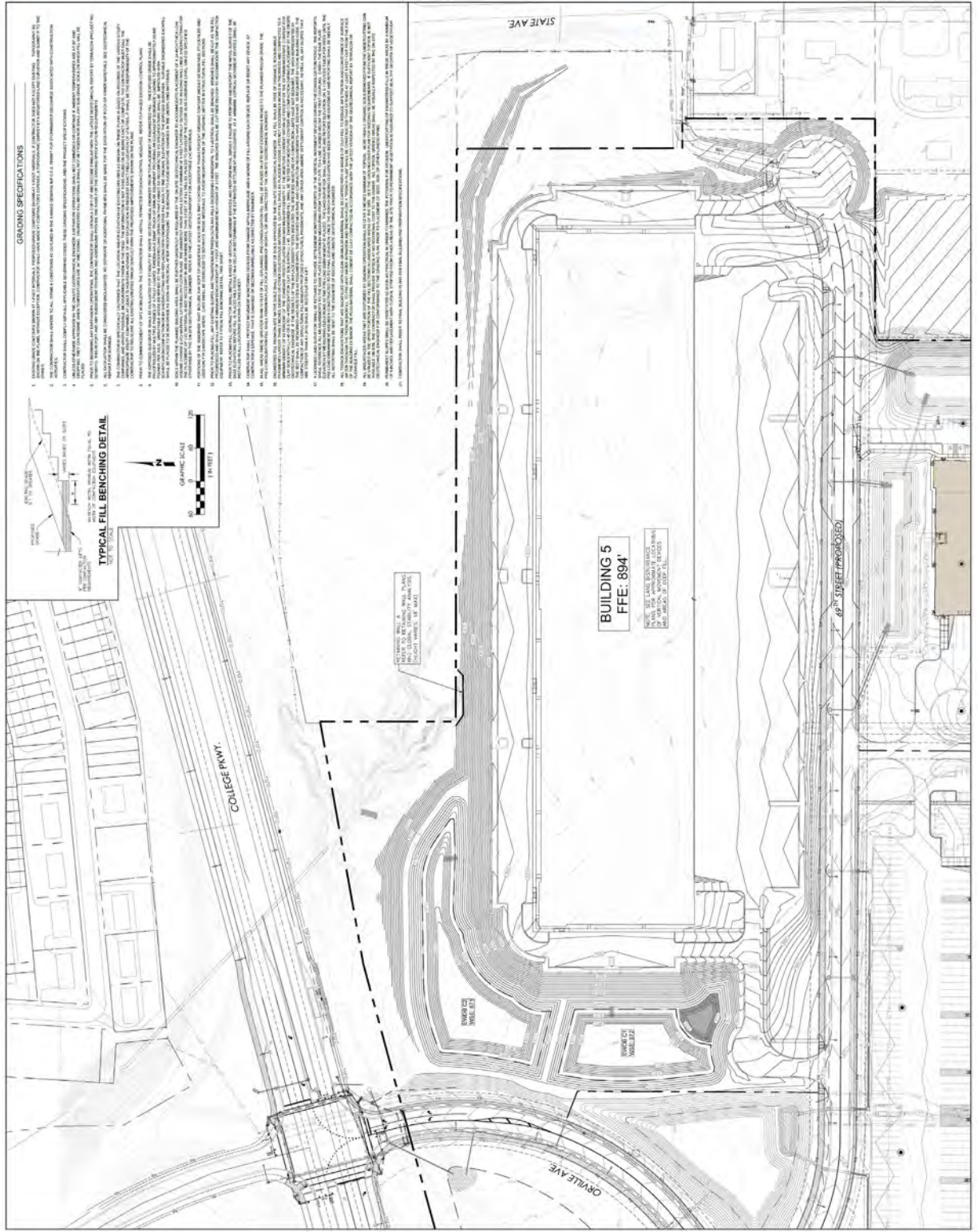
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Turner Logistics Center
Building 5
1000 PINE STREET, SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.STUDIONORTHARCH.COM

Project:	TURNER LOGISTICS CENTER BUILDING 5
Location:	1000 PINE STREET, SUITE 100, DENVER, CO 80202
Client:	TURNER LOGISTICS CENTER
Architect:	STUDIO NORTH ARCHITECTURE
Engineer:	HKS ENGINEERING
Landscaper:	HKS LANDSCAPE ARCHITECTURE
Planting:	HKS LANDSCAPE ARCHITECTURE
Lighting:	HKS LANDSCAPE ARCHITECTURE
Furniture:	HKS LANDSCAPE ARCHITECTURE
Signage:	HKS LANDSCAPE ARCHITECTURE
Paving:	HKS LANDSCAPE ARCHITECTURE
Construction:	HKS LANDSCAPE ARCHITECTURE



C3.01
OVERALL GRADING PLAN





studio North

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Journal of Internal Medicine 247: 111–117

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1. *Journal of the American Medical Association*, 1997; 278: 1019-1024.

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Keywords: child abuse; child sexual abuse; child sexual exploitation; child sexual abuse material

Continued

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CONSULT THE ENGINEERS, INC.

1000 STATE LINE ROAD
MONTICELLO, MISSISSIPPI 39061

KANSAS CITY, KANSAS 64109
TEL: (913) 642-8042
FAX: (913) 642-0841
www.kansasfirst.com

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NorthPoint
Development

Turner Logistics

Center
Building 5

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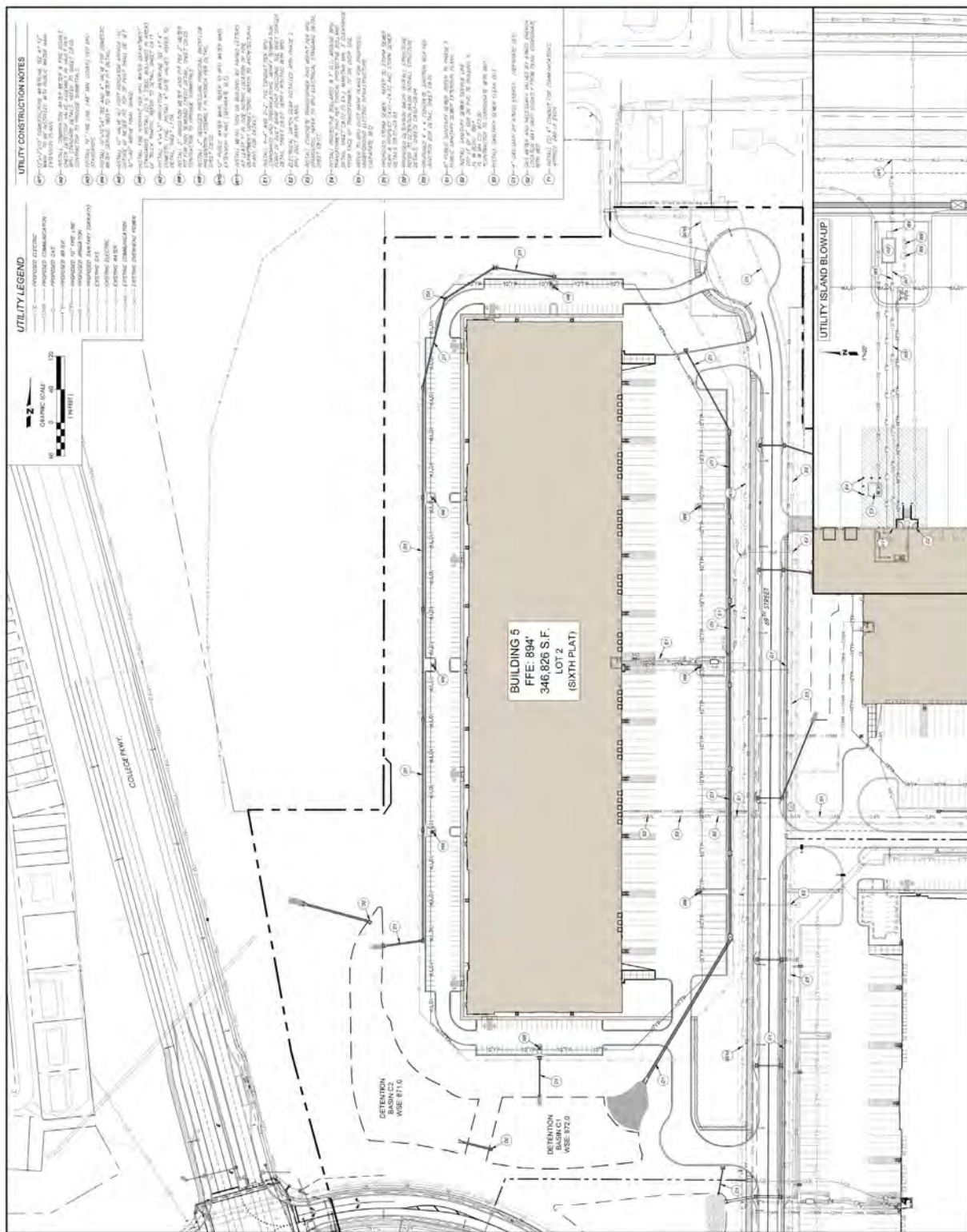
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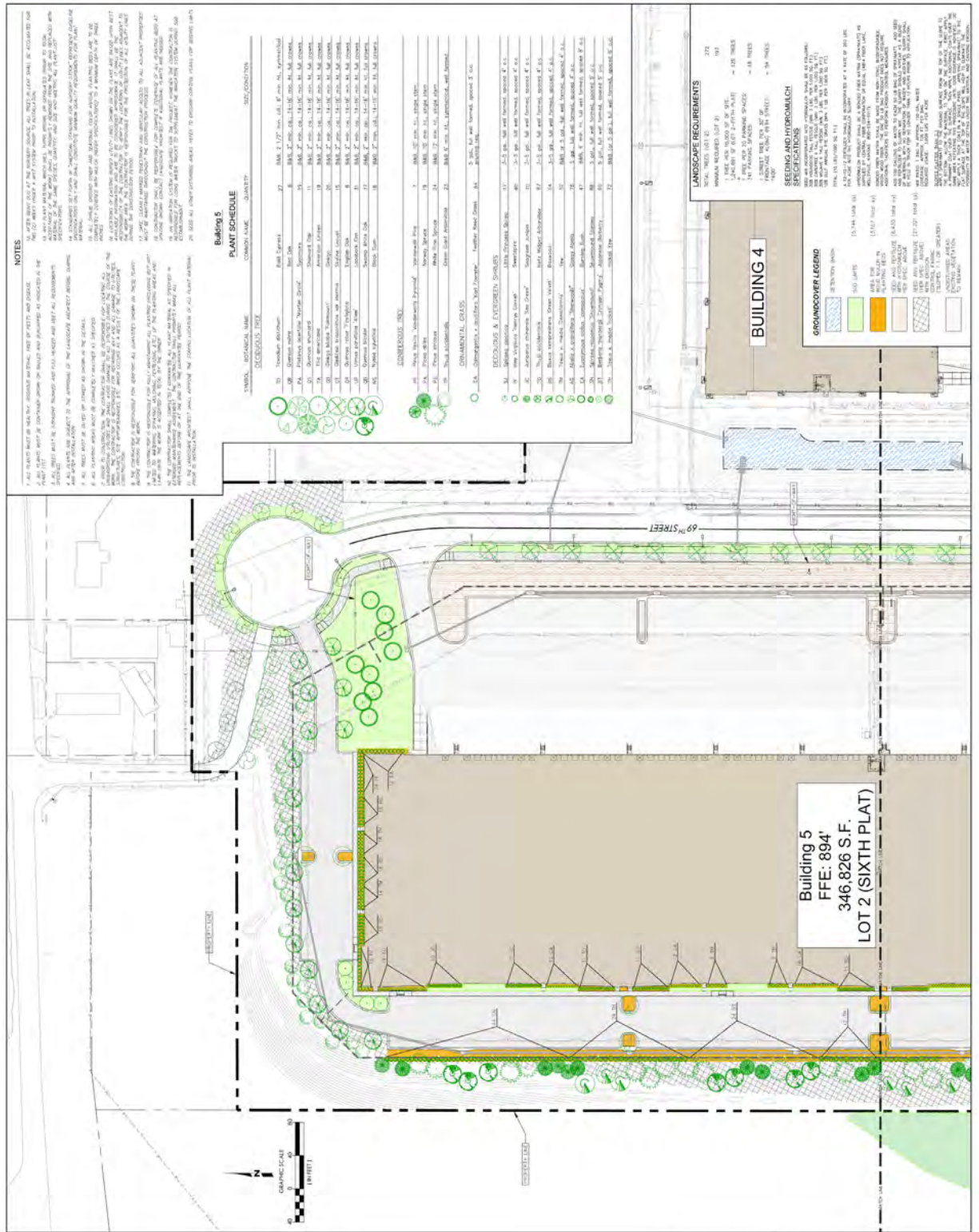
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C5.01

UTILITY PLAN

C5.01
UTILITY PLAN







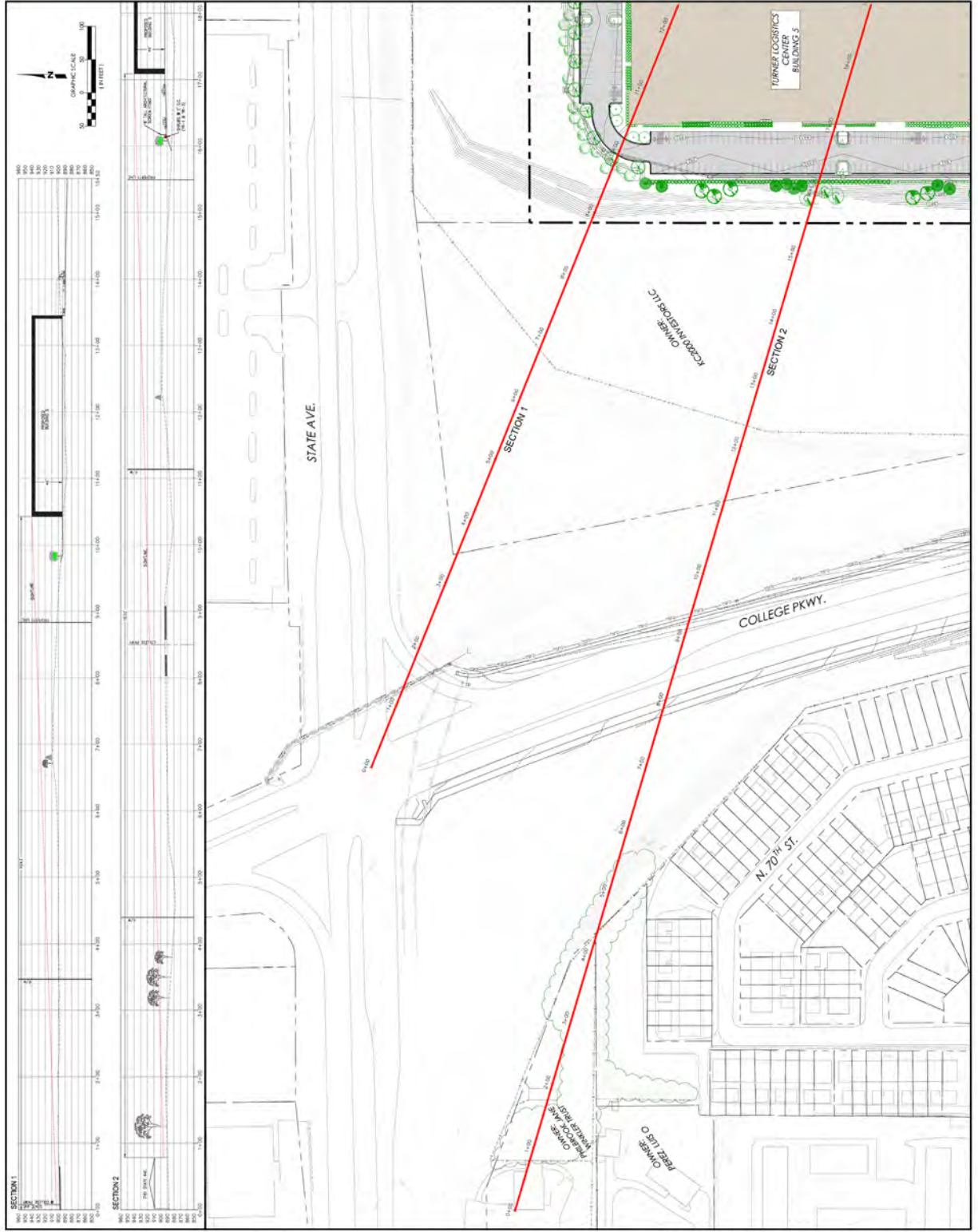
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1000 N. 70th St., Suite 100
Minneapolis, MN 55412
Phone: 612.338.1111
Fax: 612.338.1112
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Turner Logistics Center
Building 5

Project:	000000
Client:	Turner Logistics Center
Location:	Minneapolis, MN
Scale:	1/8" = 1'-0"
Date:	10/20/2021
Drawn by:	
Checked by:	
Approved by:	

L1.06
SIGHT LINE SECTIONS





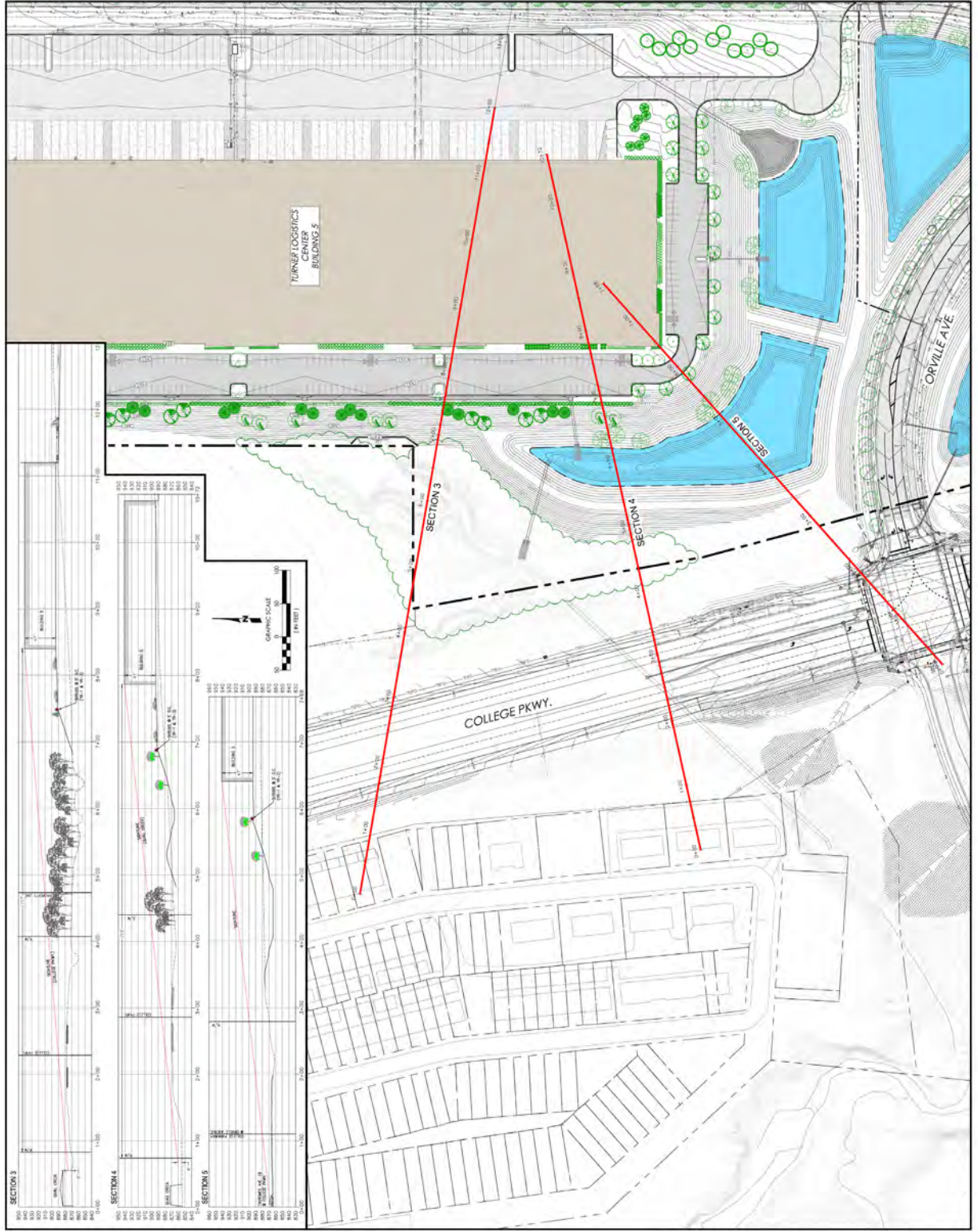
ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
PLANNING
ENGINEERING
ENVIRONMENTAL DESIGN
CONSTRUCTION MANAGEMENT



Turner Logistics
Center
Building 5

PROJECT:	000001
DATE:	08/11/2020
DESIGNER:	000001
DATE:	08/11/2020
REVISION:	000001
DATE:	08/11/2020
REVISION:	000001
DATE:	08/11/2020
REVISION:	000001
DATE:	08/11/2020
REVISION:	000001

L1.07
SIGHT LINE SECTIONS





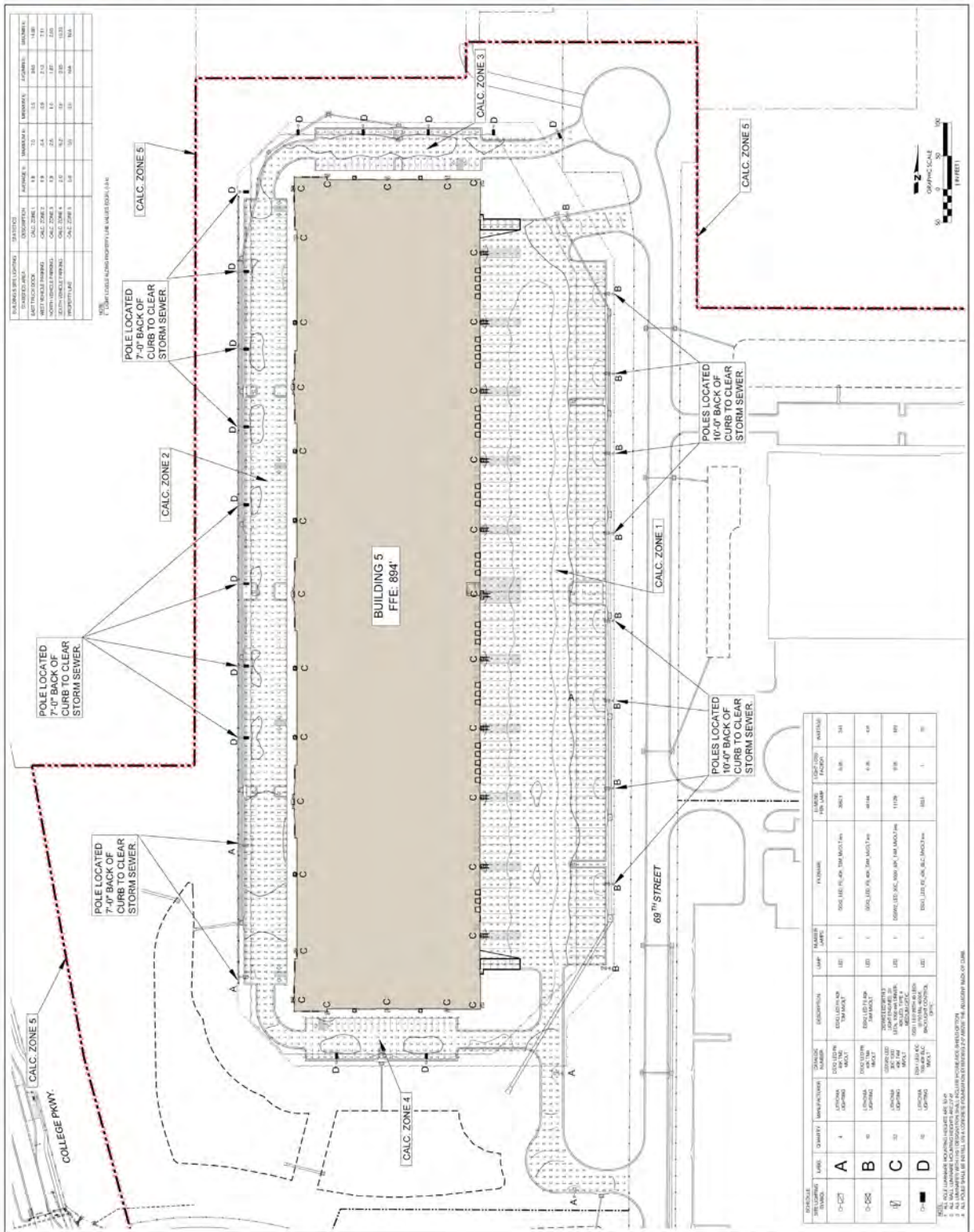
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ARCHITECTS
1000 PINE STREET, SUITE 100
DENVER, CO 80202
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WWW.STUDIONORTHARCHITECTS.COM

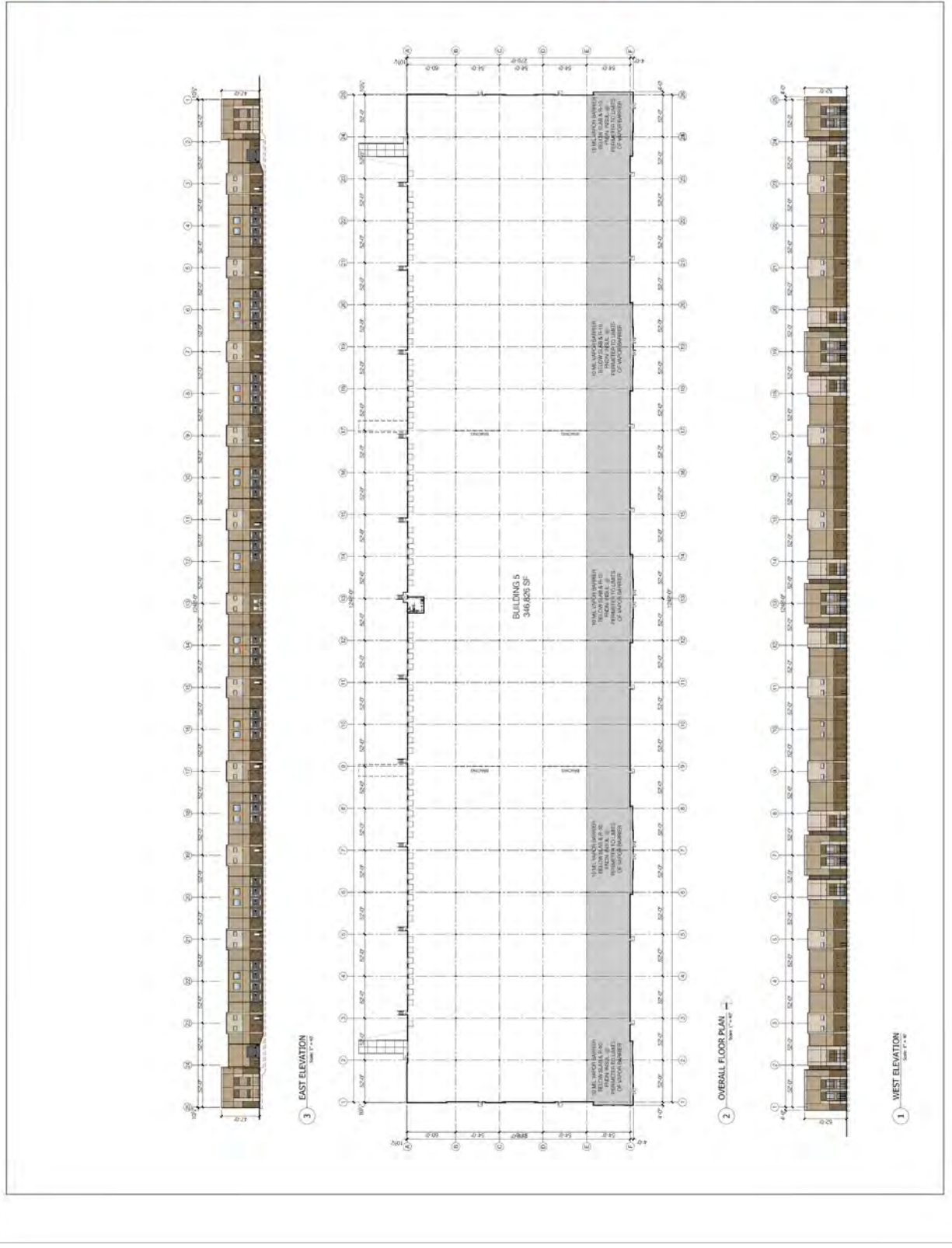


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SL1.00
LIGHTING PLAN







COLOR COATING LEGEND

1. PRIMER COATING (TYPICAL)
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3. PRIMER COATING (TYPICAL)
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9. PRIMER COATING (TYPICAL)
10. PRIMER COATING (TYPICAL)







Figure 1. Site photograph of Turner Logistics Center (provided by Planning Staff).



Figure 2. Site photograph of Turner Logistics Center (provided by Planning Staff).



Figure 3. Site photograph of Turner Logistics Center (provided by Planning Staff).



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: July 29, 2021

Re: Petition SP2021-042

GENERAL INFORMATION

Applicant:
Bryan Stokes

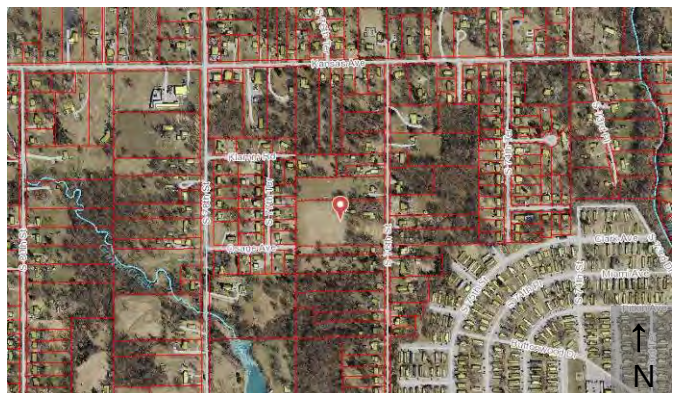
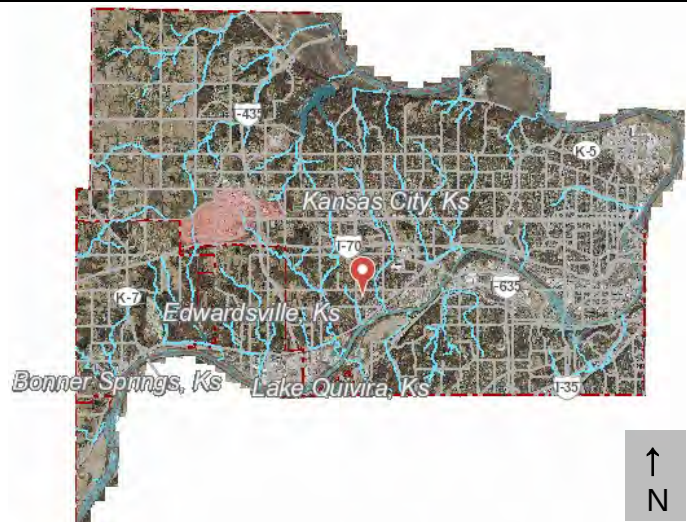
Status of Applicant:
Homeowner
734 South 76th Street
Kansas City, Kansas 66111

Requested Action:
Approval of a Special Use Permit.

Date of Application:
March 30, 2021

Purpose:
Special Use Permit to keep livestock
on the property.

Property Location:
734 South 76th Street
Kansas City, Kansas 66111



Commission District:	Commissioner At Large: Tom Burroughs District #5 Commissioner: Jim Walters
Existing Zoning:	R-1 Single Family District
Adjacent Zoning:	North: R-1 Single Family District South: R-1 Single Family District East: R-1 Single Family District West: R-1 Single Family District
Adjacent Uses:	North: Single-family residence South: Single-family residence East: Single-family residences West: Single-family residences
Total Tract Size:	4.79 Acres
Master Area Plan:	The subject property is within the City-Wide Master Plan.
Master Plan Designation:	The City-Wide Master Plan designates the property as Low-Density Residential. The Low-Density Residential land use designation allows single-family detached residences, institutions such as elementary and middle schools, and small churches, and parks and open space.
Major Street Plan:	The Major Street Plan classifies South 76 th Street as a Local/Neighborhood Street.
Required Parking:	Section 27-454(e) requires two (2) off-street parking spaces on the premises for each single-family dwelling, at least one (1) of which shall be a garage or a carport. The subject property has at least one (1) paved parking space on the driveway and at least one (1) parking space in the attached garage.
Advertisement:	<u>The Wyandotte Echo</u> – May 20, 2021 Letters to Property Owners – May 21, 2021, June 25, 2021 and July 22, 2021
Public Hearings:	June 14, 2021, July 1, 2021 and July 29, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Brian Stokes, is requesting a Special Use Permit to keep cows on a residential property at 374 South 76th Street, the applicant's primary residence. The applicant has stated that only two (2) cows will be on the property for the foreseeable future.

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

Code Enforcement History: There are no outstanding Notices of Violation attached to this property. The subject property has been previously cited by Code Enforcement:

May 11, 2021- Enforcement Complaint

September 11, 2013- Weeds

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Muncie-Stony Point Statistical Neighborhood and is not within a Neighborhood Group. The neighborhood is primarily single-family residential. The single-family residences are mostly one (1) of three (3) types: detached single-family residence on a one-quarter (1/4)-acre parcel in the R-1 District, a detached single-family residence on a larger, agricultural-type parcel in the R-1 District, or a detached, prefabricated single-family residence in the R-M Mobile Home Park District.

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

The subject property is zoned R-1 Single Family District, which is compatible with all the surrounding adjacent properties. The proposed use of keeping farm animals on the property is also compatible with the surrounding properties, due to the size of the subject property. The parcel is just under five (5) acres, which allows enough space for some farm animals to roam and graze while not interfering with the neighbor's quiet enjoyment. The fact that the parcel is between one (1) and five (5) acres allows the applicant to request a Special Use Permit under Section 27-593(a)(15). The applicant, however, has not provided the species of animals nor the numbers, so Staff cannot yet confirm that the use as the applicant proposes will be compatible with the neighboring properties.

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

The property is 4.79 acres, which is typically enough are for some farm animals to live on. The applicant has provided a site plan that shows a fenced-in area, which will decrease the total amount of available space for the animals to live, roam, and graze, but until the applicant provides the species and numbers that

they are proposing to keep, Staff cannot make a final assessment about the suitability of the property for the proposed use.

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

The subject property is the primary residence of the applicant.

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

Special Use Permits are not addressed in the City-Wide Master Plan. Agricultural uses are neither encouraged nor discouraged under the Low-Density Residential land use designation—the use of residential land is not anticipated at all. Therefore, the proposed use is neither in conformance nor in opposition to the City-Wide Master Plan.

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

Larger farm animals will have to be transported to the property via trailer and will presumably be transported off-site for some veterinary visits. Beyond those few trips, keeping farm animals on the property should not likely result in any increased traffic, much less enough traffic to exceed the street network's ability to accommodate it, so long as the applicant does not conduct sales of the animals or their products on site.

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

Keeping farm animals on a residential property may be convenient to the applicant, but it is not necessary to the convenience nor welfare of the public. The keeping of farm animals, however, is not likely to injure adjoining properties, depending on the species, numbers, and manner in which the animals are kept. The applicant must provide this information.

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

Farm animals and stables/barns produce some noise, dust, hay seed and pollen, and odors. Such externalities increase as more and more animals live within a single parcel. The applicant must provide information on the species, number, and manure disposal plan for the farm animals in order for Staff to determine if the animals would cause a nuisance.

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

Animal waste, if not properly disposed, can pollute the air, land, and water by its smell, substance, and pathogens, respectively. The applicant must provide a manure disposal plan to Staff.

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

Overgrazing is always a concern with pasture animals. In this case, such a concern is relevant given the unknown number of animals confined within an unknown fenced-in space. The applicant must provide more information before Staff can make a determination.

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

Keeping farm animals at one's primary residence provides several benefits, including the local production of eggs, milk, and meat. There is the potential for hardships to be imposed on nearby properties—smell, dust, noise, and escaped animals—but proper housing, cleaning, buffering, and securing of the cows should address any of these potential issues.

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

The subject property is 4.79 acres, so there is plenty of room to keep two (2) cows and six (6) chickens. The applicant resides at the property, but the size of the subject property might allow the applicant, their family, and some farm animals to live together without resulting in an overcrowding of land or causing undue concentrations of population.

PREVIOUS ACTIONS

- BZA2021-012 (simultaneous variances for an accessory structure both exceeding the maximum quantity and exceeding the maximum footprint)

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on at 5:00 PM on May 29, 2021, at 734 South 76th Street. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the "Attachments" section of this report).

KEY ISSUES

Junk
Manure Disposal Plan
Noise
Odors
Site Plan

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 too 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-042, for two (2) years, subject to:

- 1) While any and all livestock on the property require a Special Use Permit, six (6) chickens are allowed by right, so long as their coop is kept at least 10 feet from the property boundary line and at least 25 feet from any other habitable structure other than the applicant's structures. A conservation plan will be developed with the Conservation District defining the number of livestock allowed on the property **(NOTE: Conservation District has determined that two (2) cows are appropriate on this property);**
- 2) This City Planning Commission case is being heard in conjunction with BOZA2021-012. The following are conditions for BOZA2021-012 and are stated here for reference only, as SP2021-042 is solely a Special Use Permit for keeping livestock on a property of less than five (5) acres:
 - a) The variance must meet the following conditions: No more than two (2) accessory structures may be standing at a time, only one (1) accessory structure may exceed 1,000 square feet of total floor space, and such accessory structure may exceed a total floor area of 2,400 square feet;
 - b) More than six (6) chickens requires a Special Use Permit;
 - c) The subject property must be kept free of inoperable vehicles, scrap/junk, or other materials;
 - d) All vehicles must be parked on paved surfaces and all inoperable vehicles must be parked within a covered structure;
 - e) Any additional driveways must be constructed and/or updated to comply with Section 27-575(a). All new or updated portions of the driveways must be paved with two (2) inches of asphalt over six (6) inches of gravel, four (4) inches of concrete, or another alternative as approved by the UG Engineer;
 - f) The conditions of approval for any and all variances as allowed by this Board of Zoning Appeals case BOZA2021-012 will only go into effect when case SP2021-042 is recommended for approval by the City Planning Commission and ultimately adopted by the Board of Commissioners;
 - g) There are Conservation District comments incorporated herein by the May 18, 2021, Wyandotte County Conservation District letter;
 - h) A building permit is required for a permanent structure greater than 120 square feet;

- i) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward; and,
 - j) Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Code of Ordinances;
- 3) No sales will be conducted on the property without a Special Use Permit specifically for a home occupation or an annual agreement for a farmers' market;
 - 4) In order to create a suitable environment for the farm animals, the subject property must be kept free of inoperable vehicles, scrap/junk, or other materials;
 - 5) All vehicles must be parked on paved surfaces and all inoperable vehicles must be parked within a covered structure;
 - 6) Any additional driveways must be constructed and/or updated to comply with Section 27-575(a). All new or updated portions of the driveways must be paved with two (2) inches of asphalt over six (6) inches of gravel, four (4) inches of concrete, or another alternative as approved by the UG Engineer;
 - 7) The conditions of approval for any and all variances as allowed by this City Planning Commission case SP2021-042 will only go into effect when case BOZA2021-012 is recommended for approval by the Board of Zoning Appeals;
 - 8) There are Conservation District comments incorporated herein by the May 18, 2021, Wyandotte County Conservation District letter. For a full list of the Conservation District comments, see the Conservation District Letter in the "Attachments" section of this report;
 - 9) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Any illumination that results from use of the parking lot shall not be seen or otherwise impact adjacent residential uses;
 - 10) Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinance. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
 - 11) 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;

- 12) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
- 13) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

UPDATE FROM JULY 1, 2021 MEETING

This application was held over from the July 1, 2021 Board of Commissioners meeting to the July 29, 2021 meeting at the request of staff for a conservation plan to be developed with the Conservation District defining the number of livestock allowed on the property. **Conservation District has determined that two (2) cows are appropriate on this property**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission and determination from the Conservation District that Mr. Stokes be allowed two (2) cows.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners **APPROVE** Petition **SP2021-042** subject to the comments in the staff report, conditions of the City Planning Commission and the determination of the Conservation District.

ATTACHMENTS

June 14, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of Property Provided by Staff, Dated May 23, 2021
Photos of Property Provided by the Applicant
Site Plan Provided by the Applicant
Neighborhood Meeting Materials, Dated May 29, 2021
Conservation District Letter, Dated May 18, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Unified Government Commission</u>
Public Hearing		
Special Use	June 14, 2021 Approval	July 1, 2021 Held Over July 29, 2021

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-042** as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff report:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-042**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

June 14, 2021 City Planning Commission Minutes:

Hearing starts at 3:04:33:

SPECIAL USE PERMIT APPLICATION SP2021-042 – BRYAN STOKES -

SYNOPSIS: Special Use Permit to keep farm animals at 734 South 76th Street.

Detailed Outline of Requested Action: The applicant, Brian Stokes, is requesting a Special Use Permit to keep cows on a residential property at 374 South 76th Street, the applicant's primary residence. The applicant has stated that only two (2) cows will be on the property for the foreseeable future.

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

Code Enforcement History: There are no outstanding Notices of Violation attached to this property. The subject property has been previously cited by Code Enforcement:

May 11, 2021- Enforcement Complaint

September 11, 2013- Weeds

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 14, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Bryan Stokes, applicant, 734 South 76th Street, Kansas City, Kansas

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:07:33: Planning Director Hand stated that this case was tied to BOZA2021-012, which was approved earlier this evening, for two (2) accessory structures. This property is in the Riverview neighborhood off South 76th Street and is just under five (5) acres. Director Hand stated that he would like to reiterate a few of the conditions in the staff report. All vehicles will be parked on an improved surface and there will be no inoperable vehicles on-site. No sales on or off the property are allowed. There are some recent Notices of Violation that have been rectified. Staff has received no letters in support nor opposition. The applicant

requested four (4) cows and the Conservation District had concerns. Director Hand stated that Staff would add a sentence at the end of Condition one (1) stating that a conservation plan will be developed with the Conservation District defining the number of livestock allowed on the property. Staff recommends approval, with the amendment of Condition number one (1).

Motion and Vote starts at 3:10:15:

On motion by Ms. Ernst, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit SP2021-042 for two (2) years:**

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

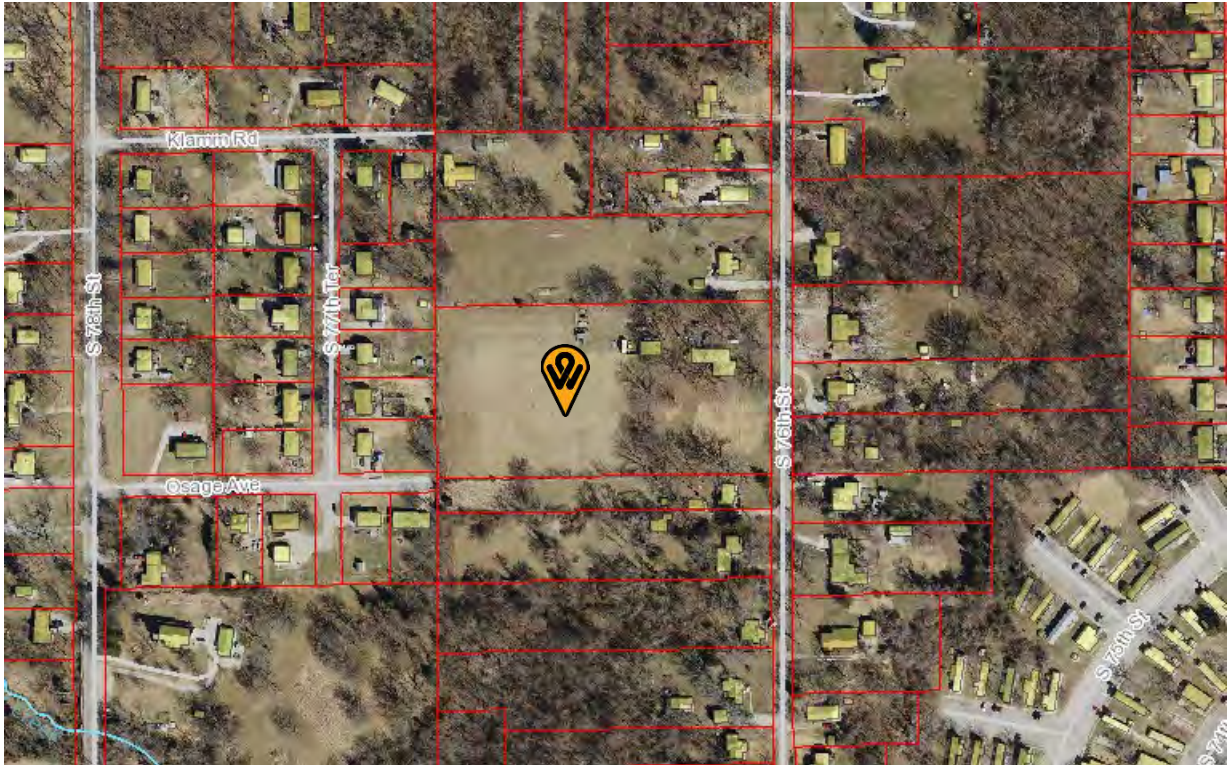
**Motion to RECOMMEND APPROVAL Passed: 7 to
Subject to:**

- 1) While any and all livestock on the property require a Special Use Permit, six (6) chickens are allowed by right, so long as their coop is kept at least 10 feet from the property boundary line and at least 25 feet from any other habitable structure other than the applicant's structures. A conservation plan will be developed with the Conservation District defining the number of livestock allowed on the property;**
- 2) This City Planning Commission case is being heard in conjunction with BOZA2021-012. The following are conditions for BOZA2021-012 and are stated here for reference only, as SP2021-042 is solely a Special Use Permit for keeping livestock on a property of less than five (5) acres:**
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 - b) More than six (6) chickens requires a Special Use Permit;**
 - c) The subject property must be kept free of inoperable vehicles, scrap/junk, or other materials;**
 - d) All vehicles must be parked on paved surfaces and all inoperable vehicles must be parked within a covered structure;**
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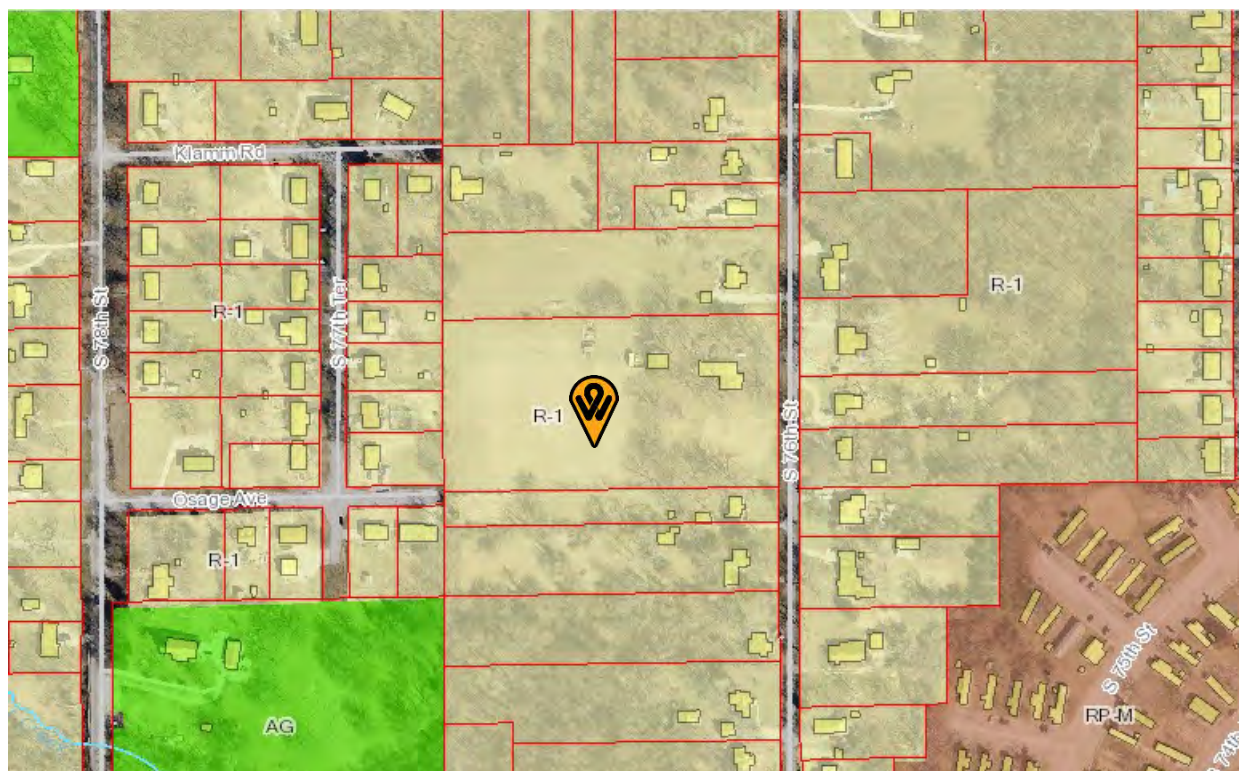
- f) The conditions of approval for any and all variances as allowed by this Board of Zoning Appeals case BOZA2021-012 will only go into effect when case SP2021-042 is recommended for approval by the City Planning Commission and ultimately adopted by the Board of Commissioners;
 - g) There are Conservation District comments incorporated herein by the May 18, 2021, Wyandotte County Conservation District letter;
 - h) A building permit is required for a permanent structure greater than 120 square feet;
 - i) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward; and,
 - j) Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Code of Ordinances;
- 3) No sales will be conducted on the property without a Special Use Permit specifically for a home occupation or an annual agreement for a farmers' market;
 - 4) In order to create a suitable environment for the farm animals, the subject property must be kept free of inoperable vehicles, scrap/junk, or other materials;
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 - 7) The conditions of approval for any and all variances as allowed by this City Planning Commission case SP2021-042 will only go into effect when case BOZA2021-012 is recommended for approval by the Board of Zoning Appeals;
 - 8) There are Conservation District comments incorporated herein by the May 18, 2021, Wyandotte County Conservation District letter. For a full list of the Conservation District comments, see the Conservation District Letter in the "Attachments" section of this report;
 - 9) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Any illumination that results from use of the parking lot shall not be seen or otherwise impact adjacent residential uses;
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- roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
- 11) 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;
- 12) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
- 13) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

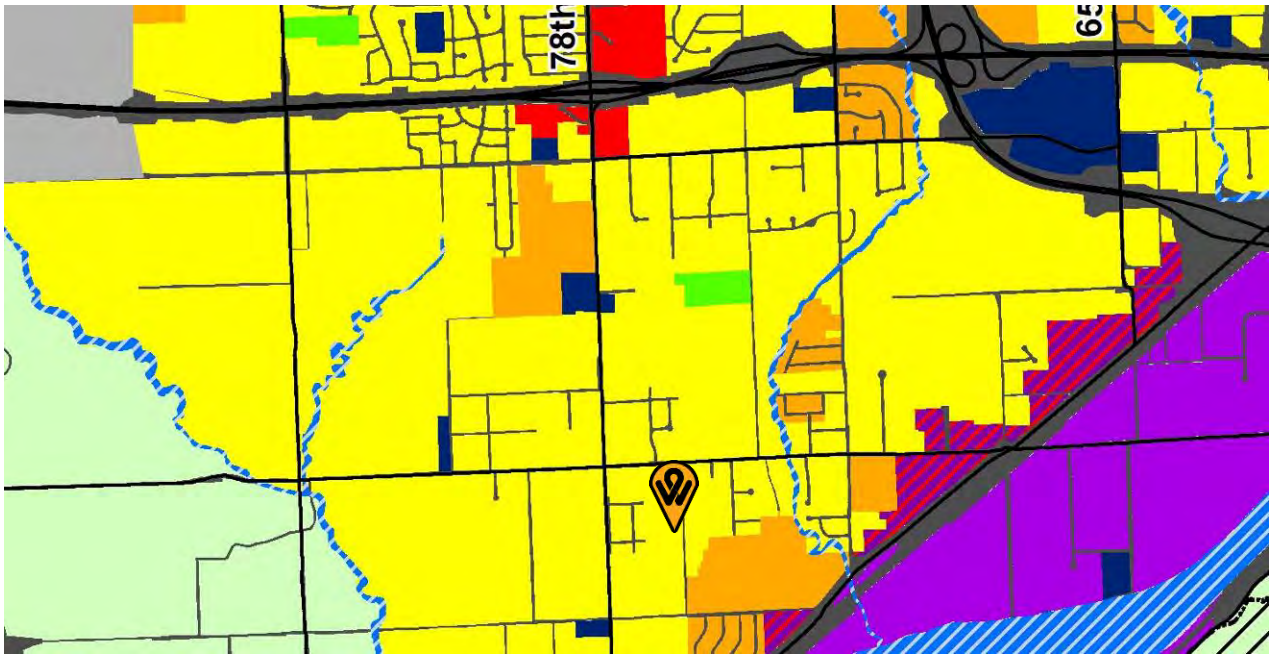
AERIAL MAP



ZONING MAP



LAND USE MAP



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED MAY 23, 2021



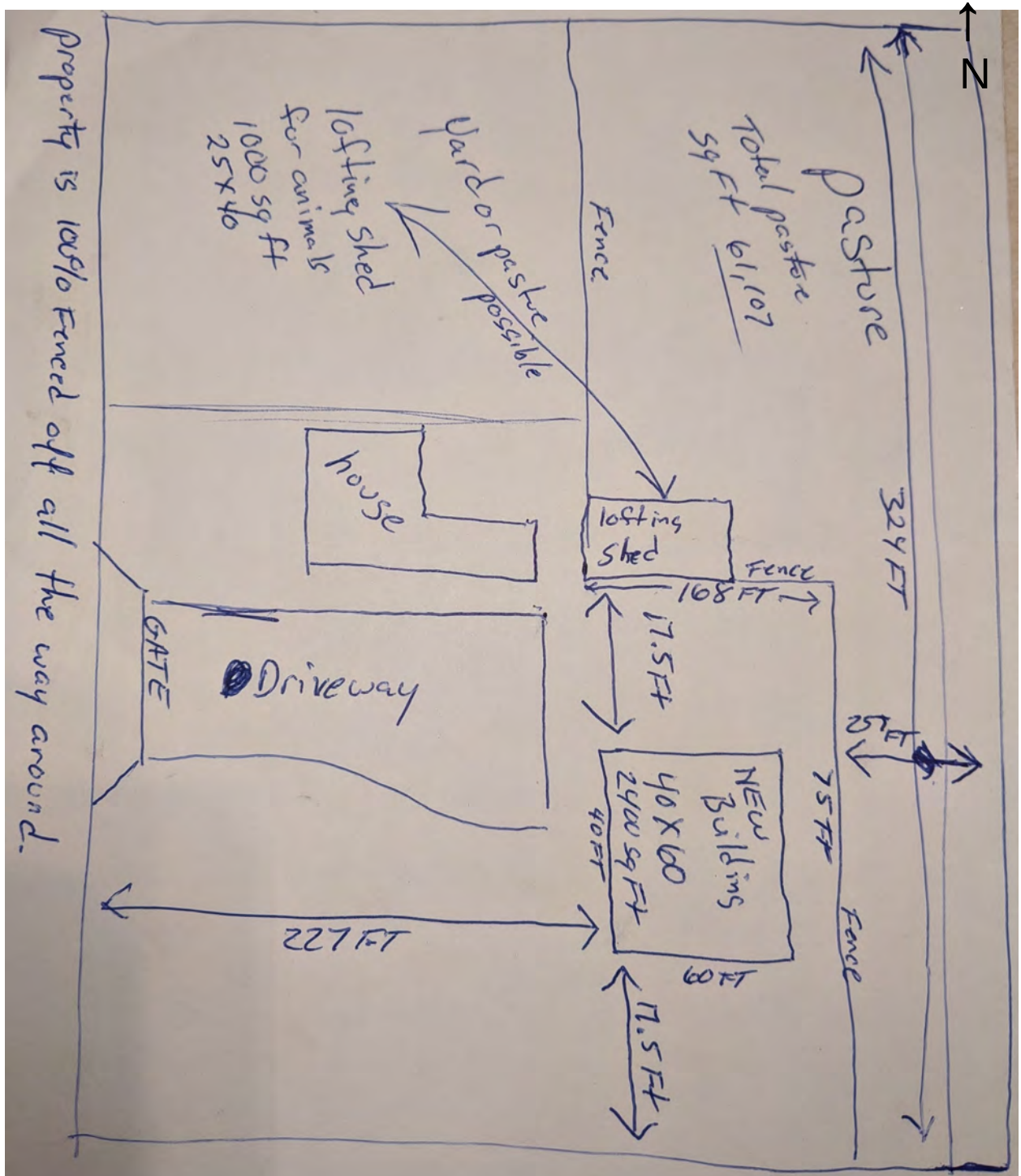
PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED MAY 23, 2021, CONT.



PHOTOS OF PROPERTY PROVIDED BY THE APPLICANT



SITE PLAN PROVIDED BY THE APPLICANT



Date: 5-20-2021

Name Bryan Stokes
Address 734 S. 76th
City/State/Zip Kansas City, KS 66111

SUBJECT: Neighborhood Meeting

I/We have filed an application with the Department of Urban Planning and Land Use # ~~Boza-2021-012~~. The purpose of this:

(please use all that applies)

- ☐ change of zone
- ☒ special use permit
- ☐ preliminary plan review

Land use #
Boza-2021-012
SP 2021-042

is for a livestock on property & additional building over 1000 sq ft

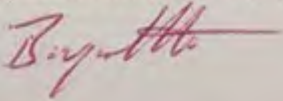
at the following address: 734 S. 76th

I/We am having a neighborhood meeting on 05-29-2021 at 5 p.m. at the following address 734 S. 76th

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

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact me at the address/phone number listed below.

Sincerely,



Name and Contact Information

Email ironchopper02@yahoo.com
phone 913-710-4556

SAMPLE MINUTES:

Application Number B0242021-012 SP2021-042
Date and Location: 05-29-2021 7345.76th KOK 66111

Meeting called to order at: 5 pm

Names of people in attendance: 2

Introductions:

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

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

Meeting adjourned at: 5:45

Minutes taken by: Bryan Stokes

Richard Cobb
913 244 1488

Mike Kilderry 913 461-3128

Richard Cobb ask if I was putting out cows in ~~the~~ pasture
(Bryan) Reply Yes if possible and maybe chickens
Richard Cobb reply he would like to see them out there.
Mike Kilderry ask where new building would be put up at
(Bryan) showed where building would be.
Mike Kilderry reply ok with it just didn't want it to
block his view of my pasture he enjoys looking
at pasture and miss see animals out there. and would
like for it to stay ~~the~~ Farm land.

CONSERVATION DISTRICT LETTER, DATED MAY 18, 2021



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

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

May 18, 2021

RE: SP2021-042 Bryan Stokes farm animals at 734 South 76th Street

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: SP2021-042 Bryan Stokes farm animals at 734 South 76th Street.

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

MAPS AND REPORTS

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

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

- There are three major soil type identified: Ladoga silt loam, 3 to 8 percent slopes and Knox silt loam, 7 to 12 percent slopes. These soil types are considered erodible when the surface is denuded of a protective cover.
- **Since the type of animals were not reported, it is hard to evaluate the site.**
- This site will need a conservation plan to protect the natural resources in the area. A piece of the plan will be to control and dispose of animal waste.
- Fencing can be a major problem with some livestock.
- The number of animals can also be a problem.
- The number will need to be limited depending on the type of livestock. Some animals have a tendency to destroy vegetation in certain areas. These areas need to be reseeded and protected until vegetation is established. The practice of rotational grazing should be applied.

CONSERVATION DISTRICT LETTER, DATED MAY 18, 2021, CONT.

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

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

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

Sincerely,

Cheri Miller
District Manager

enclosures



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: July 29, 2021

Re: Petition SP2021-045

GENERAL INFORMATION

Applicant:
James Sullivan

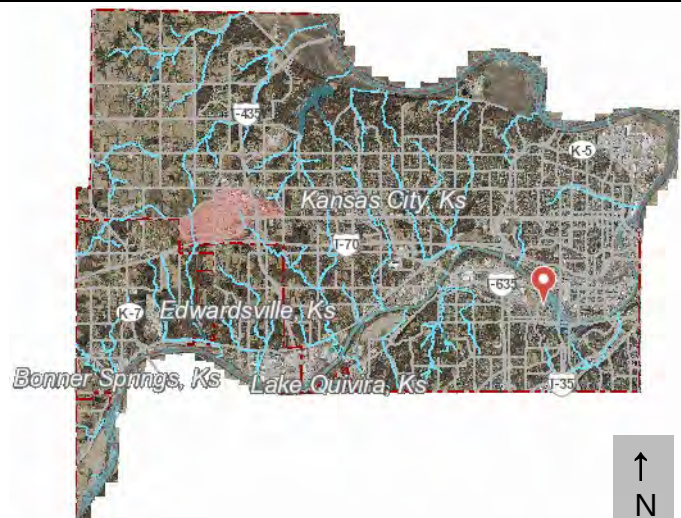
Status of Applicant:
Architect
Sullivan Palmer Architects
8621 Johnson Drive
Merriam, Kansas 66202

Requested Action:
Approval of a Special Use Permit.

Date of Application:
April 30, 2021

Purpose:
To request a Special Use Permit to
allow for auto storage and auto
maintenance.

Property Location:
1037 South 26th Street
Kansas City, Kansas 66106



↑
N



Commission District:	Commissioner At Large: Tom Burroughs District #6 Commissioner: Angela Markley
Existing Zoning:	M-3 Heavy Industrial District
Adjacent Zoning:	North: M-3 Heavy Industrial District South: M-3 Heavy Industrial District; Right-of-Way East: M-3 Heavy Industrial District West: M-3 Heavy Industrial District
Adjacent Uses:	North: Single-family residence South: Parking lot for railway right-of-way East: Vacant lot; Single-family residences West: Industrial businesses
Total Tract Size:	1.1 Acres
Master Area Plan:	The subject property is within the City-Wide Master Plan.
Master Plan Designation:	The City-Wide Master Plan designates the property as Industrial. The Industrial land use designation allows a variety of uses including manufacturing, warehouse, distribution, outdoor storage, salvage, and limited related commercial and service uses such as truck stops, service stations, and convenience stores. The Industrial land use designation discourages all residential uses.
Major Street Plan:	The Major Street Plan classifies South 26 th Street as a Local/Neighborhood Street.
Required Parking:	Section 27-470(f) requires paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. The ratio will vary among occupants and will be determined by the Director of Planning after receipt of a summary of parking needs and characteristics prepared by the owner or initial occupant. In no case, however, shall less than one space for each 500 square feet of building area be provided. For buildings larger than 20,000 square feet, only one space for each 1,000 square feet needs to be provided for increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet, the parking required for increments over 50,000 square feet will be determined by the Director of Planning. Where questions arise concerning increments over

50,000 square feet, the Unified Government Board of Commissioners shall make the final determination upon recommendation of the Planning Commission. Commercial uses shall provide parking as would be required in the C-3 district. The current structure on the property has a floor area of 3,444 square feet, which requires at least seven (7) parking spaces, in addition to the parking needed to hold all vehicles on the property. With the proposed building addition, the total number of required parking spaces will be 12, in addition to the parking needed to hold all vehicles on the property. There is sufficient parking space available on the property, but such spaces need to be striped.

Advertisement:	<u>The Wyandotte Echo</u> – May 20, 2021 Letters to Property Owners – May 21, 2021, June 25, 2021 and July 22, 2021
Public Hearings:	June 14, 2021, July 1, 2021 and July 29, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, James Sullivan with Sullivan Palmer Architects, is requesting a Special Use Permit to allow auto maintenance and auto storage at 1037 South 26th Street. The site plan proposes a building measuring 50' x 50', a total of 2,500 square feet. A paved driveway apron will allow vehicles to access the building from South 26th Street and vehicles will be served by a parking lot of ten (10) spaces, one (1) of which is ADA-compliant.

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

Code Enforcement History: There are no outstanding Notices of Violation attached to this property. The subject property has been previously cited by Code Enforcement:

- May 11, 2021- Enforcement Complaint
- June 26, 2020- Other Multiple Violations
- February 20, 2020- Other Multiple Violations
- October 26, 2017- Other Multiple Violations
- August 1, 2013- Environmental: Weeds
- July 18, 2007- Weeds & Improper Fencing

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Santa Fe Statistical Neighborhood and is not within a Neighborhood Group. The neighborhood is zoned industrial but is adjacent to two (2) single-family residences to the east (across the alley) and adjacent to another single-family residence to the north. The other surrounding properties are used for industrial purposes.

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

The subject property is zoned M-3 Heavy Industrial District, which is compatible with most nearby properties, but is not compatible with the properties immediately to the north and east, which are single-family residences. Furthermore, expansion of an industrial use on to a 0.14-acre parcel flanked by residential uses is not compatible with those uses.

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

Records show the subject property has been used for industrial and automotive purposes since 2002. The location of the parcel within an industrial area makes it a suitable use. The location of the subject property directly south of two (2) single-family residences, however, does not make it a suitable location for use as an expansion of a heavy commercial or industrial business.

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

The subject property is not vacant.

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

Special Use Permits are not addressed in the City-Wide Master Plan, but the Industrial land use designation does allow for a wide range of industrial uses, which includes automotive-related businesses (i.e., outdoor storage, salvage, and limited automotive services). Therefore, the proposed use is in conformance with the City-Wide Master Plan.

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

Expansion of the existing on-site facilities may increase traffic due to the capacity to hold and service more vehicles. All vehicle traffic will either have to enter or exit on South 26th Street or through the alley between South 25th and 26th Streets, respectively. Site photos of the property show that the alley is suffering from overgrowth. In its current state, the alley could not see any increase in

vehicular traffic. The applicant must clean up the alley before it can be used as part of the access network to and from the property.

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

The expansion on the parcel of an existing automotive business may be necessary for the owner's convenience. Expanding an automotive use for an operating business within the same parcel by constructing a second building will have minimal impact on the surrounding properties, except for the single-family residence directly east of the proposed building. A new building, in addition to the proposed expansion of the business to 1032 South 25th Street, will effectively hem in a residence that is already surrounded by industrial properties and uses. So long as the noise, lights, and visual appearance of the proposed uses and building are kept from the neighboring residence by heavy landscape buffering along the southern portion of the eastern fence line, then the appropriate use, visual quality, or marketability of the adjoining property will not be further injured substantially or permanently.

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

Lights from the business, car lot, and on-site cars interfere with surrounding residences in the evening. The applicant has not submitted a lighting plan for the proposed building, so Staff cannot make a full determination of the potential lighting issues. The landscape plan provided by the applicant is a start, but a landscape plan of the full parcel is required in order to demonstrate the landscape buffering between the property's uses and the single-family residence to the north. Furthermore, noise, dust, and vibrations are common negative externalities associated with automotive-related businesses. The business owner can mitigate such externalities by conducting all automotive repairs completely within a building with garage doors closed.

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

Anywhere cars are gathered for parking, storage, repair, or salvage purposes can result in air, land, and water pollution. Mitigation measures such as the installation of an oil-water separator within every building is required.

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

The subject property is directly south of two (2) properties that are used for residential purposes. Constructing a 2,500-square foot building in addition to the existing building could increase the intensity of use of the property. Parking plans show a surfaced parking lot, which will increase in impermeable surface area may cause stormwater to runoff in greater quantities or different patterns. Due to

the effects this runoff could have on the adjacent properties, the applicant must submit a water runoff plan to prove that such effects will be mitigated and will not occur. The applicant must also submit a revised parking plan demonstrating the surface material and use of the northern portion of the property. The current parking plans fail to show details about this portion.

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

Expanding an automotive-related use on the parcel of a current business will likely not will impose a great hardship on the nearby single-family residences. The applicant has not stated the exact proposed use for the subject property, so Staff cannot be completely sure of the magnitude of the gain such expansion would be to the business owner. Therefore, with all current information available to Staff, it is unclear if the gain to the business owner from expanding the physical size of the business outweighs the harm caused to the local residents and homeowners.

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

In a visit to the property Staff found a property filled with cars and semi-truck cabs parked on a crumbling paved surface. The property is already overcrowded, and this issue may only be rectified by parking the vehicles in designated spaces, a solution that has its start in the applicant's parking plan.

PREVIOUS ACTIONS

- SP-2017-45 (expired Special Use Permit for semi-truck parking and mechanic shop).

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting 10:00 AM on May 29, 2021, at 1037 South 26th Street. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the "Attachments" section of this report).

KEY ISSUES

Adjacent Residential Uses
Buffering
Landscaping
Lights
Noise
Off-Site Striped Parking
Overcrowding of the Land
Property Maintenance Compliance Issues
Stormwater Runoff Plan
Vehicular Access

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-045, for two (2) years, subject to:

- 1) Per Section 27-470(b)(7), extended or dead storage of motor vehicles requires a Special Use Permit. The applicant has not identified extended or dead storage of motor vehicles in their Special Use Permit application. Therefore, all vehicles stored on the subject property must be operable;
- 2) The revised parking plan submitted by the applicant to Staff shows 15 total parking spaces, one (1) of which is ADA-compliant. This parking arrangement must be maintained;
- 3) The applicant must comply with the respective site, parking, landscaping, and turning plans as submitted to Staff in this report, unless written conditions in this report and/or modifications made by the City Planning Commission, or the Board of Commissioners supersede the plans;
- 4) Per Section 27-593(b)(20)c.1.ii, commercial uses in new buildings in industrial districts shall be subject to commercial design guidelines. Therefore, the proposed building must conform to the Commercial Development Guidelines Overlay District, Sections 27-573 through 27-578;
- 5) Per Section 27-593(b)(20)c.2, modifications shall be made to the existing building:
 - a) Restoring original brick,
 - b) Any necessary repair of the façade,
 - c) New doors or windows if existing fixtures are in disrepair,
 - d) Substantial effort beyond simply painting the building is necessary. Brick structures must be cleaned, paint removed, and tuck pointed, and
 - e) For non-brick buildings in addition to paint, additional architectural embellishments such as a brick wainscot may be required;
- 6) The landscaping plan shall continue to comply with Section 27-470(h): “All land area that is not covered by buildings or otherwise surfaced shall be brought to a finished grade and landscaped. Six-foot high architectural screening in combination with a buffer area is to be provided along all side

- and rear property lines common to or across an alley from residentially zoned property.”;
- 7) Per the submitted landscaping plan, a sidewalk must be installed along the frontage of the subject property;
 - 8) Per Section 27-673 (c), the City Planning Commission may require that a parking area be screened on any side where it may adversely affect adjacent property, by a wall, screen planting, or fence of a height that the commission deems adequate;
 - 9) The stormwater runoff plan, demonstrating the changes in surface water runoff after the construction of the building and the steps taken to address such changes in runoff onto the adjacent properties and rights-of-way, must be provided to Staff by June 23, 2021;
 - 10) Improve the alleyway from the northern-most point adjacent to the subject property to the intersection with Argentine Boulevard;
 - 11) Parking of the automobiles under heavy service, repair, or mechanics shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required in the M-3 Heavy Industrial Zoning District;
 - 12) Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening;
 - 13) Each automobile shall be in a striped, designated parking space, trucks shall not be parking on the existing gravel surface. Please revise the area labeled truck storage to show paved surfaces. At a minimum all drive aisles must be paved, and asphalt millings provided for all storage areas;
 - 14) All salvage, debris, and outdoor storage shall be removed from the site and the site shall be maintained in an orderly manner. The truck storage shall include only operable trucks and trailers;
 - 15) According to Sec. 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;
 - 16) 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. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Any illumination that results from use of the parking lot shall not be seen or otherwise impact adjacent residential uses;
 - 17) The applicant must file and maintain a current business occupation tax application and entertainment license;
 - 18) A Right-of-Way permit is required for construction that requires either temporary use or alteration of the public right-of-way. Please contact the Public Works Department at (913) 573-5311 to begin that process;
 - 19) Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations (Section 27-463 through 27-470; 27-592 through 27-616) (KSA 65-3424, KAR 28-29-29 through 28-29-33).

- Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
- 20) Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
 - 21) 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;
 - 22) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
 - 23) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

UPDATE FROM JULY 1, 2021 MEETING

This application was held over from the July 1, 2021 Board of Commissioners meeting to the July 29, 2021. The applicant had requested that the application be remanded back to the City Planning Commission as the owner had requested a redesign of the project.

STAFF COMMENTS AND SUGGESTIONS

Staff recommends that this application be **remanded back to the September 10, 2021 City Planning Commission** meeting as per the applicant's request.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners **REMAND** Petition **SP2021-045** back to the September 10, 2021 City Planning Commission meeting.

ATTACHMENTS

June 14, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of the Property Provided by Staff, Dated May 23, 2021
Plans Submitted by the Applicant
Applicant Response to Staff Comments, Dated June 1, 2021
Neighborhood Meeting Materials, Dated May 29, 2021
Conservation District Letter, Dated May 18, 2021

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing		
Special Use	June 14, 2021 Approval	July 1, 2021 Held Over July 29, 2021

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

MOTIONS

I move the Unified Government Board of Commissioners **REMAND** Petition **SP2021-045** back to the September 10, 2021 City Planning Commission meeting.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-045** as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff report, and the following additional requirements of the Kansas City, Kansas City Planning Commission:

1. _____;

2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-045**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

June 14, 2021 City Planning Commission Minutes:

Hearing starts at 3:12:15:

SPECIAL USE PERMIT APPLICATION SP2021-045 – JAMES SULLIVAN -

SYNOPSIS: Special Use Permit for auto storage and maintenance building at 1037 South 26th Street.

Detailed Outline of Requested Action: The applicant, James Sullivan with Sullivan Palmer Architects, is requesting a Special Use Permit to allow auto maintenance and auto storage at 1037 South 26th Street. The site plan proposes a building measuring 50' x 50', a total of 2,500 square feet. A paved driveway apron will allow vehicles to access the building from South 26th Street and vehicles will be served by a parking lot of ten (10) spaces, one (1) of which is ADA-compliant.

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Code Enforcement History: There are no outstanding Notices of Violation attached to this property. The subject property has been previously cited by Code Enforcement:

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- August 1, 2013- Environmental: Weeds
- July 18, 2007- Weeds & Improper Fencing

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 14, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- James Sullivan, applicant, Sullivan Palmer Architects, 8621 Johnson Drive, Merriam, Kansas 66202

Present in Opposition:

- No one appeared

Staff Recommendation starts at 3:17:52: Planning Director Hand stated that this request is for an auto storage and maintenance building in the Argentine area. He showed the Commission pictures of inoperable vehicles and junk on the site. There is a difference between a junk yard and auto storage. This is a Special Use Permit for an auto repair facility and not a junk yard. The applicant mentioned several of the conditions in the staff report. This is a commercial business in an industrial zone and complies with the Commercial Design Guidelines. Director Hand showed the Commission the site plan depicting extended sidewalks, landscaping, buffering and the location of the new building. The applicant and owner have worked with Staff extensively on the proposed site plan. He also stated that as with the previously application across the street, one (1) of the conditions is that they pave the entire alleyway from the northern property line to the southern property line. There is a history of Notices of Violation, but no current notices. Staff received no letters in support nor opposition and recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 3:21:08:

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Special Use Permit SP2021-045 for two (2) years:**

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

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

- 1) Per Section 27-470(b)(7), extended or dead storage of motor vehicles requires a Special Use Permit. The applicant has not identified extended or**

- dead storage of motor vehicles in their Special Use Permit application. Therefore, all vehicles stored on the subject property must be operable;
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 - 7) Per the submitted landscaping plan, a sidewalk must be installed along the frontage of the subject property;
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 - 17) The applicant must file and maintain a current business occupation tax application and entertainment license;
 - 18) A Right-of-Way permit is required for construction that requires either temporary use or alteration of the public right-of-way. Please contact the Public Works Department at (913) 573-5311 to begin that process;
 - 19) Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations (Section 27-463 through 27-470; 27-592 through 27-616) (KSA 65-3424, KAR 28-29-29 through 28-29-33). Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
 - 20) Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
 - 21) 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

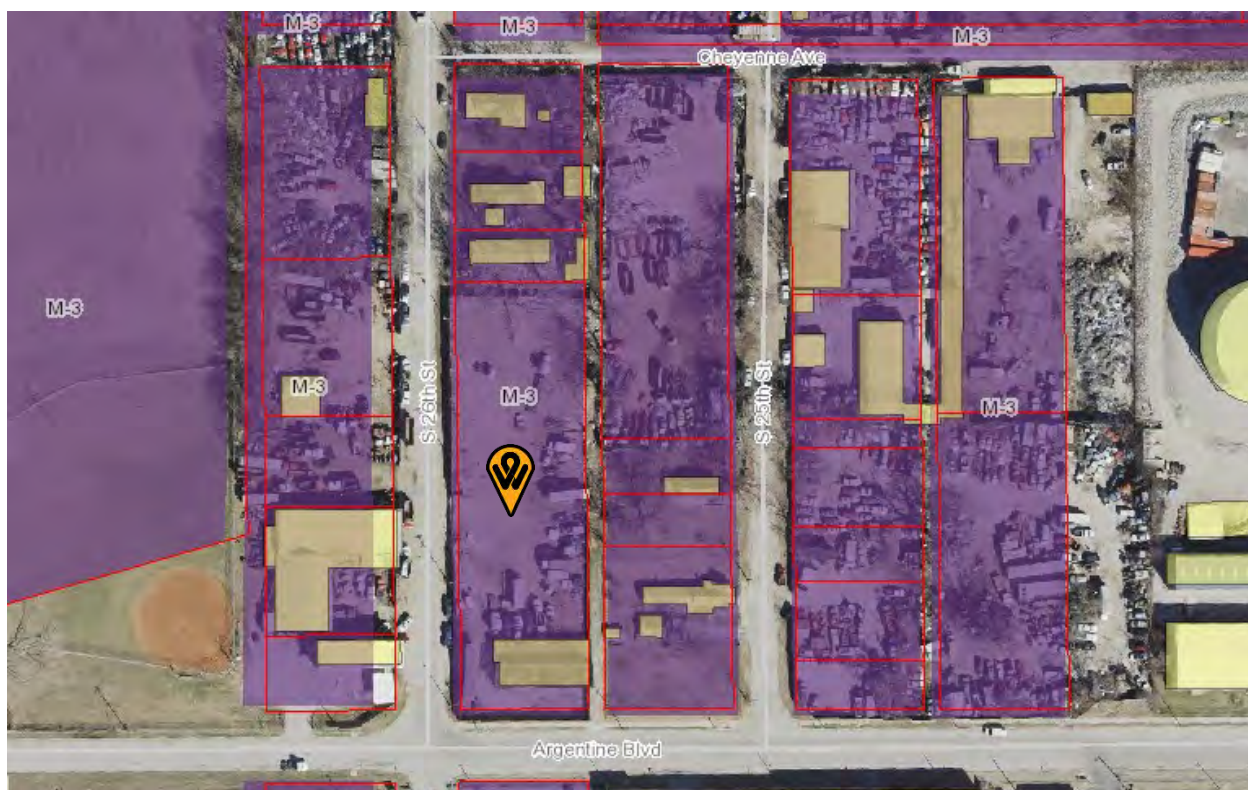
property may also be subject to enforcement actions and administrative citations;

- 22) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
- 23) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

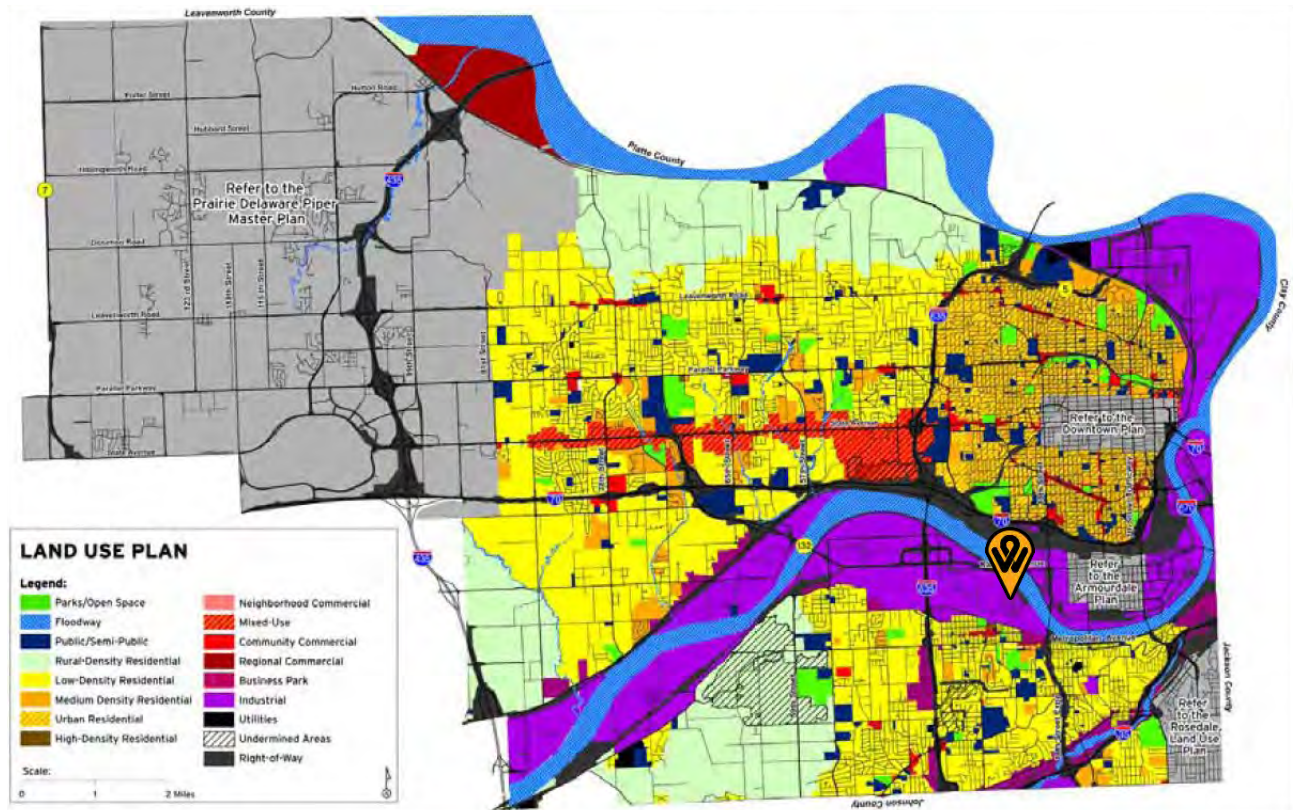
AERIAL MAP



ZONING MAP



LAND USE MAP



PHOTOS OF THE PROPERTY PROVIDED BY STAFF, DATED MAY 23, 2021: EXTERIOR



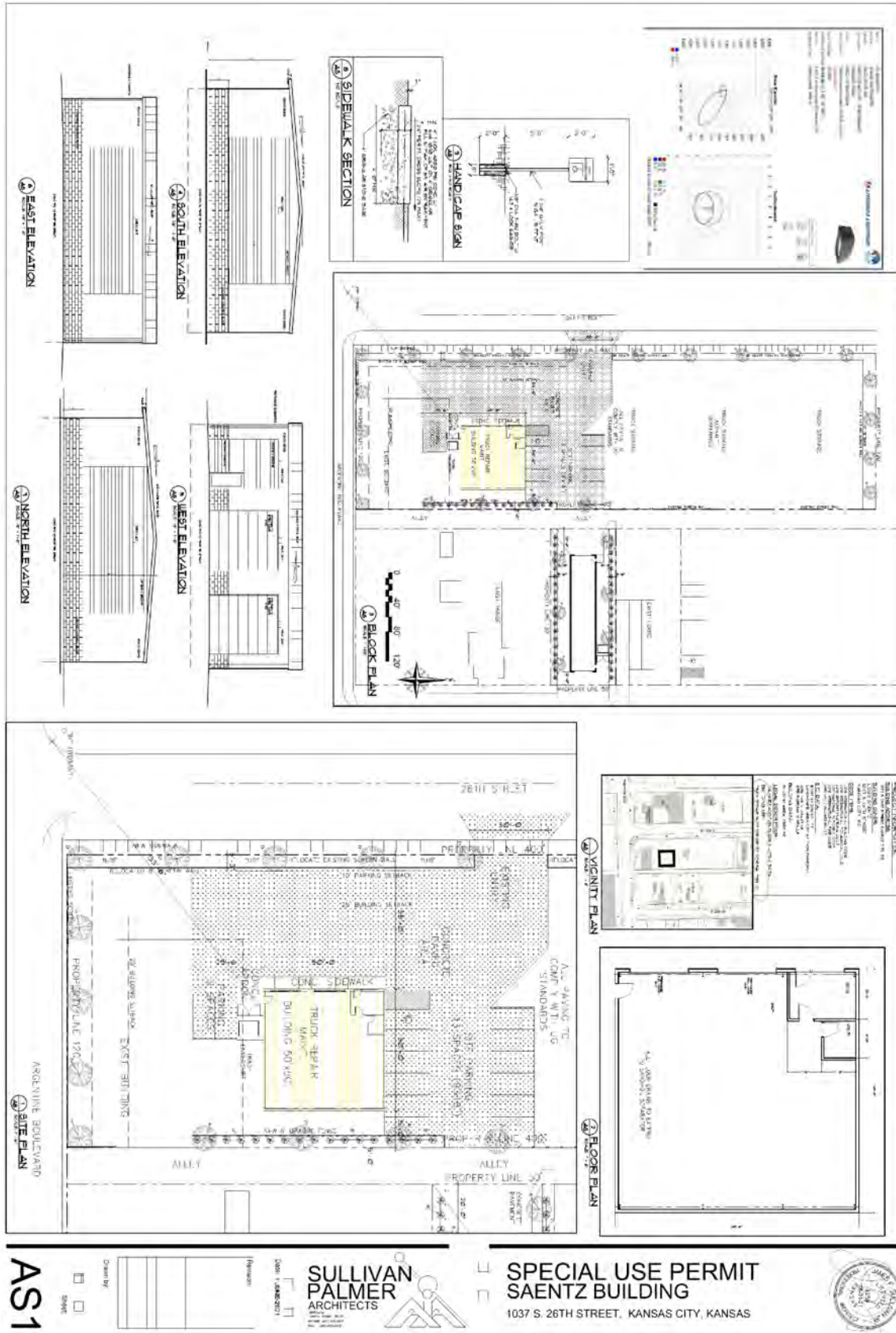
PHOTOS OF THE PROPERTY PROVIDED BY STAFF, DATED MAY 23, 2021: INTERIOR



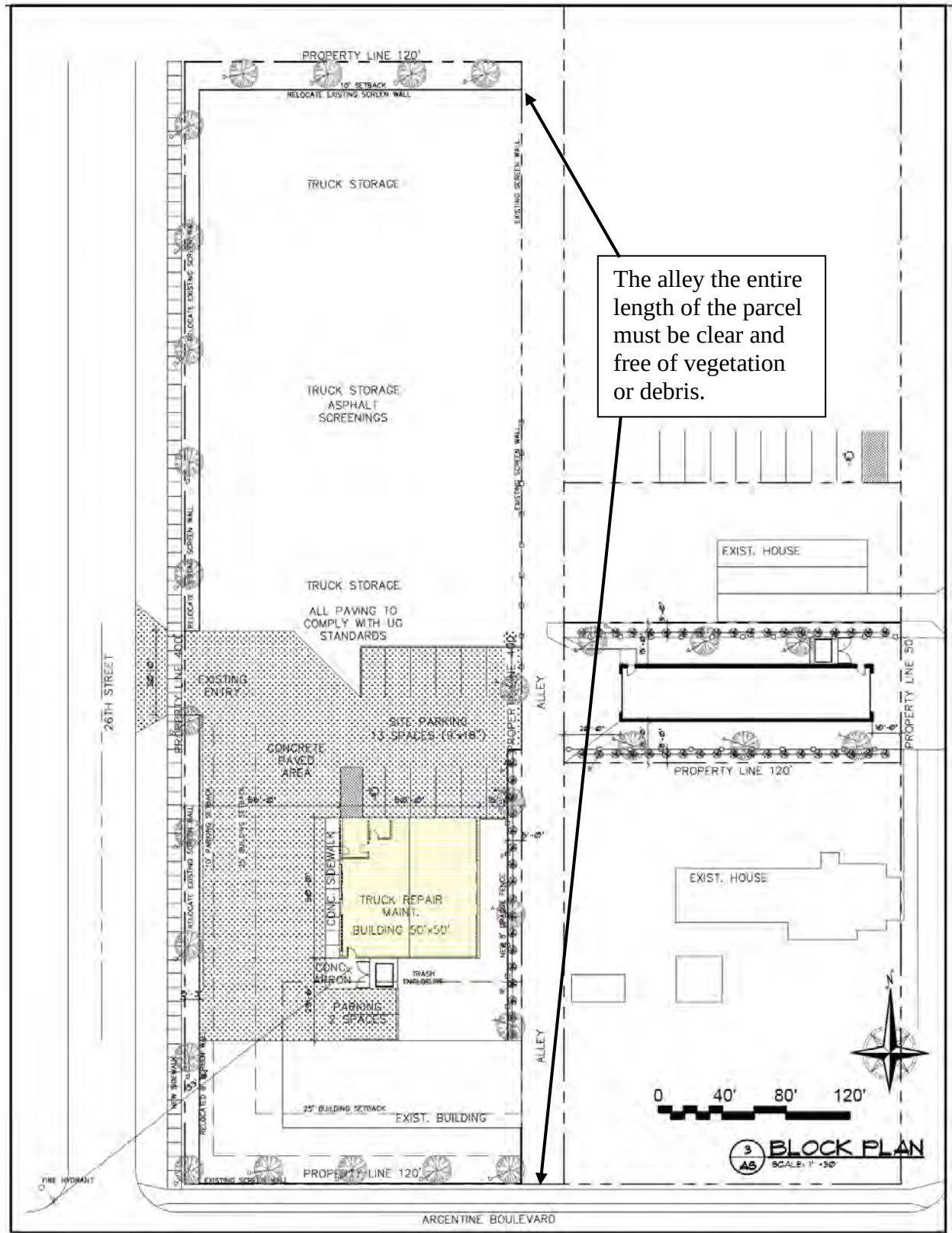
PHOTOS OF THE PROPERTY PROVIDED BY STAFF, DATED MAY 23, 2021: ALLEY



PLANS SUBMITTED BY THE APPLICANT:
SITE PLAN, BLOCK PLAN, FLOOR PLAN, ELEVATIONS, AND SIDEWALK DESIGN



PLANS SUBMITTED BY THE APPLICANT: BLOCK PLAN



26TH STREET

ALL PAVING TO COMPLY WITH UG STANDARDS

EXISTING ENTRY

CONCRETE PAVED AREA

SITE PARKING
13 SPACES (9'x18')

TRUCK REPAIR MAINT. BUILDING 50'x50'

CONC. SIDEWALK

CONC. APRON

PARKING 2 SPACES

TRASH ENCLOSURE

EXIST. BUILDING

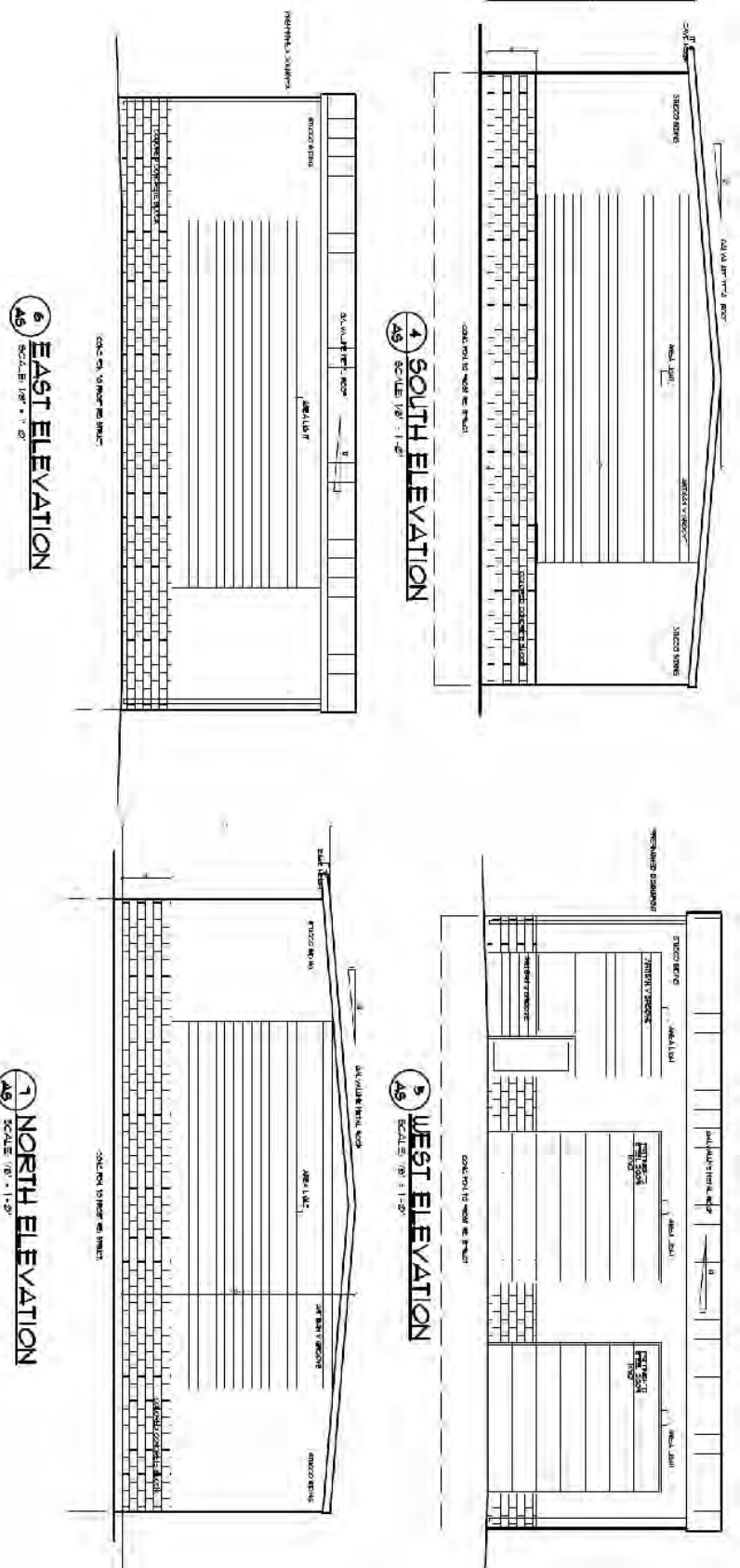
25' BUILDING SETBACK

PROPERTY LINE 120'

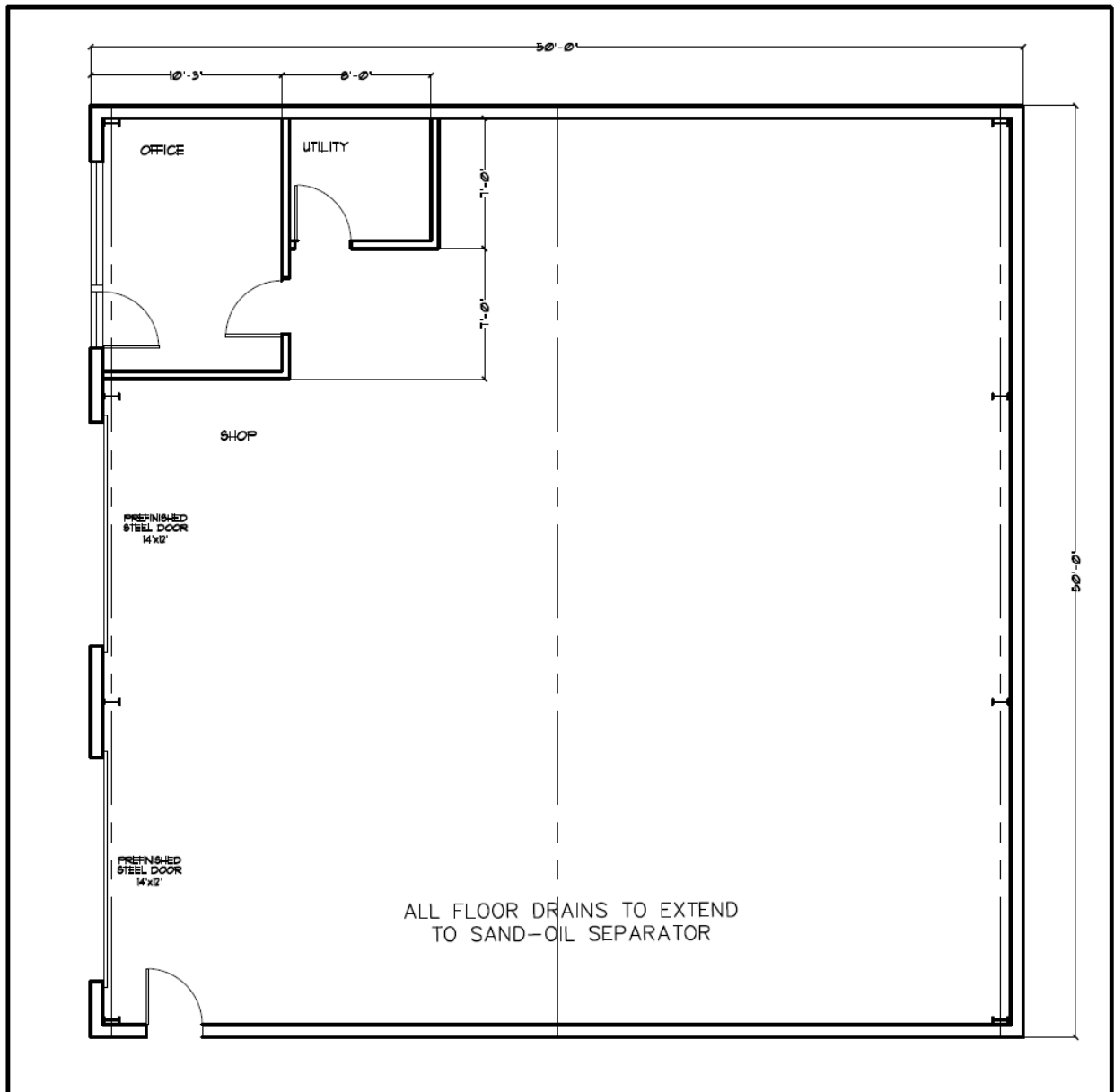
ARGENTINE BOULEVARD

1 SITE PLAN
A8 SCALE: 1" = 16'

PLANS SUBMITTED BY THE APPLICANT: ELEVATIONS



PLANS SUBMITTED BY THE APPLICANT: FLOOR PLAN



2 FLOOR PLAN
SCALE: 1" = 8'

PLANS SUBMITTED BY THE APPLICANT: SIDEWALK DESIGN AND VICINITY MAP

PROJECT INFORMATION:

BUILDING ADDRESS:

1031 S. 26TH STREET, KANSAS CITY, KS.

BUILDING OWNER:

LOUIS SAENTZ
1037 S. 26TH STREET
KANSAS CITY, KS.

CODE ITEMS:

2018 INTERNATIONAL BUILDING CODE
2018 INTERNATIONAL MECHANICAL CODE
2018 UNIFORM PLUMBING CODE
2017 NATIONAL ELECTRIC CODE
2018 INTERNATIONAL FIRE CODE
ANSI-A117.1 ACCESSIBILITY

SITE DATA:

EXISTING ZONING: M3
LANDSCAPE AREA: 3,017 SF. (NON-PARKING)
SITE AREA: 47,647 SF.
SITE PARKING 10 STALLS

BUILDING DATA:

BUILDING AREA: 2,500 SF.

LEGAL DESCRIPTION

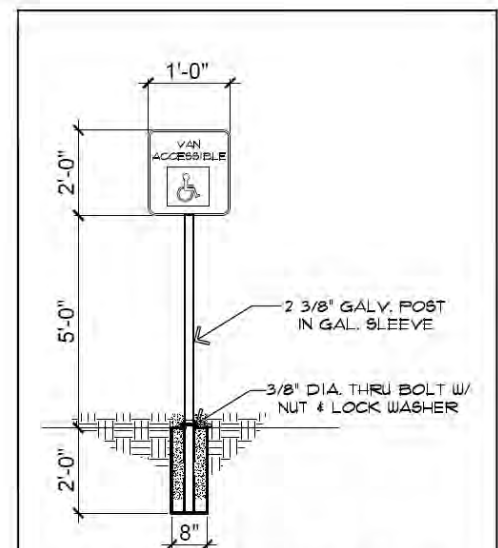
MULVANEY ADDITION BLOCK II LOTS 41 TO 56

BUILDING USE:

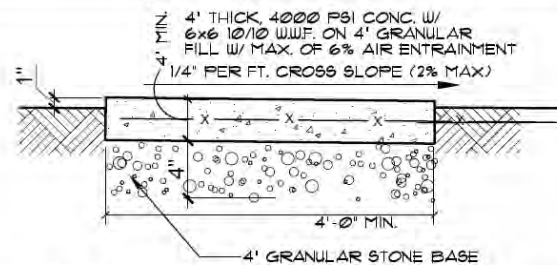
TRUCK REPAIR SHOP FOR USE BY GENERAL PUBLIC.



VICINITY PLAN
SCALE: 1" = 8'

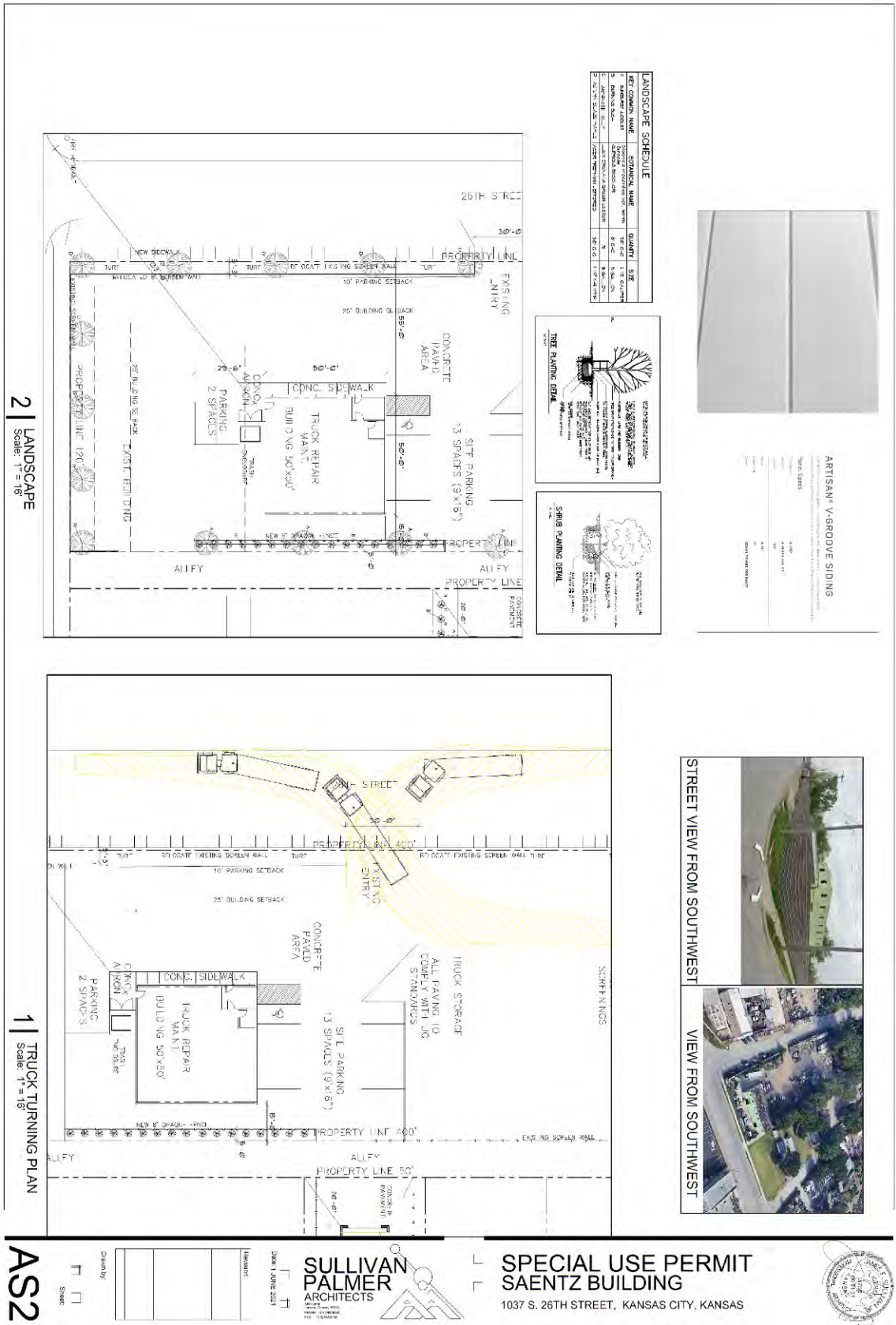


9 HANDICAP SIGN
AS SCALE:NO SCALE

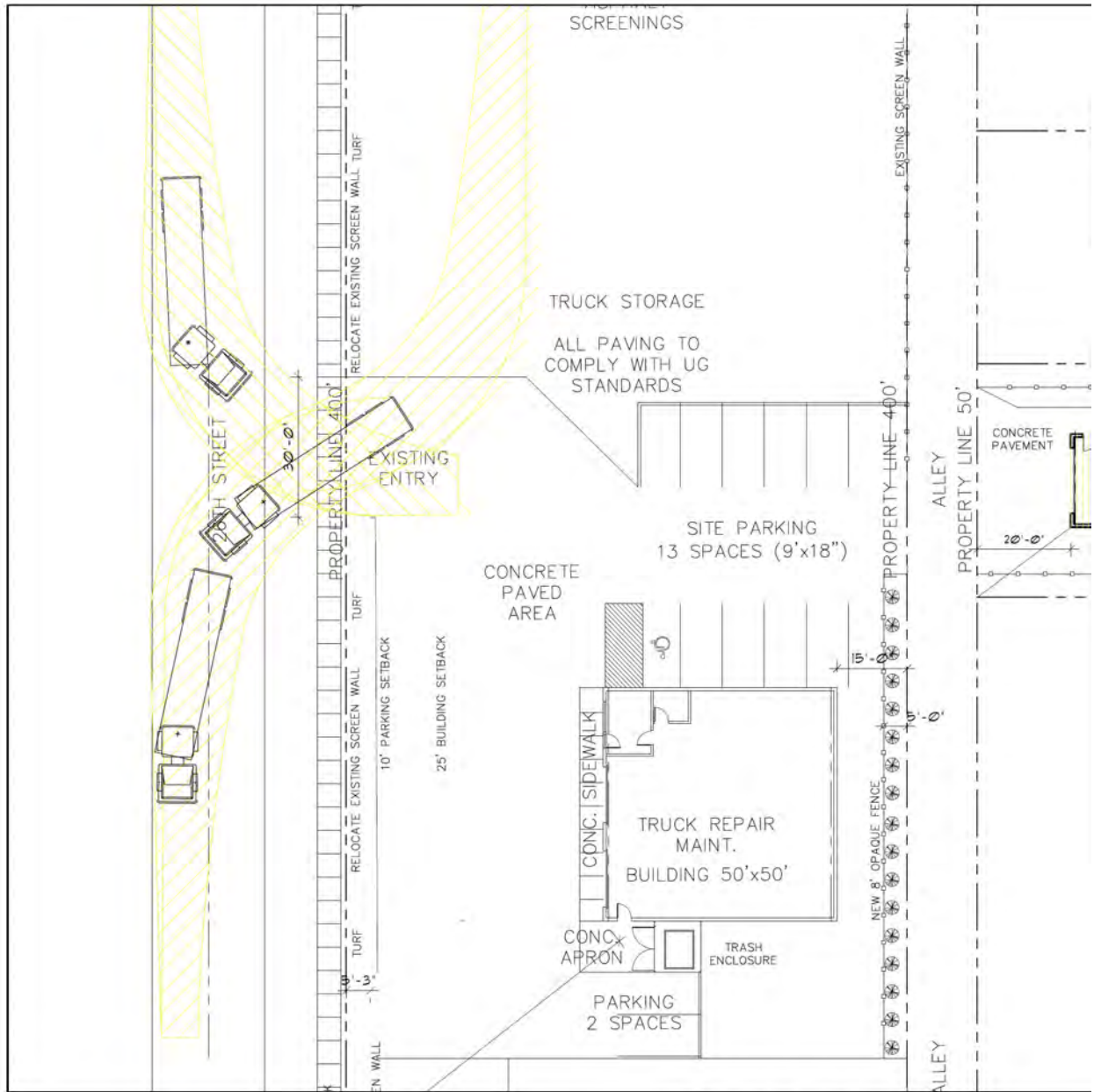


8 SIDEWALK SECTION
AS NO SCALE

PLANS SUBMITTED BY THE APPLICANT:
TRUCK TURNING PLAN, LANDSCAPING PLAN, MATERIAL DESIGN, AND PHOTOS



PLANS SUBMITTED BY THE APPLICANT: TRUCK TURNING PLAN

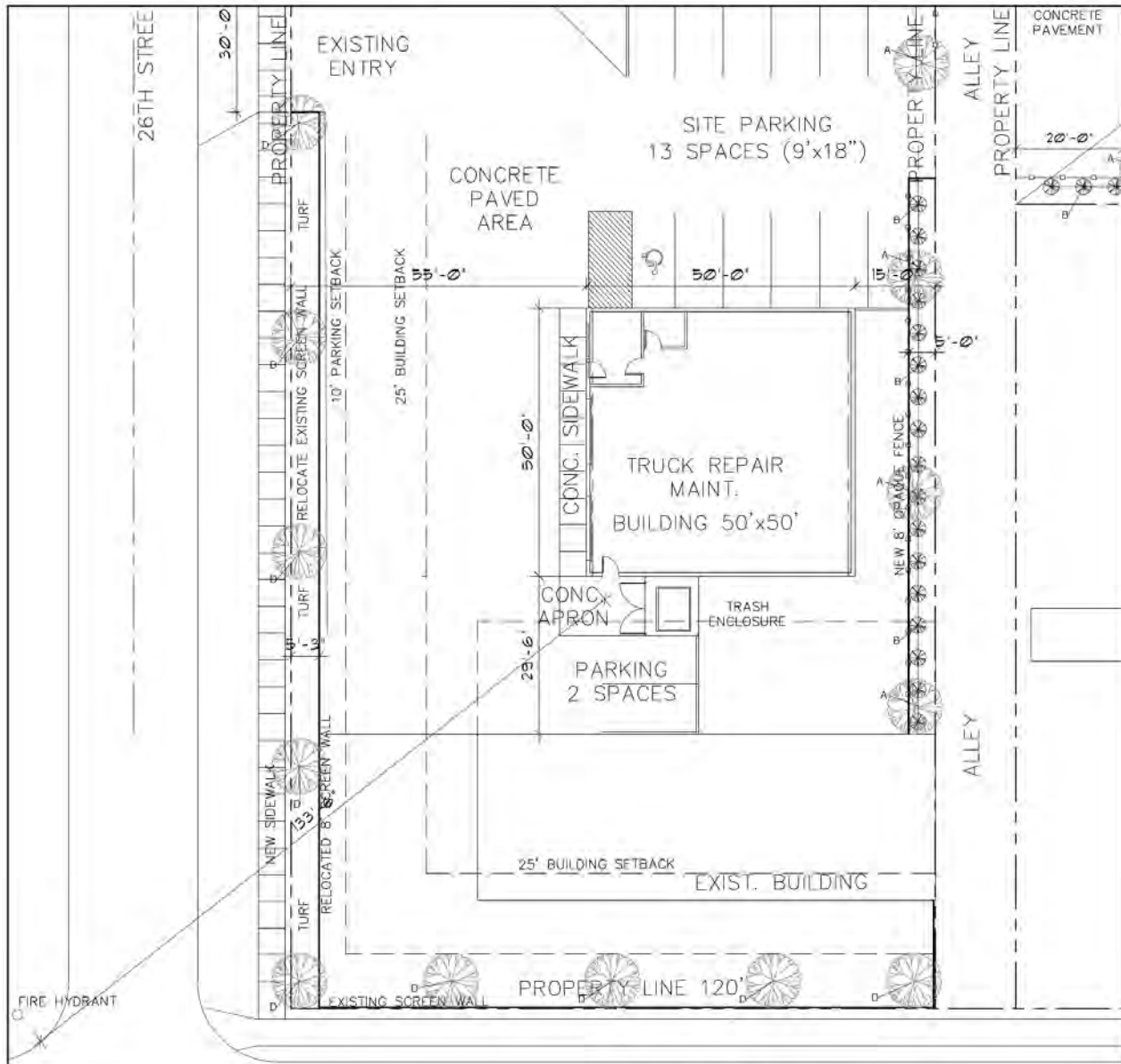
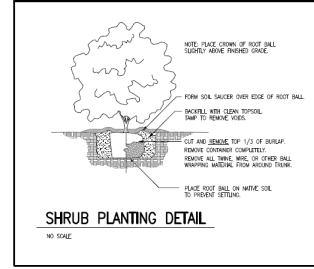
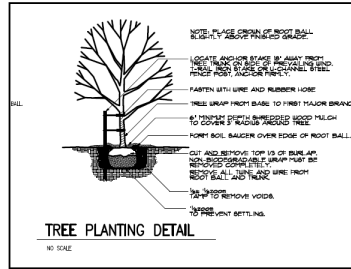


1 | TRUCK TURNING PLAN
Scale: 1" = 16'

PLANS SUBMITTED BY THE APPLICANT: LANDSCAPING PLAN

LANDSCAPE SCHEDULE

KEY COMMON NAME	BOTANICAL NAME	QUANTITY	SIZE
A SUNBURST LOCUST	<i>Gleditsia triacanthos</i> var. <i>inermis</i> Suncoast	30' C-C	2 1/2" CALIPER
B BURNING BUSH	<i>Quercus bicolor</i>	8' C-C	5 GALLON
C JAPANESE HOLLY	<i>Ilex crenata</i> GREEN LUSTER	15	5 GALLON
D AUTUMN BLAZE MAPLE	<i>Acer freemanii</i> JEFFERSON	30' C-C	2 1/2" CALIPER



2 | LANDSCAPE
Scale: 1" = 16'

PLANS SUBMITTED BY THE APPLICANT: MATERIAL DESIGN AND PHOTOS OF THE PROPERTY



ARTISAN® V-GROOVE SIDING

Artisan V-Groove siding delivers everything you love about wood v-groove siding, with the uncompromising performance you've come to expect from James Hardie fiber cement products.

Panel Specs

Thickness:	0.625"
Weight:	4.55 LBS./SQ. FT.
Length:	144"
Width:	8.25"
Exposure:	7"
Color:	COMES PRIMED FOR PAINT



STREET VIEW FROM SOUTHWEST



VIEW FROM SOUTHWEST



1 June 2021

MR. MICHAEL FARLEY
PLANNING AND URBAN DESIGN
UNIFIED GOVERNMENT
701 N 7TH STREET, KANSAS CITY, KS. 66101

RE: 1037 S. 26TH STREET SPECIAL USE PERMIT

This letter is in response to your plan review. The responses as follows correspond with your plan review numbers.

First of all it must be made clear that the proposed two properties for Special Use Permits, are independent of one another. Their addresses are 1032 S 25th Street and the other is 1037 S 26th Street. These requests have been submitted with separate applications, drawings and submittal information and should be considered separately.

APPLICATION REVIEW

0. REQUIRED PARKING: The drawing Sheet AS-1 indicates off-site parking expanded from 10 to 13 stalls.
2. COMPATIBILITY WITH NEIGHBORING USES: This property is currently used as a truck repair business, with this proposal requesting a building for enclosing portions of the repair activities. This use is not associated with the building proposal located at 25th Street.
3. SUITABILITY OF THE PROPERTY: As noted above this is a separate application from the 25th street Application and will not use the 25th Street property for any reason. This property has been used for auto and truck repair for many years.
6. INCREASED VEHICULAR TRAFFIC: Currently, vehicles maneuvering within this property do not use or exit the alley. The alley also may not be used following the construction of the new building as vehicles enter and exit on to 26th Street.
- 7.8. ADJOINING PROPERTIES: As noted above this use is not associated with the building proposal located at 25th Street. Additional landscaped buffers have been provided against 26th Street, Argentine and the north residential property.

8621 Johnson Drive, Merriam, Kansas 66202
Tel: 913.888.8540 Fax: 913.888.0152

10. WATER RUNOFF PLAN: A water runoff plan will be conducted and submitted to the City for review. A note has been placed on the drawings indicating that all pavements shall conform with UG standards.
11. RELATIVE GAIN: As noted above, the applicant has clarified the building use on numerous occasions to planning staff. This facility is a truck repair facility used by the general public.

Respectfully yours,
Sullivan Palmer Architects, Inc.

Jim Sullivan

A handwritten signature in blue ink, appearing to read 'Jim Sullivan', with a stylized, cursive script.

8621 Johnson Drive, Merriam, Kansas 66202
Tel: 913.888.8540 Fax: 913.888.0152

NEIGHBORHOOD MEETING MATERIALS, DATED MAY 29, 2021

19 May 2021

Dear Neighbor:

SUBJECT: Neighborhood Meeting

We have filed an application with the Department of Urban Planning and Land Use # SP-2021-045.

The purpose of this:

- special use permit
- preliminary plan review

For a vehicle maintenance and storage building at the following address: 1037 S. 26th Street, Kansas City, KS 66106.

We are having a neighborhood meeting on Saturday, May 29, 2021 at ~~10~~:00 ~~A~~m. at the following address:

1037 S. 26th Street, Kansas City, KS 66106 (the subject property)

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

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact me at the address/phone number listed below.

Sincerely,

Luis Saenz
826 N. 83rd Terrace, Kansas City, KS.66112
pamelavkc@gmail.com
913-530-8101

Please sign and return to me with any questions or concerns that you may have.

MINUTES:

Application Number SP-2021-0045
Date and Location: 1037 N 96th St
Meeting called to order at: 10 AM
Names of people in attendance: 10 On attendees
Introductions: Luis Saenz
Presentation by applicant and/or team (explain what information was given to those in attendance and a summary of what the speaker said).
Questions and answers (include the following):
➤ Who asked question or gave comment
➤ What was the question or comment
➤ Who answered the question/comment
➤ What was the answer given
Meeting adjourned at:
Minutes taken by: no minutes taken

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas }
COUNTY OF Wyandotte } SS:
Comes now Luis Saenz, of lawful age, sound mind and up
his/her oath states as follows:
1. That I am the petitioner for Petition # SP-2021-045
2. That I conducted a neighborhood meeting on 5/29/2021.
3. Attached are the minutes/summary of the meeting and a copy of the
notice mailed to the property owners on the list provided by the Urban
Planning and Land Use Department.
Further affiant saith not.
Luis A Saenz
Affiant
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this ____ day of
____, 200_.
My commission expires ____ of ____, 200_.

Notary Public



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

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

May 18, 2021

RE: SP2021-045 James Sullivan Auto storage and Maintenance 1037 South 26th Street

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: SP2021-045 James Sullivan Auto storage and Maintenance 1037 South 26th Street.

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

MAPS AND REPORTS

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

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

- There is one major soil type identified: Eudora-Urban land complex, rarely flooded. These soil types are considered erodible when the surface is denuded of a protective cover.
- Any chemical spills need to be cleaned up immediately. These are loamy soils that allow for quick infiltration that can flow with water into the river. The contaminated water can seep into the river.

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

The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological investigation may be needed. The natural soils and drainage pattern may have been changed in this area due to previous urban development. Therefore, the physical

CONSERVATION DISTRICT LETTER, DATED MAY 18, 2021, CONT.

composition influencing the structure of the natural soil has already been altered; however, some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineation on the maps includes soils that differ from the named soil. Soil lines may not be exact therefore; on site investigation is needed for site specific planning.

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

Sincerely,

Cheri Miller
District Manager

enclosures



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: July 29, 2021
Re: Petition SP2021-053

GENERAL INFORMATION

Applicant:
Deborah and David Beauchamp

Status of Applicant:
Owners
11827 Marxen Road
Kansas City, Kansas 66109

Requested Action:
Renewal of a Special Use Permit (expired on
June 27, 2021)

Date of Application:
May 17, 2021

Purpose:
To continue to operate a short-term rental out of
the home (owner's primary residence).

Property Location:
11827 Marxen Road



Commission Districts:	Commissioner At Large: Melissa Bynum District #5 Commissioner: Michael (Mike) Kane
Existing Zoning:	R (WYCO) Rural Residence and A-G (WYCO) Agriculture Districts
Adjacent Zoning:	North: City Limit (Leavenworth County) South: A-G (WYCO) Agriculture District East: R (WYCO) Rural Residence and A-G (WYCO) Agriculture Districts West: R (WYCO) Rural Residence and A-G (WYCO) Agriculture Districts
Adjacent Uses:	North: City Limit (Leavenworth County) South: Farmland East: Farmland West: Large lot single family home
Total Tract Size:	50.16 Acres
Master Plan Area:	Prairie Delaware Piper Area Master Plan
Master Plan Designation:	The Master Plan designates this property as Planned Low Density Residential, which allows single family detached residential units.
Major Street Plan:	The Major Street Plan classifies Marxen Road as a Local Street.
Required Parking:	Article V, Section 4, Item 5 AG (WYCO) Agriculture District requires two (2) parking spaces per dwelling unit, plus two (2) spaces for any accessory house occupation or principal agriculture use. The garage and driveway can accommodate at least eight (8) parking spaces; therefore, the use does not require additional parking.
Advertisement:	<u>The Wyandotte Echo</u> – June 17, 2021 Letters to Property Owner – June 16, 2021 and July 20, 2021
Public Hearings:	July 12, 2021 and July 29, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Deborah and David Beauchamp wants to continue to operate a short-term rental using Airbnb and other platforms for two (2) guest rooms in their primary residence located on 50.16 acres at 11728 Marxen Road.

City Ordinance Requirements: 27-592 through 27-606

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

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is rural in nature with very large lots and surrounding farming and agricultural uses.

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

The zoning and uses of properties nearby are set out above. Due to the large size of this parcel, it is expected that the proposed use will be compatible with surrounding parcels.

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

The property is suitable for the use. This is a very rural area and will have a minimal impact on adjoining property owners. The removal of restrictions will not detrimentally affect nearby property as the residence is substantially setback from Marxen Road and there are no adjacent homes on the street.

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

The property is not vacant. The applicants live in the residence.

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

Special Use Permits are not addressed in the Master Plan. Planned Low Density Residential allows single-family detached residences.

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

The proposed use will not increase the amount of vehicular traffic to the point where it exceeds the capacity of the Local Street to accommodate it because there is enough parking on the driveway to accommodate guests and not overflow onto Marxen Road.

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

The proposed use will provide additional short-term rental options in the area. The short-term rental will not substantially or permanently injure the appropriate use, visual quality or marketability of adjoining property if managed properly and because there are no adjacent residences, and the residence is setback a substantial distance from all property lines.

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

The noise, vibration, dust or illumination that would normally be associated with such use is of such duration and intensity as not to create problems for nearby property because the use does not create excessive noise, vibration or illumination relative to other types of residential uses that would be permitted in the zoning district.

Dust from the driveway, light from headlights and noise from additional guests on-site associated with the short-term rental will not be any different than if the owners hosted dinner parties, events or fundraisers that would bring a more friends and family to the property.

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

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

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing single-family residence in a rural neighborhood.

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

The relative gain to the public health, safety and welfare compared on the hardship imposed on the landowner is minimal as it only provides the convenience of lodging with some economic benefit. If denied, the landowners could not use their property as a short-term rental but may still use the property as a long-term rental, their primary residence, or sell the property.

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

The proposed use will not result in overcrowding of land or cause undue concentrations of population as it operates within an existing single-family home on the stie. Due to the size of the property, the location and length of the driveway, overcrowding of land and undue concentrations of population will not be an issue. A few more guests in the home is not an undue concentration.

PREVIOUS ACTIONS

- SP-2019-61 was approved for two (2) years by the Board of Commissioners on June 27, 2019.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 22, 2021 via e-mail and phone call. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-053 for **five (5) years**, subject to:

1. Per the applicant, the maximum number of guests shall be four (4);
2. All parking must be off-street, maximum number of vehicles is two (2);
3. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
5. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance:
913-246-5133 www.hostcompliance.com/tips;
6. Maintain a safe environment including:
 - a. Working smoke detectors in each building plus each level of the unit/house;
 - b. GFCI outlets re required in bathrooms;

- c. Double keyed locks are not allowed;
 - d. Copper cannot be used for gas supply lines;
 - e. Windows must be operable, not blocked or boarded;
 - f. Handrails are required at sets of 4 or more stairs/ risers;
 - g. Hot water tank and furnace must be vented properly and operational; and,
 - h. Electric panel and circuits must be safe.
7. No signs shall be posted on the property advertising the short-term rental;
 8. No employees other than members of the immediate family residing on the premises;
 9. Conditions of approval from 2019 (#SP-2019-61):
 - a. No signs.
 - b. No employees other than members of the immediate family residing on the premises.
 - c. Applicant must file and maintain the current occupation tax application.
 - d. Above responses made by the applicant.
 - i. We will use the AIRBNB application to pay appropriate lodging taxes. We also will arrange to pay the required occupation tax through Business License Department.
 - ii. Two rooms will be rented, specifically two downstairs bedrooms.
 - iii. Four (4) people, maximum, will stay at any one time.
 - iv. Two (2) vehicles in addition to our vehicles will parking on the concrete driveway between the house and barn.
 - v. We plan to make the rooms available approximately 80 percent of the year.
 - vi. We do not plan to have long-term guests of over 30 days. If that changes, we will make arrangements for a rental license.
 - vii. Guests will have the use of common space on our lower level, lower patio, front porch and property.
 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 (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 12. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for

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

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2021-053** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Applicant Response Letter
Neighborhood Meeting Minutes
Plot Plan
Floor Plan
Site Photographs Provided by Staff dated June 17, 2021

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	July 12, 2021	July 29, 2021
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-053** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-053**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION SP2021-053 – DEBORAH BEAUCHAMP – SYNOPSIS: Renewal of a Home Occupation Special Use Permit (SP-2019-61 – expired 6/27/2021) for a Short-Term Rental/AirBnB at 11827 Marxen Road.

Detailed Outline of Requested Action: The applicants, Deborah and David Beauchamp wants to continue to operate a short-term rental using Airbnb and other platforms for two (2) guest rooms in their primary residence located on 50.16 acres at 11728 Marxen Road.

City Ordinance Requirements: 27-592 through 27-606

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

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items?" No one responded in the affirmative.

"Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publications in The Echo for the Special Use Permits; and,
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone requests that an item be removed from the Consent Agenda."

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. Planning Director Hand requested that Plan Review Application PR2021-014 be removed from the Consent Agenda.

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to **APPROVE** the remaining items on the Consent Agenda:

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

Motion to APPROVE Passed: 6 to 0
Subject to:

1. Per the applicant, the maximum number of guests shall be four (4);
2. All parking must be off-street, maximum number of vehicles is two (2);
3. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
5. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 www.hostcompliance.com/tips;
6. Maintain a safe environment including:
 - a. Working smoke detectors in each building plus each level of the unit/house;
 - b. GFCI outlets re required in bathrooms;
 - c. Double keyed locks are not allowed;
 - d. Copper cannot be used for gas supply lines;
 - e. Windows must be operable, not blocked or boarded;
 - f. Handrails are required at sets of 4 or more stairs/ risers;
 - g. Hot water tank and furnace must be vented properly and operational; and,
 - h. Electric panel and circuits must be safe.
7. No signs shall be posted on the property advertising the short-term rental;
8. No employees other than members of the immediate family residing on the premises;
9. Conditions of approval from 2019 (#SP-2019-61):
 - a. No signs.

- b. No employees other than members of the immediate family residing on the premises.
 - c. Applicant must file and maintain the current occupation tax application.
 - d. Above responses made by the applicant.
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 - ii. Two rooms will be rented, specifically two downstairs bedrooms.
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 - iv. Two (2) vehicles in addition to our vehicles will parking on the concrete driveway between the house and barn.
 - v. We plan to make the rooms available approximately 80 percent of the year.
 - vi. We do not plan to have long-term guests of over 30 days. If that changes, we will make arrangements for a rental license.
 - vii. Guests will have the use of common space on our lower level, lower patio, front porch and property.
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 (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
12. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.



Figure 1. Aerial Photograph of 11827 Marxen Road (provided by UG Maps).

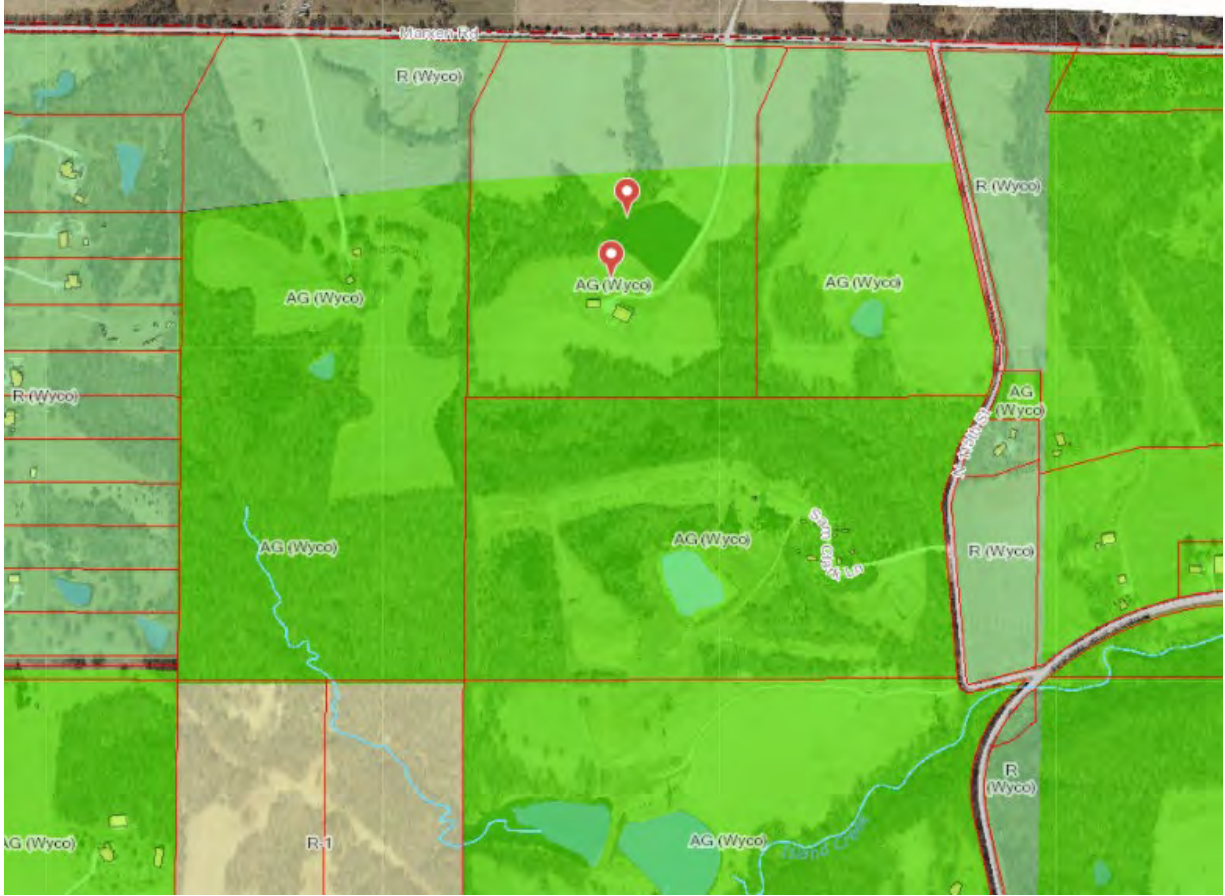


Figure 2. Zoning Map of 11827 Marxen Road (provided by UG Maps).

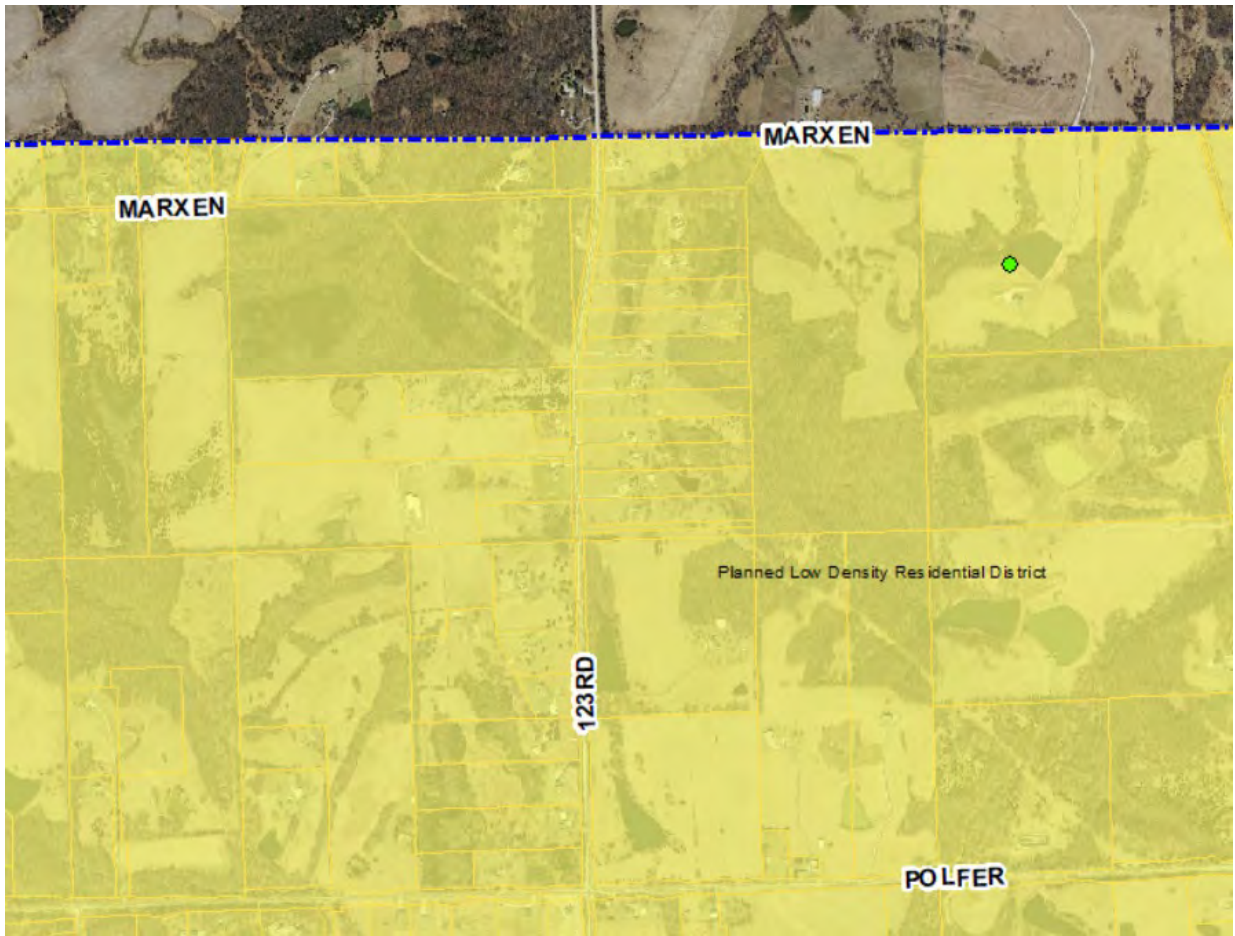


Figure 3. Prairie Delaware Piper Land Use Map (provided by ArcMap).

Toy, Byron

From: Deborah Beauchamp <deborahjbeauchamp@gmail.com>
Sent: Tuesday, June 22, 2021 4:30 PM
To: Toy, Byron
Cc: David Beauchamp; Parker, Janet
Subject: SP2021-53 Information for approval
Attachments: House Plans with Engineer Stamp.pdf

Dear Byron,

I am sending this information to complete my application for a Home Occupation Special Use Permit Renewal. I will address the issues noted in the Planning and Urban Design Comments on the Draft.

4: I have communicated with the contacts listed in written form and mailed it to them. I listed my phone number and email so they can contact me directly. Janet Parker received an emailed copy of the letter on June 12, 2021.

5: There have been no changes since the initial approval in 2019.

6: I paid the Lodging tax through Wyandotte County for this year on 1-14-2021. #OCC-000816-L. I will continue to pay each year.

7: The maximum number of vehicles that will be associated with the short term rental are 2. We have parking for 8 vehicles if needed.

8: We can accomodate 4 adults. 2 per Suite.

9: We average about 8 nights a month.

10: We have the appropriate licenses that are needed for a Home occupation Special Use Permit.

11: Guests will rent one of the Suites which have private bathrooms. They also have access to the Lower level of the house. The common area of the lower level, the outside deck areas, patio and front porch. They can also walk the 50 acres of land.

12: The safety of our guests is most important. Per our occupancy permit, all safety measures of the house have been met.

Is there anything else that is needed to be ready for the meeting on the 12th? The sign has been posted at Marxen as of today. I have not heard anything from any of our neighbors. For pictures of the Suites, please see the following websites: Sunrise Suite <https://abnb.me/4cgiPkBw5X>, Sunset Suite <https://abnb.me/zQLtsHVw5X>. I have attached the house plan.

I will send another email with the affidavit.

Thank you.
Sincerely,
Deborah Beauchamp
913-981-3230

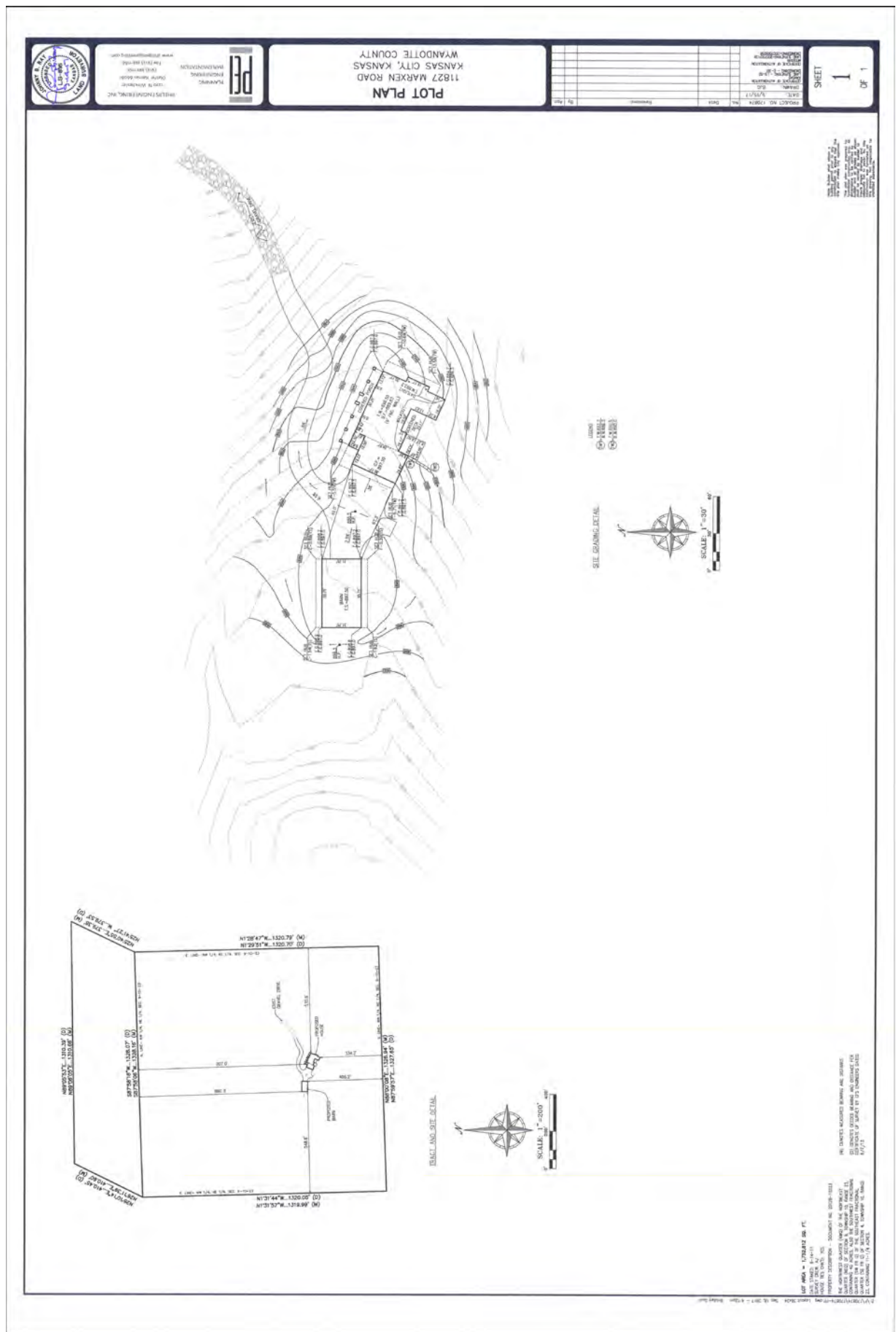
SP2021-53 Neighborhood Meeting Minutes

Deborah J Beauchamp
11827 Marxen Road
Kansas City KS 66109

June 22, 2021

Attendance: Deborah Beauchamp, David Beauchamp

Letters were sent to all my listed contacts and to Janet Parker on June 12, 2021. As of today, I have not received any questions or concerns from any of them





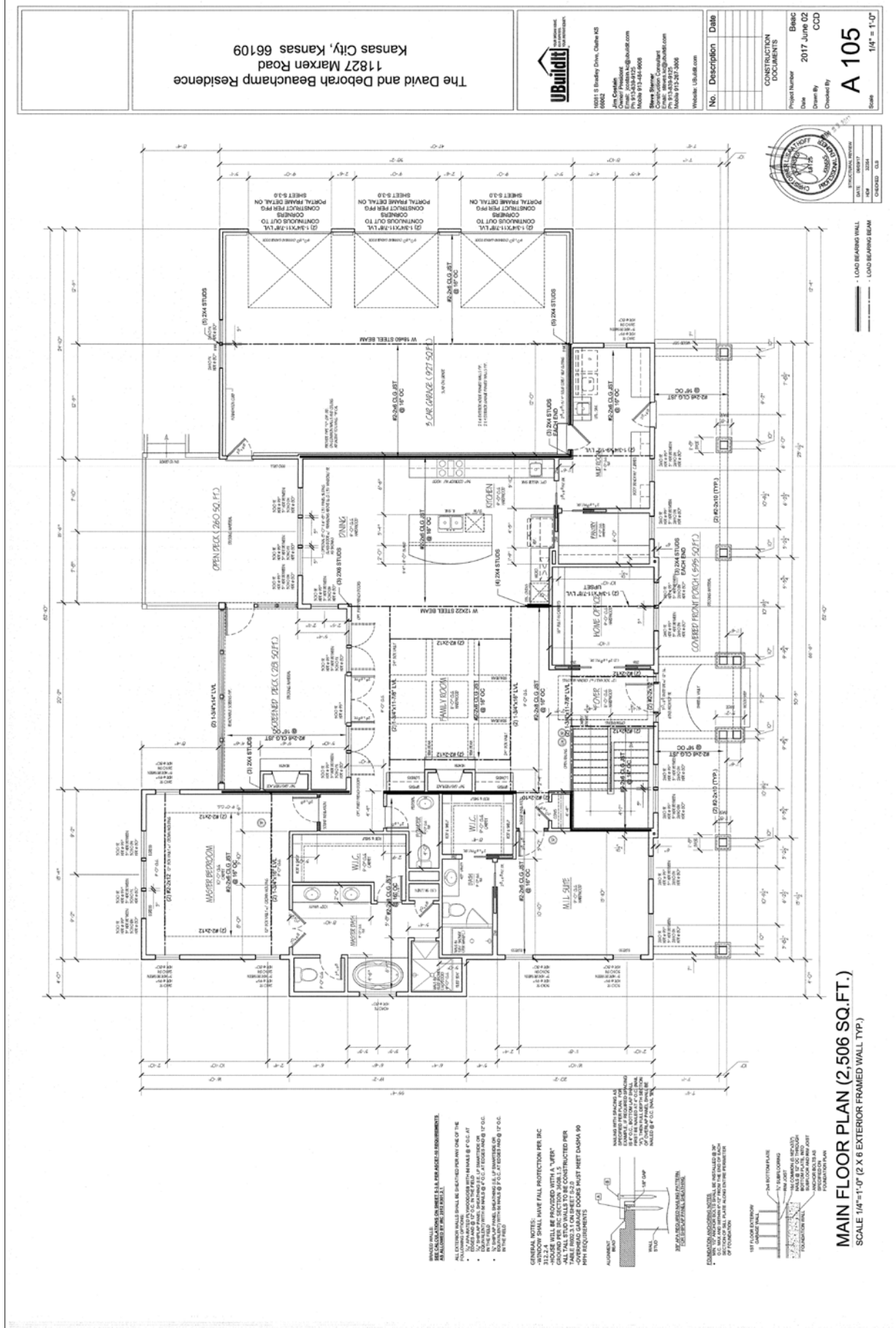




Figure 4. Site Photograph of 11827 Marxen Road (provided by Staff).



Figure 5. Figure 4. Site Photograph of 11827 Marxen Road (provided by Staff).



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: July 29, 2021

Re: SP2021-054

GENERAL INFORMATION

Applicant:
Kiran Chelluri

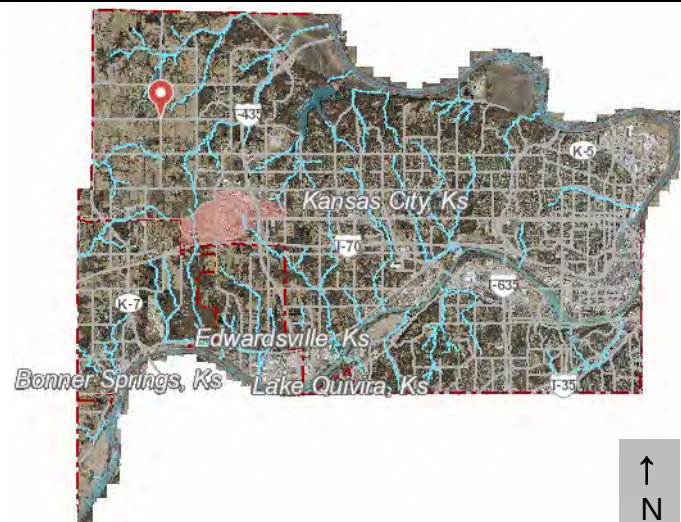
Status of Applicant:
Property Owner
9701 West 152nd Street
Overland Park, Kansas 66221

Requested Action:
Approval of a Special Use Permit.

Date of Application:
May 10, 2021

Purpose:
To request a renewal of a Special Use Permit for a short-term rental, which expired on April 30, 2021.

Property Location:
3846 and 3848 North 123rd Street
Kansas City, Kansas 66109



Commission District:	Commissioner At Large: Melissa Bynum District #5 Commissioner: Mike Kane
Existing Zoning:	R-5 (WYCO) Townhouse District
Adjacent Zoning:	North: R-1(A) (WYCO) Suburban Residential District South: R-5 (WYCO) Townhouse District East: A-G Agriculture District West: R-5 (WYCO) Townhouse District
Adjacent Uses:	North: Single-family residence South: Two-family residence East: Agricultural land West: Two-family residence
Total Tract Size:	0.51 Acre
Master Area Plan:	The subject property is within the Prairie-Delaware-Piper Area Master Plan.
Master Plan Designation:	The Prairie-Delaware-Piper Area Master Plan designates the property as Suburban Residential. The Suburban Residential land use designation allows for detached single-family residences at a density of three (3) to four (4) dwelling units per acre. The Suburban Residential land use designation is anticipated to be limited between Parallel Parkway and Leavenworth Road, but the Prairie-Delaware-Piper Area Master Plan shows the range of this designation to extend from State Avenue to Donahoo Road and even further north.
Major Street Plan:	The Major Street Plan classifies Donahoo Road as a Class C Thoroughfare. The Major Street Plan classifies 123 rd Street as a Local/Neighborhood Street.
Required Parking:	Article XIII, Section 7 of the 1992 Piper Area Annex Zoning Code requires a minimum of two (2) off-street parking spaces for each townhouse. Such parking spaces may be provided on the townhouse lot, or in a commonly owned or maintained off-street parking facility. No parking space shall be more than 150 feet from the door of the townhouse it is intended to serve. The subject property can sufficiently provide two (2) or more off-street parking spaces for each dwelling unit. Two (2) parking spaces are available in each

garage, and at least two (2) additional parking re available on the driveway serving each unit.

Advertisement:	<u>The Wyandotte Echo</u> – June 17, 2021 Letters to Property Owners – June 17, 2021 and July 20, 2021
Public Hearings:	July 12, 2021 and July 29, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Kiran Chelluri, is requesting a renewal of a Special Use Permit to operate a short-term rental at 3846 and 3848 North 123rd Street. The applicant owns the property but does not reside there. Applicant will be renting out both units of the duplex as separate short-term rentals. The subject property will be limited to no more than six (6) guests per unit and no more than 10 guests for the entire duplex. No more than four (4) vehicles may be parked at each unit of the subject property. The property is not owner-occupied; therefore, a Special Use Permit shall be renewed for no more than two (2) years.

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

Code Enforcement History: There are no outstanding Notices of Violation associated with either address of the subject property. There is no history of Code Enforcement at the subject property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Prairie-Piper Statistical Neighborhood and is not within a Neighborhood Group. The neighborhood consists of a mix of single- and multi-family residences, but the neighborhood is still developing (as demonstrated by the vacant agriculture lot directly east of the property in question.

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

The subject property is zoned R-5 (WYCO) Townhouse District, which is relatively compatible with all the surrounding adjacent properties. The property will be used as residences, albeit short-term, temporary residences occupied by guests. This is not an ideal use of the property because it takes away from the already limited duplex housing stock in Kansas City, but it can still be a

compatible use of the property. A common concern for short-term rentals is parking, but the subject property has enough paved, on-site parking to accommodate four (4) vehicles at each unit, through a combination of garage and driveway parking. Therefore, the use of the property as a rental is compatible with the nearby properties, some of which are short- or long-term rentals.

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

The use may be suitable. It is common for duplexes to house long-term renters, so it is reasonable to expect a duplex can have short-term renters.

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

The property has had a Special Use Permit to operate as a short-term rental for the past year.

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

The Prairie-Delaware-Piper Area Master Plan designates the subject property as Suburban Residential. The Suburban Residential land use designation anticipates single-family residences on approximately one-quarter (1/4)-acre parcels. The subject property, while a duplex, is on a one-half (1/2)-acre parcel, and so complies with the recommended density. The Prairie-Delaware-Piper Area Master Plan is silent on the use of short-term rentals. While short-term rentals generate more tenant turnover than long-term rentals, proper management and proactive communication with the neighbors should address any issues that may be associated with short-term rentals. In practice, short-term rentals offer some degree of conformance with the Prairie-Delaware-Piper Area Master Plan.

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

The applicant has stated that the driveways for the two (2) units of the subject property will allow for up to four (4) vehicles. There is also a concern with overcrowding of vehicles on a property. Therefore, no more than two (2) vehicles may be parked on the driveway at each unit. There will be a slight increase in traffic by the fact that short-term renters will be coming and going from the property. The property is located along a Class C Thoroughfare, so the traffic generated by the proposed use will not exceed the street network's capacity to accommodate it or even be noticed by the neighbors.

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

Short-term rentals, if managed properly, can serve several functions for a community. It can provide temporary housing for residents transitioning between leases or workers living in Kansas City temporarily for a job or project. Short-term rentals can also be advertised through third-party hosts such as AirBnb or VRBO to tourists or visitors to the Kansas City metropolitan area. In the case of tourists, visitors, or temporary workers, a short-term rental can bring in outside money into the community, both through rent and additional money that the guests will spend at local businesses. When operated in a professional and community-oriented manner, short-term rentals can be beneficial to the community.

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

Only noise is expected to be an issue. Applicant should take steps to ensure the noise level from guests is monitored and kept to a reasonable level.

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

It is unlikely that the proposed use will pollute the air, land, or water as the building is pre-existing and there are no proposed expansions of the space or footprint.

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

There are no irreplaceable natural resources that would be damaged by use of a short-term rental in a pre-existing building in a suburban housing development with no proposed expansion of the building's space or footprint.

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

As mentioned previously, there are positive externalities associated with visitors coming to Kansas City and Wyandotte County, and the subject property itself is suited for frequent turnover of renters. Sufficient off-street parking is available, thus preventing additional parking issues. It should also be noted, however, that there are also negative externalities imposed upon the nearby neighbors of a poorly run short-term rental. By use as a short-term rental, the property cannot be used as a long-term rental for two (2) families, which further cuts into the insufficient housing pool in Wyandotte County. Additionally, not only is the applicant not on site but has previously stated that they are a 15 to 20-minute drive away from the property. This is contrary to good public policy, which emphasizes the property owner or other on-site manager to be no more than 15 minutes away in order to promptly respond to complaints, issues, or emergencies.

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

The applicant has stated that no more than six (6) guests will be allowed to stay at each unit within the short-term rental. This could result in up to 12 persons staying at the property simultaneously, which risks overcrowding the land. Therefore, while up to six (6) guests may stay in a single rental unit, the total number of guests staying at the subject property simultaneously may not exceed 10. Approximately four (4) off-street parking spaces are available, which meets the minimum parking standards for such a residential unit. These recommended conditions in total diminish the chance of overcrowding of land or undue concentrations of population.

PREVIOUS ACTIONS

- SP-2020-30 (Special Use Permit for a short-term rental of a duplex residence)

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting at 2:00 PM on June 28, 2021, via Zoom. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Lights
Noise
Overcrowding of the Land
Parking

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-054 for **two (2) years**, subject to:

- 1) The applicant shall comply with all statements provided and relied upon as condition(s) of approval of SP-2020-30, unless amended in the “Staff Comments and Suggestions” section of this report;
- 2) The red brick sidewalk south of the driveway that serves 3846 North 123rd street must be restored so that it connects to the sidewalk on the adjacent parcel to the south. Full restoration of the missing portion of the red brick sidewalk must be completed within six (6) months of approval of the Special Use Permit renewal;
- 3) Six (6)-foot landscape screening must be planted along the south and west boundary lines of the subject property where it has not already been planted;

- 4) Per Section 27-699(b)(9), any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one (1) foot-candle as measured from said property line;
- 5) Maximum number of guests shall be six (6);
- 6) All parking must be off-street, and the maximum number of vehicles at each unit is two (2);
- 7) The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
- 8) Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
- 9) Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: (913) 246-5133, www.hostcompliance.com/tips;
- 10) According to Sec. 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;
- 11) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Any illumination that results from use of the parking lot shall not be seen or otherwise impact adjacent residential uses;
- 12) The applicant must file and maintain a current business occupation tax application and entertainment license;
- 13) Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any

business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

- 14) 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;
- 15) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
- 16) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **SP2021-054** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Land Use Map
Aerial Map
Zoning Map
Photos of the Property Provided by Staff, Dated June 20, 2021
Landscaping Requirements for the Property Provided by Staff
Photos of the Property Provided by the Applicant
Floor Plan Provided by the Applicants
Neighborhood Meeting Materials, Dated June 28, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Unified Government Commission</u>
Public Hearing		
Special Use	July 12, 2021 Approval	July 29, 2021

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-054** as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff report, and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-054**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION SP2021-054 – KIRAN CHELLURI –

SYNOPSIS: Renewal of a Special Use Permit (SP-2020-30 – expired 4/30/2021) for a Short-Term Rental/AirBnB at 3846-3848 North 123rd Street.

Detailed Outline of Requested Action: The applicant, Kiran Chelluri, is requesting a renewal of a Special Use Permit to operate a short-term rental at 3846 and 3848 North 123rd Street. The applicant owns the property but does not reside there. Applicant will be renting out both units of the duplex as separate short-term rentals. The subject property will be limited to no more than six (6) guests per unit and no more than 10 guests for the entire duplex. No more than four (4) vehicles may be parked at each unit of the subject property. The property is not owner-occupied; therefore, a Special Use Permit shall be renewed for no more than two (2) years.

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

Code Enforcement History: There are no outstanding Notices of Violation associated with either address of the subject property. There is no history of Code Enforcement at the subject property.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items?" No one responded in the affirmative.

"Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publications in The Echo for the Special Use Permits; and,
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone requests that an item be removed from the Consent Agenda."

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. Planning Director Hand requested that Plan Review Application PR2021-014 be removed from the Consent Agenda.

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to **APPROVE** the remaining items on the Consent Agenda:

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Aye

Ernst Aye
Huey Not Present
Jones Aye
Miller Aye
Mohler Aye
Pauley Not Present
Motion to APPROVE Passed: 6 to 0
Subject to:

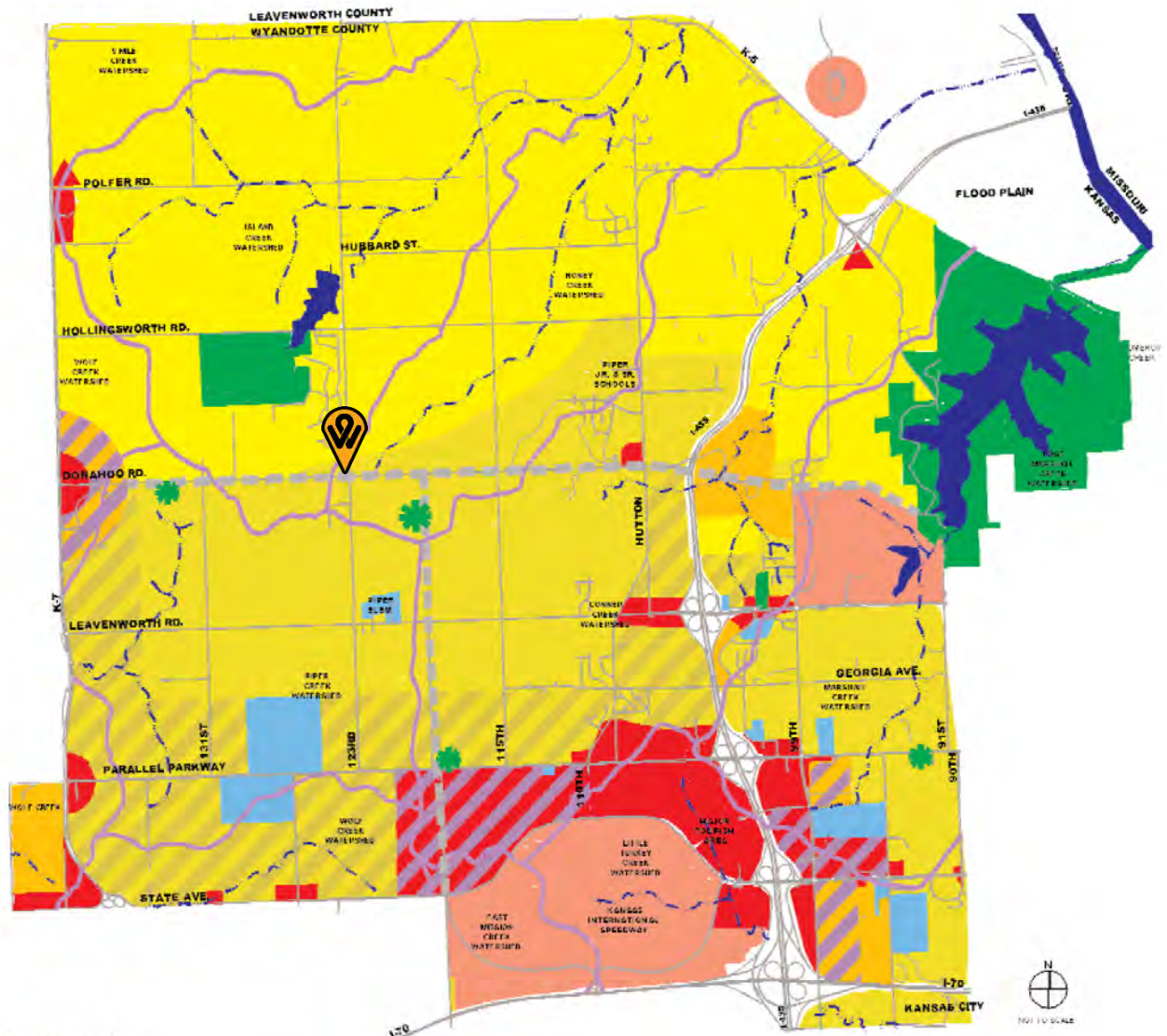
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- 9) Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government

enforces this policy and must include the contact information for Host Compliance: (913) 246-5133, www.hostcompliance.com/tips;

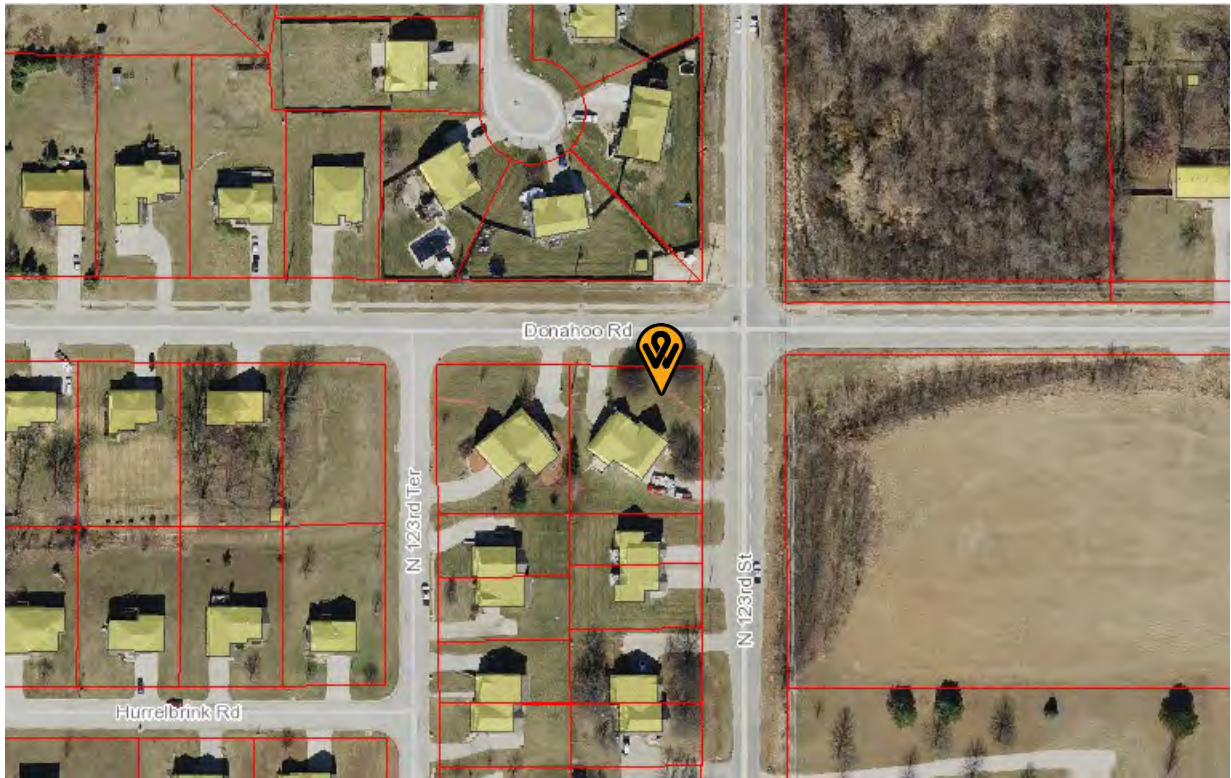
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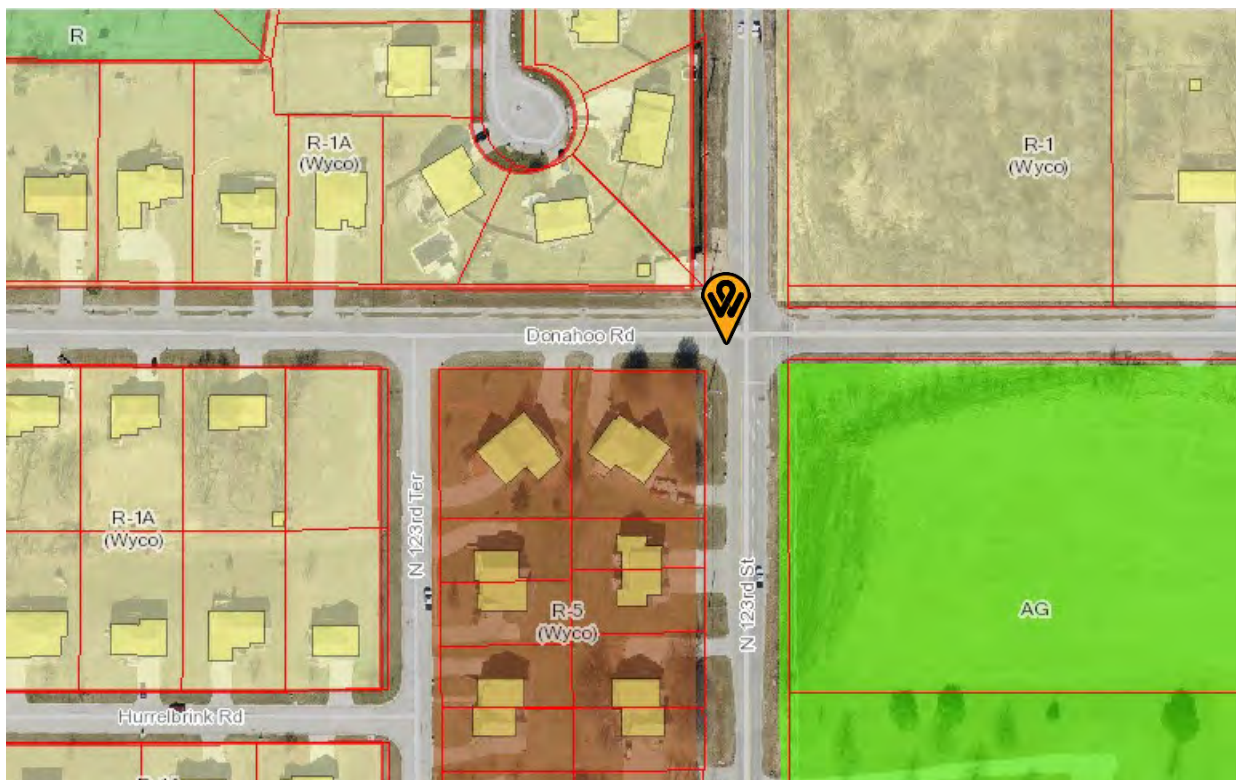
LAND USE MAP



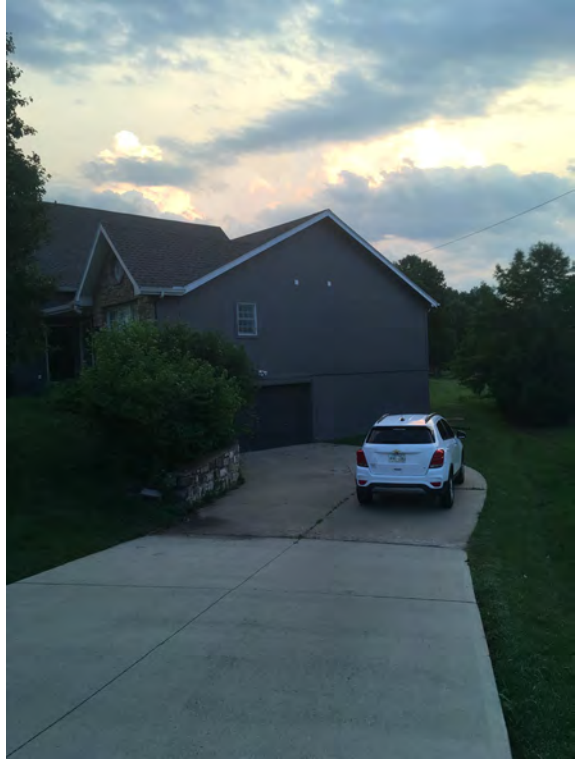
AERIAL MAP



ZONING MAP



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED JUNE 20, 2021



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED JUNE 20, 2021, CONT.

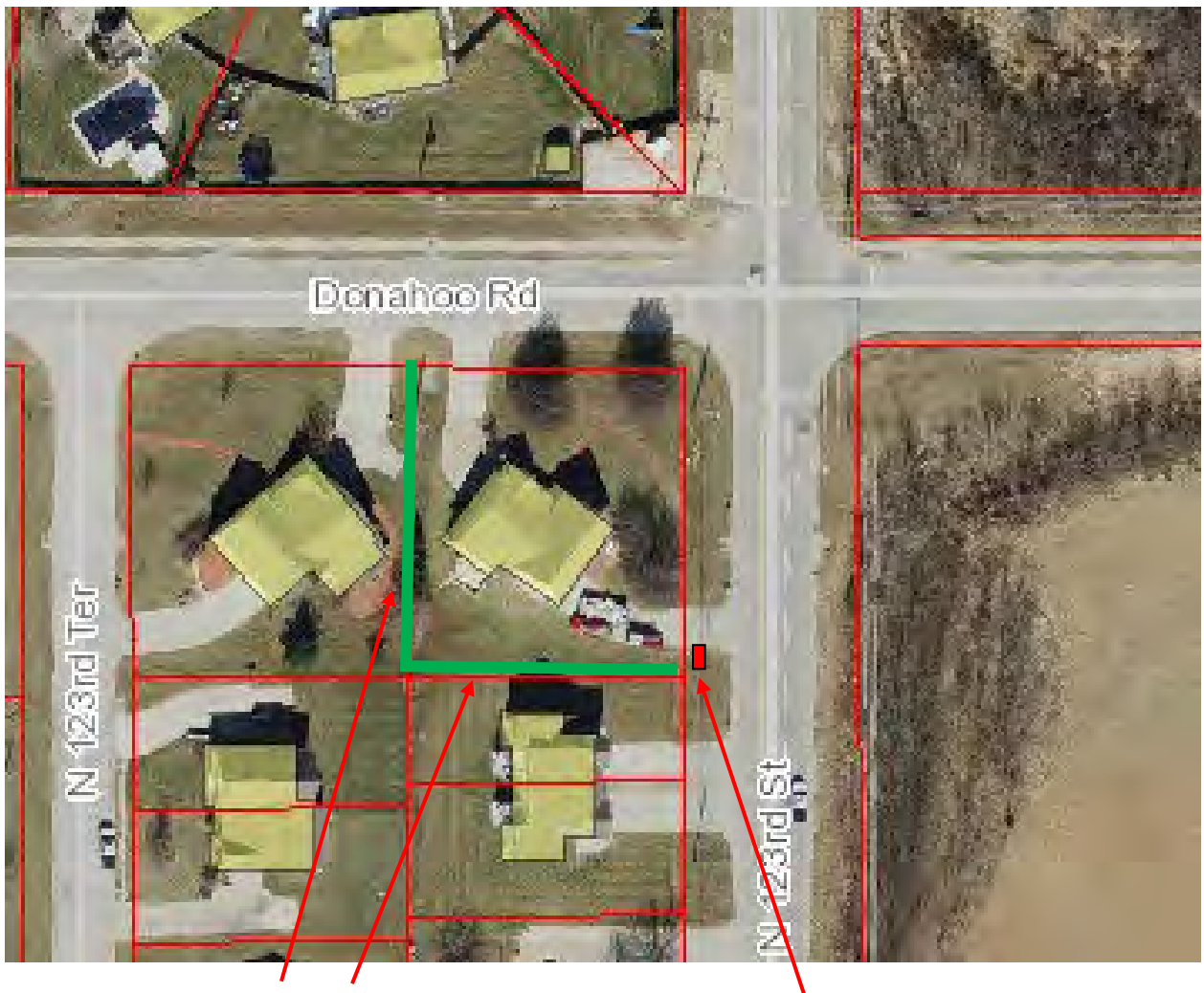


Above: Example of continuous sidewalk on the subject property, wrapping around the southwest corner at Donahoo Road and North 123rd Street.

Lower Left & Lower Right: Views of the missing sidewalk section on the subject property.



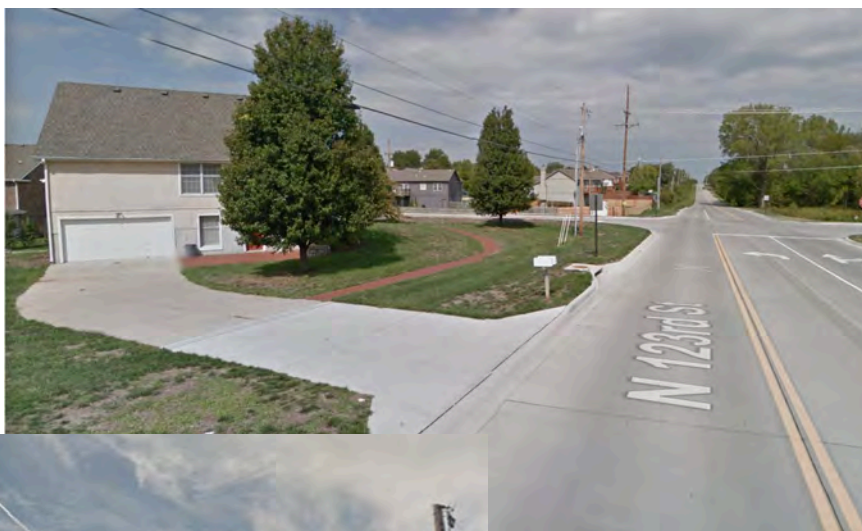
LANDSCAPING REQUIREMENTS FOR THE PROPERTY PROVIDED BY STAFF



Install shrubbery as landscape screening/buffering between the short-term rental property and the neighboring properties.

Restore the portion of red brick sidewalk that was removed south of the driveway.

PHOTOS OF THE PROPERTY PROVIDED BY THE APPLICANTS



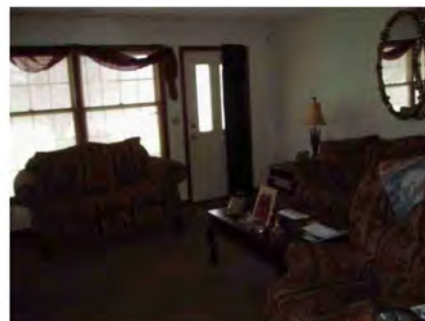
PHOTOS OF THE PROPERTY PROVIDED BY THE APPLICANTS, CONT.



Subject East Side



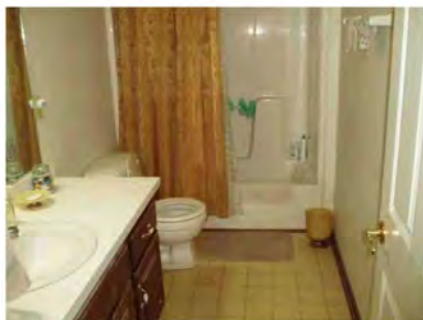
Subject West Side



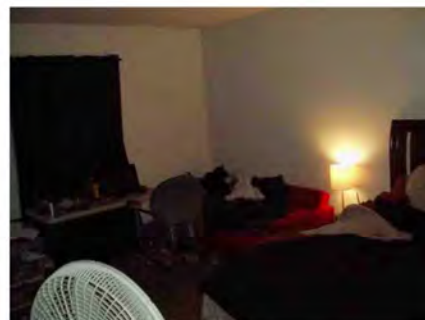
Living Room



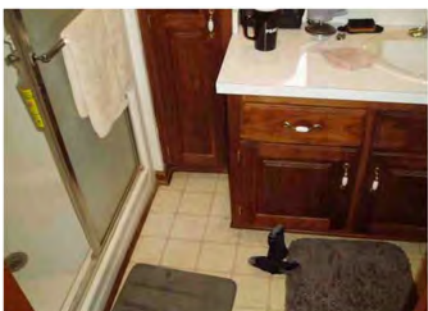
Kitchen



Bathroom



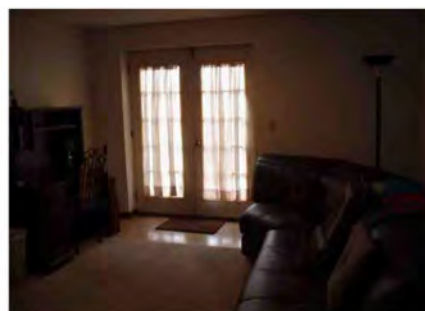
Bedroom



Bathroom



Bedroom



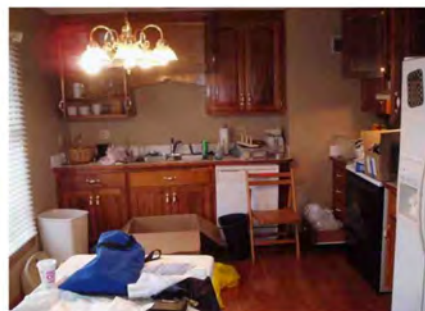
Basement Rec. Room



Basement Bedroom

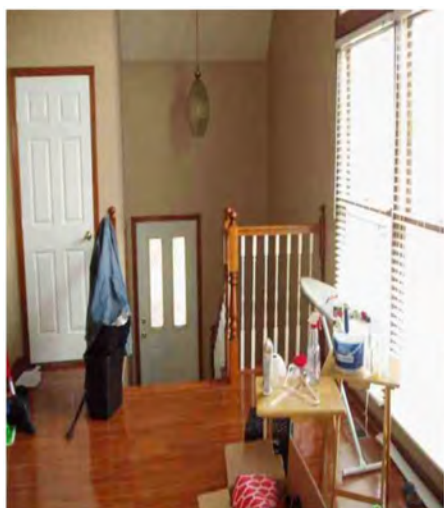


Basement Bathroom



Kitchen

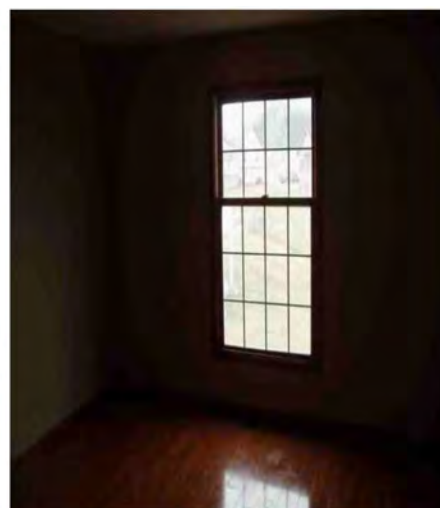
PHOTOS OF THE PROPERTY PROVIDED BY THE APPLICANTS, CONT.



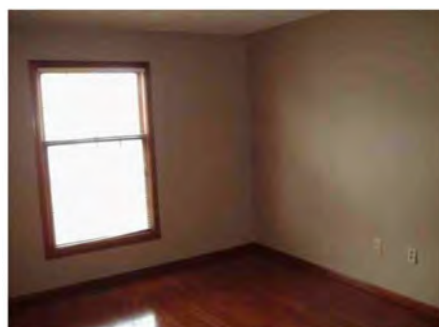
Living Room



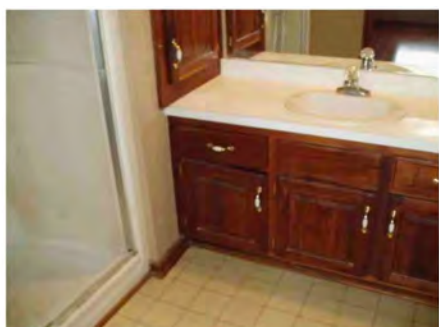
Bathroom



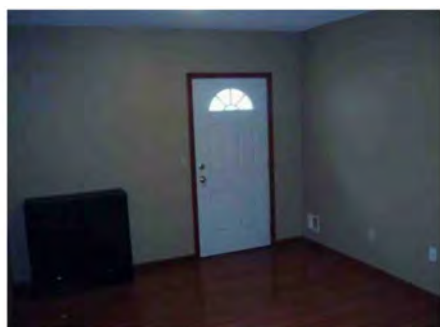
Bedroom



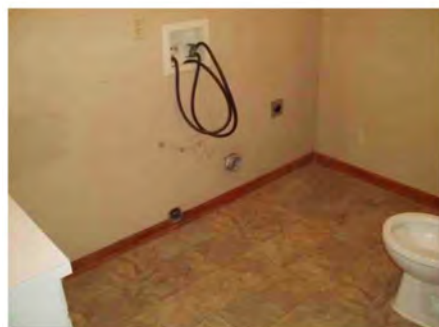
Bedroom



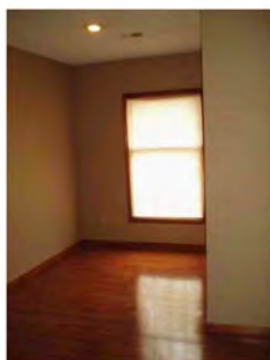
Bathroom



Basement Rec. Room



Basement 1/2 Bath/Laundry

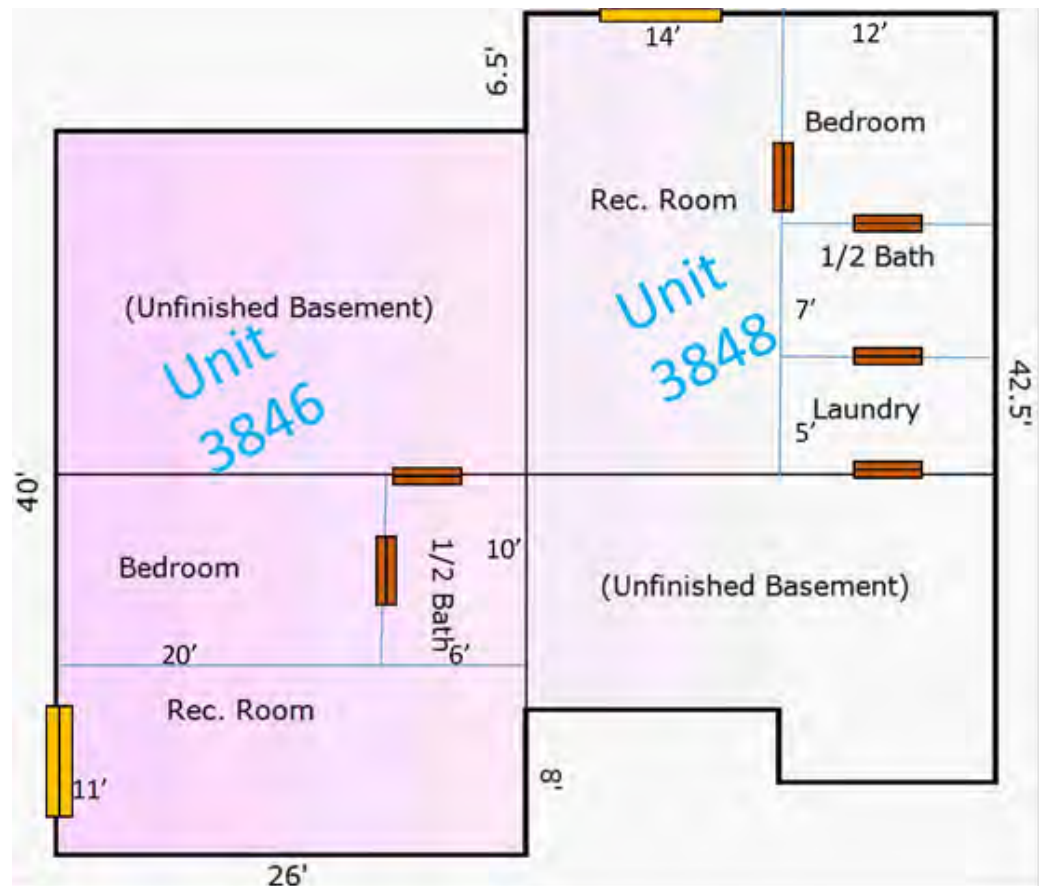


Basement Bedroom



Furnace/Water Heater

FLOOR PLAN PROVIDED BY THE APPLICANTS



NEIGHBORHOOD MEETING MATERIALS, DATED JUNE 28, 2021

06/13/2021

Kiran Chelluri
3846 N 123rd St
Kansas City, KS 66109

SUBJECT: Online Meeting for Special Use Permit

I have filed an application with the Department of Urban Planning and Land Use # #SP2021-054 - 3846-3848 North 123rd Street. The purpose of this is for a is for extending the special use permit at the following address:
3846 N 123rd St Kansas City, KS 66109 and 3848 N 123rd St Kansas City, KS 66109

I am having a virtual meeting on Monday June 28th at 2 p.m. using Zoom.us
You could download the Zoom app at zoom.us for free. See online meeting details below. If you email me your email address, I can email you the meeting invite as well. You could just dial in through your phone for this meeting for a voice call and just listen in, if you are not able to login through your laptop:

Inviting you to a scheduled Zoom meeting.

Topic: Neighborhood Meeting
Time: Jun 28, 2021 02:00 PM Central Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/88630278574?pwd=TFptV1VTQ2xhMy9YK29WT0xWYUxCQT09>

Meeting ID: 886 3027 8574
Passcode: 869687
One tap mobile
+13462487799,,88630278574#,,, *869687# US (Houston)
+12532158782,,88630278574#,,, *869687# US (Tacoma)

Dial by your location
+1 346 248 7799 US (Houston)
+1 253 215 8782 US (Tacoma)
+1 669 900 6833 US (San Jose)
+1 312 626 6799 US (Chicago)

Meeting ID: 886 3027 8574
Passcode: 869687
Find your local number: <https://us02web.zoom.us/u/keM4wuNJ>

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have. I look forward to seeing you at the online meeting. If you are unable to attend, please contact me at the address/phone number listed below with any questions or queries.

Sincerely,

Kiran Chelluri
913-579-1399
sunshinelyvisions@gmail.com

NEIGHBORHOOD MEETING MATERIALS, DATED JUNE 28, 2021, CONT.

Application Number SP2021-054

Date and Location: June 28th 2pm, Online Zoom meeting

Meeting called to order at: Online Zoom meeting

Names of people in attendance: 0

Introductions:

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

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

Meeting adjourned at: 2.30pm

Minutes taken by: _____

I received a call from Kevin Holden week of June 22nd and he just wanted to know what was the purpose of the meeting. I explained to him and he was fine with my answer.

I also received an email from Kaleigh DePetro from Strong Home Mortgage asking for my loan number. I responded that this meeting is not related to any loan and it was for a SUP, seems like they were satisfied and I didnt hear back again.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF _____)
) SS:
COUNTY OF _____)

Comes now Kiran Chelluri, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP2021-054.
2. That I conducted a neighborhood meeting on June 28th.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.



Affiant

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

My commission expires _____ of _____, 200_.

Notary Public



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: July 29, 2021
Re: Petition SP2021-057

GENERAL INFORMATION

Applicant:
Phillip Henning

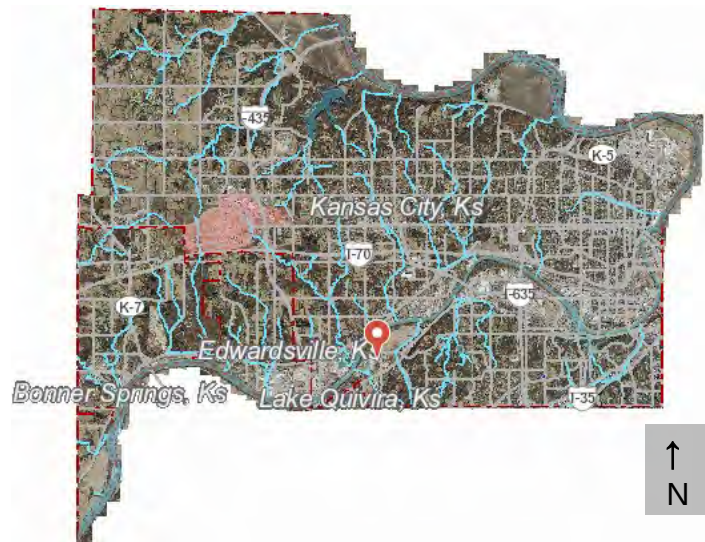
Status of Applicant:
Representative
MKEC Engineering, Inc.
11827 West 112th Street, Suite 200
Overland Park, Kansas 66210

Requested Action:
Approval of a Special Use Permit.

Date of Application:
May 26, 2021

Purpose:
To request a Special Use Permit for
an earthen fill.

Property Location:
1930 South 74th Street
Kansas City, Kansas 66106



Commission District:	Commissioner At Large: Tom Burroughs District #6 Commissioner: Angela Markley
Existing Zoning:	R-1 Single-Family District
Adjacent Zoning:	North: MP-2 Planned General Industrial and R-1 Single-Family Districts South: M-3 Heavy Industrial District East: Right-of-Way and MP-2 Planned General Industrial District R-1 Single-Family District West: R-1 Single-Family District
Adjacent Uses:	North: Industrial business South: Railway buildings East: Railway; Animal feed store West: Johnson County Water District No. 1
Total Tract Size:	21.28 Acres
Master Area Plan:	The subject property is within the City-Wide Master Plan.
Master Plan Designation:	The City-Wide Master Plan designates the property as Industrial. The Industrial land use designation allows manufacturing, processing, warehouse, distribution, outdoor storage, salvage, industrial-related office, limited commercial and services uses, and mining/mineral extraction. All residential uses are discouraged in Industrial.
Major Street Plan:	The Major Street Plan classifies South 74 th Street as a Class C Thoroughfare.
Required Parking:	Section 27-454(e) requires two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one of which shall be in a garage or carport. The subject property is vacant and does not have any parking spaces, covered or otherwise.
Advertisement:	<u>The Wyandotte Echo</u> – June 17, 2021 Letters to Property Owners – June 17, 2021 and July 23, 2021
Public Hearings:	July 12, 2021 and July 29, 2021
Public Support:	None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Phillip Henning with MKEC Engineering, Inc. is requesting a Special Use Permit for earthen fill to raise the elevation of the terrain at 1930 South 74th Street and to bring the property out of the floodplain. Raising the terrain is part of the work needed to prepare the property for an unknown future development.

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

Code Enforcement History: There is one (1) outstanding violation recorded at the property. The subject property was cited on May 18, 2021 with a Stop Work Order for grading/excavating without a permit. The subject property has been previously cited by Code Enforcement for having illegal material in earthen fill on May 17, 2021.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Morris Statistical Neighborhood and is not within a Neighborhood Group. The neighborhood features industrial properties, although the zoning districts of such properties are not all industrially zoned; some neighboring parcels are zoned R-1 Single Family District.

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

The subject property is zoned R-1 Single Family District, which does not allow for many uses that are compatible with the surrounding industrial uses, save for a railroad lead right-of-way. Therefore, the applicant will need to request a Change of Zone to an industrial district appropriate for the future use of the land.

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

The property has seen previous grading and/or development, as evidenced by aerial photography going back as far as 2004. The proposed grading plan is intended to move most of the terrain above the floodplain, as demonstrated by the plans provided by the applicant in the "Attachments" section of this report.

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

It is unclear how long the property has been vacant, but some infrastructure has been previously installed on the site by at least 2004. The applicant states that there are a few footings from previous buildings and utility connections.

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

Special Use Permits are not addressed in the City-Wide Master Plan. The Industrial land use designation does anticipate a variety of industrial uses. While grading and site preparation is not specifically anticipated by Industrial, such preparation is necessary to develop large sites. Crucial specifications of the grading and site preparation actions, however, have not been provided by the applicant. Staff cannot determine the degree of conformance of the proposed use to the Master Plan until more specifics are provided (see the “Staff Comments and Suggestions” section of this report).

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

Earthen fill and site preparation requires a great deal of work and moving earthen material. The applicant estimates that there will be about 3,700 truckloads, averaging 10 loads a day with a maximum of 40 loads per day. Hours of hauling will be from 8 AM to 4 PM on Mondays through Fridays. It will take around 12-18 months to complete the hauling of fill material.

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

Earthen fill and site preparation are necessary steps in developing a property for more intense use. While the process itself can be messy, dusty, and noisy, the end result ideally is beneficial relative to the negative externalities imposed on surrounding properties during the proposed site work. Therefore, proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

Adding earthen fill to a property will inevitably create large amounts of noise, dust, and probably illumination as well. Mitigation measures will need to be taken to address the noise and dust. Such mitigation measures are outlined by the both the *Wyandotte County Conservation District Letter, Dated June 15, 2021* and conditions of approval, found in the “Attachments” and “Staff Recommendation” sections of this report, respectively.

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

Earthen fill, grading, and other site preparation requires changes to the terrain, which can produce dust as earthen material is moved around or bury trash in the soil. Changes in the terrain also create changes in surface water flow, which can lead to erosion and/or water pollution. The applicant must follow the dust and soil erosion mitigation measures outlined by Staff and the Wyandotte County Conservation District in the “Staff Comments and Suggestions”, “Staff Recommendation”, and “Attachments” sections of this report.

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

The subject property is filled with trees and grasses that may have to be removed during grading or other site preparation work. There was clearly a previous building(s) on the subject property, as evidenced by footing, fire hydrants, and remaining construction materials. As the intent is to raise the level of the land above the floodplain, this proposed grading and site preparation will certainly be much greater in scale and have a greater impact on the local environment. Future development must comply with all landscaping requirements.

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

Site preparation is a necessary step in developing a property for more intense use. While the process itself can be messy, dusty, and noisy, the end result ideally is beneficial relative to the negative externalities imposed on surrounding properties during the proposed work. Grading and site preparation plans have been provided as part of approval of this Special Use Permit in order to ensure the overall development is relatively beneficial.

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

The applicant has stated that the entire project will take approximately 3,700 truck trips over the course of 12 to 18 months. This averages out to about 10 trips per day, and the applicant has further stated that there will be no more than 40 truck trips in a single day. Truck trips will be limited between 8 AM and 4 PM, Monday through Friday. Given this information, the proposed use will not result in overcrowding of land or cause undue concentrations of population.

PREVIOUS ACTIONS

N/A

NEIGHBORHOOD MEETING

The applicant allowed comments and questions from neighbors until June 28, 2021, via email and phone. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Dust
Erosion
Grading Plan
Illumination
Noise
Right-of-Way Access
Site Preparation Plan
Soil Addition Plan
Tracking Gravel onto the Right-of-Way

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-057 **for two (2) years**, subject to:

- 1) **The applicant must undertake the following mitigation measures: rumble strips and/or other mitigation measures must be installed at all entry/exit points from the subject properties to the public right-of-way in order to keep dirt and gravel from tracking onto the road; and dust produced by the earth moving must be kept down and prevented from leaving the airspace of the subject property through the deployment of misters and/or other dust mitigation devices and techniques;**
- 2) **Repair any damage that occurs to adjacent property owners, curbs, sidewalks and utilities;**
- 3) **The proposed grading work will last no longer than 18 months and will average 10 truck-trips per day, with no more than 40 truck-trips on any single day;**
- 4) **Hours of hauling will be from 8:00 AM to 4:00 PM, Monday through Friday;**
- 5) **The net volume of earthen material is estimated to be 72,536 cubic yards, and shall not exceed 75,000 cubic yards;**
- 6) **In order to prevent an exacerbation of erosion due to the subject property sitting undeveloped, trees that are removed or damaged within the full course of the grading process must be replaced as a windbreak, and seed cover must be planted after the grading is complete;**
- 7) **Copies of both permits, Kansas land disturbance permit and LOMAR, must be received by Planning Engineering prior to issuance of a land disturbance permit.**
- 8) **According to Sec. 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced**

- until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;
- 9) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Any illumination that results from use of the parking lot shall not be seen or otherwise impact adjacent residential uses;
 - 10) Prior to any work beginning on site, site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Section 8-610 through Section 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
 - 11) Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
 - 12) 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;
 - 13) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,

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

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2021-057** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of the Property Provided by Staff, Dated June 20, 2021
Landscaping Requirements for the Property Provided by Staff
Photos of the Property Submitted by the Applicant
Plat Map Provided by the Applicant
Demolition Plan Provided by the Applicant
Grading Plan Provided by the Applicant
Erosion Control Plan Provided by the Applicant
Site Drainage Letter to Staff, Dated March 4, 2021
Wyandotte County Conservation District Letter, Dated June 15, 2021
Neighborhood Meeting Materials, Dated June 28, 2021

REVIEW OF INFORMATION AND SCHEDULE

Action	<u>Planning Commission</u>	<u>Unified Government Commission</u>
Public Hearing		
Special Use	July 12, 2021 Approval	July 29, 2021

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-057** as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff report, and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-057**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

Hearing starts at 2:08:15:

SPECIAL USE PERMIT APPLICATION SP2021-057 – MKEC ENGINEERING, INC. – SYNOPSIS: Special Use Permit for an earthen dirt fill at 1930 South 74th Street.

Detailed Outline of Requested Action: The applicant, Phillip Henning with MKEC Engineering, Inc. is requesting a Special Use Permit for earthen fill to raise the elevation of the terrain at 1930 South 74th Street and to bring the property out of the floodplain. Raising the terrain is part of the work needed to prepare the property for an unknown future development.

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

Code Enforcement History: There is one (1) outstanding violation recorded at the property. The subject property was cited on May 18, 2021 with a Stop Work Order for grading/excavating without a permit. The subject property has been previously cited by Code Enforcement for having illegal material in earthen fill on May 17, 2021.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;

6. The Notice in the Wyandotte Echo;
7. The Notices to property owners.

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

Present in Support:

- Brian Hochstein, MKEC Engineering, applicant, 11827 West 112th Street, Suite 200, Overland Park, Kansas 66210

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:17:25: Planning Director Hand stated that this is a Special Use Permit for earthen fill to raise the property out of the floodplain and prepare for future development. He stated that this is not speculative and when the Change of Zone and Plan Review applications are submitted, staff will have a better understanding the proposed project. This property is in the Turner neighborhood. Director Hand stated that there are several conditions of approval in the staff report to prevent tracking of debris in and out of the site, as well as to control dust during the grading operations. He further stated that a condition of approval was added that the applicant would be responsible for any damage to adjacent properties, curbs, sidewalks and utilities reducing the significant amount of truck traffic proposed. Because they are bringing in a large amount of fill, conditions of approval were added such as no more than 40 trucks per day, deliveries are restricted to Monday through Friday from 8:00 a.m. to 4:00 p.m., and no more than 75,000 cubic yards of total fill is allowed. Staff has asked the applicant to preserve as many of the trees as possible and part of the mitigation is reseeded the property. Regarding the applicant's questions on Condition #7, that condition should be modified to state:

7. Copies of both permits, Kansas land disturbance permit and LOMAR, must be received by Planning Engineering prior to issuance of a land disturbance permit.

Staff has received no letters in support nor opposition and there was a stop-work order placed on the property, which this Special Use Permit will effectively rectify. Staff recommends approval, subject to the conditions in the staff report and the revised Condition #7.

Motion and Vote starts at 2:25:35:

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL** of Special Use Permit **SP2021-057 for two (2) years:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Aye

Ernst	Aye
Huey	Not Present
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Not Present

Motion to recommend APPROVAL Passed: 6 to 0

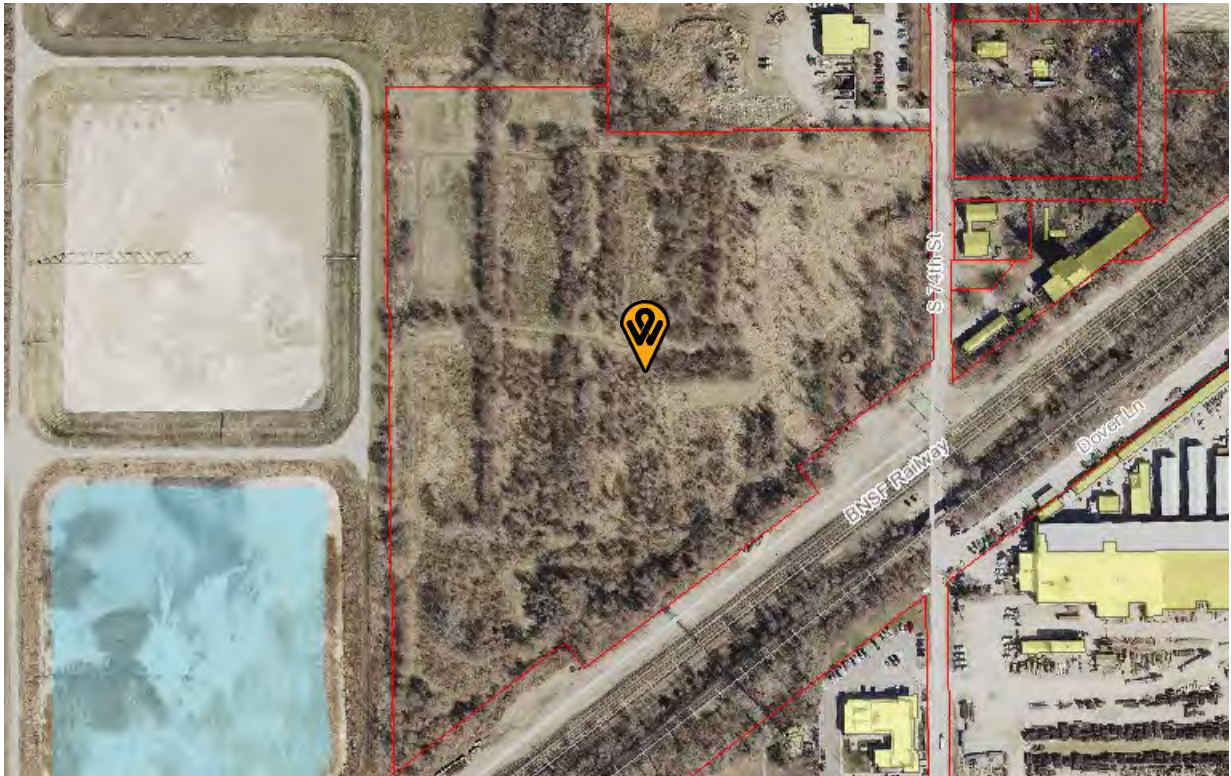
Subject to:

- 1) The applicant must undertake the following mitigation measures: rumble strips and/or other mitigation measures must be installed at all entry/exit points from the subject properties to the public right-of-way in order to keep dirt and gravel from tracking onto the road; and dust produced by the earth moving must be kept down and prevented from leaving the airspace of the subject property through the deployment of misters and/or other dust mitigation devices and techniques;**
- 2) Repair any damage that occurs to adjacent property owners, curbs, sidewalks and utilities;**
- 3) The proposed grading work will last no longer than 18 months and will average 10 truck-trips per day, with no more than 40 truck-trips on any single day;**
- 4) Hours of hauling will be from 8:00 AM to 4:00 PM, Monday through Friday;**
- 5) The net volume of earthen material is estimated to be 72,536 cubic yards, and shall not exceed 75,000 cubic yards;**
- 6) In order to prevent an exacerbation of erosion due to the subject property sitting undeveloped, trees that are removed or damaged within the full course of the grading process must be replaced as a windbreak, and seed cover must be planted after the grading is complete;**
- 7) Copies of both permits, Kansas land disturbance permit and LOMAR, must be received by Planning Engineering prior to issuance of a land disturbance permit.**
- 8) According to Sec. 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;**
- 9) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Any illumination that results from use of the parking lot shall not be seen or otherwise impact adjacent residential uses;**
- 10) Prior to any work beginning on site, site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Section 8-610 through Section 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101,**

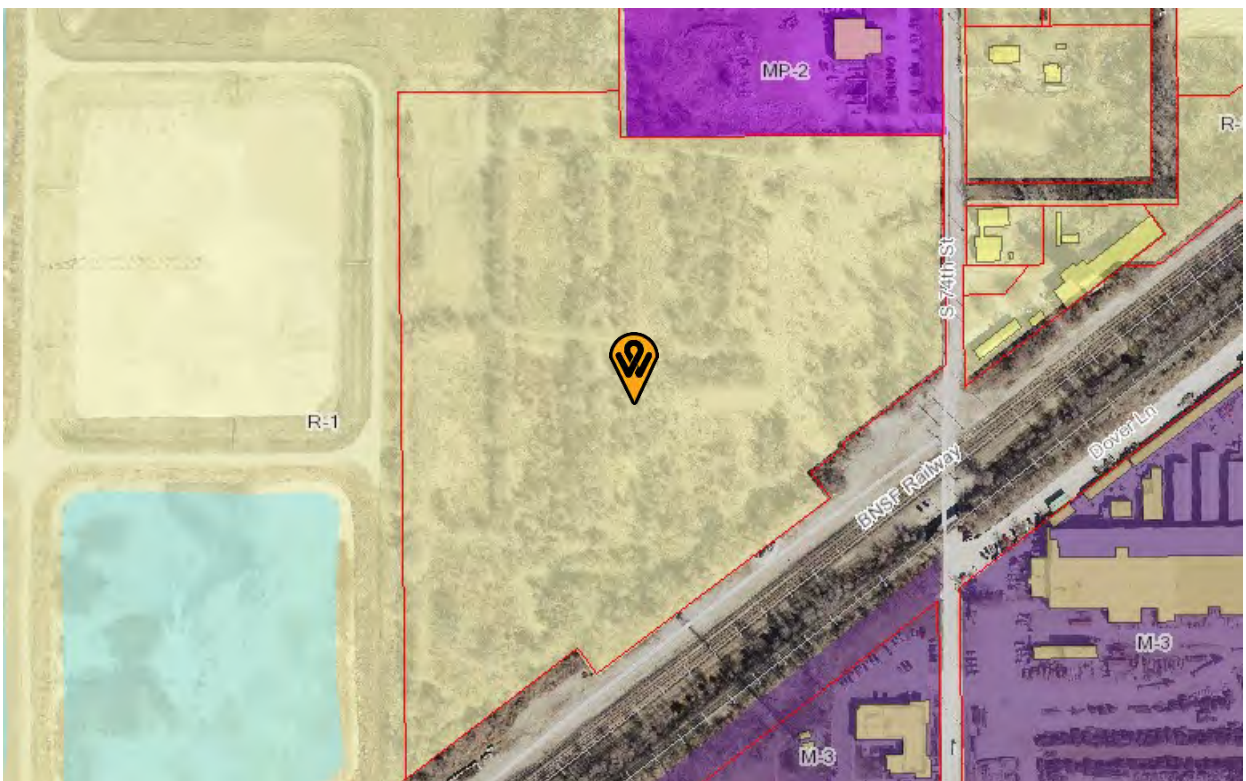
(913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;

- 11) Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
- 12) 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;
- 13) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
- 14) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

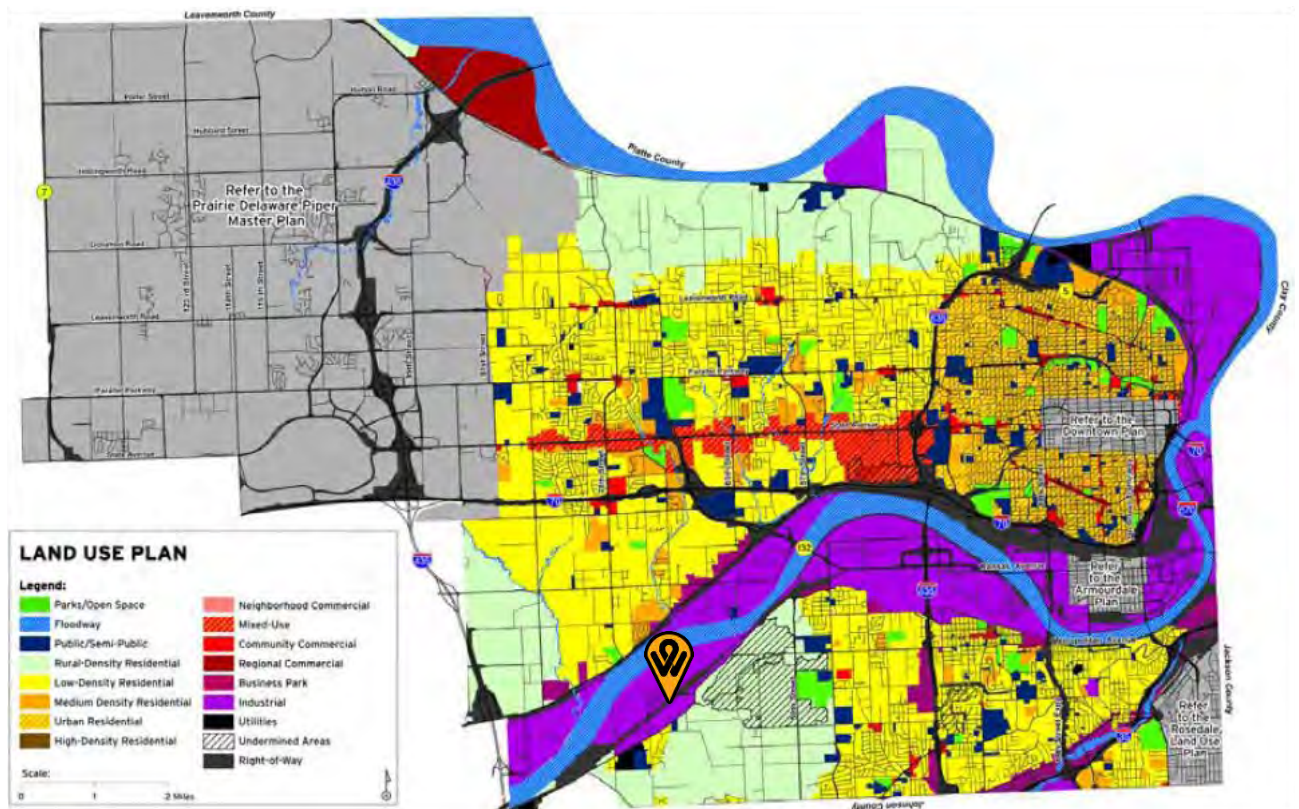
AERIAL MAP



ZONING MAP



LAND USE MAP



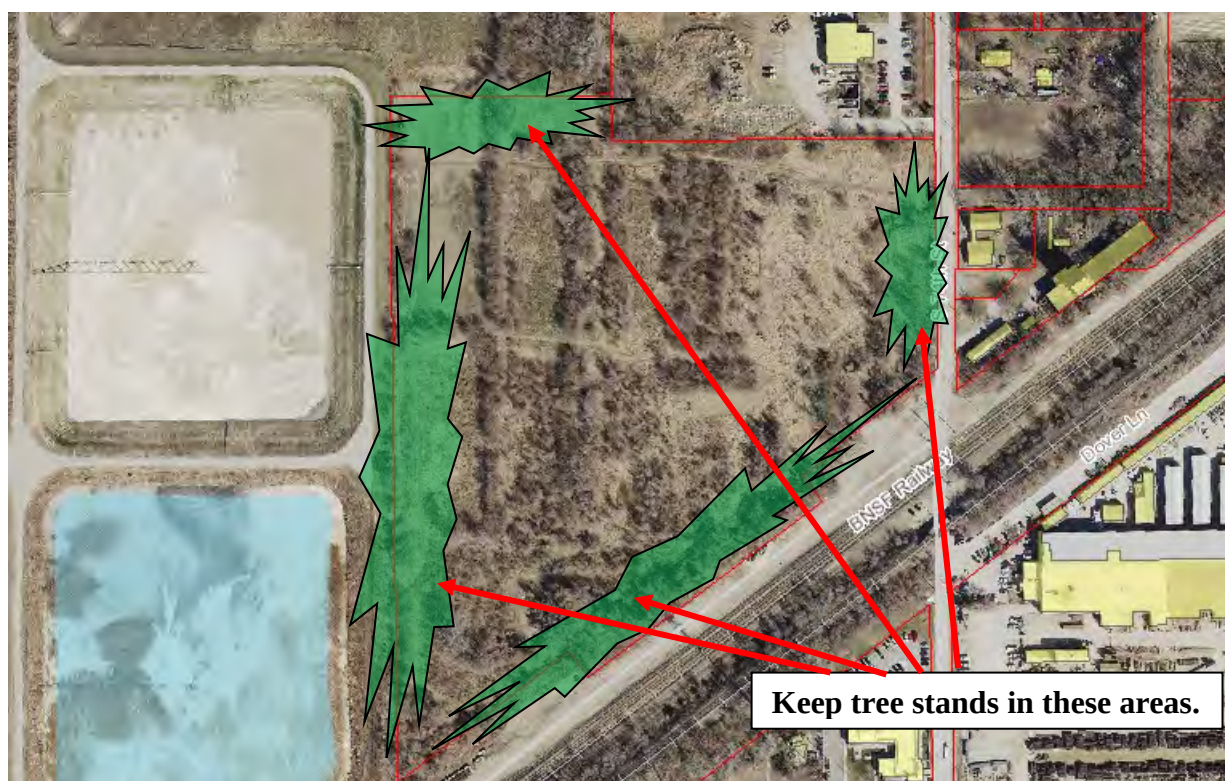
PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED JUNE 20, 2021



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED JUNE 20, 2021, CONT.



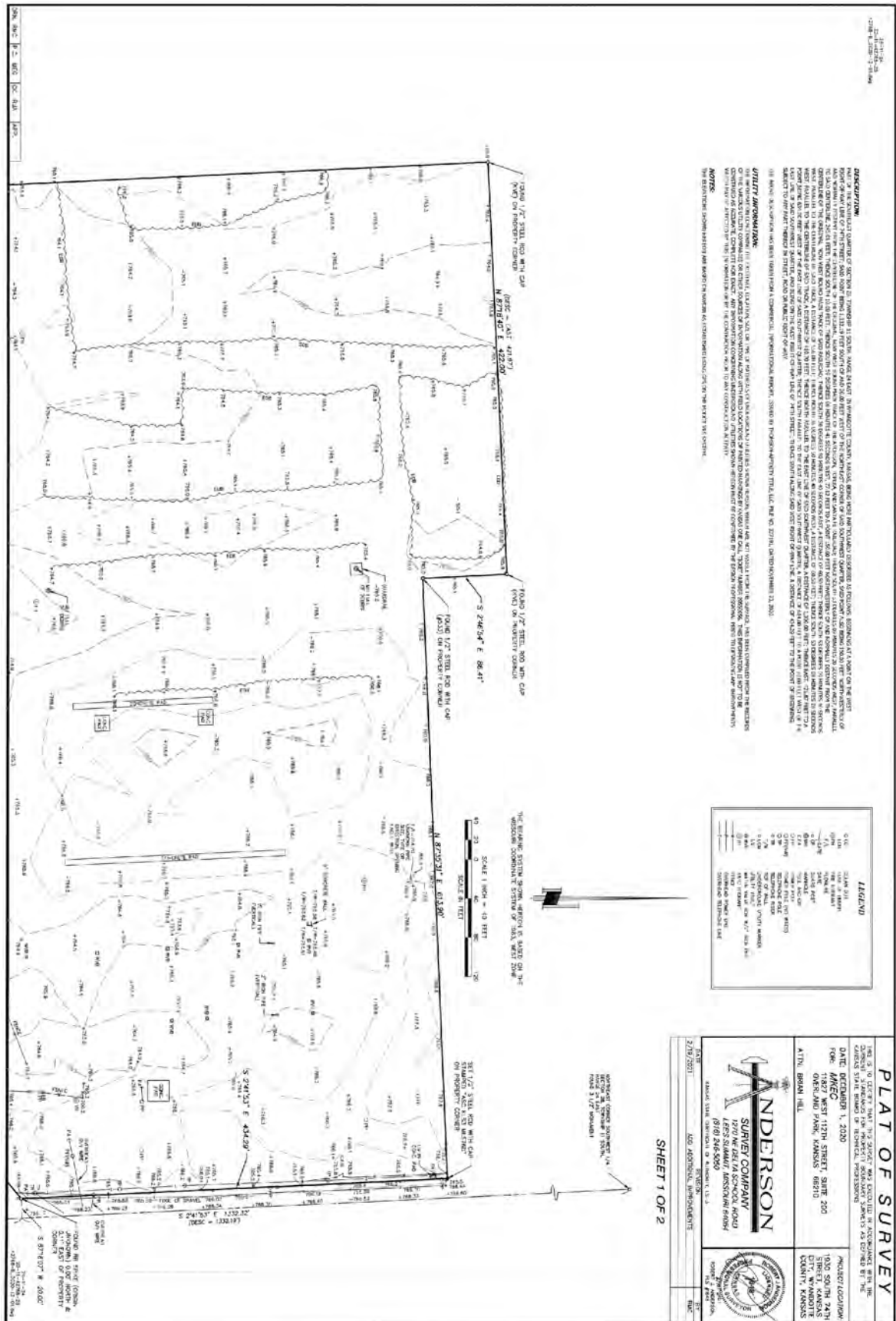
LANDSCAPING REQUIREMENTS FOR THE PROPERTY PROVIDED BY STAFF

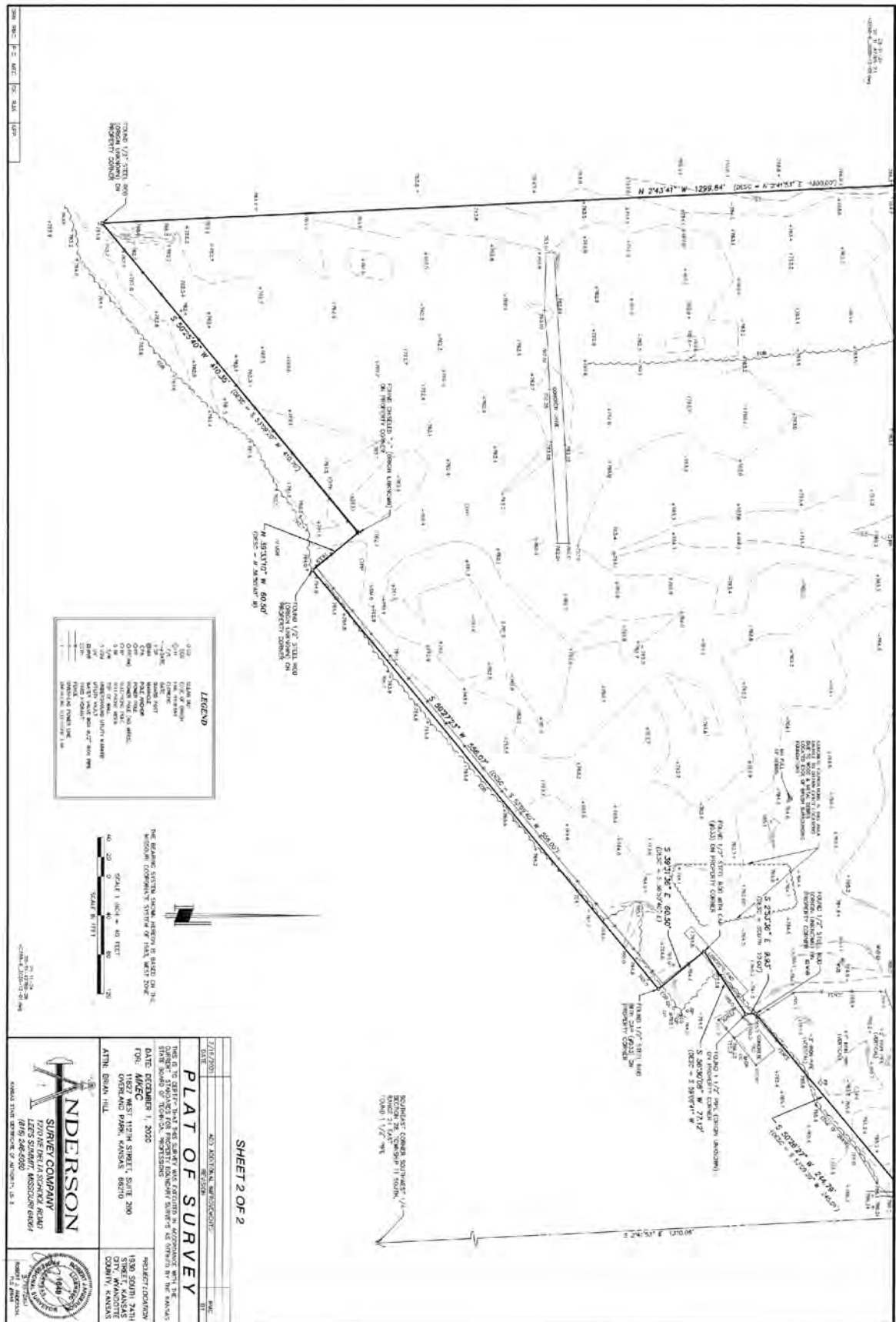


PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT



PLAT MAP PROVIDED BY THE APPLICANT

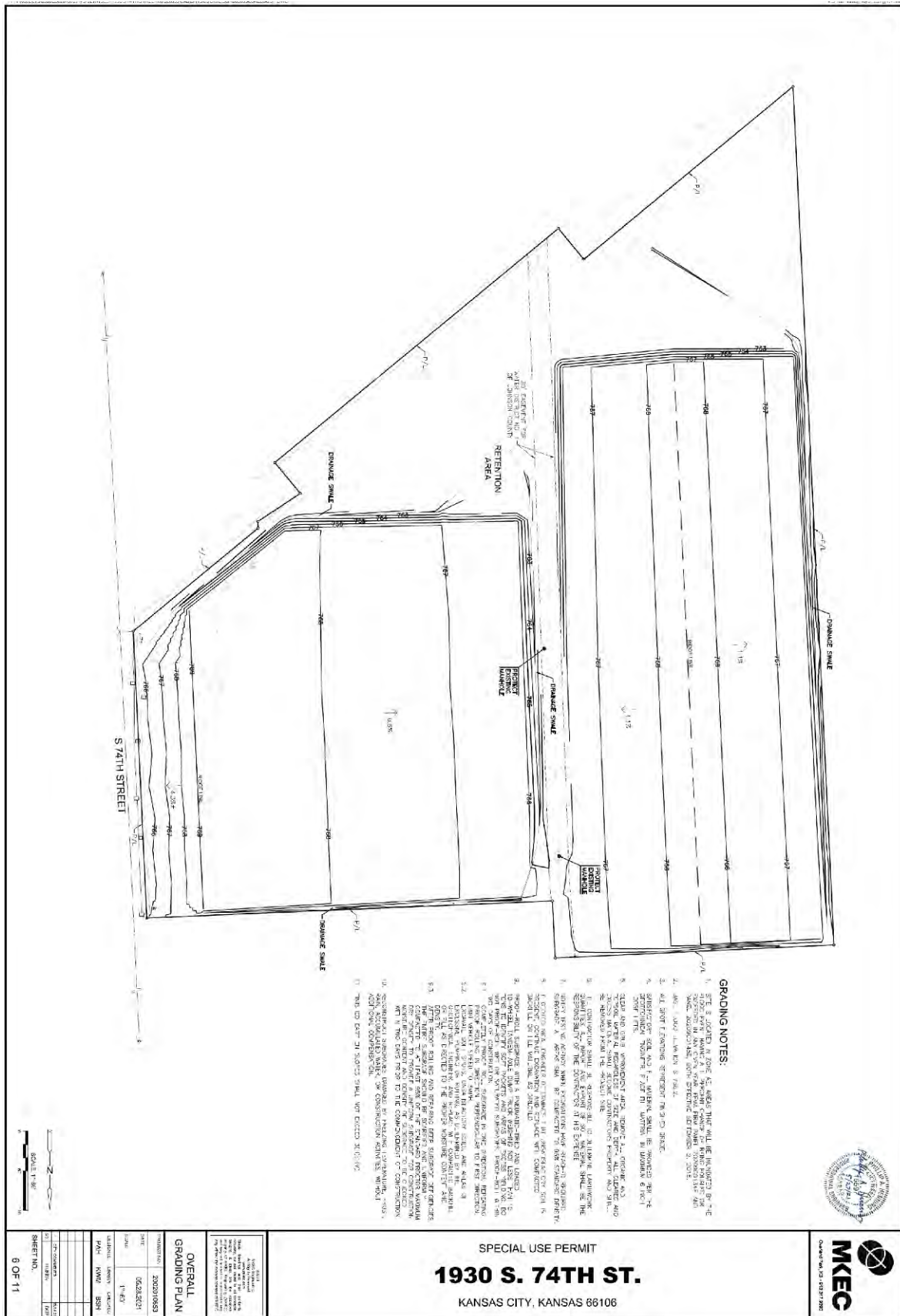




21



GRADING PLAN PROVIDED BY THE APPLICANT



P-PROJECTS20252024-0617 VS SERVICE-100572TH STREET106-20600 CADASHYRES DOWNSHIP40455352024PJOWD



SITE DRAINAGE LETTER TO STAFF, DATED MARCH 4, 2021



March 4, 2021

Martin Ntonjira
Urban Planning and Land Use
701 N 7th Street, Suite 423
Kansas City, Kansas 66101

RE: VS Services 1930 Site
1930 S 74th Street, Kansas City, KS 66106
Drainage Letter

Dear Mr. Ntonjira,

MKEC Engineering, Inc. has analyzed the drainage conditions for the proposed improvements at the VS Services 1930 Site, 1930 S 74th Street in Kansas City, Ks. Earthen fill will be imported to the site to raise it out of the FEMA designated floodplain. The intent of the project is to create a pad ready site for future construction. No buildings or pavement will be constructed at this time. Our analysis compares the existing drainage patterns of the site to the proposed drainage patterns based on the site improvements.

Existing Conditions

The existing site is approximately 21.1 acres and is located just south of the Kansas River. It is unclear what was previously constructed on the site but there are fire hydrants, water connections, and miscellaneous concrete pads scattered across the acreage. The entire site is located in zone AE, areas that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. This is shown on FEMA FIRM Panels 20209C0134E and 20209C0145E, both effective September 2, 2015. The base flood elevation is shown to be approximately 766.2.

Storm water runoff on-site generally drains to the south, towards the existing railroad right-of-way. The majority of the site is lower than the surrounding area and with no real outlet, storm water runoff generally ponds on the site. At this time, no drainage problems are known to exist in the area.

Proposed Conditions

The purpose of this project is to clear the site and place fill to bring a large portion of the site out of the floodplain for future development. At this time, no impervious area will be added to the site - the runoff will not be increased. The flow patterns will remain with the site still draining to the south and ponding near the railroad right-of-way. Since there is no increase in storm water flows, no grading for retention ponds will be performed with this project.

Conclusions

This is an earthwork project that will produce a pad ready site for future development. Imperviousness of the site will not increase but rather decrease a small amount with the removal of the miscellaneous concrete pads. Storm water peak runoff will not change nor will the existing drainage patterns for the site. Future site improvements will need to re-evaluate the site for appropriate storm water management.

Prior to any fill being brought onto the site, proper approval will be obtained through FEMA and the State of Kansas to allow for fill within the floodplain.

Please let me know if you have any questions.

Sincerely,

MKEC Engineering, Inc.

A handwritten signature in blue ink that reads "Phillip A. Henning". The signature is written in a cursive, flowing style.

Phillip A. Henning, P.E.

Cc: VS Services



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

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

June 15, 2021

RE: SP2021-057 Phillip Henning earth fill at 1930 South 74th Street

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: SP2021-057 Phillip Henning earth fill at 1930 South 74th Street.

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

MAPS AND REPORTS

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

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

- There are two major soil type identified: Eudora-Bismarckgrove silt loam, occasionally flooded and Stonehouse-Eudora fine sandy loams, overwash, occasionally flooded. These soil types are considered erodible when the surface is denuded of a protective cover.
- This site has had some dumping already. The material is sandy loam material and is subject to wind erosion. The material needs to be leveled off and mulched and seeded immediately.
- Any chemical spills need to be cleaned up immediately.
- The contaminated water can flow into the river through sand layers.
- Keep as much of the ground cover as possible to control wind erosion.
- Drought increases wind erosion concerns.

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

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

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

Sincerely,

Cheri Miller
District Manager

enclosures

NEIGHBORHOOD MEETING MATERIALS, DATED JUNE 28, 2021



June 17, 2021

CERTIFIED MAIL

REFERENCE: Neighborhood Input in Lieu of Public Meeting for Property Located at:
1930 S 74th Street, Kansas City, KS 66106

Dear Property Owner:

A Special Use Permit has been applied for on property located at 1930 S 74th Street (Unified Government #SP2021-057). The purpose of this letter is to inform you of the proposed work to be performed at the site and allow you to comment either by telephone or email.

The property at 1930 S 74th Street is to be cleared of vegetation and any previous improvements. Earthen fill will be brought to the property to raise it out of the existing floodplain. All work will be completed in accordance with City and State requirements. Areas of the property will be raised by approximately 4 feet and the improvements will not affect the current drainage patterns or increase runoff volume. The result of said improvements will be pad ready sites for development, but no development is planned at this time. Please see the attached drawing for reference.

We welcome any questions, concerns, or comments regarding this project from you. Please contact Phil Henning at (913) 317-9390 or by email at phenning@mkec.com. All questions and comments must be received no later than June 28, 2021 to be considered a part of the record submitted to the Unified Government for the Special Use Permit approval.

Sincerely,

MKEC ENGINEERING, INC.

A handwritten signature in blue ink that reads "Phillip A. Henning". The signature is written in a cursive style.

Phillip A. Henning, PE
Civil Engineer

Attachment

11827 W. 112th St., Ste. 200 • Overland Park, KS 66210 • T 913.317.9390 • F 913.317.9385 • MKEC.COM



NEIGHBORHOOD MEETING MATERIALS, DATED JUNE 28, 2021, CONT.



**1930 Sout 74th Street
Neighborhood Letter Minutes**

EVENT:	Neighborhood Letter
LOCATION:	
PROJECT:	Earthen Fill at 1930 S 74 th Street
DATE:	06-28-2021

Meeting Attendees: See Attached Letter and Distribution List

Letter Summary:

A letter was sent to all residents within 200 feet of the propoerty on June 17th, 2021. The letter stated that the property in question will be cleared of vegetation and previous improvements and earthen fill will be brought in to raise the property out of the existing floodplain. Contact information was given as well as the date that responses should sent by.

Resident's Comments:

As of the end of the day, Monday June 28, 2021, no phone calls or emails have been received.

AFFIDAVIT – NEIGHBORHOOD LETTER

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now Phillip A. Henning, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition #SP2021-057.
2. That I sent a letter to all the people in the area detailing the project and provided my phone number and email address.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Phillip A. Henning
Affiant

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

My commission expires _____ of _____, 200_.

Notary Public



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: July 29, 2021

Re: Petition SP2021-058

GENERAL INFORMATION

Applicant:
Laura Sanchez

Status of Applicant:
Owner
3800 Weaver Court
Kansas City, Kansas 66104

Requested Action:
Renewal of a Special Use Permit (expires
August 29, 2021).

Date of Application:
May 28, 2021

Purpose:
To continue to operate a Homestead
Montessori Farm school within a residence.

Property Location:
3800 Weaver Court



Commission Districts:	Commissioner At Large: Melissa Bynum District #1 Commissioner: Gayle E. Townsend
Existing Zoning:	R-1(B) Single Family District
Adjacent Zoning:	North: R-1(B) Single Family District South: R-1(B) Single Family District East: R-1(B) Single Family District West: R-1(B) Single Family District
Adjacent Uses:	North: Single family home and undeveloped lot South: Single family home East: Large wooded, undeveloped land West: Single family homes
Total Tract Size:	0.66 Acre
Master Plan Area:	City-Wide Master Plan
Master Plan Designation:	The Master Plan designates this property as Low Density Residential, which allows single family detached residences, institutional uses such as elementary and middle schools, small churches (less than 50,000 square feet), libraries, parks, open space, etc.
Major Street Plan:	The Major Street Plan classifies Weaver Court as a Local Street.
Required Parking:	Sec. 27-455(d) Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling. The garage and driveway can accommodate at least six (6) parking spaces; therefore, the use does not require additional parking.
Advertisement:	<u>The Wyandotte Echo</u> – June 17, 2021 Letters to Property Owner – June 16, 2021 and July 20, 2021
Public Hearings:	July 12, 2021 and July 29, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Laura Sanchez filed for a Special Use Permit to continue to operate Homestead Montessori Farm School, a day school for up to twelve (12) students, ages 5 – 18 during school hours (8:00 AM to 4:00 PM) at the applicant's primary residence.

City Ordinance Requirements: 27-592 through 27-606

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

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The property is within an established single-family neighborhood, located west of Quindaro Park.

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

The zoning and uses of properties nearby are set out above. The presence of a day school is not uncommon in residences within an established neighborhood, however, on- street parking is the most common complaint.

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

The property was developed as a residence and is located in an exclusively residential neighborhood. By continuing to allow a commercial use in the neighborhood, there are some changes to the neighborhood to be expected such as the increase in traffic for pickup or drop-off.

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

The property is not vacant. The applicant lives in the residence.

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

Special Use Permits are not addressed in the Master Plan. Planned Low Density Residential allows single-family detached residences and institutional uses such as elementary and middle schools.

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

During the initial application, the applicant indicated that most students carpooled from The Legends. This should alleviate any possible concerns for overcrowding or increased traffic.

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

A Montessori school is not a necessity for a traditional residential neighborhood. The continued presence of chickens and bees, while legal, does add elements that could potentially cause problems with neighbors in the future. The applicant indicates that she would like to add six (6) more chickens in the future (12 total), however, a variance is necessary because the property is less than one (1) acre.

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

The only noise expected is the normal outdoor noises children make when playing outside, again during normal school hours. In a neighborhood, this is to be expected, but the concentration of children on a regular basis may create problems for the neighbors.

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

This is not expected to be an issue if the applicant continues to maintain and clean the chicken coop.

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing single-family residence in a single-family neighborhood.

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

There is a potential for the school to affect the neighbors, issues with traffic, parking, or animals, but with proper planning and communication most issues could be easily minimized or resolved if managed properly. Overall a Montessori schools offers a unique approach to education that could be beneficial to the community.

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

The Montessori school will operate from 8:00 to 4:00 PM. This is the time that most residents are at work or running errands, pre-COVID. When the

neighborhood is full after people have returned home for the evening, the children will be gone. Therefore, overcrowding is not a concern.

PREVIOUS ACTIONS

SP-2019-91 was approved for two (2) years by the Unified Government Board of Commissioners on August 29, 2021.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 26, 2021 by in person at 3800 Weaver Court. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise
Animals
Acreage
Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-058 for **five (5) years**, subject to:

1. In the future, to have more than six (6) chickens and/or pygmy goats, a variance must be applied for because the property is less than one (1) acre. The appeal must be approved by the Board of Zoning Appeals, so you may file an application for a variance at the same time as a Special Use Permit application to keep livestock is filed. Sec. 27-593(a)(10) Fowl, keeping of permitted fowl in lots not zoned agricultural:
 - a. Closer than 25 feet to the nearest portion of any building occupied by or in any way used by human beings, other than the dwelling occupied by the owner or keeper of the animals, fowl, or closer than ten (10) feet to the property line of the lot.
 - b. Exceeding a total of six (6) fowl regardless of lot size;
2. No signage advertising the school shall be posted on the property;
3. Per the applicant, the teacher student ratio shall not exceed 1:12;
4. Hours of operation shall be from 8:00 AM to 4:00 PM.
5. Per Business Licensing Division:
 - a. If approved, the applicant will need to file and maintain a current business occupation tax application with this office;
6. Conditions of approval from 2019 (#SP-2019-91):
 - a. Staff wants to remind Applicant that if the Montessori school were to move locations within Kansas City, she would need to reapply for a

- Special Use Permit, regardless of the timing of her most recent permit obtained or renewed.
- b. The back yard is entirely fenced. The animals are in the fenced area inside a coop in the back yard.
 - c. The applicant currently has six (6) children enrolled and does not wish to have more than twelve (12) students to keep the student to teacher ratio low for optimum interaction with students.
 - d. A Home Occupancy Special Use Permit allows for limited commercial use of a residential building, but the use of the building and the property is fundamentally residential. This is proven by the fact that if the Special Use Permit were revoked, expired, or not renewed, use of the primary structure on the property would revert back and could only be residential;
7. 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;
8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
9. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2021-058** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Applicant Response Letter
Neighborhood Meeting Minutes
Business Plan
Site Photographs Provided by the Applicant
Site Photographs Provided by Staff dated June 17, 2021.

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	July 12, 2021	July 29, 2021
Special Use	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-058** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-058**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION SP2021-058 – LAURA L. SANCHEZ –

SYNOPSIS: Renewal of a Home Occupation Special Use Permit (SP-2019-91 – expires 8/27/2021) for a Homestead Montessori Farm School at 3800 Weaver Court.

Detailed Outline of Requested Action: The applicant, Laura Sanchez filed for a Special Use Permit to continue to operate Homestead Montessori Farm School, a day school for up to twelve (12) students, ages 5 – 18 during school hours (8:00 AM to 4:00 PM) at the applicant's primary residence.

City Ordinance Requirements: 27-592 through 27-606

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

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items?" No one responded in the affirmative.

"Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publications in The Echo for the Special Use Permits; and,
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone requests that an item be removed from the Consent Agenda."

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. Planning Director Hand requested that Plan Review Application PR2021-014 be removed from the Consent Agenda.

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to **APPROVE** the remaining items on the Consent Agenda:

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

Pauley **Not Present**
Motion to APPROVE Passed: 6 to 0
Subject to:

- 1. In the future, to have more than six (6) chickens and/or pygmy goats, a variance must be applied for because the property is less than one (1) acre. The appeal must be approved by the Board of Zoning Appeals, so you may file an application for a variance at the same time as a Special Use Permit application to keep livestock is filed. Sec. 27-593(a)(10) Fowl, keeping of permitted fowl in lots not zoned agricultural:**
 - a. Closer than 25 feet to the nearest portion of any building occupied by or in any way used by human beings, other than the dwelling occupied by the owner or keeper of the animals, fowl, or closer than ten (10) feet to the property line of the lot.**
 - b. Exceeding a total of six (6) fowl regardless of lot size;**
- 2. No signage advertising the school shall be posted on the property;**
- 3. Per the applicant, the teacher student ratio shall not exceed 1:12;**
- 4. Hours of operation shall be from 8:00 AM to 4:00 PM.**
- 5. Per Business Licensing Division:**
 - a. If approved, the applicant will need to file and maintain a current business occupation tax application with this office;**
- 6. Conditions of approval from 2019 (#SP-2019-91):**
 - a. Staff wants to remind Applicant that if the Montessori school were to move locations within Kansas City, she would need to reapply for a Special Use Permit, regardless of the timing of her most recent permit obtained or renewed.**
 - b. The back yard is entirely fenced. The animals are in the fenced area inside a coop in the back yard.**
 - c. The applicant currently has six (6) children enrolled and does not wish to have more than twelve (12) students to keep the student to teacher ratio low for optimum interaction with students.**
 - d. A Home Occupancy Special Use Permit allows for limited commercial use of a residential building, but the use of the building and the property is fundamentally residential. This is proven by the fact that if the Special Use Permit were revoked, expired, or not renewed, use of the primary structure on the property would revert back and could only be residential;**
- 7. 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;**
- 8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the**

- petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
9. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved



Figure 1. Aerial Photograph of 3800 Weaver Court (provided by UG Maps).



Figure 2. Zoning Map of 3800 Weaver Court (provided by UG Maps).

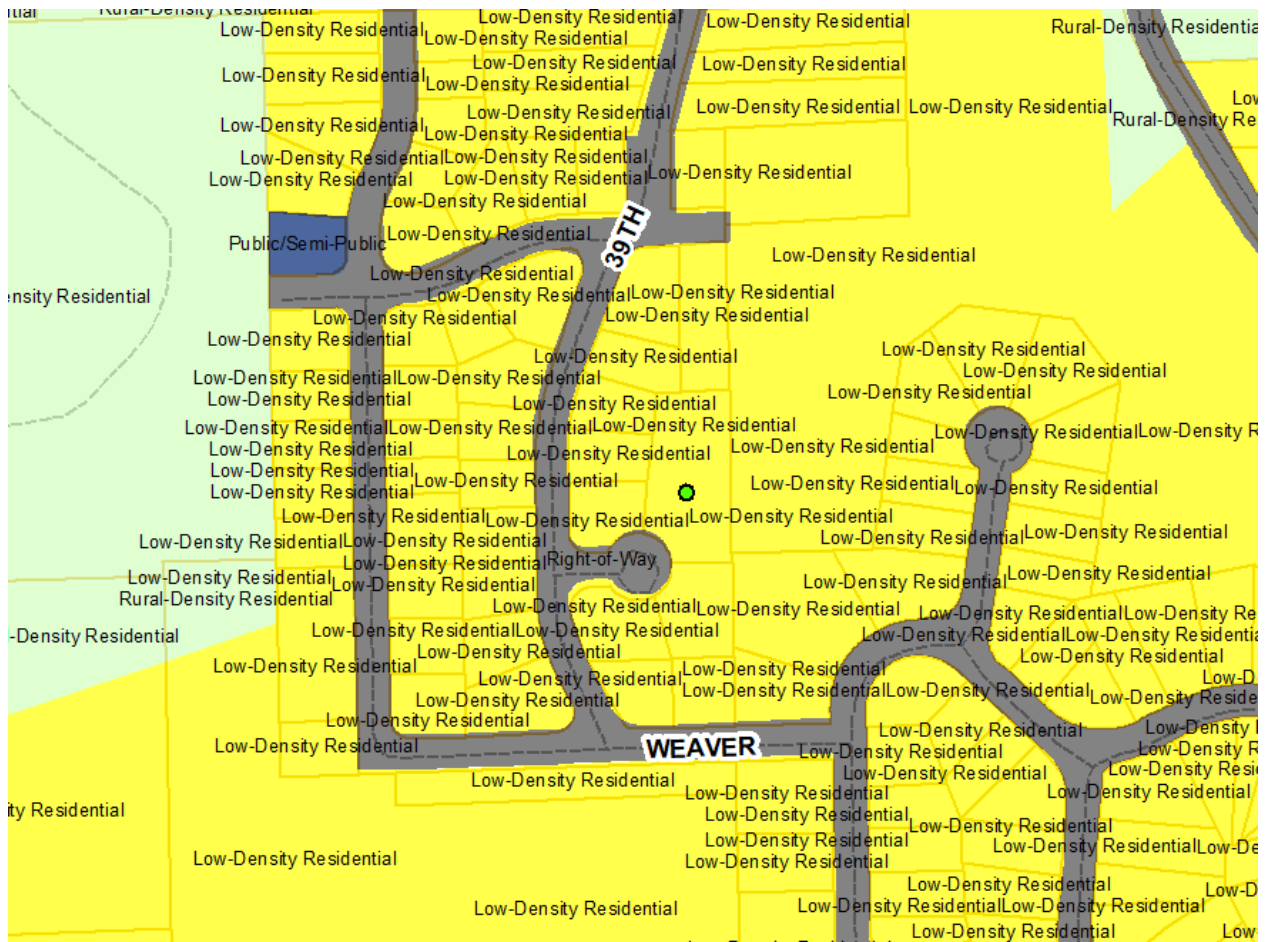


Figure 3. City-Wide Master Plan Land Use Map (provided by ArcMap).

Answer to Staff Comments and suggestions:

1. I asked at the time of filing if it would slow the process for my application to add the request for additional chickens and goats. The answer was "No" because I was renewing my permit. They even went back and talked to the supervisor and said I could combine the request on the same form to save me money and them paperwork. I talked with Tony Sabljak at length. We even had a discussion about my chicken permit. He told me that I didn't need a chicken permit for 6 or less chickens. I disagreed and informed him that I have paid two year's worth of fees for 6 chickens. So, I will withdraw that part of my request if it will hold up my permit. I told Mr. Sabljak I did not want to put that in my application if it would hold up my permit as I already have students registered for next year.
2. I will withdraw my request for the goats and will look to lease property for the goats. It is very frustrating to have to go to great lengths to make accommodations when there are horses, cows, sheep, and roosters all within comfortable walking distance from my house. This may be a low-density residential area but there are many animals that are grandfathered into my neighborhood. My property is backed by 11 acres of woodland. There is little if any view of my backyard. If I erected a privacy fence on the west side of my property there would be no view of my backyard at all.
3. Not necessary if I amend my request.
4. 2/3rd of an acre is sizeable for the size of the animals in question the chicken coop is over 25' off of the property line and more than 25' from any dwelling.
5. The only change in business was to include part time students due to Covid. The teacher to student ratio never exceeds 1:12.
6. Less than or equal to 1:12.
7. Yes, I have raised goats and livestock before. My animals and property are kept in pristine condition. Pygmy goats are smaller than my immediate neighbor's dogs. Goats are domesticated, as are dogs. They do not bark all day or at night like some of my neighbor's dogs. An added bonus is that their droppings are useful in our gardening. I have raised goats at two previous employers and was responsible for all veterinary care. I formerly had 10 acres in Texas with 5 horses, 2 dogs, 2 rabbits, 1 cat, 2 African geese and 30 chickens and performed all animal husbandry required for those animals. I previously had two goats on this property as a single woman to help maintain the huge backyard until an at-large Pit Bull climbed my fencing and killed one of my goats while I was at work. I took the other goat to live at my workplace with other goats. At the time, neither the animal control nor police officers told me I could not have goats.
8. There have been no complaints from my neighbors at all. In fact, they love getting honey, vegetables and fresh eggs. My students have gone on a neighborhood trash clean up as well.
9. Laura is licensed as a school director in Missouri for 100+ children and up to 100 children in Kansas. She has been a school teacher for 17 years. She is an American Montessori Society licensed teacher.
10. Hours of Operation are 8:00 am to 4:00 pm. Parents drop off and pick up at those times. There is no before or after care.
11. Most people do not even know we are here.
12. Noted
13. I am asking to renew my permit for 5 years.

Application Number **SP2021-058**

Date and Location: June 26, 2021

3800 Weaver Ct, Kansas City KS 66104

Meeting called to order at: 6:00 p.m.

Names of people in attendance: Alex and Laura Sanchez

Notes from Neighborhood Meeting 6/26/2021 for Special Use Permit #SP 2021-058, held at 3800 Weaver Ct, Kansas City KS 66104.

The Meeting was held from 6:00 pm to 7:00 pm. There were no attendees other than Alex and Laura Sanchez. Laura prepared light refreshments and drinks. Laura had a video and two-year's worth of school yearbooks for the neighbors to view.

The only phone call received from the notices that were sent out was from Harry Nge, who misunderstood the reason for the notice. He thought he had to testify for something. Laura explained that this was a renewal for a special use permit for a private in-home school. He said he didn't even know that we had a school in the neighborhood and that he had 5 and 7-year old children. He said that he would check out the website for the school.

Laura spoke with Karen Byers (3801 Weaver Ct.) later in the evening and she said she forgot the meeting, but that she was not opposed.



Meeting adjourned at: 7:00 pm

Minutes taken by: Laura Sanchez

[illegible]



HOMESTEAD Montessori Farm School

Homestead is a school that offers small, engaging classes with individualized instruction. Using the Montessori farm school model, students learn science, history, math, language and practical life skills in a hands-on immersive environment.

Students have the opportunity to learn outside the classroom several times a month. They will learn about the Arts, Business, Nature, and have a greater understanding of the world around them.



Now Enrolling Grades 1st through 9th.
www.homesteadmontessori.com
Call 816-820-7005
Head Directress - Laura L Sanchez



Private School Business Plan – Executive Summary

Homestead Montessori Farm School is a private school that will be located in a quiet residential neighborhood in Kansas City, Kansas, United States of America. We are a Montessori private school that is composed of elementary (first through sixth grade) and secondary (seventh through 12th grade) that will be predominantly funded through tuition fees and levies from students and of course from other private sources.

Homestead Montessori is a student-focused and result driven private school that provides broad-based learning approaches and experience at and reasonable tuition that is affordable for families with multiple children.

We will offer standard and professional teaching services in a peaceful, homelike and conducive learning environment to all our students. We will ensure that we work hard to meet and surpass all our parents' expectations and educational goals for their child.

At Homestead Montessori Farm School, our students' overall best interest would always come first, and everything we do is guided by our values and professional ethics. We will ensure that we hire teachers that are Montessori certified, experienced and passionate in imparting knowledge to students at various learning levels.

Homestead Montessori will at all time demonstrate their commitment to sustainability, both individually and as an educational organization, by actively participating in our communities and integrating sustainable business practices wherever possible.

We will ensure that we hold ourselves accountable to the highest standards by meeting our students' needs precisely and completely. We will cultivate a working environment that provides a human, sustainable approach to earning a living, and living in our world, for our partners, employees and for our students.

We have plans to offer payment plans to families who may not be able to afford full tuition through fund-raising efforts. Our overall business goal is to position our small private school to eventually be able to purchase a larger tract of land and grow the school to be able to serve more families within the first 7 years of operations.

This might look too large a dream but we are optimistic that the surrounding areas are interested in a hands-on Montessori approach school since there are so few in the area that offer elementary through high school programs. There are many primary Montessori schools that could feed into our program.

Homestead Montessori Farm School is founded by Mrs. Laura L Sanchez. She has been working with children for 30+ years. She began as a Children's and Youth Pastor. After homeschooling her children for several years, she became a professional educator and has been teaching for 15+ years. She is a licensed Early Childhood director in Kansas and Missouri. Her passion for teaching is contagious and she endeavors to pass on the love for a life-time of learning.

- **Our Product and Services**

Homestead Montessori offers varieties of educational services within the scope of Montessori education. Our intention of starting our private school is to soundly educate our students in various subjects and of course to make profits from the educational industry to support our teaching staff, cover our yearly expenses and re-invest toward the goal of growing our program.

Our service offerings are listed below;

- Teaching basic reading, writing, grammar and literary skills using Montessori methods and materials
- Establishing foundations in science, mathematics, geography, history and other social sciences
- Constantly working hard to meet student benchmark skills on an individual student basis
- Administering private funding efforts
- Providing access to extracurricular activities such as 4-H and Erdkinder going-outs.
- Retailing of Educational Books and Materials created by Laura L Sanchez
- Erdkinder sales of plants, eggs, vegetables and honey, Donations to neighbors.

Our Vision Statement

Our vision is to create a safe, loving atmosphere where children are at ease and able to explore and absorb all the knowledge that they can. Using Montessori methods and materials we will allow our students the room to grow and investigate the world around them in hands-on practical applications. In a small hobby farm environment our students will learn to care for living things, learn about their world and learn a strong work ethic.

- **Our Mission Statement**

Our mission is to provide professional and inviting learning environment to students at different levels of learning. Our overall business goal is to position our small private school to eventually be able to purchase a larger tract of land and grow the school to be able to serve more families within the first 7 years of operations.

Our Business Structure

It is a known fact that, the success of any business is to a larger extent dependent on the business structure of the organization and the people who occupy the available roles in the organization. Homestead Montessori Farm School will build a solid business structure that can support the growth of our private school as it grows. Starting with 10 students that will be a manageable number for a small amount of staff until we begin to grow.

We will ensure that we hire competent hands (teaching and non – teaching staff members) to help us build the private school of our dream. The fact that we want to become one of the leading private Montessori schools in the area makes it highly necessary for our organization to deliberately build a well – structured business from the onset.

We will work hard to ensure that we only attract people with the right mindset to help us achieve our business goals and objectives in record time. Below is the business structure that we plan to use to build Homestead Montessori Farm School:

- Owner and Lead Teacher (School Directress)
- Montessori Trained Teachers
- Assistant Teachers
- Parent Volunteers & Advisors
- Accountant

Roles and Responsibilities

Owner and Lead Teacher / School Directress:

- Responsible for providing direction for the school
- Creates, communicates, and implements the organization's vision, mission, and overall direction
- Responsible for handling tours and attracting new clients
- Responsible for fixing fees and signing business documents
- Responsible for signing checks and documents on behalf of the school
- Responsible for overseeing the smooth running of administrative tasks for the school
- Designs job descriptions teachers
- Regularly hold meetings with parents to review the effectiveness of the schools' Policies, Procedures and Processes
- Maintains supplies by checking stocks; placing and expediting orders; evaluating new products.
- Ensures operation of equipment by completing preventive maintenance requirements; calling for repairs.
- Defines job positions for recruitment and managing interviewing process
- Carries out staff induction for new team members
- Responsible for training, evaluation and assessment of employees
- Responsible for arranging travel, meetings and appointments
- Updates job knowledge by participating in educational opportunities; reading professional publications; maintaining personal networks; participating in professional organizations.

- Oversees the smooth running of the daily activities of the private school.

Directress for Various Subjects – Erdkinder (seventh through 12th grade)

- Effectively teach subject / subjects as assigned by the school administrator
- Accesses the progress of students under their care
- Ensures that students abide by the rules and regulations of the private school
- Contributes his / her quota towards growing the private school
- Receives complaints from parents and channel it to the appropriate quarters
- Handle any other duty as assigned by the school administrator.

Directress for Various Subjects – Elementary (first through sixth grade)

- Effectively teach subject / subjects as assigned by the school administrator
- Teaching basic literacy and numeracy
- Establishing foundations in science, mathematics, geography, history and other social sciences
- Accesses the progress of students under their care
- Ensure that students abide by the rules and regulations of the school administrator
- Contributes his / her quota towards growing the private school
- Receives complaints from parents and channel it to the appropriate quarters
- Handles any other duty as assigned by the school administrator.

Accountant

- Responsible for preparing financial reports, budgets, and financial statements for the organization
- Provides managements with financial analyses, development budgets, and accounting reports; analyzes financial feasibility for the most complex proposed projects; conducts market research to forecast trends and business conditions.
- Responsible for financial forecasting and risks analysis.
- Performs cash management, general ledger accounting, and financial reporting for one or more properties.
- Responsible for developing and managing financial systems and policies
- Responsible for administering payrolls
- Ensures compliance with taxation legislation
- Handles all financial transactions for Homestead Montessori Farm School
- Serves as internal auditor for the school

Homestead Montessori Farm School Business Plan – SWOT Analysis

Homestead Montessori Farm School is being created to fill a need in the community. Since there are many early childhood schools in the Kansas counties of Johnson, Wyandotte, and

Douglas, but few elementary and secondary schools, there is a great need for the parents that would like for their children to continue their Montessori Education.

- **Strength:**

As a private school, our core strength lies in the power of our educational method and the passion for education of our teachers. We have an owner with years of education and experience in the Montessori Environment backed by parents that believe in her teaching ability and the care that her children receive. We are well positioned in a community with the right demography and we know we will attract more students from the day we open our doors and welcome additional students for enrollment.

- **Weakness:**

As a new private school in the area it may take time and effort for our organization to break into the market and gain acceptance via reputation in the already saturated education cum private schools industry; that is perhaps our major weakness that can be overcome by word-of-mouth experience and advertising.

- **Opportunities:**

The opportunities in the education cum private schools industry is massive considering the number of parents who would want their children to excel in their education and become happy productive citizens. As a Montessori private school, Homestead Montessori Farm School is ready to take advantage of any opportunity that comes their way.

- **Threat:**

Every business faces a threat or challenge at any part of the life cycle of the business. These threats can be external or internal. This shows the importance of a business plan, because most threats or challenges are to be anticipated and plans put in place to cushion what effect they might bring to the private school.

Some of the threats that we are likely going to face as a private school operating in the United States of America are unfavorable government policies or undue restrictions and regulations that might affect private schools, the arrival of a competitor within our location of operations and global economic downturn which usually affects spending/ purchasing power. There is hardly anything we can do as regards these threats other than to be optimistic that things will continue to work for our good and that we have favor with those in places of authority.

Private School Business Plan – MARKET ANALYSIS

- **Market Trends**

The trend in the private school line of business is that the key to attracting students is the educational performance and the pass rate of their students in national exams. Any private school that has good records will always thrive.

The demand for private schools is driven by the fact that most public cum government owned schools cannot accommodate every students or potential students in a given geographical location. In some cases, students with special needs cannot cope in public schools hence the need for private schools.

The economic downturn hasn't really affected this industry, especially in countries that believe in the efficacy of education. The areas you would need to spend heavily on is in curriculum and materials, staff salaries, your advertisements, and on insurance policy cover. 2020 was it's own challenge with early lock-downs and Covid 19.

- **Our Target Market**

Our target market as a private school cuts across students from varying income demographics. We are coming into the private school industry with a business concept that will enable us work with the students at different learning stages residing in the Johnson, Wyandotte and Jackson county area.

- **Our Competitive Advantage**

Indeed the private schools industry is highly competitive and the entry barriers are high. As a matter of fact, the private school industry is an industry in which it is pretty difficult for new entrants to establish themselves. With this, it is obvious that a new entrant in to the private school industry cannot offer this. Reputation indeed is imperative to parents' decisions when shopping for private school for their children. This is so because the quality of education cannot be assessed until well after it is complete. As a major marketing tool, schools need to show parents in a tangible manner that their students are excelling.

One of the most important elements in education is a consistent quality of service, the students should be able to experience remarkable difference and improvement and should be able to meet the expectations of both teacher and parents alike.

Homestead Montessori Farm School may be a new entrant into the education, but the owner of the school is considered a "jill-of-all-trades" or a "Renaissance Woman ". She is a core professional, licensed and trained Montessorian. This is part of what will count as a competitive advantage for us.

Lastly, our employees when they become necessary (teaching and non – teaching staff members) will be well paid, and their working environment will be among the best within our industry, meaning that they will be more than willing to build the business with us and help deliver our set goals and achieve all our business aims and objectives.

Private School Business Plan – SALES AND MARKETING STRATEGY

Our marketing currently consists of a website and word-of-mouth. We will also ensure that our students' love of learning speaks for us in the market place; we want to build a standard and first – class Montessori school that will leverage on word of mouth advertisement from satisfied clients (both individuals and corporate organizations).

Homestead Montessori Farm School is set to make use of the following marketing and sales strategies to attract clients;

- Print out fliers and business cards and strategically drop them in schools, libraries and even student organizations.
- Keep a user-friendly website, allowing parents to be able to look you up, and also allows you to interact and educate them.
- Use friends and family to spread word about our private school
- Post on bulletin boards in places like schools, libraries, and local coffee shops.
- Advertising online by using an advertising platform such as Google Adwords, that will allow us place text advertisements alongside on websites with related contents, and along results from search engines.
- Advertise our private school in relevant educational magazines, newspapers, TV stations, and radio station.
- Participate in relevant educational expos, seminars, and business fairs.
- Encourage word of mouth marketing from loyal and satisfied clients

Sources of Income

Homestead Montessori Farm School will maximize profits in the education cum private school industry and we will ensure that we do all it takes to attract students on a regular basis.

Sales Forecast

One thing is certain, there would always be parents and students who would need the services of private schools to be able to achieve their educational goals and as such the services of private schools will always be needed.

We are well positioned to take on the available market in Ashville – North Carolina and we are quite optimistic that we will meet our set target of generating enough income / profits from the first six month of operations and grow the private school and our student base.

Below is the sales projection for Homestead Montessori Farm School, it is based on the location of our tutorial center and of course the wide range of tutorial services that we will be offering;

- **First Fiscal Year-:** \$28,000 (4students)
- **Second Fiscal Year:** \$14,000 (2 families moved, 2 full-time students, opened enrichment program to homeschoolers)
- **Third Fiscal Year Goal:** \$49,000 (7 students)
- **Our Pricing Strategy**

Private schools in the United States of America and of course in all the parts of the world charge students per term / per session and students have the options of either paying their tuitions before resumption or during the school session. Private schools generally charge students based on loads of factors, locations, services offerings and extra – curricular activities et al

At Homestead Montessori Farm School we will keep our fees below the average market rate for all of our students by keeping our overhead low and by collecting payment in advance when able. In addition, we will also offer special discounted rates to all our students at regular intervals.

We are aware that there are some students that would need special assistance, we will offer flat rate for such services that will be tailored to take care of such students' needs.

- **Payment Options – 9 month, 12 month or lump-sum options**

Our payment policy will be all inclusive because we are quite aware that different people prefer different payment options as it suits them. Here are the payment options that we will make available to our clients;

- Payment via ACH
- Payment via check
- Payment via Venmo
- Payment with cash

Private School Business Plan – Financial Projections and Costing

In setting up a private school business, the amount or cost will depend on the approach and scale you want to undertake.

Homestead has chosen an in-home school to minimize the start-up costs.

However, this is what it would cost us to start Homestead Montessori Farm School in the United States of America;

- Business licensing fees in the United States of America will cost – **\$160.**
- The budget for Liability insurance, permits and license will cost – **\$1000**
- Rent for the school property **\$4050 / 9 Months**
- Equipping the classes with Montessori Materials – **\$8,000**
- Launching an official Website will cost – **\$200/year**
- The budget for the payment of salaries operations: **\$36,000/year**
- Additional Expenditure such as Shelves, tables, chairs, **\$2500**

Going by the market survey and feasibility studies conducted, we came to the conclusion that we will need an average of **\$20,000** to start our small scale but standard private school in Wyandotte County.

Generating Funding / Homestead Montessori Farm School

Homestead Montessori Farm School is a business that will be owned and managed by Mrs. Laura L Sanchez.

PRIVATE SCHOOL BUSINESS GROWTH: Sustainability and Expansion Strategy

One of our major goals of starting Homestead Montessori Farm School is to build a business that will survive off its own cash flow without the need for injecting finance from external sources once the business is officially running.

We know that one of the ways of gaining approval and winning customers (students and parents alike) over is to ensure that we offer nothing less than the best, to offer quality education to all our students so much so that they can favorably compete with students all over the United States and gain admission to the college of their choice.

Homestead Montessori Farm School will make sure that the right foundation, structures and processes are put in place to ensure that our staff welfare are well taken of.

Check List / Milestones

- Business Entity: **In Good Standing**
- Business Name Reserved: EIN 84-2140611
- Opening of Corporate Bank Accounts various banks in the United States: **Completed**
- Opening Online Payment Platforms: **Completed**
- Application and Obtaining FEIN: **Completed**
- Application for business license and permit: **Completed 2019**
- Purchase of All form of Insurance for the Business: **Completed** – Markle Ins.
- Securing a standard facility large enough to accommodate our design: **Completed**
- Generating part of the start – up capital from the founders: **Completed**
- Writing of Business Plan: **Completed**
- Drafting of Employee's Handbook: **Completed**
- Drafting of Contract Documents: **Completed**
- Design of The School Logo: **Completed**
- Graphic Designs and Printing of Packaging Marketing / Promotional Materials: **Completed Business Cards**
- Recruitment of employees: **Completed**
- Purchase of the Needed furniture, office equipment, electronic appliances and facility facelift: **Completed**
- Creating Official Website for the Tutorial School: **Completed**
- Creating Awareness for the school: **On-Going**
- Health and Safety and Fire Safety Arrangement: **Completed**
- Establishing business relationship with vendors and key players in the education industry: **On-Going**











Figure 4. Site Photograph of 3800 Weaver Court (provided by Staff).



Figure 5. Site Photograph of 3800 Weaver Court (provided by Staff).



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: July 29, 2021
Re: Petition VAC2021-007

GENERAL INFORMATION

Applicant:
Blair Thedinger

Status of Applicant:
Owner
448 Shawnee Road
Kansas City, KS 66103

Requested Action:
To approve an alley vacation.

Date of Application:
May 28, 2021

Purpose:
To improve driveway access to the property.

Property Location:
415 Stine Avenue
Kansas City, KS 66103

Commission District:
Commissioner At Large: Tom Burroughs
District #3 Commissioner: Christian Ramirez



Existing Zoning:	R-2(B) Two Family District
Adjacent Zoning:	North: R-2(B) Two Family District South: R-2(B) Two Family District East: R-2(B) Two Family District West: R-2(B) Two Family District
Adjacent Uses:	North: Single family homes South: Undeveloped land East: Single family homes West: Single family homes
Neighborhood Characteristics:	The neighborhood is residential in nature, comprised of single-family homes and undeveloped land.
Total Tract Size:	0.0459 Acre
Master Plan Area:	City-Wide Master Plan
Master Plan Designation:	The Master Plan designates this property as Low Density Residential, which allows single family detached residences, institutional uses such as elementary and middle schools, small churches (less than 50,000 square feet), libraries, parks, open space, etc.
Major Street Plan:	The Major Street Plan classifies Stine Avenue and Shawnee Road as Local Streets.
Required Parking:	Sec. 27-457(d) One parking space for each dwelling unit shall be provided on the premises. No parking is required for this entitlement, or that provided parking is not applicable.
Advertisement:	<u>Wyandotte Echo</u> – June 17, 2021 Letters to Property Owners – June 16, 2021 and July 23, 2021
Public Hearings:	July 12, 2021 and July 29, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Blair Thedinger wants to vacate a portion of the alley between 415 Stine Avenue and 1417 South 5th Street to allow for greater access for the driveway to Mr. Thedinger's property.

City Ordinance Requirements: Article XXI Sections 27-502 – 27-709 and K.S.A. 12-504 to 12-506 and 12-512b.

Code Enforcement History: Property Maintenance Compliance Division inspected the property on June 4, 2021, on an enforcement complaint, however, no further information is provided in the record (CMP21-1156).

FACTORS TO BE CONSIDERED

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

Development is of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or other adversity because the portion of right-of-way within the alley is owned on both sides by the applicant.

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

- a. ***Water service***

Water service is provided by BPU.

- b. ***Sanitary sewer service***

Sanitary sewer service is provided by the UG.

- c. ***Storm water control***

To be designed to meet City Code.

- d. ***Police***

Police service provided by South Patrol, District #335.

- e. ***Fire***

Fire service provided by Station #10 located at West 36th Avenue and Rainbow Boulevard.

f. Transit

Kansas City ATA does not provide transit service near this property. The closest stop is located at South 7th Street and Stine Avenue, approximately ¼-mile southwest, Route #107.

g. Schools

Public education is provided by Kansas City Kansas USD 500.

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

Stine Avenue is existing and already designed so as to provide a safe, convenient and functional system for vehicular traffic, and having such width, gradient location and structural quality as to accommodate prospective traffic, however Public Works Department or the County Surveyor may make additional comments.

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

This vacation will close access on South 5th Street; however, the applicant/owner owns the parcels on either side of the proposed vacated alley. The parcels that are owned by the applicant should be consolidated. The alley to the south will remain, which allows access to the rear two (2) parcels along Garnett Avenue.

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

Development patterns are existing with single family homes within this established residential neighborhood. No future development is proposed within the area, so nature features of the land and vegetation is being maintained. The site is partially developed, as the applicant uses a portion of 1417 South 5th Street for urban farming/hobby gardening.

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

There are no sites for schools, parks, playground or other community services because this is an alley vacation, which only impacts the applicant's property.

7. Vacation will not create utility conflicts.

The Public Works Department is reviewing if there are utility conflicts within the alley.

KEY ISSUES

Future Access

Site Access

Public Works Department Comments

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Vacation Application VAC2021-007, 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;
2. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing, or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,
3. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Vacation Petition **VAC2021-007** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Applicant's Letter
Applicant Response Letter
Vacation Exhibit
Vacation Exhibit from 2018 (#A-2018-5 - Approved)
Site Photographs taken by Staff dated June 17, 2021.

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	July 12, 2021	July 29, 2021
Vacation	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **VAC2021-007** as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **VAC2021-007**, as they are not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

Hearing starts at 2:27:00:

VACATION APPLICATION VAC2021-007 – BLAIR THEDINGER - SYNOPSIS:

Vacation of an alley at 415 Stine Avenue.

Detailed Outline of Requested Action: The applicant, Blair Thedinger wants to vacate a portion of the alley between 415 Stine Avenue and 1417 South 5th Street to allow for greater access for the driveway to Mr. Thedinger's property.

City Ordinance Requirements: Article XXI Sections 27-502 – 27-709 and K.S.A. 12-504 to 12-506 and 12-512b.

Code Enforcement History: Property Maintenance Compliance Division inspected the property on June 4, 2021, on an enforcement complaint, however, no further information is provided in the record (CMP21-1156).

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Blair Thedinger, 448 Shawnee Road, Kansas City, Kansas 66103

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:33:18: Planning Director Hand stated this application is for a vacation of a portion of an alley that has already been partially vacated. He stated that this area along Shawnee Road runs along the ridge with single family homes on either side of it, and alleys are uncommon or impractical as platted. The applicant owns most of the property around the alley in question. He further stated that staff has received no letters in support nor opposition, and there are some historic violations. Staff has one (1) condition which is the right of the city to re-enter the property, if necessary, for the purpose of repairing, installing, constructing, or

reconstructing any public utilities. If this property is vacated, it will be deeded over to the applicant, and he can install a gate if he chooses. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 2:35:16:

On motion by Mr. Ernst, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Vacation Application VAC2021-007:**

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

Motion to RECOMMEND APPROVAL Passed: 6 to 0

Subject to:

- 1. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;**
- 2. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing, or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,**
- 3. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable.**



Figure 1. Aerial Photograph of 415 Stine Avenue (provided by UG Maps).



Figure 2. Zoning Map for 415 Stine Avenue (provided by UG Maps).



Figure 2. City-Wide Master Plan Land Use Map (provided by ArcMap).

Alley Vacation:

Blair Thedinger

State why, in your opinion, the requested action(s) are justified?

The alley that runs between 415 Stine and 1417 S 5th St is a narrow gravel road. This alley allows access to my property including my primary residence and my house at 444 Shawnee Rd. I have already applied for and had approval of vacation of large segment of this alley. This was the portion that was bordered on both sides by my property. I have since acquired the property at 415 Stine so that the remaining segment of the alley is now completely bordered on both sides by property that I own. No other properties besides property owned by my wife and I are serviced by this alley. I am applying to have this final segment of alley vacated for 2 primary reasons:

1. The entrance to the alley from South 5th street repeatedly washes out due to regular use and rainstorms. The entrance is a slope, and the gravel simply does not stay in place. The gravel and "chip and seal" material that city works department has placed in the alley end up washing down South 5th st and there are large pot-holes at the entrance of the alley. These make entry into the alley from South 5th impossible for most passenger cars. This is the primary access for my house. My wife's car has been damaged trying to enter from this direction. The other entrance / exit is a sloped drive (now my property after vacation) to Stine Ave. This is accessible for much of the year, but whenever there is snow or ice, it is not safe. It is steep and goes right out onto Stine. When snow or ice are present there is a chance of sliding out onto Stine. There was a period in February this year where my wife's car care was unable to leave or enter our driveway due to this.

The city public works department has resurfaced the alley with "chip and seal" in the last 2 years. However, the very first part of the alley entrance from South 5th quickly began to wash out again. I would like to have a more permanent concrete pad placed in this area to allow reliable year round access. In order to make this improvement I want to have the alley Vacated to me.

2. The second issue is safety for my children while they are playing. I have an orchard on the property on 1417 S 5th and the partly forested area on 415 Stine Ave. My children play in these areas. I supervise them while playing because there are stray dogs in my neighborhood. There are also occasional "joy-riders" who ride dirt bikes or "go-carts" through the alley at high speeds. There are also vagrants who transit through the alley including people who have been intoxicated and disruptive. I already have a fence around the lot of 1417 S 5th St. I will be building a fence around 415 Stine Ave. I would also like to place a gate at both entrances to the alley / driveway that allows access to my home. This would prevent dogs from entering and discourage people from trespassing on my property.

Toy, Byron

From: Blair Thedinger <thedingerblair@gmail.com>
Sent: Tuesday, June 22, 2021 5:11 PM
To: Parker, Janet
Cc: Toy, Byron
Subject: Re: VAC2021-007 Draft Staff Report

Byron,

Thank you for the comments. I have responded below:

1. I do intend to combine 1417 South 5th Street and 415 Stine Avenue together. I may need a reminder on how I start that process
2. I will submit payment for the ordinance publication fee. It sounds like I will wait till after the meeting, but I am ready to pay when I need to.
3. I understand the the City reserve the right to access the property for any utilities within the alley
4. I shall comply

I see that there are no recommendations on the draft report.

Is there anything else that is needed from me before this can be considered?

Thank you again,

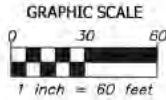
Blair Thedinger

On Mon, Jun 21, 2021 at 1:58 PM Parker, Janet <jparker@wycokck.org> wrote:

Attached are the “draft” comments on this application. Please submit additional information/requested plans **electronically** to EDR@wycokck.org by **Monday, June 28, 2021**, at 12:00 Noon. Failure to respond will result in the case being held over for one month or a recommendation of denial.

NOTE: This application **will not** appear on any agenda until Public Works and Planning comments are resolved. Please email your Planner listed below regarding Planning comments and Martin Ntonjira for engineering questions, at mntonjira@wycokck.org.

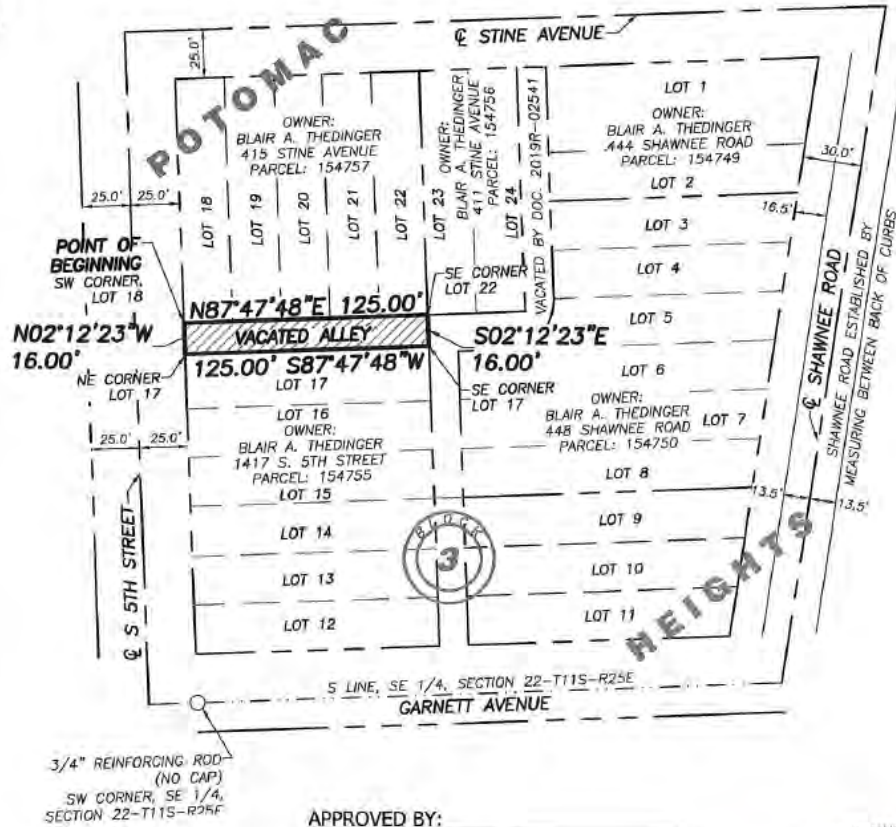
Jun 09, 2021 - 1:17pm Plotted by: greg.wuckowitch i:\026270 448 Shawnee Rd KCK Alley Vacation\DWG\Survey\026270-SRVY-EHBT-ALLY.dwg



EXHIBIT

ALLEY VACATION

MAP (SEE SHEET 2 FOR DESCRIPTION)



APPROVED BY: _____

LEGEND

- Found Survey Monument
- ⊙ Center Line
- DOC. Document Number

L. Allen Greenwood, KS P.L.S. 654
Deputy County Surveyor



Sheet: 1 OF 2	Drawn By: GJW Project No: 026270 Field Date: 06/08/2018 Issue Date: 06/12/2018	Project: EXHIBIT - ALLEY VACATION PART OF ALLEY IN BLOCK 3 POTOMAC HEIGHTS WYANDOTTE COUNTY, KANSAS CITY, KANSAS	Client: BLAIR THEDINGER 448 SHAWNEE ROAD KANSAS CITY, KS 66103	 CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
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I:\026270 448 Shawnee Rd KCK Alley Vacation\DWG\Survey\026270 Exhibit.dwg Jun 13, 2018 - 7:44am Plotted by: greg.wuckowitch

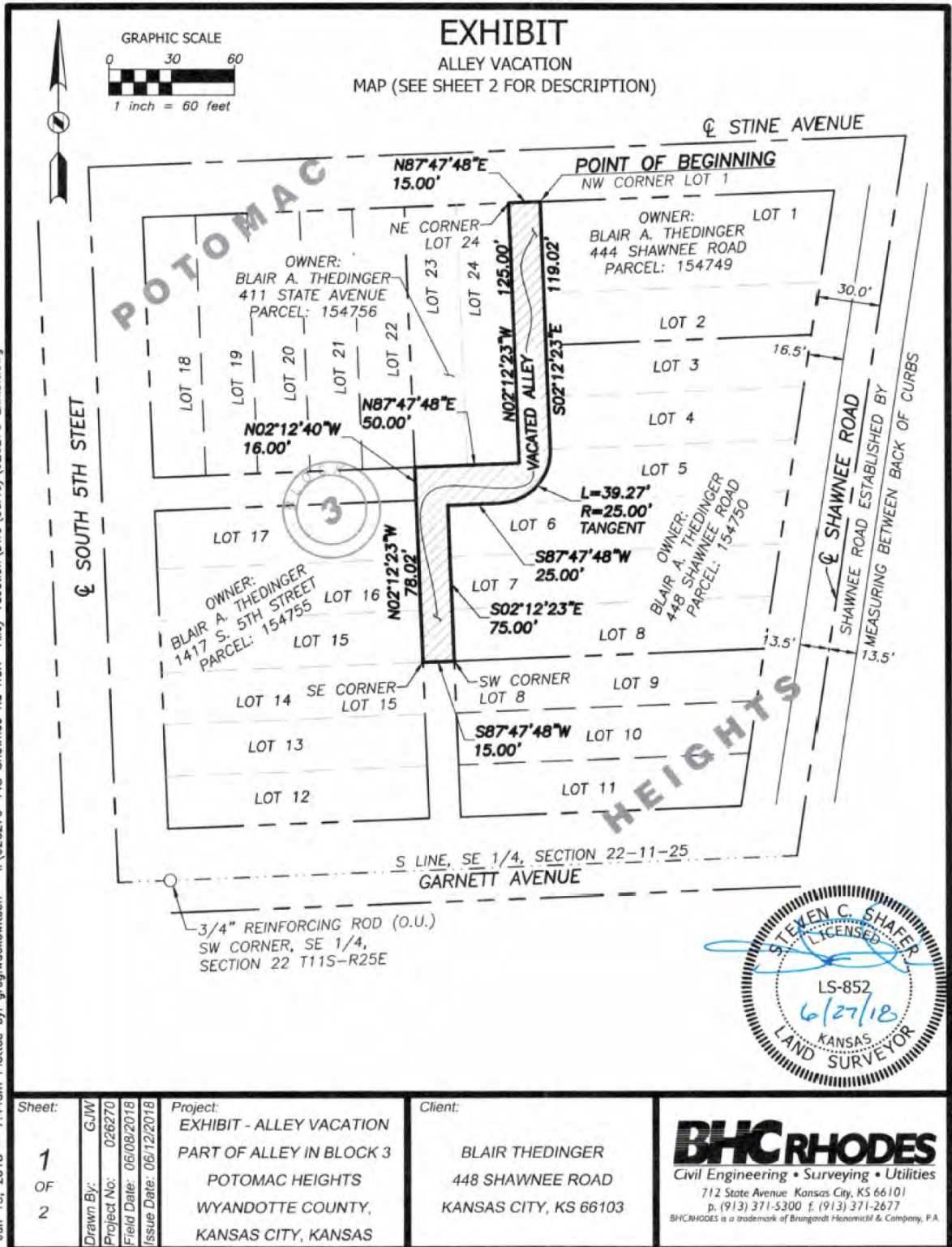




Figure 3. Site Photograph of the alley 415 Stine Avenue (provided by Staff).



Figure 4. Site Photograph of the alley 415 Stine Avenue (provided by Staff).



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: July 29, 2021

Re: PR2021-017

GENERAL INFORMATION

Applicant:
Staci Bowen

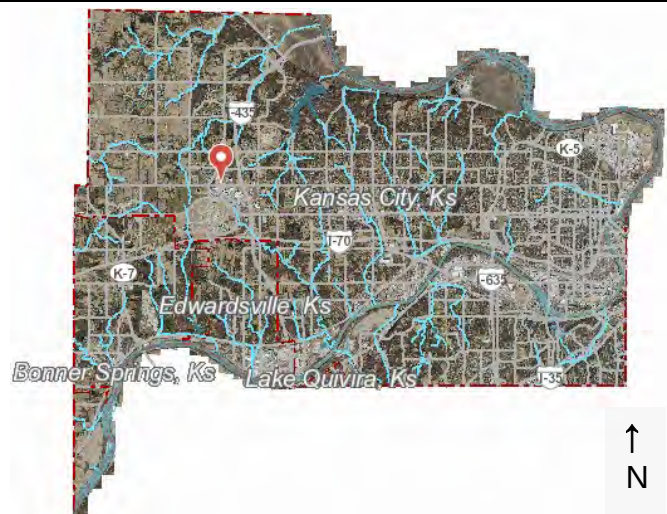
Status of Applicant:
Representative
KMO Burger, LLC
12720 Hillcrest Road, Suite 650
Dallas, Texas 75230

Requested Actions:
Approval of a Preliminary Plan Review.

Date of Application:
May 24, 2021

Purpose:
A Preliminary Plan Review for the redevelopment of Lot 47 in the Plaza at the Speedway.

Property Location:
10780 Parallel Parkway
Kansas City, Kansas 66109



Commission District:	Commissioner At Large: Melissa Bynum District #5 Commissioner: Mike Kane
Existing Zoning:	CP-2 Planned General Commercial District
Adjacent Zoning:	North: CP-2 Planned General Commercial District South: CP-2 Planned General Commercial District East: CP-2 Planned General Commercial District West: CP-2 Planned General Commercial District
Adjacent Uses:	North: Gas station; Undeveloped land South: Parking lot East: Commercial business West: Multi-tenant commercial businesses
Neighborhood Characteristics:	The subject property is within the Legends/Kansas Speedway area. The neighborhood is defined by large commercial buildings, business campuses, hotels, sports and entertainment facilities, parking lots, and close proximity to two (2) interstates (I-435 and I-70) and two (2) major roadways (State Avenue and Parallel Parkway).
Total Tract Size:	1.44 Acres
Master Plan Area:	Piper-Delaware-Piper Master Plan Area
Master Plan Designation:	The Prairie-Delaware-Piper Master Plan designates the property as Planned Commercial. The Planned Commercial land use designation is not identified in the Prairie-Delaware-Piper Area Master Plan other than in the "Map 11: Future Land Use" legend.
Major Street Plan:	The Major Street Plan classifies Parallel Parkway as a Class A Thoroughfare.
Required Parking:	Section 27-466(e) requires four (4) spaces per 1,000 square feet of floor area in the building. Section 27-668(a)(5) requires one (1) space for each 50 square feet of seating area plus one (1) space for each remaining 300 square feet of total floor area. The new proposed restaurant building is 3,751 square feet of floor space and will have 42 parking spaces, two (2) of which will be ADA-compliant. This exceeds the

required 32 parking spaces for the restaurant, given its seating area and remaining area.

Advertisement:	<u>The Wyandotte Echo</u> – June 17, 2021 Letters to Property Owners – June 17, 2021 and July 23, 2021
Public Hearings:	July 12, 2021 and July 29, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Staci Bowen with KMO Burger, LLC, is requesting a Preliminary Plan Review for the redevelopment of a parcel within The Legends/Plaza at the Speedway. The parcel is addressed as 10780 Parallel Parkway and is designated as Lot 47 within the Plaza at the Speedway scheme. The proposed building will be a 3,751-square-foot fast food restaurant, which is replacing a 6,726-square-foot sit-down restaurant.

City Ordinance Requirements: Article VI Sections 27-196 – 27-209, 27-212

Zoning Enforcement Issues: There are no outstanding Notices of Violation attached to this property. The subject property has not been previously cited by Property Maintenance Compliance.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Legends/Speedway area of Kansas City. The subject property is officially within the I-435 Statistical Neighborhood and is not within a Neighborhood Group. The neighborhood is defined by large commercial buildings, business campuses, hotels, sports and entertainment facilities, parking lots, and close proximity to two (2) interstates (I-435 and I-70) and two (2) major roadways (State Avenue and Parallel Parkway).

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

The transition from a sit-down restaurant to a fast-food restaurant with a drive-thru will likely increase both the frequency of vehicles entering or exiting the property and the total number of vehicles visiting the property daily. Staff recommends a revised parking and traffic plan that allows a single-direction, counter-clockwise flow of traffic throughout the parcel. To achieve this flow, traffic

must exit the subject property through the parcel to the east, and then access the private road to the north through this neighboring parcel's parking lot. The applicant should look to the Staff comments in both the "Staff Comments" and "Attachments" sections of this report for further details. Beyond the scope of the subject property and The Plaza, there is less of a concern. The public roads in the Legends/Kansas Speedway Entertainment District have been designed to accommodate heavy vehicle traffic due to much larger events at the adjacent speedway.

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

The Prairie-Delaware-Piper Area Master Plan identifies the subject property as the Planned Commercial land use designation in the legend of the Map 11: Future Land Use. The Area Master Plan, however, does not provide any further information on this particular land use designation. The proposed fast-food restaurant will be replacing another sit-down restaurant.

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

a. *Water service*

There is water service is available.

b. *Sanitary sewer service*

There is sanitary sewer service available to the northwest of the subject property and along the driveway directly north of Village West Parkway.

c. *Storm water control*

There is storm water infrastructure on the north portion of the subject parcel.

d. *Police*

Police service is provided by West Division, District #223.

e. *Fire*

Fire service is provided by Fire Station #12, which is 1.1 miles from the subject property.

f. *Transit*

There is a bus stop to the northwest, in the parking lot of 10730 Parallel Parkway, approximately one-quarter (1/4)-mile away. This bus stop is served by the State Ave (101) bus route.

g. Schools

Public education is provided by Piper East Elementary School, Piper Middle School, and Piper High School, under Piper USD 203.

5. *The capability of the proposed use to meet applicable ordinance and other requirements.*

Design of a new commercial building in the Legends/Speedway area of Kansas City must meet the standards of the zoning district, the Commercial Development Guidelines Overlay District, and the Plaza at The Speedway Tenant Design Criteria. In the “Staff Comments” section of this report Staff has made extensive notes and comments about aspects of the Preliminary Plan Review that do not or may not meet the above-named standards. Revised plans, including a site plan, parking plan, and landscape plan, will need to be submitted to Staff based on these comments.

PREVIOUS ACTIONS

- PR-2011-27 (Preliminary and Final Plan Review of a sit-down restaurant)

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting at 6:00 PM on June 24, 2021, via Zoom. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Building Permits
Commercial Development Guidelines Overlay District
Landscaping
Parking Plan
The Plaza at The Speedway Tenant Design Criteria
Pedestrian Circulation
Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Plan Review Application PR2021-017, subject to:

- 1) This staff report is for PR2021-017, a Preliminary Plan Review. If PR2021-017 is approved, a Final Plan Review is required. Changes in the Final Plan Review from the approved Preliminary Plan Review must not be considered significant, pursuant to Section 27-211(h)(1)a-l. If any changes to the**

approved Preliminary Plan Review are deemed significant, the applicant must resubmit a revised Preliminary Plan Review for approval by the City Planning Commission and the Board of commissioners. The following changes between the Preliminary Plan Review and Final Plan Review are considered significant:

- a. Any changes that exceed the provisions of subsection (f) of this section or other terms specified by the Planning Commission and/or Unified Government Board of Commissioners;
 - b. Increases in density or intensity of residential uses by more than five percent (5%);
 - c. Increases in total floor area (entire plan) of all nonresidential buildings by more than five percent (5%) or 5,000 square feet, whichever is less;
 - d. Increases of lot coverage by more than five percent (5%);
 - e. Changes of architectural style that will make the project less compatible with surrounding uses;
 - f. Changes in ownership patterns or stages of construction that will lead to a different development concept;
 - g. Changes in ownership patterns or stages of construction that will impose substantially greater loads on streets and other public facilities;
 - h. Decreases of any peripheral setback of more than five percent (5%);
 - i. Decreases of areas devoted to open space of more than five percent or the substantial relocation of such areas;
 - j. Changes of traffic circulation patterns that will affect traffic outside of the project boundaries;
 - k. Modification or removal of conditions or stipulations to the preliminary development plan approval; or
 - l. Modifications that change, amend, or violate the terms of the comprehensive plan.
- 2) The current parking plan shows 42 parking spaces for a building with 3,751 square feet of floor space, 1,140 square feet of which is seating area. A change in the number of parking spaces by more than five percent (5%) in the Final Plan Review will require a new Preliminary Plan Review to be approved by the City Planning Commission, and a decrease in the number of spaces to less than 32 would require a variance;
 - 3) Parking and circulation should account for pedestrians, bicycles, and vehicles.
 - 4) The applicant shall continue to demonstrate a reasonable amount of landscaping on the subject property, per Section 27-466(g);
 - 5) At least 75 percent of the length of the building foundation (east façade) must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials and ground cover;
 - 6) All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the site and 3 gallons internal to the development when planted;
 - 7) All landscaping shall be irrigated;
 - 8) Section 27-575(d)(3) refers to entry features at the entrance or access point(s) of the property, not necessarily of the building itself (unless the

- building had a zero-setback line). The applicant should incorporate one (1) or more of the design elements listed in Section 27-575(d)(3) into the revised site plan submitted as either the Final Plan Review or as a revised Preliminary Plan Review;
- 9) Per Section 27-575(d)(7), there shall be a hierarchy of internal circulation beginning with site access from the public street. Staff has determined that the current site plan does not meet several components of internal circulation as listed in this section of the Commercial Development Guidelines Overlay District. The following components must be satisfactorily met in the Final Plan Review:
- a. Access driveways shall feed into driving lanes which shall divide into parking lanes and parking areas;
 - b. There shall be limited access to driveways, which shall be provided from driving lanes, not parking areas, wherever possible;
 - c. Circulation patterns within parking areas shall be defined by curbs and landscaped islands; and,
 - d. Where possible, groups of buildings should be serviced by dedicated service access lanes;
- 10) Per Section 27-575(d)(12), the lit bollards should be moved to the north end of the pedestrian crosswalk on the south side of the proposed building, and additional bollards or another pedestrian connection feature should be positioned at the south end of the same pedestrian crosswalk;
- 11) Per Section 27-575(e)(1), the majority of all surface parking and all drive through facilities should be located to the maximum extent possible behind buildings or in the interior of a block;
- 12) Per Section 27-575(e)(2), pedestrian walkways through the parking area to building entrances should be clearly marked;
- 13) Per Section 27-575(e)(4), parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements. The applicant must demonstrate sufficient landscaping between the drive aisle(s) and the subject property's west boundary line in the landscaping plan submitted in the Final Plan Review;
- 14) The parking plan should show a traffic flow on one (1)-way drive aisles. For an example of Staff's proposed traffic flow plan, see Staff's markups on Site Plan Submitted by the Applicant in the "Attachments" section of this report;
- 15) Downspouts shall be internalized. Overflow drains shall be at grade;
- 16) All utilities shall continue to be located out of public view and adequately screened by landscaping or a wall. All utilities mounted on the wall shall be painted to match the building;
- 17) All roof mounted equipment shall continue to be screened from adjacent properties and public view by a parapet;
- 18) All BPU transformer pads and/or generators shall be completely screened on three (3) sides with 6-foot Junipers setback three (3) feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;

- 19) Sec. 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. At all times, screening materials shall be well maintained;
- 20) A revised sign package should be submitted as part of the Final Plan Review to reflect the addition of an entry side at the entrance on the north boundary of the subject property;
- 21) Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;
- 22) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street; and,
- 23) A building permit is required. Please contact the Building Inspection Division at (913) 573-8620 to begin that process.

STAFF RECOMMENDATIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **PR2021-017**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of the Property Provided by Staff, Dated June 20, 2021
Photos of the Property Submitted by the Applicant
Site Plan Submitted by the Applicant
Truck Turning Routing Plan Submitted by the Applicant
Building Elevations Submitted by the Applicant
Sight Line Exhibit Submitted by the Applicant
Floor Plan Submitted by the Applicant
Paving, Grading, & Drainage Plan Submitted by the Applicant
Landscaping Plan Submitted by the Applicant
Dumpster Screening Elevations Submitted by the Applicant
Utility Plan Submitted by the Applicant
Lighting Plan Submitted by the Applicant

Renderings of the Proposed Building Submitted by the Applicant
Materials Palette Submitted by the Applicant
Sign Package Submitted by the Applicant
Drainage Memorandum Submitted by the Applicant, Dated May 28, 2021
Wyandotte County Conservation District Letter, Dated June 15, 2021
Neighborhood Meeting Materials, Dated June 24, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing		
Preliminary	July 12, 2021	July 29, 2021
Plan Review	Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **PR2021-017** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **PR2021-017**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

Hearing starts at 2:36:15:

PR2021-017 – STACI BOWEN - SYNOPSIS: Preliminary Plan for the redevelopment of Lot 47 in the Plaza at the Speedway for Whataburger at 10780 Parallel Parkway.

Detailed Outline of Requested Action: The applicant, Staci Bowen with KMO Burger, LLC, is requesting a Preliminary Plan Review for the redevelopment of a parcel within The Legends/Plaza at the Speedway. The parcel is addressed as 10780 Parallel Parkway and is designated as Lot 47 within the Plaza at the Speedway scheme. The

proposed building will be a 3,751-square-foot fast food restaurant, which is replacing a 6,726-square-foot sit-down restaurant.

City Ordinance Requirements: Article VI Sections 27-196 – 27-209, 27-212

Zoning Enforcement Issues: There are no outstanding Notices of Violation attached to this property. The subject property has not been previously cited by Property Maintenance Compliance.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and,
6. The Notices to property owners.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Planning Commissioner Miller stated that he was contacted by someone working on this project.

Present in Support:

- Staci Bowen, applicant, 12720 Hillcrest Road, Suite 650, Dallas, Texas 75230
- Andrew Gribble, Kimley-Horne, 1828 Walnut, Kansas City, Missouri 64108

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:47:00: Planning Director Hand stated that this proposal replaces a sit-down restaurant with a drive-through restaurant at Plaza at the Speedway. This property is located in the Prairie-Delaware-Piper Master Plan area. Staff has worked with the applicant on the conditions of approval including the proposed redesign. The applicant has submitted the Final Plan Review for this proposal and as the Preliminary Plan Review is being heard this evening, one of the conditions of approval is that changes in the Final Plan Review from the approved Preliminary Plan Review must not be considered significant or another Preliminary Plan Review would be required. Staff has not received a response from the applicant to all the comments in the draft staff report. Specifically, the applicant was asked to comply with the Commercial Design Guidelines, Prairie-Delaware-Piper Master Plan and Plaza at the Speedway Requirements. He stated that staff would like to see the two (2) drive-through lanes merged to one (1) lane with traffic exiting on the south side of the property. This would reduce pedestrian conflicts from crossing the exiting traffic. Director Hand stated that staff believes that would then allow space for extra screening of the surface parking lot. Staff also asked for pedestrian access from the parking lot directly into the building and there are a number of ways that can be done. Staff has discussed the internal parking lot traffic with Public Works and Planning Engineering

and would prefer that the traffic be one-way to further reduce conflicts. He stated that the applicant has reduced a number of access points into the site and showed the Commission one more that staff believes can be eliminated. Staff is willing to continue to work with the applicant on these issues. He further stated that he thinks that the reviewing Planner misinterpreted the corrugated metal as this material is expressly prohibited in the Commercial Design Guidelines, and staff will continue to work with the applicant. Staff has received no letters of support nor opposition, and there are no Notices of Violation. Staff recommends approval subject to the conditions in the staff report.

Chairman Carson had a question about merging the two (2) lanes to one (1) lane. Director Hand showed the Commission on the site plan the area staff would like the two (2) lanes to merge (on the south side) as this will inevitably happen as traffic exists the site. Chairman Carson asked if he believes that this issue can be worked out between the two (2) parties and Director Hand stated yes.

Motion and Vote starts at 2:52:15:

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Preliminary Plan Review PR2021-017:**

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

Motion to RECOMMEND APPROVAL Passed: 6 to 0

Subject to:

- 1) This staff report is for PR2021-017, a Preliminary Plan Review. If PR2021-017 is approved, a Final Plan Review is required. Changes in the Final Plan Review from the approved Preliminary Plan Review must not be considered significant, pursuant to Section 27-211(h)(1)a-l. If any changes to the approved Preliminary Plan Review are deemed significant, the applicant must resubmit a revised Preliminary Plan Review for approval by the City Planning Commission and the Board of commissioners. The following changes between the Preliminary Plan Review and Final Plan Review are considered significant:
 - a. Any changes that exceed the provisions of subsection (f) of this section or other terms specified by the Planning Commission and/or Unified Government Board of Commissioners;
 - b. Increases in density or intensity of residential uses by more than five percent (5%);

- c. Increases in total floor area (entire plan) of all nonresidential buildings by more than five percent (5%) or 5,000 square feet, whichever is less;
 - d. Increases of lot coverage by more than five percent (5%);
 - e. Changes of architectural style that will make the project less compatible with surrounding uses;
 - f. Changes in ownership patterns or stages of construction that will lead to a different development concept;
 - g. Changes in ownership patterns or stages of construction that will impose substantially greater loads on streets and other public facilities;
 - h. Decreases of any peripheral setback of more than five percent (5%);
 - i. Decreases of areas devoted to open space of more than five percent or the substantial relocation of such areas;
 - j. Changes of traffic circulation patterns that will affect traffic outside of the project boundaries;
 - k. Modification or removal of conditions or stipulations to the preliminary development plan approval; or
 - l. Modifications that change, amend, or violate the terms of the comprehensive plan.
- 2) The current parking plan shows 42 parking spaces for a building with 3,751 square feet of floor space, 1,140 square feet of which is seating area. A change in the number of parking spaces by more than five percent (5%) in the Final Plan Review will require a new Preliminary Plan Review to be approved by the City Planning Commission, and a decrease in the number of spaces to less than 32 would require a variance;
 - 3) Parking and circulation should account for pedestrians, bicycles, and vehicles.
 - 4) The applicant shall continue to demonstrate a reasonable amount of landscaping on the subject property, per Section 27-466(g);
 - 5) At least 75 percent of the length of the building foundation (east façade) must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials and ground cover;
 - 6) All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the site and 3 gallons internal to the development when planted;
 - 7) All landscaping shall be irrigated;
 - 8) Section 27-575(d)(3) refers to entry features at the entrance or access point(s) of the property, not necessarily of the building itself (unless the building had a zero-setback line). The applicant should incorporate one (1) or more of the design elements listed in Section 27-575(d)(3) into the revised site plan submitted as either the Final Plan Review or as a revised Preliminary Plan Review;
 - 9) Per Section 27-575(d)(7), there shall be a hierarchy of internal circulation beginning with site access from the public street. Staff has determined that the current site plan does not meet several components of internal circulation as listed in this section of the Commercial Development Guidelines Overlay District. The following components must be satisfactorily met in the Final Plan Review:

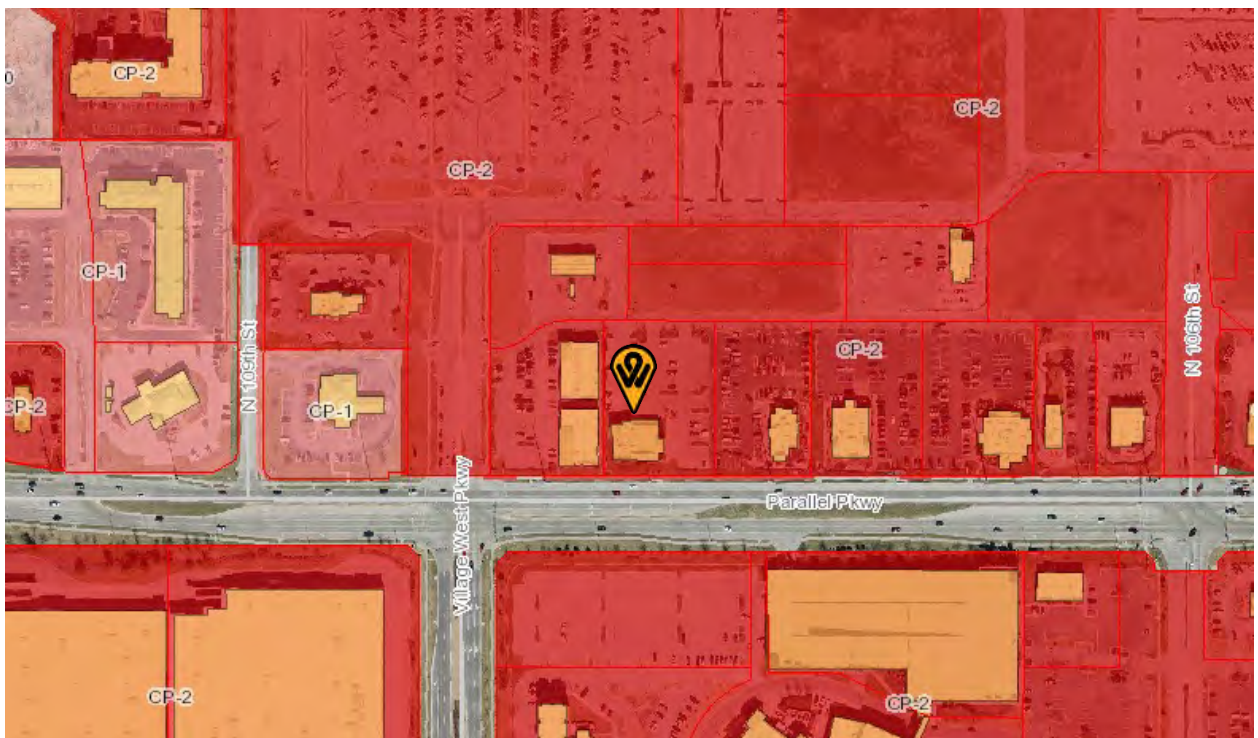
- a. Access driveways shall feed into driving lanes which shall divide into parking lanes and parking areas;
 - b. There shall be limited access to driveways, which shall be provided from driving lanes, not parking areas, wherever possible;
 - c. Circulation patterns within parking areas shall be defined by curbs and landscaped islands; and,
 - d. Where possible, groups of buildings should be serviced by dedicated service access lanes;
- 10) Per Section 27-575(d)(12), the lit bollards should be moved to the north end of the pedestrian crosswalk on the south side of the proposed building, and additional bollards or another pedestrian connection feature should be positioned at the south end of the same pedestrian crosswalk;
 - 11) Per Section 27-575(e)(1), the majority of all surface parking and all drive through facilities should be located to the maximum extent possible behind buildings or in the interior of a block;
 - 12) Per Section 27-575(e)(2), pedestrian walkways through the parking area to building entrances should be clearly marked;
 - 13) Per Section 27-575(e)(4), parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements. The applicant must demonstrate sufficient landscaping between the drive aisle(s) and the subject property's west boundary line in the landscaping plan submitted in the Final Plan Review;
 - 14) The parking plan should show a traffic flow on one (1)-way drive aisles. For an example of Staff's proposed traffic flow plan, see Staff's markups on Site Plan Submitted by the Applicant in the "Attachments" section of this report;
 - 15) Downspouts shall be internalized. Overflow drains shall be at grade;
 - 16) All utilities shall continue to be located out of public view and adequately screened by landscaping or a wall. All utilities mounted on the wall shall be painted to match the building;
 - 17) All roof mounted equipment shall continue to be screened from adjacent properties and public view by a parapet;
 - 18) All BPU transformer pads and/or generators shall be completely screened on three (3) sides with 6-foot Junipers setback three (3) feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;
 - 19) Sec. 27-575(g)(3) All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. At all times, screening materials shall be well maintained;
 - 20) A revised sign package should be submitted as part of the Final Plan Review to reflect the addition of an entry side at the entrance on the north boundary of the subject property;
 - 21) Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the

- unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;**
- 22) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street; and,**
 - 23) A building permit is required. Please contact the Building Inspection Division at (913) 573-8620 to begin that process.**

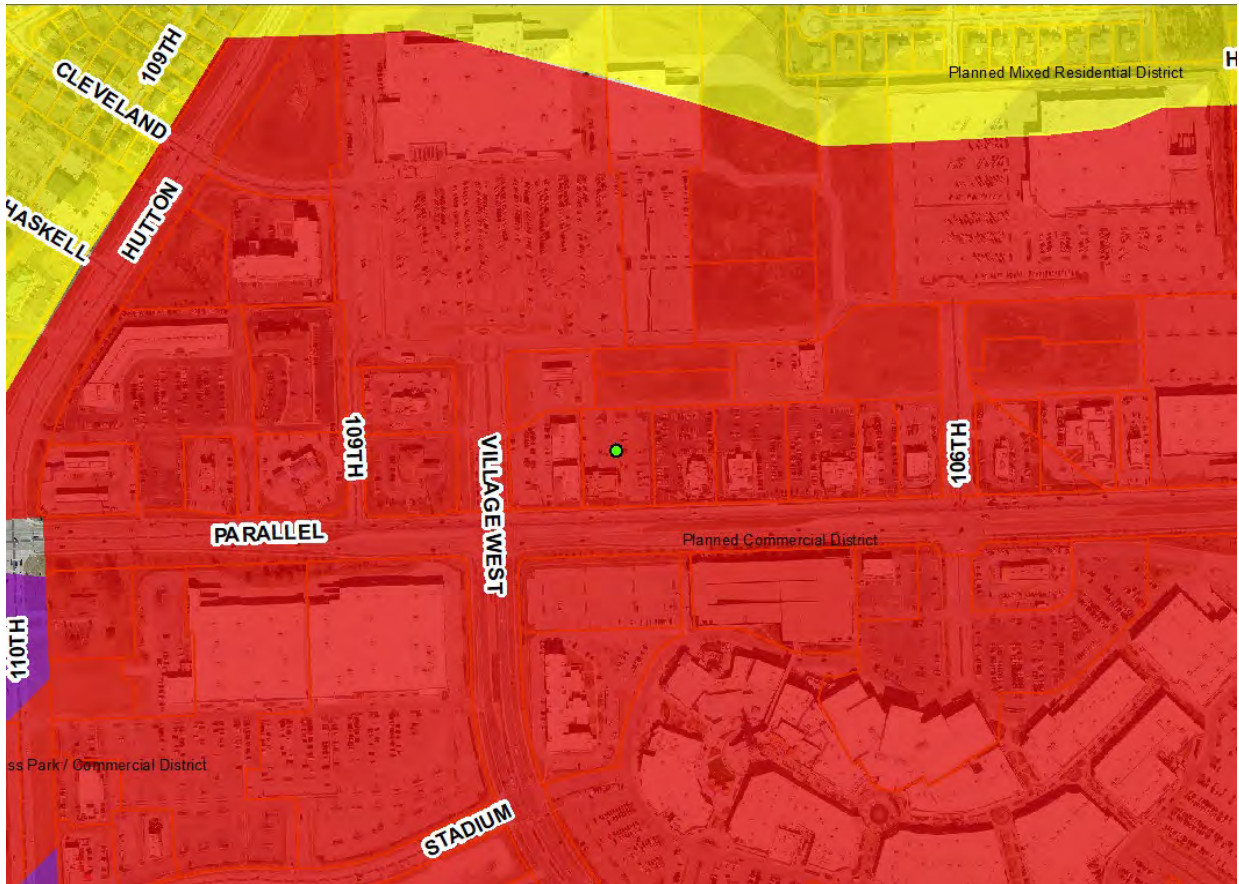
AERIAL MAP



ZONING MAP



LAND USE MAP



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED JUNE 20, 2021



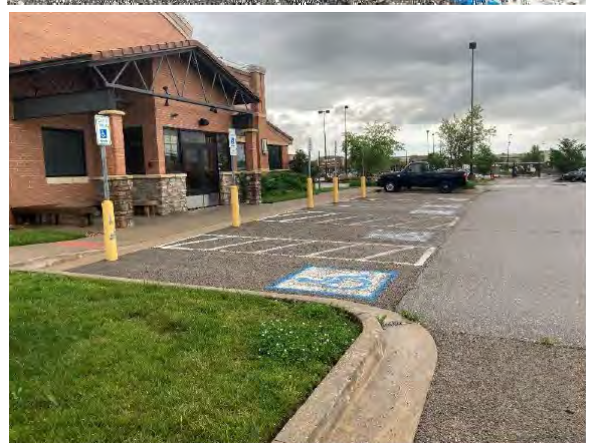
PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED JUNE 20, 2021, CONT.



PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT



PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT, CONT.



PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT, CONT.



PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT, CONT.



PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT, CONT.

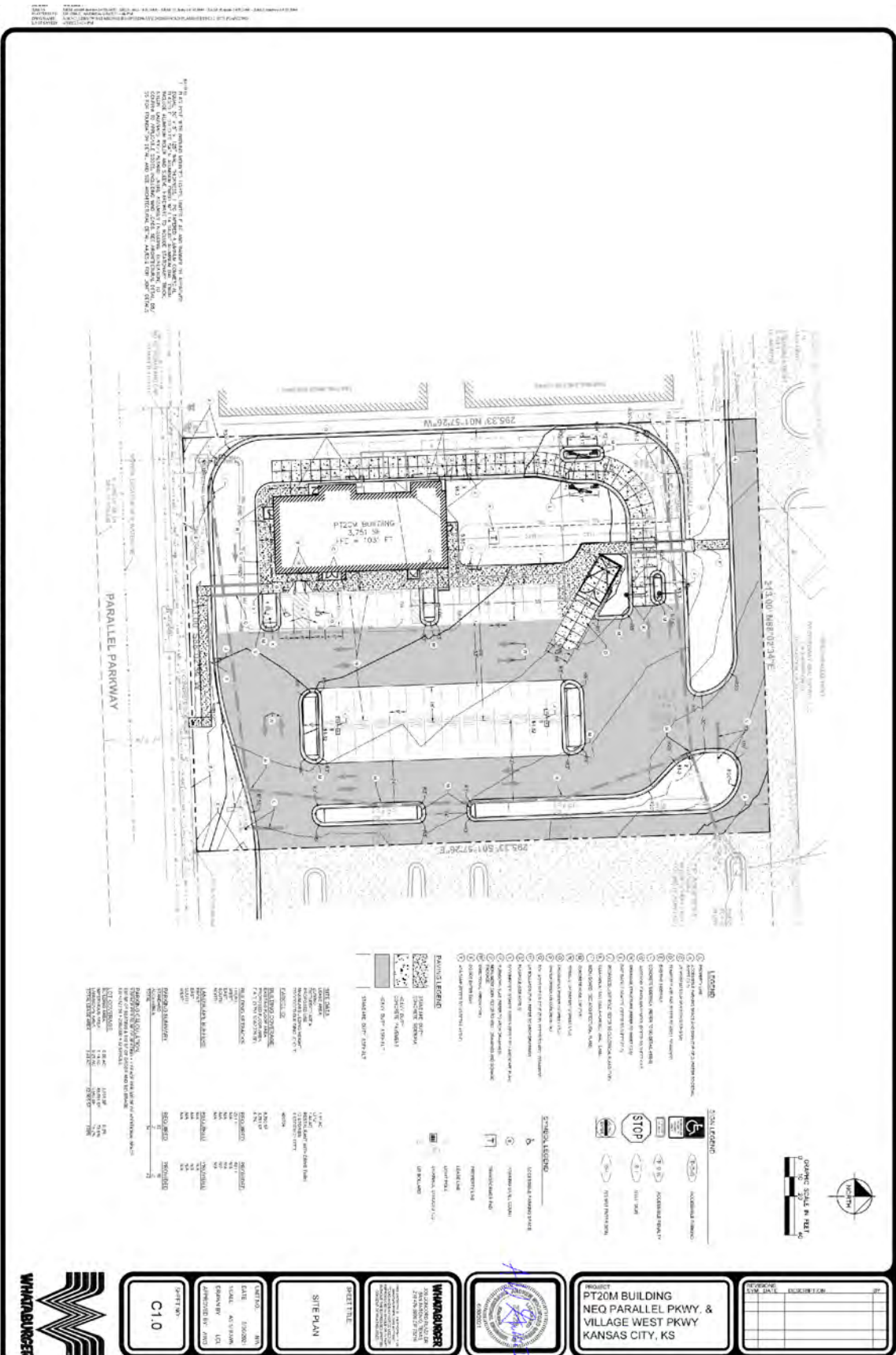


PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT, CONT.



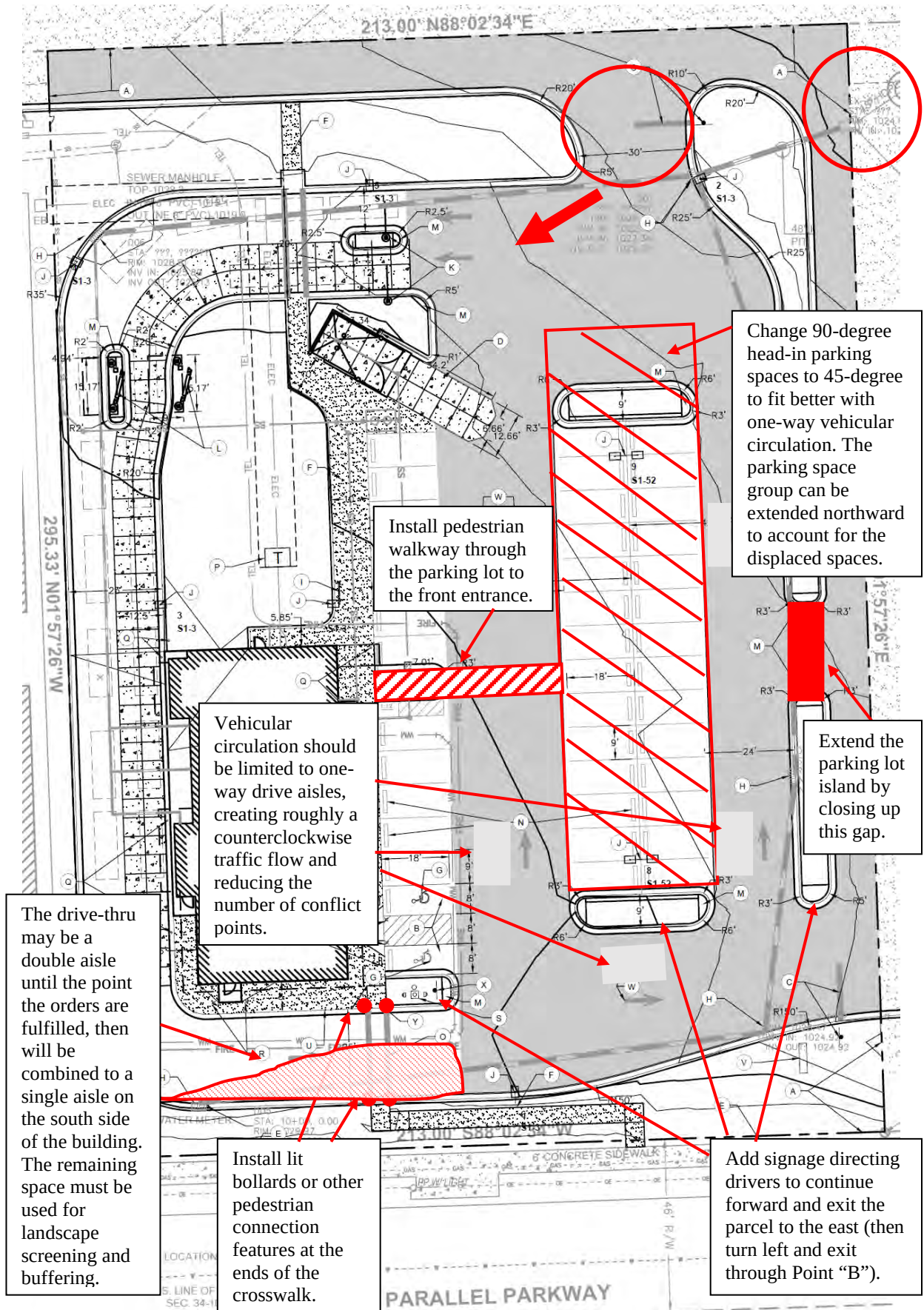
SITE PLAN SUBMITTED BY THE APPLICANT

C:\DEV\Whaburger\1-Speedway\2 Design\CAD\PlanSheets\1.0 SITE PLAN.dwg 6/30/2021 4:06:08 PM, AutoCAD PDF (General Documentation) pc3



[illegible]

SITE PLAN SUBMITTED BY THE APPLICANT, CONT.



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TO: 1470000
SUBJECT: 1470000
RE: 1470000
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PRIORITY: 1470000
CLASSIFICATION: 1470000
AUTHORITY: 1470000
REMARKS: 1470000
END



C:\Users\pyrilling\Documents\Autoburger\NLS KMC Speedway 10710 Parallel Parkway\Drawings\Arch\NLS KMC Speedway 10710 Parallel Parkway.rvt



[illegible]

Architectural Drawings:

- Site Plan (A4):** Shows the building footprint, parking areas, and surrounding site context. Includes a scale of 1/8" = 10'-0".
- North Elevation (C4):** Shows the building's facade from the north. Includes a scale of 1/8" = 10'-0".
- East Elevation (B4):** Shows the building's facade from the east. Includes a scale of 1/8" = 10'-0".
- West Elevation (D4):** Shows the building's facade from the west. Includes a scale of 1/8" = 10'-0".

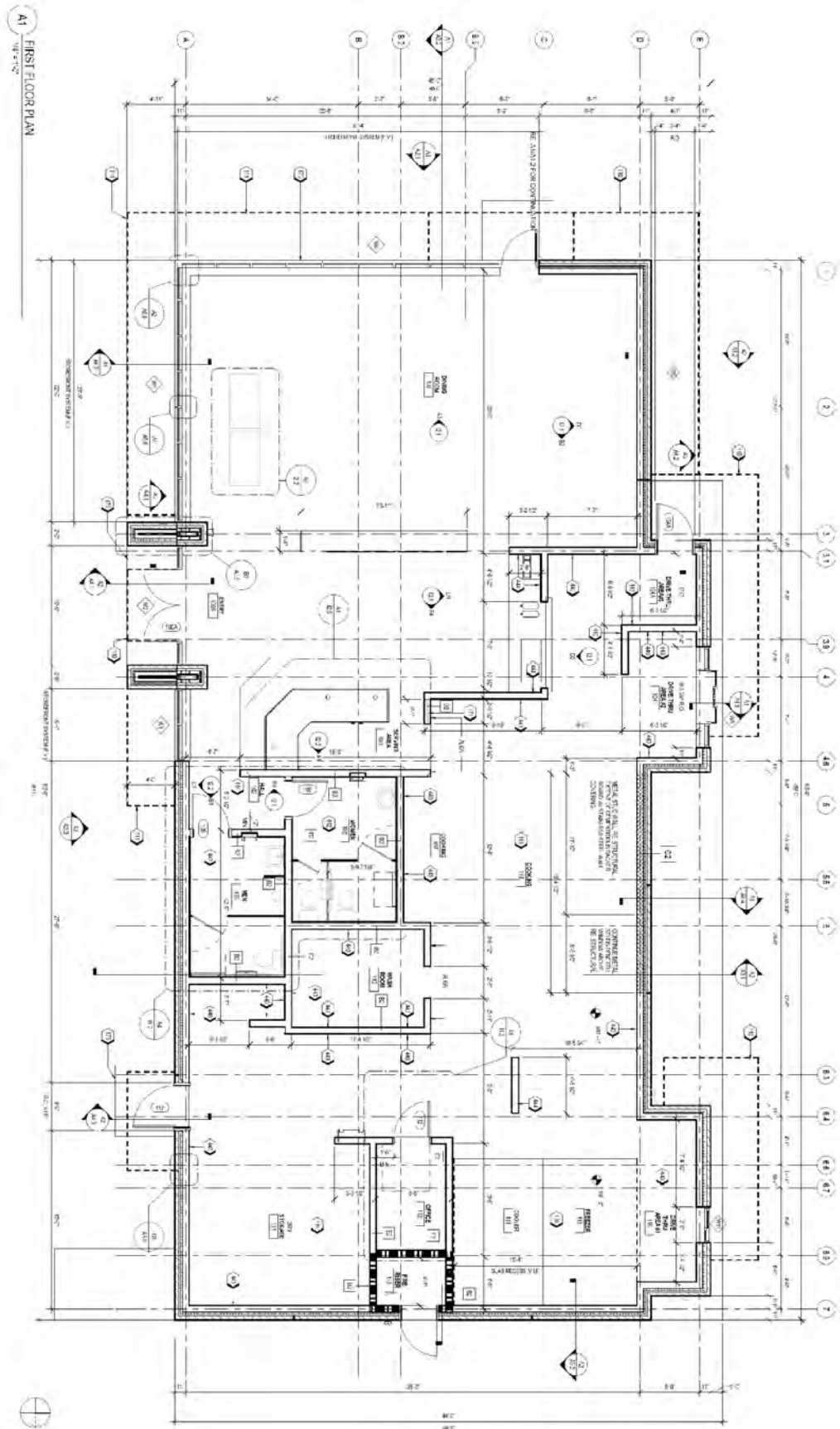
Project Information:

- Project Name:** 10780 PARALLEL PKWY.
- Location:** KANSAS CITY, KANSAS 66109
- Architect:** Castles Design Group
- Client:** A Schwaninger Construction
- Project No.:** 10780 PARALLEL PKWY
- Scale:** 1/8" = 10'-0"
- Sheet:** A2.7

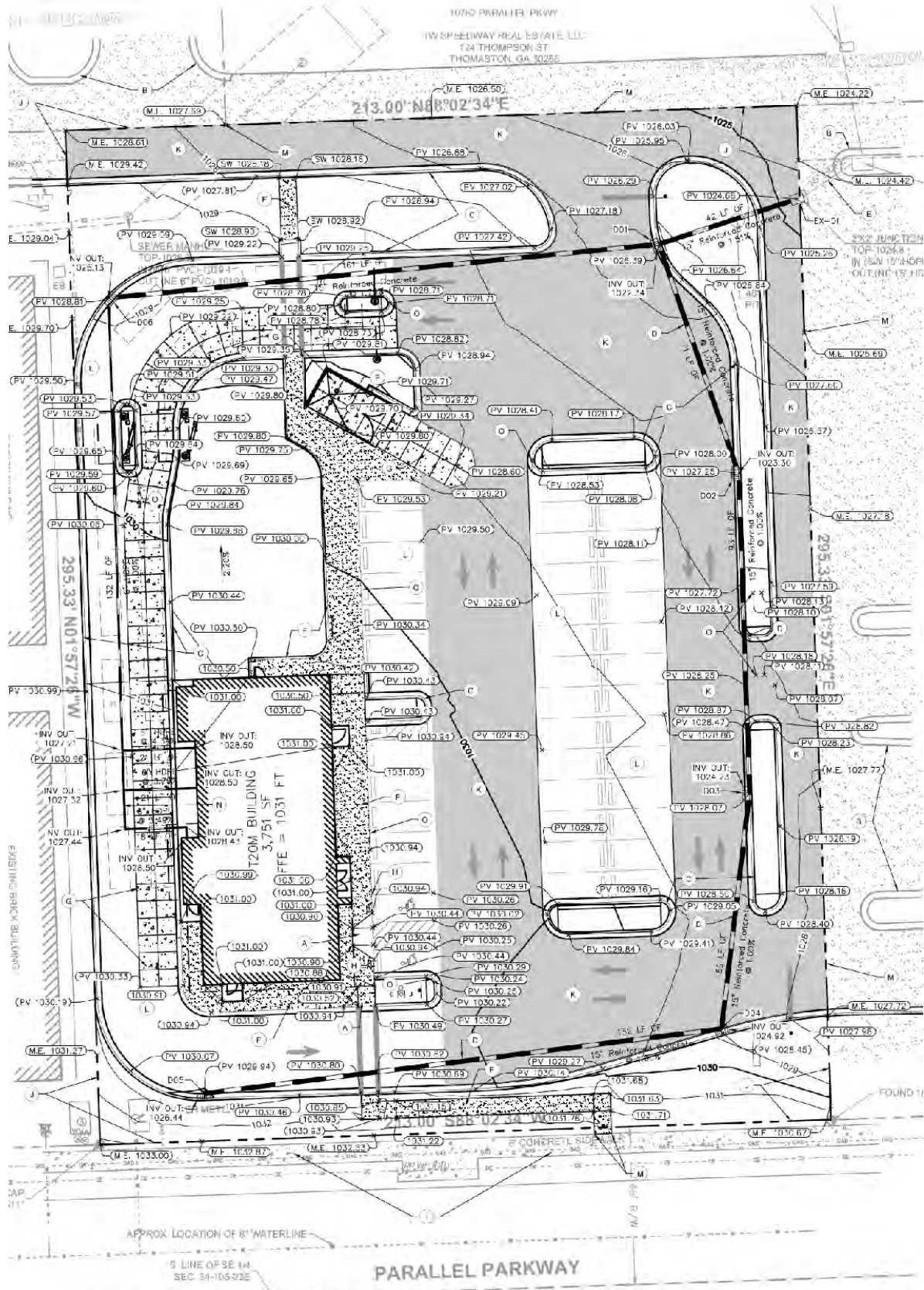
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FLOOR PLAN SUBMITTED BY THE APPLICANT, CONT.



PAVING, GRADING, & DRAINAGE PLAN SUBMITTED BY THE APPLICANT, CONT.



[illegible]

[illegible]

LANDSCAPING PLAN SUBMITTED BY THE APPLICANT, CONT.

PLANTING NOTES

1. ALL PLANT MATERIAL SHALL BE INSTALLED ACCORDING TO SOUND NURSERY PRACTICES AND SHALL MEET ALL STANDARDS AS STATED IN THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSEYMEN.
2. NO SUBSTITUTIONS IN PLANT MATERIALS SHALL BE MADE WITHOUT WRITTEN AUTHORIZATION FROM OWNER OR LANDSCAPE ARCHITECT. IN THE EVENT OF DISCREPANCIES BETWEEN THE DRAWING AND THE PLANT LIST, THE DRAWING SHALL PREVAIL.
3. LOCATE ALL UTILITIES PRIOR TO ANY DIGGING OPERATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO EXISTING UTILITIES INCURRED BY HIS WORK.
4. STAKING AND GUYING ALTERNATIVES: METHODS INDICATED IN DRAWING DETAILS ARE PREFERRED. CONTRACTOR MAY SUGGEST ALTERNATE METHODS, ASSUMING FULL RESPONSIBILITY FOR THEIR IMPLEMENTATION. CONTRACTOR SHALL REPLACE, PLANT, OR UPRIGHT ANY TREES BLOWN OVER OR DAMAGED DUE TO INADEQUATE STAKING AT NO ADDITIONAL COST TO THE OWNER.
5. PLANTS MASSSED IN BEDS SHALL BE ARRANGED USING TRIANGULAR SPACING.
6. PROVIDE A STEEL EDGE OR CONCRETE MOW STRIP BETWEEN ALL PLANTING BEDS AND LAWN AREAS. REFERENCE SITE PLAN.
7. ALL PLANTING BEDS TO BE TOP DRESSED WITH A MINIMUM OF 3" SHREDDED HARDWOOD MULCH, UNLESS OTHERWISE SPECIFIED.
8. PROVIDE GRASS SEEDING OR LAY BERMUDA SOD FOR PROPOSED LAWN AREAS TO ALL EDGES OF PAVEMENT AND/OR LIMITS OF DISTURBANCE OUTSIDE R.O.W. OR PROPOSED LANDSCAPE EASEMENT. PROVIDE IRRIGATION AS NECESSARY.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING UNTIL FINAL ACCEPTANCE. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THE WORK SHALL INCLUDE, BUT NOT TO BE LIMITED TO, MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. ALL PLANT MATERIALS SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIAL THAT DIES SHALL BE REPLACED WITH THE PLANT MATERIAL OF SIMILAR SIZE AND VARIETY.
10. CONTRACTOR SHALL WARRANTY PLANT MATERIAL TO REMAIN ALIVE AND HEALTHY FOR A PERIOD OF ONE YEAR AFTER FINAL ACCEPTANCE. WARRANTY SHALL NOT INCLUDE DAMAGE FOR LOSS OF PLANT MATERIAL DUE TO NATURAL CAUSES, ACTS OF VANDALISM OR NEGLIGENCE ON THE PART OF THE OWNER.
11. ALL DISTURBED AREAS WITHIN LIMITS OF CONSTRUCTION NOT CALLED TO BE SODDED, SHALL BE REESTABLISHED WITH TURF-TYPE TALL FESCUE SOD AND IRRIGATED.
12. ALL LANDSCAPE BEDS TO HAVE TOPSOIL/BEDDING MIX THAT MEETS LANDSCAPE SPECIFICATIONS. INSTALL TO DEPTHS, PER PLANTING DETAILS (12" DEPTH MIN.) FINISHED GRADES OF PLANTING BEDS TO BE 2" BELOW FINISHED GRADE OF ADJACENT PAVING OR AS SHOWN ON GRADING PLAN.
13. ALL SOD AREAS TO RECEIVE 4" DEPTH (MIN) TOPSOIL PRIOR TO INSTALLATION. TOPSOIL SHALL BE NATURAL, FRIABLE, FERTILE, pH RANGE OF 5.5-7.4, AND FREE OF TRASH, DEBRIS, STONES, WEEDS, AND TWIGS/BRANCHES.
14. ALL DISTURBED AREAS IN R.O.W. TO BE RE-ESTABLISHED WITH TURF-TYPE TALL FESCUE SEED OR SOD AND IRRIGATED UNLESS OTHERWISE SHOWN ON PLANS.
15. ALL TREES TO BE PLACED A MINIMUM OF 4' FROM ANY UTILITY.

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	AR	3	Acer rubrum / Red Maple	3" cal, 14' ht, 5'-6" spr	Full, Straight, Single Leader
	AS	5	Acer saccharum / Sugar Maple	3" cal, 14' ht, 5'-6" spr	Full, Straight, Single Leader
	MV	9	Magnolia virginiana / Sweet Bay	2.5" cal, 8-10' ht, 4' spr	Full, Straight, Single Leader
	UP	3	Ulmus parvifolia / Lacebark Elm	3" cal, 14' ht, 6' spr	Full, Straight, Single Leader
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	BEA	49	Berberis thunbergii 'Atropurpurea' / Red Leaf Japanese Barberry	24" ht, 24" spr, 36" oc	Full
	EVO	12	Euonymus katuschovicus 'Manhattan' / Manhattan Euonymus	36" ht, 36" spr, 48" oc	Full
	HSL	31	Hypericum kalmianum / Kalm St. Johnswort	24" ht, 24" spr, 36" oc	Full
	SBA	150	Spiraea x bumalda 'Anthony Waterer' / Anthony Waterer Burnard Spiraea	24" ht, 24" spr, 24" oc	Full
	TJY	10	Taxus x media 'Tauntonii' / Taunton's Anglo-Japanese Yew	18" ht, 18" spr, 24" oc	Full
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	CLO	281	Chasmanthium latifolium / Island Sea Oats	18" ht, 24" oc	Full
	SLG	371	Schizanthium scoparium / Little Blueslem Grass	12" ht, 24" oc	Full
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	COR	1,995	Coreopsis palmata / Stiff Tickseed	12" ht, 8" oc	Flat
	EFC	245	Euonymus fortunei 'Colorata' / Purple-leaf Winter Creeper	8" ht, 8" spr, 18" oc	Full, 1 gallon min.
	LEM	207	Liriope muscari 'Emerald Goddess' / Emerald Goddess Liriope	12" ht, 12" spr, 18" oc	Full, 1 gallon min.
MISCELLANEOUS	CODE	QTY	BOTANICAL / COMMON NAME	REMARKS	
	SOD	TBD	Festuca arundinacea / Turf-Type Tall Fescue	Solid sod, rolled tight with sand filled joints, 100% weed, disease, and pest free	
	STEEL EDGING			3 / 16" thick, Black	
	MULCH	TBD	Shredded Hardwood Mulch	2" depth, all trees in sod to receive 4" dia. mulch ring	

NOTE: PLANT QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN THE CASE OF A DISCREPANCY, THE DRAWING SHALL TAKE PRECEDENCE.

NOTE: PLANTS ARE SPECIFIED BY HEIGHT AND SPREAD. NOT CONTAINER SIZE. ALL PLANTINGS ARE EXPECTED TO MEET ALL SPECIFICATIONS PROVIDED.

PLAZA AT THE SPEEDWAY LANDSCAPE STANDARDS

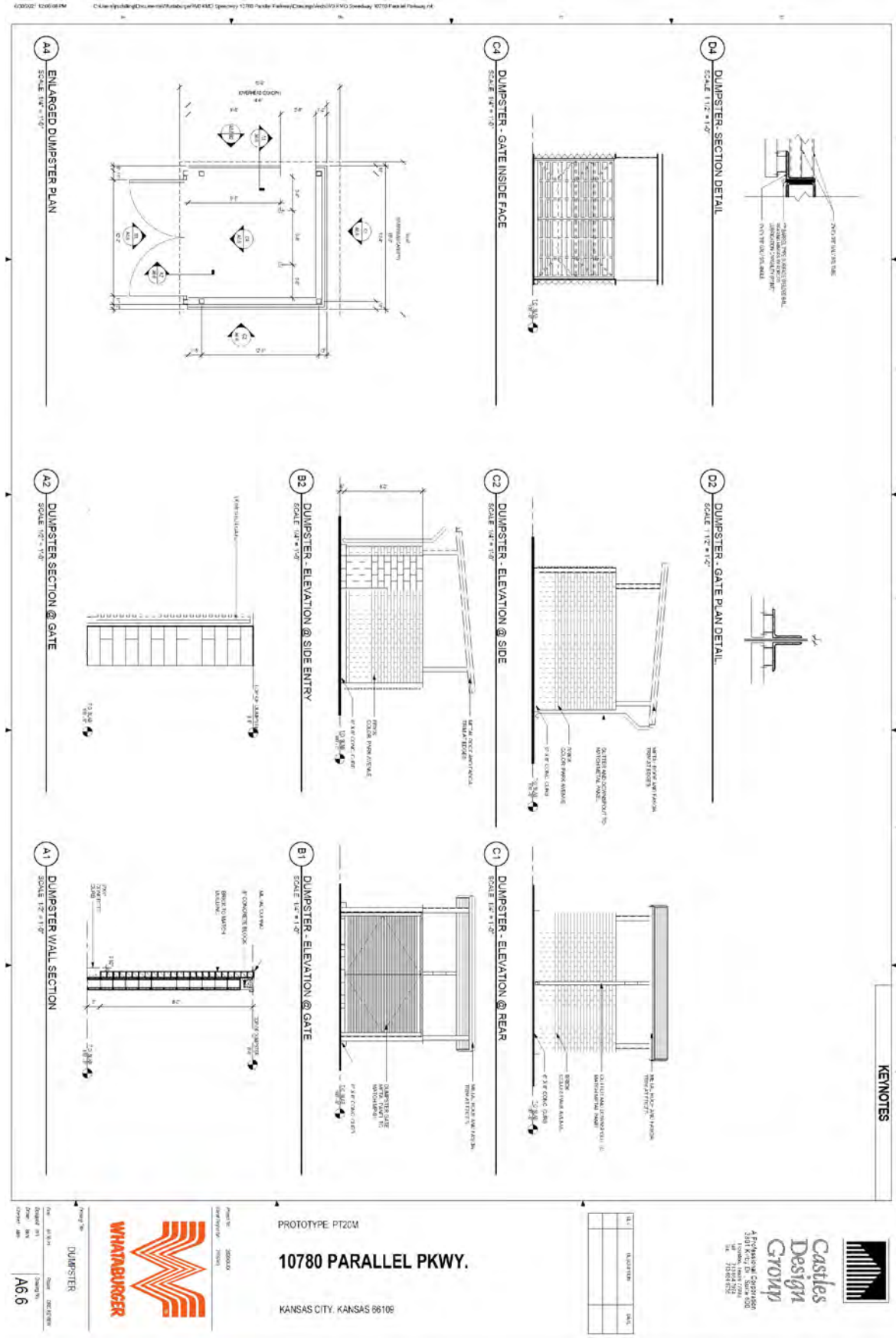
THE LANDSCAPE PLAN SHALL MEET OR EXCEED THE CITY OF KANSAS CITY, KS LANDSCAPE REGULATIONS.

KANSAS CITY, KS LANDSCAPE REGULATIONS

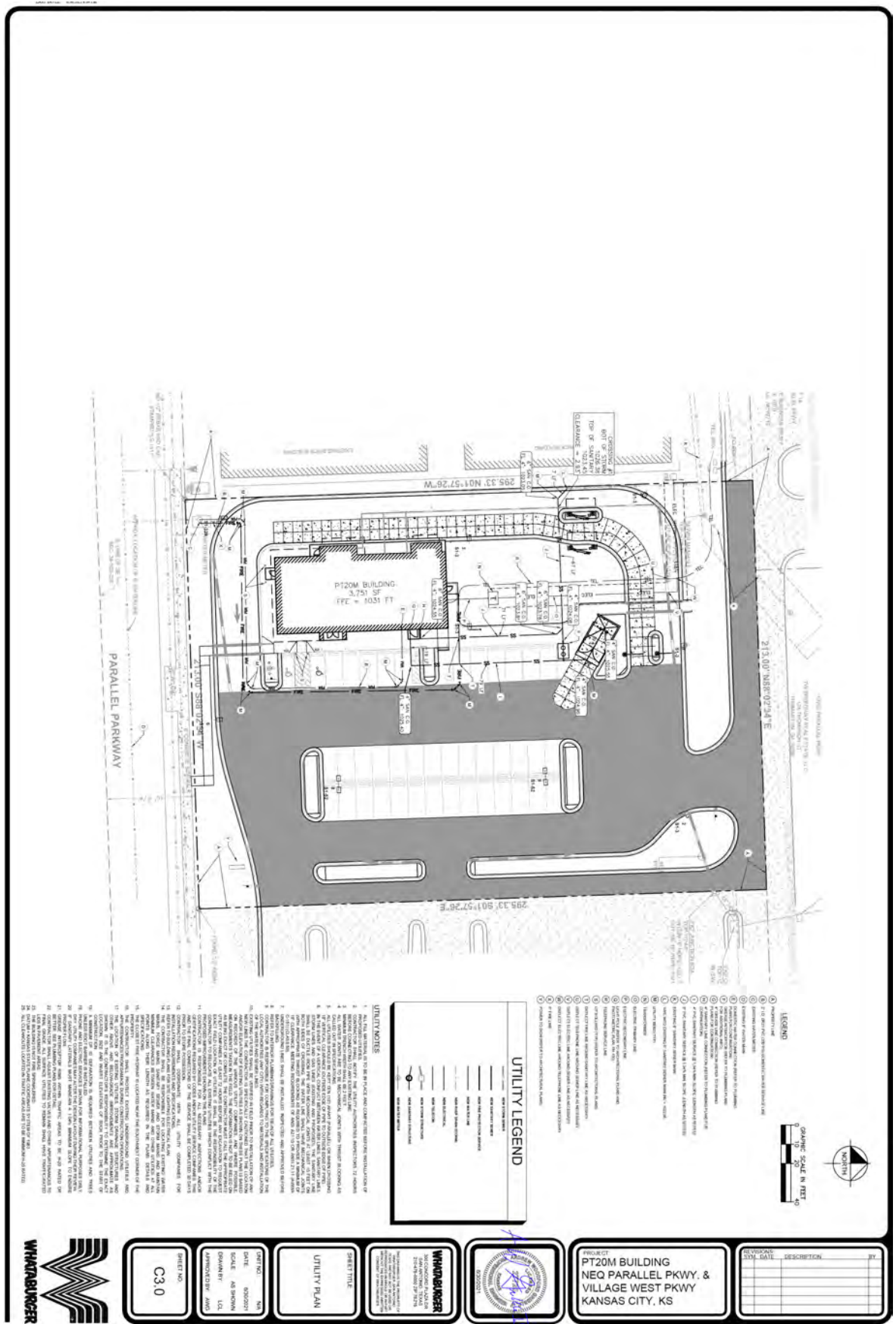
"LANDSCAPING SHALL EXCEED THE TYPICAL CODE REQUIREMENTS BY AT LEAST 75 %"

SITE TREES	REQUIRED	PROVIDED
"TREES ARE REQUIRED TO BE PROVIDED AT NOT LESS THAN ONE PER 7,000 SQUARE FT OF SITE AREA"	16 TREES	16 TREES
SITE AREA: 42,865 SQFT / 7000 x 9 9 x 1.75 = 16		
PARKING ISLAND TREES	REQUIRED	PROVIDED
"PARKING LOTS SHALL PROVIDE ONE SHADE TREE FOR EACH 20 PARKING SPACES ON THE INTERIOR OF THE PARKING LOT. INTERIOR TREE PLANTINGS ARE IN ADDITION TO OTHER LANDSCAPE REQUIREMENTS"	3 TREES	4 TREES
PARKING SPACES: 42 / 20 = 3		
TREE RATIO	REQUIRED	PROVIDED
"AT LEAST ONE-HALF OF THE TREES PLANTED TO FULFILL THE TREE PLANTING REQUIREMENTS SHALL BE SHADE TREES"		11 SHADE 9 ORNAMENTAL
SHRUBS AND GROUND COVER	REQUIRED	PROVIDED
"A REASONABLE AMOUNT OF LANDSCAPING IS REQUIRED ON ALL PROJECTS IN THIS DISTRICT"	YES	YES

DUMPSTER SCREENING ELEVATIONS SUBMITTED BY THE APPLICANT

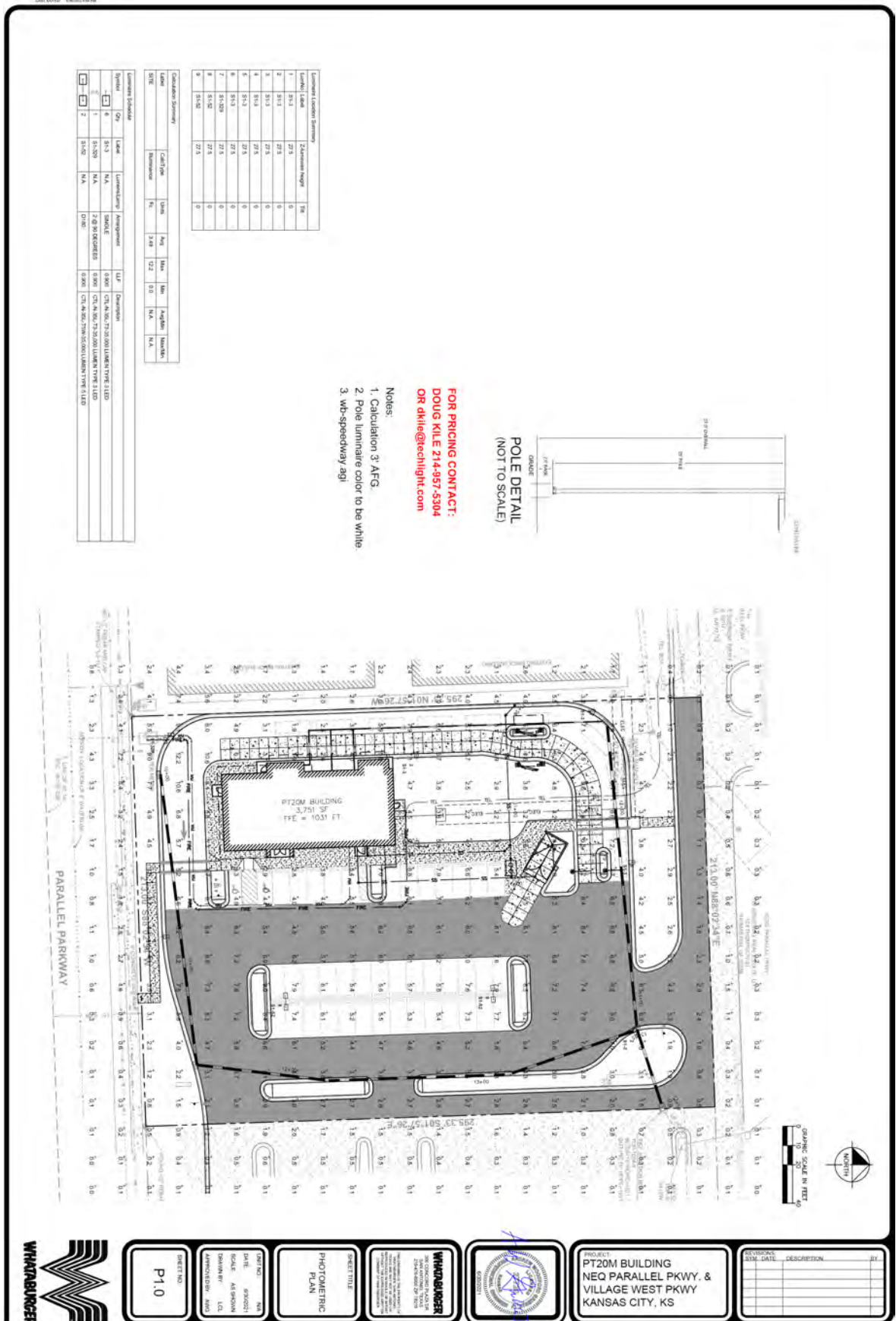


UTILITY PLAN SUBMITTED BY THE APPLICANT



[illegible]

LIGHTING PLAN SUBMITTED BY THE APPLICANT



RENDERINGS OF THE PROPOSED BUILDING SUBMITTED BY THE APPLICANT



RENDERINGS OF THE PROPOSED BUILDING SUBMITTED BY THE APPLICANT, CONT.



GLASS - GL-01
1 = Clear
PROPERTY OF THE ARCHITECT
NOT TO BE USED FOR ANY OTHER PROJECT
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GLASS - GL-03
Medium Gray
PROPERTY OF THE ARCHITECT
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KANSAS CITY, MISSOURI 64108

V1085
Simulated Acid-Etch 5
GLASS - GL-04
PROPERTY OF THE ARCHITECT
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KANSAS CITY, MISSOURI 64108

PAINT - PT-5
Special Gray
SW 6277
PROPERTY OF THE ARCHITECT
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METAL PANEL - MP-01
PROPERTY OF THE ARCHITECT
NOT TO BE USED FOR ANY OTHER PROJECT
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STOREFRONT SYSTEM - SS-01
PROPERTY OF THE ARCHITECT
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BRICK - BR-01
MADE IN KANSAS
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BRICK - BR-02
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KANSAS CITY, MISSOURI 64108

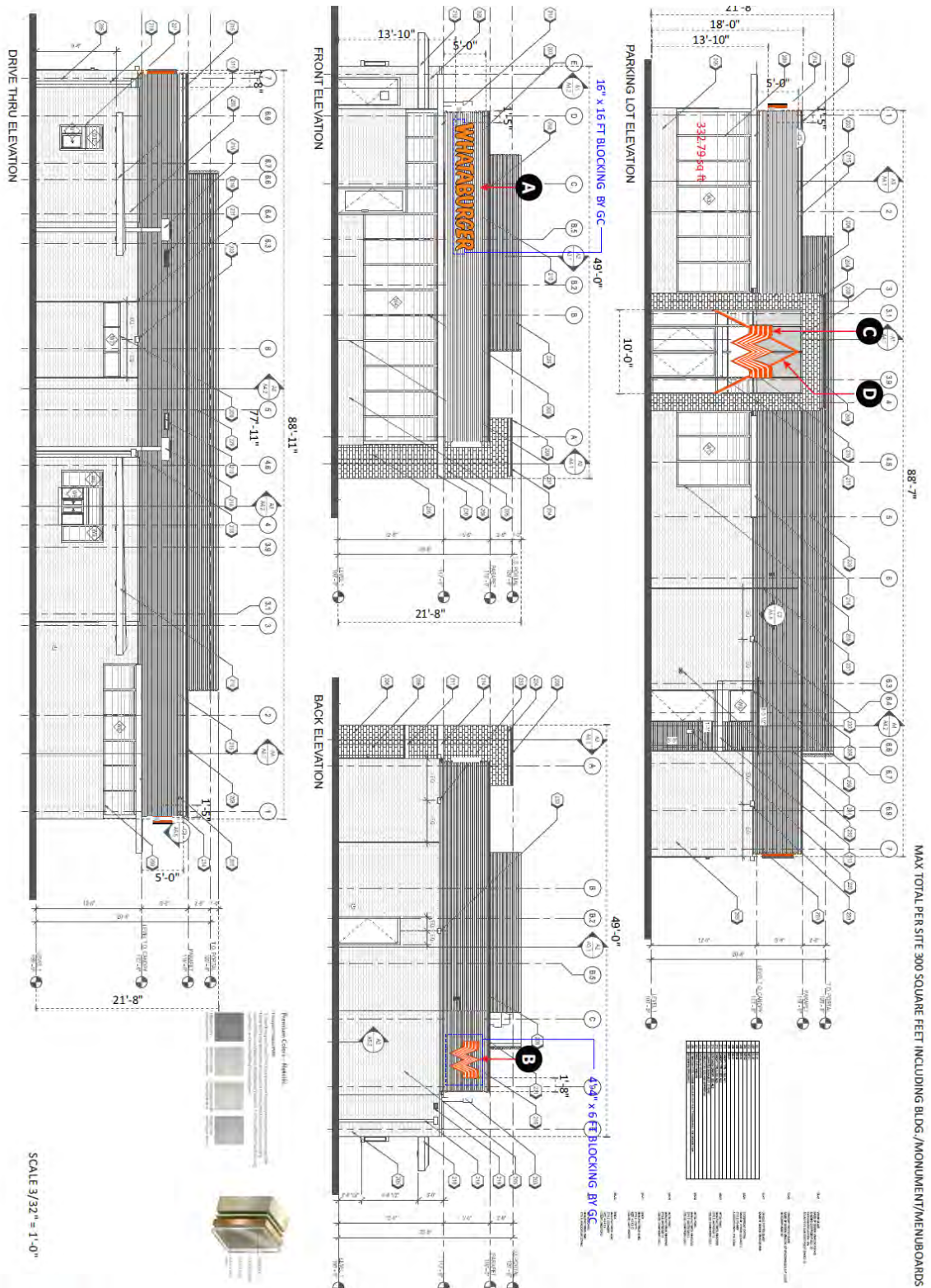
WHATABURGER ORANGE
COLOR: 96L-2009

WHATABURGER
10780 PARALLEL PKWY.
KANSAS CITY, KANSAS 66109

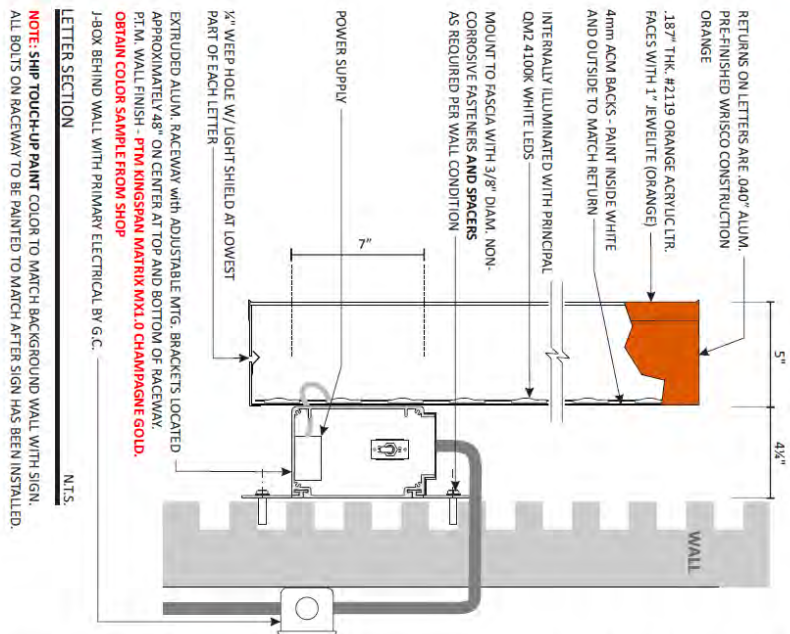
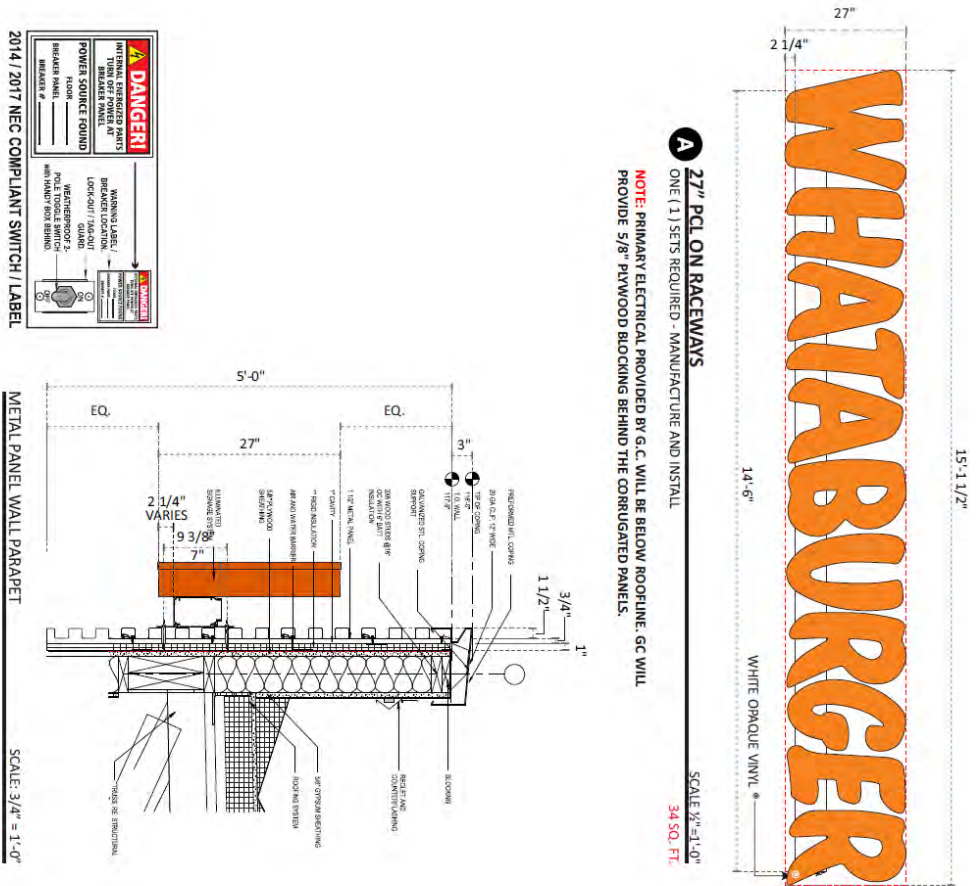
CASTLES DESIGN GROUP
A Professional Corporation
3801 Liberty St., Suite 800
Kansas City, MO 64111
Tel: 816.234.1234
Fax: 816.234.1235

SAFIRE BOARD
KANSAS CITY
3801 Liberty St., Suite 800
Kansas City, MO 64111
Tel: 816.234.1234
Fax: 816.234.1235

SIGN PACKAGE SUBMITTED BY THE APPLICANT, CONT.



	
Design #	0629145A
Sheet	2 of 9
Client	
Address	10799 Parallel Hwy, Kansas City, KS
Arch. Bldg.	CHIEF MGMT
Coordinator	LAUREN ECKHARDT
Designer	16
Date	3/19/21
Approval / Date	
Client	
Sales	
Estimating	
Art	
Engineering	
Revision/Date	
CHANDLER SIGNS	
chandlersigns.com	
24551 W. 120th St. Suite 100 Overland Park, KS 66209	
Phone: 913.241.1234	
Fax: 913.241.1235	
Email: info@chandler-signs.com	
Website: www.chandler-signs.com	
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FINAL ELECTRICAL CONSTRUCTION BY CUSTOMER	





Design #	0629145A
Sheet	3 of 9
Client	
Address	
10780 Penille Pkwy, Kansas City, KS	
Designer	JH
Date	3/19/20
Approval / Date	
Client	
Sales	
Estimating	
Art	
Engineering	
Landlord	
Revision / Date	

CHANDLER
SIGNS

chandlersigns.com

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Fax: (602) 998-8889
Email: info@chandlersigns.com

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Fax: (801) 972-1112
Email: info@chandlersigns.com

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Fax: (801) 972-1112
Email: info@chandlersigns.com

Florida: 1111 W. 11th St., Suite 100, Fort Lauderdale, FL 33304
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Fax: (954) 571-1112
Email: info@chandlersigns.com

Georgia: 1111 W. 11th St., Suite 100, Fort Lauderdale, FL 33304
Phone: (954) 571-1111
Fax: (954) 571-1112
Email: info@chandlersigns.com

South: 1111 W. 11th St., Suite 100, Fort Lauderdale, FL 33304
Phone: (954) 571-1111
Fax: (954) 571-1112
Email: info@chandlersigns.com

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Headquarters: 2400 S. 24th St., Suite 100, Phoenix, AZ 85034
Phone: (602) 998-8888
Fax: (602) 998-8889
Email: info@chandlersigns.com

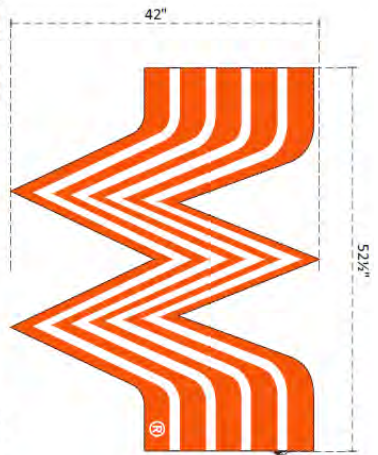
West Coast: 10000 W. 16th St., Suite 100, West Valley City, UT 84113
Phone: (801) 972-1111
Fax: (801) 972-1112
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Midwest: 10000 W. 16th St., Suite 100, West Valley City, UT 84113
Phone: (801) 972-1111
Fax: (801) 972-1112
Email: info@chandlersigns.com

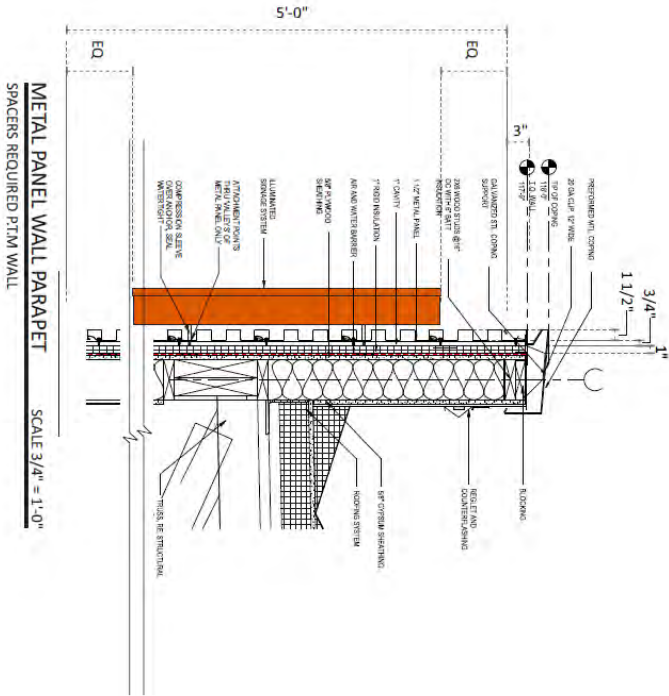
Florida: 1111 W. 11th St., Suite 100, Fort Lauderdale, FL 33304
Phone: (954) 571-1111
Fax: (954) 571-1112
Email: info@chandlersigns.com

Georgia: 1111 W. 11th St., Suite 100, Fort Lauderdale, FL 33304
Phone: (954) 571-1111
Fax: (954) 571-1112
Email: info@chandlersigns.com

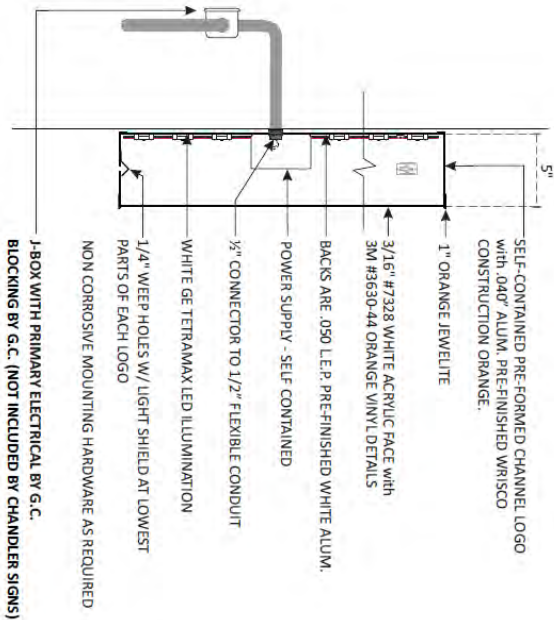
South: 1111 W. 11th St., Suite 100, Fort Lauderdale, FL 33304
Phone: (954) 571-1111
Fax: (954) 571-1112
Email: info@chandlersigns.com



B 42" PCL-LOGO
ONE (1) REQUIRED - MANUFACTURE AND INSTALL
SCALE: 3/4" = 1'-0"
15.32 SQ. FT.



METAL PANEL WALL PARAPET
SCALE 3/4" = 1'-0"
SPACERS REQUIRED PTM WALL



LETTER SECTION
SELF-CONTAINED
5/8" PLYWOOD BLOCKING AND PRIMARY ELECTRICAL BY G.C.
(NOT INCLUDED BY CHANDLER SIGNS)
N.T.S.



2014 / 2017 NEC COMPLIANT SWITCH / LABEL



Design #	0629145A
Sheet	4 of 9
Client	
#	
Address	10780 Parallel Pkwy, Kansas City, KS
Est. Rep./ Contractor	DERRE MOULT LAWRENCE, KANSAS
Designer	JH
Date	3/19/21
Approval / Date	
Client	
Sales	
Estimating	
Art	
Engineering	
Landscape	
Revision/Date	

CHANDLER SIGNS
chandlersigns.com

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WICHITA, KANSAS 67202-1000
TEL: 316.262.1234 FAX: 316.262.1235
WWW.CHANDLERSIGNS.COM

5/8" PLYWOOD BLOCKING AND PRIMARY ELECTRICAL BY G.C.
(NOT INCLUDED BY CHANDLER SIGNS)

CHANDLER SIGNS
2425 S. STATE HWY. 100, SUITE 100
WICHITA, KANSAS 67202-1000
TEL: 316.262.1234 FAX: 316.262.1235
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5/8" PLYWOOD BLOCKING AND PRIMARY ELECTRICAL BY G.C.
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FINAL ELECTRICAL CONNECTION BY CUSTOMER

2014 / 2017 NEC COMPLIANT SWITCH / LABEL

5"

1" ORANGE JEWELITE

SELF-CONTAINED PRE-FORMED CHANNEL LOGO with .063" ALUM. PTM. WRISCO CONSTRUCTION ORANGE.

3/16" #7328 WHITE ACRYLIC FACE with 3M #3630-44 ORANGE VINYL DETAILS

WB

LOGO

BACKS ARE .080 L.E.P. PRE-FINISHED WHITE ALUM.

ADDITIONAL INTERNAL BRACES AS NEEDED.

1/2" CONNECTOR TO 1/2" FLEXIBLE 'CARFLEX' CONDUIT

WHITE GE TETRAMAX LED ILLUMINATION

1/4" WEEP HOLES W/ LIGHT SHIELD AT LOWEST PARTS OF EACH LOGO

NON CORROSIVE MOUNTING HARDWARE AS REQUIRED

LOW VOLTAGE ELECTRICAL TO RUN THRU I-BEAM CHANNEL AND WIRED TO REMOTE POWER SUPPLIES.

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

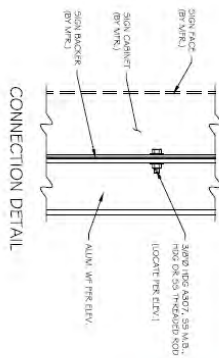
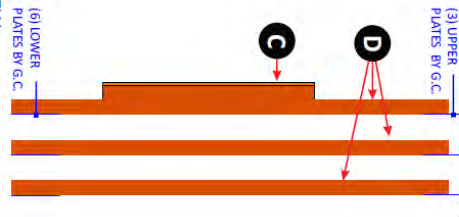
SCALE: 3/4" = 1'-0"

WITHIN SIGN D

END VIEW

LOGO INSTALLED ABOVE ENTRY DOOR

SCALE 3/8" = 1'-0"



REMOTE POWER SUPPLY

N.T.S.

PRIMARY ELECTRICAL BY G.C. (NOT INCLUDED BY CHANDLER SIGNS)

NOTE: REMOTE POWER SUPPLY. LOW VOLTAGE LEAD GOING BACK TO DESIGNATED AREA BEHIND THE WALL WITHIN 40FT OF THE SIGN ABOVE THE ROOF LINE. THE DESIGNATED AREA TO BE ACCESSIBLE FOR FUTURE SERVICE AND TO BE IDENTIFIED BY THE ARCHITECT. PRIMARY ELECTRICAL BY THE GC SHOULD BE LOCATED IN THIS AREA. THE GC CONTRACTOR TO PROVIDE THREE (3) PROVIDE CONDUITS FROM DESIGNATED AREA TO AREA BEHIND UPPER ATTACHMENT PLATES.

NOTE: SHIP TOUCH-UP PAINT COLOR TO MATCH BACKGROUND WALL WITH SIGN.

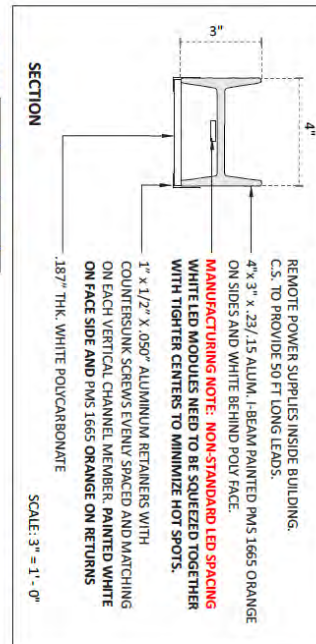
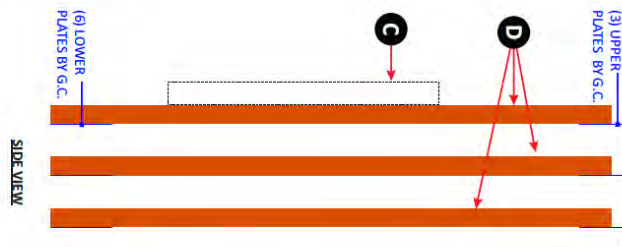
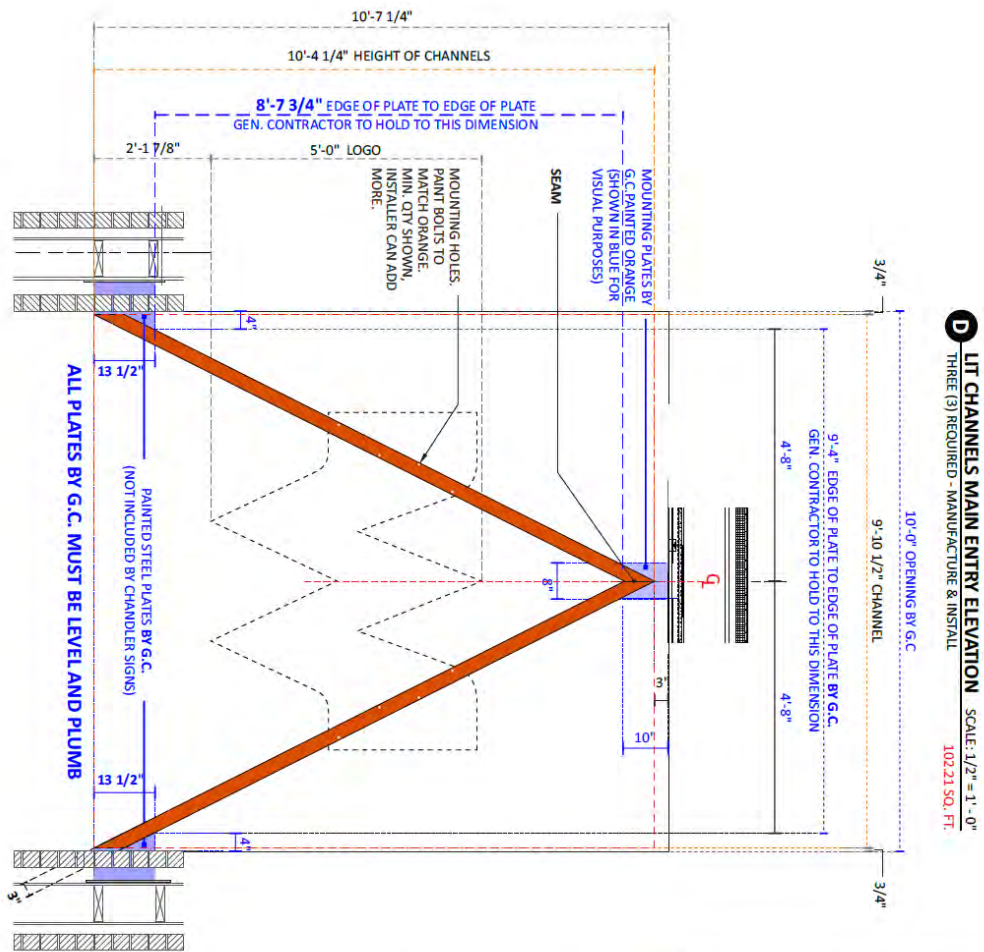
ALL BOLTS ON RACEWAY TO BE PAINTED TO MATCH AFTER SIGN IS INSTALLED.

NOTE: LOCATION OF PRIMARY ELECTRICAL WITHIN THE BUILDING (AND LOCATION OF REMOTE POWERS SUPPLIES) TO BE IDENTIFIED BY THE ARCHITECT.



July 29, 2021

SIGN PACKAGE SUBMITTED BY THE APPLICANT, CONT.



Design # 0629145A
Sheet 6 of 9
Client #
Address 10780 Parallel Pkwy, Kansas City, KS
Designer J. L. LAMBERT
Date 3/19/21

Approval / Date
Client
Sales
Estimating
Art
Engineering
Landlord

Revision/Date

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Website: www.chandler-signs.com

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Design # 0629145A
Sheet 6 of 9
Client #
Address 10780 Parallel Pkwy, Kansas City, KS
Designer J. L. LAMBERT
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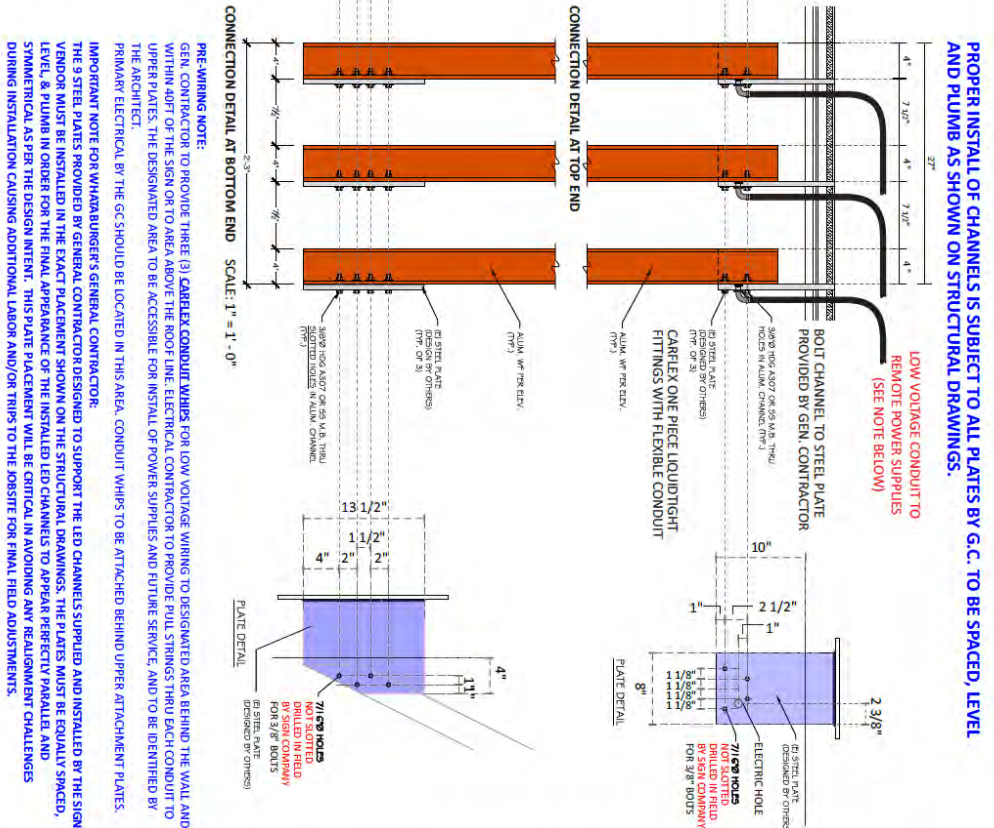
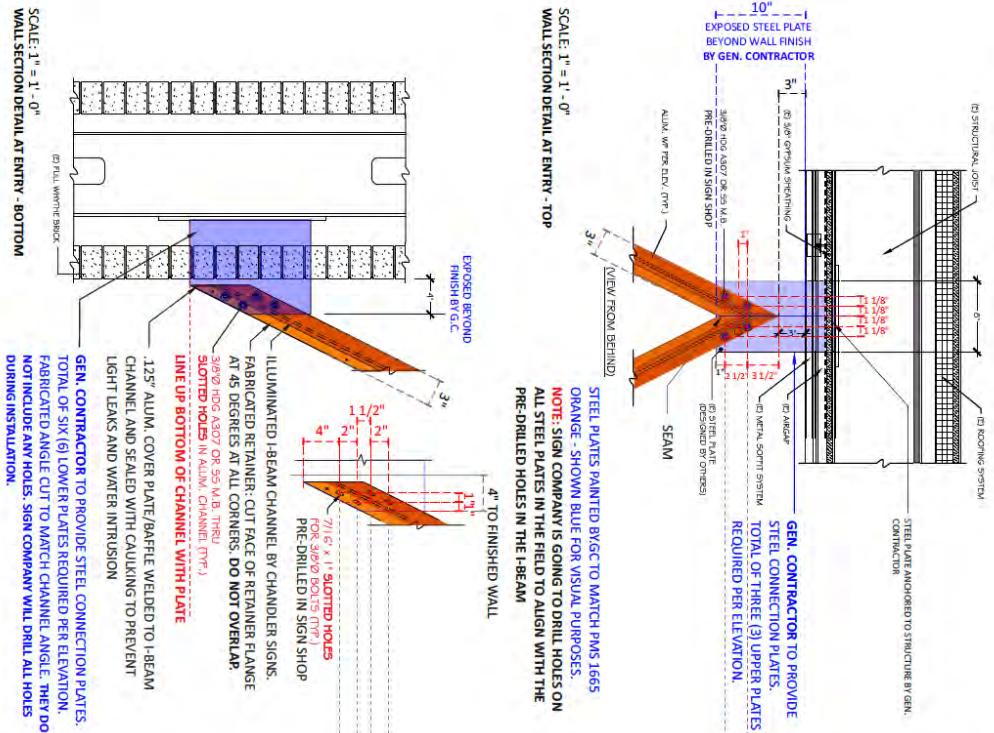
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SIGN PACKAGE SUBMITTED BY THE APPLICANT, CONT.

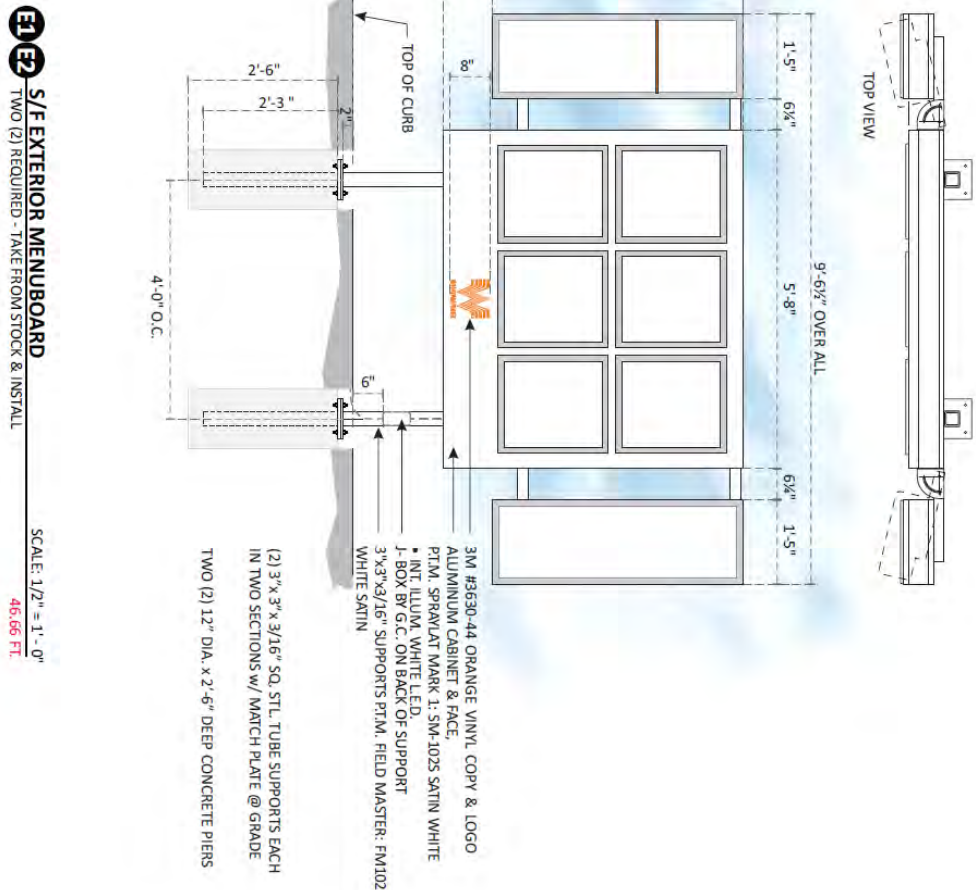


PROPER INSTALL OF CHANNELS IS SUBJECT TO ALL PLATES BY G.C. TO BE SPACED, LEVEL AND PLUMB AS SHOWN ON STRUCTURAL DRAWINGS.



Design #		0629155A
Sheet		7 of 9
Client		10780 Purdue Plwy, Kansas City, KS
Address		
Designer		10780 Purdue Plwy, Kansas City, KS
Date		3/19/20
Approval / Date		
Client		
Estimating		
Art		
Engineering		
Landlord		
Revision/Date		
Handwritten notes and signatures are present in this section, including a signature for "CHANDLER SIGNS, LLC" and a date of "3/19/20".		

SIGN PACKAGE SUBMITTED BY THE APPLICANT, CONT.



Design #
0629145A

Sheet
8 of 9

Client
#

Address
10780 Paralel Pkwy,
Kansas City, KS

Act Rep.
DERBE MOULT
CONNECTION LAUREN STEPHENS

Designer
JL

Date
3/19/21

Approval / Date

Client

Sales

Estimating

Art

Engineering

Landed

Revision/Date

1. 3/19/21: Initial design and material selection.

2. 3/19/21: Revised design based on client feedback.

3. 3/19/21: Final design and material selection.

4. 3/19/21: Final design and material selection.

5. 3/19/21: Final design and material selection.

6. 3/19/21: Final design and material selection.

7. 3/19/21: Final design and material selection.

8. 3/19/21: Final design and material selection.

9. 3/19/21: Final design and material selection.

10. 3/19/21: Final design and material selection.

chandlersigns.com

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Fax: 816.441.1112
Email: info@chandler-signs.com

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Email: info@chandler-signs.com

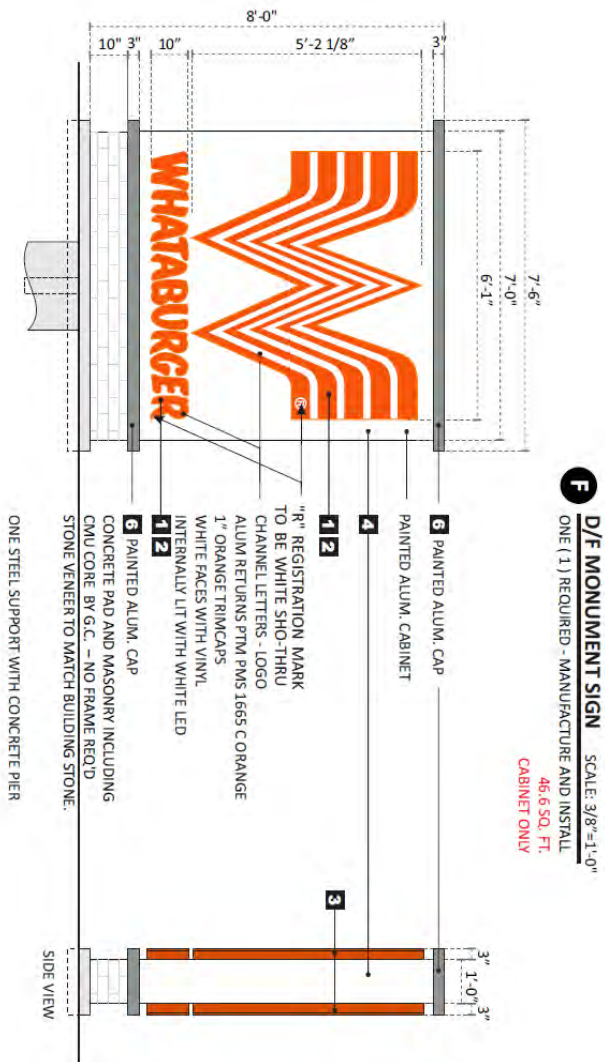
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Fax: 816.441.1112
Email: info@chandler-signs.com

Final Electrical Connection by Customer

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COLOR SCHEDULE	
1	3/16" WHITE ACRYLIC FACES
2	3M 3630-44 ORANGE VINYL
3	PTM, P.M.S. 1665C ORANGE.
4	SPRAYLIT MARK 1: SM-1025 SATIN WHITE
5	3M 3630-51 SILVER GRAY VINYL
6	PTM, P.M.S. 430 GRAY



Design #	0629145A
Sheet	9 of 9
Client	
Address	10780 Parallel Pkwy, Kansas City, KS
Act. Rep.	DEBBIE MOOT
Coordinator	JAMUN STACHURA
Designer	II
Date	3/19/2
Approval / Date	
Client	
Sales	
Estimating	
Art	
Engineering	
Landed	
Revision/Date	

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FINAL ELECTRICAL
CONNECTION BY
CUSTOMER

THIS DRAWING IS SUBJECT TO THE MATERIALS, METHODS, AND SPECIFICATIONS OF THE MANUFACTURER. THE MANUFACTURER'S SPECIFICATIONS SHALL PREVAIL OVER ANY OTHER SPECIFICATIONS. THE MANUFACTURER SHALL BE RESPONSIBLE FOR THE PROPER INSTALLATION AND MAINTENANCE OF THE SIGN.

DRAINAGE MEMORANDUM
May 28th, 2021

SUBJECT:

10780 Parallel Pkwy
Kansas City, Kansas 66109
Wyandotte County, KS
Parcel #: 401704

PROJECT AREA: 1.44 acres (Plaza at the Speedway)

INTRODUCTION:

This drainage memorandum (memo) provides a summary of the existing and proposed conditions, related to the redevelopment of the existing site located at 10780 Parallel Parkway in Kansas City, Kansas. The existing site is located at the Plaza at the Speedway. The project scope generally consists of demolishing the entire site and providing new structures, utilities, sidewalk, parking, grading, and landscaping. The overall project site is approximately 1.44 acres with the entire 1.44-acre site being disturbed.

EXISTING CONDITIONS:

The site is located on Parallel Parkway and east of Village West Parkway in Kansas City, Kansas. The existing area breakdowns for the site are as follows:

Parameter	Existing	
	Area (sf)	Area (ac)
Impervious Area	44,213	1.01
Building	6,700	.15
Pervious Area	11,992	.28
Total	62,905	1.44

Stormwater runoff from the project area currently drains to an existing series of interconnected catch basins and ultimately discharges into the master system for the Plaza at the Speedway Development.

PROPOSED CONDITIONS:

The proposed redevelopment and associated site improvements will maintain similar drainage patterns, and a new stormwater system will convey the stormwater produced. The proposed area breakdowns for the proposed site are as follows:

	Existing	
Parameter	Area (sf)	Area (ac)
Impervious Area	45,840	1.05
Building	3,751	.08
Pervious Area	13,314	.31
Total	62,905	1.44

DIFFERENCE:

	Change	
Parameter	Area (sf)	Area (ac)
Impervious Area	+1,627	.04
Building	-2,949	.07
Pervious Area	+1,322	.03
Total	62,905	1.44

BMP's:

Following the Mid-America Regional Council (MARC) Manual of Best Management Practices For Stormwater Quality 2009 edition, calculations were completed to determine the best management practices (BMP's) for the site. Considering the site a redevelopment, Section Four provides calculations to determine the Level of Service (LOS) the site needs.

The entire site (1.44 acres) is consider disturbed with the existing site having 1.17 acres of impervious area and the proposed site having 1.13 acres of impervious area. With the site being 1.44 acres and the existing impervious area being 1.17 acres, the required treatment area is .27 acres. Based upon a decrease in impervious area, BMP's will not be required.

The existing site provided a bio-swale, pervious pavement, catch basin inserts, and a hydrodynamic separator. In following suit, the proposed site will have native grasses planted, catch basin inserts, and will be reusing the hydrodynamic separator.

CLOSURE

The Plaza at the Speedway follows the American Public Works Association (APWA) Section 5600 design criteria. The manual provides exemptions from the design criteria for redevelopments and states:

"Remodeling, repair, replacement or other improvements to any existing structure or facility and appurtenances on sites small than two acres that does not cause an increased area of

impervious surface on the site in excess of 10 percent of that previously existing (Section 5601.3)."

As discussed above, the site impacts due to the proposed project are very minimal, and the amount of impervious surface area is being reduced. Because impervious surface area is not increasing, and because drainage patterns as a whole remain similar, no additional stormwater management facilities or improvements, are being proposed. BMP's are also being proposed similar to the existing site. Because of this, it is recommended the project be developed as described.

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in blue ink that reads "A W Gribble IV". The signature is written in a cursive, flowing style.

Andrew W. Gribble IV, P.E.
Project Manager



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

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

June 15, 2021

RE: PR2021-017 Staci Bowen redevelopment of lot 47 at 10780 Parallel Parkway

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of PR2021-017 Staci Bowen redevelopment of lot 47 at 10780 Parallel Parkway.

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

MAPS AND REPORTS

Soils Map
Soils Inventory Report
Map Unit Description (Brief)
Dwellings and Small Commercial Buildings
Soil Features

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

- There is one major soil type identified: Sharpsburg silty clay loam, 1 to 4 percent slopes. This soil type is considered very erodible when the surface is denuded of a protective cover.
- These are generalized statements because we have not received any additional information on what is planned.
- This site has a structure on it. We assume that the building will be used and there will not be any grading work done.
- If there is grading work, the Best Management Practices in this report can be used to solve any erosion problems that might occur.

The following Best Management Practices are recommended for this plat:

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

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

* **Critical Area Planting** - After final grade has been completed permanent vegetation will be established. See the *Protecting Water Quality Field Guide* pages 35-54 for Temporary, and Permanent Seeding.

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

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

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

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

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

* **Sediment Basins** – This best management practice should be utilized in the natural concentrated flow areas to protect adjacent property and meet the National Pollution Discharge Elimination Systems Permit (NPDES). See the *Water Quality Field Guide* pages 201 – 208 for Temporary Sediment Trap and pages 209-216 for Sediment Basin.

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

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

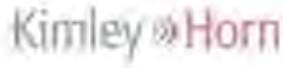
If you have any comments or questions, please do not hesitate to call me.

Sincerely,

Cheri Miller
District Manager

enclosures

NEIGHBORHOOD MEETING MATERIALS, DATED JUNE 24, 2021



June 15, 2021

To Whom it May Concern:

SUBJECT: **Neighborhood Meeting for Whataburger – 10780 Parallel Parkway**

I/We have filed an application with the Department of Urban Planning and Land Use #PR2021-017. The purpose of this preliminary plan review is for a proposed Whataburger Restaurant at 10780 Parallel Parkway in Kansas City, Kansas.

I am having a neighborhood meeting on **June 24th at 6:00 p.m.** online at the following zoom address:

Join Zoom Meeting

<https://kimley-horn.zoom.us/j/93905204378?pwd=YXVpTmt0NzJaKzI0Y3QxQ2FUUWhlQT09>

Meeting ID: 939 0520 4378

Passcode: 911524

One tap mobile

+13126266799, 93905204378# US (Chicago)

+19292056099, 93905204378# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

877 853 5257 US Toll-free

888 475 4499 US Toll-free

833 548 0276 US Toll-free

833 548 0282 US Toll-free

Meeting ID: 939 0520 4378

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

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact me at the address/phone number listed below.

Sincerely,

A handwritten signature in dark ink, appearing to read "A W Gribble IV".

Andrew W. Gribble IV, P.E.
816-652-2333

Kimley-Horn, Inc. | 1929 Walnut Street, Suite 814-M | Kansas City, MO 64105 | 816-652-2333



Application Number: PR2021-017

Date and Location: June 24th at 6 PM – via ZOOM.

Meeting called to order at: 6:00 PM

Names of people in attendance:

Andrew Gribble – Kimley-Horn and Associates, Inc (EOR)

Luke Long – Kimley-Horn and Associates, Inc.

Staci Bowen – KMO Burger, LLC (Applicant)

Tim Thompson – KMO Burger, LLC

Meeting Notes: No one from the public called into our meeting.

Meeting adjourned at: 6:15 PM

Minutes taken by: Luke Long – Kimley-Horn and Associates, Inc.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF _____)
) SS:
COUNTY OF _____)

Comes now Andrew W Gribble IV, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # 2021-017.
2. That I conducted a neighborhood meeting on 6/24/2021.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

AW Gribble IV
Affiant

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

My commission expires _____ of _____, 200__.

Notary Public



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: July 29, 2021
Re: Petition PR2021-018

GENERAL INFORMATION

Applicant:
Danielle Sharmacharya

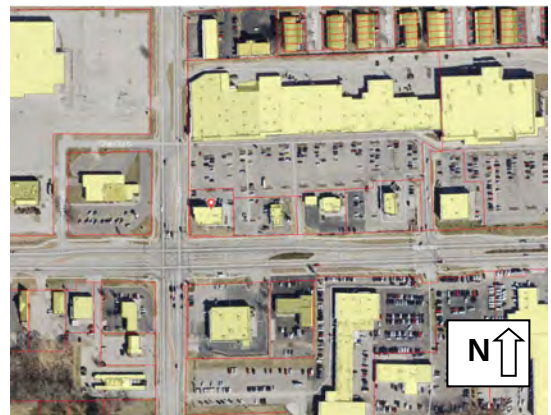
Status of Applicant:
Representative
Dungan Design Group
8826 Santa Fe Drive, Suite 304
Overland Park, KS 66212

Requested Action:
Approval of a Preliminary and Final
Development Plan.

Date of Application:
May 28, 2021

Purpose:
To build a 2,325 square foot Chipotle restaurant.

Property Location:
7750 State Avenue
Kansas City, KS 66112



Commission District:	Commissioner At Large: Melissa Bynum District #5 Commissioner: Michael (Mike) Kane
Existing Zoning:	CP-2 Planned General Business District
Adjacent Zoning:	North: CP-2 Planned General Business District South: CP-2 Planned General Business and C-1 Limited Business Districts East: CP-2 Planned General Business District West: CP-1 Planned Limited Business District
Adjacent Uses:	North: Marshall's and PetSmart retail stores South: Walgreens Pharmacy (across State Avenue) East: Burger King and other retail stores West: Bank (across North 78 th Street)
Total Tract Size:	0.52 Acre
Master Plan Area:	City-Wide Master Plan
Master Plan Designation:	The City-Wide Master Plan designates this property as Community Commercial, which allows grocery stores, medium-sized (25,000 to 75,000 square feet) box stores, commercial centers with sit-down restaurants, drive-through restaurants, banks, drug stores, service stations, convenience stores, auto-supply stores, general services, car lots, auto body and repair shops and other auto-oriented uses are allowed but will be required to meet higher site design standards.
Major Street Plan:	The Major Street Plan classifies 78 th Street and State Avenue as Class A Thoroughfares.
Parking Requirement:	Sec. 27-668(a)(5) states one (1) space for each 50 square feet of seating area plus one (1) space for each remaining 300 square feet of total floor area. Such establishments with less than 500 square feet of seating area shall supply at least ten (10) off-street parking spaces. Twenty (20) parking spaces are required. The applicant is providing twenty-two (22) parking spaces.
Advertisement:	Property Owner Letters – June 16, 2021 and July 23, 2021 <u>Wyandotte Echo</u> – Not Required
Public Hearings:	July 12, 2021 and July 29, 2021

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Danielle Sharmacharya with Dungan Design Group filed a Preliminary and Final Development Plan to build a 2,325 square foot Chipotle restaurant on 0.52 acres at 7750 State Avenue.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765

Code Enforcement History: None to date.

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The character of the neighborhood is comprised of commercial businesses along State Avenue, north and south and on the east and west sides of 78th Street. There is a mixture of big box stores, retail centers and small businesses in this area.

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

The proposed use will increase traffic and parking demand that may create parking problems because the natural circulation pattern will change within the parking lot. Streets are designed so as to provide a safe, convenient and functional system for vehicular traffic and having such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.

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

The proposed use conforms to the City-Wide Master Plan Community Commercial designation which allows grocery stores, medium-sized (25,000 to 75,000 square feet) box stores, commercial centers with sit-down restaurants, drive-through restaurants, banks, drug stores, service stations, convenience stores, auto-supply stores, general services, car lots, auto body and repair shops and other auto-oriented uses are allowed but will be required to meet higher site design standards.

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

a. Water service

Water service is provided by BPU.

b. Sanitary sewer service

Sanitary sewer service is provided by the UG.

c. Storm water control

Designed to meet City Code.

d. Police

Police service is provided by the West Patrol, District #222.

e. Fire

Fire service is provided by Station #19, located at 80th and Minnesota Avenue.

f. Transit

Kansas City ATA provides transit service in front of this property and along State Avenue, Route #101.

g. Schools

Public education is provided by Kansas City Kansas USD 500.

5. The capability of the proposed use to meet applicable ordinance and other requirements.

With revisions, the proposed use is capable of meeting applicable ordinance and other requirements.

PREVIOUS ACTIONS

PR-2014-12 (Final Development Plan) was approved by the City Planning Commission on April 14, 2014, to build a three (3) tenant retail store.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 28, 2021 by Virtual Meeting (Zoom).

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

KEY ISSUES

Commercial Design Guidelines
Building Architecture
Landscaping
Traffic Circulation

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Plan Review Application PR2021-018, subject to:

1. **Per Business Licensing Division: If approved, the applicant will need to file and maintain a current business occupation tax application with this office.**
2. **The recorded covenants/declarations for the shopping center dictates a shared parking agreement for all parcels within the development;**
3. **ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;**
4. **Provide a pedestrian sidewalk connection from State Avenue to the front door and rear door;**
5. **A conversion to a traditional drive-through lane with a menu/order board will require a Final Development Plan;**
6. **The seven (7) vehicle stacking for the drive-through exceeds the minimum recommendation of five (5) vehicles;**
7. **Downspouts shall be internalized;**
8. **The trash enclosure shall be comprised of the same materials as the primary building. Junipers and shrubs shall be planted around the perimeter of the enclosure;**
9. **All shade trees shall be 2½" caliper. Shrubs around the perimeter of the property shall be at least five (5) gallons when planted. Shrubs that are interior to the property shall be at least three (3) gallons when planted;**
10. **Sec. 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers;**
11. **Parking lot islands east of the building shall have plantings installed in them;**
12. **All landscaping shall be irrigated;**
13. **All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;**
14. **BPU transformer pad shall be completely screened on three sides with 6-foot junipers setback 3 feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking**

- lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;
15. Rooftop mechanical equipment shall be screened from public view on all four sides;
 16. All lighting mounted on the building shall be decorative in nature, similar to the sconces and wall lighting throughout Wyandotte Plaza;
 17. All exterior lighting whether on the building or in the parking lot must be hooded or controlled to direct light 90 degrees downward;
 18. Sec. 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one foot candle as measured from said property line;
 19. Shall comply with the sign code.
 - a. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process; and,
 20. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **PR2021-018** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Applicant Response Letter
Site Plan
Floor Plan
Grading Plan
Landscape Plan
Building Elevations
Site Lighting
Site Photographs provided by Staff dated June 17, 2021.

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	July 12, 2021	July 29, 2021
Preliminary and Approval		
Final Plan		

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **PR2021-018** as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **PR2021-018**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

Hearing starts at 2:52:02:

PR2021-018 – DANIELLE SHARMACHARYA WITH DUGAN DESIGN GROUP -

SYNOPSIS: Preliminary and Final Plan Review for a Chipotle restaurant at 7750 State Avenue.

Detailed Outline of Requested Action: The applicant, Danielle Sharmacharya with Dungan Design Group filed a Preliminary and Final Development Plan to build a 2,325 square foot Chipotle restaurant on 0.52 acres at 7750 State Avenue.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765

Code Enforcement History: None to date.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and,
6. The Notices to property owners.

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

Present in Support:

- Danielle Sharmacharya, Dungan Design Group, applicant

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:56:58: Planning Director Hand stated that the applicant plans to demolish the existing structure and build a Chipotle restaurant. Staff has worked with the applicant on compliance with the Commercial Design Guidelines. One condition that staff would like to mention is that if the business changes their pick-up order configuration to a traditional drive-through lane with a menu/order board, a new Final Development Plan would be required. Staff received no letters of support nor opposition and there are no Notices of Violation. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 2:58:12:

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Preliminary Plan Review PR2021-018:**

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

Motion to RECOMMEND APPROVAL Passed: 6 to 0

Subject to:

- 1. Per Business Licensing Division: If approved, the applicant will need to file and maintain a current business occupation tax application with this office.**
- 2. The recorded covenants/declarations for the shopping center dictates a shared parking agreement for all parcels within the development;**
- 3. ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;**
- 4. Provide a pedestrian sidewalk connection from State Avenue to the front door and rear door;**
- 5. A conversion to a traditional drive-through lane with a menu/order board will require a Final Development Plan;**
- 6. The seven (7) vehicle stacking for the drive-through exceeds the minimum recommendation of five (5) vehicles;**
- 7. Downspouts shall be internalized;**
- 8. The trash enclosure shall be comprised of the same materials as the primary building. Junipers and shrubs shall be planted around the perimeter of the enclosure;**
- 9. All shade trees shall be 2½" caliper. Shrubs around the perimeter of the property shall be at least five (5) gallons when planted. Shrubs that are interior to the property shall be at least three (3) gallons when planted;**
- 10. Sec. 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers;**
- 11. Parking lot islands east of the building shall have plantings installed in them;**
- 12. All landscaping shall be irrigated;**
- 13. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;**
- 14. BPU transformer pad shall be completely screened on three sides with 6-foot junipers setback 3 feet from the pad and 10 feet from the door**

- opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;
15. Rooftop mechanical equipment shall be screened from public view on all four sides;
 16. All lighting mounted on the building shall be decorative in nature, similar to the sconces and wall lighting throughout Wyandotte Plaza;
 17. All exterior lighting whether on the building or in the parking lot must be hooded or controlled to direct light 90 degrees downward;
 18. Sec. 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one foot candle as measured from said property line;
 19. Shall comply with the sign code.
 - a. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process; and,
 20. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable.

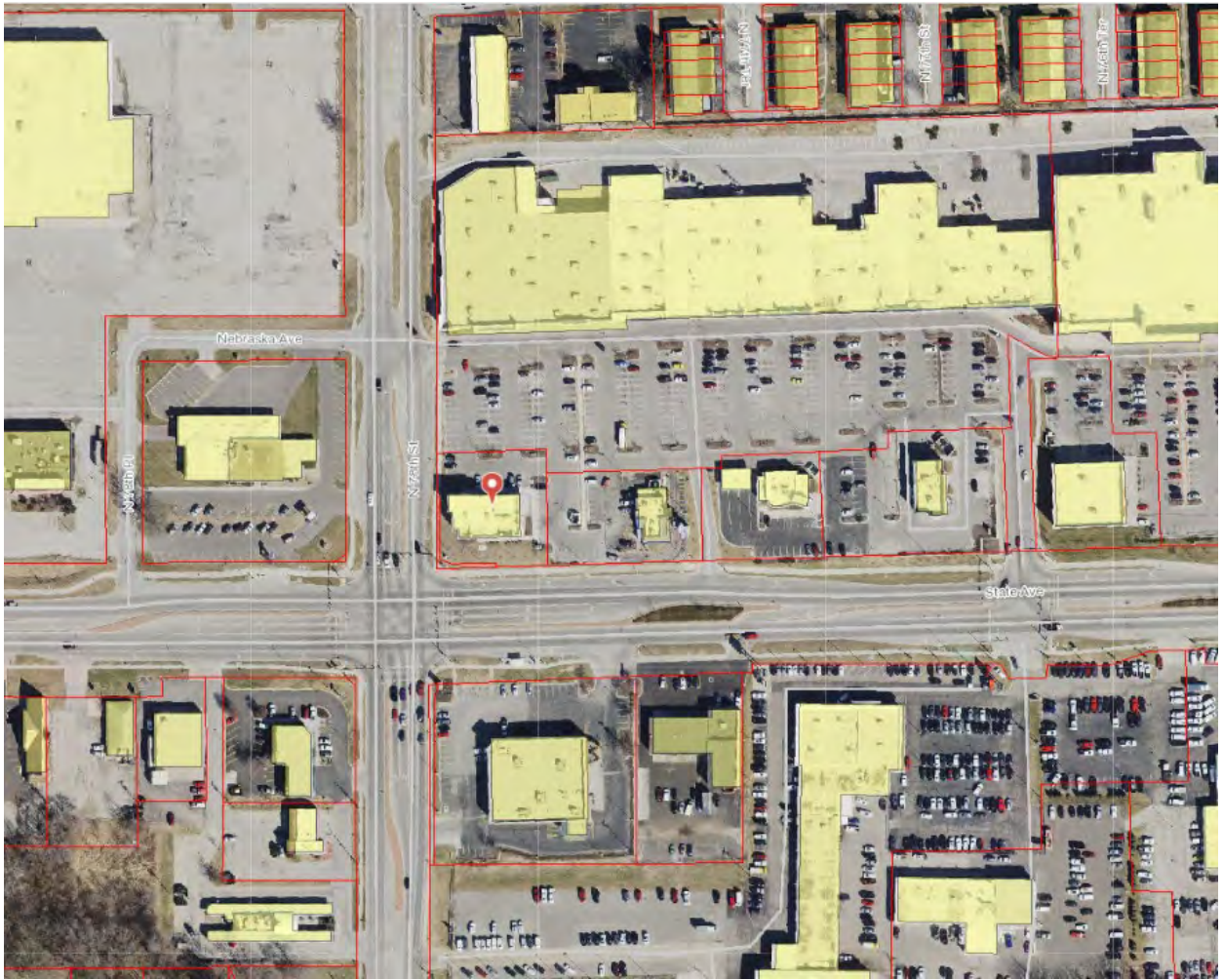


Figure 1. Aerial Photograph for 7750 State Avenue (provided by UG Maps).

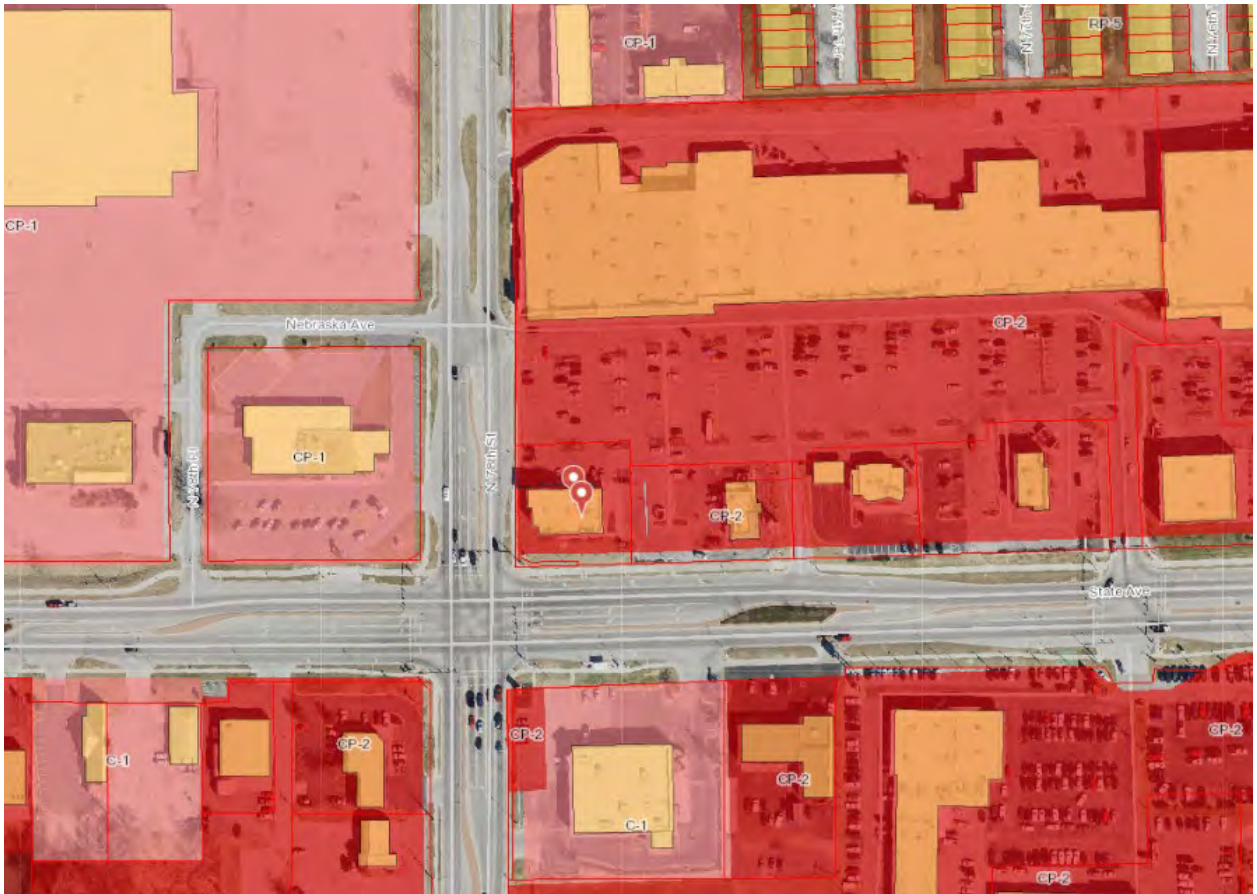


Figure 2. Zoning Map of 7750 State Avenue (provided by UG Maps).

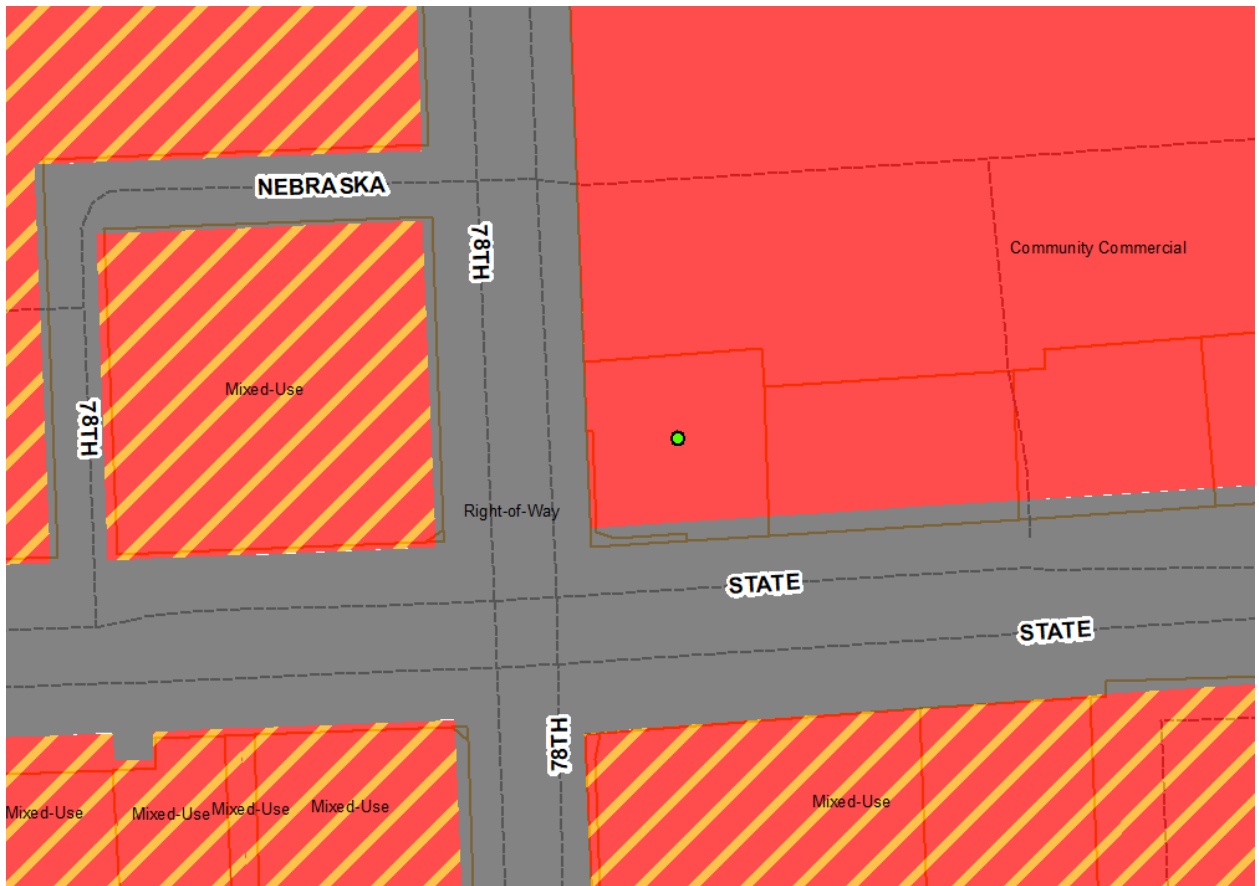


Figure 3. City-Wide Master Plan Land Use Map (provided by ArcMap).



June 28, 2021

Wyandotte County
Department of Planning and Urban Design
701 North 7th Street, Room 423
Kansas City, KS 66101

Re: 78th & State Shell
7750 State Avenue
Kansas City, KS 66221

Included with resubmittal:

- Revised drawings
- Chipotle Operations Study
- Updated material color board
- Light fixture cut sheets

Please consider the following responses to the **Planning and Urban Design Comments** received June 21, 2021:

General Planning:

1. **Comment:** The architectural floor plan does not depict any seating area; therefore, Staff can only make the determination that there is no dine-in seating, which requires ten (10) spaces per Sec. 27-668(a)(5) and 2,325 square feet is floor area that includes the kitchen, dry and cold storage, bathrooms, etc., requires 7.75 spaces. In total, eighteen (18) parking spaces are required.

Response: Seating will be available and is being permitted under the TI building permit. Sheet A130 has been added showing the seating that will be available once construction is complete. We have updated the parking data on C1.0/C1.1 to correspond to the proposed dining areas associated with this project.

2. **Comment:** What are the hours of operation?

Response: The hours of operation will be from 10:00am -10:00pm. This has been added to the site information section on the civil drawings.

3. **Comment:** Is there dine-in option available now or in the future (retrofit)?

Response: A dine in option will be available when the store opens. This work is being permitted under the TI building permit. Please reference provided A130 sheet for seating and dining room floor plan.

4. **Comment:** Provide the existing and proposed parking totals for the Wyandotte Plaza, Lot 3, as there appears to be a deficit in parking because the drive-through lane is removing nine (9) spaces on the north side of the building and five (5) spaces on the east side of the building.

Response: Please note we have updated our parking calculations per UDO Requirements and per the latest proposed building floor plan. 723 square feet of seating area at 1 per 50 square feet and 1,612 square feet of remaining building spaces at 1 per 300 square feet.

5. **Comment:** Provide a pedestrian sidewalk connection from State Avenue to the front door and rear door.

Response: We have added a direct south pedestrian sidewalk link near the southwest corner of the proposed building to the public sidewalk along State Avenue. Please note that the plan proposes a 5' sidewalk along the full south face of the building, so the proposed sidewalk link to the south connects to both the front and rear door of the proposed building. Due to an existing retaining wall along the north

Dungan Design Group, LLC 8826 Santa Fe Drive, Suite 304 Overland Park, Kansas 66212
913-341-2466 913-341-2455 fax

edge of the existing public sidewalk adjacent to State Avenue, a second pedestrian link from the rear door of the building is not possible to construct.

6. **Comment:** Previous approval from 2014, a shared parking agreement exists for the overall development, including all out parcels.

Response: Acknowledged, and we have noted in the parking data on the civil sheets and shared parking agreements are in place via the recorded covenants/declarations of the shopping center.

7. **Comment:** A conversion to a traditional drive-through lane with a menu/order board will require a Final Development Plan.

Response: Understood.

Building Architecture:

1. **Comment:** Sec. 27-576(e)(2) Exterior building materials shall not include the following:
f. EIFS at the ground level or comprising more than 15 percent of any façade.

The building elevations list "Existing Stucco System". Is this true stucco or EIFS?

Response: The stucco finish will be a true stucco. Removed "existing" from the notes on the exterior elevations to clarify.

2. **Comment:** Metal panels may be used as an accent material, but may not comprise more than 15 percent of any façade. Metal paneling accounts for more than 19 percent on the north elevation.

Response: The metal panels have been changed to a brick finish, see updated exterior elevations on sheet A301.

3. **Comment:** Sec. 27-576(i) Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should not be located between the front of the primary structure and the adjacent streets or sidewalks. Drive up facilities including drive lanes shall not be located within 150 feet of an existing residential structure; all means available should be taken to minimize the impact on adjacent residential structures.

While the drive-through lane is behind the building (non-street facing) the stacking of vehicles will push the queue towards the Burger King drive-through lane. This stacking could cause a conflict with other businesses.

Response: While the drive-through lane does back up to the adjacent business, it is a pick-up only lane (for mobile pick-up orders) and not for made-to-order meals such as the adjacent Burger King. Chipotle has done an in depth study to show that the stacking does not exceed seven cars and the pick-up lane has been designed to accommodate all seven cars within the lane. Please see the attached "Chipotle Operations Study" to show the typical traffic flow through the pick-up lane.

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

The same treatment on the north elevation shall extend to the remaining three (3) facades. Awnings, breaks in materials and building articulation are examples of what can be added to the façade. See Community American Credit Union as an example within Wyandotte Plaza.

Response: The facades have been revised to incorporate the above elements. The south façade that is longer than 45' has been revised to meet the above requirement. It incorporates divisions in materials,

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913-341-2466 913-341-2455 fax

building offsets and variation in roofline. The east and west elevation are both less than 45' in length but have been updated to include divisions in materials, building offsets and/or projections and variation in rooflines.

5. **Comment:** Sec. 27-575(f) Corner buildings at gateways or prominent intersections shall be designed to emphasize the gateway or intersection location. This may include major architectural expression in the façade roof form and/or massing such as:
- a. Larger bulk;
 - b. Tower forms;
 - c. Peaked roofs; and/or
 - d. Over-sized windows.

The Corner of this building sits at the prominent intersection in Midtown Kansas City, Kansas, 78th Street and State Avenue. How will you incorporate these features into the building.

Response: The southwest corner of the building has been modified to meet the code requirements. We have raised the parapet at the corner to create a larger bulk, tower form that is clad in brick. The prominent corner is also comprised of four large sections of 10' high storefront that allow high visibility into Chipotle's dining room.

6. **Comment:** Downspouts shall be internalized.

Response: Understood. All downspouts are internalized as shown on the A100 sheet.

7. **Comment:** The trash enclosure shall be comprised of the same materials as the primary building. Junipers and shrubs shall be planted around the perimeter of the enclosure.

Response: The trash enclosure is sheathed in brick to match the building. See attached SP102 sheet. We have included upright junipers at the face of the proposed re-constructed trash enclosure on the LS Plan.

Landscaping and Screening:

1. **Comment:** All shade trees shall be 2½" caliper. Shrubs around the perimeter of the property shall be at least five (5) gallons when planted. Shrubs that are interior to the property shall be at least three (3) gallons when planted.

Response: We have updated the LS Plan to reflect the required plant size

2. **Comment:** Sec. 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.

Response: Required lengths of plantings has been provided and noted on the updated LS Plan.

3. **Comment:** Parking lot islands east of the building shall have plantings installed in them.

Response: We have updated the LS Plans to reflect planting in the reference islands.

4. **Comment:** All landscaping shall be irrigated.

Response: Acknowledged and noted on the updated plans

5. **Comment:** All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.

Response: Acknowledged and noted on the updated LS Plans.

6. **Comment:** BPU transformer pad shall be completely screened on three sides with 6-foot junipers setback 3 feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary.

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Response: We have revised the plan to reflect upright junipers around the perimeter of the proposed transformer location.

7. **Comment:** Rooftop mechanical equipment shall be screened from public view on all four sides.

Response: All rooftop equipment will be screened from the public on all four sides of the building. Rooftop equipment is now dashed in on the exterior elevations on sheet A301 to show compliance.

8. **Comment:** All lighting mounted on the building shall be decorative in nature, similar to the sconces and wall lighting throughout Wyandotte Plaza.

Response: The wall sconces have been revised on sheet A301 to match the ones located on the Marshall's façade.

9. **Comment:** Sec. 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one foot candle as measured from said property line.

Response: Understood. The lights chosen for the site are full cutoff fixtures that are shielded and direct light onto the property. See attached cut sheets and site photometric plan on sheet E110.

Signage:

1. **Comment:** Shall comply with the sign code.

Response: Understood. All signage will be permitted separately by Chipotle's sign vendor and will comply with the sign code.

Sincerely,



Danielle Sharmacharya
Dungan Design Group, LLC

Dungan Design Group, LLC 8826 Santa Fe Drive, Suite 304 Overland Park, Kansas 66212
913-341-2466 913-341-2455 fax

MINUTES:

Application Number: PR2021-018 – 7750 State Avenue

Date and Location: 06/28/21, Zoom meeting:

<https://zoom.us/j/94027969632?pwd=WXE1bHBmUHJwT3VaeGNVM3REMFIHQ09>

Meeting called to order at: 10:58am

Names of people in attendance:

Danielle Sharmacharya with Dungan Design Group

Brett Gray with Dungan Design Group

Danielle explained that the existing building will be demolished for a new Chipotle Mexican Grill with a pick-up only drive-thru lane.

Presented a site plan, landscape plan and exterior elevations of the project.

Shared the material color board for the project.

Explained the stacking study done by Chipotle and how the drive-thru lane provides adequate space for the projected cars.

Questions and answers

Question by Brett: Asked to see if any other surrounding buildings have access to the public sidewalk along State Avenue.

Response: Used Google maps to pan along the street and noted that no other buildings within the surrounding block have access to the public sidewalk. We plan to provide an accessible path to 78th & State and also a connection point to State Avenue. Due to the slope of the site, the connection to State Avenue will have steps and not be accessible.

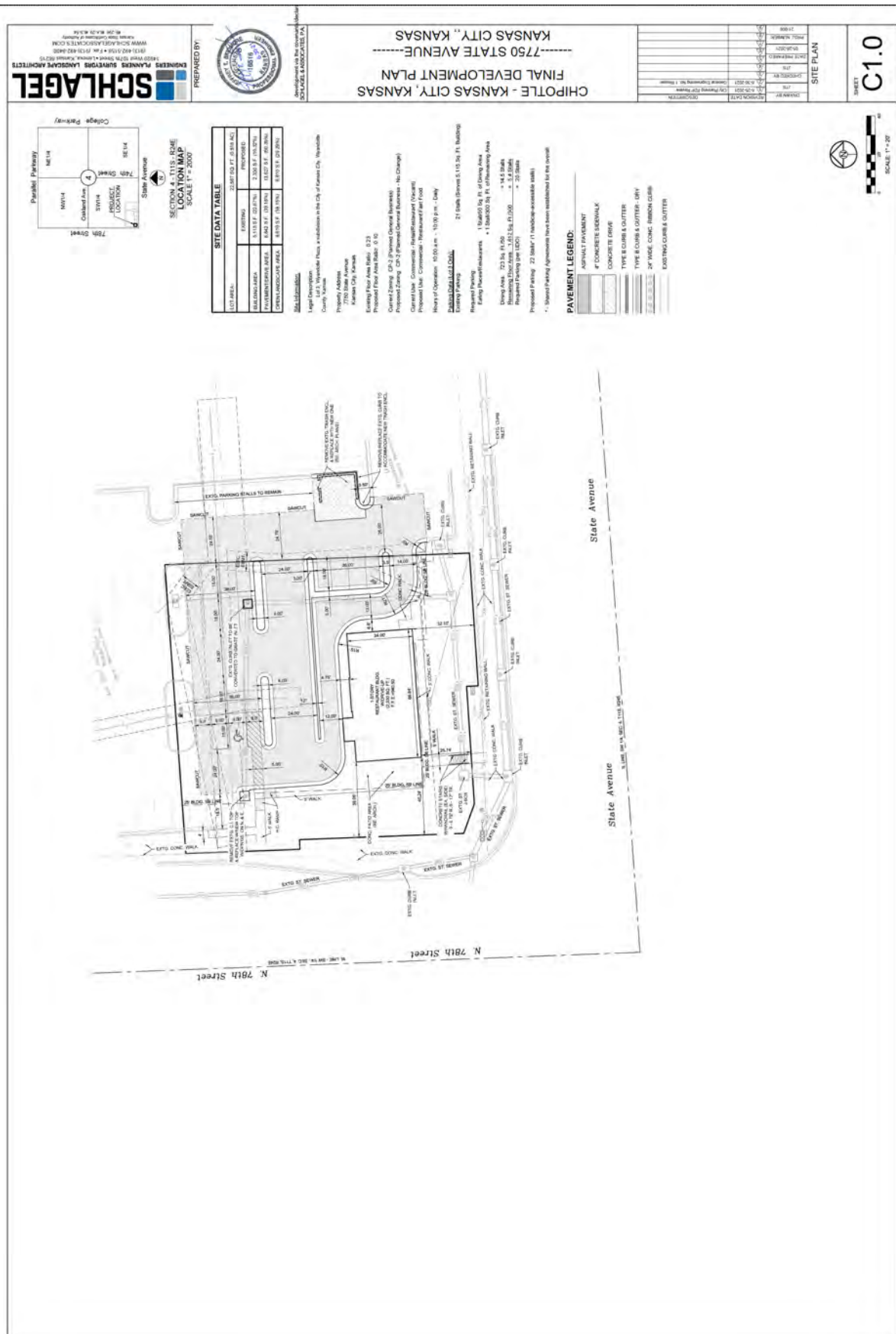
Meeting adjourned at: 11:41am

Minutes taken by: Danielle Sharmacharya

SIGN IN SHEET:

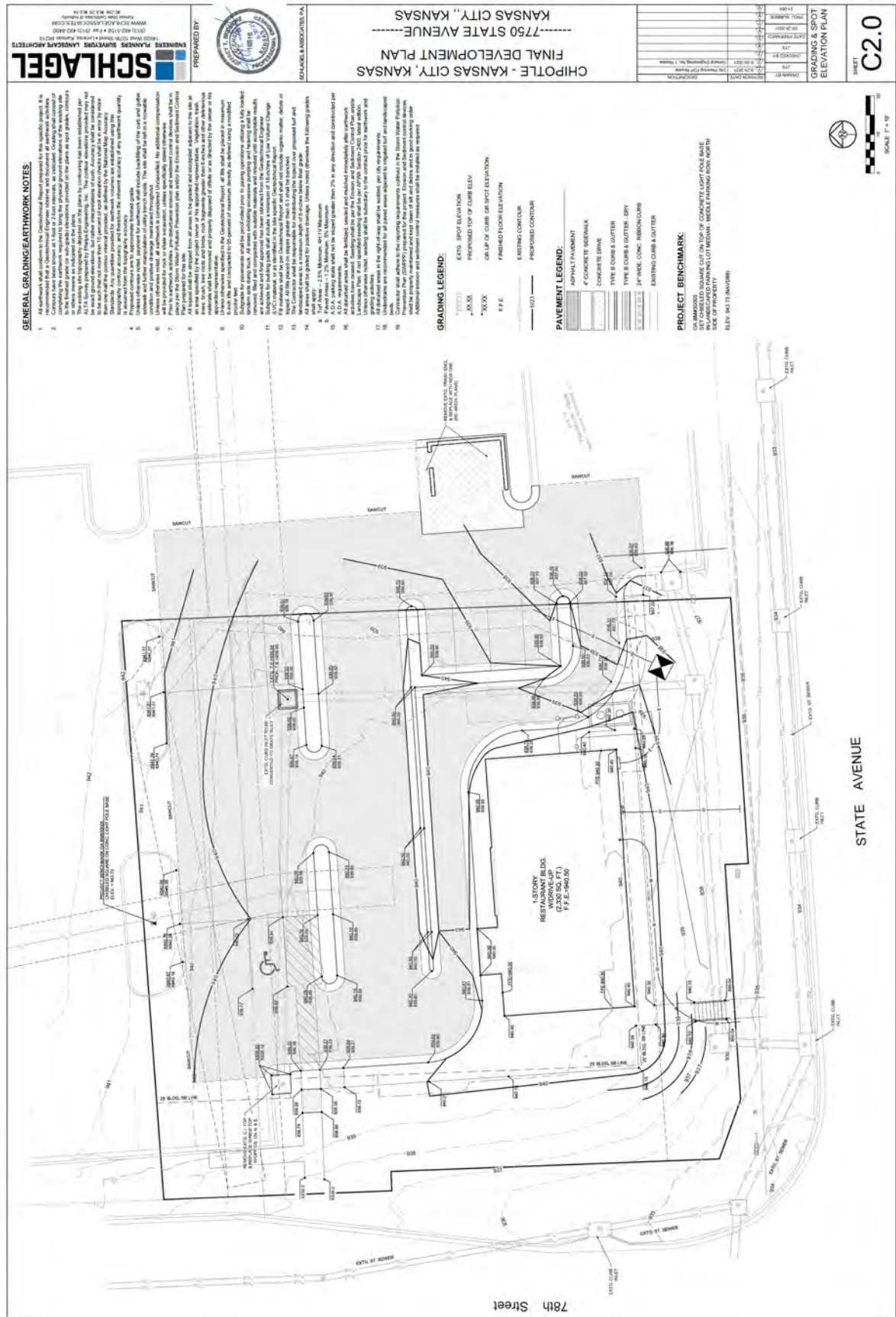
Danielle Sharmacharya – Dungan Design Group

Brett Gray – Dungan Design Group



[illegible]







25

[illegible]



Figure 4. Site Photograph of 7750 State Avenue looking southwest (provided by Staff).



Figure 5. Site Photograph of 7750 State Avenue looking south (provided by Staff).



Figure 6. Site Photograph of 7750 State Avenue looking south (provided by Staff).



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: July 29, 2021

Re: **Change of Zone Petition COZ2021-020 and Master Plan Amendment MPL2021-007**

GENERAL INFORMATION

Applicant:
NP Turner Industrial, LLC

Status of Applicant:
Representative
Continental Consulting Engineers, Inc.
11006 Parallel Parkway, Suite 1
Kansas City, KS 66109

Requested Actions:
Change of Zone from R-1 Single Family and RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District.

Master Plan Amendment from Parks/Open Space, Low Density Residential, Medium Density Residential and Mixed Use to Industrial (City-Wide Master Plan).

Date of Application: May 26, 2021



Purpose:	To rezone and create three (3) lots to build three (3) buildings (Building 7 – 202,032 square feet, Building 8 – 301,944 square feet and Building 9 – 405,600 square feet) for a warehouse and distribution center.		
Property Location:	7200 Tauromee Avenue, 743 North 74 th Drive, 725 North 74 th Drive, 7315 Tauromee Avenue and 530 North 72 nd Street		
Commission Districts:	Commissioner At Large: Melissa Bynum District #8 Commissioner: Jane Winkler Philbrook		
Existing Zoning:	R-1 Single Family and RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts		
Surrounding Zoning:	North:	R-1 Single Family, CP-2 Planned General Business and CP-3 Planned Commercial Districts	
	South:	R-1 Single Family District	
	East:	RP-5 Planned Apartment District and KDOT Right-of-Way	
	West:	RP-4 Planned Garden Apartment and R-1 Single Family Districts	
Existing Uses:	North:	Single family homes and a home improvement store (across State Avenue)	
	South:	Industrial business park (currently under construction)	
	East:	Single family homes and senior living apartments	
	West:	Undeveloped land and right-of-way	
Total Tract Size:	127.17 Acres		
Master Plan Area:	City-Wide Master Plan		
Master Plan Designation:	The City-Wide Master Plan designates this property as Low Density Residential, Medium Density Residential, Parks/Open Space, and Mixed Use. Low Density Residential allows single-family detached residences, institutional uses such as elementary and middle schools, small churches (less than 50,000 square feet), libraries and parks, open space, etc. Medium Density Residential allows garden apartments, attached residences including townhomes, duplexes, triplexes, fourplexes, institutional uses such as elementary, middle and high schools, churches, libraries, parks and open space. Parks and Open Space allows active and passive parks, open space and trails. Mixed Use allows specialty retail, sit-down		

restaurants, convenience retail uses such as banks, drug stores, professional and office services, institutional uses such as churches, schools, libraries, etc., parks, plaza, open space, and mixed-density residential uses.

Major Street Plan:	The Major Street Plan classifies I-70 Highway as a freeway, State Avenue as a Class A Thoroughfare, North 72 nd Street (College Parkway) as a Class C Thoroughfare, and Tauromee Avenue as a Collector Street.
Required Parking:	For buildings larger than 50,000 square feet, parking is determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government Board of Commissioners shall make the final determination upon recommendation of the Planning Commission. Building 7 proposes 203 parking spaces. Building 8 proposes 278 parking spaces. Building 9 proposes 208 parking spaces.
Advertisement:	<u>The Wyandotte Echo</u> – Change of Zone - June 17, 2021; Master Plan Amendment – June 17, 2021 Letters to Property Owners – Change of Zone – June 16, 2021 and July 22, 2021; Plat – June 16, 2021; Master Plan Amendment – June 16, 2021 and July 22, 2021
Public Hearings:	July 12, 2021 and July 22, 2021
Public Support:	None to date.
Public Opposition:	Two (2) people appeared in opposition at the July 12, 2021 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, NP Turner Industrial, LLC wants to rezone from R-1 Single Family and RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District, create three (3) lots to build three (3) buildings (Building 7 – 202,032 square feet, Building 8 – 301,944 square feet and Building 9 – 405,600 square feet) and amend the City Wide Master Plan from Parks/Open Space, Low Density Residential, Medium Density Residential and Mixed Use to Industrial for a warehouse and distribution center at 7200 Tauromee Avenue, 743 North 74th Drive, 725 North 74th Drive, 7315 Tauromee Avenue and 530 North 72nd Street on 127.17 acres.

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

Code Enforcement History: There is no history of Notice of Violations for this property.

FACTORS TO BE CONSIDERED

1. Neighborhood character

This project spans a large area with several uses. The site area is primarily undeveloped land with existing thick tree stands throughout the area. There are residential townhomes (Villas of Stonebridge) west of the project area. Commercial uses exist further north of North 74th Drive along State Avenue. This location is also adjacent to several major roadways; I-70 to the south adjacent the southern property line of Building 8e, College Parkway to the east. Appropriate preservation of open space and screening is essential.

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

The zoning and uses of properties nearby are not compatible with the southwest area of this development, as established single-family homes and townhomes are in this general direction and these residents must drive along Tauromee Avenue and North 74th Drive leave and return to their residences. The proposed uses are not compatible with the surrounding area.

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

The property is not suitable due to topography, adjacent uses, and limited access. All of these need to be addressed.

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

Portions of the properties along North 74th Drive and Tauromee Avenue have never been developed. Northpoint Development has purchased residences along Tauromee Avenue and North 72nd Street for their business park.

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

The proposed use will produce economic activity; however, the proposed use is not reasonably necessary for the convenience and welfare of the public as there will be an industrial building adjacent the property lines southwest of Building 8 and west of the detention basins of Building 9, and will substantially injure the appropriate use, visual quality and marketability of the residences.

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

The proposed use will increase traffic and parking demand; however, all traffic shall enter from Tauromee Avenue, and continue west of until reaching North 72nd Street where traffic will turn south to enter Building 8 and north on North 74th Drive to enter Building 9. There shall be no access from the north on North 74th Street, from the south on North 72nd Street or from the west on Tauromee.

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

The proposed use does not conform to the Master Plan. An amendment to Industrial has been submitted by the applicant.

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

The site, as proposed will be graded similar to Turner Logistics Center East with the majority of the trees removed for building pads and parking. There are established tree stands to the throughout this development area which are partially not part of a detention basin or building pad. These tree stands, through preservation will soften the front of the building and customer parking from all vantage points along the public streets.

This development area is dense with existing, mature trees and these homes that border this development and the residents that must drive on the public streets to get to the major arterials (State Avenue and College Parkway) and highways (Interstate 70) do not need to feel as though they are driving through an industrial business park.

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

a. *Water service*

Water service is provided by BPU.

b. *Sanitary sewer service*

Sanitary sewer service is provided by the UG.

c. *Storm water control*

To be designed to meet City Code.

d. *Police*

Police service is provided by West Patrol, District #221.

e. *Fire*

Fire service is provided by Fire Station #11.

f. Transit

Kansas City ATA provides transit service along College Parkway and I-70, Route #114 and State Avenue, Route #101.

g. Schools

Public education service provided by Turner USD 202.

h. Streets

See item #6 above.

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

The proposed use will have a positive economic impact on the community by turning fairly low density residential and undeveloped lots into taxable lots with industrial buildings.

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

With revisions to public improvements, landscaping, berming and fencing, the proposed use is capable of meeting applicable ordinance requirements.

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

There is no relative gain to the public health, safety and welfare compared to the hardship imposed on the landowner, although all traffic will be restricted to Tauromee Avenue via College Parkway/Turner Diagonal.

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

Development can be used safely without danger to health or peril from fire, flood, and erosion. There will be excessive noise associated with this industrial development, the truck docks will be located in the rear, which will be external to the development adjacent to Building 9 facing North 74th Drive.

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

The primary entrance will be off Tauromee Avenue via Turner Diagonal/College Parkway with a realignment of North 74th Drive. There is no access into the development from State Avenue, west from 78th Street on Tauromee or north

from 72nd Street, so heavy trailer and truck traffic should not become a nuisance for those remaining residences on North 74th Drive.

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

Buildings, lots, blocks, parcels and streets will be arranged so as to afford adequate light, open space, or air to facilitate protection, and to provide for long-term sustained real estate values provided proper berming, fencing and screening is constructed and continuously maintained.

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

Development patterns have been designed with minimal due regard to topography, much of the site has been graded flat. Most of the natural vegetation has been removed except for the existing tree stands around the perimeter along the northern and western edge of the property.

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

This is an industrial development and as such does not have the amenities stated above, although staff has made recommendations to improve walkability and non-vehicular transportation and transit by coordinating with KCATA to have a transit stop on College Parkway/Turner Diagonal just north of Tauromee Avenue and pedestrian access via sidewalks throughout the development along North 72nd Street, North 74th Drive and Tauromee Avenue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 28, 2021 by Virtual Meeting (Zoom). Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Floodway Mitigation
Pedestrian and Transit Access
Screening from North 74th Drive, Tauromee Avenue and North 72nd Street
Truck Noise
Lighting / Glare
Existing Topographic and Natural features
Sidewalk and Trails Master Plan

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Change of Zone COZ2021-020 and Master Plan Amendment MPL2021-007, subject to:

1. **Manufacturing uses are permitted on the property that are restricted to the MP-1 use regulations and shall comply with Sec. 27-468(c)(3) No use shall be permitted or so operated as to produce or emit:**
 - a. **Smoke, dust, fly ash, gas, or odorous emission not in compliance with Chapter 3 (Code of the Unified Government of Wyandotte County/Kansas City, Kansas, Chapter 3 – Air Pollution).**
 - b. **Vibration or concussion perceptible without instruments at the property line.**
 - c. **Noise greater than 75dB(A) at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night noise level average to exceed 65 dB(A) for any residence for a sustained period.**
 - d. **Industrial waste which may overburden the public sewage facilities or produce odor or unsanitary effects beyond the property line;**
2. **Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;**
3. **Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;**
4. **Utility easements shall connect with easements established in adjoining properties;**
5. **Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;**
6. **To alleviate all impact on the regulatory floodway within Mill Creek, Staff prefers construction a bridge rather than installing a box culvert;**
7. **Provide an enhanced screening plan more in line with that done for Plaza at the Speedway as the truck trailers will be highly visible from 74th Drive and Tauromee Avenue;**

8. With the southbound transit stop located north of Tauromee Avenue, constructing a five (5) foot wide sidewalk on the north right-of-way along Tauromee Avenue will ensure employees have a safe and reliable means to walk to Building 9 without having to cross the 72nd Street and Tauromee Avenue or 74th Drive and Tauromee Avenue intersections;
9. In addition to adding a sidewalk on the east side of North 74th Drive, add a sidewalk on the west side North 74th Drive to connect to the Villas of Stonebridge residential development;
10. The trail connection point to Tauromee Avenue will be within the project boundary. The developer is finalizing the purchasing agreement with KTA and KDOT for excess right-of-way that the connection is currently shown within;
11. Staff understands the site restraints, however Building 7 is situated on the same lot as the proposed streamway trail per the Sidewalk and Trails Master Plan. Greater discussion is necessary during the Final Development Plan and Final Plat to guarantee that the trail extends south of Tauromee Avenue. Crushed and compacted limestone is the preferred trail surface rather than mulch which is more susceptible to wash out;
12. Crosswalks shall be added to driveways and intersections where sidewalks are connected along and across Tauromee Avenue, North 74th Drive and North 72nd Street. Crosswalks shall be ADA compliant;
13. The access drive for Water Pollution Control shall be paved;
14. Sec. 27-469(c)(1)d. No use shall be permitted or so operated as to produce or emit: Noise greater than 80 decibels at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night level average to exceed 65 decibels for any residence for a sustained period;
15. No truck traffic on North 74th Drive, North 72nd Street or on Tauromee Avenue, west of Building 8. All truck traffic shall be routed on Tauromee Avenue via College Parkway/Turner Diagonal;
16. The loading dock doors shall be painted to match the building or a complimentary color as the primary building;
17. Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building;
18. For context, the development of Turner Logistics Center West is sandwiched in between a residential area, comprised of single-family homes and townhomes, Interstate 70 and College Parkway. There are multiple access points to get to Buildings 7 – 9 on Tauromee Avenue via 78th Street and College Parkway and North 74th Drive via State Avenue. These buildings will be highly visible along North 74th Drive and Tauromee Avenue as residents must drive past these buildings to reach their neighborhood, instead of the forested, rural setting that exists now whereas Turner Logistics Center East has one access point within that development. All traffic enters and exits onto Orville Avenue and the development is self-contained. Residents should not have to drive through the logistics park to get to College Parkway via Tauromee Avenue. The overall development should be designed in a manner that hides this industrial business park from residents that live along

- Tauromee Avenue and North 74th Street (Village of Stonebridge) and will drive through this area to get to I-70;
19. Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcels and Tauromee Avenue, North 74th Drive, North 72nd Street and College Parkway/KDOT ROWs;
 20. In addition to trees being planted on top of the existing ridge line, trees shall be infilled on the downward slope to increase the screening along North 74th Drive;
 21. Install more evergreens to ensure that during the winter months, Building 9 is not visible from the adjacent residences to the west;
 22. Relandscape the north slope of Building 9 and remaining void areas throughout the development site, not limited to: north and south sides along Tauromee Avenue west of the creek crossing, in between the east side of Building 8 and North 72nd Street and the southwest corner of North 72nd Street/Tauromee Avenue intersection, west of the cul-de-sac west of Building 9, and east of Building 9 and the trailer/truck storage;
 23. Trees shall wrap around the perimeter of the detention basin slopes, be planted at the top and on slopes, and always seek to replant those trees lost due to the development;
 24. Trash compactors shall be screened from public view;
 25. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
 26. Sec. 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;
 27. Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 554 trees are required to be planted. This does not include the street trees to be planted along North 72nd Street, North 74th Drive, Tauromee Avenue, or parking lot island trees;
 28. Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaces not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center;
 29. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty

- (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue;
30. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
 31. All landscaping shall be irrigated;
 32. Shall comply with the sign ordinance;
 33. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sec.8-610 through Sec.8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.
 34. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable; and,
 35. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2021-020** and **MPL2021-007** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Photography
Zoning Map
Land Use Map
Applicant Response Letter
Neighborhood Meeting Minutes
Preliminary Plat
Site Plan
Grading and Utility Plan
Landscape Plan
Sight Lines
Building Elevations
Site Photographs taken by Staff on December 16, 2020

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Unified Government Board of Commissioners</u>
Public Hearing	July 12, 2021	July 29, 2021
Rezoning	Approval	

Public Hearing	July 12, 2021	July 29, 2021
Master Plan	Approval	

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition MPL2021-007 as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition MPL2021-007, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition COZ2021-020 as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition COZ2021-020 as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

Hearing starts at 1:08:27:

MASTER PLAN AMENDMENT MPL2021-007 – NP TURNER INDUSTRIAL, LLC – SYNOPSIS: Master Plan Amendment from Low Density Residential to Industrial at 725 North 74th Drive.

CHANGE OF ZONE APPLICATION COZ2021-020 – NP TURNER INDUSTRIAL, LLC - SYNOPSIS: Change of Zone from R-1(B) Single Family, RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District for continuation of the warehousing, distribution and light manufacturing development at 725 North 74th Drive.

PLAT2021-012 – NP TURNER INDUSTRIAL, INC. – SYNOPSIS: Preliminary Plat for Turner Logistics Center West at 725 North 74th Drive.

Detailed Outline of Requested Action: The applicant, NP Turner Industrial, LLC wants to rezone from R-1 Single Family and RP-4 Planned Garden Apartment and RP-5 Planned Apartment Districts to MP-2 Planned General Industrial District, create three

(3) lots to build three (3) buildings (Building 7 – 202,032 square feet, Building 8 – 301,944 square feet and Building 9 – 405,600 square feet) and amend the City Wide Master Plan from Parks/Open Space, Low Density Residential, Medium Density Residential and Mixed Use to Industrial for a warehouse and distribution center at 7200 Tauromee Avenue, 743 North 74th Drive, 725 North 74th Drive, 7315 Tauromee Avenue and 530 North 72nd Street on 127.17 acres.

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

Code Enforcement History: There is no history of Notice of Violations for this property.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and
7. The Notices to property owners.

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

Present in Support:

- Jim Kraatz, Brody Sherar and Brett Powell, Northpoint Development, 8425 Northwest 41st Street, Suite 500, Riverside, Missouri
- Phil Gibbs, Jr. and Andrew Talkin, Continental Engineers

Present in Opposition:

- John Strharsky, 515 North 75th Street, Kansas City, Kansas
- Teresa Davis, 7428 Orville Avenue, Kansas City, Kansas

Staff Recommendation starts at 1:35:57: Planning Director Hand stated that staff has worked with the applicant on this project for some time while also working on the final plans for Turner East. He stated that staff has made it clear that the Turner East project is completely different than this project on west side of College Boulevard. This proposal will extend Tauromee Avenue to the new intersection of College Parkway and Orville Street. He said this project represents a big change to the existing Master Plan designation and zoning district. He stated that this proposal is effectively an industrial park in the middle of a residential neighborhood just south of a primary transit corridor (State Avenue). The applicant in his presentation outlined the conditions they have worked through with the staff, including maximizing the preservation of existing tree stands working to maintain the character of Tauromee as much as possible, as well as other screening and buffering to soften the industrial park as possible. Director Hand

stated that this project is in the Mid-Town area and one (1) of the conditions is restricting all uses to those of the MP-1 District, which is the least intensive industrial district. Staff informed the applicant from the beginning that staff prefers a bridge over Mill Creek as opposed to the proposed box culvert. There is a transit stop that is planned north of Tauromee Avenue along College Parkway. Sidewalks should be constructed on the north right-of-way along Tauromee Avenue to ensure employees have a safe and reliable means to walk (to Building 9) without having to cross 72nd Street. Staff has requested sidewalks on both sides of the new Tauromee extension in addition to adding a sidewalk on the east side of North 72nd Street and a sidewalk on the west side of North 74th Drive to connect to the Villas of Stonebridge residential development. There is an agreement based on the purchase of property from a private owner for Mill Creek to be preserved. The Sidewalk and Trails Master Plan requires a new trail on Mill Creek that would go from the new 74th Drive, down Tauromee to the new 72nd Street and staff would prefer that it continue along the creek corridor on the east side of their building and wrapping around before crossing the freeway. Director Hand further stated that in lieu of that path there is a path forward to have the trail go along the corridor to Tauromee and connecting to the sidewalk rebuilt. If that is the path forward, staff will work with the applicant to make sure those sidewalks match the trail standards – 10' sidewalk on the south side of Tauromee and east side of 72nd Street. Regarding traffic, staff has a condition that all traffic be signed so no trucks are allowed west of the new 74th Street. (He showed the Commission on the map where the signage would be located). He further stated that there is a way for trucks to connect to all the buildings in the development and stay out of the residential neighborhoods. Even with signage, experience has shown that there will be errant drivers on occasion. Staff can further investigate, as per public comments today, any additional methods to prevent truck traffic west of the development. He further stated that this is a significant change in the existing topography and the applicant has worked hard to squeeze in the development to create a ring of existing tree lines and ridges trying to preserve as many of the existing trees as possible, which provides better screening for the residential neighborhoods. Staff put great emphasis on revegetating the proposed stormwater ponds and landscaping along Tauromee Avenue to soften the view from the street. As the applicant stated, there is no way they can completely screen it from Tauromee Avenue. With the exception of the comments this evening, staff received no letters in support nor opposition and there are no Notices of Violation on the property. Staff recommends approval subject to the conditions in the staff report. He also stated that one of the people tonight commented about the notice area. The Statutory requirement is to notify property owners within 200 feet of the property in question and the residential subdivision is about 400 feet away from the project.

Chairman Carson asked staff to check the signage at 74th and Tauromee to see if there are no truck traffic signs. Director Hand stated that they were.

Commissioner Miller asked staff to follow up on the truck pull off area (rest area) lighting that was mentioned by Ms. Davis. Director Hand stated that staff will follow up with KDOT and it should be noted that there are no such lights planned for this development.

Commissioner Jones asked if there will be any follow-up with Ms. Davis concerning the lighting. Director Hand stated that staff can follow up with her after his meeting with KDOT if she provides staff with her contact information at planninginfo@wycokck.org.

Motion and Vote starts at 1:46:25:

On motion by Mr. Miller, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL** of **Master Plan Amendment MPL2021-007**

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

Motion to RECOMMEND APPROVAL Passed: 6 to 0

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zoning Application COZ2021-020:**

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

Motion to RECOMMEND APPROVAL Passed: 6 to 0

Subject to:

1. Manufacturing uses are permitted on the property that are restricted to the MP-1 use regulations and shall comply with Sec. 27-468(c)(3) No use shall be permitted or so operated as to produce or emit:
 - a. Smoke, dust, fly ash, gas, or odorous emission not in compliance with Chapter 3 (Code of the Unified Government of Wyandotte County/Kansas City, Kansas, Chapter 3 – Air Pollution).
 - b. Vibration or concussion perceptible without instruments at the property line.
 - c. Noise greater than 75dB(A) at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night noise level average to exceed 65 dB(A) for any residence for a sustained period.
 - d. Industrial waste which may overburden the public sewage facilities or produce odor or unsanitary effects beyond the property line;

2. **Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;**
3. **Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;**
4. **Utility easements shall connect with easements established in adjoining properties;**
5. **Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;**
6. **To alleviate all impact on the regulatory floodway within Mill Creek, Staff prefers construction a bridge rather than installing a box culvert;**
7. **Provide an enhanced screening plan more in line with that done for Plaza at the Speedway as the truck trailers will be highly visible from 74th Drive and Tauromee Avenue;**
8. **With the southbound transit stop located north of Tauromee Avenue, constructing a five (5) foot wide sidewalk on the north right-of-way along Tauromee Avenue will ensure employees have a safe and reliable means to walk to Building 9 without having to cross the 72nd Street and Tauromee Avenue or 74th Drive and Tauromee Avenue intersections;**
9. **In addition to adding a sidewalk on the east side of North 74th Drive, add a sidewalk on the west side North 74th Drive to connect to the Villas of Stonebridge residential development;**
10. **The trail connection point to Tauromee Avenue will be within the project boundary. The developer is finalizing the purchasing agreement with KTA and KDOT for excess right-of-way that the connection is currently shown within;**
11. **Staff understands the site restraints, however Building 7 is situated on the same lot as the proposed streamway trail per the Sidewalk and Trails Master Plan. Greater discussion is necessary during the Final Development Plan and Final Plat to guarantee that the trail extends south of Tauromee Avenue. Crushed and compacted limestone is the preferred trail surface rather than mulch which is more susceptible to wash out;**
12. **Crosswalks shall be added to driveways and intersections where sidewalks are connected along and across Tauromee Avenue, North 74th Drive and North 72nd Street. Crosswalks shall be ADA compliant;**
13. **The access drive for Water Pollution Control shall be paved;**
14. **Sec. 27-469(c)(1)d. No use shall be permitted or so operated as to produce or emit: Noise greater than 80 decibels at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night level average to exceed 65 decibels for any residence for a sustained period;**
15. **No truck traffic on North 74th Drive, North 72nd Street or on Tauromee Avenue, west of Building 8. All truck traffic shall be routed on Tauromee Avenue via College Parkway/Turner Diagonal;**

16. The loading dock doors shall be painted to match the building or a complimentary color as the primary building;
17. Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building;
18. For context, the development of Turner Logistics Center West is sandwiched in between a residential area, comprised of single-family homes and townhomes, Interstate 70 and College Parkway. There are multiple access points to get to Buildings 7 – 9 on Tauromee Avenue via 78th Street and College Parkway and North 74th Drive via State Avenue. These buildings will be highly visible along North 74th Drive and Tauromee Avenue as residents must drive past these buildings to reach their neighborhood, instead of the forested, rural setting that exists now whereas Turner Logistics Center East has one access point within that development. All traffic enters and exits onto Orville Avenue and the development is self-contained. Residents should not have to drive through the logistics park to get to College Parkway via Tauromee Avenue. The overall development should be designed in a manner that hides this industrial business park from residents that live along Tauromee Avenue and North 74th Street (Village of Stonebridge) and will drive through this area to get to I-70;
19. Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcels and Tauromee Avenue, North 74th Drive, North 72nd Street and College Parkway/KDOT ROWs;
20. In addition to trees being planted on top of the existing ridge line, trees shall be infilled on the downward slope to increase the screening along North 74th Drive;
21. Install more evergreens to ensure that during the winter months, Building 9 is not visible from the adjacent residences to the west;
22. Relandscape the north slope of Building 9 and remaining void areas throughout the development site, not limited to: north and south sides along Tauromee Avenue west of the creek crossing, in between the east side of Building 8 and North 72nd Street and the southwest corner of North 72nd Street/Tauromee Avenue intersection, west of the cul-de-sac west of Building 9, and east of Building 9 and the trailer/truck storage;
23. Trees shall wrap around the perimeter of the detention basin slopes, be planted at the top and on slopes, and always seek to replant those trees lost due to the development;
24. Trash compactors shall be screened from public view;
25. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
26. Sec. 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or

- combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;
27. Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 554 trees are required to be planted. This does not include the street trees to be planted along North 72nd Street, North 74th Drive, Tauromee Avenue, or parking lot island trees;
 28. Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaces not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center;
 29. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue;
 30. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
 31. All landscaping shall be irrigated;
 32. Shall comply with the sign ordinance;
 33. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sec. 8-610 through Sec. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.
 34. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable; and,
 35. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not

submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mr. Ernst, seconded by Mrs. Jones, the Planning Commission voted as follows to **APPROVE** of **PLAT2021-012**:

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

Motion to APPROVE Passed: 6 to 0
Subject to the above conditions



Figure 1. Aerial photograph of Turner Logistics Center West (provided by UG Maps).

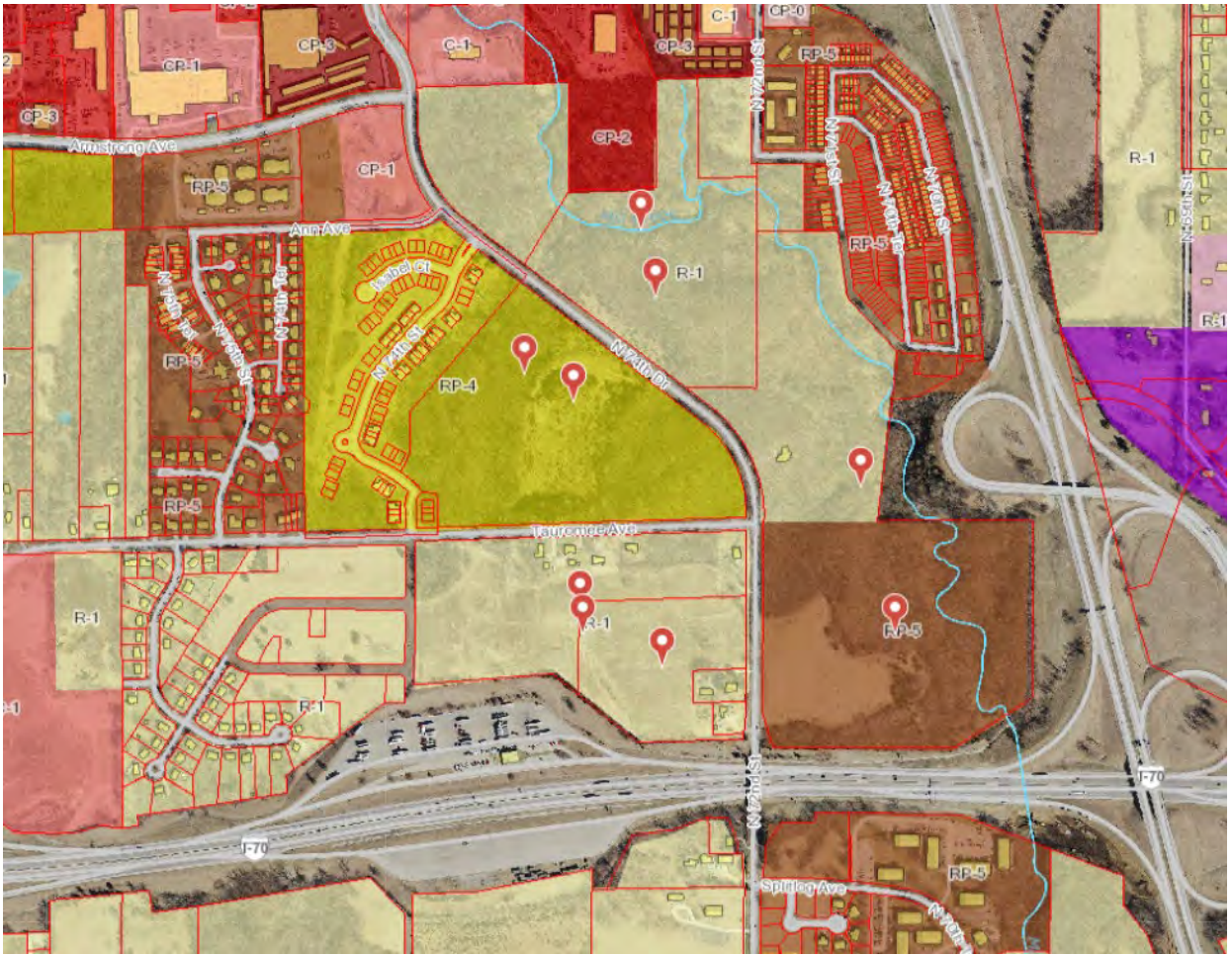


Figure 2. Zoning Map of Turner Logistics Center West provided by UG Maps).

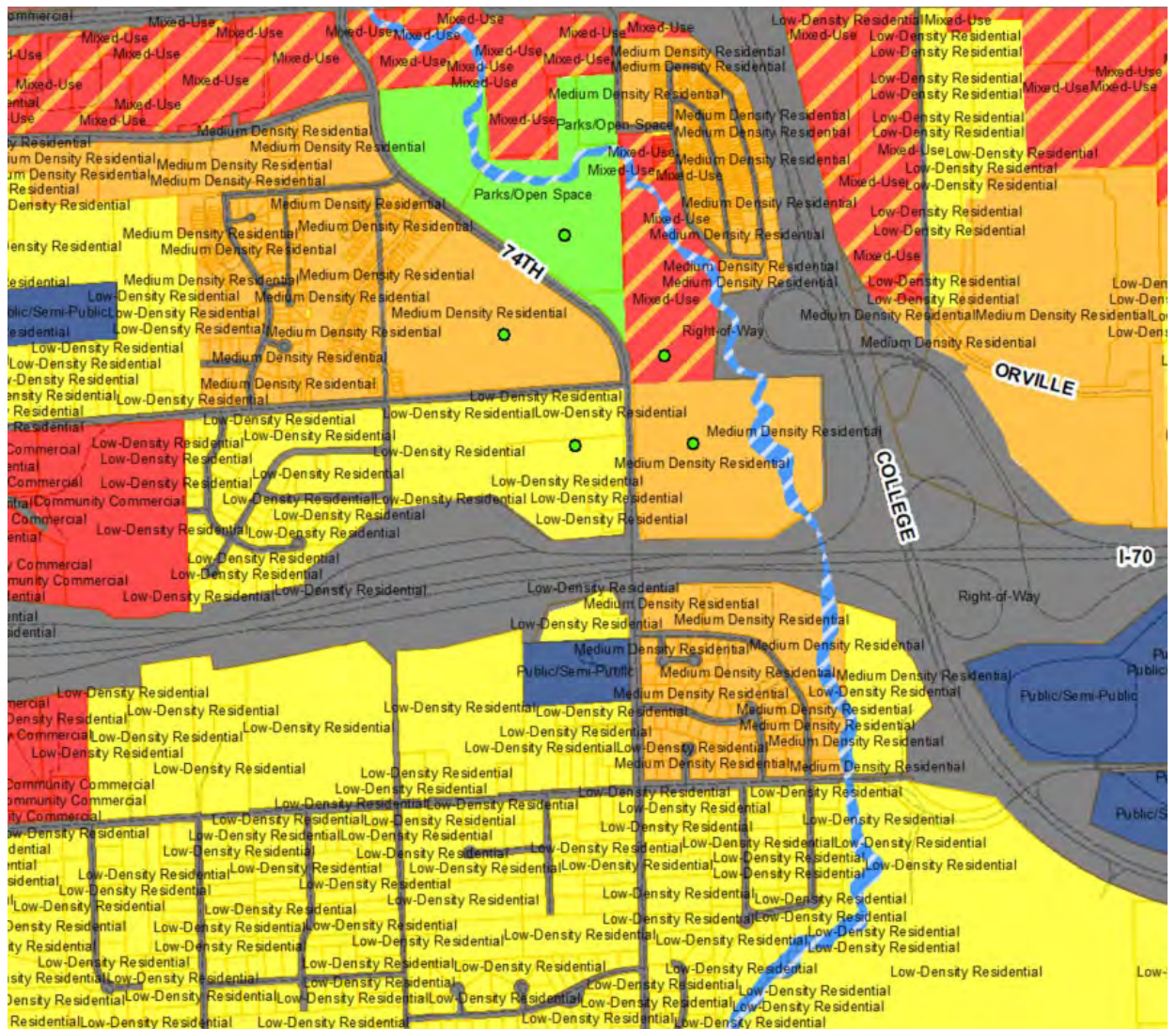


Figure 3. City-Wide Master Plan Land Use Map of Turner Logistics Center West (provided by ArcMap).

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- 4) Please coordinate with Harvey Fields (913-573-5947), KCK Fire Department regarding hydrant locations, fire lanes, emergency access etc. that need to be addressed.

We have been in contact with Harvey Fields regarding hydrants, fire lanes and emergency access as we have been constructing the first 3 buildings. We will continue to coordinate with him.

- 5) Construction plans shall be reviewed and approved prior to UG final approval and construction permit acquisition. **Understood.**
- 6) Retaining walls greater than 3'-6" in height shall be designed by a State of Kansas Professional Engineer. Retaining walls taller than 8' in height shall be tiered per planning requirements or UG approval of a design variance. Construction plans shall include retaining wall calculations, details, and final plans, including pre-manufactured or modular block type retaining walls, which shall be reviewed and approved prior to UG approval and construction permit acquisition. **Understood.**
- 7) The preliminary plat shall incorporate County Surveyor comments. Typically, the County Surveyor makes separate technical review of the plat and will submit comments directly to the preparer of the plat.

These comments have been received and responses have been submitted directly to the country surveyor.

- 8) See Erosion Control review for additional comments. **See responses above.**
- 9) See Storm Drainage review for additional comments. **See responses above.**
- 10) See Sanitary Sewer review for additional comments. **See responses above.**
- 11) See Stormwater Quality review for additional comments. **See responses above.**
- 12) Final development plans / plat will have to be approved before going to planning commission with approval to obtain permits. This will include final engineering, calculations, and complete drawings with construction notes and details. The Final Development Plans / Plat must meet the requirements of UG standards and criteria. Only preliminary drawings and studies are required at this time. **Understood.**

Planning and Urban Design Comments

General Planning

- 1) Provide examples of the proposed manufacturing businesses that could operate within the development. Manufacturing operations cannot be visible, audible, or odorous for surrounding property owners along Tauromee Avenue, North 74th Drive and North 75th Street.

Staff proposed the following manufacturing stipulation: Manufacturing uses are permitted on the property that are restricted to the MP-1 use regulations and shall comply with Sec. 27-468(c)(3) No use shall be permitted or so operated as to produce or emit:

- a. Smoke, dust, fly ash, gas, or odorous emission not in compliance with Chapter 3 (Code of the Unified Government of Wyandotte County/Kansas City, Kansas, Chapter 3 – Air Pollution).
- b. Vibration or concussion perceptible without instruments at the property line.

- c. Noise greater than 75dB(A) at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night noise level average to exceed 65 dB(A) for any residence for a sustained period.
- d. Industrial waste which may overburden the public sewage facilities or produce odor or unsanitary effects beyond the property line.

We are okay with limiting the proposed manufacturing uses identified with Sec. 27-468(b) and to comply with Sec. 27-468(c)(3), while remaining MP-2 zoning.

- 2) Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity.
Understood.
- 3) Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat.
Understood, utility easements will be included on the final plat and plans.
- 4) Utility easements shall connect with easements established in adjoining properties.
Understood.
- 5) Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided.
All new power, telephone, and cable television will be provided by underground wiring.
- 6) To alleviate all impact on the regulatory floodway within Mill Creek, Staff prefers construction a bridge rather than installing a boxculvert. **We are currently studying options for this creek crossing. Further discussion with staff is required.**
- 7) Provide an enhanced screening plan more in line with that done for Plaza at the Speedway as the truck trailers will be highly visible from 74th Drive and Tauromee Avenue.

Per the submitted plan, truck trailers will be screened from 74th Drive and Tauromee. A combination of berming and architectural screen fence will be used along 74th Drive and Tauromee to screen the view of the Building 9 truck courts. The Building 8 truck courts will be screened from Tauromee Avenue or 74th Drive as the truck court has been placed at the rear of the building.

- 8) The sidewalk shall be a minimum the (10) feet in width along the south side of Tauromee Avenue. A five (5) foot sidewalk is required along the north side of Tauromee Avenue.
A sidewalk ten feet in width will be constructed on the south side of Tauromee Avenue. Previous conversations with staff during the DRC pre-application meeting indicated that a five foot sidewalk on the north side of Tauromee Avenue would not be necessary. Further discussion with staff may be required.

- 9) In addition to adding a sidewalk on the east side of North 74th Drive, add a sidewalk on the west side North 74th Drive to connect to the Villas of Stonebridge residential development.
Previous conversations with staff during the DRC pre-application meeting indicated that a sidewalk would only be needed on one side of both Tauromee Avenue and 74th Drive. Further discussion with staff may be required.
- 10) Staff has concerns where the Mill Creek trail connects outside of the project boundary. Dedicate the trail/creek property on the plat.
The trail connection point to Tauromee Avenue will be within the project boundary. The developer is finalizing the purchasing agreement with KTA and KDOT for the excess right of way that the connection is currently shown within.
- 11) How does the trail connect to the sidewalk network?
The trail connection to the proposed Tauromee Avenue corridor will allow pedestrian access to College Parkway, Turner Diagonal, and State Avenue to the east. The existing 5' sidewalk on the south side of Tauromee will be replaced with a 10' sidewalk and allow access to 78th Street to the west.
- 12) Will the southern end of the new trail be within the southern boundary?
The current proposal is for the trail to begin north of Building 9 on N. 74th Drive and terminate at Tauromee Avenue. Due to terrain and site restraints, constructing a trail south of Tauromee Avenue would be very difficult to accomplish. The total trail length is currently shown at approximately 2400' in length. Per discussion with staff at the DRC pre-application meeting, this trail will likely be constructed with mulch or gravel and follow an alignment that provides the least impact to existing tree stands.
- 13) Crosswalks shall be added to driveways and intersections where sidewalks are connected along and across Tauromee Avenue, North 74th Drive and North 72nd Street.
a. Are these crosswalks ADA compliant?
ADA compliant crosswalks will be included with final development plans.
- 14) What is the extension off the southern entrance drive of Lot 3 extending south and east towards the Mill Creek and the floodplain?
The UG Water Pollution Control Department has asked for an access road off of this drive for maintenance of the public sanitary sewer system. This drive will be gated.
- 15) How will noise be mitigated?
a. Sec. 27-469(c)(1)d. No use shall be permitted or so operated as to produce or emit: Noise greater than 80 decibels at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night level average to exceed 65 decibels for any residence for a sustained period.
Buildings 7 & 8 are oriented with the truck docks facing away from Tauromee Avenue and 72nd street to reduce the noise impact. The storefront side of the buildings are facing the public roads and will not produce or emit significant noise. In the areas where the truck docks are facing the public roads, there is berming, landscaping, and separation between the building and the road/neighboring properties to minimize the noise impact.

-
- 16) No truck traffic on North 74th Drive, North 72nd Street or on Tauromee Avenue, west of Building 8. All truck traffic shall be routed on Tauromee Avenue via College Parkway/Turner Diagonal.

We anticipate all truck traffic will be routed on Tauromee Avenue via College Parkway/Turner Diagonal. No truck access signs can be install to prevent trucks from making wrong turns.

Building Architecture

- 1) The loading dock doors shall be painted to match the building or a complimentary color as the primary building. **Understood.**
- 2) Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building. **Understood.**

Landscaping and Screening

- 1) For context, the development of Turner Logistics Center West is sandwiched in between a residential area, comprised of single-family homes and townhomes, Interstate 70 and College Parkway. There are multiple access points to get to Buildings 7 – 9 on Tauromee Avenue via 78th Street and College Parkway and North 74th Drive via State Avenue. These buildings will be highly visible along North 74th Drive and Tauromee Avenue as residents must drive past these buildings to reach their neighborhood, instead of the forested, rural setting that exists now whereas Turner Logistics Center East has one access point within that development. All traffic enters and exits onto Orville Avenue and the development is self-contained. **The west side is located on undeveloped land abutting I-70, I-70 trailer parking and Collage Parkway. A new road will be constructed to provide connection so the Logistics Center will have access to a road suitable for truck traffic and not require adjacent residents to drive through the development. The subdivision to the west, Villas of Stoneridge will still have the same access to their subdivision as they have today and will not have to drive thru the logistics park. They will also be able to access College Parkway from their subdivision if they choose to drive thru the logistics park.**
- 2) Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcels and Tauromee Avenue, North 74th Drive, North 72nd Street and College Parkway/KDOT ROWs. **Existing tree stands will be preserved west of N. 74th Drive between the proposed detention basins and the Villas of Stonebridge. The average width of the tree stand preservation in this area is approximately 200'. Existing tree stands will also be preserved to the north and east of the site along Mill Creek. These preservation areas can be seen on the site line sections, sheets L2.01-L2.10, and the updated landscaping plans.**
- 3) How will the appearance of the loading docks (west side) of Building 9 be softened along North 74th Drive. There has been some effort made to save the existing tree line within the development, but this overall development will be grubbed and graded to the

property line. The proposed detention basins west of N. 74th Drive have been shifted to the east in order to maintain existing trees along the top of the existing ridge line. In addition, an 8' berm with an 8' tall architectural screen fence will be constructed between the Building 9 truck courts and N. 74th Drive to soften the view from the public road.

- 4) The landscaping and site lines west of Buildings 8 and 9, the remaining townhomes and single-family homes must be screened at the time the Temporary Certificate of Occupancy is issued. Creative solutions are warranted with berms, fencing and landscaping. A variance will be required if the building is not screened from public view (the trailers are screened from view). The proposed detention basins west of N. 74th Drive have been shifted to the east in order to maintain existing trees along the top of the existing ridge line. In addition, an 8' berm with a 8' tall architectural screen fence will be constructed between the Building 9 truck courts and N. 74th Drive to soften the view from both the public road and adjacent residential. The truck court and dock doors will be screened from view at all times. During the winter months, portions of Building 9 may be visible from the adjacent residential to the west. Refer to West Sightline Sections 1-5 on sheet L2.01.

A combination of deciduous and evergreen trees as well as an 8' tall architectural screen fence will be used to screen the view of Building 8 from the adjacent residential to the west. Refer to West Sightline Sections 6-8 on sheet L2.02.

- 5) Re-landscape the north slope of Building 9 and remaining void areas throughout the development site, not limited to: north and south sides along Tauromee Avenue west of the creek crossing, in between the east side of Building 8 and North 72nd Street and the southwest corner of North 72nd Street/Tauromee Avenue intersection, west of the cul-de-sac west of Building 9, and east of Building 9 and the trailer/truck storage.
The landscape plan has been enhanced with additional deciduous and evergreen trees in the areas of concern.
- 6) Trees shall wrap around the perimeter of the detention basin slopes, be planted at the top and on slopes, and always seek to replant those trees lost due to the development.
Additional trees have been added around the basin slopes both east and west of Building 9. Trees were placed in areas that would provide the greatest impact on screening.
- 7) Trash compactors shall be screened from public view.
Understood.
- 8) Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials.
Understood.
- 9) How will lighting be mitigated?
 - a. Sec. 27-700(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare,

from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures.

Lighting will be mitigated with strategic placement and the use of 90 degree cutoff fixtures. All foot candle readings at adjacent residential property lines will measure no more than one foot candle.

- 10) Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 554 trees are required to be planted. This does not include the street trees to be planted along North 72nd Street, North 74th Drive, Tauromee Avenue, or parking lot island trees.

Our calculation for required number of trees to be planted was based on the disturbed area (3,967,444 sf / 10,000 sf = 397 trees) as we plan to maintain +/-38 acres of existing tree stands. In addition to the required trees based on site area, street trees will be planted along N. 72nd Street, N. 74th Drive and Tauromee Avenue at 50' O.C. Parking lot island trees will be provided at not less than 1 per 20 passenger spaces.

- 11) Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaced not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center.

Buffer areas with existing tree stands that range from 100' – 250' in width have been maintained between the Building 9 detention basins and the west property line. Buffer areas with existing tree stands that range from 150'-400' have been maintained between Building 9 and the east property line. A mixture of berming, architectural screen wall, and landscaping will be utilized to provide enhanced screening of Building 8 from the adjacent residential zoning to the west.

- 12) All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue.

Understood.

- 13) All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers). **Understood.**

- 14) All landscaping shall be irrigated. **Understood.**

Signage

- 1) Shall comply with the sign ordinance. **Understood.**

Planning Engineering Comments

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

COZ2021-020 Neighborhood Meeting – Meeting Minutes

Attendee Name/Address	Attendee Comment/Question	Owner Response
Jeff Siler 6217 Holliday Dr Kansas City, KS 66106	It doesn't look like you're going to disturb the neighborhood where my (Jeff's) property lies, is that correct?	That is correct. We will only be grading within our disturbance limits and there is also a buffer area between your (Jeff's) property and where we will be grading.
	The intersection at Orville Avenue and College Parkway dead ends to the West. Will it continue to 72 nd Street?	Yes, that is correct. Tauromee will travel West and tie into the existing 72 nd Street.
	You will not be doing anything to the creek? It will remain where it is currently?	That is correct. We are preserving a buffer area around the creek. We will need to cross the creek as we bring Tauromee Avenue from College Avenue to 72 nd Street though.
	If we're not disturbing Jeff's area then he is not concerned with the development. He is "in pretty good shape".	
	Jeff is pleased with the develop and it won't disrupt what he is doing. Jeff offered to speak in favor of the development at the Planning Commission public hearing.	
Clifford Dale Owner of the Mason Jar at 941 N 74 Dr, Kansas City, KS 66112	Are there any tenants signed yet? Clifford is curious about the kind of jobs the development would be bringing to the area.	We do not have any signed leases as it currently stands but to give Clifford an idea of the type of jobs that we will be bringing – There is a mixture of general warehouse workers and skilled laborers working on the East side of Turner for the various tenants in those buildings. As well as office workers.
	Will there be any more buildings or just these 3? What about East of Building 7?	There will be no more buildings. Building 7, 8 and 9 are the only buildings currently planned for this land. The area East of Building 7 will be preserved for the creek.
	When will construction start and finish?	Grading will start in September 2021. Building 9 construction will begin in Spring 2022 and end in early November. Building 7 & 8 will trail building 9 by a couple of months.
	Clifford was complimentary of the look of the buildings. Stated he was happy the development would be bringing in more businesses more jobs and more tax revenue. Clifford also offered to speak in favor of the development at the Planning Commission public hearing.	

Owner Attendees:

Brody Sherar

James Kraatz

Brett Powell

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF MISSOURI)
COUNTY OF RIVERSIDE) SS:

Comes now BRODY SHERAR, of lawful age, sound mind and upon his/her oath states as follows:

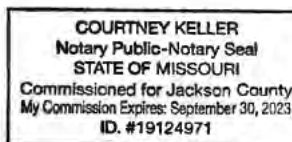
1. That I am the petitioner for Petition # COZ2021-020
2. That I conducted a neighborhood meeting on 6/28/2021 at 6:30 PM
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29 day of June, 2021.

My commission expires Sep. of 30, 2023.



Notary Public





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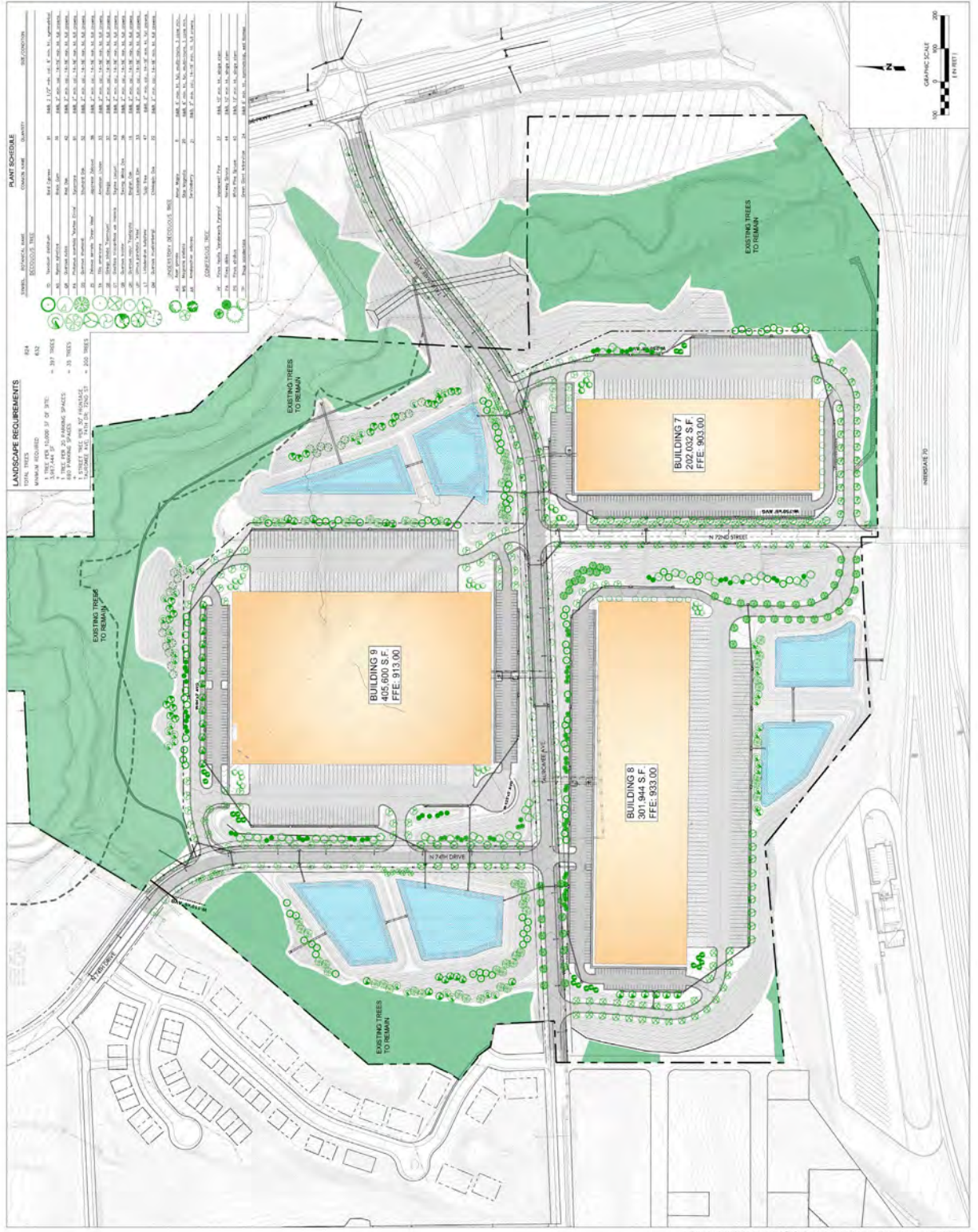


TURNER
LOGISTICS
WEST

811
Know what's below.
Call before you dig

Project No.	1000000000
Client	Turner Logistics West
Location	Dallas, Texas
Date	07/29/2021
Scale	1" = 100'

L1.00
Overall Landscape Plan



LANDSCAPE REQUIREMENTS

ITEM	QUANTITY	UNIT	NOTES
1.00	100	sq. ft.	Grass seed
1.01	100	sq. ft.	Grass seed
1.02	100	sq. ft.	Grass seed
1.03	100	sq. ft.	Grass seed
1.04	100	sq. ft.	Grass seed
1.05	100	sq. ft.	Grass seed
1.06	100	sq. ft.	Grass seed
1.07	100	sq. ft.	Grass seed
1.08	100	sq. ft.	Grass seed
1.09	100	sq. ft.	Grass seed
1.10	100	sq. ft.	Grass seed
1.11	100	sq. ft.	Grass seed
1.12	100	sq. ft.	Grass seed
1.13	100	sq. ft.	Grass seed
1.14	100	sq. ft.	Grass seed
1.15	100	sq. ft.	Grass seed
1.16	100	sq. ft.	Grass seed
1.17	100	sq. ft.	Grass seed
1.18	100	sq. ft.	Grass seed
1.19	100	sq. ft.	Grass seed
1.20	100	sq. ft.	Grass seed

PLANT SCHEDULE

ITEM	QUANTITY	UNIT	NOTES
1.00	100	sq. ft.	Grass seed
1.01	100	sq. ft.	Grass seed
1.02	100	sq. ft.	Grass seed
1.03	100	sq. ft.	Grass seed
1.04	100	sq. ft.	Grass seed
1.05	100	sq. ft.	Grass seed
1.06	100	sq. ft.	Grass seed
1.07	100	sq. ft.	Grass seed
1.08	100	sq. ft.	Grass seed
1.09	100	sq. ft.	Grass seed
1.10	100	sq. ft.	Grass seed
1.11	100	sq. ft.	Grass seed
1.12	100	sq. ft.	Grass seed
1.13	100	sq. ft.	Grass seed
1.14	100	sq. ft.	Grass seed
1.15	100	sq. ft.	Grass seed
1.16	100	sq. ft.	Grass seed
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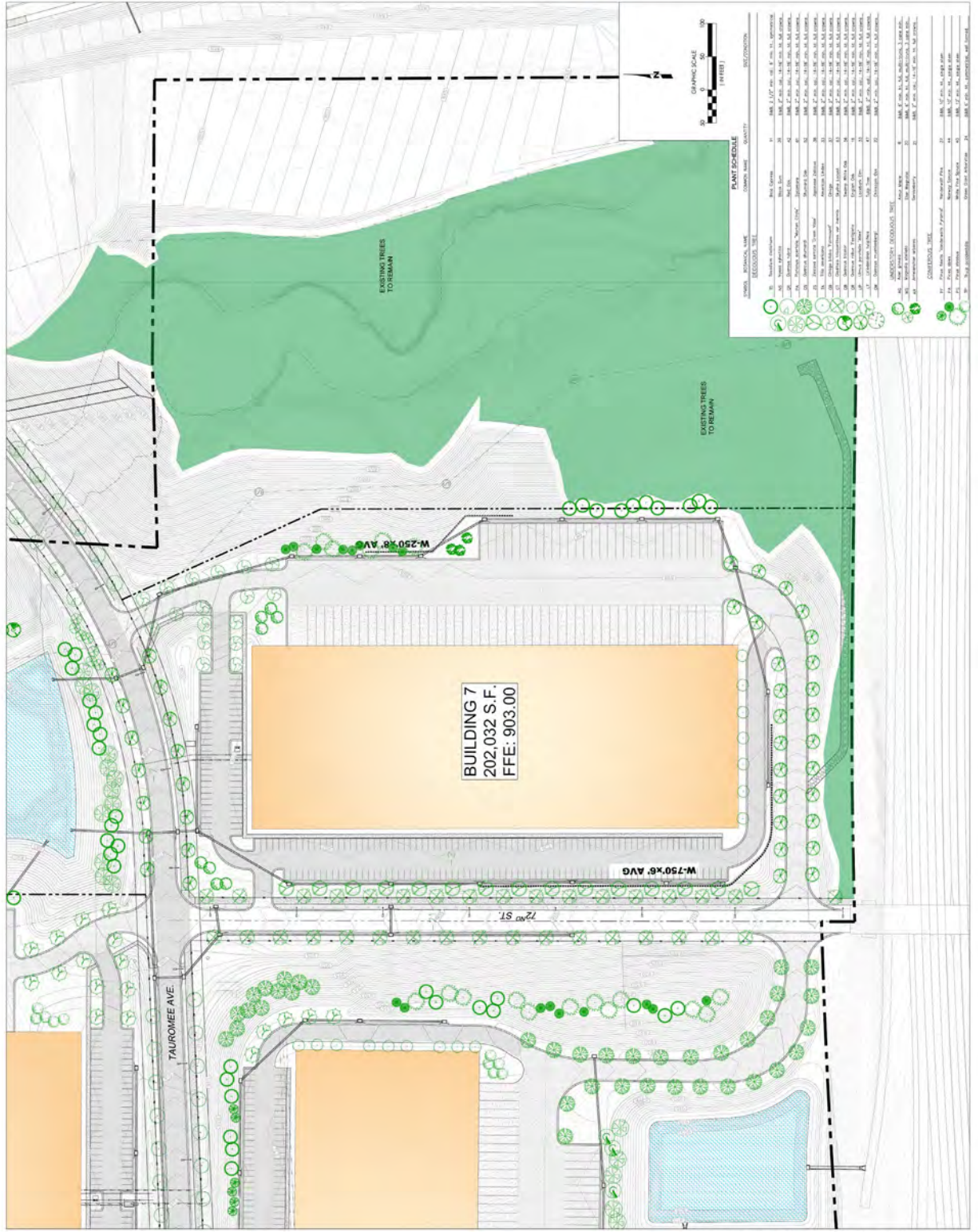
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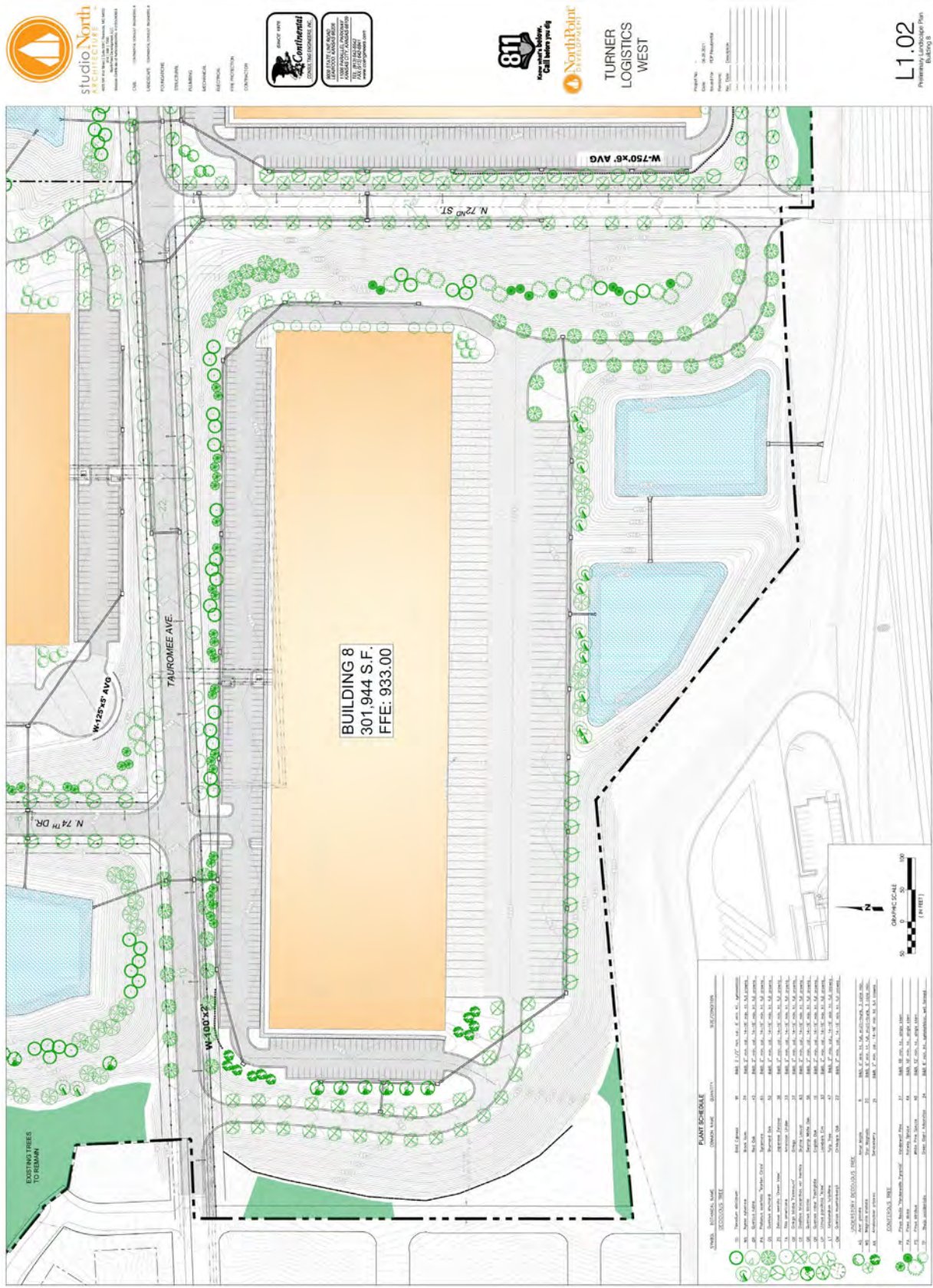
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studio North
ARCHITECTURE

ARCHITECTS
1000 N. 74TH AVE., SUITE 100
MILWAUKEE, WI 53212
TEL: 414.224.1100
WWW.STUDIONORTHARCH.COM



Continental
LANDSCAPE ARCHITECTS
1000 N. 74TH AVE., SUITE 100
MILWAUKEE, WI 53212
TEL: 414.224.1100
WWW.CONTINENTAL-PA.COM

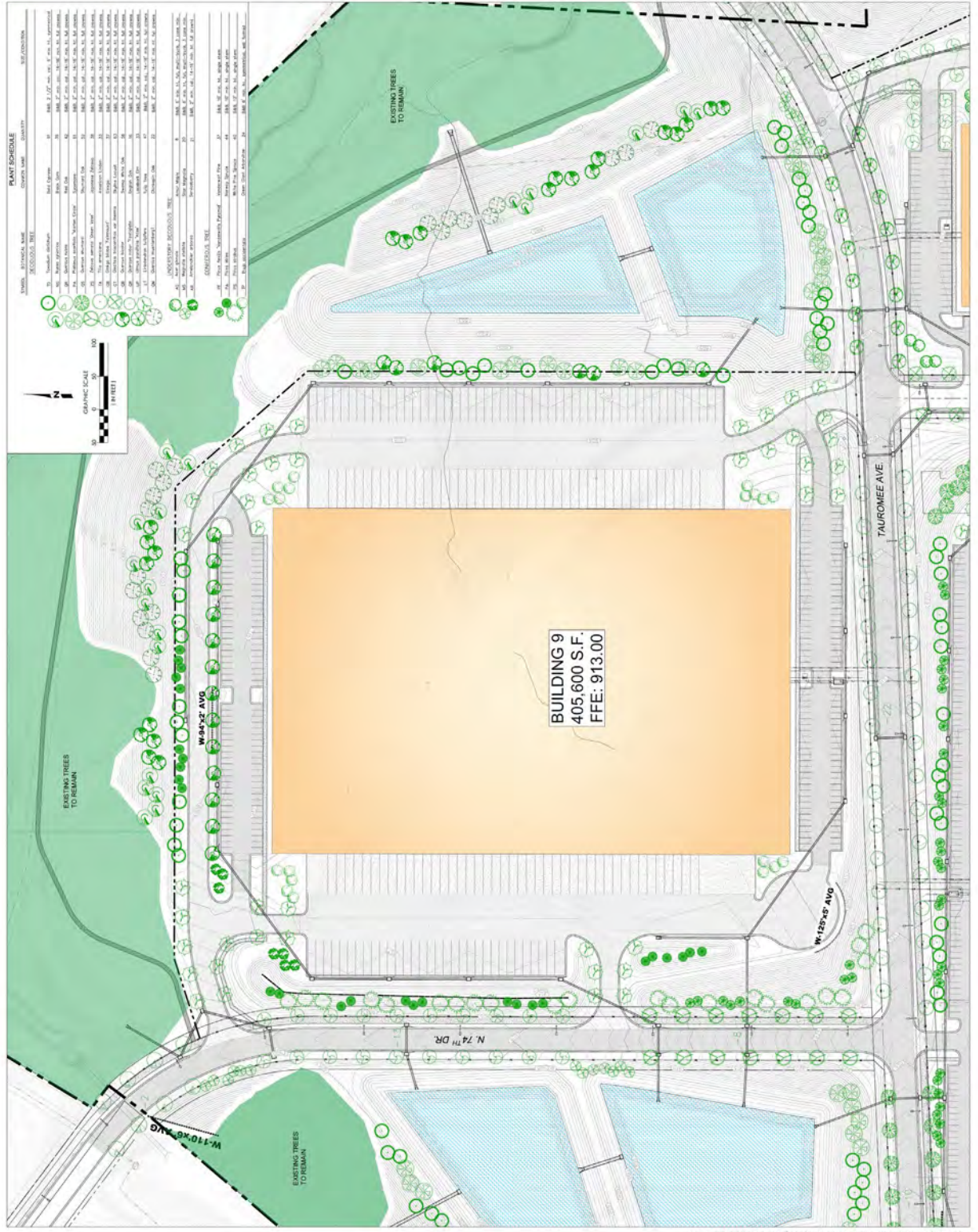


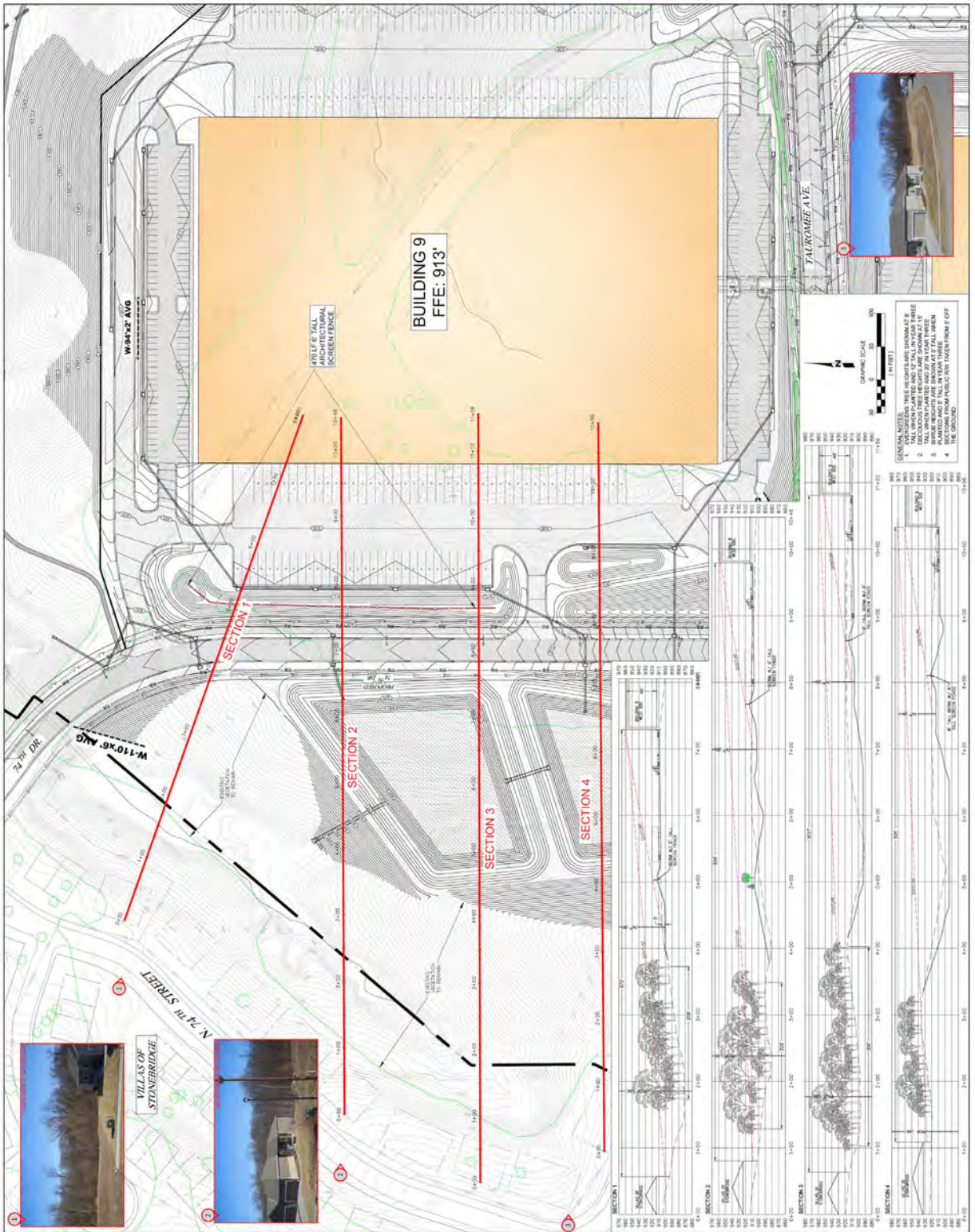
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Before you dig,
Call before you dig

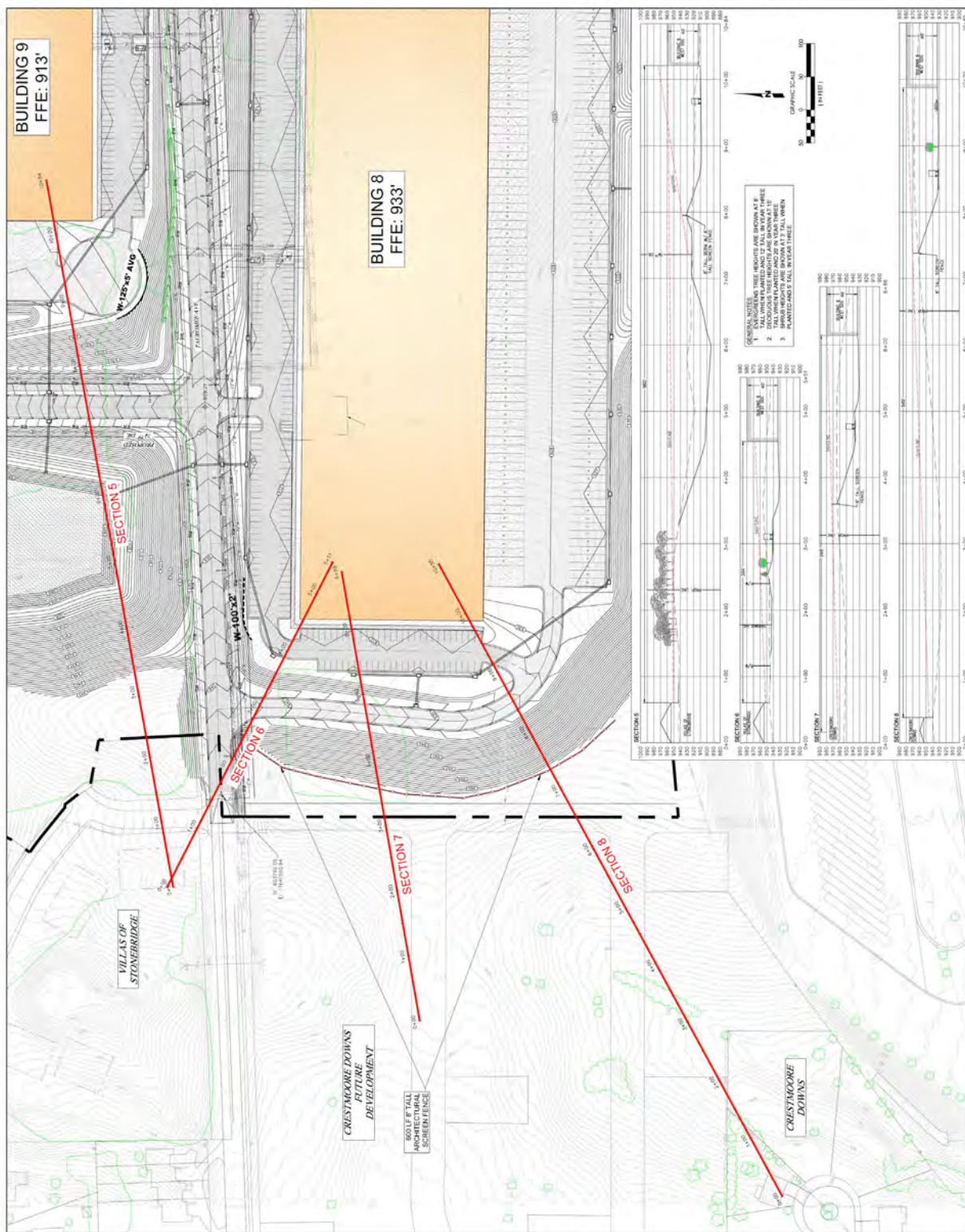
TURNER
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WEST

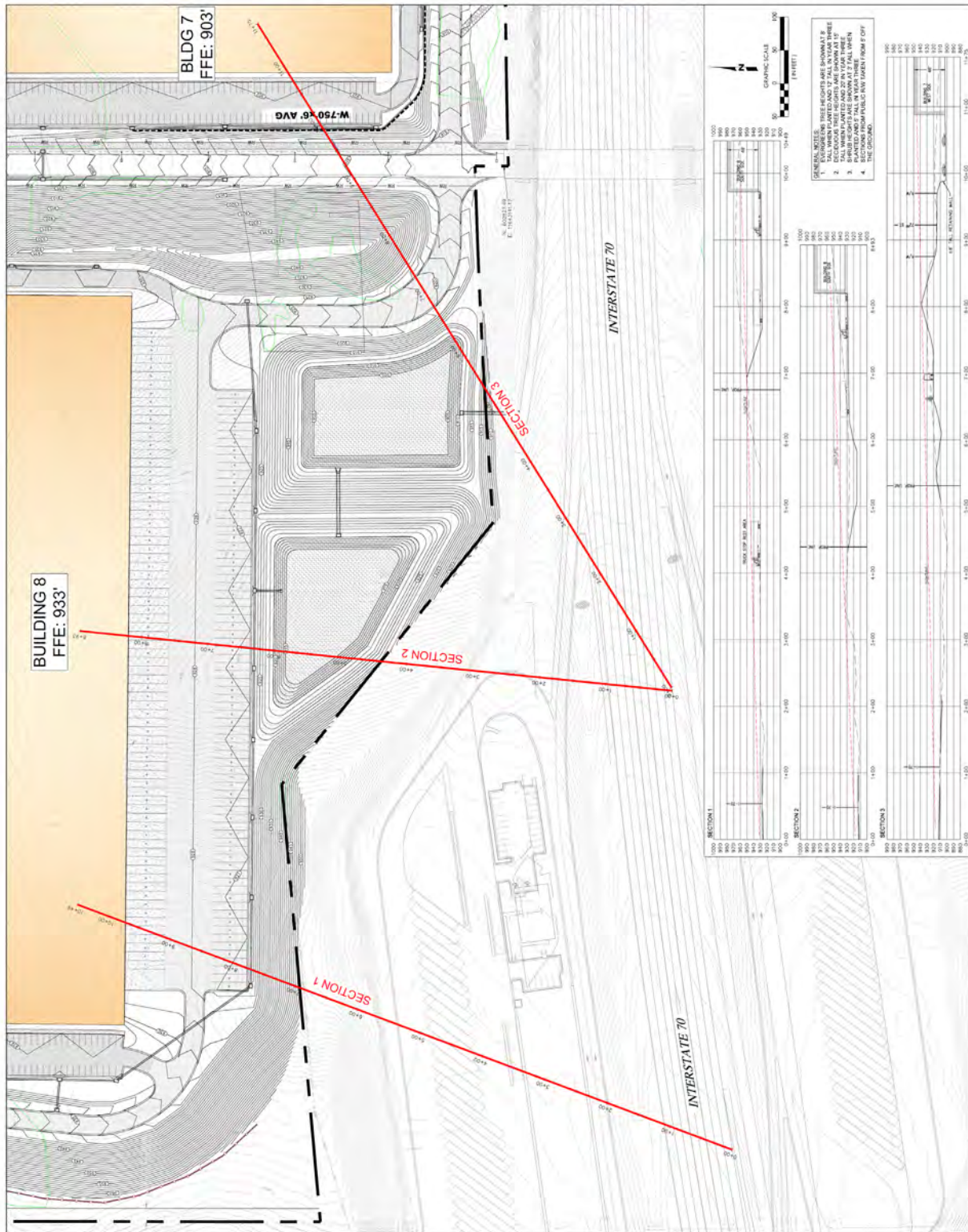
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Scale	1" = 40'
Date	07/29/2021
Drawn By	JD
Checked By	JD
Approved By	JD

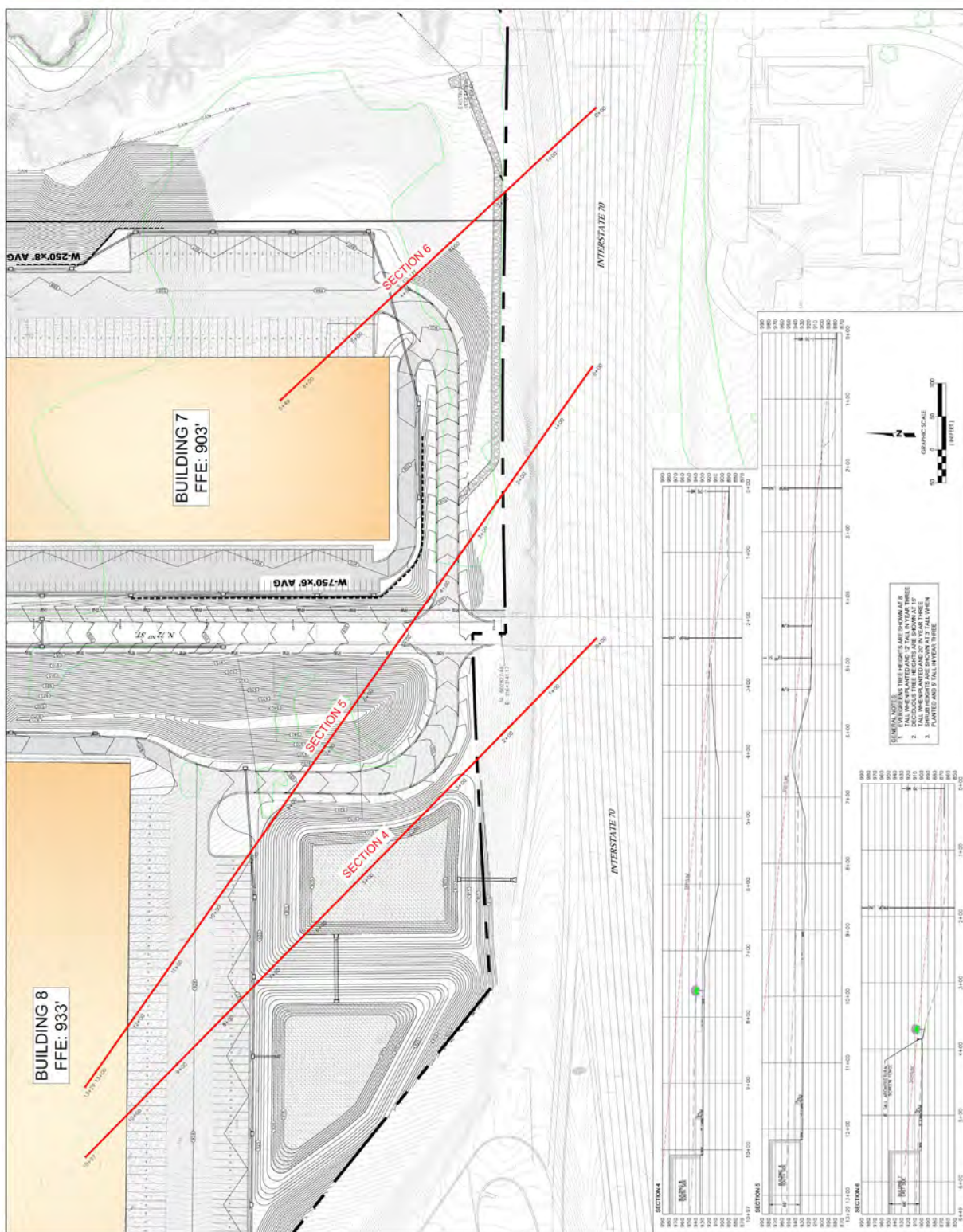
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Building 9

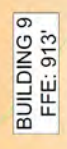




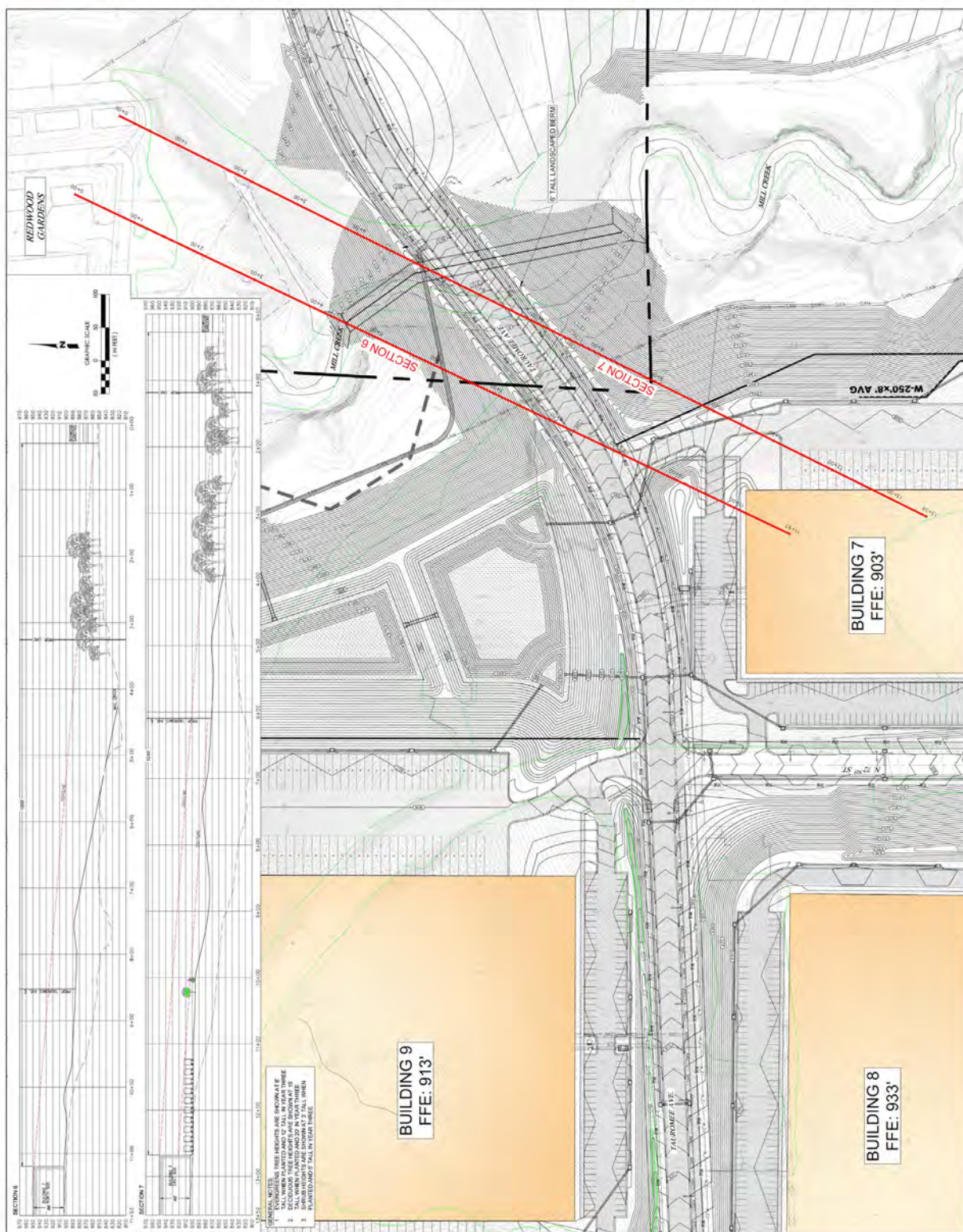


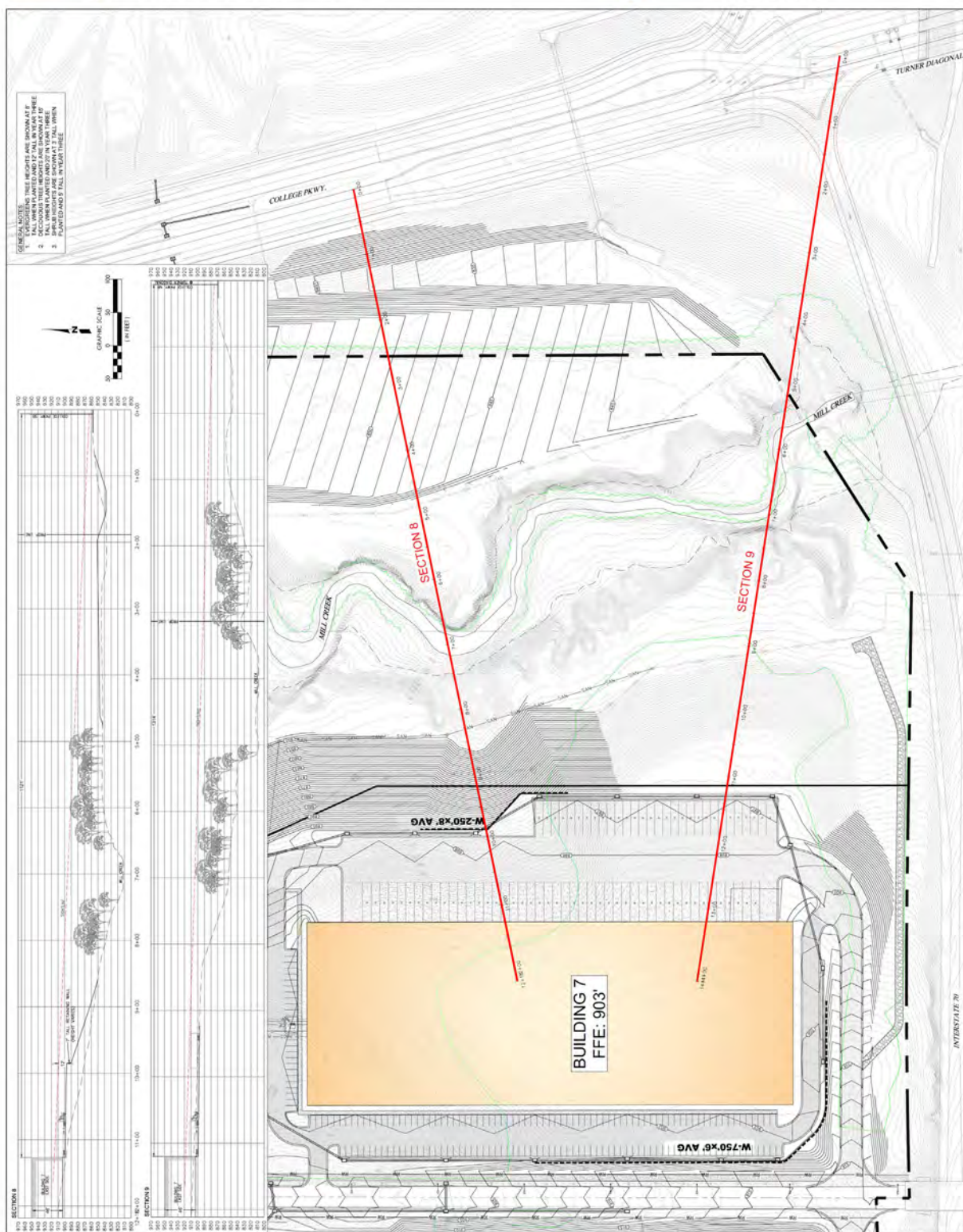


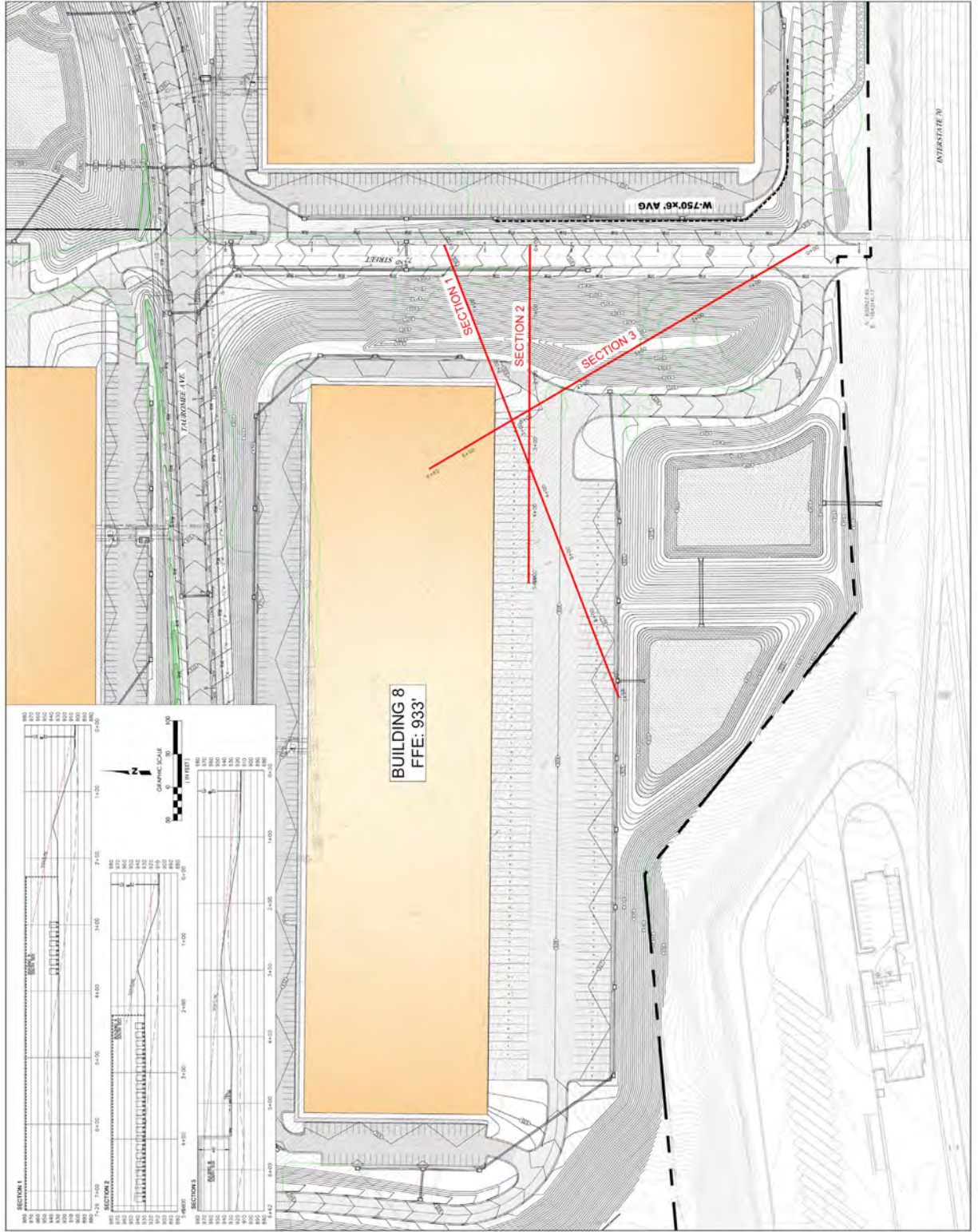


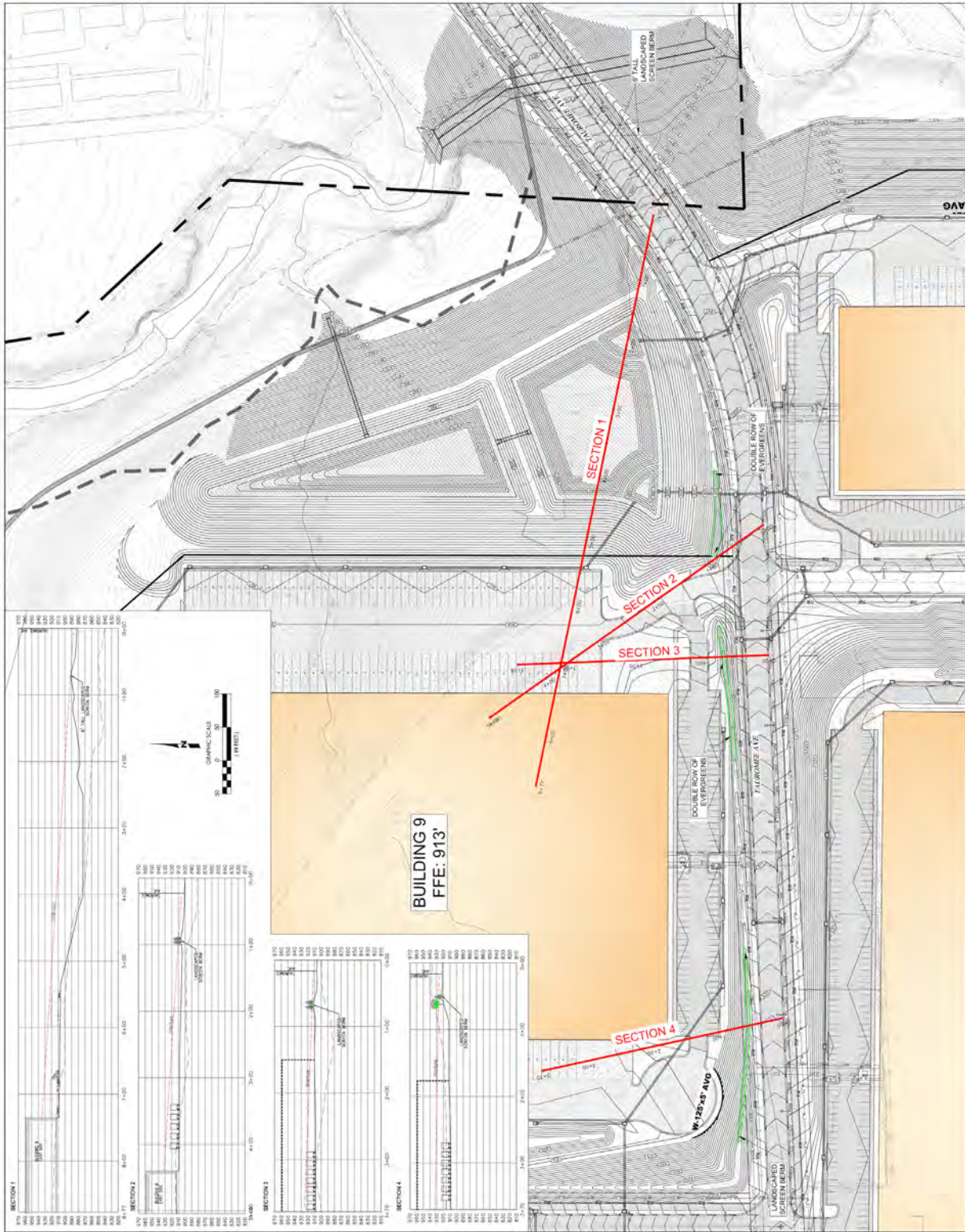














studioNorth
architectural
10000 North Central Expressway, Suite 100
Dallas, Texas 75243
Phone: 214.416.1111
Fax: 214.416.1112
www.studionortharchitect.com

OWNER: Turner Logistics Center West

ARCHITECT: studioNorth architectural

DATE: 07/29/2021

PROJECT: Turner Logistics Center West

LOCATION: Dallas, Texas

SCALE: 1/8" = 1'-0"

DATE: 07/29/2021

PROJECT: Turner Logistics Center West

LOCATION: Dallas, Texas

SCALE: 1/8" = 1'-0"

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DATE: 07/29/2021

PROJECT: Turner Logistics Center West

LOCATION: Dallas, Texas

SCALE: 1/8" = 1'-0"



Turner Logistics Center West

Project No. 2021-020

Client: Turner Logistics Center West

Architect: studioNorth architectural

Engineer: Turner Logistics Center West

Contractor: Turner Logistics Center West

Owner: Turner Logistics Center West

Project No. 2021-020

Client: Turner Logistics Center West

Architect: studioNorth architectural

Engineer: Turner Logistics Center West

Contractor: Turner Logistics Center West

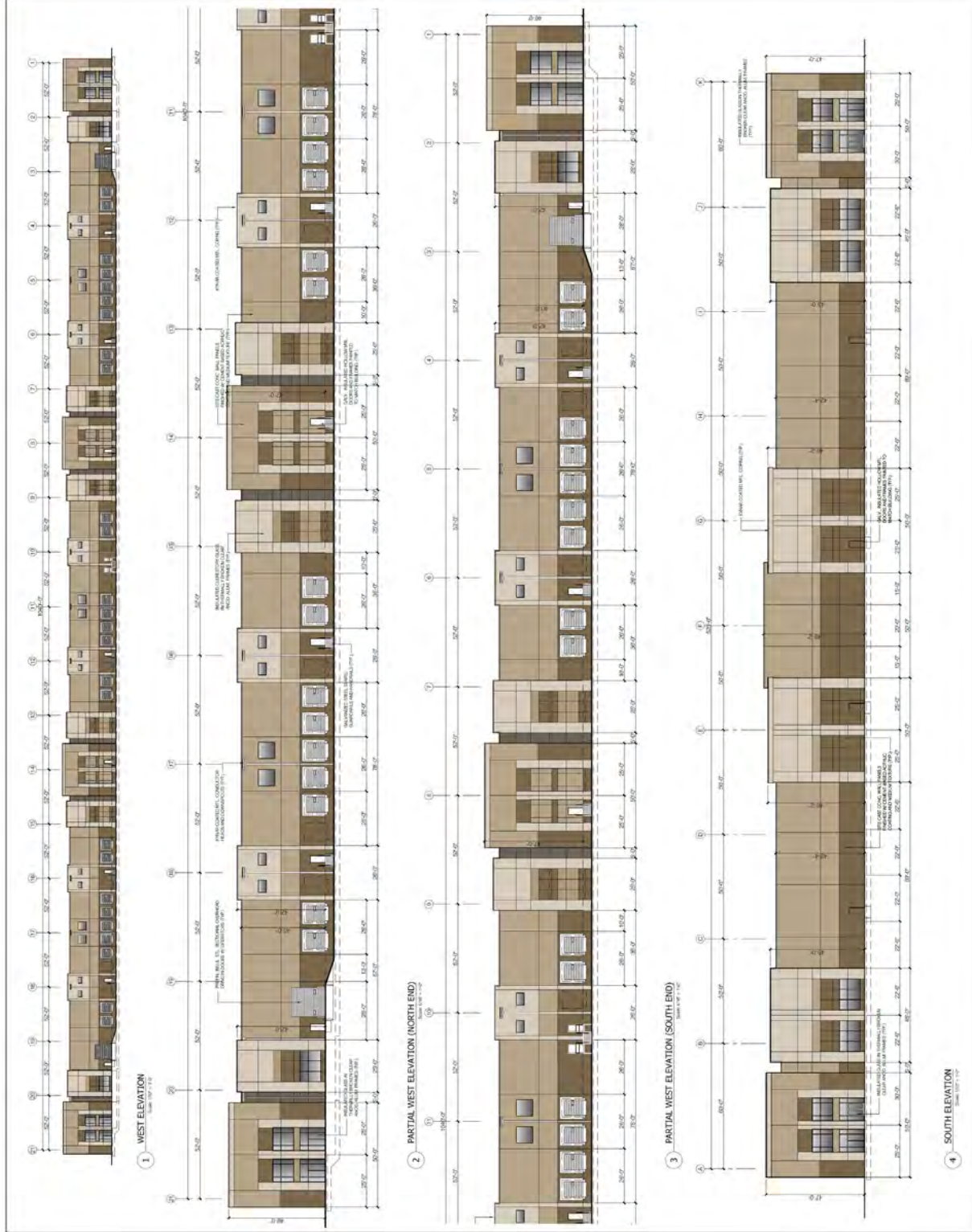
Owner: Turner Logistics Center West

Project No. 2021-020

Client: Turner Logistics Center West

Architect: studioNorth architectural

Engineer: Turner Logistics Center West



A1.01
BUILDING ELEVATIONS



ARCHITECTS
1000 N. 1ST AVE., SUITE 200
MINNEAPOLIS, MN 55401
TEL: 612.338.1111
WWW.STUDIONORTHARCHITECTURE.COM

PROJECT: TURNER LOGISTICS CENTER WEST
LOCATION: 1000 N. 1ST AVE., SUITE 200
MINNEAPOLIS, MN 55401
DATE: 07/29/2021
DRAWN BY: J. HARRIS
CHECKED BY: J. HARRIS
APPROVED BY: J. HARRIS

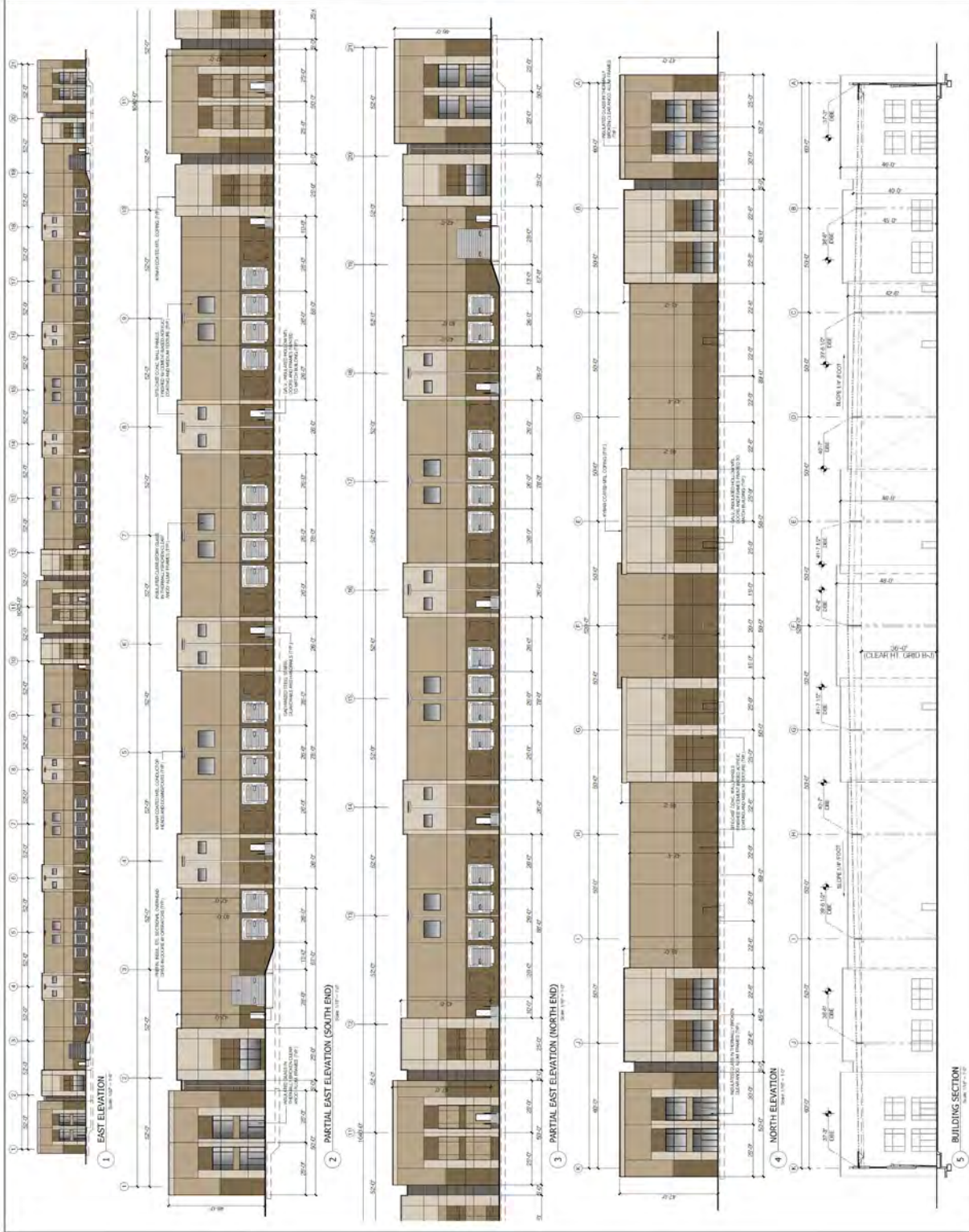


Turner Logistics Center West
1000 N. 1ST AVE., SUITE 200
MINNEAPOLIS, MN 55401

DATE	07/29/2021
BY	J. HARRIS
CHECKED BY	J. HARRIS
APPROVED BY	J. HARRIS
PROJECT	TURNER LOGISTICS CENTER WEST
LOCATION	1000 N. 1ST AVE., SUITE 200 MINNEAPOLIS, MN 55401
DATE	07/29/2021
BY	J. HARRIS
CHECKED BY	J. HARRIS
APPROVED BY	J. HARRIS

Primary
Not for Construction

A1.02
BUILDING ELEVATIONS







studioNorth
ARCHITECTURE
10000 13th Avenue, Suite 100
Denver, CO 80231
Phone: 303.733.1111
Fax: 303.733.1112
www.studionortharch.com

OWNER: TURNER LOGISTICS CENTER WEST
ARCHITECT: STUDIO NORTH ARCHITECTURE
DATE: 07/20/2021
PROJECT: TURNER LOGISTICS CENTER WEST
ELEVATION: PARTIAL NORTH ELEVATION



Turner Logistics Center
West

Project No.	10000
Client	Turner Logistics Center West
Architect	Studio North Architecture
Date	07/20/2021
Project Name	Turner Logistics Center West
Location	10000 13th Avenue, Suite 100 Denver, CO 80231
Scale	1/8" = 1'-0"
Notes	



A2.02
BUILDING ELEVATIONS

- COLOR COATING LEGEND
- 1. PAINT COLOR: TURNER LOGISTICS CENTER WEST
 - 2. PAINT COLOR: TURNER LOGISTICS CENTER WEST
 - 3. PAINT COLOR: TURNER LOGISTICS CENTER WEST
 - 4. PAINT COLOR: TURNER LOGISTICS CENTER WEST
 - 5. PAINT COLOR: TURNER LOGISTICS CENTER WEST

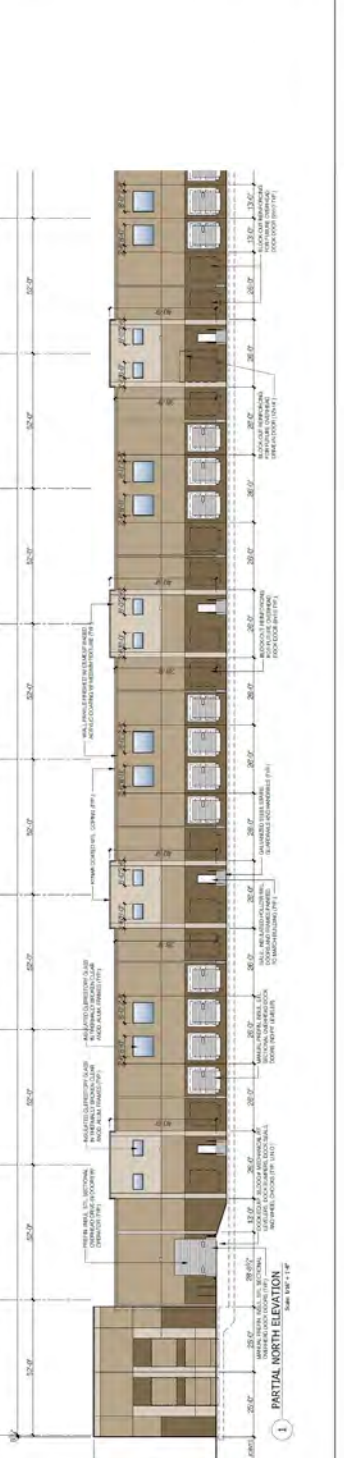
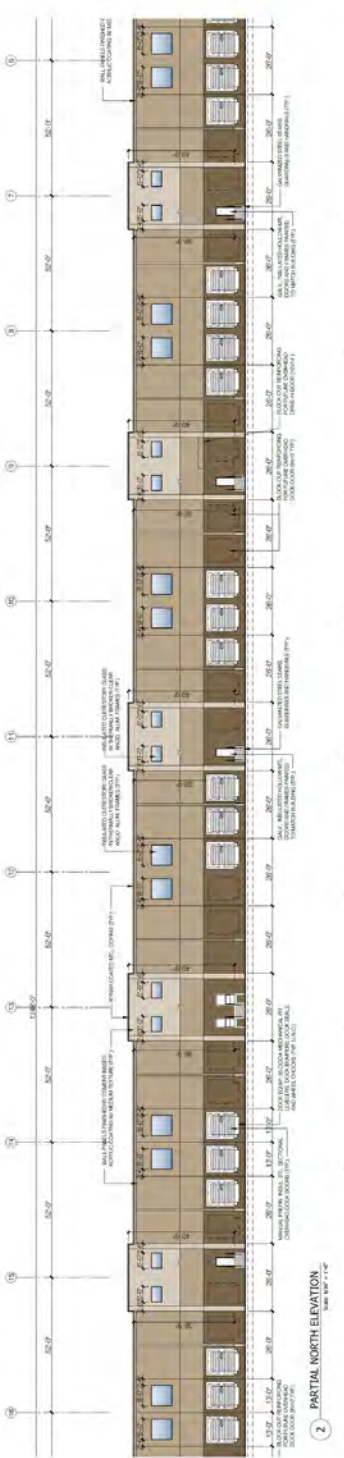






Figure 4. Site photograph of Turner Logistics Center West looking northeast on Tauromee Avenue (provided by Planning Staff).



Figure 5. Site photograph of Turner Logistics Center West looking east on Tauromee Avenue (provided by Planning Staff).



Figure 6. Site photograph of Turner Logistics Center West looking east on Tauromee Avenue (provided by Planning Staff).



Figure 7. Site photograph of Turner Logistics Center West looking west on Tauromee Avenue (provided by Planning Staff).



Figure 8. Site Photograph of Turner Logistics Center West looking south on North 74th Drive (provided by Planning Staff).



Figure 9. Site Photograph of Turner Logistics Center West looking north on North 74th Drive (provided by Planning Staff).



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: July 29, 2021

Re: **Petition COZ2021-021 and Master Plan MPL2021-009**

GENERAL INFORMATION

Applicant:
NP Turner Industrial, LLC

Status of Applicant:
Representative
Continental Consulting Engineers, Inc.
11006 Parallel Parkway, Suite 1
Kansas City, KS 66109

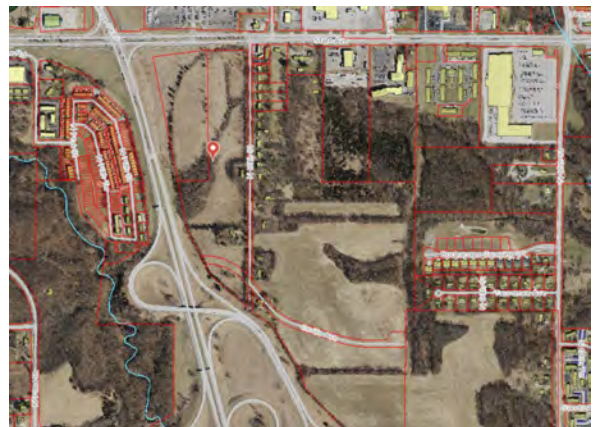
Requested Actions:
Change of Zone from R-1 Single Family and
C-1 Limited Business Districts to MP-2
Planned General Industrial District.

Master Plan Amendment from Low Density
Residential and Mixed Use to Industrial (City-
Wide Master Plan).

Date of Application: May 26, 2021

Purpose: To rezone and create two (2)
lots to build one (1) 346,826 square foot
building for a warehouse and distribution
center.

Property Location: 900 North 69th Street



Commission Districts:	Commissioner At Large: Melissa Bynum District #8 Commissioner: Jane Winkler Philbrook		
Existing Zoning:	R-1 Single Family and C-1 Limited Business Districts		
Surrounding Zoning:	North:	CP-2 Planned General Business Districts	
	South:	MP-2 Planned General Industrial District	
	East:	MP-2 Planned General Business	
	West:	None (no zoning on former KTA right-of-way and College Parkway right-of-way)	
Existing Uses:	North:	Home improvement store (across State Avenue)	
	South:	Industrial business park (currently under construction)	
	East:	Industrial business park (currently approved)	
	West:	Undeveloped land and right-of-way	
Total Tract Size:	29.33 Acres		
Master Plan Area:	City-Wide Master Plan		
Master Plan Designation:	The City-Wide Master Plan designates this property as Low Density Residential and Mixed Use. Low Density Residential allows single-family detached residences, institutional uses such as elementary and middle schools, small churches (less than 50,000 square feet), libraries and parks, open space, etc. Mixed Use allows specialty retail, sit-down restaurants, convenience retail uses such as banks, drug stores, professional and office services, institutional uses such as churches, schools, libraries, etc., parks, plaza, open space, and mixed-density residential uses.		
Major Street Plan:	The Major Street Plan classifies I-70 Highway as a freeway, State Avenue as a Class A Thoroughfare, North 72 nd Street (College Parkway) as a Class C Thoroughfare, and North 69 th Street as a Local Street.		
Required Parking:	For buildings larger than 50,000 square feet, parking is determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government Board of Commissioners shall make the final determination upon recommendation of the Planning Commission. Building 5 proposes 341 parking spaces.		

Advertisement:	<u>The Wyandotte Echo</u> – Change of Zone - June 17, 2021; Master Plan Amendment – June 17, 2021 Letters to Property Owners – Change of Zone – June 16, 2021 and July 22, 2021; Plat – June 16, 2021; Plan Review – June 16, 2021; Master Plan Amendment – June 16, 2021 and July 22, 2021
Public Hearings:	July 12, 2021 and July 29, 2021
Public Support:	None to date.
Public Opposition:	One (1) person appeared at the July 12, 2021 City Planning Commission meeting

PROPOSAL

Detailed Outline of Requested Action: The applicant, NP Turner Industrial, LLC wants to rezone from R-1 Single Family and C-1 Limited Business District to MP-2 Planned General Industrial District, preliminary and final plat two (2) lots and amend the City-Wide Master Plan from Low Density Residential to Industrial to build one (1) industrial building (Building 5 – 346,826 square feet) at 900 North 69th Street on 29.33 acres.

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

Code Enforcement History: There is no history of Notice of Violations for this property.

FACTORS TO BE CONSIDERED

1. Neighborhood character

This project spans a large area with several uses. The site area is primarily undeveloped land with existing thick tree stands along the west property line. There are residential townhomes across College Parkway from this project area to the west. Commercial uses exist along State Avenue to the north of the project site. This location is also adjacent to several major roadways; I-70 to the south adjacent the southern property line of Building 3, College Parkway to the west and State Avenue to the north. Appropriate screening is essential.

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

The zoning and uses of properties nearby are not compatible with the southeast corner of this intersection, as College Parkway and State Avenue intersection is a major commercial artery that runs through the City and is the entry way to Kansas City Kansas Community College, however, the prospective uses are compatible with the zoning and uses to the south within the currently under development industrial business park.

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

The property is suitable for the developer to continue with the industrial business park. Removal of the restrictions will not detrimentally affect the commercial businesses on State Avenue and there is no direct access to State Avenue for Turner Logistics Center tenants.

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

Portions of the properties along North 69th Street have been vacant for a few months, as Northpoint Development has purchased residences on the block for the business park.

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

The proposed use will produce social economic activity; however, the proposed use is not reasonably necessary for the convenience and welfare of the public as there will be an industrial building abutting the property line east of a parcel on the southeast corner of the College Parkway and State Avenue intersection that is not zoned (former KDOT right-of-way) and undeveloped, and will substantially injure the appropriate use, visual quality and marketability of that vacant parcel.

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

The proposed use will increase traffic and parking demand; however, all traffic shall enter from Orville Avenue, and continue north of 69th Street internal to the development. There shall be no access to/from State Avenue, which is the County's primary transit corridor.

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

The proposed use does not conform to the Master Plan. An amendment to Industrial has been submitted by the applicant.

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

The majority of the site has been graded from the previous construction phases of the expanding industrial business park. There are established tree stands to the west which are partially not in the project area. That will assist in softening the front of the building and customer parking from College Parkway.

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

a. Water service

Water service is provided by BPU.

b. Sanitary sewer service

Sanitary sewer service is provided by the UG.

c. Storm water control

To be designed to meet City Code.

d. Police

Police service is provided by West Patrol, District #221.

e. Fire

Fire service is provided by Fire Station #11.

f. Transit

Kansas City ATA provides transit service along College Parkway and I-70, Route #114 and State Avenue, Route #101.

g. Schools

Public education service provided by Turner USD 202.

h. Streets

See item #6 above.

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

The proposed use will have a positive economic impact on the community by turning low density residential and uncut vacant lots into taxable lots with industrial buildings.

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

With revisions to public improvements, landscaping, berming and fencing, the proposed use is capable of meeting applicable ordinance requirements.

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

There is no relative gain to the public health, safety and welfare compared to the hardship imposed on the landowner, although all traffic will be restricted to Orville Avenue and North 69th Street from the south.

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

Development can be used safely without danger to health or peril from fire, flood, and erosion. There will be excessive noise associated with this industrial development, but the truck docks will be in the rear, which will be internal to the development adjacent to Building 4.

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

North 69th Street will be privatized. The primary entrance will be off Orville Avenue via Turner Diagonal/College Parkway with an extension of North 69th Street and cul-de-sac. There is no access into the development from State Avenue, so heavy trailer and truck traffic should not become a nuisance for those remaining residences on 69th Street.

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

Buildings, lots, blocks, parcels and streets will be arranged so as to afford adequate light, open space, or air to facilitate protection, and to provide for long-term sustained real estate values provided proper berming, fencing and screening is constructed and continuously maintained.

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

Development patterns have been designed with minimal due regard to topography, much of the site has been graded flat. Most of the natural vegetation has been removed except for the existing tree stands around the perimeter along the northern and western edge of the property.

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

This is an industrial development and as such does not have the amenities stated above, although staff has made recommendations to improve walkability and non-vehicular transportation and transit by coordinating with KCATA to have a transit stop on College Parkway/Turner Diagonal just north of Orville Avenue and pedestrian access via sidewalks throughout the development to State Avenue and 65th Street via emergency only entrances.

PREVIOUS ACTIONS

- Change of Zone Petition COZ-0008, Turner Logistics Center Fifth Plat and Master Plan Amendment MPL2021-002 was approved by the City Planning Commission on February 8, 2021 and Unified Government Board of Commissioners on February 25, 2021, respectively.
- Change of Zone Petition #3213 was approved by the City Planning Commission and Unified Government Board of Commissioners on January 13, 2020 and January 30, 2020, respectively for Turner Logistics Center.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 28, 2021 by Virtual Meeting (Zoom). Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Pedestrian and Transit Access
Screening from College Parkway/Turner Diagonal and State Avenue
Truck Noise
Lighting / Glare
Existing Access onto State Avenue
Existing Topographic and Natural features

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of COZ2021-021 and MPL2021-009, subject to:

1. **Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;**
2. **Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;**

3. Utility easements shall connect with easements established in adjoining properties;
4. Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
5. Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building;
6. The sidewalk shall be a minimum ten (10) feet in width along the west side of North 69th Street. A five (5) foot sidewalk is required along the east side of the North 69th Street;
7. The connection to State Avenue shall be access for emergency vehicles only. The drive shall be landscaped and meander from State Avenue to North 69th Street, as not to attract attention as a public entrance;
8. Similar to the emergency only access on North 65th Street, a sidewalk shall be constructed to connect State Avenue to North 69th Street;
9. Staff wants to work with the applicant at the Development Review Committee (DRC) to consolidate the driveway access and remove drive and parking lot access to the cul-de-sac. Access and maneuvering shall be internalized and linked to the existing access point onto North 69th Street;
10. The developer shall create a separate parcel along State Avenue for non-industrial use;
11. The loading dock doors shall be painted to match the building or a complimentary color as the primary building;
12. Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcel and College Parkway and State Avenue ROWs;
13. The north, west and south sides of the building shall be softened from State Avenue, College Parkway and the College Parkway and Orville Avenue intersection. Trees shall be added accordingly to soften the facades;
14. Add more trees along the detention basins, west and south of the southwest corner of the building;
15. The Board of Zoning Appeals denied Appeal #2365 for reduced landscaping except for the following:
 - a. The development needs a landscaping plan similar to Amazon and Plaza at the Speedway. Where there are rows of houses, they need more than evergreen trees; they need berms, fencing and evergreens; a considerable landscape buffer of single-family residences is required to make sure that the industrial neighbor that moves in does not interfere with the residential homes. The presentation event said that the trees that are evergreens do not suffice here. Only leaving those trees that are there will not screen this effectively; it will help, but the trees have leaves for the most part. Staff wants to ensure that the residences adjacent to project cannot see it; if they are up high and the residents are down low then they need to work on how to prevent the noise. It needs to be fully screened and they need to make sure that the noise from the trucks and the lights do not interfere with the residential living. Director Richardson further stated that this use is coming to this

neighborhood where people have been living for a very long time and it is no different than what has been done where a business moved next to a residence and had lots of trucks and noise related to them. They will have to screen the property a little beyond The Salvation Army because of the residential senior living community. With the exception of the area adjacent to the Gables motel and the truck company (Apex), staff recommends denial.

16. Trash compactors shall be screened from public view;
17. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
18. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;
19. Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 128 trees are required to be planted. This does not include the street trees to be planted along North 69th Street and State Avenue;
20. Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaced not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center;
21. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue;
22. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
23. All landscaping shall be irrigated;
24. Shall comply with the sign ordinance;

25. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable; and,
26. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2021-021** and **MPL2021-009** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

July 12, 2021 City Planning Commission Minutes
Aerial Photography
Zoning Map
Land Use Map
GeoSpatial Services Department Comment Letter
County Surveyor Comment Letter
Applicant Response Letter
Neighborhood Meeting Minutes
Preliminary Plat
Final Plat
Site Plan
Grading Plan
Landscape Plan
Site Lighting
Sight Lines
Building Elevations
Site Photographs taken by Staff on December 16, 2020

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	July 12, 2021	July 29, 2021
Rezoning	Approval	
Public Hearing	July 12, 2021	July 29, 2021
Master Plan	Approval	

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition MPL2021-009 as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition MPL2021-009, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Change of Zone Petition

I move the Unified Government Board of Commissioners **APPROVE** Petition COZ2021-021 as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition COZ2021-021 as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

July 12, 2021 City Planning Commission Minutes:

Hearing starts at 1:49:25:

MASTER PLAN AMENDMENT MPL2021-009 – NP TURNER INDUSTRIAL, LLC –

SYNOPSIS: Master Plan Amendment from Low Density Residential to Industrial at 900 North 69th Street.

CHANGE OF ZONE APPLICATION COZ2021-021 – NP TURNER INDUSTRIAL, LLC

- SYNOPSIS: Change of Zone from R-1 Single Family and C-1 Limited Business Districts to MP-2 Planned General Industrial District for Turner Logistics Center East Building 5 at 900 North 69th Street.

PLAT2021-013 – NP TURNER INDUSTRIAL, INC. – SYNOPSIS: Preliminary and Final Plat for Turner Logistics Center Sixth Plat at 900 North 69th Street.

PLAN REVIEW APPLICATION PR2021-021 – NP TURNER INDUSTRIAL, LLC –

SYNOPSIS: Final Plan Review for Turner Logistics Center East Building 5 at 900 North 69th Street.

Detailed Outline of Requested Action: The applicant, NP Turner Industrial, LLC wants to rezone from R-1 Single Family and C-1 Limited Business District to MP-2 Planned General Industrial District, preliminary and final plat two (2) lots and amend the City-Wide Master Plan from Low Density Residential to Industrial to build one (1) industrial building (Building 5 – 346,826 square feet) at 900 North 69th Street on 29.33 acres.

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

Code Enforcement History: There is no history of Notice of Violations for this property.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 12, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and

7. The Notices to property owners.

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

Present in Support:

- Jim Kraatz, Brody Sherar and Brett Powell, Northpoint Development, 8425 Northwest 41st Street, Suite 500, Riverside, Missouri

Present in Opposition:

- Teresa Davis, 7428 Orville Avenue, Kansas City, Kansas

Staff Recommendation starts at 1:59: Planning Director Hand stated that traffic studies are taken into consideration when reviewing a new development. The studies are based on all seasons, and the roadways are designed to meet the projected demand. For this development on the east side, as well as the case on the west side that was just heard, the roads will be designed for the businesses to function without issues assuming the truck drivers only use Tauromee off College Boulevard. He further stated that the project in this application has been considered several times by the Planning Commission. This application is before the Commission tonight as the applicant has acquired additional property and has therefore adapted their site plan and plat. Staff conditions have not changed significantly since these last reviews. The staff has conditioned sidewalks on both sides of 69th Street and there is only emergency and pedestrian connectivity via a dogleg that he showed the Commission to State Avenue. Director Hand stated that the gas station on State Avenue was required to have a sidewalk on the east side of their part of 69th Street so staff would only request that the applicant tie into that sidewalk moving forward; they would not need to cross over to the gas station's property. Staff worked extensively with the applicant to improve screening around the buildings from College Parkway and State Avenue similar to Building 1, which required additional screening plus the screening variance for Buildings 2 and 4. Staff has added a condition of approval to find a way to consolidate the driveways from the cul-de-sac to the driveway (he showed on the map), and staff will continue to work with the applicant at the Development Review Committee (DRC) level on this issue. Also, there is a parcel to the north off State Avenue that remains for a non-industrial development along the Unified Government's primary transit corridor. He stated that staff has received no letters in support nor opposition and there are no Notices of Violation on this property. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 2:03:33:

On motion by Mr. Connelly, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL** of **Master Plan Amendment MPL2021-009:**

Carson	Chairman
Armstrong	Aye
Cho	Not Present
Connelly	Aye

Ernst	Aye
Huey	Not Present
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 6 to 0

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zoning Application COZ2021-021**:

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

Motion to RECOMMEND APPROVAL Passed: 6 to 0

Subject to:

1. **Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;**
2. **Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;**
3. **Utility easements shall connect with easements established in adjoining properties;**
4. **Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;**
5. **Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building;**
6. **The sidewalk shall be a minimum ten (10) feet in width along the west side of North 69th Street. A five (5) foot sidewalk is required along the east side of the North 69th Street;**
7. **The connection to State Avenue shall be access for emergency vehicles only. The drive shall be landscaped and meander from State Avenue to North 69th Street, as not to attract attention as a public entrance;**
8. **Similar to the emergency only access on North 65th Street, a sidewalk shall be constructed to connect State Avenue to North 69th Street;**

9. Staff wants to work with the applicant at the Development Review Committee (DRC) to consolidate the driveway access and remove drive and parking lot access to the cul-de-sac. Access and maneuvering shall be internalized and linked to the existing access point onto North 69th Street;
10. The developer shall create a separate parcel along State Avenue for non-industrial use;
11. The loading dock doors shall be painted to match the building or a complimentary color as the primary building;
12. Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcel and College Parkway and State Avenue ROWs;
13. The north, west and south sides of the building shall be softened from State Avenue, College Parkway and the College Parkway and Orville Avenue intersection. Trees shall be added accordingly to soften the facades;
14. Add more trees along the detention basins, west and south of the southwest corner of the building;
15. The Board of Zoning Appeals denied Appeal #2365 for reduced landscaping except for the following:
 - a. The development needs a landscaping plan similar to Amazon and Plaza at the Speedway. Where there are rows of houses, they need more than evergreen trees; they need berms, fencing and evergreens; a considerable landscape buffer of single-family residences is required to make sure that the industrial neighbor that moves in does not interfere with the residential homes. The presentation event said that the trees that are evergreens do not suffice here. Only leaving those trees that are there will not screen this effectively; it will help, but the trees have leaves for the most part. Staff wants to ensure that the residences adjacent to project cannot see it; if they are up high and the residents are down low then they need to work on how to prevent the noise. It needs to be fully screened and they need to make sure that the noise from the trucks and the lights do not interfere with the residential living. Director Richardson further stated that this use is coming to this neighborhood where people have been living for a very long time and it is no different than what has been done where a business moved next to a residence and had lots of trucks and noise related to them. They will have to screen the property a little beyond The Salvation Army because of the residential senior living community. With the exception of the area adjacent to the Gables motel and the truck company (Apex), staff recommends denial.
16. Trash compactors shall be screened from public view;
17. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
18. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled.

Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;

19. Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 128 trees are required to be planted. This does not include the street trees to be planted along North 69th Street and State Avenue;
20. Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaced not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center;
21. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue;
22. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers);
23. All landscaping shall be irrigated;
24. Shall comply with the sign ordinance;
25. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable; and,
26. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to **APPROVE PLAT2021-012**:

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

Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Not Present

Motion to APPROVE Passed: 6 to 0
Subject to the above conditions

On motion by Mrs. Jones, seconded by Mr. Connelly, the Planning Commission voted as follows to **APPROVE PR2021-21:**

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

Motion to APPROVE Passed: 6 to 0
Subject to the above conditions



Figure 1. Aerial photograph of Turner Logistics Center (provided by UG Maps).

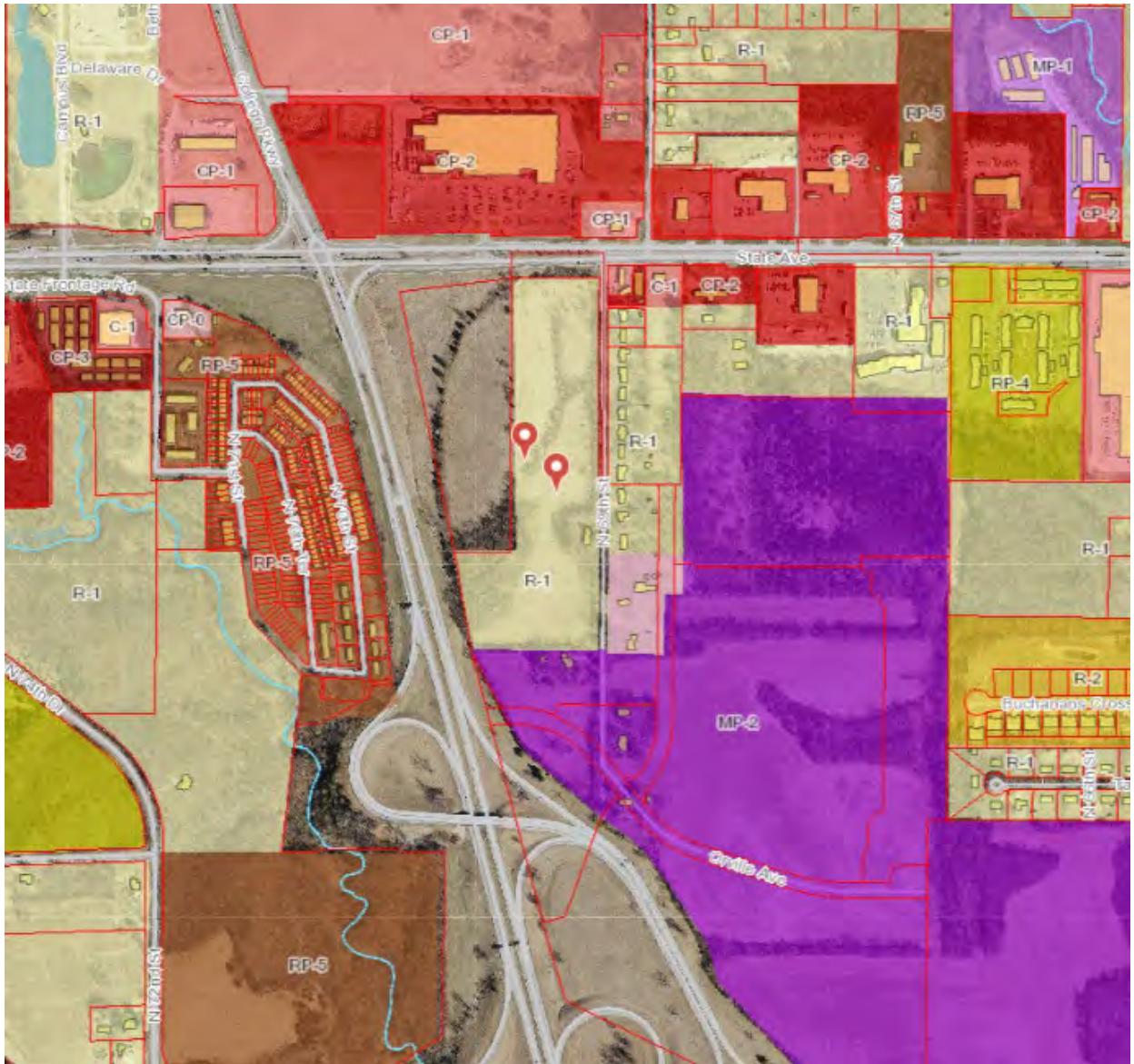


Figure 2. Zoning Map of Turner Logistics Center (provided by UG Maps).

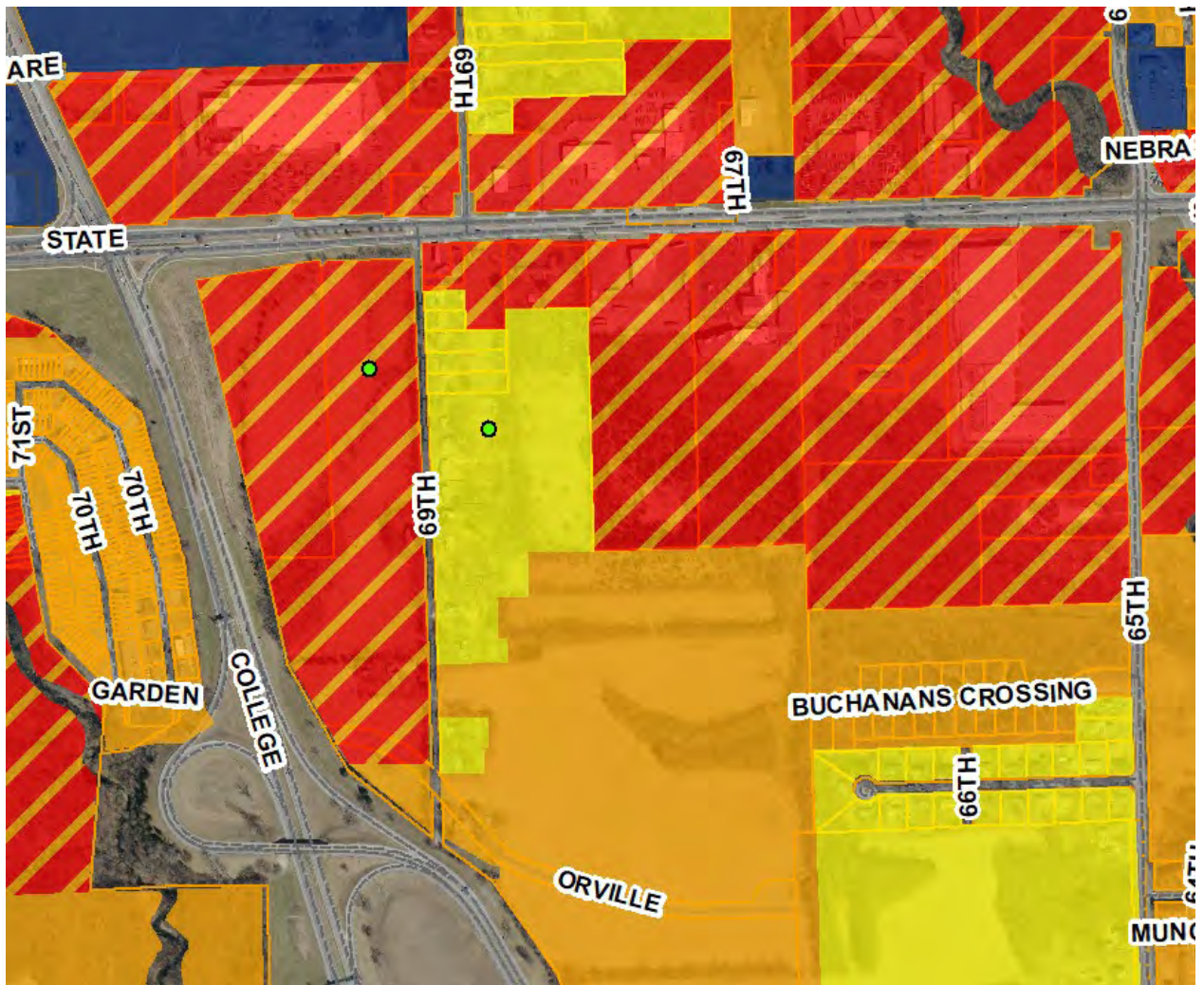


Figure 3. City-Wide Master Plan Land Use Map of Turner Logistics Center (provided by ArcMap).



GeoSpatial Services
A Division of the Knowledge Office

710 North 7th Street Suite 200
Kansas City, Kansas 66101

Phone: (913) 573-2941
Fax: (913) 573-4106

To: Gunnar Hand, Planning and Urban Design
Janet Parker, Planning and Urban Design
From: Robert Ringel, GIS Analyst, Unified Government GSS
Date: June 8, 2021
RE: **TURNER LOGISTICS CENTER SIXTH PLAT**

We have researched the official county records for the above plat as submitted to
Planning and Urban Design by:
Continental Consulting Engineers, Inc.

And we have determined the following:

Takes all of CIC-TAS Parcels:

422602, 925305, 925306, 925307 & 925320

Takes part of CIC-TAS Parcel:

422502

Owners-of-Record:

NP Turner Industrial, LLC; Leticia I. Garcia Romero & Karen A. Romero
Anchondo; Benjamin Bortnick

Jurat Signatures:

Nathaniel Hagedorn, Authorized Person – NP Turner Industrial, LLC;
Leticia I. Romero Garcia & Karen A. Anchondo Romero

We find that the plat is: **Presently unacceptable for posting.**

Please note the following comments.

1) Dimension

There is a missing dimension along the west line of Lot 2.

2) Corner Ties

I don't see any ties to corners found.

3) Ownership

Not all ownership has been acquired.



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5700
FAX (913) 573-5727

June 11, 2021

Sam DePriest
Continental Engineers Inc.
11006 Parallel Parkway,
Kansas City, KS 66109

Re: Final Plat of TURNER LOGISTICS CENTER 6TH PLAT

Dear Mr DePriest

I have reviewed your submittal of the above captioned plat and have these comments for your review:

- Need a minimum of two reference ties to controlling corners. They can be section corners or other found monumentation. You show one section corner so that might be the easiest since you have down work in this area already.
- Please submit a closure report for the out boundary of the plat.
- Label the north line of the northwest quarter of the northwest quarter.
- Label the north line of the northeast quarter of the northwest quarter.

If I can be of any further assistance, please feel free to contact me at your convenience.

Sincerely,

Brent E. Thompson, PS.
County Surveyor

Cc: Martin Ntonjira
Robby Ringel
Janet Parker

Turner Logistics Center East
747 N. 69th Street
Kansas City, Kansas 66109

Turner Logistics Center Building 5 and Sixth Plat
COZ2021-021, MPL2021-009, PLAT2021-013, PR2021-021

Responses to staff comments can be found below in red.

Engineering Comments

Erosion Control No. 1

- 1) With final plans, provide an erosion control plan in accordance with UG criteria including erosion control notes, construction sequence, identifying the 3 stages of construction, indicate when BMP's are to be placed and when they are to be removed, and applicable maintenance requirements. (Review UG Guidelines and Checklist). **A detailed set of Land disturbance plans for grading operations was submitted to KDHE on June 14, 2021 and to the UG on June 17, 2021.**

General Engineering Review No. 1

- 1) See PDF markup.
 - a. **The southern half of the State Avenue R/W adjacent the plat boundary was included as part of the plat and rededicated as right-of-way. The plat boundary extended to the section line.**
 - b. **R/W on 69th Street has been removed and is now a Tract. This has been updated on the plat that was resubmitted to the county surveyor.**
 - c. **The 30' access easement was dedicated on the Fifth Plat as part of a plan with Buildings 5 and 6. With Buildings 5 and 6 becoming a single building, this access easement is no longer needed and therefore vacated with the Sixth Plat.**
- 2) The final plat shall incorporate County Surveyor comments. Typically, the county surveyor makes separate technical review of the plat and will submit comments directly to the prepared of the plat. **Understood, county surveyor comments have been addressed and submitted to directly to the county surveyor.**
- 3) Construction plan shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition. **Understood.**

Planning and Urban Design Comments

General Planning

- 1) Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity. **Understood.**
- 2) Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat.

The final plat will include 10' easements along each side of the proposed lot lines.

- 3) Utility easements shall connect with easements established in adjoining properties.
Understood.
- 4) Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided.
All proposed electrical power, telephone, and cable will be installed underground.
- 5) Downspouts shall be recessed in corners of the building and in locations that do not draw a person's eye visually. The downspouts shall be painted to match the building. **Understood.**
- 6) The sidewalk shall be a minimum the (10) feet in width along the west side of North 69th Street. A five (5) foot sidewalk is required along the east side of the North 69th Street. **The current site plan indicates a 10' sidewalk west of N 69th Street and a 5' sidewalk along the East side of N 69th Street as stated above.**
- 7) The connection to State Avenue shall be access for emergency vehicles only. The drive shall be landscaped and meander from State Avenue to North 69th Street, as not to attract attention as a public entrance.

A portion of the existing N. 69th Street will remain as a public access point to the existing gas station from State Avenue. The proposed emergency access road will begin at the property line (Sixth Plat boundary). Landscaping has been added along the proposed emergency access road (see Sheet L1.01).

- 8) Similar to the emergency only access on North 65th Street, a sidewalk shall be constructed to connect State Avenue to North 69th Street.
As mentioned in response to Staff Comment #7, a section of the existinig 69th Street will remain as a public access point to the existing gas station from State Avenue. Per the submitted plans, a sidewalk will be constructed to the edge of our North property line. The emergency access drive will be utilized as a sidewalk, similar to the emergency access road on 65th Street.
- 9) Consolidate the driveway access and remove drive and parking lot access to the cul-de-sac. Access and maneuvering shall be internalized and linked to the existing access point onto North 69th Street.
New 69th Street is a private road internal to the industrial park and is not public. The intent of the current layout is to separate passenger vehicles from truck traffic. We request that the connection to the cul-de-sac on the private road remain as shown similar to the cul-de-sac connection along Orville Avenue for Buildings 1 and 3.
- 10) The developer shall create a separate parcel along State Avenue for non- industrial use.
A +/-1.5 acres parcel has been preserved along State Avenue for non-industrial use.

Building Architecture

- 1) The loading dock doors shall be painted to match the building or a complimentary color as the primary building. **Understood.**

Landscaping and Screening:

- 1) Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcel and College Parkway and State Avenue ROWs.

A majority of the existing tree stand at the southwest corner of Building 5 will be preserved. The remainder of existing vegetating along the west and north property lines is brush and will be replaced with a mix of deciduous and evergreen trees as part of an enhanced landscape plan.

- 2) The north, west and south sides of the building shall be softened from State Avenue, College Parkway and the College Parkway and Orville Avenue intersection. Trees shall be added accordingly to soften the facades.

The proposed landscape plan includes a mix of deciduous, evergreen and ornamental trees along the north and west property lines to help soften views from State Avenue, College Parkway and the College Parkway and Orville intersection.

- 3) Add more trees along the detention basins, west and south of the southwest corner of the building.

The revised landscape plan includes more trees along the detention basins at the southwest corner of Building 5.

- 4) The Board of Zoning Appeals denied Appeal #2365 for reduced landscaping except for the following:
 - a. The development needs a landscaping plan similar to Amazon and Plaza at the Speedway. Where there are rows of houses, they need more than evergreen trees; they need berms, fencing and evergreens; a considerable landscape buffer of single-family residences is required to make sure that the industrial neighbor that moves in does not interfere with the residential homes. The presentation event said that the trees that are evergreens do not suffice here. Only leaving those trees that are there will not screen this effectively; it will help, but the trees have leaves for the most part. Staff wants to ensure that the residences adjacent to project cannot see it; if they are up high and the residents are down low then they need to work on how to prevent the noise. It needs to be fully screened and they need to make sure that the noise from the trucks and the lights do not interfere with the residential living. Director Richardson further stated that this use is coming to this neighborhood where people have been living for a very long time and it is no different than what has been done where a business moved next to a residence and had lots of trucks and noise related to them. They will have to screen the property a little beyond The Salvation Army because of the residential senior living community. With the exception of the area adjacent to the Gables motel and the truck company (Apex), staff recommends denial. **Understood.**

- 5) Trash compactors shall be screened from public view. **Understood.**
- 6) Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials. **Understood.**
- 7) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures.
- Understood.**
- 8) Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 128 trees are required to be planted. This does not include the street trees to be planted along North 69th Street and State Avenue. **Understood.**
- 9) Sec. 27-700(3) A buffer area shall be provided alongside and rear property lines common to or across an alley from residentially zoned property and shall consist of an area fifteen (15) feet in width improved with a six (6) foot architectural screen wall adjacent to the property line and one row of shade trees spaces not more than forty (40) feet on center and one row of large shrubs spaced not more than eight (8) feet on center. **Understood.**
- 10) All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue. **Understood.**
- 11) All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there may be a variety of native grasses and plants (wildflowers). **Understood.**
- 12) All landscaping shall be irrigated. **Understood.**

Signage:

- 1) Shall comply with the sign ordinance. **Understood.**

Planning Engineering Comments:

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

Brody Sherar
4825 NW 41st Street
Riverside, MO 64150

7/2/2021

Byron Toy
Principal Planner
Unified Government
701 North 7th Street, Suite 423
Kansas City, KS 66101

Dear Byron,

The neighborhood meeting for our COZ2021-021 application was held on Monday 6/28/2021 at 6:00PM. Three representatives of NorthPoint were present at the meeting along with two representatives from our civil engineering consultant, Continental Consulting Engineering:

Myself, Brody Sherar
Brett Powell
James Kraatz
Phil Gibbs Jnr.
Andrew Talkin

All five of us were present for the entire duration of the meeting and no one else appeared.

Regards,

Brody Sherar

A handwritten signature in blue ink, appearing to be 'Brody Sherar', with a long horizontal flourish extending to the right.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF MISSOURI)
COUNTY OF RIVERSIDE) SS:

Comes now BRODY SHERAN, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # CO72021-021
2. That I conducted a neighborhood meeting on 6/28/2021 at 6:00 PM
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

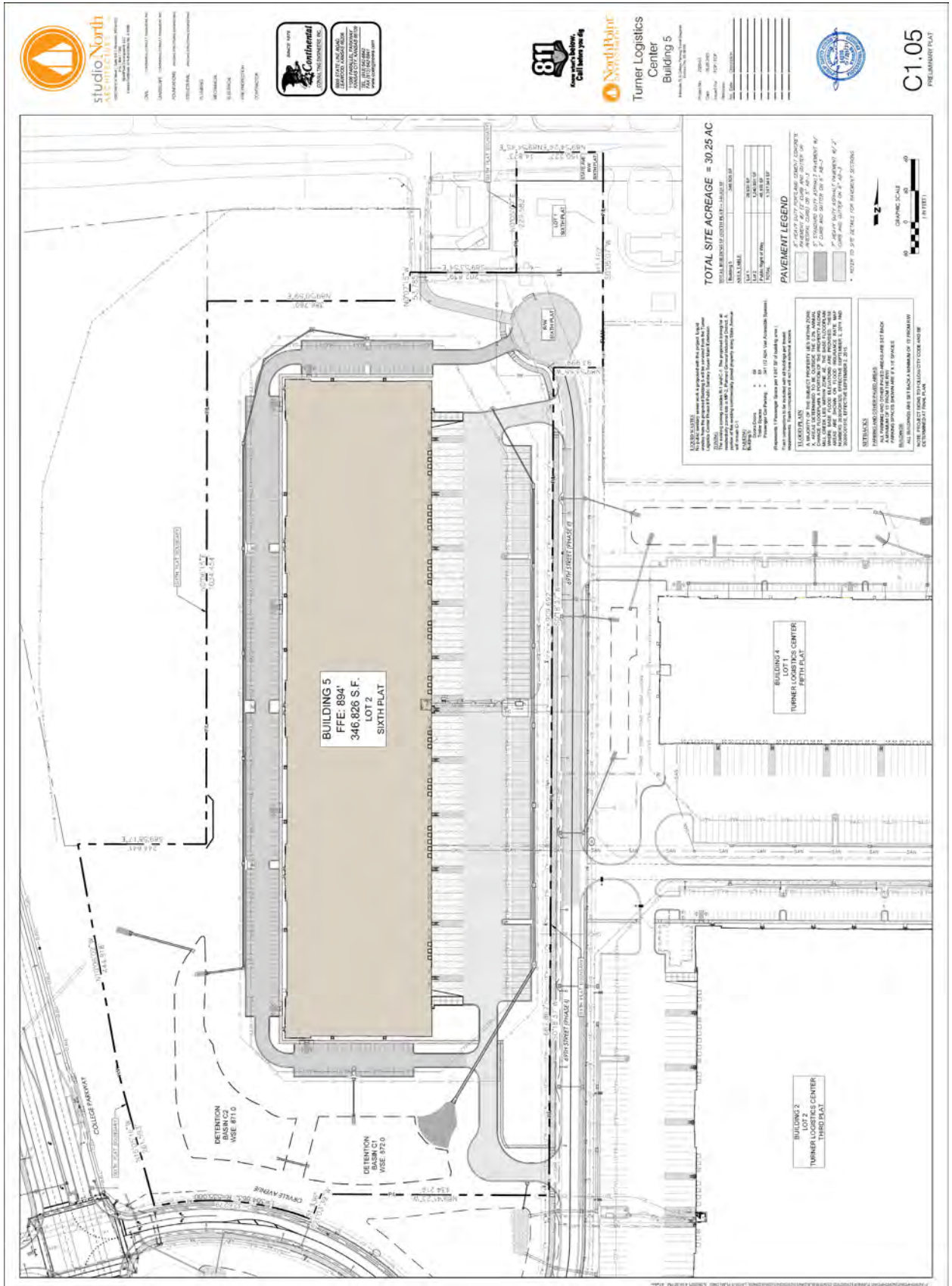
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29 day of June, ~~200~~ 2021

My commission expires 30 of SEP, 2023 ~~200~~

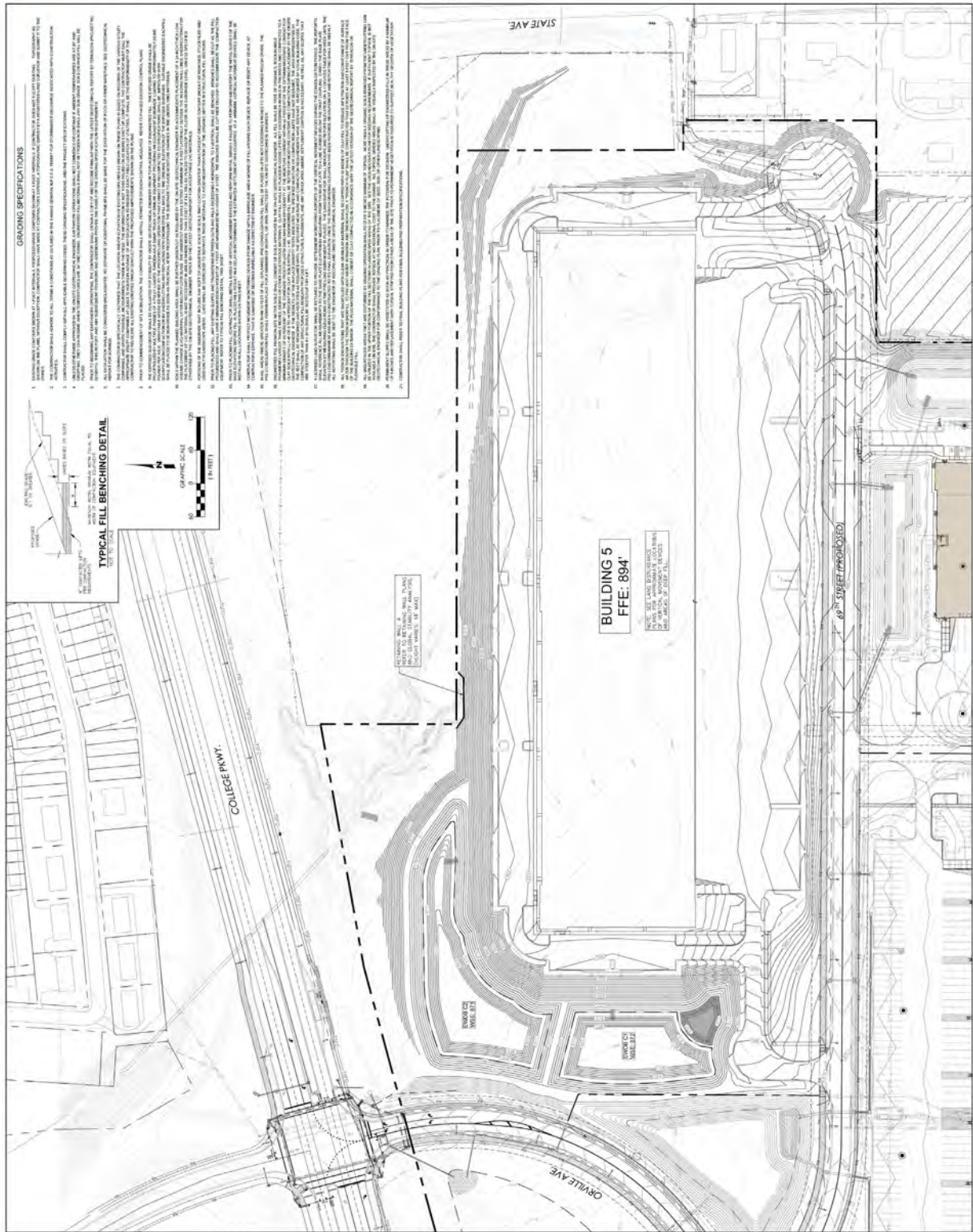
COURTNEY KELLER
Notary Public-Notary Seal
STATE OF MISSOURI
Commissioned for Jackson County
My Commission Expires: September 30, 2023
ID. #19124971

Notary Public











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Journal of Internal Medicine 247: 111–117

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1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

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Center
Building 5

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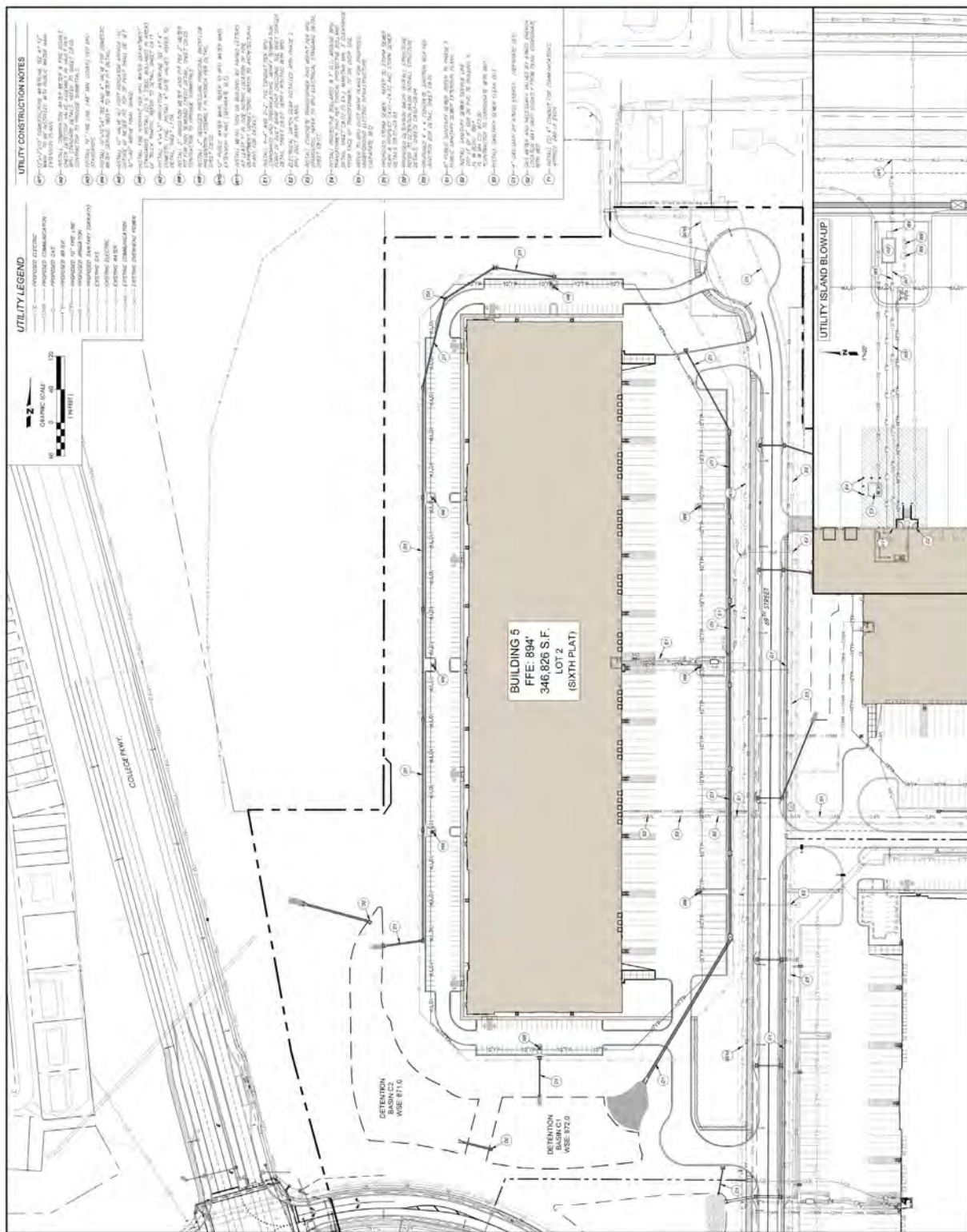
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C5.01

UTILITY PLAN

C5.01
UTILITY PLAN



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ARCHITECTURE
1000 PLYMOUTH AVENUE
SUITE 100
ANN ARBOR, MI 48106
734.769.1100
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OWNER: TURNER LOGISTICS CENTER
ARCHITECT: STUDIO NORTH ARCHITECTURE
Landscape Architect: STUDIO NORTH ARCHITECTURE
DATE: 08/20/2021
PROJECT: TURNER LOGISTICS CENTER BUILDING 5
SHEET: LANDSCAPE PLAN



Turner Logistics
Center
Building 5

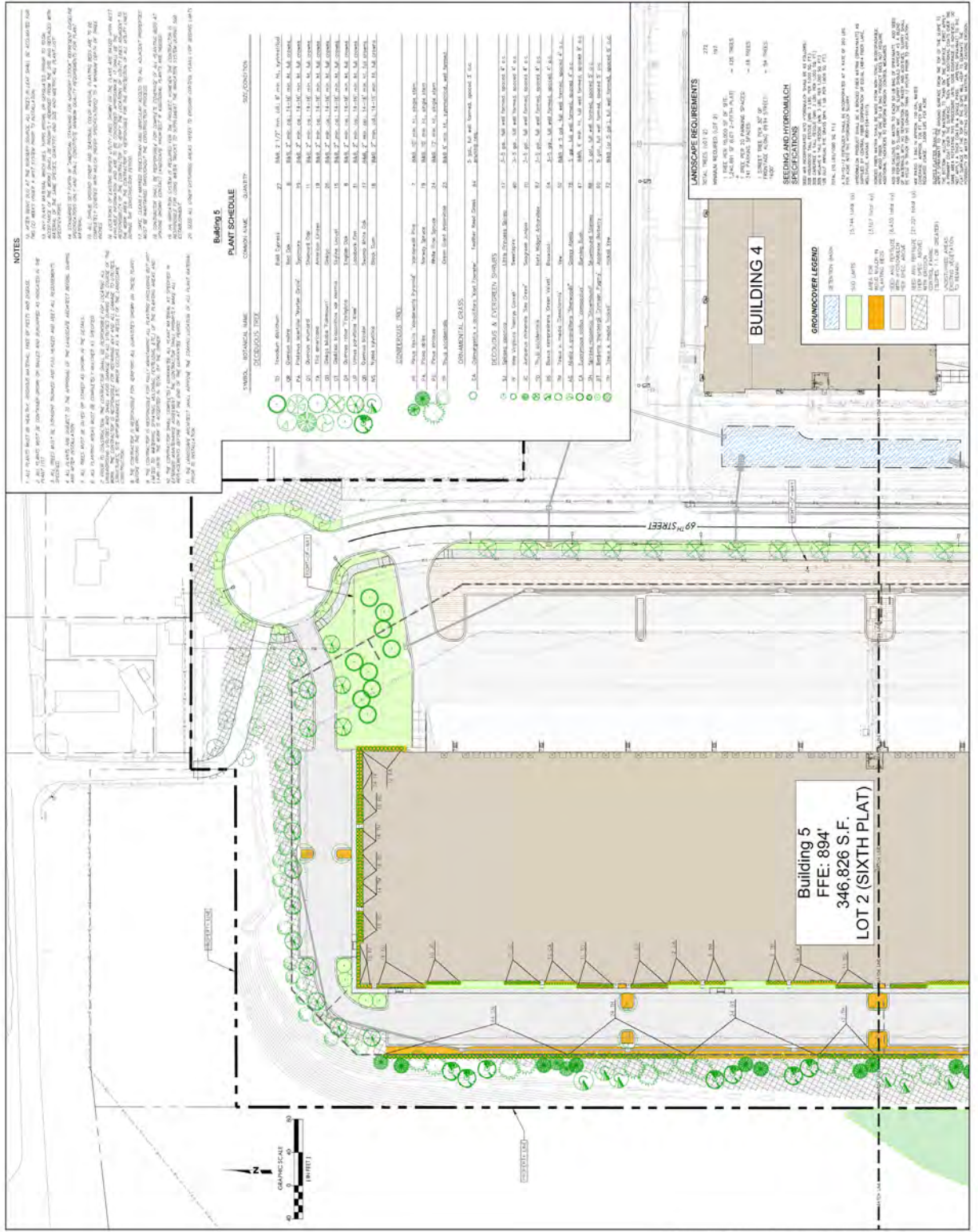
Building 5
LOT 2 (SIXTH PLAT)

TABLE 1: PLANT SCHEDULE

SYMBOL	PLANT NAME	QUANTITY
1	Small Tree	10
2	Medium Tree	5
3	Large Tree	3
4	Shrub	20
5	Groundcover	100

Primary
Red For Construction

L1.01
LANDSCAPE PLAN
NORTH



NOTES

1. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS AND SHALL BE MAINTAINED FOR A PERIOD OF 12 MONTHS AFTER INSTALLATION.

2. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS AND SHALL BE MAINTAINED FOR A PERIOD OF 12 MONTHS AFTER INSTALLATION.

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Building 5
PLANT SCHEDULE

TABLE 1: PLANT SCHEDULE

SYMBOL	PLANT NAME	QUANTITY
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2	Medium Tree	5
3	Large Tree	3
4	Shrub	20
5	Groundcover	100

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 - 2. Medium Tree: 5
 - 3. Large Tree: 3
 - 4. Shrub: 20
 - 5. Groundcover: 100

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 - 5. Groundcover: 100





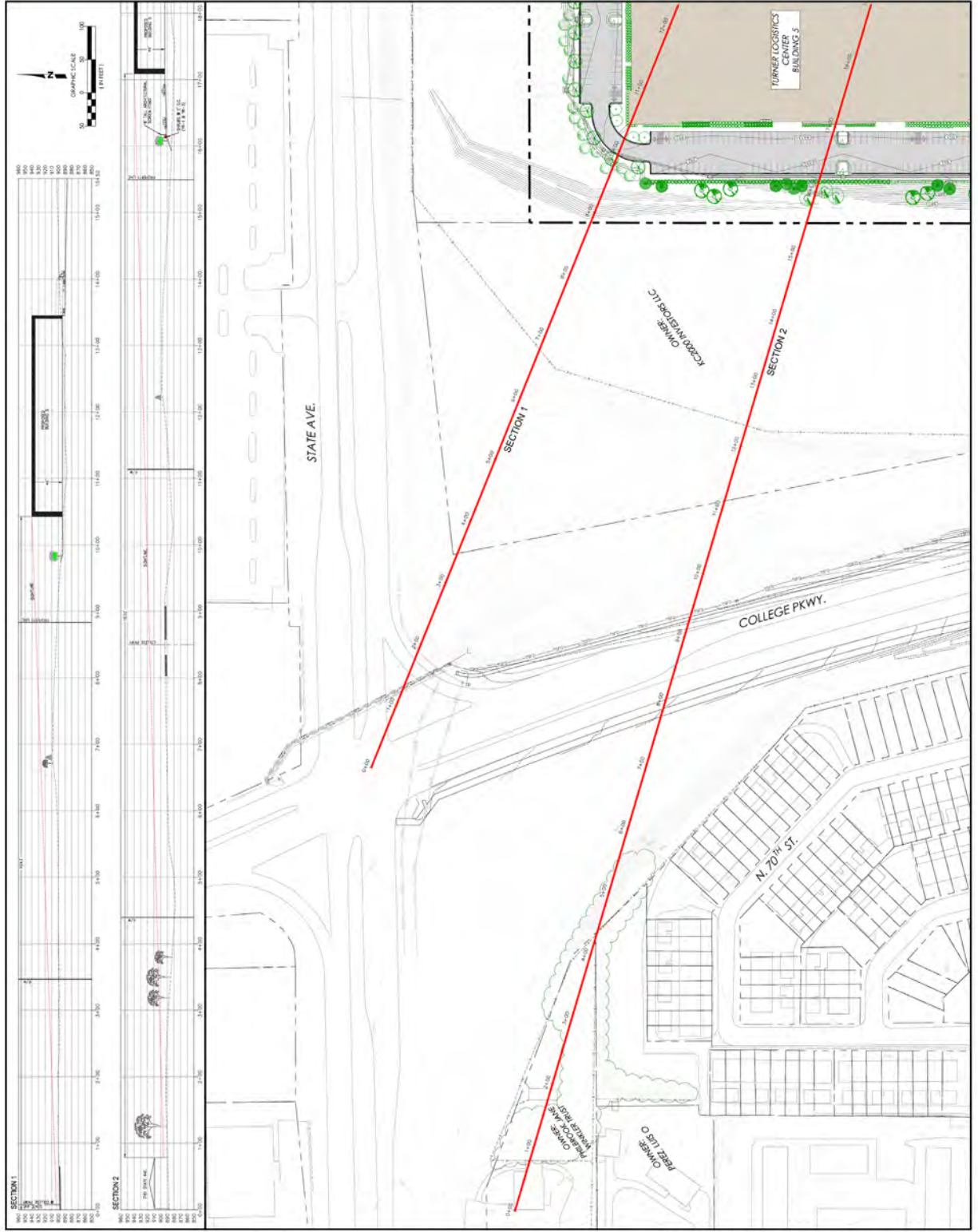
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Turner Logistics Center
Building 5

Project:	000000
Client:	Turner Logistics Center
Location:	Minneapolis, MN
Scale:	1" = 100'-0"
Date:	10/20/2021
Drawn by:	
Checked by:	
Reviewed by:	
Approved by:	

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SIGHT LINE SECTIONS





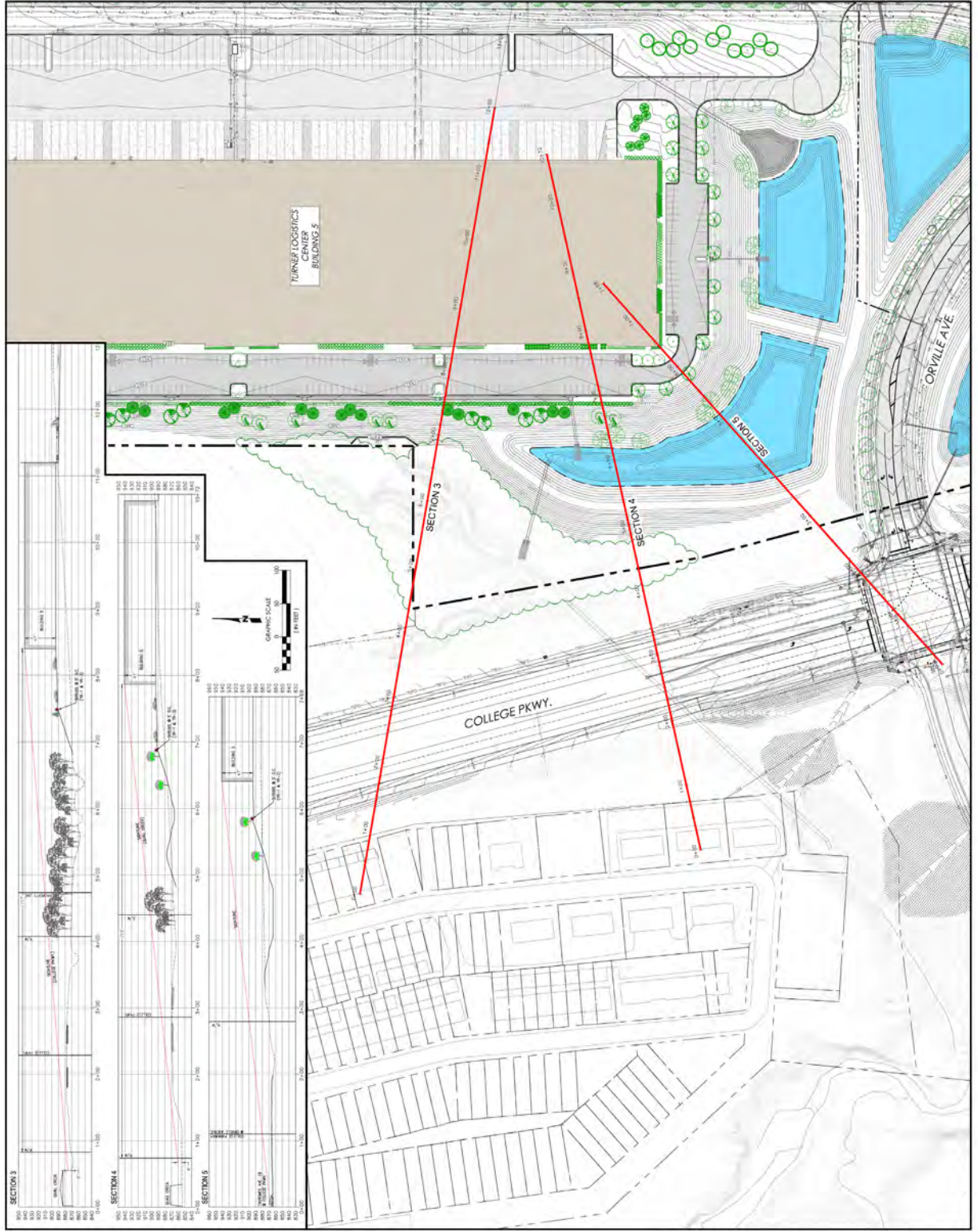
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LANDSCAPE ARCHITECTURE
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PROJECT MANAGEMENT
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Turner Logistics
Center
Building 5

PROJECT:	000001
DATE:	08/11/2020
DESIGNER:	000001
DATE:	08/11/2020
REVISION:	000001
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SIGHT LINE SECTIONS





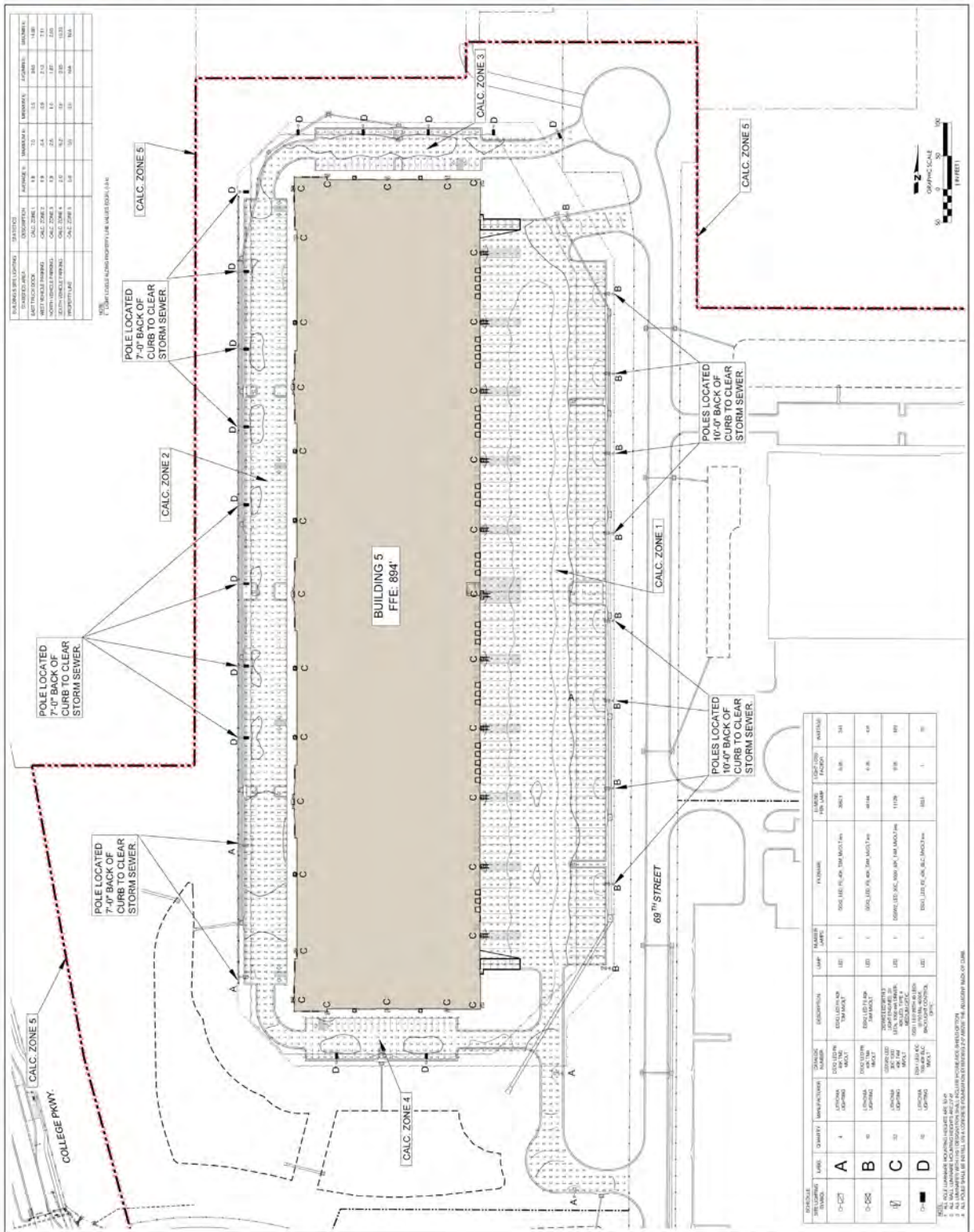
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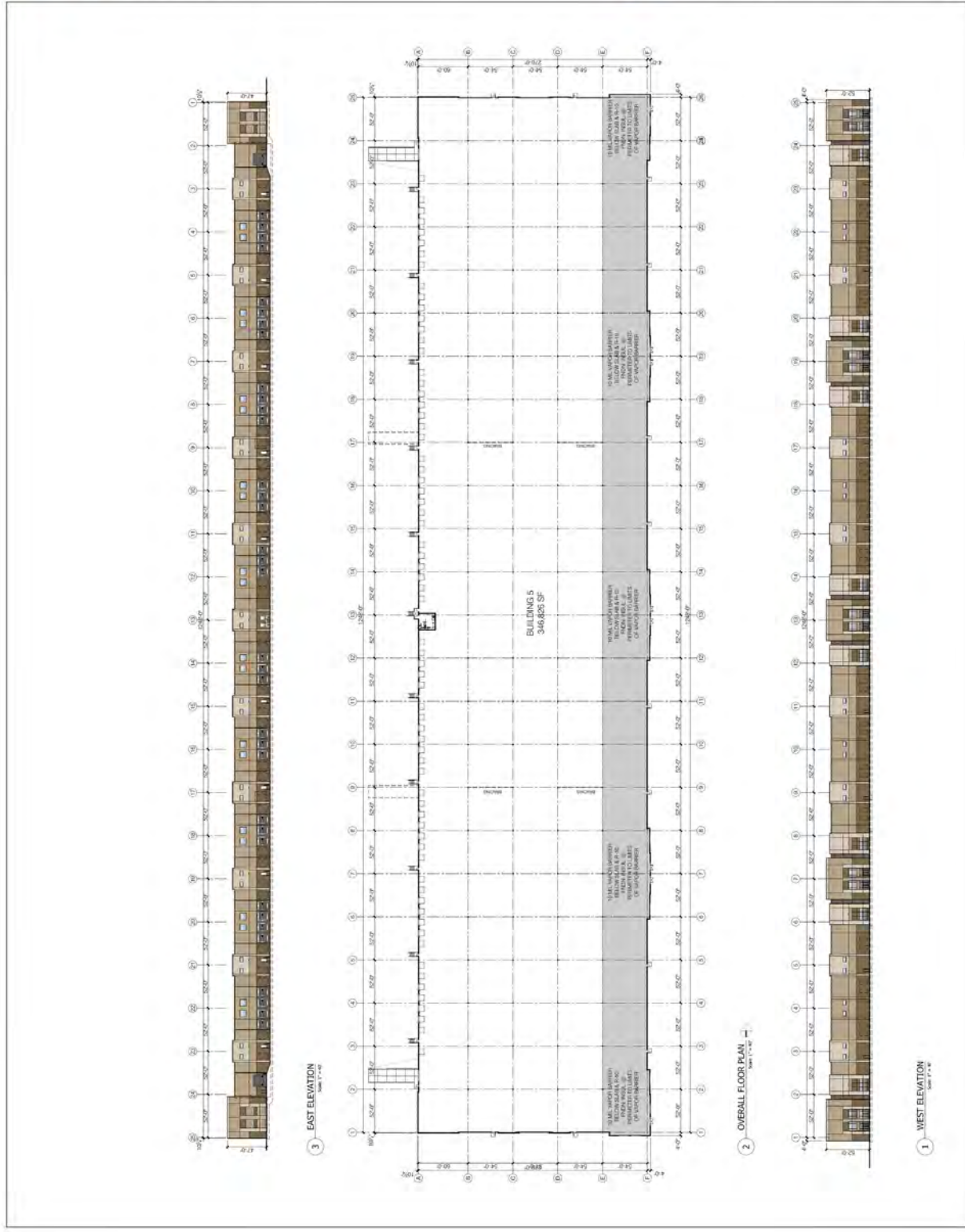


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SUITE 100
MINNEAPOLIS, MN 55401
TEL: 612.338.1111
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DATE
10/15/2021



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Building 5

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SUITE 100
MINNEAPOLIS, MN 55401
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A4.01
BUILDING ELEVATIONS

- COLOR COATING LEGEND
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COLOR COATING LEGEND

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2. METAL FINISHES
3. GLASS FINISHES
4. STONE FINISHES
5. TERRAZZO FINISHES
6. CERAMIC FINISHES
7. POLISHED CONCRETE FINISHES
8. POLISHED AGGREGATE FINISHES

■ PAINT FINISHES
■ METAL FINISHES
■ GLASS FINISHES
■ STONE FINISHES
■ TERRAZZO FINISHES
■ CERAMIC FINISHES
■ POLISHED CONCRETE FINISHES
■ POLISHED AGGREGATE FINISHES

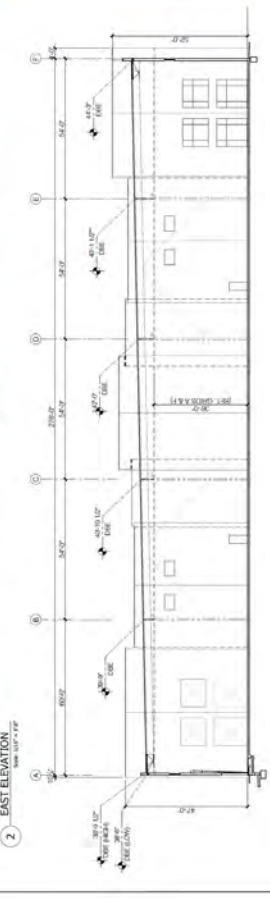
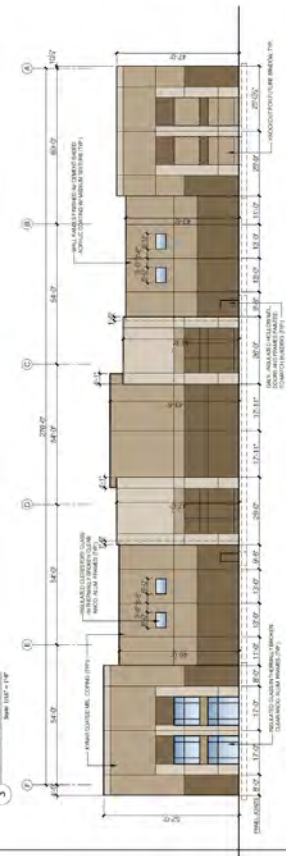
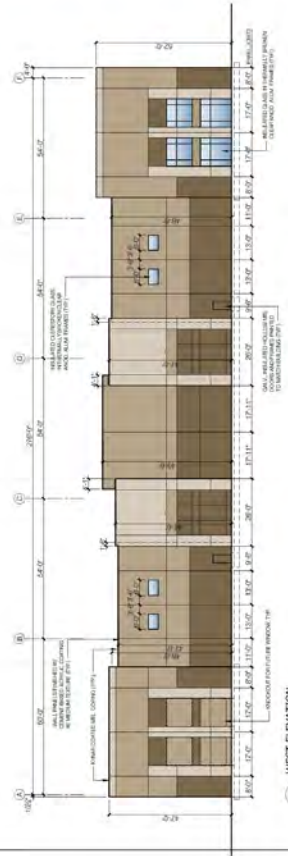
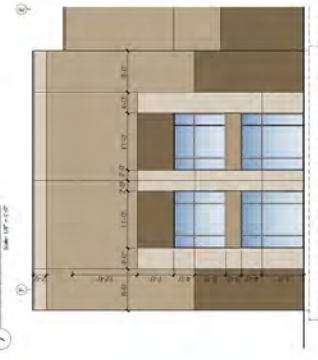
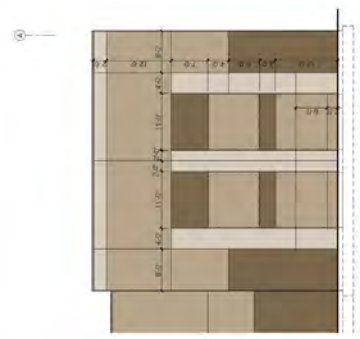




Figure 1. Site photograph of Turner Logistics Center (provided by Planning Staff).



Figure 2. Site photograph of Turner Logistics Center (provided by Planning Staff).



Figure 3. Site photograph of Turner Logistics Center (provided by Planning Staff).

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SU20-00097, commonly known as 933 Quindaro Boulevard, Kansas City, Kansas, legally described as:

Western Highlands Blocks 1-3, Block 1, West 50 feet, L5, located at approximately 933 Quindaro Boulevard, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit to operate a transitional/group home.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1) The home shall house no more than seven (7) residents at a time;
- 2) No more than four (4) vehicles may be parked on the property at a time;
- 3) No signs shall be posted on the property;
- 4) Must go through the Historic Environs Review process before any upgrades, modifications, or renovations can be done to the home. Contact the Planning and Urban Design Department to begin this process;

- 5) All construction and renovation to the home must be properly permitted. Contact the Building Inspection Department for all necessary building permits;
- 6) A Special Use Permit may be brought to the Unified Government Board of Commissioners for revocation if conditions of approval are no met;
- 7) 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;
- 8) The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
- 9) 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.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2021.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP-2020-77, commonly known as 900 South 66th Terrace, Kansas City, Kansas, legally described as:

Muncie Industrial Park, a subdivision of land in Kansas City, Wyandotte County, Kansas, Section 00, Township 00, Range 00, Block 2, South 220.78 feet of Lot 7, located at approximately 900 South 66th Terrace, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit a mechanic, used auto sales and continuing an import/export business.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1. Provide a site plan that illustrates the locations and dimensions of the areas on the property that will be designated for:**
 - a. Salvage yard and wrecked auto storage;**
 - b. Mechanic shop car parking spaces and screened area for inoperable vehicle parking (include a count of parking spaces);**

- c. **Parking lot for displaying vehicles for sale (include a count of parking spaces);**
- d. **Parking lot for customers, employees, and the public, including the required ADA parking spaces (include a count of parking spaces);**
- 2. **The property must have the following repairs and improvements:**
 - a. **The building walls and doors must be repainted.**
 - b. **Zoning Ordinance Section 27-701 requires an eight (8) foot tall architectural screening fence around any automotive salvage yard. Upgrade the present fence to the standards for an architectural screening fence. An architectural screening fence around a salvage yard is eight (8) feet tall, solid metal panels with masonry columns at 32 feet on-center and provides screening on all sides. The solid metal panels should match the building color. The masonry columns shall match the brick façade of the building.**
 - c. **While barbed wire is allowed in M-3 Heavy Industrial zoning, it may only be used above the fence around the rear yard, and the carrying brackets must be turned to face inwards of the solid screening fence. Any use of electrified fence must comply with the requirements in 8-250. Remove any barbed wire from side yard fences. Do not use barbed wire in the customer parking lot or the used car sales display parking lot.**
 - d. **The parking lot for displaying vehicles for sale must upgrade the chain link fence to an open metal fence with masonry columns that match the brick of the building façade.**
 - e. **The concrete surfaces and the rear yard must be cleared of all vegetation. Patch all holes and cracks and resurface the concrete drives and parking areas;**
 - f. **Improve the gravel rear yard with concrete or asphalt.**
 - g. **Install positive drainage of the rear yard to prevent the accumulation of standing water.**
 - h. **One (1) parking stall must be ADA compliant and properly marked. Include the ADA graphic painted at the end of the stall. Install a five (5) foot wide ADA access aisle and stripe it with a hatch mark pattern. Install or maintain the ADA placard on a durable metal post mounted at the front of the ADA stall and ensure the minimum distance of 60 inches above finish grade to the bottom of the sign.**
 - i. **An approved sign permit is required if an exterior business sign is to be installed.**
 - j. **Rear yard gates must remain closed at all times.**
 - k. **The trash dumpster may not be located in the front yard. The dumpster must be placed in a trash enclosure unless it is placed in the rear yard and not visible from the front or public view. A trash enclosure in a M-3 Heavy Industrial District must be a full masonry enclosure to match the brick on the building façade, including solid metal gates that must be kept closed at all times except for dumpster servicing.**
 - l. **Install a six (6) foot wide pedestrian sidewalk in front of the property along 66th Terrace from the property drive entrance to the north property line. Install a pedestrian walkway from this sidewalk to the front door of the**

- building, including pavement striped crosswalks across any drive aisle areas.
- m. Existing brickwork on the building façade must be cleaned to its original color and have all grout joints cleaned, repaired, and tuck pointed.
 - n. Install matching brick wrap wainscoting on the north, south, and west sides of the building wall on the lower one-third of the wall.
 - o. Landscaping improvements to include the planting of two (2) additional street trees in front of the property along 66th Terrace. Any parking areas in front of the building must have a four (4) foot tall evergreen hedge screen planted along the interior curb between the parking area and the sidewalk
3. Applicant must obtain building permits for any work that requires a permit, and all work must be compliant with current building codes.
 4. Applicant must acknowledge the following statement:
Both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, stipulations, and requirements. Failure to make the necessary improvements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations.
 5. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request.
 6. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.
 7. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an

improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance.

8. Applicant must acquire and maintain a business license for each proposed use.
9. Complete all required construction, remodeling, and property improvements within six (6) months of approval.
10. Approval allows no more than thirty-seven (37) vehicles at this site. Must operate at all times at or below the maximum limit of thirty-seven (37) vehicles on the property.
11. No on-street parking of vehicles for this business. All vehicles on-site for repairs or maintenance must be stored on the property and be properly screened from view.
12. No auto repair or servicing is allowed outside or in public view.
13. No storage or warehousing of salvage or wrecked automobile parts on the property.
14. 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.
15. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Department of Planning + Urban Design no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.
16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2021.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

SP-2020-97

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP-2020-97, commonly known as 927 Kansas Avenue, Kansas City, Kansas, legally described as:

LOT 23456, ELLIS-ORR RES, A SUBDIVISION IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS, located at approximately 927 Kansas Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit to operate a new automotive repair, auto body and used car sales business.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1. Preserve and restore the original architectural features of the original building, especially the marquee, clay tile caps on the roofline, brick face and window ledges. The concrete block remaining as part of the original store front must be stripped of any surface paint and recovered in stucco**

- of a secondary color. The brick for the north façade of the building addition shall be a secondary color different from the original brick;
2. The east, south, and west facades must be finished in the secondary or tertiary color. Concrete masonry units are not allowed to be the finish material. The facades must be 100% covered in a masonry material, either brick, stone, or stucco. The lower third of the building on all sides must have stone or brick wainscoting using material to match the primary brick of the original storefront façade;
 3. This business is proposing to locate adjacent to Morrie's Auto Sales and Service, an existing use. This Special Use Permit will apply only to 927 Kansas Avenue. There cannot be any shared work, inventory, storage, or property access with another business or another property under this Special Use Permit;
 4. If vehicles at this business will be shipped from offsite, Applicant shall identify this "other location", and if it is located in Kansas City, Kansas that it is also compliant with, or exempt from, all requirements of Ordinance 27-593(b)(19) or 27-593(b)(20). If that "other location" is located in Kansas City, Kansas, a shared parking agreement may be required to show that this activity will not overwhelm the parking or storage at that "other location";
 5. Plans revised on 3/05/2021 show eight (8) parking stalls designated for customers and nine (9) parking stalls designated for vehicles for sale;
 6. Hour of operation shall be from 8:00 AM to 6:00 PM, six (6) days a week;
 7. Must plant two (2) shade trees in the parking lot islands, in addition to other landscape elements and property upgrades to comply with the commercial design guideline standards. All landscape elements must be served by an automatic irrigation system. Applicant does not show trees in the parking lot islands and has instead provided additional trees in the property landscape areas along Boeke Street;
 8. Applicant must install a ten (10) foot wide concrete sidewalk in the public right of way of Kansas Avenue along the entire length of the property, and a five (5) foot wide concrete sidewalk in the public right of way of the west side of Boeke Street for the entire length of the property from the corner to the alley to the south. The entire remaining eastern portion of the property between the building and the sidewalk along Boeke Street must be improved with a landscape bed that is planted to meet the increased requirements of the commercial design guidelines standards for number and variety of size and species. Applicant is responsible for acquiring all required construction and right-of-way permits;
 9. Must install an open metal fence with columns on the north side and solid metal privacy fence with columns on the south side of the property that complies with the commercial design guideline standards;
 10. Must maintain a business license with the Business Licensing Department;
 11. Staff Response (to plan revised on 3/05/2021): Applicant has revised their variance application #BOZA 2401, to now require only eight (8) parking stalls for this building. The Site Plan was revised on 3/05/2021 to show

- eight (8) required parking stalls in the northern half and nine (9) parking stalls in the southern half for display of vehicles for sale. The maximum number of vehicles on the property for sales inventory is limited to nine (9) vehicles, which must be parked only in the parking stalls designated for vehicles for sale, or stored inside the building, but not to exceed nine (9) vehicles for sale at any time;
12. No on-street parking of vehicles for sale. All vehicles on-site for repairs or maintenance must be stored on the property;
 13. No auto repair or servicing is allowed outside or in public view;
 14. Must install and maintain proper parking lot striping and ADA requirements. The center drive aisle in the parking lot shall not be less than 22 feet to accommodate two-way traffic utilizing the right-in/right-out entrance drive. The details for improvements to the south alley will be reviewed by Public Works and Planning Engineering Staff during the development application and will be resolved before the issuing of a building permit;
 15. Must obtain a sign permit for all signage;
 16. Inoperable vehicles are only allowed to be stored inside the enclosed building. Any inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with 27-469(c)(2).
Staff Response (to Plans revised on 3/05/2021): Applicant has not proposed any screened parking areas; therefore, inoperable vehicles cannot be stored outside of the enclosed building at any time;
 17. No storage or warehousing of salvaged or wrecked automobile parts on the property. Storage of salvage parts requires M-3 Zoning and a separate Special Use Permit;
 18. The Special Use Permit requires final site plans prepared by a Professional Engineer licensed in the State of Kansas. Provide a final site plan showing property lines, existing buildings, proposed parking spaces, drive aisles, building elevations, fence elevations, gate details, trash enclosure details, etc., as applicable in accordance with UG standards and criteria;
 19. Vehicles shall not be parked on the right of way of Kansas Avenue in front of the property. *Vehicles shall not park on Kansas Avenue or Boeke Street at any time;*
 20. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
 21. 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;

22. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
23. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2021.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP-2020-101, commonly known as 744 Kansas Avenue, Kansas City, Kansas, legally described as:

B30, L20 TO L24; ALSO, ARMOURDALE 2ND ADDITION, AN ADDITION OF LAND IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS, B30 W 13.6 FEET OF L1, LOCATED AT APPROXIMATELY 744 KANSAS AVENUE, KANSAS CITY, KANSAS.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of an auto body shop.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1. This Special Use Permit will apply only to 744 Kansas Avenue. There cannot be any shared work, inventory, storage, or property access with another business or another property under this Special Use Permit.**

2. Repair any damaged or missing building materials on the four building walls and the stone perimeter fence. Complete the northern section of fence to attach to the building northwest corner.
3. Do not exceed the limit of 16 vehicles on the property.
4. All vehicles must be parked or stored in designated parking stalls.
5. No outside storage of wrecked or inoperable vehicles at any time.
6. Provide a trash enclosure that provides the required screening as described and with materials that match the main building or store the trash dumpster inside of the building at all times, except when being serviced.
7. The western drive apron onto Kansas Avenue must be removed, the corresponding western opening in the wall must be closed with matching materials, and the sidewalk and curb must be replaced with a sidewalk and curb built to current city standards. By removing the apron onto Kansas Avenue, two (2) parking spaces can be added. Revise the site plan that shows the increase in parking, reducing the variance total.
8. Approval allows no more than 12 vehicles at this site. Since this parking lot is not screened to allow inoperable or wrecked vehicles, wrecked or inoperable vehicles may not be parked outside and must be stored inside the building.
9. No on-street parking of vehicles for this business. All vehicles on-site for repairs or maintenance must be stored on the property and be properly screened from view.
10. No auto repair or servicing is allowed outside or in public view.
11. No storage or warehousing of salvage or wrecked automobile parts on the property. Storage of salvage parts requires M-3 Zoning and a separate Special Use Permit.
12. Vehicles shall not be parked on the right of way of Kansas Avenue in front of the property. *Vehicles shall not park on Kansas Avenue or Coy Street at any time.*
13. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request.
14. If approved, Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application

- fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.
15. 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.
 16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.
 17. This City Planning Commission case is being heard in conjunction with BOZA2021-008. BOZA2021-008 has three separate variances, and all three variances must receive approval from the Board of Zoning Appeals in order for SP-2020-101 to be heard. BOZA2021-008 has three separate sections, described as:
 - a. reduction of number of required parking stalls;
 - b. reduction of west and south required setbacks for the stone wall;
 - c. reduction of west and south required yard setbacks for parking and for storage.
 18. The conditions of approval included within BOZA2021-008 will only go into effect when SP-2020-101 is ultimately adopted by the Board of Commissioners. Should SP-2020-101 be either denied or fail to be approved, then all approved variances of BOZA2021-008 shall be voided retroactively.
 19. The conditions for BOZA2021-008 are listed here as approval of SP-2020-101 requires approval by the Board of Zoning Appeals for all three sections of BOZA2021-008.
 - a. The parking lot must be resurfaced and restriped according to the site plan.
 - b. No outside storage of inoperable vehicles. All inoperable vehicles must be stored inside of the enclosed building.
 - c. If approved, 12 parking spaces will be required. Required parking stalls are for use by customers, employees, and the public. No inoperable or wrecked vehicle storage in required parking stalls.
 - d. That there be no collection or accumulation of trash, scrap, refuse, or debris on the property and especially not in public view, and
 - e. That the trash dumpster be stored inside the building and out of public view at all times, except when being serviced.
 - f. The western drive apron onto Kansas Avenue must be removed, the corresponding western opening in the wall must be closed with

matching materials, and the sidewalk and curb must be replaced with a sidewalk and curb built to current city standards. By removing the apron onto Kansas Avenue, two (2) parking spaces can be added. Revise the site plan that shows the increase in parking, reducing the variance total.

- g. The conditions of approval included within this Board of Zoning Appeals case will only go into effect when case SP-2020-101 is recommended for approval by the City Planning Commission and ultimately adopted by the Board of Commissioners.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2021.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2021-028, commonly known as 2706 Espenlaub Lane, Kansas City, Kansas, legally described as:

ESPENLAUBS SUB L1-11, L4, ALSO A TRIANGLE ADJACENT, located at approximately 2706 Espenlaub Lane, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental/AirBnB.

Section 3. Conditions and Stipulations. The Special Use permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Wood burning is not allowed on the property;**
2. **The maximum number of guests shall be six (6);**
3. **Guest parking must be provided off-street. Maximum number of guest parking shall be two (2) vehicles;**
4. **Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
5. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit,**

- a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
6. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy. Include the contact information for Host Compliance 913-246-5133. www.hostcompliance.com/tips;
 7. If issues arise with adjacent property owners and are brought to staff's attention during the term, this Special Use Permit can be submitted to the Board of Commissioners for revocation;
 8. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 9. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
 10. 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.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2021.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk



County Administrator's Office
Douglas G. Bach, County Administrator

701 North 7th St., Suite 945
Kansas City, Kansas 66101-3064

Phone: (913) 573-5030
Fax: (913) 573-5540

NOTICE OF PENDING APPOINTMENT

DATE: July 29, 2021

BOARD POSITION: Law Enforcement Advisory Board

INCUMBENT REPLACED: Maria Cecilia Ysaac

APPOINTING COMMISSIONER: Jane Philbrook

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Broderick Crawford

ADDRESS: [REDACTED] Kansas City, KS 66101

CELL NUMBER AND EMAIL ADDRESS: [REDACTED]
[REDACTED]:

TERM OF OFFICE: 7/29/2021-12/13/2021

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

**PLANNING & ZONING AND
REGULAR SESSION
APRIL 8, 2021**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, April 8, 2021, with eleven 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; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. The following officials were also in attendance: Doug Bach, County Administrator; Alan Howze and Melissa Sieben, Assistant County Administrators; Bridgette Cobbins, Interim Assistant County Administrator; Misty Brown, Chief Counsel; James Bain, Assistant Counsel; Ashley Hand, Director of Strategic Communication; Brett Deichler, Interim Unified Government Clerk; Gunnar Hand, Director of Planning and Urban Design; Juliann VanLiew, Director of Health Department; Dr. Erin Corriveau, Deputy Local Health Officer; Lynn Melton, Assistant to the Mayor's Office; and Janet Parker, Administrative Assistant.

Mayor Alvey said before I call the meeting to order, I want to announce that due to COVID-19, some commissioners, staff, and public are attending remotely via phone or by Zoom. All participants joining by phone should mute their phones when not speaking to avoid background noise.

During the meeting, please make sure that you announce yourself by name and title every time you speak so that the public 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, the public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments will be included in the record of the meeting. I'd ask the Clerk to please call the role.

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

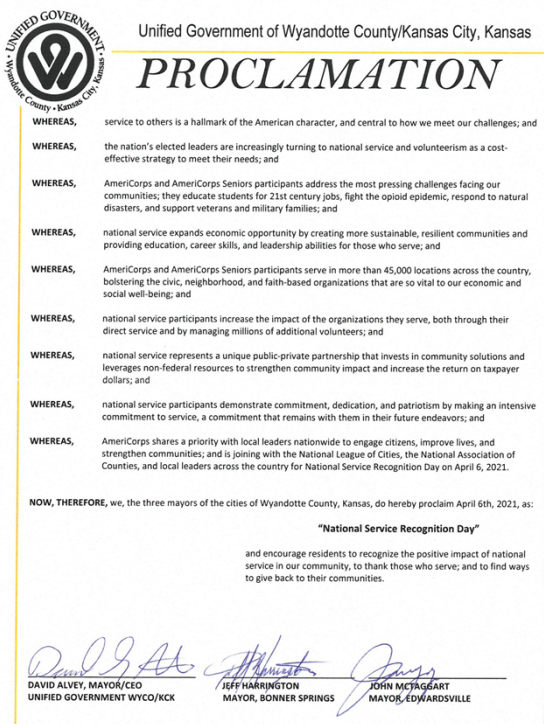
Mayor Alvey said the invocation is being given by Commissioner Harold Johnson of Faith Deliverance Church of God in Christ.

Mayor Alvey asked, Clerk, are there any revisions to tonight's agenda? **Brett Deichler, Interim Unified Government Clerk**, said there was one addition. A blue sheet was distributed for the Administrator's Agenda, Item No. 2-21771 for the Memorandum of Understanding with the Services Employee International Union Local No. 1. That was the only item on tonight's blue sheet.

MAYOR'S AGENDA

ITEM NO. 1 – 21767...PROCLAMATION: NATIONAL SERVICE RECOGNITION DAY

Synopsis: Proclaiming April 6, 2021, as National Service Recognition Day in Wyandotte County, Kansas, submitted by Mayor David Alvey.



Action: Proclamation

April 8, 2021

Mayor Alvey said that takes us to the Planning and Zoning portion; two parts. The first is the Consent Agenda. 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.

PLANNING AND ZONING CONSENT AGENDA

Brett Deichler, Interim UG Clerk, read the statement, required by law, governing the Planning and Zoning portion of the meeting. A valid protest petition was filed regarding Change of Zone Application Item No. 1, COZ2021-003.

Mr. Deichler asked if any member of the Commission wished to disclose any contact with proponents or opponents on any item on the agenda. **Commissioner Bynum** disclosed contact from opponents of SP2021-006 and opponents of COZ2021-003. **Commissioner Kane** disclosed contact from opponents of SP2021-006, multiple opponents. **Commissioner Philbrook** disclosed contact from opponents of SP2021-006, COZ2021-003. **Commissioner Townsend** disclosed contact by written communication, which read, concerning SP2021-006, opponents only. **Commissioner Burroughs** disclosed contact by written communication from opponents of SP2021-006. **Commissioner McKiernan** disclosed contact from opponents of SP2021-006. **Commissioner Johnson** disclosed written communication from opponents of SP2021-006. **Commissioner Walters** disclosed communication from opponents of SP2021-006 and communication from opponents of COZ2021-0003.

Mr. Deichler read the items on the Planning and Zoning Consent Agenda.

Mayor Alvey said I failed to mention that I had received notices of opposition on SP2021-0006.

Mayor Alvey asked, does any member of the Commission, the County 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.

Commissioner Ramirez asked to set-aside SP2021-007. **Mayor Alvey** asked, you want to pull SP2021-007. Is that correct? **Commissioner Ramirez** said, yes.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan to approve all remaining items.**

Mayor Alvey asked, do we have anyone from the public asking to pull an item? **Mr. Deichler** said we did not.

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

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 21755...COZ2021-001 - JAMES B. EVANS

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family home at 1825 North 94th Street, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, James B. Evans, has requested a Change of Zone for 1825 North 94th Street, from A-G Agriculture District to R-1 Single-Family District. The applicant has cited the fact that the property is not and has not been used for agricultural purposes as the impetus for requesting the Change of Zone. The Planning Commission voted 8 to 0 to recommend approval of COZ2021-001, subject to:

- 1) There are several dilapidated accessory structures on the property without a primary residence. All accessory structures must be demolished;
- 2) A building permit may be required. Please contact the Building Inspection Division to begin that process;
- 3) Driveway permit may be needed. Please contact the Building Inspection Division to begin that process;
- 4) 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 fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building

Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,

- 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.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve COZ2021-001, subject to the stipulations.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Townsend.

ITEM NO. 2 – 21756...COZ2021-002 - JAMES B. EVANS

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District for a single-family home at 1841 North 94th Street, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, James B. Evans, has requested a Change of Zone for 1841 North 94th Street, from A-G Agriculture District to R-1 Single-Family District in order to perform a lot split of the parcel and allow future residential uses on both newly created parcels. The Change of Zone request has been filed in conjunction with BOZA2021-003, variances from front yard setback regulation and accessory unit maximum. The Planning Commission voted 8 to 0 to recommend approval of COZ2021-002, subject to:

- 1) All variances requested in BOZA2021-003 must be granted (approved March 8, 2021);
- 2) Tract B must connect with or have access to Garfield Avenue;
- 3) Tract B must be assigned an address and connected off Garfield Avenue;
- 4) A building permit is required. Please contact the Building Inspection Division to begin that process;
- 5) Driveway permit needed. Please contact the Building Inspection Division to begin that process;
- 6) 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, Sect. 8-610 through Sect. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspection Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,

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

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve COZ2021-002, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Townsend.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 21758...SP2021-005 - CYNTHIA SLABY

Synopsis: Home Occupation Special Use Permit for a doggie day care at 7714 Rowland Avenue, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, Cynthia Slaby, is requesting a Home Occupation Special Use Permit for a dog-sitting service on their property at 7714 Rowland Avenue. The applicant will have up to 10 dogs on the property between the hours of 10:00 am and 4:00 pm. The applicant will provide daily transportation to and from the home so no customers will come to the property. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2021-005, subject to:

1. The maximum number of dogs is ten;
2. Business must operate between the hours of 10:00am and 4:00pm;
3. Dog owners are not to come to the premises except in emergency situations;
4. No signage is allowed;
5. The applicant must maintain a current business occupation tax application with the Business Licensing Division;
6. Maximum of three parking spaces;
7. 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;
8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,

April 8, 2021

9. The Special Use Permit shall be valid for two 9 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 Kane made a motion, seconded by Commissioner McKiernan, to approve SP2021-005 for two years, subject to the stipulations.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Townsend.

ITEM NO. 2 – 21759...SP2021-006 - AMANDA AND NOAH TAYLOR

Synopsis: Special Use Permit to store drilling and excavation equipment in vacant horse stable/barn at 3648 North 115th Street, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicants, Amanda & Noah Taylor, are requesting a Special Use Permit for storage of drilling and excavation tools in an existing but vacant horse barn/stable. The applicants have stated that the equipment and tools will not be operated on the property. The Planning Commission voted 8 to 0 to recommend denial of Special Use Permit Application SP2021-006 based on the staff’s revised staff recommendation and the incompatibility of the use proposed with the nature of the area.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to deny SP2021-006.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Townsend.

ITEM NO. 3 – 21761...SP2021-007 - RYAN BARROWS WITH JOE'S KANSAS CITY BBQ

Synopsis: Renewal of a Special Use Permit (SP-2019-15 - expired 3/28/2021) for the Temporary Use of Land for an employee parking lot for Taco Republic at 4620 Mission Road, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, Ryan Barrows, is requesting the renewal of Special Use Permit SP-2019-15 for the continued use of 4620 Mission

Road as a parking lot for Taco Republic at 500 County Line Road. The property has been granted Special Use Permits to be used as a parking lot since 2017.

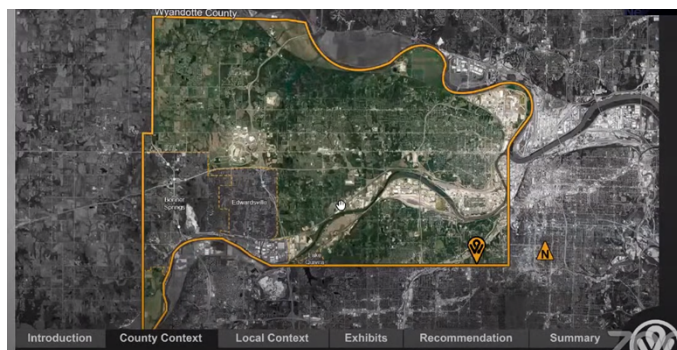
Taco Republic at 500 County Line Road currently has approximately 24 parking spaces on the premises. According to the zoning ordinance, 35 spaces are required. This property is in need of 11 additional parking spaces. Taco Republic previously had an agreement with a neighboring property to the south, within the city limits of Roeland Park. According to the City of Roeland Park, this parking agreement expired around 2018. The Planning Commission voted 8 to 0 to recommend denial of Special Use Permit Application SP2021-007 as the applicant did not meet the conditions of approval with the previous two applications.

The property owner at 4628 Mission Road is in opposition to the above renewal for the following reasons:

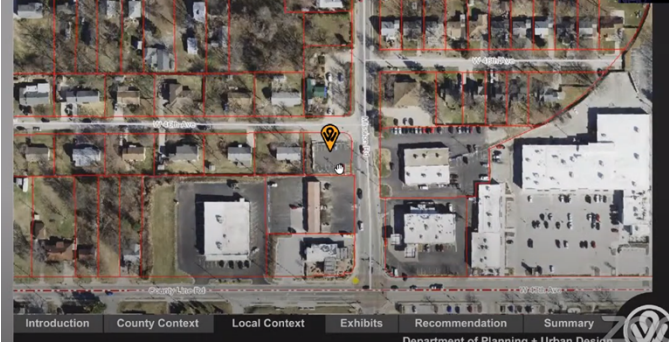
1. Semi-tractor trailer trucks are parked in the lot and block access to his property – occurs continuously;
2. Numerous RV's on the property;
3. Has had to call the police in order to resolve the situation; and,
4. Has talked to the owner of Joe's KC with no resolution.

Case	
SP2021-007	
Petitioner	Address
Ryan Barrows with Joe's Kansas City BBQ	4620 Mission Road Kansas City, Kansas 66103
Synopsis	
The applicant, Ryan Barrows, is requesting the renewal of Special Use Permit SP-2019-15 for the continued use of 4620 Mission Road as a parking lot for Taco Republic at 500 County Line Road. The property has been granted Special Use Permits to be used as a parking lot since 2017.	
Introduction	County Context
Local Context	Exhibits
Recommendation	Summary

Gunner Hand, Director of Planning and Urban Design, said this is for a SUP. It's technically a temporary use of land for a surface parking lot.



April 8, 2021



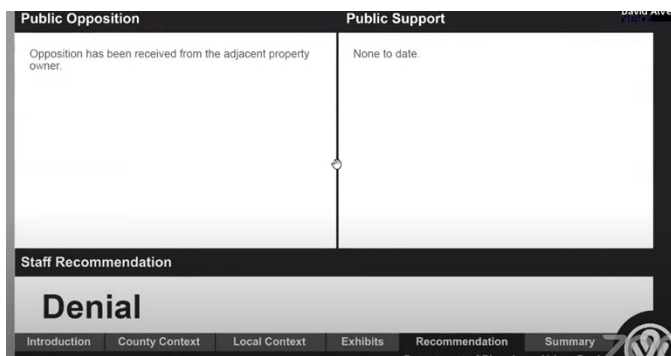
It's located in the Rosedale neighborhood across from Oklahoma Joe's on Mission Road. It technically serves, or had been serving, I should say, as the off-street, off-site parking for Taco Republic. They had a lease with Joe's Kansas City which owns this parcel right here. Taco Republic is right at the corner of 47th & Mission right here.



You can see some pictures of the site right now. Essentially, this is—in conversations with Taco Republic, they have since ended their lease agreement with Joe's Kansas City for this property. They had been leasing 11 parking spaces. They have 11 parking spaces required as a part of their required parking for Taco Republic. They were receiving this off-site. They have since found another location to serve their off-street needs and they're going to come back in at a later date and confirm that parking agreement with the Planning Commission.

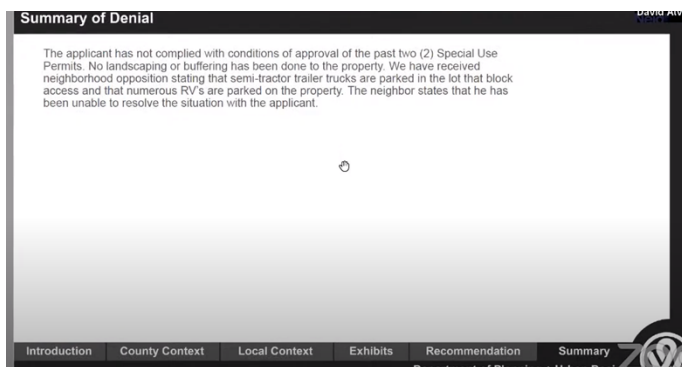
The Planning Commission and staff agree with their recommendation for denial. The applicant has not met the conditions of approval in their original approval in 2017, in their first renewal in 2019, nor in preparation for this renewal this year in 2021.

April 8, 2021



We had asked for multiple improvements as it relates to this site to meet the commercial design guidelines. There was some screening, there was some fencing, there was some upgrades to the asphalt, some striping, things of that nature. They had the plans to do this work for quite some time and it has not been done. Staff recommends or agrees with the Planning Commission's recommendation for denial.

There was one letter of opposition we have received. It was the in-between property owner of the carwash between Taco Republic and this location. We have received no letters of support. There are some old NOV's that have been since resolved, but other than that,



we do have our reasons for denial. We would ask, as we did the Planning Commission, if the commissioners do move forward with recommending approval of this SUP, we do have some conditions of approval we would like to include in your motion. With that, I can take any questions.

Mayor Alvey asked, is the applicant present? **Mr. Hand** said, yes, he is present.

Ryan Barrows, 1515 Hodges Lane, Raymore, MO, said to touch briefly, we applied for extension of this special use permit solely due to the COVID-19 pandemic. We've had two SUPs

for a total of four years on this property. The first two-year period, there were a few different ideas floating around between staff of the Unified Government of Wyandotte County and Joe's to determine the best course forward with the idea of condemning a neighborhood business was brought up to create parking. After flushing that out, we ultimately decided that we should renew the SUP and develop the parking lot for Taco Republic.

The second SUP was granted in March 2019. At the same time, the business at Taco Republic was sold to the current owner. Once the sale was final, we met and laid out a plan for completing the parking lot in accordance with the timeline laid out with the newly issued SUP.

In February 2020, I began correspondence with the ownership of Taco Republic about constructing the parking lot and subsequent costs. Obviously, we all know what happened in March 2020 when the COVID-19 pandemic forced all non-essential businesses to close and issued stay-at-home orders. It was the most uncertain time of our lives, especially at Joe's and most restaurants, but also the general public. Once the stay-at-home order was lifted and dining rooms were able to reopen, although with many restrictions, we started to plot our way through the rest of the year, but a tremendous loss of sales and profit.

Taco Republic was closed for the first couple of months of the pandemic and was unable to pay any rent until August 11, 2020, which was abated by Joe's at half. Knowing the clock was ticking on the expiring SUP, I contacted Mr. Hand, the Director of Planning & Urban Design, on September 29, 2020, to discuss the situation of the SUP expiring and how we might be able to get some help as revenues had continued or had been slashed and there was not money available to complete the project at this time. I had a Zoom call with Mr. Hand on October 7th to discuss. During the meeting, he said the Commission might be able to work with us and we should go ahead and submit for renewal of the SUP.

In January, I submitted the SUP application in hope of an extension due to the pandemic. At the Board of Zoning Appeals and City Planning Commission Zoom meeting on March 15th, I stated why we felt we should be granted lenience towards the renewal of the SUP. When it came time for staff comments, it was recommended to deny our application on the basis the parking lot should have been completed sooner, even mentioning the six months after the first SUP was issued.

It was also referenced at the same meeting that Taco Republic would not have an appropriate amount of parking spaces to operate to code. That was touched on briefly then discounted, and it was mentioned that they used to rent spots in Westwood. The spots they used

to rent were in Roeland Park and no longer exist. The idea that Taco Republic would have to find other parking was more or less a spoken solution and a motion was made to deny the application and it was passed unanimously.

Obviously, I disagree with this decision and have been in contact with the Planning staff or in the process of applying for a permit to construct the lot as early as next week. I began working with our architect and civil engineers after the Planning meeting. I would still like the council to grant us a one year extension on this SUP so we can make the best use of our money spent on this project and not rush into rash decisions that could ultimately cost substantially more in construction costs. It also protects Taco Republic's ability to operate within the perimeters of their business license in terms of available parking.

Lastly, by not granting any extension of this SUP, the Unified Government of Wyandotte County is placing an unnecessary financial burden on both businesses while also enforcing an occupancy limit as well as social distancing standards that limits the number of patrons to be served as a result of the pandemic, ultimately reducing our ability to pay for the construction of the parking lot. We're going to build the lot. We're just asking for a little grace as we come out of the pandemic.

Mayor Alvey opened the public hearing. Has the Clerk received any notification from the public who wished to express comments in favor of this item? **Mr. Deichler** said we did not, Mayor. **Mayor Alvey** asked, is there anyone from the public who would like to speak in favor of this item? **Mr. Deichler** said there is none.

Mayor Alvey asked, Clerk, did we receive any notification from the public who wished to express comments in opposition? **Mr. Deichler** said none were received. **Mayor Alvey** asked, is there anyone from the public present who would like to speak in opposition? Please raise your hand to be acknowledged. There were none.

Mayor Alvey said if there are no further comments or questions from the public, I will close the public hearing.

Mr. Deichler said, Mayor, we did have Commissioners Ramirez and Bynum raise their hands. It looked like they had questions.

Mayor Alvey asked, would the petitioner like to make any closing comments?

Mr. Barrows said the only thing I would say is that when Mr. Hand and I met via Zoom, we did discuss the idea of painting a crosswalk across the car washes. That would be a nice touch for us to try to appease that action.

The opposition that came from the neighboring business when this SUP was heard, was from that business owner. There was a single incident in which a semi-truck parked at this lot and the business owner then drove his vehicle over to Joe's Kansas City blocking our entire operation while for all intents and purposes, losing his mind about where this person's vehicle was and who the person was. We were able to track the customer down.

The customer went back over to the truck. The business owner of the car wash pulled his vehicle in front of the semi-truck and basically, they had to call the police because he would not move. The police came, helped guide the semi-truck out of the parking lot, but basically at that point in time, it became very clear and apparent to me that there was going to be no way that we would find an amicable resolution with this business owner to do what Mr. Hand had recommended.

I did send an email to Mr. Hand in November about that very topic saying, hey, this happened. I don't know that this is going to be feasible. At that point he said we'll figure it out during the planning and zoning process, so I left it alone after that point.

As far as everything else goes, as I said, the wheels were in motion for all of this to get done. I have email correspondence with Taco Republic that shows we were going to address this. I've got all dated plans with architects, engineers, all of that stuff. If the world doesn't shut down, this lot is already done.

Commissioner Ramirez said this is my area; my district. I know Taco Republic very well. I know that parking lot. I've parked in that parking lot before.

Gunnar, in the previous applications, were the same conditions of approval the same as today, the parking lot requirement and the parking? **Mr. Hand** said generally, yes. **Commissioner Ramirez** said we, as the Board of County Commissioners and the Planning and Zoning

Commission, we have our job and duty to make sure that we follow the code, especially our development code. But I believe in this instance, Mr. Barrows, I believe, he has taken the effort to maintain contact with staff. You know COVID happened. That stopped a lot of plans for everybody. For a lot of businesses, it hurt a lot of businesses and I'm not wanting to ensure that we continue to hurt that business.

I know I see in here, Gunner, in your recommendation in the conditions, you said if it were being approved, could we—I know here in the application it says if approved, the special use permit shall be valid for two years from the publication of the associated ordinance. Just so that we ensure Mr. Barrows—I'm not saying he won't, but to ensure that the work is done, could we extend it for a year and him come back to us and show us what he has done so that we can continue to give him another chance? I'm wanting to give him a chance. He has shown that he has reached out to our staff through part of last year. He is getting the work done. That is my thinking.

I'm going to be completely honest and frank. When I was coming into this, I was going to agree with the Planning Commission's recommendation. After hearing Mr. Barrows speak and giving him a timeline of communication between himself with our staff, our Planning staff and outside organizations and companies to get this work done, it changed my point of view of wanting to give him a chance. I'm not sure. I'd be interested to know if any of my fellow colleagues feel the same or if they have any other input.

Mayor Alvey said, Mr. Hand, what recommendations—if this were to be approved, what stipulations would you add to it? **Mr. Hand** said let me say this in response to Commissioner Ramirez. I think at the end of the day, both Planning Commission and staff just want the improvements made. I don't think we're necessarily against the use or anything of that nature. We got two approvals where nothing has happened. Sure, there's been circumstances and I think at the end of the day, like I said, we want to see those improvements. Our recommendation would be to give them six. If you want to give them a year, that's fine, but we were thinking we would give them six months to construct it. If you want to give them two years to operate the parking lot with the condition that all the improvements are made within the first six months of that two years, or whatever time period you want, that would be fine.

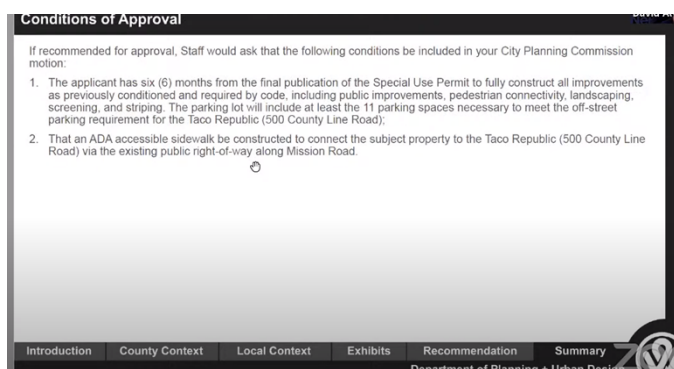
We're limited by the code for temporary uses of land to just two years. I don't think staff, nor is it recommended by the Planning Commission, would want him to have that full two years

to make those improvements. Generally, when we ask for improvements, we expect them done within, or at least began within the first six months.

Then we would want to add the sidewalk, as mentioned. I know that there are some issues between the property owners, but at the end of the day, that is our public right-of-way, not that property owner's property where that sidewalk would go.

Mayor Alvey said this is my thought to your question, Commissioner Ramirez. When you look at that area, there's just not enough parking, period. To not allow Joe's KC to have additional parking close by, it really goes against, I think, what we're trying to do. When we have a spot in the city that is eating up in that area, obviously it's a hot little area. We need to accommodate it. I'm of the mind I would like to see that we would—if six months is enough time to get it built, that's great. You never know, we could get a lot of rainy weather. We could get other problems that could come up that would prevent that six-month timeline from being completed. I'd be willing to even after six months, if we had a weather event that would prevent that, to extend it. I would like to see this move forward.

Commissioner Kane said I agree with you, Mayor and Commissioner Ramirez, as well. That's a hot little spot. COVID has thrown the world a curve. If that's a motion, I'd second the motion because we need to help as many of these companies move along and get back to normal.



Commissioner Ramirez said I did not, until the screen turned on, know the conditions of approval that are currently on the screen. I would 100% support those conditions of approval. I do want to see the improvements as well. Like I said, we have a job to follow our code and I want to make sure that the business is following that code, but also, we make the necessary improvements to that

area that are set by the code. I would completely agree with the conditions of approval that are currently on the screen. I apologize. I did not see those before.

Mr. Deichler said, Mayor, Commissioner McKiernan and Commissioner Bynum both have their hands up as well. **Mayor Alvey** said I've got to let you know, if you're in the conference room, if you have your mic on, we're getting feedback when Commissioner Ramirez was speaking. If you're not speaking, make sure your mic is off. Ms. Cobbins, was there someone else who wanted to speak? **Mr. Deichler** said Commissioner McKiernan and Commissioner Bynum.

Commissioner Bynum said I really want to support this small business owner, particularly with parking. I also agree with the conditions that Mr. Hand has put forward, but I want to make sure of a couple of things. First of all, what I would like clarification on is when and if we provide approval with conditions, what then is our hammer? What is our remedy, as a local government, when and if those conditions are not complied with? While I really want to be supportive, I'm growing quite weary of granting or denying certain applications and having the applicant just do whatever they want anyway and we have no recourse it seems. So, I'd like to know if we grant what I think is being suggested as a six-month special use permit, if the improvements that are being committed to tonight don't happen, I suppose in six months that special use permit is over, but what if everybody still keeps parking there anyway? I really want some guidance, but I am willing to support what's proposed by way of a very short special use permit timeline.

Mr. Hand said as written, what we're recommending is that we move forward, if the Commission wants to move for approval; go ahead and do it for the full two years, but the condition that they have six-months to complete the work. So, from start to finish, they would have had—now granted, Mr. Barrows has outlined all the issues they've had, but they will have had five and a half years to build a lot.

Commissioner Bynum said I guess my follow up question is, after six months they're sitting on a two-year special use permit and seven months later if no improvements have occurred, what then is our authority? **Mr. Hand** said for SUPs, if they do not meet their recommendations of approval, we have the right to revoke that SUP. So, we can revoke that SUP, and at that moment they will not be allowed to use that parking lot. From there, we would have to, if that weren't enough, we

could move forward with a notice of violation and start administrative citations for operating without a SUP.

Commissioner McKiernan said, Mr. Hand, you may be able to answer these questions for me and if not, Mr. Barrows can. Just to verify, this parking lot will be for Taco Republic, correct, to replace the spots they're going to lose on the south side of County Line Road? **Mr. Barrows** said we already lost those spots? **Mr. Hand** said as of right now, there's an agreement between Taco Republic and Joe's KC for 11 of the current 16 spots in the parking lot. Taco Republic has been in communication with us and have said that they are not going to renew that agreement with Mr. Barrows. I don't know if that's true or not, although that's what the owner told me. In fact, they said they are in agreement with a different property owner in Westwood, catty-corner from Taco Republic to get their required parking up. They'll have to go through their own entitlements to confirm that, but until that happens, the agreement is still in play so the motion as written is still valid.

Commissioner McKiernan said so I guess my follow-up question would be, if the parking spaces are not going to be used for Taco Republic, for whom would they be used? **Mr. Barrows** said the news of Taco Republic finding other parking spots is news to me, which is completely fine. We've always known if they can secure parking to operate to their full parking requirements, to operate with their proper business license, that's between Taco Republic and Unified Government of Wyandotte County. The fact of the matter is, we own that parking lot. We own the building that Taco Republic is in. No matter what happens, it's in our vested interest for Taco Republic to be fully operational.

I can also tell you that Joe's Kansas City, as a verified and prominent business, will always have use for parking. No matter what, we're going to put parking over there. I promise you that I can fill 16 spots over there with employee parking before the sun comes up almost every day of the week. I am not concerned about what we're going to do with that parking lot, whether Taco Republic uses it or we do. It frees up more parking for my guests.

Commissioner McKiernan asked, how long have you owned that property? **Mr. Barrows** said we owned 500 County Line Road before the 4620 parking lot. I would probably say six or seven

years on the building and probably five years—we didn't own that spot for much longer than we constructed it for parking. I would say five years max is my guess.

Commissioner McKiernan said the first special use permit to use it as a parking lot was granted in 2017, is that correct? **Mr. Barrows** said, correct. **Commissioner McKiernan** said I'll just point out that 2017 is a long time before 2020, and COVID really shouldn't enter this equation when it comes to having plenty of time to make the necessary improvements to comply with the SUP. **Mr. Barrows** said correct, but the first SUP didn't outline the same requirements that the second one did as far as constructing a lot. It basically just said it was going to be used for two years.

As I kind of alluded to the first time, we have had discussions with prior staff at the Unified Government about the idea of possibly condemning the business between those buildings for a greenspace parking area and then construct a tax revenue generating business on the 4620 lot currently. That was the better part of probably a year to a year-and-half discussion based on legalities with TIF and CIDs and those types of things to really vet that out to understand that the investment for what we would be taking on was going to be somewhere in the neighborhood of about a \$1.8M payback. For a parking lot, we weren't quite sure that was going to be the best decision for us.

The first two years of that process was the majority spent with that decision, then coupled with the change in ownership when the second SUP was granted. It kind of slowed some things down. Trust me, I'm not sitting here saying that we couldn't have got it done. I completely understand that. When we bid this project out most recently, it was at a cost of about \$150,000. We collect, just in full transparency, about \$3,700 a month for that parking space, for that parking area. So, doing quick math, it's going to take a long time for any sort of getting our return on investment.

Commissioner McKiernan said I appreciate that. Thank you very much.

Commissioner McKiernan said, the staff report also notes that there was a history of multiple code violations on this property over the past several years. I'm just curious, were those code violations remedied in a timely manner once they were brought to your attention? **Mr. Barrows** said I believe when that was brought up. Mr. Hand—I think most of those happened prior to us owning that property. I can recall one instance of code violation in which our lawn mowing

company had gone out of business. I didn't notice it. We got the notice in the mail and I believe it was rectified probably the next day.

Commissioner McKiernan said so you would say if this special use permit request is granted, that you would be a good steward of that property going forward? **Mr. Barrows** said absolutely. I can also tell you, in full disclosure, my architect has been in contact with staff yesterday at 3:45. We were inquiring about whether we needed to submit for a pre-application meeting or if we just needed to submit for final. He is in the process of submitting for final. We don't want to mess around with this anymore. This is as much a pain for; this is an equal amount of pain for all of us so it's time to make it go away so we're going to get it done.

Commissioner McKiernan said thank you, Mr. Barrows. Mr. Mayor, that's all the questions I have.

Ms. Kimble said, Mayor, Commissioner Townsend has her hand up.

Commissioner Townsend said some of the questions and concerns that I have had already been raised by Commissioner Bynum and Commissioner McKiernan. For clarity, is the proposal now for two years or one year? If this is going to be approve, is the proposal now—is there a motion for one year or two years?

I'll just go ahead and say I have some concerns about compliance way before the COVID situation. If this is to go forward, I would want to support business but we have to have compliance. I'm thinking one year to let this thing go forward and have the sidewalk constructed and the other things that were requested would be enough time for compliance. As you said, there could be weather; there could be anything else. We're still really not totally out of the COVID situation. I think one year max until the situation is actually solidified would be reasonable, reasonable because compliance is the main thing. I do have concerns for something that's gone on this long without compliance.

Mayor Alvey said, Commissioner Townsend, I don't know that we've had an actual motion, so if that's a motion—but further discussion whether Commissioner Ramirez would like to bring a different motion? **Commissioner Townsend** said, well, thank you, Mayor. I've had my say and I'll leave it at that, but I wanted to share what my view was. Thank you. **Mayor Alvey** said, thank you.

Commissioner Ramirez said I would, sorry, I'm trying to think. I would be amenable to the one-year special use permit, but with the conditions of approval that are laid out on the screen by our staff, including the six-month to construct all the improvement and the ADA accessible sidewalk. Again, I want to reiterate to Mr. Barrows this is not—I want to make sure you know that the motion I am about to make is not to hinder you or to hinder your business but is to make sure your business is in compliance with our code. The code is what makes our community work and makes our community beautiful. I want to make sure that you know that this is not to hinder you in any way, shape or form. We want to work with you and we want to work with the business as well.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to approve SP202-007 for one-year, subject to the stipulations set out by staff.**
Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters,

ITEM NO. 4 - 21753...SP2021-009 - JAMES P. DONOVAN WITH THE SHOWROOM FLOOR, LLC

Synopsis: Renewal of a Special Use Permit (#SP-2019-18 - expired 3/28/2021) for an AirBnb at 1127 Southwest Boulevard, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, James Donavan, is seeking the renewal of SP-2019-18, which expires on 3/28/2021. The Special Use Permit allows for the operation of a short-term rental at 1127 Southwest Boulevard. This is not the applicant's primary residence. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2021-0009, subject to:

1. Maximum number of guests, which has been deemed appropriate for the available accommodations shall be five;
2. Guest parking must be provided off-street. Maximum number of guest parking shall be four;
3. Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
5. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy. Include the contact information for Host Compliance: 913-246-5133 www.hostcompliance.com/tips;
6. The Special Use Permit is not valid for the approved use to be in operation until all the This is a test 08:20:00 Real time conditions of approval are met. The Applicant acknowledges that

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

7. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
8. The Special Use Permit shall be valid for two 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 Kane made a motion, seconded by Commissioner McKiernan, to approve SP2021-009 for two years, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Townsend.

ITEM NO. 5 – 21754...SP2021-010 - KELLY D. FOUNTAIN

Synopsis: Renewal of a Special Use Permit (#SP-2016-17 - expired 2/25/2021) for a kennel at 3440 North 131st Street, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, Kelly Fountain, is requesting the renewal of a Special Use Permit to operate a residential boarding kennel at their residence, 3440 North 131st Street for up to ten dogs. The boarding facility was originally permitted in 2014 under Special Use Permit SP-2013-62 and renewed with SP-2016-17 for five years. The applicant is requesting that the Special Use Permit be valid for ten years. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2021-010, subject to:

- 1) Subject to approval, the maximum number of dogs is ten;
- 2) Signage is not allowed on the property;
- 3) Applicant must keep a current annual Business License/Occupation Tax Receipt;
- 4) A maximum of three off-street parking spaces will be provided.
- 5) Hours of operation shall be 8:00 a.m. to 6:00 p.m.
- 6) According to Section 27-675, for existing single-family dwellings, a driveway ten feet in width or less extending directly from the street or alley to the garage, or from the street or alley to the house if there is no garage, or to the rear yard, can be paved in its entirety, or as continuous

concrete wheel paths, or improved in its entirety with a minimum four inch depth of gravel or its equivalent. Any other parking, loading, or maneuvering areas must be paved with a minimum of two inches of asphalt over six inches of compacted gravel or its equivalent, as subject to the provisions of subsection (a) of this section. If the parking, loading or maneuvering area is in the rear yard it may be improved with a minimum four inch depth of gravel so long as it includes less than 40 percent of the rear yard and less than 1,000 square feet in area;

- 7) 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;
- 8) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
- 9) 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.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve SP2021-010 for 10 years, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Townsend.

PLANNING AND ZONING NON-CONSENT AGENDA

CHANGE OF ZONE APPLICATION

ITEM NO. 1 – 21757...COZ2021-003 - CAROL BLACKWELL

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 3505 North 83rd Street, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, Carol Blackwell, is seeking a Change of Zone from R-1 Single Family District to AG Agriculture District for the purpose of constructing a home and a 3,600 square foot accessory structure on the property. The applicant states that the property will

not be used for commercial purposes. The Planning Commission voted 7 to 1 to recommend approval of COZ2021-003, subject to:

1. A building permit is required for new construction for both the single-family home and the accessory structure. Please contact the Building Inspection Department to begin that process;
2. In order to reside on the property during construction, the applicant must either:
 - a. Place a mobile home on the property that meets all of the requirements outlined in Section 27-462, which state:
 - i. The home must be new when placed on the site;
 - ii. The home must be placed on a permanent foundation that complies with the Unified Government's building code for residential structures. The foundation must include a solid perimeter wall;
 - iii. The home must be oriented on the lot so that its long axis is parallel to the street. A perpendicular or diagonal placement is permitted only if the narrow dimension of the home nearest the street is no less than two-thirds (2/3) of the lot width at the building line. Garages or other completely enclosed additions may be included to meet this requirement;
 - iv. The home must be at least 22 feet wide over a major part of the mobile home;
 - v. The home must have a roof sloped at least four feet to 12 over no less than 40 percent of the total roofed area. Roof slope indicates the actual incline of a roof as a ratio of vertical rise to horizontal run, determination must be based on actual measurements and not on nominal designation or rules of thumb. It must consist of shingles or other material used for conventionally built dwellings in the area;
 - vi. The roof overhand must not be less than one foot measured from the vertical side of the mobile home;
 - vii. The home and any attached building additions must be covered with an exterior material customarily used on conventional dwellings in the area. The exterior covering material must extend to the top of the foundation and no less than two feet from the ground. Exterior material customarily used on conventional dwellings does not include smooth, ribbed, or corrugated metal or plastic panels;
 - viii. The home must meet all requirements required of other single-family residences in the area where it is to be located; and,
 - ix. The mobile structure must be removed once a Final Certificate of Occupancy is issued for the residence and accessory structure are completed; or,
 - b. Build a residence within the accessory structure that complies with the minimum square footage requirements per the zoning district, which is 864 square feet. A building permit is required. Please contact the Building Inspection Department to begin that process;
3. No commercial storage or activity that does not comply with the A-G Agriculture District is permitted on the property without a special use permit; and,
4. Land disturbance permits is obtained from the Public Works Department.
5. Driveway permit is obtained from the Public Works Department.
6. Provide an erosion control plan to mitigate the flow that is coming from her driveway onto the right-of-way.
7. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not

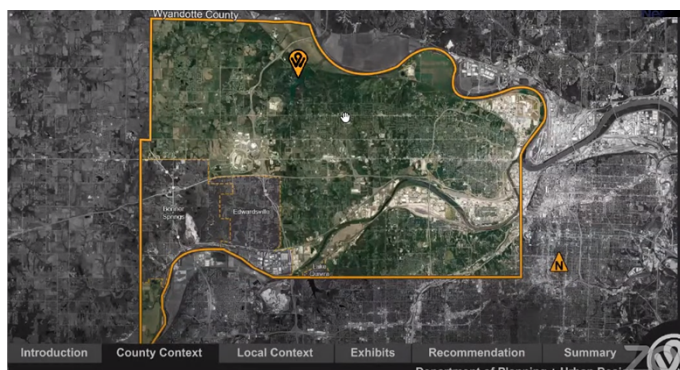
submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Mayor Alvey said for the record, a valid protest petition has been received.

Case	
COZ-003	
Petitioner	Address
Carol Blackwell	3505 North 83 rd Street Kansas City, Kansas 66109
Synopsis	
The applicant, Ms. Carol Blackwell, is seeking a Change of Zone from R-1 Single Family District to AG Agriculture District for the purpose of constructing a home and a 3,600 square foot accessory structure on the property. The applicant states that the property will not be used for commercial purposes.	
Introduction County Context Local Context Exhibits Recommendation Summary	

Department of Planning + Urban Design

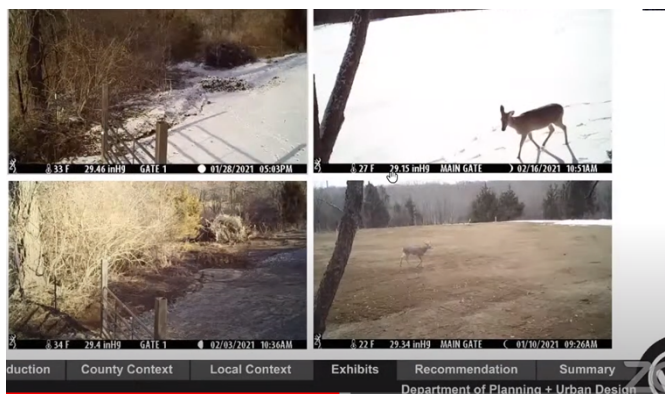
Gunnar Hand, Director of Planning and Urban Design, said as you just mentioned, the case is to rezone from R-1 to AG.



The property is located—it is almost in the Piper-Delaware Master Plan, but just outside of it. It is technically within the City-Wide Master Plan in the northern mid-town area very close to Wyandotte County Lake.



In fact, that access road to the east is just up from the street from it. You're looking at it right here.



The project has begun; is currently under development.

Ms. Blackwell does have a permit to begin construction of her single-family home. She has applied for a permit for the construction of a 3,600 sq. ft. accessory structure. The Building Inspection Department is waiting to grant that permit and settle the resolution of this case.

Public Opposition	Public Support
Staff has received multiple letters of neighborhood opposition. A protest petition has been submitted by adjacent property owners. Staff has reviewed and validated the protest petition so that nine (9) votes are required for approval.	None to date.

Staff Recommendation

Approval

Introduction County Context Local Context Exhibits Recommendation Summary

Department of Planning + Urban Design

I would note that in January, Ms. Blackwell was heard for a BOZA case to allow an accessory structure over the required, excuse me, maximum 1,000 sq. ft. She was denied that case in January. We have applied multiple conditions of approval to this case including that it would not be for commercial use.

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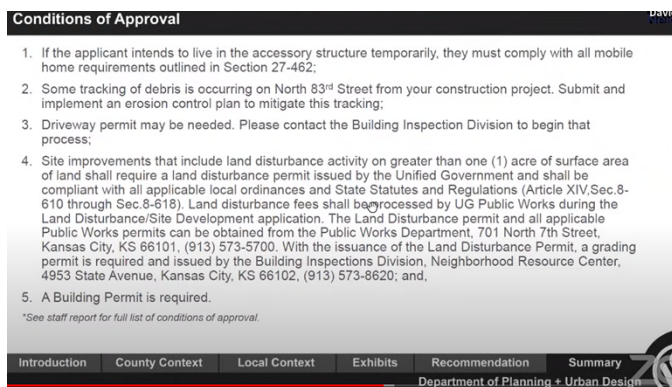
We received multiple letters, as well as the presence at the Planning Commission, neighbors spoke in opposition to this case. Their primary concern is they're worried that the barn will be used for commercial purposes. As it is about a 19-acre property, whether it remains R-1 or is rezoned to AG, because of the size of the lot, it does not need to conform to materials of the single-family home so it could be a large pole barn as she is proposing currently.

There are no NOVs on this property. We received no letters of support.

I've mentioned opposition. There has been one case that some of the grading and other earthwork that has been done, as it relates to the single-family home, did cause some issues on 83rd St. There was some tracking of mud and dirt. The Planning Commission added conditions of approval in their motion to include standard condition be applied for cases of this size or properties of this size for land disturbance, a driveway permit, as well as to develop an erosion control plan and implement that plan so no further tracking of mud and debris occurs on 83rd Street.

As you mentioned, there was a protest petition. So, the recommendation from the Planning Commission was for approval. That protest petition, as Mr. Deichler said earlier, would require nine votes to move forward, eight votes to overturn the decision of the Planning Commission, or potentially six votes to return it back to the Planning Commission if the Board of Commissioners see fit. With that, staff does agree with the Planning Commission and recommends approval.

Mayor Alvey asked, Gunnar, would you again recount the vote required in the three different scenarios. **Mr. Hand** said sure. I will say, really quick, that the protest petition, the threshold is 20% of property owners. There was a threshold of 80% of property owners that signed the protest petition. They're large parcels adjacent to Ms. Blackwell's property so it was only about 12 people, but that was 80%. So, to move forward one way or another, nine votes to approve, eight votes for denial, and six votes to return it back to the Planning Commission. **Mayor Alvey** said, thank you.



Mayor Alvey said I'll ask the applicant to please present her application.

Carol Blackwell, Overland Park, KS, said this is the 19 acres that I purchased in Kansas City, Kansas. It is heavily treed, very hilly. In fact, we've had a very difficult time trying to find space enough for housing and for a large barn/garage. We're working on it daily.

I addressed everything that the city has asked me to look at. I have had people out to see what we could do to stop the water from going across the street. We got that under control now, but it took considerable effort. We first took up 12 bales of hay to try and fix the situation to get it to stay on our property, but we're kind of in a valley right there and water can't flow anywhere else, but anyway, we brought in then another 20 bales of hay, a second strip and then we also called the excavator and had him re-slope the driveway to a different slant. He put a dike across the driveway and now we haven't had any more water flowing across the street.

I have addressed everything that has been asked of me to address. I have the property disturbance filled out ready to go in. They're asking me for something else too. I can't remember what it was. A notice of intent. I don't understand that one. I'm getting clarification on it. We planted \$250 of clover, white clover for bees and we're putting in some beehives. We've very excited about that. We like to help the farmers.

I was raised as a farm girl. I've put in so far \$250,000 into these 19 acres. I've paid cash for it and I am sincerely committed to it. I've driven through several different neighborhoods around/through Wyandotte County out where I am. It appears to be a precedent that it is acceptable to have R-1 and AG side-by-side.

The biggest complaint that I have had, an objection from the neighbors, is that they are convinced I'm putting a business in the barn. I have written four different letters to the neighbors

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to say I am not putting a business in the barn. I have told the city that. I am 75. I am retired. I have no desire to go into business. I've worked really hard all my life and I've saved for this workshop that I want to put. I saved for quite a long time to build a nice big building so that I can have my workshop and have space to put the equipment to manage this property. The snowblade. There's over a 1,000 ft. of driveway on this property and I've got to be able to manage it.

I've had some theft issues up there and I'm going to have to put this tractor and so forth inside under lock and key at night. I need this size of barn. If I can pay for it and keep it in good condition, I don't see why I should be denied that. I've visited a man just two weeks ago. He had 12 barns on his property and 2 of them were 10,000 sq. ft. I was raised on a rice farm in Arkansas. My parents owned the farm. A 3,000 sq. ft. barn was an average medium-sized barn. I don't see it as a big issue. I am not putting a business in the barn, now or ever. I'd be glad to answer any questions, but that is a moot point that I have covered and recovered.

Mayor Alvey opened the public hearing. Clerk, have we received any notification from the public who wish to express their comments in favor of this item? **Mr. Deichler** said, we did not. **Mayor Alvey** asked, is there anyone present from the public who would like to speak in favor of this item? **Ms. Godsil** said we have Lori who had her hand raised. **Mayor Alvey** said, ma'am, please state your name and address for the record if you want to speak in favor of this item. **Ms. Swartwood** said, yes.

Lori Swartwood, 7922 Cernech Rd., said I disagree. I don't see any improvement. I oppose. Has Ms. Blackwell carried through with fixing what she needs to fix as far as code violations?

Mayor Alvey said, ma'am, we're asking for those who want to speak in favor of this application. In the meantime, I think what I heard from Mrs. Blackwell is she had addressed the problems with the drainage and with the mud on the street.

Mayor Alvey asked, is there anyone else who'd like to speak? Is there anyone else who would like to speak in favor? **Mr. Deichler** said we're not showing any hands. **Mayor Alvey** asked, did we receive any communication? **Mr. Deichler** said we did not. **Mayor Alvey** said, thank you.

Mayor Alvey said now, Ms. Swartwood if you would like to express your opposition to this, please do so. State your name and address again.

Lori Swartwood, 7922 Cernech Rd., said I don't see any improvement and it's going to take more than hay to stop the mudslide. I mean it looks a mess. Has she complied with all code violations?

Mayor Alvey asked, Mr. Hand and Ms. Blackwell, can you address those concerns? **Ms. Blackwell** said yes, I can. I'm not sure what code violations we're talking about. Mr. Hand, can you tell me what code violations there are that I've been serviced or not address? **Mr. Hand** said there are no open notice of violations on the property. We have been working with Ms. Blackwell about cleaning up the street. I believe a UG crew went out there and swept the street at least once. I do not know if there's still mud after this most recent rain though.

Ms. Blackwell said thank you, Mr. Hand. I was there today. We were there two days ago and again today and what we have done has worked. It is definitely not flooding across the street anymore. It hasn't done it since we sent the excavator out. I had to wait two weeks for the excavator to go because he has a very busy schedule trying to dig basements and so forth. He was the one who put in the construction entrance there. I asked him to go back out and correct the work and he did that.

Now, that entrance will be a paved surface and it will have erosion control, but right now it's just a construction entrance. I can't put concrete on it right now because there will be lumber trucks and concrete trucks and everything going up it. It can't be hard surfaced until the construction is finished and then we will put in whatever culverts or drainage pipes or whatever to keep the water draining on my property. There's 19 acres there, so there's plenty of place to take care of that and we have it under control.

Mayor Alvey said thank you. Is there anyone else present who would like to speak in opposition to this? **Mr. Deichler** said yes there is, Mayor. **Mayor Alvey** said please state your name and address for the record. **Ms. Godsil** said we have Tina Rockey who wishes to speak. **Mayor Alvey** said can you please state your name and address for the record.

Shane and Tina Rockey, 8300 McGurk, said we're not adjacent to Ms. Blackwell, but we're very close. Even if we take Ms. Blackwell at her word that she's not planning on opening any kind of business at that location, our concern is that the building that she is building, plans for the

building, calls for offices. At the Planning and Zoning meeting, she indicated about having picnic tables on the property. Even if we take her at her word that she's just going to be a farmer out there, our concern is that she's 75 years old. I don't know how long she's going to be around to do that and (inaudible) sell it that someone (inaudible) would be perfect for a business to open up. (inaudible)

Mayor Alvey said I'm sorry. I think we're going to restart that, Shane. We're having some audio problems. Are you right up against your microphone? **Mr. Rockey** said, no. We're quite a ways away. I can back up more, though. **Mayor Alvey** said no, we need you right next to your microphone. It's not coming across to us. **Mr. Rockey** said okay. This is about as close as I can get right here. **Mayor Alvey** said that's much better. **Mr. Rockey** asked, start all over? **Mayor Alvey** said yes, please.

Mr. Rockey said our big concern is that we've seen the plans for the building that she's building. Even if we take her at her word that she's not planning on opening a business there, what she is proposing to build is perfect for opening a business. She's 75 years old. How long is she going to be there wanting to do that. When it comes time for her to sell it; its custom made for someone who wants to open a business there. I don't know if there's a way—if you're going to grant the change of zone, to include something in there that would prohibit something like that from happening. That's our concern. I don't really have a problem with what she's proposing in her letters that she sent to us and all that. That all sounds fine. My concern is what happens after that. That's all I have.

Mayor Alvey asked, anyone else present who would like to speak in opposition? **Mr. Deichler** said, Mayor, Jeff Gardner is wanting to speak. **Mayor Alvey** said, Mr. Gardner, please state your name and address for the record.

Jeffrey Gardner, 3640 N. 83rd St., said first on the paperwork I submitted against the—every neighbor that is adjoined to her, signed the petition against it. The only people that did not sign the petition were the actual, like Landmark National Bank. Every homeowner that is connected to her did sign the petition against her going to Ag. The reasoning before is she did try to get the request for variance for a 3,600 sq. ft. building. She wants to change, that was denied. The plans she submitted had an office, had several offices; I think three offices, two offices, a conference

room. There was actually a two-story building. The bottom level had one and a half baths. Total, it wasn't really a 3,600 sq. ft. building. It was actually closer to a 6,000 sq. ft. building because it was two levels and for what she had the footprint was 50 x 72. So, she was denied the variance. Now she puts in for AG for something that was obviously a commercial building. She just wants to switch to AG and her only reason for doing that is to turn around and build the building that she was already denied being able to build.

Mayor Alvey asked, is there anyone else present who would like to speak in opposition? **Ms. Godsil** said there are no hands raised, Mayor.

Mayor Alvey closed the public hearing.

Mayor Alvey asked, any members of the Commission have any questions or comments?

Commissioner Philbrook said I was listening very closely to Mr. Hand. He listed a couple of things that I wondered about, but I just want to go over it again. That, yes, in fact, that during the BOZA, the appeal for the 3,600-foot building, that was voted down. Part of it was because of the plan supplied to that Commission looked and felt like a business building of some type. So, I really have questions about why somebody would come forward and supply the same plan to us again to try to go AG and using the same plan for that building. So, that's a big questions of mine.

The other thing is that around that area, even though it's not AG, there may be just a few AG. Some not, some are. Really, that 3,600-foot building doesn't fit into the hobby farm setting that appears around that. Most everybody else looks like a hobby farm. I hope nobody takes this for offense, but I grew up on a hobby farm, so I understand that basically means that you get to have your horses, you get to do the stuff you want to do, but you don't have a business that you operate out of there nor does it look like you're going to have a business.

The other concern that I had was, that was already mentioned, that was the drainage onto the street that the UG had to clean up because of the mud. I understand with construction that those things happen, but when you have a construction site, whoever is doing the construction is responsible for those issues and have to contain that problem. Those are three main issues. One

of those, when we talk about character of the neighborhood, and that's when I mentioned the hobby farm, the character with a 3,600 sq. ft. building doesn't really fit into the hobby farm feel.

The other thing is that with the environmental farm, that kind of property is definitely not to grow big crops on and that sort of thing. So, I know that's really not going to get used for crops, but I also want to make sure that there is something in play whether she receives the AG part of this or not, that she comes with an erosion control plan for that property. You have to really pay attention to how you use that property. Does any of the other Commissioners want to chime in?

Commissioner Bynum said I have a question for Mr. Hand. If the applicant is denied the change of zone today, she can still build a structure with her home. Is that correct? **Mr. Hand** said if the Board of Commissioners deny the case tonight, she can still build a 1,000 sq. ft. accessory structure on her property. **Commissioner Bynum** asked, and that's always been true? **Mr. Hand** said, correct.

Commissioner Bynum said the original request back in January was for a variance. Is that correct? **Mr. Hand** said correct. The BOZA case in January that was denied by the Board of Zoning Appeals was for an accessory structure over the 1,000 sq. ft. limit. This is 3,600 sq. ft. **Commissioner Bynum** said after this evening, if the change of zone to AG is denied, is there another opportunity for a variance request or have we exhausted everything at that point and we're just back to residentially zoned property, a house, and then up to a 1,000 sq. ft. additional structure? **Mr. Hand** said if I'm understanding your question accurately, you are correct. She'd be limited to what the zone allows. She would have to wait a year to apply for another BOZA if she wanted. **Commissioner Bynum** said okay. So in one years' time, she could come back and request a variance. **Mr. Hand** said yeah, next January. **Commissioner Bynum** said that was my question. Thank you very much.

Commissioner Philbrook said I'm going to ask for clarification on how we move forward and make sure I do everything the way I'm supposed to do it. If my intention is to deny the 3,600-foot building, then on this particular item, do we vote to move the item forward? Do we vote for a vote on this and if you don't get enough yeys. then it's denied. Is that—talk to me. Tell me how to do this.

Mr. Hand said if a motion doesn't pass whether it's pro or con, you have to get another motion to come to action. **Commissioner Philbrook** asked, so that means I can just skip to the second motion and move for denial? **Mr. Hand** said if you want to.

Mayor Alvey asked, Ms. Brown, would you advise on this to be sure. **Misty Brown, Chief Counsel**, said Commissioner Philbrook has asked if—basically she asked two questions. One was if there was a motion, if she could just move to deny, which would take eight votes. The other question was, I believe she asked if there was a motion for approval which did not get the nine votes if additional action would need to be had. **Mr. Hand** correctly answered that, yes, we would need another vote to take some definitive action on this matter. **Mayor Alvey** said, thank you.

Mr. Hand said just to verify if I may. There was one question that one of the members of the public asked. Would it be okay if I answered that quickly before a motion? **Mayor Alvey** said, well, no. We closed the public hearing. **Mr. Hand** said, okay.

Mr. Deichler said, Mayor Alvey, Commissioner Ramirez has a question. **Mayor Alvey** said, well, I've got several, Commissioner Kane.

Commissioner Kane said it got denied by BOZA or whatever you want to call it. Somebody is trying to build a building of 3,000 ft. with a couple of offices and a bathroom and everything else. There's a long-range plan and that plan doesn't fit the community. If there is already something there that says they can build a 1,000 sq. ft. building, then let them build that. I don't know why anyone would need a 3,000 sq. ft. building with a bathroom and a conference room and everything else. I know why the neighbors are upset. They're like okay. So five years from now you give this to your kids and your kids build a business there and then you go back to the erosion part. That needs to be fixed now; not wait until they build it. There's an issue that this has to be addressed now, not well, let me build the building and flood the streets for the next several years and oh, by the way, some of that mud will go down to the lake. I don't think this fits the community.

Commissioner Townsend said I know the public hearing is closed, but listening to the presentation of the applicant, I did have a question or two for the applicant directly. One, does

she intend for this to be her primary home and two, with again, concern that Commissioners Kane and Philbrook and others have mentioned and those neighbors who are currently in protest to it. The applicant has denied that she intends to use this commercially, but she said she was putting a workshop or had a workshop, so what does that mean? What is she doing as a workshop in the accessory building?

Mayor Alvey asked, Ms. Blackwell, would you like to address that? **Ms. Godsil** said, Carol, if you could unmute yourself, you can speak. **Mr. Hand** said if need be, Mr. Mayor, I can answer that question. **Mayor Alvey** said I think they would like to hear from Ms. Blackwell. **Ms. Godsil** said I think she's available now. Go ahead Ms. Blackwell.

Ms. Blackwell said I want a woodworking shop. Presently, I have a two-car garage and I have to move my saw out to the driveway and then I have to move it back in. Its heavy. I have to move it back in every night. I want a woodworking shop so that I can continue to work on my projects. I don't sell them. I've not sold a single one, except when I sold my house. The lady liked the swing that I had built on the deck and wanted it to stay. That's the only thing that's been sold that I've made. I've made a coffee table. I've made several things. There are several other things that I would like to build.

We have beautiful wood on that property. Some of it is walnut and I have saved it and I want to use it in the house. I've contacted a man to cut it and to clean it and to make it available so that we can cover a ceiling with the wood that's from the property. I want to work on that. This is going to be my personal residence. I will live there.

Now, I realize that when this all started to begin with, all the neighbors were complaining to me that there was a Phillips Construction Company that had said he was going to have a barn built for personal use and then turned it into a construction company with large tractors and trailers and so forth. I felt like, at that time, that the sins of that man were being put on my doorstep. I am not going to be building any kind of business in this barn. I just want space to store the tractor, the lawn mower, the snowblower, all that stuff that's got to go to keep this property in good condition.

I've already stopped the flow of water across the street, and I will continue to have that stopped. I don't want to mess up my neighborhood. I have a beautiful home here in Overland Park and I want this to be a beautiful residence also.

I have owned commercial real estate for years. I've recently sold everything. The only thing I have left is this 19 acres and a piece of land in Grandview. I've sold all of the office buildings, the doctors' offices, the school, the apartment buildings. I've sold everything. I wanted that office so that I could maintain my records for tax purposes or for whatever needed to be done. I didn't want them in the house anymore. I wanted to take them out and put them someplace where they were not in my way. That was the reason for the office.

The reason for the bathroom, the half bathroom, I'll tell you very bluntly, unless you're 75, you don't realize that you don't want to walk down the hill and back up to go to the bathroom. You want a bathroom close by. It was purely for me, for my purposes, nobody else. There is no staff that is going to be in this building. I don't have any staff. I have a son and we sometimes hire a handyman to help with different projects and so forth, painting and that kind of thing.

This is strictly legitimate. For people to be worried about what happens after I die, I think is really holding me accountable for something I can't control. The next person that buys this is going to be under the same codes that I'm under. If they want to start a building, they're going to come to you for a permit. If they want to start a business, I'm sorry—if they want to start a business in this building, they're going to have to ask and comply with city ordinances the same as everybody else. I think that's kind of a moot point what's going to happen in the future after I pass away. Is there anybody else that wanted information from me?

Mayor Alvey asked, Commissioners, any more comments?

Commissioner Ramirez said I just had one question to Gunnar. It stems from what Commissioner Bynum was saying about BOZA. Let's say we do deny this and she's exhausted, at this point, any avenue. A year from now she reapplies to BOZA for a variance. What would have to be different in that application for it to be approved by BOZA, in your opinion?

Mr. Hand said after the year lapse, technically she could apply for the exact same thing. I think that what I will say is, when we had our pre-application meeting with Ms. Blackwell, we advised her to move forward with a change of zone, not a variance and she came with the variance. The issue in the variance during our review of that case, we had questions about the floor plan that had been raised today. She had said that some of those labels on those rooms were incorrect but

she never changed the floorplan. So what moved forward was a floorplan that said an office here, an office there, so on and so forth, which raised concerns with the neighborhood.

I think that there are some, as we described in the Planning Commission earlier this month, but also at the BOZA case earlier, I think there are obviously many different screening techniques that we could employ if we're seeing a 3,600 sq. ft. building on a 20-acre parcel was an issue for the neighbors, there's certainly ways that we could adhere that. I would also note that the R-1 zone has the same height restriction as the agricultural zone. So you're not going to get anything taller when you go to AG versus maintaining that R-1.

I would also note that a change of zone and the conditions that follow that change of zone stick with the land. The condition that no commercial property, no commercial business can happen without an SUP, will stay with this land if moved forward.

Commissioner Ramirez said okay, thank you. That was the only question I had. I wanted to see—wanted Ms. Blackwell to hear if we were to deny it tonight, what her next steps could be. Again, I think it was established that she can live on the property. She still can build a home and live there with the 1,000 sq. ft. accessory that comes along with being able to build a single-family home. That's already in the code. I just wanted her to hear that so that she knows if it gets denied, you may have to wait, but you have another chance. That was my only question.

Commissioner Bynum said in the floor plan that was submitted inside the application, I think what it's laying out is specs that add to at least a 3,000 sq. ft. footprint if I'm not mistaken. Mr. Hand, I'm asking you to verify along with me. It also shows a staircase which indicates a second floor, which if I'm not mistaken would basically double that, potentially double that space.

First of all, I want to ask you if I'm correct in the detail of the drawing that was submitted inside our agenda. You know there's various measurements across the top and across the right-hand side that I think must add to a 3,000 sq. ft. footprint and then an upstairs, which again, potentially doubles the square footage. I guess I'm asking for clarification on that.

I would also say that regardless if that's all correct, it's clearly something that's much, much larger than the allowed for 1,000 sq. ft. accessory building right now. I'd much rather see us grant such a thing through a variance than a change of zone for this property in order that this type of building be allowed. I don't know if you're able to clarify for me what I think I'm seeing on the drawings, but my comment is that if we, as a governing body, are going to make some

arrangement or exception for a building of that size in that neighborhood, I'd rather see us come to some resolution through a variance than a change of zone. Thank you.

Mr. Hand said give me a second. I'm going back through the old BOZA case to look at that floor plan. We didn't include it in the change of zone application. So if you give me just one second, I can calculate the floor area. **Commissioner Bynum** said thank you.

Commissioner Ramirez said just a quick question. Since BOZA was denied, is the variance, to reapply for variance, is it the same one-year timeline? **Mr. Hand** said, correct. **Commissioner Ramirez** said okay. Thank you.

Mr. Hand said it is 3,600. Those stairs that go up are only for half of the building. The other half is still the height for the different days for the (inaudible). **Commissioner Bynum** said, Gunnar, so it would be 3,600 sq. ft. total or 3,600 sq. ft. plus half of that again. **Mr. Hand** said total including (inaudible). **Commissioner Bynum** said thank you.

Ms. Kimble said Ms. Blackwell has her hand raised again. **Mayor Alvey** said please go ahead, Ms. Blackwell, if you have a clarification. **Ms. Blackwell** said it's unfortunate that went through that way. Those are drying; those are not offices. I've asked the architect to change them and he is working on it. Those were supposed to be drying rooms for the lumber. Some of the lumber yards have told me it has to dry a year; some have told me it has to dry for two years. I want it to be upstairs because I thought with hot air rising, that it would dry much faster upstairs. I had him include that upstairs area in the barn so that I could put lumber up there to dry it. I just heard about a week ago that you cannot. That would cause it to crack. I cannot put wood up on the second floor because it will dry too quickly and cause it to crack. So that ladder, that stairway is probably going to come out of there. If it stays, it will be for something else, which I don't have a purpose for at this moment so I don't know what it would be for.

It never was planned to be an office. He labeled it because he couldn't think of anything else to put on it. I don't have anything to do to make it an office. I don't have any business to run to need an office. I just want one room for files and that's it. **Mayor Alvey** said, thank you.

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

Action: **Commissioner Philbrook made a motion, seconded by Commissioner Kane, to deny COZ2021-003.**

Commissioner Philbrook said let me say why. Number one, because of the character of the neighborhood that it doesn't fit in with the rest of the hobby farms that are already around it. Number two, because eight on our information stuff states there is an environmental concern and harm.

Mayor Alvey said we have a motion and a second. It would require eight votes to deny the Planning Commission's recommendation. Any comments or questions from the Commission? See none, roll call, please.

Roll call was taken on the motion and there were ten "Ayes," Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

Mayor Alvey said the Planning Commission's recommendation was denied.

Mayor Alvey said that is the end of our Planning and Zoning agenda. We now go to the Regular Consent Agenda.

REGULAR AGENDA

REGULAR CONSENT AGENDA

Mayor Alvey asked, does any member of the Commission or 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.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to approve all items as submitted.** Roll call was taken and there were ten "Ayes," Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 1 – 21721...GRANT: FY21 IMPROVING CRIMINAL JUSTICE RESPONSES TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING GRANT PROGRAM

Synopsis: The Police Department is seeking approval to apply for a FY21 US Department of Justice/Office on Violence Against Women grant in the amount of \$500,000, submitted by Michael Vivian, Acting Deputy Police Chief. No match required. On March 22, 2021, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to approve.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 2 – 21722...ORDINANCE: RELATING TO PARK HOURS AND RESTRICTED ACTIVITIES

Synopsis: An ordinance relating to the operating hours, hunting and firearms, camping, and digging within UG parks; amending Chapter 25, submitted by Angel Obert, Assistant Director of Parks and Recreation. On March 22, 2021, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-47-21**, “An ordinance relating to the operating hours, hunting and firearms, camping, and digging within parks under the Unified Government jurisdiction, amending original Sections 25-44, 25-49, 25-50, 25-57 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 3 – 21723...RESOLUTION: PARKS & RECREATION CODE OF REGULATIONS

Synopsis: A resolution amending the Unified Government's Parks and Recreation Code of Regulations, including the requirement that all new dock owners are Wyandotte County residents, submitted by Angel Obert, Assistant Director of Parks and Recreation. On March 22, 2021, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-28-21**, “A resolution amending the Unified Government Parks and Recreation Code of Regulations.” **Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were ten “Ayes” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 4 – 21726...RESOLUTION: BPU LOAN THRU KDHE

Synopsis: A resolution authorizing the Board of Public Utilities to enter into a loan agreement with the Kansas Department of Health and Environment's State Revolving Loan Fund Program, submitted by Kathleen VonAchen, Chief Financial Officer; and Lori Austin, BPU Chief Financial Officer. On March 29, 2021, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-29-21**, “A resolution authorizing the Board of Public Utilities of the Unified Government of Wyandotte County/Kansas City, Kansas, to obtain a loan from the Kansas Public Water Supply Fund administered by the Kansas Department of Health and Environment.” **Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 5 – 21735...RESOLUTION: SET PUBLIC HEARING DATE FOR THE RIVERFRONT REDEVELOPMENT DISTRICT

Synopsis: A resolution setting a public hearing date of May 13, 2021, to consider the advisability of adding property to the Riverfront Redevelopment District, submitted by Katherine Carttar, Director of Economic Development. On March 29, 2021, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-30-21**, “A resolution calling and providing for notice of a public hearing to be held May 13, 2021, to consider the advisability of adding property to the riverfront redevelopment district pursuant to K.S.A. 12-1770 et seq.” **Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 6 – 21736...RESOLUTION: ADOPT TIF AND IRB POLICIES

Synopsis: A resolution adopting the Economic Development Department's Tax Increment Financing (TIF) Policy and Industrial Revenue Bond (IRB) Policy, submitted by Katherine Carttar, Director of Economic Development. Staff previously provided a review of the policies to standing committee on February 1, 2021. On March 29, 2021, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-31-21**, “A resolution approving the Economic Development Departments Tax Increment Financing (TIF) Policy and Industrial Revenue Bond (IRB) Policy.” **Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 7 – 21764...PLAT: HART INDUSTRIAL PARK SECOND PLAT

Synopsis: Plat of Hart Industrial Park Second Plat located at 59th Lane and Speaker Road, being developed by Riverside Transport Corp. and C.A.R. Transport, Inc., submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to approve and authorize Mayor to sign said plat. Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 8 – 21765...PLAT: CABELA'S SECOND PLAT

Synopsis: Plat of Cabela's Second Plat located along France Family Drive, and being developed by Cabela's Wholesale LLC, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to approve and authorize Mayor to sign said plat. Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 9...MINUTES

Synopsis: Minutes from regular session of November 5, 2020; and special sessions of March 4 and 11, 2021.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to approve. Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 10...WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated March 25 and April 1, 2021.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Johnson, to receive and file.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

PUBLIC HEARING AGENDA

No items of business

STANDING COMMITTEES' AGENDA

No items of business

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 21677...RESOLUTION: OPTION PURCHASE AGREEMENT FOR 546 N. 130TH ST.

Synopsis: A resolution authorizing an option purchase agreement for 546 N. 130th St., Bonner Springs, KS, to River Bend Land Co. - PV LLC, for the building of a multi-family project, submitted by Katherine Carttar, Director of Economic Development. The project must receive approval through the planning and rezoning process with Bonner Springs before land is transferred.

Changes made since the March 1, 2021 Standing Committee approval:

1. One year term instead of two.
2. Purchase price increased to \$525,000
3. UG will consider any information they provide about extreme site work costs but no guarantee of price reduction.

Doug Bach, County Administrator, said the item on your agenda this evening was first presented to the standing committee on March 1. It's a land sale for a projected project that is out in that area. This is Unified Government-owned property. I will recognize Katherine Carttar, Director of Economic Development, to come forward at this time and offer a brief presentation regarding some changes that were made to that deal since it was presented to standing committee where it

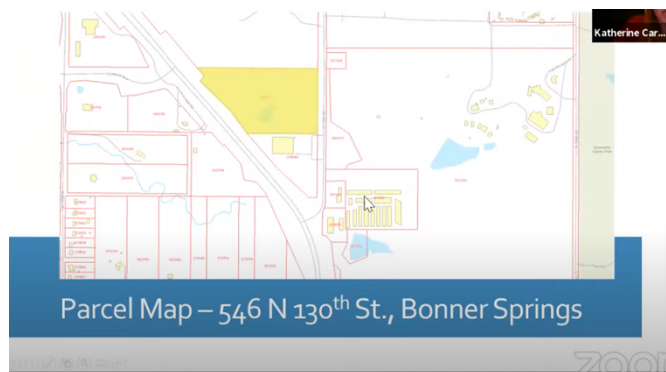
April 8, 2021

did receive unanimous approval to move forward with this sale. However, since we did make those changes, we did want to make sure and clarify those to the Commission at the meeting.

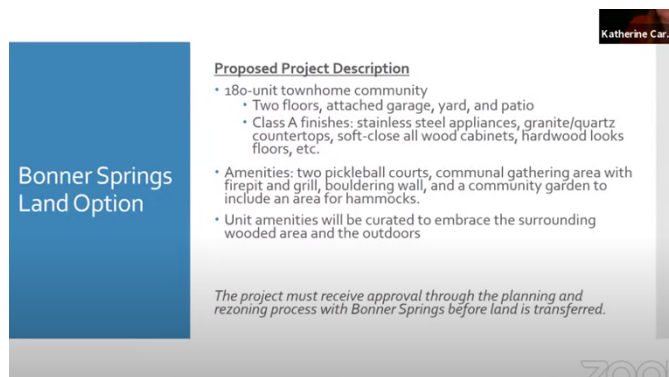
Item 1:
Resolution

A resolution authorizing an option purchase agreement for 546 N 130th St., Bonner Springs, to River Bend Land Co. – PV LLC, for the building of a multi-family project.

Katherine Carttar, Director of Economic Development, said just a very, very brief presentation. As Doug mentioned, there were just a couple of items. This did pass unanimously at the standing commission back on May 1 and there were just a couple of items that we changed and that was substantial enough I wanted to bring it back in front of you all for your full kind of review.



Just to orient you kind of where this property is located. It is owned by the Board of County Commissioners here on 130th St.



Bonner Springs Land Option

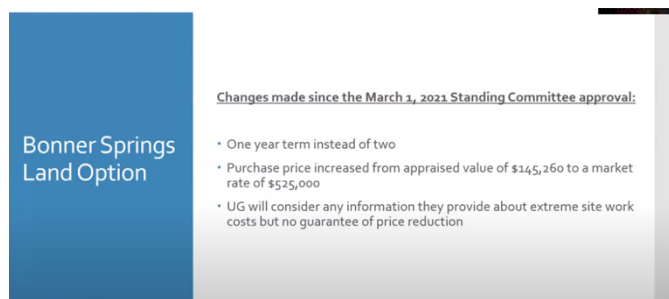
Proposed Project Description

- 180-unit townhome community
 - Two floors, attached garage, yard, and patio
 - Class A finishes: stainless steel appliances, granite/quartz countertops, soft-close all wood cabinets, hardwood looks floors, etc.
- Amenities: two pickleball courts, communal gathering area with firepit and grill, bouldering wall, and a community garden to include an area for hammocks.
- Unit amenities will be curated to embrace the surrounding wooded area and the outdoors

The project must receive approval through the planning and rezoning process with Bonner Springs before land is transferred.

Katherine Car...

The plan is to do 180 units of townhomes, 2 floors, attached garage, etc., significant amount of amenities. Because this is in Bonner Springs, we do not have any jurisdiction over the planning process. That is one of the reasons why we are looking to do this option at this time so that basically the applicant and developer have time to work with Bonner Springs, go through that plan knowing that they have an option on that land as they would have to rezone among other things.



Bonner Springs Land Option

Changes made since the March 1, 2021 Standing Committee approval:

- One year term instead of two
- Purchase price increased from appraised value of \$145,260 to a market rate of \$525,000
- UG will consider any information they provide about extreme site work costs but no guarantee of price reduction

The two primary items that we changed were: changed the term of the option from a one-year term from—to a one-year term from a two-year term. This is more in line with what we've been doing with Land Bank options, etc.

Then the main difference really is the increase in the purchase price. We originally had it at the appraised value of \$145,000, but after some additional review, decided to bump that up to more of a market-rate value for the purchase price of \$525,000. We did say that if there are some site challenges that we anticipate, the developer is welcomed to come back and kind of plead their case and explain if those extreme site work costs would require any kind of—or could request a price reduction, but we are under no obligation to do so. With that, that is the couple of changes to the option purchase agreement on 130th St.

Mayor Alvey asked, does any member of the Commission have any questions or comments?

Commissioner Ramirez said, Katherine, can you briefly, for my own knowledge, explain how a land option purchase agreement works or how it operates? **Ms. Carttar** said, sure. Basically what we're saying is this is an agreement that we, as the Unified Government, will sell you this property if these conditions are met. So they basically have—the applicant has a year to do a number of things and that's really primarily working with the Bonner Springs Planning Department and their council to get through rezoning, as well as kind of their preliminary plan, and final plan so that we know that we're only selling the property if a project is definitely going to move forward. What we don't want to happen is for us to sell them the property, they don't get approved by Bonner Springs, and then it's just sitting there for a while. We want to make sure that we're retaining that unless it is definitely moving forward. This kind of gives them the kind of flexibility and latitude to work on those approvals for the next year knowing that we will not sell it out from under them. They have a guarantee that if they do meet those conditions, that we will sell for the specific price indicated. **Commissioner Ramirez** said thank you for that explanation. **Ms. Carttar** said, sure.

Commissioner Burroughs said, Katherine, one, I'm pleased to the committee's discussion. We had a chance to talk about the development that was proposed there and the location it has on the western side of our community. We did find that there was additional value in that property. I guess my question is, do we know if that is still a fair market price for that property, in that location on the major corridor? I'm just curious. We went from \$145 to now \$500 and some. How do we know, as commissioners, and the public know, that that is a fair market price for that property?

Ms. Carttar said sure. That's a great question. We did work with our Appraiser's Office to discuss kind of what other comparable properties in the area had gone for in terms of a per acre price, and then also keeping in mind that there was extreme site work that would have to be done. It's all, I will say, a bit of a—not a guessing game exactly, but there is a lot of nuance to determining an exact price, but we felt pretty confident in working with the Appraiser's Office that that was a fair market value.

Commissioner Burroughs said, if I may, Mayor, Katherine, please, I'm not trying to be argumentative. What was the value placed on that property by the appraiser beforehand? Was it the \$145,000? **Ms. Carttar** said correct. **Commissioner Burroughs** said and the same appraiser has come back and appraised it now at \$.5M. **Ms. Carttar** said they have not appraised it. The way that they, my understanding, I'm not an appraiser—what was explained to me is that they

have a certain price, kind of a certain per acre price, that they look at land that they deem has been undevelopable for a significant period of time. This property has not been developed and has been available for sale for decades. That kind of reduces the price that it gets appraised at so that's how they came up with the \$145,000. Now looking at what some other properties in the area have been on the market for and what some have sold for, that's more kind of where the nuance comes in and looking at kind of what is that market value versus the appraised value are frequently different, so that's how we got to that number.

Mr. Bach said, Commissioner, if I may. I will say too, we did a specific comparison of looking at properties that are on the market today particularly around we looked through the Piper area, areas where we could find up close to K-7, look at the price of those properties and compared them to this. We found that some and recent sales that have happened. For the most part, all of them are below the price that we have this property at today. This property we moved it up. We believe it is more in the commercial corridor being down there north of Feldman's in that area. Realistically, we are listing it and selling it today in this option for about \$10,000 more an acre over the higher ones listed there. They were more in the range of \$20,000 to maybe \$28,000 on several different properties where we're selling this, Katherine, I believe right at \$35,000. **Ms. Carttar** said correct.

Commissioner Burroughs said and, Doug, when we dispose of a piece of property like that for development, is the property of that size put up for bid or do we just appraise it for the proposed development that goes on there for the land that we have in the Land Bank? I'm just curious to what our process is. I find the discussion that we had as a committee, and as chair of the committee, there was much discussion in reference to this issue. We want to ensure that we are getting the fair market value for a piece of property that is on the western corridor of our community that really does compliment and lead into the western development and the proposed sites and developments that are out there. I would just hate to see us be undervalue on that property or not put it for bid for development. Those are my comments as a commissioner and as chair of the community when some of these questions were brought up, forward in the committee.

Comment [KT1]:

Mr. Bach said that's a good question. It really comes to many of our properties that we have for sale. What we do is we put the property out and make it available for purchase for anyone

April 8, 2021

to come in. It's not really out there for a specific kind of development, especially one like this. We've had offers on this property in previous years. I can think back, it's been several years ago, where we had a different option placed on this property. It was, in a sense like this, they had to go through, they had to work through everything with the city of Bonner Springs. In the end, they were not able to work through what they wanted to complete on this project. They paid for their option to extend it, but in the end, they could not close on the property because they couldn't do their deal. It's kind of open from that perspective.

We look for—if somebody sees the property like they do for any other land that they may be looking to buy in our county, they approach with a request to buy that property. This is one where we didn't have it out there for sale with the land price marked on it. That's something that I would say on some of our properties that have a higher value maybe that's something we could work to do and go at it. As you know, we do own a lot of properties though many of those are lots we've acquired through tax sales/Land Bank, which actually, I think, is how we received this. We've just had it for a number of years. There are probably 10 that we could probably pull out that we could probably put a land value on. One option for us could be to contract with a realtor if we wanted to actively market those versus just post one of our signs out there and see if someone approaches us on it.

Commissioner Burroughs said if I may, Mayor and Commissioners. We have had this discussion as to what the true value of our property is that we own that the city could rid itself of. Not knowing it and, Doug, you just mentioned about putting our for sale sign on the property versus trying to market them, that comes with a cost as we well know. When I see the large variance, and I commend staff for going back and looking at the price and the value of that because those concerns came up within the committee itself. When I see such a large variance of \$350,000, that's quite a jump on a piece of property. It makes me wonder, and I have a question, are we still undervaluing the property? If we are, I would hate to see us do that. But at the same time, I do know that if we have an opportunity to pick up \$.5M on a piece of ground that we have, I would just wonder about the bid process with a project and/or an appraisal on the property to find out its true value.

Mayor Alvey asked, any other comments from the Commission? Seeing none, I would entertain a motion.

April 8, 2021

Action: **RESOLUTION NO. R-32-21**, “A resolution authorizing the execution of an option purchase agreement for 546 N. 130th St., Bonner Springs, Kansas, to River Bend Land Co. – PV LLC.” **Commissioner Walters made a motion, seconded by Commissioner Ramirez, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Philbrook, Bynum, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters; and one “No,” Burroughs.

ITEM NO. 2 – 21771...RESOLUTION: MOU WITH SEIU LOCAL #1

Synopsis: A resolution authorizing execution of a Memorandum of Understanding (MOU) between the Unified Government and the Service Employees International Union (SEIU) Local #1, submitted by Doug Bach, County Administrator.

Doug Bach, County Administrator, said this item comes to you before with a memorandum of understanding with the union as you noted, the SEIU. It is for the years 2020 and 2021. The terms are in accordance with the direction as given forward with the governing body that we have discussed during an executive session.

Action: **RESOLUTION NO. R-33-21**, “A resolution that the County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby authorized and directed to execute in the name of the Unified Government of Wyandotte County/Kansas City, Kansas, the Memorandum of Understanding between the Unified Government of Wyandotte County/Kansas City, Kansas, and the Service Employees International Union, Local #1, for the period from January 1, 2020, through December 31, 2021.” **Commissioner Kane made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

COMMISSIONERS' AGENDA

No items of business

April 8, 2021

Mayor Alvey said that concludes the portion of our regular meeting. We are adjourned. I'll call us back to order as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

Mayor Alvey asked, does any member of the Commission or County Administrator wish to set-aside any item on the Land Bank Consent Agenda? There were none.

Action: **Commissioner Kane made a motion, seconded by Commissioner Ramirez, to approve.** Roll call was taken and there were ten "Ayes," Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 1 – 21727...LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank applications, submitted by Jud Knapp, Interim Land Bank Manager. On March 29, 2021, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

24 Single Family Homes
CHWC - Rivers Edge East Subdivision
Phase 1 - 6 Homes – 2021
3036 N. Getty St. – 293023
3030 N. Getty St. – 293024
3022 N. Getty St. – 293025
3016 N. Getty St. – 293026
1726 Roswell Ave. – 293027
2940 N. Getty St. – 293000

Phase 2 - 6 Homes - 2022
2938 N. Getty St. – 293001
2938 N. Getty St. - 293002
2938 N. Getty St. - 293004
2938 N. Getty St. - 293006
2938 N. Getty St. - 293011
2938 N. Getty St. - 293012

Phase 3 - 6 Homes - 2023
3027 N. Getty St. – 293014
3021 N. Getty St. - 293013
3033 N. Getty St. - 293015

3039 N. Getty St. - 293016
 3045 N. Getty St. – 293017
 3031 N. 18th St. - 293030

Kristi Smith High - 1 Home
 202 Stewart Ave. - 094565
 204 Stewart Ave. - 094566
 206 Stewart Ave. - 094567

Karan Gupta - 2 Homes
 844 Tauromee Ave. - 090403
 848 Tauromee Ave. - 090402

Maribel Cortez – 1 Home
 3517 N. 47th St. - 913921

Habitat for Humanity - 3008 N. 30th St. – 099328
 Row Houses-Luminary Transformations - 8 Units
 1026 Oakland Ave. - 087650
 1030 Oakland Ave. - 080190
 1038 Oakland Ave. - 080189

Victor Alfonso Laozano - Home Addition
 3052 N. 31st St. – 099280

Action: **Commissioner Kane made a motion, seconded by Commissioner Ramirez, to approve.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 2 – 21728...LAND BANK PROPERTY TRANSFER

Synopsis: Request consideration of the following Land Bank application, submitted by Jud Knapp, Interim Land Bank Manager. On March 29, 2021, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Yard Extension – Cassandra Bitterman
 • 627 Shawnee Rd – 155110
 (Lot is unbuildable by the Land Bank policy; Frontage - 12 Feet)

Action: Commissioner Kane made a motion, seconded by Commissioner Ramirez, to **approve.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

PUBLIC ANNOUNCEMENTS

No items of business

MAYOR ALVEY
ADJOURNED THE MEETING AT 9:00 P.M.
April 8, 2021

Brett A. Deichler
Interim Unified Government Clerk

tk

April 8, 2021

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

SPECIAL SESSION, THURSDAY, JUNE 24, 2021

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, June 24, 2021, with ten members present remotely via Zoom, by phone or in person. 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; Bridgette Cobbins, Interim Assistant County Administrator; Alan Howze & Melissa Sieben, Assistant County Administrator's; Brett Deichler, Interim Unified Government Clerk; Misty Brown, Chief Counsel; Angel Obert, Assistant Director of Parks & Recreation; Ashley Hand, Director of Strategic Communication; Jeff Fisher, Executive Director of Public Works; Dave Reno, Public Information Officer for Public Works; Rob Anderson, Public Works Asset Manager; Alley Porter, Commission Liaison; Rocki Mayes, Program Supervisor in County Administrator's Office; and John Kelly, Director of Buildings & Logistics.

MAYOR ALVEY said before I call the meeting to order, I want to announce that due to COVID-19, we have individuals attending remotely 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 participating knows who is speaking. This is critical given the number of remote participants in his current guidance from the Kansas Attorney General.

MAYOR ALVEY called the meeting to order.

MAYOR ALVEY said I would ask the Clerk to announce the meeting and call the roll.

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

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, June 24, 2021, at 5:00 p.m. in the fifth floor conference room for a Commission Infrastructure Committee meeting.

Due to COVID-19 the public will be able to observe or listen to the meeting live on YouTube or UGTV or through Zoom for the special meeting portion only.

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

Mayor Alvey said we are attempting, as a Commission, to grapple with the very significant infrastructure needs that face our community. I know that each one of us continuously receive questions and emails from constituents asking for our help to solve a particular infrastructure problem whether it is poor street conditions, drainage ditches, culverts, street lights, and so most of the time our answer is, well, we would like to do this, but it has to go through the process and, of course, we have limited resources. In an attempt to try and help us solve those problems that our constituents face and to really have a long-term strategy of improving the basic infrastructure of our community to improve the quality of life throughout our city for our businesses, for our residents, we decided to put together this infrastructure overview and then we ultimately will break out into small committees to look at specific topics and take a deeper dive.

This structure, this was suggested by Commissioner Philbrook a few years ago, and it seems to be the right time now for us to really come together as a Commission and work with staff to, first of all, identify the general areas of need across the community. We've identified generally six buckets or six areas of specific interest: Streets, bridges, Unified Government facilities, parks and recreation, street lighting, stormwater/sewer and sanitary sewer. So, those six general areas are the basic infrastructure of the community that are under the direct control of the Unified

Government Commission. Of course, there is also the electrical infrastructure and the water supply that is handled by the Board of Public Utilities.

The way we're approaching this, as I said, this is a very high level overview—tonight's session is a very high level overview of the needs—infrastructure needs in our community. We put them into kind of three general areas. The first are those emergency needs, so there might be infrastructure out there that is already at the point of failure, has failed or is close to the point of failure. That would be, for instance, a culvert that was overwhelmed by recent storms and now has caused a collapse in the roadway or perhaps even the—we've seen pictures of the guardrail falling off the side of the road because the culvert has collapsed, that is an example of a failure, or a street flooding because the culverts and the ditches were not able to be maintained sufficiently so there was significant water backup, which again, causes damage to the road infrastructure and to neighboring properties.

The first thing we want to look at are the emergency needs, those that are in failure or at the point of failure. Secondly, in general, we would look at those needs that are urgent. That is those things that if we do not address them within the next several years, will deteriorate and become emergency needs, that they will then fail. So, that's a little bit further out, perhaps, a three to seven year look, but again, those are the urgent needs that have to be addressed or they will continue to deteriorate into an emergency or a failure situation.

Then, finally, a longer term look, 15, 20, 25 years out, things like our combined sewer overflow that is under the regulation of our consent decree or partial consent decree with the EPA, what are our needs there? So, we want to see—wrap our arms around the total complex of infrastructure needs in our community, but we also need to know what financial resources are available to us, what financial resources are sufficient currently, what are not sufficient, and have to be somehow supplemented and then where might we look for that funding.

Again, this is meant to be a very high level look and as a Commission we will take roles on subcommittees and those subcommittees will divide into three general areas just for convenience to combine and that would be streets and street lights, UG facilities and parks and rec., and stormwater and sanitary sewer. Given that introduction, I now will pass it on to Mr. Bach.

Doug Bach, County Administrator, said, Mayor, with that very eloquent description of the topic that we have tonight, I'm going to go ahead and turn this over to our Assistant County

Administrator Melissa Sieben who oversees our Public Works area and other areas of infrastructure for introduction of her team to make presentation tonight.

Melissa Sieben, Assistant County Administrator, said we're really excited tonight to kickoff this conversation and this process that the Commission and the Mayor's Office have set upon and to start to really try to figure out how we can help the community address the needs that it has with infrastructure.

Tonight, we have with us Jeff Fisher and his crew, and I will let him introduce because I'm not quite sure who all is speaking.

Jeff Fisher, Executive Director of Public Works, said I will make quick introductions and then we'll need the staff to be made presenters. I have Dave Reno, Public Works Public Information Officer; Rob Anderson, Asset Manager; and Angel Obert from Parks & Recreation. We also have staff from Public Works on standby joining us in case later on they need to participate, but at least they will be here to listen because they will be involved helping Public Works and the elected body of those subcommittees.

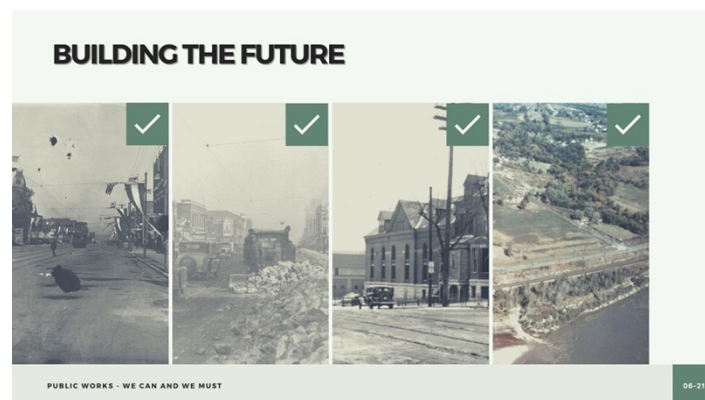


As stated already, this is exciting. This is a big challenge ahead of us. The Steering Committee, we believe, will be very helpful in developing strategies and so the Public Works team and Parks & Rec is ready to go. This is a result of a lot of work from staff of three years of data collection, evaluating that data until—what is that story it's telling us and then sharing that with the Commission and then the Commission listening and engaging this problem. It's very exciting.

I believe we have a good chance, the UG, to be uncommon in the world of local government and really use this initiative to actually change the trajectory of this community in a meaningful way regarding infrastructure. Public infrastructure, streets, bridges, buildings, sewer, water, etc.; it's the foundation of a civil society and the quality of life for a community. It's necessary for economic vitality. Without dependable and reliable infrastructure a community cannot thrive, it cannot be enduring.



A little story here. A couple months ago the Public Works team was working on things that required our strategic plan and we were referencing that plan and our vision statement at the time and we realized that our vision statement did not fit, and it did not fit us, and did not fit our circumstances we're working in. After some discussion, we're real excited about our new vision statement. It's positive and it's urgent and it fits the circumstances. So, this will be our vision, our motto, this is what we rally around to do the work that the community expects from us, so we're excited about that.



June 24, 2021

Of course, much of the community infrastructure is decades old, some over 100 years old. These assets require constant maintenance every year. The name of the game in our business is invest wisely and the way that gets the most out of that infrastructure.



20-Year Vision

01 Thinking deeply
Minnesota Avenue was constructed more than 100 years ago, and it is still used today. What can we do to help future generations?

02 Understanding needs
How do we balance our current and future desires with our current and future needs?

03 Prioritizing our direction
How can prioritization and clear objectives help us plan for future generations?

PUBLIC WORKS - WE CAN AND WE MUST

06-21

In order to be most meaningful, I'm suggesting the committees think deeply and broadly. We'll take whatever time is necessary to understand the issues so that we have a solid short-term and long-term set of strategies in the end. I would also suggest we think with outcomes in mind so that strategies are properly prioritized.



Enterprise Utility Funds

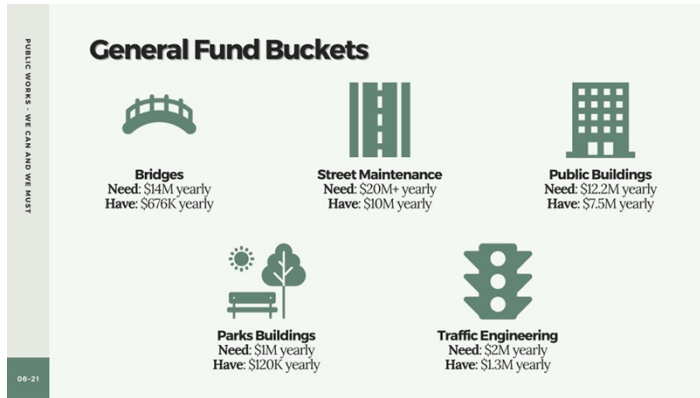
Wastewater
Need: \$36M yearly
Have: \$36M yearly

Stormwater
Need: \$10.8M yearly
Have: \$3.4M yearly

PUBLIC WORKS - WE CAN AND WE MUST

06-21

Enterprise Funds, the Wastewater Funds, Stormwater Funds, are functionally different from the other buckets that we're going to be discussing. Wastewater, as was mentioned, is a very mature program, the needs are being funded. There is a plan, there is a consent decree. Stormwater; however, as we know it, the needs are far greater than the funding. We're well aware of that and I know we still have work to do there and staff is prepared tentatively to make a presentation on July 15th to talk more about stormwater.



These are programs here that are competing with each other and competing with other programs within the General Fund and competing for those same dollars so this is the bulk of the challenge, I think.

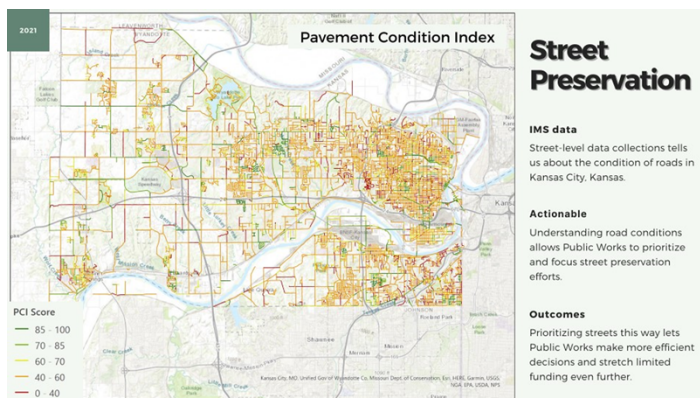


Now Angel Obert is going to join us and quickly highlight the issues of the Parks & Rec Department.

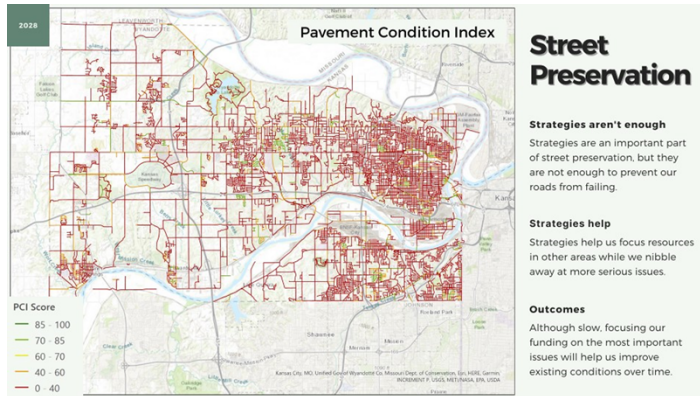
Angel Obert, Assistant Director of Parks & Recreation, said similar to what Jeff and his team has been doing, I know our Parks & Recreation we began doing the research back in 2017 through the master plan process. I know we've been presenting that information, but you'll see the three buckets here that we presented before and it's important to know that these three buckets are also ranked—they were ranked very highly from the community from the 2017 Master Plan. Each one of these three buckets being in the top five of the community's priority needs so you will see here what Parks & Recreation currently has funding for these buckets and then versus what really we need.



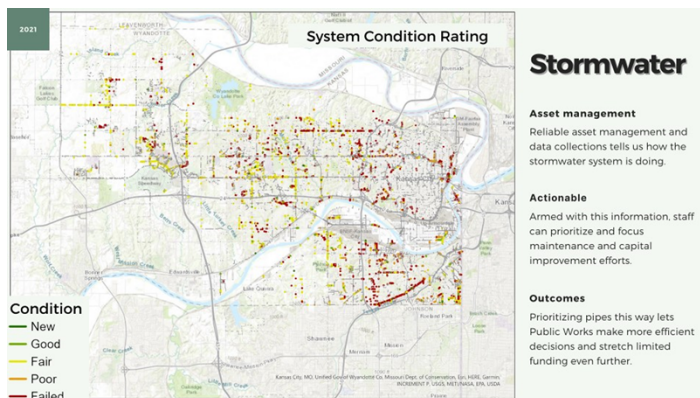
Mr. Fisher said the last discussion, a few months ago, I described the infrastructure situation as a crisis. Believe me, I thought long and hard before I made that statement. The fact is the community is experiencing deteriorating and failing infrastructure at a faster and faster pace. There is no doubt the UG is becoming more systematic and strategic about services it provides. There's been a lot of great work there and there's a lot of work to do.



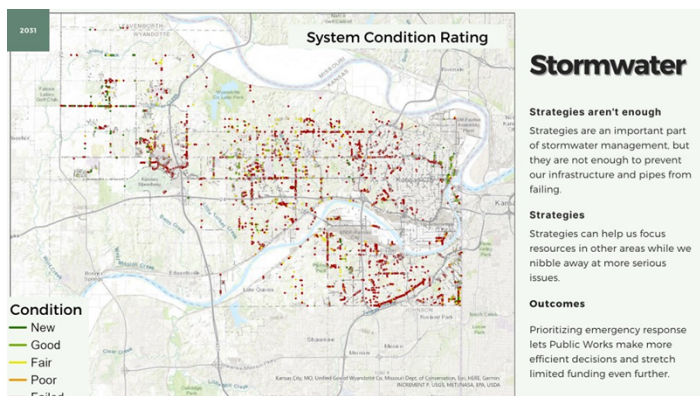
Street Maintenance continues to be the public's number one priority in citizen survey's, I believe, for the last three cycles and I think we would all agree it's warranted. Our street system is deteriorating faster than we can keep up with it. Our average pavement condition index rating is around 53 right now. We're getting ready to update that this year and that's out of a scale of 0-100, that 53. We've identified the goal to be 65. That doesn't seem like a big difference but that takes millions more per year every year for quite a while to get to that goal. In fact, we've been stating \$20 plus million a year for streets.



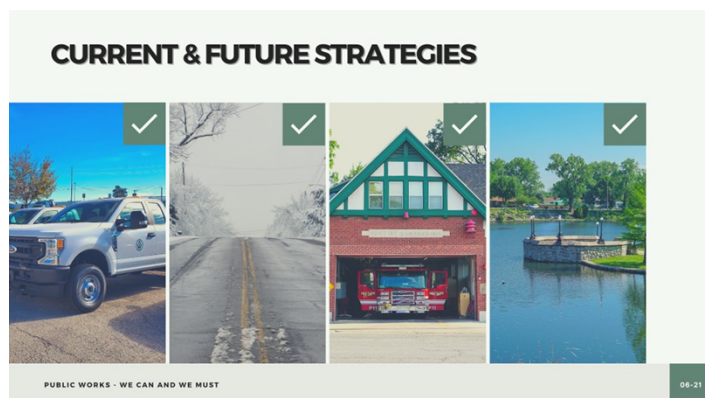
If we continue to invest at the same rate that we currently are, within the decade, the system made up primarily of poor and failed streets.



The stormwater system is a similar trajectory as the street system and they are very closely linked as we talked about before.

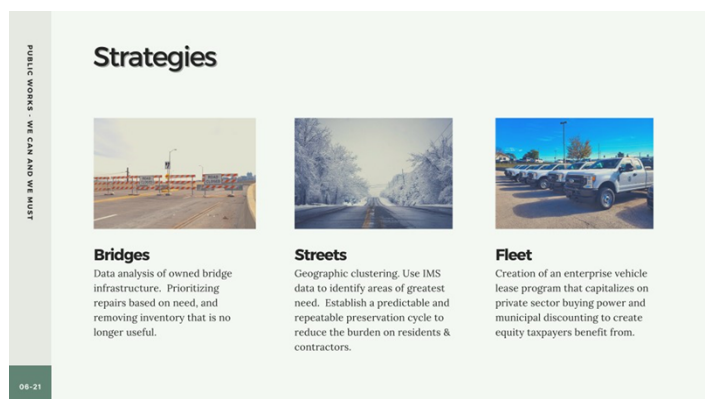


If we continue to invest in the stormwater system as we currently are, the same thing will happen as streets. Within 10 years the system will largely poor and fail.



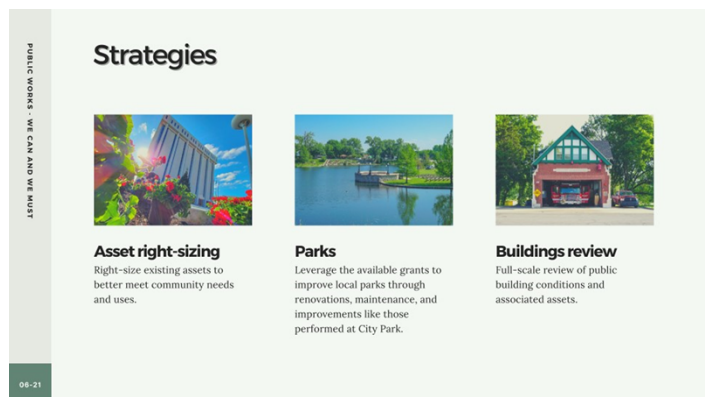
Dave Reno is going to highlight some of the new strategies and ongoing strategies and future strategies to support the committee's work ahead of them.

Dave Reno, Public Information Officer for Public Works, said as a team strategies play an important part in the work that we do and they have helped us deliver better service to the community. Strategies are also consistent with our vision, We Can and We Must. Strategies help us move things forward and they help us do so in a positive manner. I'm going to run through some of the strategies we've deployed over the past several years and a few more that we're working to put into action now.



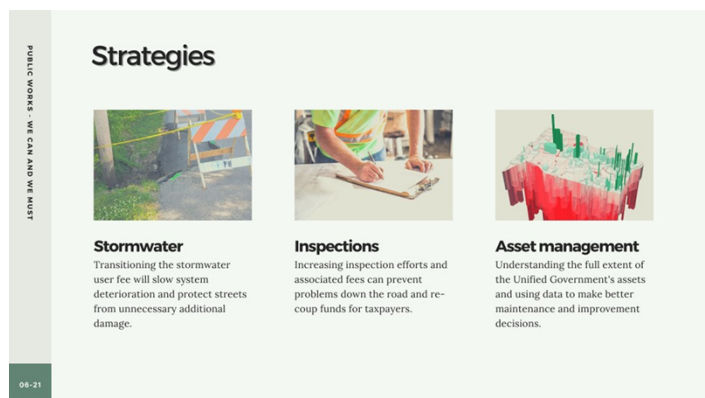
As Jeff called out, we have serious challenges before us both on the streets and bridges fronts, but we are beginning to understand these challenges more fully and we're approaching them in new ways. IMS data collection combined with geographic clustering has helped us establish a predictable and repeatable street maintenance cycle that stretches dollars further while simultaneously reducing the construction burden residents and contractors field.

Data analysis of our own bridge inventory is helping us prioritize repairs and we do that based on need while also identifying those assets that the community may no longer need. Fleets is another important area where we've made great progress. Their enterprise vehicle lease program capitalizes on public sector buying power and municipal discounting to obtain, use and build equity in vehicles, but saves taxpayers money through reinvestment.



We've also taken a greater interest in our public buildings. How much does it cost to maintain City Hall or one of our community centers, how many light bulbs does Memorial Hall need, and are there more efficient bulbs we can use to reduce energy consumption. A full scale building review is a strategy that will help us make better data-driven decisions about the public spaces our community wants and needs.

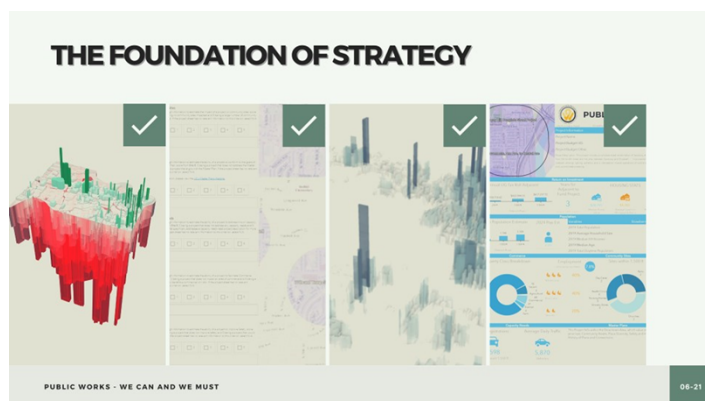
We'll also work hard to leverage available outside funding. An excellent example of this is the Water Infrastructure Finance and Innovation Act, WIFIA, which we were recently awarded by the EPA. The Turner Diagonal Federal Bill Grant and, of course, just leveraging the available grants to improve local parks through renovations, maintenance, and improvements like those performed at City Park here not too long ago.



Public Works is also always looking to the future. We're always asking ourselves about how we can do business better, how we can be more efficient and where can we improve. One of the strategies we would like to deploy in the future is the possibility of increasing inspection efforts to prevent problems from developing down the road and thinking about what may happen down the road, it really is something that we're obviously very interested in.

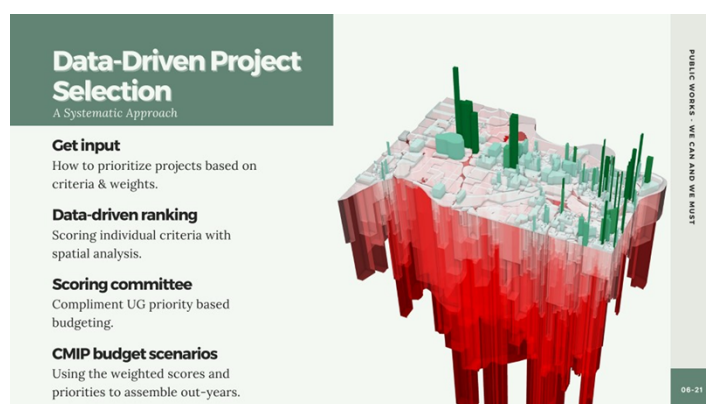
As Jeff mentioned, having a strong vision helps us craft our mission. It helps guide our activities and inspires us not to just think outside the box, but to think about multiple boxes and how they're related to one another.

As we've continued to work through our challenges, it really has become increasingly clear that asset management is the tool that helps us think about multiple boxes and how they're related to each other. Excellent asset management helps us step away from the realm of lone wolf strategies and into a place where we can understand the full extent of the Unified Government assets and then use data to help us create better maintenance and improvement decisions.



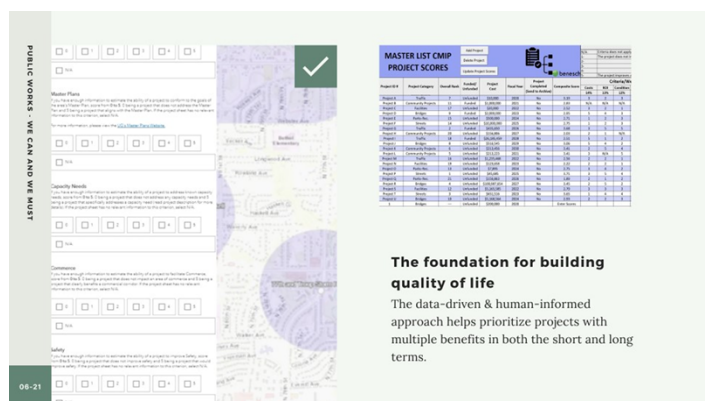
I'm going to hand it over to Robbie and let him tell how asset management plays really a foundational role over the next several slides.

Rob Anderson, Public Works Asset Manager, said over the past several years the Unified Government has conducted condition assessment surveys. First, I want to thank you for supporting that collection of data. It requires funding for us to do that. Second, this is the foundation of how we prioritize our path out of the crisis. We use the condition data and combination of other metrics outlined by the Planning Commission and the UG Board of Commissioners to plan outyears in the Capital Budget.



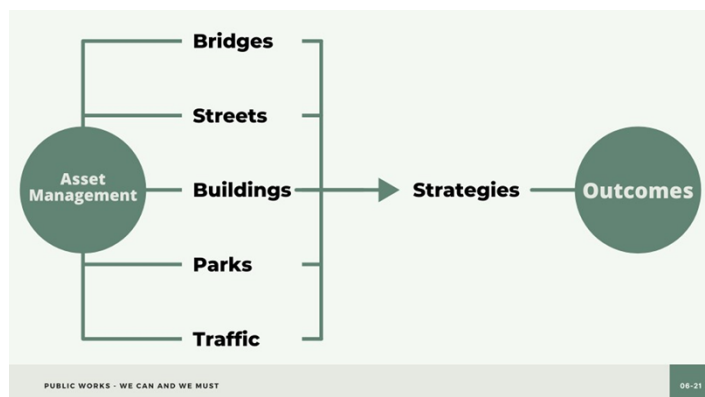
The key portion of your role in the process is to set the weights on the data-driven system. We will re-engage the Commission on the weights of the system later this fall. The system produces a data-driven ranking queue for unfunded projects. The list is reviewed by you in presentations and communicated with other utilities operating in a similar space. This process allows us to address multiple agencies needs in one sequence so we can reduce disruption to the community.

Based on budgets, we align different scenarios for outyear budget planning.



We, in Public Works, hear the community's concerns. We too believe in producing quality of life for our citizens and businesses. Considering current funding levels, the need to select projects that

produce Commission goals is amplified. Our ability to meet the needs of different parts of our community is wholly dependent on the funding levels.



Using the principals of asset management, we have to look at the totality of Unified Government needs to consider which asset categories we need to emphasize in both short and long-term strategies. We have needs across multiple asset categories here: bridges, streets, buildings, parks, and traffic. We need to know what outcomes we want to work backwards from to produce the society that the Commission believes in and what the community deserves. I'm going to pass it back.



Mr. Fisher said we'll finish—you know, staff is very excited to support the Commission and this committee and we're ready for that and I believe it can change. It can be really effective and instrumental in changing the trajectory of this community regarding its infrastructure, so we're ready to go.



We did make this presentation relatively short and simple knowing we had a couple hours if needed and wanted to leave that time for the Commission to ask us questions or have that dialogue, whatever you believe we need.

I'll pass it back to the Mayor and County Administrator and happy to entertain questions.

Mr. Bach said, Mayor, that does conclude our presentation and we are happy to stand and kind of work through what the expectations of the Commission are as you go into your committee structure. That way we can work through some of those issues and prepare information in advance as we come into that.

Mayor Alvey said thank you, Jeff, thank you staff for all of that. I'm open for questions from the Commission. Again, what we're doing is trying to prepare for us to go into sub-committees to really do a deeper dive into these areas. I think one of the things, certainly, I'm going to be expecting going into committee is, what are the current funding sources that are generating the revenues, the fund, whatever we're doing; how much more would be needed and then what are opportunities for additional funding.

For instance, Jeff, you mentioned the Water Infrastructure Financing Innovation Act and that comes to the EPA. I know there are certain requirements for that. For instance, it only funds up to 49% of the bill. It also requires that we have a dedicated revenue stream to pay off those bonds over time, but it's very favorable terms to us from the federal government, I think it's the treasury rate I think is how they determine that. If you could describe, for instance, the WIFIA and how that will work for us on our stormwater.

Mr. Fisher said it was exciting news to find out the UG was approved for that program and you're right, it is a very low interest loan program. You're also right that it does require that dedicated revenue source or in this case, the stormwater rate structure needs to be—we need to support that and be sustainable. It's a 49%--51% match from the local government and it allows us a lot of latitude to leverage other revenue streams, other needs so that we get—can create the most impact on the area as we can. It also gives us a lot of time, up to five years, to start paying on that once the construction is over.

So, it give's a lot of flexibility and there's a lot of advantages, and I believe we can get a lot more impact for the community than we normally would.

Mayor Alvey said so the comparison—you showed the contrast really between stormwater and wastewater. Wastewater if fully funded and that is done because the wastewater fee is sufficient to generate the revenues to take care of those needs. So, would we do it going to committee—what we're going to be looking for—what I would be looking for anyway, is right now it is sufficient long-term, do we have the structure in place to continue to maintain that infrastructure so it doesn't become urgent or fail. If not, long-term, what can we expect we would have to do in terms of additional funding sources for that? Again, as we move through this, at this point, wastewater is in—obviously, the funding source is sufficient to maintain maintenance. Will it be the same moving out seven years, will it be the same moving out 15 or 20 years, are there other systems that we will have to—capital projects, we'll have to take care of maybe 15 years out. Just so we know these in advance so that we have a good grasp.

I think that's really kind of what we're looking for as we move into this because I think so much of what we have to do moving forward is change the narrative in our community that we're worth investing in. That your neighborhood, your business deserves protection, deserves support, deserves the level of investment to improve the quality of life because when we back away from that and we see things deteriorate and fail, we're really ultimately saying it wasn't important enough to us.

We've really, even as an elected body, we have to come to that but perhaps even more so our community needs to come to that understanding that our community is worth the investment.

Commissioner Marley said we might have been going down a similar path in terms that I think the committee should be considering—I mean these discussions primary to these discussions has to be where is the money going to come from for the project that the subcommittee recommends. I know there is some American Recovery Plan money that could be applicable to some of these projects. Every subcommittee could probably spend every single dime of the money that's available from that source so, obviously, it's important that we balance those things, but whether that's the source or there's another source of funding, I think the subcommittee should be considering what do we do today that has both a short-term and long-term benefit because it's really easy to do a project today and say that's done, yay, good us, we're awesome. But for each project, different types of projects have different type of long-term benefits as well. Some of those may be financial in terms of just freeing up future money for our use for other things, but there are a variety of other things that might be impacted.

I think as subcommittees we should be thinking about, for each decision, for each project or opportunity what is the impact today and what is the long-term benefit. In my mind, if there's no long-term benefit, that's probably one that should go further along on the back burner because we need to set out a long-term strategy and I think that's really critical with that American Recovery Plan money for us to be able to say we've got this extra pocket of money. The reason we're going to use it on this project and not another one is because there's a long-term benefit that we can articulate. So, just my thoughts.

Commissioner Bynum said I think I would appreciate a more drafted timeline of big picture projects which I think Jeff and his team have given us in the packet of information and the presentation that we've seen here, but a deeper dive maybe into the more specific needed projects and buckets of money that can and could be used for the variety of projects that are all sitting on our to-do list. I also think that identifying the tools that we have in the toolbox to use against these projects, for example, I feel like maybe we have more opportunities than we've seen in a long time but to tackle some of the projects.

Mr. Fisher, you can correct me if I'm wrong, but I think we're going to see a remodel of the stormwater fee structure come forward soon, so obviously, the goal there is to—number one, put more equity into that stormwater collection system but, obviously, add additional dollars into the pot we use for stormwater. I think that's going to come forward. The WIFIA opportunity with

the very low interest is an opportunity we've not seen and then the rescue plan, the American Rescue Plan dollars that I think—I would be surprised if we didn't already have consensus among the Commission that, you know, a great majority of that money be spent on infrastructure.

It's exciting actually to know that there might actually be some solutions at hand rather than just raise taxes or cut something else away so that we can do some of this needed infrastructure. So, what I'm looking for with the subcommittee and full commission as we move through our kind of parallel budget conservation is putting more structure around building on the plan.

Commissioner Ramirez said thank you, Jeff, to you and your team for all that you do. It is a great feat for what you do currently and I'm happy and I thank you, Commissioner Philbrook, for reviving this and, Mayor, for wanting to do this and bringing us together. I think Robbie said it perfectly, we're either nearing or at the door of an infrastructure crisis and so I think it's incumbent of us to work together as a Commission and do what we can. Also, to the community, be patient with us, work with us, we all want the same goal and so we will get there if we can work together.

I'm excited that we're doing this because I know especially in my district, and I'm sure in all districts, infrastructure is the number one issue I hear a lot. I may talk to a constituent and it may be a completely different issue, but towards the end of the conversation, oh, but there's this problem with the street or there's this problem with the sewer, so it always comes back around to infrastructure no matter what issue they may have.

I'm happy and excited that we are doing this and we're doing a deep dive into this issue because we can continue developing—we can continue building houses, bringing entertainment to this county, but if we don't have a suitable infrastructure, no one is going to want to come to Wyandotte County. I'm excited. I can't wait to get to work and for us to find—finally have a long-term plan of a to b. It may not be a straight a to b, but we will get there somehow.

Commissioner Philbrook said for me I believe that—and probably for everybody on this Commission, the timing is perfect because now we at least have the data so our decisions can be made with that data that has been collected. Up until recently, we didn't have specific data that we could rely on. Sometimes it was guessing, so now we do have the data and we can look at the monies to see where they're coming from, where they can come from, and then work as a team

because that's exactly what it's going to take to bring us out of this. It's going to take a lot of work and it's not going to happen overnight. So, as Commissioner Ramirez said, be patient with us because we have a lot of work to do and I think some of us realize it's going to be a lot more hours, you know, talking about this and studying it, and I think everybody on this Commission is ready to jump into this and try to get something accomplished because that's one of the reasons, I think, most of us ran for office, was to help our community.

Thank you so much for administration, Doug Bach, and Jeff Fisher, you know, for getting these things in place and for our Mayor moving this forward and everybody on the Commission willing to work and all of our team, so I just had to say that. It's been a long time coming but it finally came. You know, I just don't know what to say, this is wonderful. We can really start working on this and we can all own what happens to our city.

Commissioner Burroughs said I do see that the 41% and 59%, the grant monies versus the UG contribution is a benefit to our community moving forward dealing with infrastructure, but I think what my concern would be is the amount of monies available and the revenue stream associated to those so that we do have a understanding of the impact to the finances of a project as we move forward. I would hope—that we all, as commissioners, have issues within our individual districts. I know I'm a Commissioner At-Large, I've dealt with a number of issues in all the commissioners districts at one time or another since my service here and we should be mindful that those dollars can only go so far. But I truly believe that every district that we, as commissioners, represent, should have a fair opportunity to see some remedy to some of the concerns that's been raised whether it be parks, roads, public buildings; whatever it may be.

First and foremost, I think it's important that we do it in a transparent manner and that any bids and contracts go out, go to the lowest qualified bidders and that we as a local unit of government have a chance to ensure that we're getting the best return on investment particularly if we should invest in local community businesses that can do some of this work so that dollar will turnover multiple times within our community. I think over the next two year period, because we don't get all this ARP money at one fell swoop. As you know, it's spread over two years.

I know everyone's hand will be out in trying to get as much as they possibly can to projects they want to put forward, but everybody says this is a great opportunity, it's a great opportunity if we make it great. It's a missed opportunity if we don't do our work diligently. The

prudent thing to do is to continue to work in a collaborative manner as partners at the table to ensure that we get the best return on this investment for any infrastructure needs and any future investment within our community.

With that, Mayor, those are my comments and that's what I'll be looking at as we move forward in our groups.

Mayor Alvey said, Jeff, and maybe its also maybe to Budget, Chief Financial Officer. I think when we get into our committees so much of what we have to do as elected is we have to translate what we learn here and what we're working on here to the community—bring it to the community. Bring the community into the conversation, engage them, so they understand what we're working with, what our limits are, what the problems are, what the potential solutions are, and the timeframe as well that we're dealing with.

Commissioner Ramirez, it's interesting because when I get constituent calls so often it's not—it's about an infrastructure problem and when I get a compliment it's because something got fixed in infrastructure. So, it shows that people really do attend to that. You know, when we drive through our neighborhoods, if we have folks who come from outside the county, we want to be able to show it off and there are certain places, frankly, that we're a little embarrassed for our friends and family from outside the community to drive through. That's just because we are at a point of failure in some place, deterioration, and we want to do better. We all want to do better by our constituents. We all want to say, yes, that can be fixed but, again, with limited resources we just simply have to say no, it's not happening, or it won't happen for a long time.

But to help our community understand what we're going through, I think as we come forward in our committees, it's going to be interesting to hear, so what are the alternative costs. If we don't do this, then what? If not this and something else is going to happen, what are the costs of failure? If you have—when you showed the, for instance, that culvert failure, it was just not cleaning out the basin that fed into that culvert, now it's repairing the road, the sub-structure. That's far more expensive.

Just by not taking care of those emergency failures, we're in even deeper. It's the same as if I have a leak in my roof and I don't fix the leak in my roof, then I'm fixing the drywall, I'm taking care of mold, I'm replacing appliances and furniture; that's what happens. Too often we're at that point of failure because we haven't been able to do the basic maintenance.

This is really a long-term narrative with short-term importance but long-term narrative. We need to see what are the costs and finances, but also safety risks by not taking action. If we don't take action, if we don't solve these problems, in the very near term—in the mid-term or long-term this is what it's going to cause. I think one of the things that we have to realize is that the long-term cost is loss of economic development, loss of population growth, loss of population which means we have a narrower tax base that has to support higher and higher needs, that's the wrong dynamic. We have to get to the place where we have a broader tax base, more investment generating—more people generating more revenues to help us take care of more needs.

That's why I think, Commissioner Burroughs, to your point, we do have to be strategic, we have to be careful, we have to monitor this, use the data that we've got and continually monitor the progress of this. This has got to be something that goes beyond my time as Mayor or your time as commissioner or Mr. Bach's time as County Administrator; this is a long-term strategy or set of strategies for our community to become who we really deserve to become, what our residents, our businesses deserve to come. That's the vision we're holding out and if we can articulate that vision, hold that vision out of what we can be and look and feel like, how we can function; if we can put that out there, I think we will attract more and more residents to say, yes, that's the right thing to do. If that's the right thing to do, then we will have the capacity to say we must do these things and we must not do these other things and that's the sense of really being strategic and our priority's being very clear about our vision, attracting people to that vision, so that they are willing to come along and get behind this. Not just for now, not just for next year, but over the long-term. If we can do that, then this community really has no bounds.

Mayor Alvey asked, any other comments or questions from the Commission. Anything else that the Commission would like to see from the staff who is going to report to our small committees, specific questions, topics that you would like to see explored?

Mr. Bach said I would ask if it's alright, with our staff working on this and being broke up into the six areas that you have, if any member of them may have a question back to the Commission tonight to ask. We have several members on here, the few that did the presentation, but John Kelly from our buildings and Vincent from our streets are all on this and they may—do any of you have questions in putting together your information and how you want—think you need to share it for

what you want to bring forward. If you have questions tonight, I would ask you to bring those questions forward and work this. This is a working session, a workshop, and I know the Commission wants to engage with you in the same way that you may need to engage back with them and that way we're better prepared to go into those committees.

Mayor Alvey said I'm going to take that one step further and then I will call on Commissioner Bynum and Commission Townsend before staff responds. Staff sometimes—obviously, we can't see what you see. We don't grapple with these problems day in and day out so you have to be frank with us, honest with us, to say well, you know, Mayor, you're missing this piece. I'm okay with that. We need to hear that because this is a workshop. We're working together. If we're going to come together on this, then that's what we're going to have to do in order to really move this forward. If we're missing something, if there is something we need to be looking at that you need us to do, we need to hear that, again, in a collaborative cooperative way. The Commission is here to support you in your efforts so that together we can provide our residents and businesses with what they need.

Commissioner Bynum said I just wondered if now was an appropriate time for the Commission to be weighing in on thoughts on the Rescue Plan presentation that we were given. We know the total dollar amount and I know that we are scheduled into sessions across the summer where we are going to be having that discussion, but again, infrastructure is a blinking red light and we all know that some of these dollars need to be spent on infrastructure. I'm curious your thoughts on if now is the time for some of that discussion as we get ready to move into our budget conversations. **Mayor Alvey** said just from perspective, it would seem to me that it would be preferable to go into our deeper dive in the committees and then we would have more specific questions and concerns and recommendations, but that in those small committees we would also have the presentation about what revenue sources are available, what might be available from that rescue plan or from any infrastructure act that might be passed, which is know is maybe hanging out there, so maybe that would be—but I'm not saying don't bring it up, but I think it might be more productive if we wait.

Mr. Bach said I might add, as we move to the next workshop for budget on the first, just from the perspective of what some of you saw during the on-three's, that is our intent to bring that back to comment. You know you were able to comment to us in smaller settings, we're still finishing some of those up, but for those priorities we thought that would be good during a workshop session when all of you could comment together on that toward those, toward the overall project prior, or toward the priority, not necessarily on the individual project level but toward the priorities that we're looking at.

Commissioner Townsend said going back to the question that maybe was you, Mayor, that was just raised a few minutes ago or maybe it was Administrator Bach about what things we might want Mr. Fisher and his group to consider. One of the things I'm thinking about is the fact that I'm sure we're not the only governmental entity who's dealt with this, so it might be helpful just to see if there's any way how other municipalities similar to ours may have dealt with this. Now, I know everybody's dealing with different budgets but that just might give us another insight or another view of, you know, what funding sources or how things strategically could be handled.

This is to just consider any and everything and I appreciate you, Mayor, and Commissioner Philbrook and anyone else who wanted to drill down and make this a specific target of focus because every one of us, as commissioners, deals with this in some way or another. Maybe culverts have sunken in, maybe potholes, so I think now is the time to look at any and everything that might help us solve this short-term and long-term.

Mayor Alvey said until another commissioner raises their hand, I would ask staff to kind of fill us in, give us a sense of how you think this ought to—how this ought to work, how we ought to work together on this. What kinds of questions or information that you really want to communicate to us, want us to dive into.

Mr. Fisher said if I might, it looks like Brandon Grover, Dave Reno are in the lobby and can participate if possible.

John Kelly, Director of Buildings & Logistics, said when Doug started talking about staff being on the call, I just want to say from a Buildings & Logistics perspective I'm extremely happy we're

at this point where we're able to get the Commission together to talk about these things, especially when we have potential funding on the horizon to be able to address some of these things. Over the last couple of years working with Ameresco, from the Building & Logistics perspective, we've got a lot of data that will help the Commission make good decisions along with administration and my staff knowing that we're looking at some of these facilities that are in the deferred maintenance. I'm excited, and like I said, I think we've got a lot of data that's going to be able to help us make the right decisions in keeping some of our vital facilities up and going. That's just my little piece that I wanted to add. But, like I said, I'm extremely excited for this process and just ready to get it underway.

Mayor Alvey said I'm going to ask a pointed question, John. Is this something so if you would come, when you come to the committee, would you be willing—and we're going to give you the freedom to say frankly in my opinion based upon the data we have, I would recommend that facility x or facility y be shutdown and consolidated and then we would say that's going to save us on maintenance costs and we can do this. Are those the kinds of things that you feel the data has prepared you to recommend? **Mr. Kelly** said, yes Mayor, there's some of that data but then, like I said, as we've been looking at these reports and data that's been provided from Ameresco—we have some of our key facilities like the Courthouse and City Hall and Memorial Hall that have some things that are urgent to get done right away. So, some of the facilities that we know that we're going to be keeping for quite some time, those issues are going to be brought up that there is funding out there that can help facilitate getting some things done, but that's also part of the study we're doing, the Tiering Study, looking at the buildings and right-sizing. But to say through the working session we'll have some of that detail, but that information is being worked on as we speak and that will be over the course of the rest of the year. That's all part of the processes that I have in place to be able to look at what buildings we may not need or consolidating maybe into one building that will serve the needs to the public and the UG staff themselves.

A lot of our outlying buildings, we have some leases that maybe aren't the right fit and maybe have some buildings that we own that aren't the right fit, so there's a mixture of things, Mayor, that we are looking at. Like I said, it will all be data-driven that will be able to best help us to make the best decisions.

Mayor Alvey said, John, this is just a good reminder that, as you said, that maybe all the data may not be present but data is going to be coming in, it's something you're working through and so this committee, again, is not a one and done kind of action. It's over the longer term and that we need to be patient for the data to come in so we can make the right decisions, but we have at least some sense that we're working towards the data, we're looking towards the data that's going to be able to make those kinds of recommendations, those kinds of decisions. If we just continue to come together in this kind of structure, we can get there.

Mr. Kelly said exactly. Like I said, there's must do's that we know that on some facilities we just have to get after and address things and then some stuff over the long-term that will still help us—say this as potential funding source that we keep referring to, to be able to help ourselves get some things done. As those dollars are being spent, that data is going to be coming in and will still allow us over the next, I feel, 8 to 12 months still making some of those decisions as that information comes in.

Mr. Anderson said I just want to add that the other thing that the data allows us to is to envision what buildings in the future should look like. Things like elevators that are an annual expense items that tax the UG tax revenue structure to the point where we can't move funds around. We should envision that data as driving the next type of City Hall. It's not just about maintaining existing, it's about using that data to envision what the next structure looks like.

Mayor Alvey said do you have anything else from staff? Again, what is it that we need to know as commissioners to be able to just understand the process you're going through? You know, we need to be speaking the same language, help us get into your world a little bit more.

Mr. Fisher said I don't know that I have anything for you on that. I think to your point, we need to be bold and think big and I guess I would suggest leave no stone unturned. I don't know if initially maybe there's some ground rules that this Commission wants to operate under. Maybe there's sacrifices that the Commission doesn't want to touch, so I think those are discussions that might be helpful in the beginning to set the tone for the rest of the committee's work.

Commissioner Philbrook said, Jeff, thanks for that suggestion. I have two words in mind. One is candid and the other one is that while we're working together, that we all be candid about what's going on. It doesn't mean what we say we know exactly what's happening, but if we don't ask and if we don't make it clear that it is a concern, then how can we address it? The other is being kind to each other. We have to respect each other for knowledge and the fact that we're all here because we do care and so those are the two basic rules I think we need to have. I think we could build off of that, but that's the beginning for me.

Commissioner Ramirez said, Commissioner Philbrook, you took the first candid, your first point out of what I was thinking. To staff, be frank with us. As the Mayor said when he was asking Mr. Kelly about the facilities, if you have recommendations, if you have thoughts, give them to us. Don't hold back. Give them to us because then that creates a more broader conversation we can have, a more specific—it can be more broader but then it can help us get specific. So, bring recommendations, bring your thoughts, be candid, be frank with us because we want that to be with you as well. If we don't have that, we're not going to get the best long-term plan that we could have.

Commissioner Johnson said thank you Doug, Jeff, and your staff for this presentation. I think I heard this somewhere along in the presentation, but I think it would be good to just double down on the fact that as we're moving forward the concept and the reality of equity needs to be ever present in what we do. Not only present in the conversation, but as we move things forward and are actually applying these and expending funds, we need to make sure that the community recognizes that equity is part of how we are making decisions and applying funds to the betterment of our community. Again, I think I already heard that somewhere, but I think—you know if I would say anything, that we need to make sure that word equity and getting inclusive tying back to what we were talking about even as we were talking about training, that those concepts are evident and clear as we are moving forward.

Mr. Bach said I would just add too that per the Commission's request, we have built a structure of Commission tours to go out through the community. I think we have those almost finalized at this point. The intent on those was to show projects that have worked, but also really to spend

more time emphasizing and showing projects in areas where we have needs and then let commissioners kind of see, touch and feel a little bit different on an hands-on perspective of where those are and what kind of impact and then what kind of changes can be made through those. You all requested that and I think now its really just getting to the point of figuring out how we schedule those, whether we do those in big groups or smaller groups as we go along. I believe we'll be ready for that fairly shortly.

Melissa Sieben, Assistant County Administrator, said I would also just like some understanding of kind of the formality or not lack of formality around these subcommittees. We started kind of talking about some ground rules, things of that nature, for how do we want to facilitate this and I guess each group may be slightly different but definitely that's a skillset that we can bring to the table to help you all meet those goals that were just discussed by the governing body.

Something Jeff and I talked about we were actually sitting down trying to formulate that facilitation, but wanted to hear what you had to say and figure out how we would do that.

Mayor Alvey said I think that's going to be up to each committee. I think definitely there will be certain questions that each committee will submit to staff so you can prepare and also staff should prepare what they believe needs to be presented and then, obviously, it will be a back and forth. I don't—in terms of the formality, you know, it's going to be small groups of 3 to 4 commissioners at a time with staff. Each committee or some small committee will be scheduling. I will have my assistant Ana help schedule those or Commission staff will help schedule those. I will be attending each of those committee meetings as much as I can because I think it's important to have some cross-pollination. I can hear what's going on the rest and bring it back and forth to each one so I don't know that it's going to be that structured. It's going to be fairly informal, really fact-finding, just kind of a study session more than anything.

Anything the Commission thinks ought to happen with that, I'm good with. I think it's really just good conversation, discussion about data that's coming forward and giving further direction and coming back.

Kathleen VonAchen, Chief Financial Officer, said one suggestion that I would like to see is to incorporate our Planning and Urban Design Department into the conversation. I'll just remind you

back about two years ago, Alan Howze worked with a consultant that—Urban3 where they gave a presentation on the value of property tax collected by parcel. It really demonstrated the distribution of where that wealth or that revenue was coming from across the UG. I think there's a very—we need to evaluate how our past practices with Urban Planning have contributed to the number of roads, the miles of roads we have and whether that's sustainable or not. Obviously, it's kind of not you know. So, what would be a more sustainable model, how to urban design, land use planning, transportation system impact financial sustainable. Those are things that I think we also need to consider. That's what I would like to see.

Ms. Sieben said Kathleen does bring up a good point and I would say that as all this work is being done, there is a lot of dialogue going on between a variety of departments within the Unified Government as you saw Parks, but even Transit is also kind of part of that planning and looking at how we use infrastructure. So, there is definitely a multi-disciplinary conversation that will—you know without guessing any further, that will occur. And I think part of the other thing that we've been discussing recently more around here with WIFIA and other things that we've been working is also how kind of doing right by the environment also may have infrastructure benefits long-term. I think those things are all going to crossover. I think as we dig into this, it's going to unravel another set of strengths so I think we're fully prepared to do that and work with you and definitely Gunnar and his team as well as Justice, his team, and the Parks Department are all going to be part of how we get the community where we are desiring it in the future.

Commissioner Townsend said I want to go back to something that was on my mind, and Commissioner Johnson brought it up, and that would be the issue of equity in this process. I really like the idea that the committee will be evaluating emergency needs versus urgent needs versus long-term needs as a mechanism on what to attack first. But, even within those categories, we're going to have to be very clear on what the ramifications and choices are for why there may be an emergency a, or an emergency b, or an emergency c; so all of our constituents feel as though in their district these necessities are being taken care of.

For instance, we mentioned the culvert that collapsed, well, what's the ramifications if that isn't fixed, if somebody drives off the road versus another emergency that may have a slightly less traumatic impact if not fixed. It will be very important in this process to make sure that it's

communicated within even those subgroups why something may be handled before one situation is handled before another, so looking forward to that. That is something we need to be thinking about in the process.

Alan Howze, Assistant County Administrator, said I was actually thinking kind of along those lines of what Ms. VonAchen spoke about just a minute ago which is that this Commission has looked at various measures of productivity and the analysis of tax productivity per acre in thinking about the city like a farm or like a business and what are the productive yields. I think that may be one of the challenges for each of the subcommittees to think about and look at, you know, what is the return on investment. That's a familiar concept, return on investment. What is return on infrastructure in these different buckets and what does that mean to measure it to look at it. I think that's something staff can provide a lot of data to help to chew on, but I think that's going to be where the elected officials and policymakers to think about. What does that mean to talk about to land on measures that look at return on infrastructure.

Mayor Alvey asked, are there any final questions or comments? That concludes our Special Session. That concludes this report on infrastructure and I will be sending communications to each of the commissioners on committee assignments and then helping to coordinate setting up meetings with staff. Again, we have time on this. This is not something that has to be done in the next month. This is a long-term thing, data will be coming in to give staff an opportunity to continue doing their work on budgeting in general. This is a parallel process and it's going to require staff time, so we want to be respectful of their time in a collaborative way.

Thank you all again for this and thanks to the public who are viewing in. I'll now turn it over to Mr. Bach for an announcement.

Mr. Bach, County Administrator, said after considering a very unique situation that Katherine Carttar is in with the pregnancy of the birth of her child and decision to marry and live with the father of her son who is also the Mayor of Kansas City, Missouri and Katherine is our Director of Economic Development for anyone watching that does not know that. I found myself considering a temporary residency exception unlike any, I believe, I or my predecessor ever considered. As you do know, I do make exceptions to our residency policy for various hardship cases or special

conditions that come about through the course of a year for many employees. These situations all plan a path for the employee to move or return to their residency in Wyandotte County and in many cases allow for significant investment in our community on the part of our employee.

We've even had a couple of exceptions over the years, over the past 20 years, where I would say we had special needs situations of children or medical conditions of a spouse which resulted in a multi-year extension of their residency requirement.

In the case of Ms. Carttar, she wants to live in Wyandotte County; however, due to her husband's employment, he also has a residency requirement. She has expressed her clear desire to keep her job but also would like to live with her husband and raise their son together. Being that her husband is the Mayor of Kansas City, Missouri, I believe this is a situation where his residency requirement trumps ours and I believe a temporary waiver of residency requirement is in order while he is the Mayor of Kansas City, Missouri.

The special agreement I would do with Katherine will be in place while Mr. Lucas is the Mayor and at such time he no longer holds this position, it is my expectation that she would resume her residency in Wyandotte County. While I believe this falls under my authority to grant special exceptions to our residency requirements, I wanted to make sure you were all informed in advance and if there are concerns and decision, it can be noted. Just in the end, I will say I do believe this is the right thing to do for this employee.

Commissioner Burroughs said, Mr. Bach, have we had situations that have required us, that has challenged us legally to do this with other employees? **Mr. Bach** said we have had legal challenges in the past when we have terminated an employee for failure to comply with residency and I believe those are all in relationship to cases where someone—there was no ask. They just simply did not live here and those were terminations. Ms. Brown, any clarification or exceptions to what I said? **Misty Brown, Chief Counsel**, said you have summed it up correctly. The legal challenges we have had have been on termination aspect of it, not challenging the residency itself and to my knowledge none of them have been for a request for a waiver. It was simply that they were discovered living outside of the county and then were terminated for that.

Commissioner Burroughs said if I may, Mr. Bach, the question I would have is we have been trying to recruit Public Safety personnel because of the shortages we've had and many times they have spouses that have jobs outside of our community and it has not allowed us to consider

them for employment with us if they are not willing, or the spouse is not willing, to move into our community over a period of time. How is this different than that? I just want to make sure that if we make an exception that we are doing it 1) within the realm of our policy and 2) that we're not setting precedence to chip away at our residency requirement. **Mr. Bach** said thank you, Commissioner, that's a good question. I'm thinking the difference to the unique situation with Ms. Carttar is that she was already employed with the Unified Government and with the birth of her child had a situation with her spouse who is also under a residency requirement which puts her in a position of whether she has to leave her job, her career, with the Unified Government or not live in the same household with her spouse.

Now, as you referenced, there could be other people in Public Safety, an area that we are working to recruit, someone that has a spouse located in another community and that's not an option for them to say, okay, now I'll put in an application to come here. A little bit difference in the sense that one was preexisting employment in the relationship that came to play versus somebody that was not before. I think there are things that we could consider in the future regarding our policy that could be based on maybe reciprocation to other jurisdictions that have residency requirements, but that's not what I'm seeking tonight. I'm thinking that would be more of a policy change in general and maybe those are things that could be discussed in the future.

Commissioner Burroughs said first and foremost, I want to say how much respect I have for Ms. Carttar in having the opportunity to work with her these last three years on economic development and watch her grow in this job. I see the valued asset, so by no means are my questions here geared towards anything other than to ensure that as we move forward on this, should you deem this necessary and the Commission support it, then I just hope that as we move forward with additional personnel that we don't start seeing an exodus by spouses who may have a requirement in another community that requires them to leave our community and go live with another spouse. I just don't see how this is much different than what we've already dealt with with residency requirements that, Mr. Bach, you've articulated your position on this. As I stated, I have a tremendous amount of respect for Ms. Carttar and for her husband, Mayor Lucas of Missouri, that, you know, our responsibilities to the citizens of Wyandotte County and to the personnel, so I will just leave that with you Mr. Bach and the rest of the Commission for consideration.

Commissioner Bynum said, Mr. Bach, said I just wanted to express support for the policy decision that you're making here. We have a professional employee who I think we can all agree is performing at a very high level. In 2020 we were not only experiencing a pandemic but our employee was instrumental in bringing our county to a near record level of capital investment. Historically, we have examples of allowances being made for other Unified Government employees and why would we ask this professional to choose between her child and husband and a job that she performs at a high level that benefits every single one of us. So, that's the question I put in front of everyone. It's a highly unique situation, it's a spouse who absolutely cannot move, so there is no option on the table for her husband. Other situations have included the ability to make a choice. This situation does not. It forces a choice between a professional choosing between her spouse and child and her job. I think that's patently unfair and I think what you're proposing is a very narrow carveout and it has a finite ending to it. It is not in turpitude. I'm explaining why I can stand in support of this policy decision that you're making for this employee.

Commissioner Ramirez said I have thought a lot about this, you know, ever since it was brought to our attention. The residency requirement has always been an issue that has been around in our community. I know when I was originally in the beginning campaigning, it was an issue that I heard a lot from people. People for it, people against it, and I'm still within myself trying to figure out where I stand on it. I mean, at this point, I know where I stand.

When Mr. Bach presented the possibility of him granting the exception, I was not in support of it because the majority of our community based on the community survey, it supports the residency requirement, but knowing and hearing tonight that it is a temporary exemption and as Commissioner Bynum has said, there is a finite end. It's based and tied to her husband, Mayor Lucas's, term as Mayor.

The one question I have for Mr. Bach, is it tied to just this—his current term or what happens if he were to rerun for Mayor, would that spill over into his next term as well? **Mr. Bach** said I feel like it's tied to his—while he is in office as the Mayor of KCMO. I believe they are limited in terms over there so they would only have one additional term that he could run for and then that would be it. It would not be tied to any other elected positions he may choose to hold. It would just be specifically about this job.

Commissioner Ramirez said I'm still on the fence with it and it's nothing against Katherine in any way, shape or form. She is an amazing employee. She has—last year was one of the best years for Wyandotte County economic development wise, and that was because she was at the helm of it along with her staff and all the other staff here at the Unified Government. She is amazing, she knows how to do her job, she's passionate about Wyandotte County and about this community and making it the best that it can. I'm on the fence, but I will support it as it has, as Commissioner Bynum said, a finite end. It's hard to find an employee like Katherine. It's hard to find any employee that we currently have—employees that are compassionate and passionate about the work they do in the community that they serve. It was in my mind and I'm sure many other commissioners on this board would second what I'm about to say, it would be very hard to replace Katherine for all the work she has done, so I would support the temporary exemption for Katherine.

Mr. Bach said thank you Commissioner. I appreciate all the comments. I do want to stress that my exception is being made for her unique situation, not based on her skillsets or uniquely looking at her while she does bring great skills to the table for the position. What I'm looking at is, I believe this is a very unique situation regarding her situation and that's the evaluation as made of her as an employee which could be done if she was in a different position as well.

MAYOR ALVEY ADJOURNED

THE MEETING AT 6:24 p.m.

Brett Deichler
Interim Unified Government Clerk

dt

June 24, 2021

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

SPECIAL SESSION, THURSDAY, JULY 1, 2021

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, July 1, 2021, with eleven members present remotely via Zoom, by phone or in person. 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; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. The following officials were also in attendance: Doug Bach, County Administrator; Alan Howze, Emerick Cross & Melissa Sieben, Assistant County Administrator's; Brett Deichler, Interim Unified Government Clerk; Misty Brown, Chief Counsel; and Kathleen VonAchen, Chief Financial Officer.

MAYOR ALVEY said before I call the meeting to order, I want to announce that due to COVID-19, we have individuals attending remotely 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 participating knows who is speaking. This is critical given the number of remote participants in his current guidance from the Kansas Attorney General.

MAYOR ALVEY called the meeting to order.

MAYOR ALVEY said I would ask the Clerk to announce the meeting and call the roll.

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

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, July 1, 2021, at 5:00 p.m. in the fifth floor conference room for a Budget Workshop.

Due to COVID-19 the public will be able to observe or listen to the meeting live on YouTube or UGTV or through Zoom for the special meeting portion only.

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

Mayor Alvey said tonight is a Budget Workshop and I will turn it over to Mr. Bach to introduce staff.

TONIGHT'S PRESENTATION TOPICS

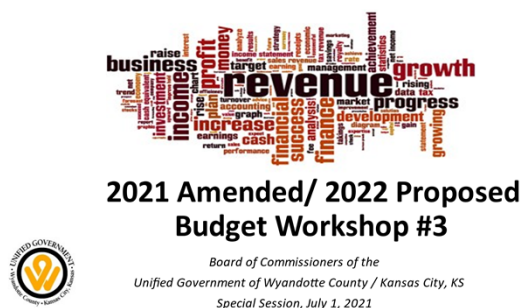


Doug Bach, County Administrator, said for tonight's presentation we're going to walk through a few different areas from a Budget Workshop perspective. One is our revenue estimates which is important for all of you to take in to understand just where we are as we concluded last year. Then as we're able to move through getting about six full months into this year, it certainly puts us in a better position when we start to project where we're at for the coming year.

We also want to walk through where we are with the American Rescue Plan and the dollars that are coming in from that perspective. I know we've reviewed this some with you but this will allow us to go into a little bit more detail of where we're at and some of the things we're looking at for this.

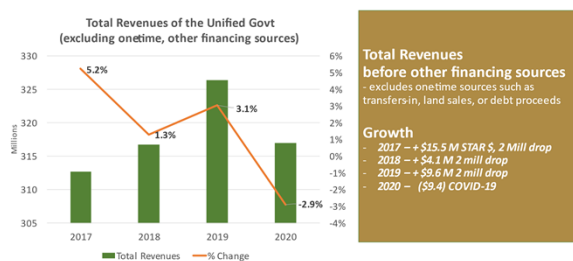
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Also, I wanted to talk about employee recruitment, hiring and retention which is really a very big cost center for us. It's also becoming a very big issue for us as we are trying to keep people in our organization and hiring them into our organization. So, with that, I'm going to turn this over to our Chief Financial Officer Kathleen VonAchen and let her make presentation on the revenue estimates.



Kathleen VonAchen, Chief Financial Officer, said I'm going to start off the budget process by looking at how much weight (inaudible) typically begins at this point except it's been delayed somewhat by a new state law so we're now examining an amendment to our current year 2021 Budget and working towards development of our 2022 Budget.

Knowing our Revenue Base. What supports services?

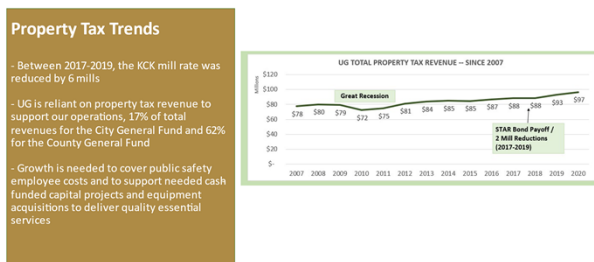


Before we start off, I thought we should look at, you know, just getting to know our revenue base and what supports our services. These are total revenues across all the Unified Government excluding one-time revenues and other financing sources. You can see since 2017 to 2020 there has been some revenue growth but you can really see that it varied quite a bit. In the first year, in 2017, it went up 5.2% and then it dropped by—then it only grew by 1.3%. In 2019 we had a good

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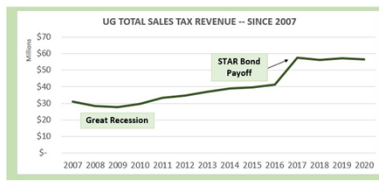
year and that grew by 3.1%. Then, with COVID our total revenues actually declined by 2.9%, so we're ending the fiscal 2022 with revenues roughly in the range of \$318M in total.

Over on the side in the box, you can see generally what contributed to some of the revenue growth and decline. You know we did get that big STAR Bond increase, so that contributed to the \$15.5M increase in 2017, but then in '18 and '19 the growth was at \$4.1M and \$9.6M each year even despite the fact we had a 2 mill reduction in those years. In 2020 across all the revenue base without any one-time revenues, we saw a decline in revenues of \$9.4M, that's during our COVID.



I'm just going to recap on some of our major revenues, Property Tax trends. As you can see since 2007 when the great recession happened, there was a decline in property tax revenues during that time, but since then it has been growing steadily reaching \$97M in 2020. Between 2017 and 2019 the Kansas City, Kansas mill rate was reduced by 6 mills during that time period and the UG is relying on property tax revenue for supporting our operations. Not so much in the City General Fund where only 17% are relying on property tax but very much so on the County side where 62% of our operations is supported by property tax.

This growth is needed to cover Public Safety employee costs and to support needed cash-funded capital projects and equipment acquisitions to replace aging equipment and so all that to deliver quality services to our residents.



Sales Tax Trends

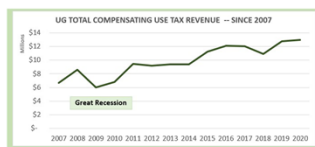
- STAR bond payoff coupled with reduction in property tax mills increases our reliance on sales tax
- Since STAR bond collections January 2017, sales tax receipts have been relatively flat ranging between \$4 to \$5.5 M per month
- Dropped (1.85%) during COVID shelter-in-place but rebounded afterwards

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The next largest is Sales Tax and that has trended upwards mainly because of the STAR Bond payoff that occurred in 2017, but that STAR Bond payoff and the fact that we reduced our mill stream '17 through '19 increased our reliance on sales tax as opposed to property tax. Generally, sales tax—since the STAR Bond collection in January 2017 sales tax receipts have been relatively flat unfortunately. They've ranged about \$4-5M each month and, you know, they did drop during COVID in 2020. They dropped by 1.85%. They didn't drop as much as I anticipated so we're very fortunate for that and they have rebounded afterwards.

Use Tax Trends

- Due to online sales and industry equipment acquisitions, compensating use tax receipts has grown from \$7 M in 2007 to \$13 M in 2020
- COVID 2019 did not greatly impact this revenue, only growing by 1.6% in 2020
- 2020 saw a 55% increase in online sales, or an additional \$3 M
- 25% of total is from retail sales, with largest use taxpayer being Amazon



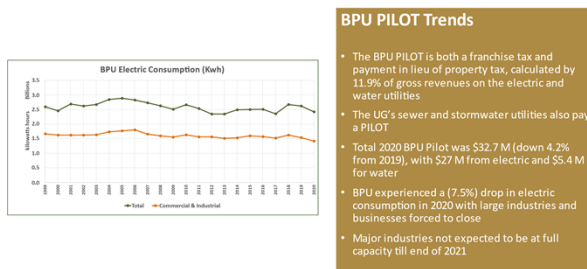
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The next slide is Use Tax, so we don't often talk about Use Tax but it's now becoming a more prevalent revenue source and it's derived from the equipment acquisition of new company start-ups as well as online sales. Use Tax receipts have grown from \$7M in 2007 up to \$13M in 2020 and COVID-19 did not greatly impact this revenue as you would think it would have because overall the total only increased by 1.6% in 2020. Part of that is because of the composition of that Use Tax where the amount we get from company equipment acquisitions and start-ups, very straightly, depending on what companies are doing and so that causes that total to change quite a bit.

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In 2020 we saw a 55% increase in online sales which contributed to an additional \$3M in Use Tax collections. You can see in 2020 how the light green amount was greater in '19 than in '20 and that's the amount that we got from other types of uses and the dark green in the graph there, is the amount for online sale, so it's really picking up online sales and Use Tax collections.

The largest in the retail sector for online sales is Amazon as you would have probably guessed.

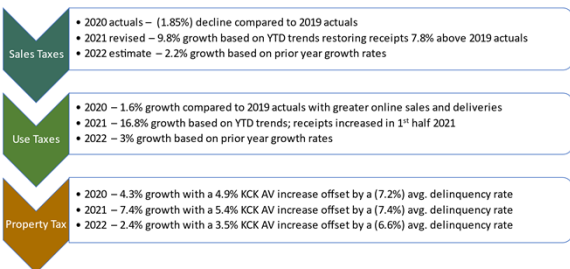


The next slide is another large revenue source for us and that's the Payment-in-Lieu of Taxes that we collect from the Board of Public Utilities and that amount is not only a franchise tax, but it's also a payment-in-lieu of property tax. It's calculated by 11.9% of the gross revenues of the electric and water utility and the Unified Government sewer and stormwater utilities also pay a PILOT as well, just so you all know.

The total 2020 PILOT equals \$32M or almost \$33M. That is down 4.2% from the amount we collected in '19 and with the split being \$27M from electric and \$5M from water. The BPU did experience a \$7.5M drop in electric consumption during 2020 due to large industries and businesses being forced to close during COVID and that consumption declined. Major industries, some of them are not expected to come back to operations until the end of 2021 so that revenue source is going to continue to struggle.

Revenue Estimate Assumptions (U@vide)

AMENDED 2021 AND ESTIMATED 2022



The next two slides talk about our estimates for the upcoming budget, so we're going to amend the current year budget because the revenue estimates that we currently have in the budget for the current year were done last summer when there were a lot of unknowns. So, we're going to change those numbers and then we're going to estimate what we think is going to happen in the next 18 months. I've included a little bit more information to give you some context for 2020.

Sales Tax, although it did decline 1.85% last year during COVID, we are expecting a rebound basically at catch-up for the two-year period with 9.8% growth based on year-to-date trends. Because we're doing revenue estimates a little later in the budget process, we have more data. Restoring the receipts—basically, this increase if you compare it against 2019, is a 7.8% increase. For 2020, we're going to use 2.2% growth rate just based on prior year growth rates, a conservative growth rate.

The Use Tax, which is another component of sales tax and, as I mentioned before, it grew by 1.6% in 2020. We're expecting it to grow by 16.8% in 2021 based on year-to-date trends. Basically, the receipts have really picked up in the first quarter of—the first half of 2021. In 2022 we're expecting it to grow by 3% based on prior year growth rates.

Property Tax in 2020, that revenue grew by 4.3% and that was based on an assessed value for Kansas City, Kansas of 4.9% and a delinquency rate factor of 7.2%. The 7.2% delinquency factor, although it's not as great as I budgeted or expected when we were in the middle of COVID, it is greater than the amounts that—the delinquency rate that we had in the prior years. In the prior years it was around 5.7% so it has picked up. It increased to 7.2% and I believe that in 2021—or actually we've almost collected all the revenue for property tax so the current delinquency rate in 2021 is at 7.4% right now and the growth—it happens to coincide the same with the growth in the actual revenue source based on a 5.4% increase in assessed value.

The Appraiser and our UG Clerk have already certified the property tax assessment value and they've come in at a 3.5% increase per assessed value in Kansas City, Kansas. I'm anticipating that the delinquency rate will drop to 6.6% so that results in an increase in property tax of only 2.4% overall.

Mayor Alvey said the 2022, why would we only anticipate a 2.4% growth and you're talking about assessed value of all property, commercial and residential, correct? **Ms. VonAchen** said yes. **Mayor Alvey** asked, do we know why? Because clearly the trend is higher and higher, 4.9 and 5.4, I don't understand why—how did we come to a 3.5%? **Ms. VonAchen** said I'll tell you why. This property tax includes all of the property tax including the county. Just for simplicity, I put just the Kansas City, Kansas figures. The Wyandotte County assessed value figures and delinquency factor are slightly different, so the melding of the two combined calculations resulted in that 2.4%.

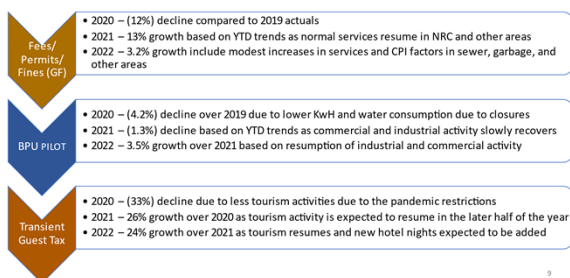
Mayor Alvey said I guess what I'm questioning is the average increase in value. In 2020 it was 4.9 and 2021 was 5.4, why would we anticipate even slower growth which—how I understand where the markets are, there's a demand for housing, especially affordable housing, and we have a lot of that still and so that's being bid up. So, 3.5 seems low to me. **Ms. VonAchen** said I meant to mention that in the back of your packet there is some additional information, like 25 or more slides that talk a lot about the different components of each of these major revenues. One of the packets in your slides, which I can refer you to, is how the property tax assessed value or the assessed value, what components it contains. It is basically half and half residential and commercial and commercial property sadly—you know, residential property has been increasing at a good clip in the 7-8% range or even 9 over the past few years. Commercial property has really dropped quite a bit and so this past year it dropped significantly. In fact, it only increased by .4%. There's also the state assessed utilities, the railroads and the utilities, that are assessed by the state and those really declined as well this past year.

Personal Property every year declines because of a statute that was changed back over 10 years ago on how they handle machinery and equipment. Unfortunately, that combination of half of our assessed value actually declining really drew down the assessed value in total for the county and the city. **Mayor Alvey** said okay, thank you.

Ms. VonAchen said the other point is that we are in our—the 2022 will be our third out of four years in which we are refunding Hollywood Casino for property tax they paid in protest previously which we lost that lawsuit and so that has a \$1M impact on the amount we collect.

I recommend you go through those slides and take a look at them and I'm happy to answer any questions.

Revenue Estimate Assumptions (UWide) continued
AMENDED 2021 AND ESTIMATED 2022

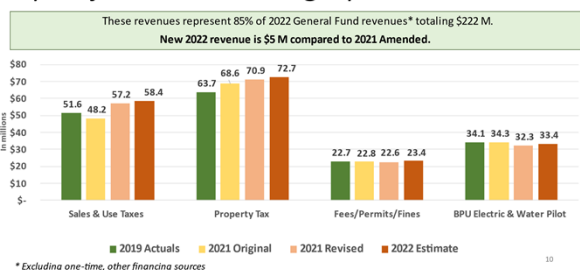


The second slide here continues to talk about revenue estimate assumptions, so fees, permits, fines all across the UG declined by 12% in 2020 and in '21 based on year-to-date growth it looks like we're going to pick up back where we were in '19 with a 13% growth rate. That doesn't mean that it's going to, you know, create a whole bunch of new revenue. It's basically the same as what we collected two years ago, so just keep that in mind when you're looking at these growth rates. In 2022, a 3.2% growth rate based on modest increases in various services that are tied to—that have CPI factors in their contract such as sewer, garbage, and other areas.

The BPU PILOT, as I mentioned before, the consumption level in the electrical—you know the utility has been struggling as industries are slow coming back on line, so in 2020 we saw a 4.2% decline over 2019 due to lower kilowatt hour—hour and water consumption due to all the closures. In 2021 based on year-to-date trends we see that it won't be as bad but it is going to decline by 1.3% and then in 2022 we think things are going to resume and that certain industries will be coming on line in the tail end of 2020 resulting in a 22—for 2022 a 3.5% increase.

Lastly, Transient Guest Tax, not a big number but it was tremendously affected by COVID. It declined by 33% due to less tourism activity in 2020. We see it coming back to 26% in 2021 and then another 24% growth rate based on as tourism resumes and also anticipating new hotel days.

Consolidated General Fund by Major Revenue Category



This graph shows the major revenue sources and what I've provided you is some information so you can get a little context of the years. In the green is 2019. We skipped 2020 because we all know that was low. We're just looking at 2021 Original with the yellow, '21 Revised which is what I've been talking about in the light orange and then the darker orange is our estimate for 2022. Overall, I just want to point out—I don't think I need to go over each of these, but you can see how some of these revenue sources are actually—were affected differently by the COVID. Although we are improving and picking back up to where we were before, we are not quite where we should be. If you factor in the fact that had there not been any COVID, these increases between the two years would have been greater than what you're seeing.

All of these four revenues comprise of 85% of the total 2022 General Fund revenues which are totaling \$222M. The revenue estimates in total demonstrate that we only have \$5M in new money for 2022 to reallocate for growing needs in our operations or new initiatives.

Mayor Alvey said just to be clear, \$5M in additional revenue but this only represents 85% of the total. There is no net revenue growth in the other 15%? **Ms. VonAchen** said no. This is just to point out that graphically I'm only showing you 85% of the revenue. **Mayor Alvey** said in that 85%, but \$5M. **Ms. VonAchen** said yes, the total only represents \$5M more in additional revenue and that's just the consolidated City/County Parks General Fund.

Commissioner Johnson asked, why are you just showing us 85%? **Ms. VonAchen** said just because it would be too busy if we showed all the revenues here. We could show you all the other revenues. **Commissioner Johnson** said I think I would have liked to have seen the 2020 in relationship to the prior year and the current year just to see the flux—just to see how it's been affected. It's just a comment that I have. I would have loved to see a bar for 2020 on all of those.

Ms. VonAchen said I'm happy to provide that. It's real easy. We can send that back out to all of you along with the other 15% in revenues too.

Consolidated General Funds Preliminary Outlook

(\$ in millions)	2019 Actuals	2020		2021	
		Original Budget	2020 Actuals	Original Budget	Revised Estimate
Revenues	\$ 210.7	\$ 217.3	\$ 199.7	\$ 212.8	\$ 219.6
Transfers in	2.3	2.3	6.3	2.3	2.3
Sale of capital asset	-	-	2.2	-	-
Total Revenues & Transfers	213.0	219.6	208.2	215.1	222.0
Expenditures	203.8	213.6	193.5	214.9	216.1
Capital outlay	4.0	7.2	2.2	3.1	3.4
Transfers out	2.8	2.4	9.2	2.3	3.0
Total Expenditures & Transfers	210.7	223.2	204.9	220.3	222.5
Net Margin	2.4	(3.6)	3.3	(5.2)	(0.5)
Beginning Fund Balance	\$ 39.9	\$ 42.3	\$ 42.3	\$ 45.6	\$ 45.6
Ending Fund Balance	\$ 42.3	\$ 38.8	\$ 45.6	\$ 40.4	\$ 45.1
% of Expenditures & Transfers	20.1%	17.4%	22.3%	18.4%	20.3%

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This is a preliminary outlook of the Consolidated General Fund. We provided a couple years as context. In '19 we had total revenues of \$213M with expenditures of \$210M so that was a net margin between revenues and expenditures of a positive \$4.2M in 2019, so that gave us an ending fund balance back then of \$42.3M. This is based on the Comprehensive Annual Financial Report figures. That represents 20% of our expenditures and transfers which is greater than the two-month minimum target reserve. A minimum target reserve is roughly 16.7% of expenditures and transfers, so that was good.

We've provided 2020 Original Budget just to give some context. The difference in how much money we collected—sort of a baseline of what we would have collected had there not been COVID and then how much we did collect. Just so we don't have too many columns so we just used the original budget and then actuals to show that difference. In 2020 even though we budgeted at the beginning of the year not knowing about COVID \$219.6M. We ended up collecting \$208M so there's that reduction in revenue that we experienced during COVID.

On the expenditure side, we originally budgeted \$223M but we ended up only spending \$205M. Now, much of that, as you can see in the Capital Outlay line, was due to reductions in cash capital and equipment acquisitions. We reduced them, but certainly, you know much of that has to be done later. It's not going away so if equipment needs to be replaced, it has to be replaced in the subsequent years.

The big difference in expenditures, certainly the departments really did step up and make changes to their operations and cut costs and we did hold off on hiring positions, but it's also due to reimbursement of Public Safety expenditures coming from the CARES Act which were recorded

as a net negative against the expenditure line in that—in 193, so you’ll see that a little bit too. As a result, rather than ending the year with a deficit in that margin, we ended the year with \$3M in the positive. You’re going to see that later in the Comprehensive Annual Financial Report that you’ll see at the regular meeting later on. We ended the year with 22.3% of expenditures and transfers which far exceeds—you know, it exceeds the 16.7% two-month operating target that we had.

In 2021, 2021 Original Budget, was put together after we knew a little bit more about COVID but still weren’t sure about what was happening with the fall wave and perhaps when the vaccine was going to come out and you know all of that was still an unknown when we did the budget last summer. We estimated that our revenues were going to come in at \$215M and we’re now saying they’re coming in at \$222M so that’s \$7M greater.

On the expenditure side, we budgeted \$214M on the top end there and we’re anticipating—well \$215M so we’re anticipating an increase of \$1M in that expenditure line and that basically accounts for a number of contract changes that have been adopted since—during that time so over the past six months. We have made some slight changes in Capital Outlay that we showed you doing the CMIP process and transfers out have—we’re recommending some transfers out because of some obligations that we chose not to do because of COVID and now because we see that there’s a little bit more money, there’s more money available to pay back some of the obligations that we had.

The good news is the net is that between revenues and expenditures for the current year we see only a \$500K net difference between revenues and expenditures, so we expect to end the year with a percentage of expenditures and transfers of about 20%. We’re not showing you the 2022 year yet because that’s part of the budget process. We’re going to—we still need to go through and examine our expenditure levels and work through our process with our departments and the County Administrator administration.

Any questions on this?

Commissioner Walters said so as I see the big picture here, we’re expecting about \$7M more in revenue in 2021 and most of that, \$5M of it, we’re just going to put in the bank and increase our fund balance. Would that be correct? **Ms. VonAchen** said no, we’re not adding any in ‘21 to the fund balance. **Commissioner Walters** said I see, help me with this, \$7M in revenue, \$2M in

additional expenditures. **Ms. VonAchen** said yeah, so when we did the original budget we anticipated using our reserves at the \$5.2M. **Commissioner Walters** said I see. So, we're only expecting to increase our expenditures by \$2M. **Ms. VonAchen** said yes, that's right. **Commissioner Walters** said alright, thank you.

Commissioner Kane asked, what is the actual amount of monies that we lost last year due to the pandemic? **Ms. VonAchen** said we've been talking about how much revenue we lost because of the pandemic and so in the future—well, actually in the next presentation I'm going to talk about the revenue loss and that revenue loss figure is calculated based on the Treasury guidance and it only includes certain revenues and not others. This is the total big picture for the General Fund and so you see the total picture and you can see the difference right here. **Commissioner Kane** said somebody just on a little plain card, I want to know what we thought we were going to do, what we did, and where we're at for '20 and I want the exact same thing for '21 because these numbers are confusing me. Like what Jim is saying, it looks like we got more money than we ever thought we were going to have and then, you know, exactly how much stimulus money we got last year and how much stimulus money we think we're going to get this year, yeah, I don't like this chart. All it is, is a little bit. I'm not asking for a great big, long chart. I'm asking for something super simple. The kiss theory, keep it simple stupid because if you want to confuse somebody, go ahead and read that chart. So, I'm asking for that and I hope we get it before the 7:00 meeting or I hope I get it before the 7:00 meeting.

Mr. Bach said if you look at the top line up there where you see the total revenue and transfers, and where we see 2020 Original Budget \$219.6M and then the next line 2020 Actual \$208.9. This is an isolated picture of the consolidated General Funds. We got \$11M less in these funds than we did—than what we originally projected in 2020. **Ms. VonAchen** said that's right. **Mr. Bach** said what Kathleen was saying is she is going to show you in the next part of the presentation there is a bigger number that comes together because we look at all different areas and different formula's. If we just look at these funds which are taxing ones that we go, we were down \$11M last year. **Commissioner Kane** said okay. One more time, yeah I want it simple, I want it where I can read it. I don't care, add all the numbers you've got, but I want to be able to say to Joe citizen, here's what it is and if I sent this to Joe citizen right now, he'd be going what the hell does that mean.

Mr. Bach said I think we'll be able to provide that to you. **Commissioner Kane** said I want it separate in a way. I don't care if you show it up here or not, but I want one specifically like I asked.

Commissioner Walters was (inaudible). (Apparently did not have mic on).

Mayor Alvey said, Jim, I'm kind of following the same thing you're following. The 5.2 and the—**Commissioner Walters** said (inaudible) into fund balance in the 2021 Original. The 2021 Original and the 2021 Revised (inaudible). **Ms. VonAchen** said the reason I—so, yes, but we ended the prior year with \$45M. That was based on a lower revenue estimate. In 2021 because we're not taking in all the revenue we need to have a balanced budget, we're using in the original budget \$5M and actually the fund balance goes down. The decision, when we did the original budget, was actually to use \$5M of reserves. Now, in the revised, we're not using the \$5M in reserves because the revenue number went up. **Commissioner Walters** was inaudible. **Ms. VonAchen** said some of the budget amendments that you're finding in the revised estimate for expenditures in capital, some of those decisions were made when the labor contracts were approved, not all of them, but as part of the upcoming budget process we will be reviewing with you all of the department requests so it's not a done deal. It's just an estimate that I have in that column.

Mr. Bach said, Commissioner, I will probably—a decision based on an estimate. There is no decision until we do a budget and go through and adopt it. This is how the numbers add up today so if you want to call that a decision because—I mean we're just showing you how the math works. The bottom line is, as you're saying, we were calculating we were going to have \$45M in fund balance or \$45M beginning fund balance and then we end at \$44M because the math worked that way we redid our 2021 estimates. I could have a 2022 estimated up here budget too. It doesn't mean we made a decision on it. Those are just early projections. So, taking 2021 because we've adopted—we know some certain expenses are already going to be here that are some changes, what we know as new revenues, that's how the math works out. It does move that \$5M like that, like you're saying, if we let it end up like this.

Commissioner Johnson said I did not look at this in terms of any conscious decision but what I will say is that it appears to me, Kathleen, that we did better than what we anticipated by these numbers. **Ms. VonAchen** said yes. **Commissioner Johnson** said for that, I do want to appreciate you and Doug. I want the Commission to understand also a lot of this is coming from our directive as well. I don't look at that as a conscious decision. I look at that as that's what happened and so the question I have I think is more on the lines of Commissioner Burroughs when he asked the question how those federal funds or those CARE Funds or those other funds that came in during 2020 and maybe 2021 affect the overall numbers. **Ms. VonAchen** said the CARES Act money was deposited into the Grant Fund which is not showing here. **Commissioner Johnson** said so it's not on there. **Ms. VonAchen** said right, but some of those funds were deemed as Public Safety reimbursements and so when those funds—when that money came into the General Fund it reduced the expenditure line because we were reimbursing Public Safety costs.

Now, off the top of my head, I can't remember how much that was. We would be happy to bring back how much that was and what the impact of all the CARES Act dollars were. **Commissioner Johnson** said I think it would be important for us to know the impact of the CARES Act. However it was placed either on the revenues or on the expenditures as it relates to—**Ms. VonAchen** said not in the revenue line at all. **Commissioner Johnson** said it's just expenditures. It would be interesting to know how that affected the overall bottom line. I think we're moving in the right direction. I think also that we are not out of the storm. I think our buddy, the Wizard of Omaha or the Oracle of Omaha said that everything is still kind of uneven and so we don't know where we're going to be yet in terms of trends. So, I think we're not out of the woods yet but I appreciate, and I want to say that publicly, the directive that we're giving to you as well as Doug and your staff and how it's playing out. Thank you.

Commissioner Kane said a comment was said about the unions getting raises and the goal is to always give our employees raises, but I believe there are several people on staff that got a major amount of raises, so we should never just point out that one class got raises and others didn't when the class I'm talking about some of them got up to twenty some odd thousand in raises. That affects the budget as well. I'm a firm believer that every single person should always get the exact same thing, that we shouldn't feed the top and not feed the bottom.

Commissioner Burroughs said, Kathleen, if I understand some of the questions that are being asked, the 2020 Budget we were going to use \$5M of reserves, now we're not utilizing those reserves so that's the \$5M that you show, so we're actually at a push. Is that correct? **Ms. VonAchen** said yes. **Commissioner Burroughs** said I think that's the simple language that we're not using the \$5M, we have \$5M more, so we're back to our bottom line that we wanted so we're at a push. We didn't get hurt as bad as we thought we would and we didn't have to hit our reserves.

The second question I have is in reference to the CARES Act money. Within the CARES Act money there were administration costs that we were able to attach to utilization of the CARES Act money. And I think in some of that breakdown, those administration costs could have gone to us collectively as the Unified Government for staff to do the work or could have been utilized to outsource for audit to ensure that we're in compliance with what the Federal Reserve and/or the Treasurer's are asking us to do with those dollars.

I think it would be prudent for us to breakdown those expenses. If we took an administration fee of 5% how much money that might have been and how that came into play within the budget as well as any other dollars that were utilized to supplant budget expenses so that we, as a Commission, have a more thorough, transparent understanding of how those dollars were spent. I think maybe that's what I hope to be able to get to and it can be very simple, a very cursory report just to ensure that if we were able to bring in a million two for administration, how much of that million two of administration was actually spent. It was charged to the CARES Fund, but did we spend it, did we save some of it, and is it part of that \$5M? I think that's what I'm looking at to see if those dollars were spent prudently and not just banked for a later day expense.

Ms. VonAchen said I'm happy to provide you that report and I'm also happy to maybe give you a little synopsis to respond to that question. You know we collected around \$37M in CARES Act dollars, we formed an internal team including Crystal and a variety of internal staff and we diverted their salary while they were working on that CARES Act team from the General Fund and other places within the UG operations to the CARES Act Grant Fund to pay for those costs. I don't remember off-hand how much that is but it comprised five, six, or seven people for about six or eight months.

In terms of the accounting, the audit function, we have an external auditor that comes and audits our books. She's been working with my Accounting Manager for the past four or five months on the Comprehensive Annual Financial Report and her team and her firm will also be

examining the CARES Act in the coming months when the single audit is due out in another three months. You know, off-hand, I don't remember if there is an additional cost related to her audit work of the CARES Act so I just need to doublecheck, but it would be pretty minimal. We tried to minimize the administrative costs related to administering the CARES Act dollars. It took a lot of effort to get all the money spent and expedited according to deadlines, but we used internal staff as much as we could. I think Alan Howze may be able to add some more information on that.

Alan Howze, Assistant County Administrator, said I think you're right. We can get the exact numbers for you. It was in the half million plus kind of range, that administrative cost. It was well below the sort of max threshold set within the CARES Act for administrative costs.

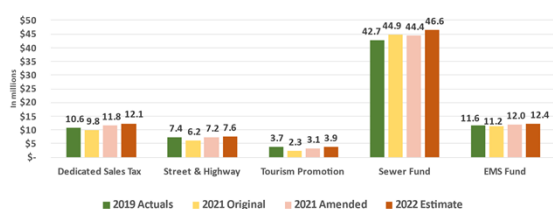
Commissioner Burroughs said basically, what I'm looking at is cost avoidance because that's basically what we did. We didn't have to absorb the cost in our budget. We absorbed the costs through the CARES Act dollars. **Ms. VonAchen** said right. **Commissioner Burroughs** said it would be prudent for us to know, was it effective enough that we have learned something from it and it was talked about raises. Were raises included from that CARES Act administration dollars that went out? I don't know and in all full transparency it's really not what I'm looking for. I'm just wanting to ensure that we were prudent and we were under a very narrow aggressive timeline to get those monies out. So, I do know that we should at least ensure that what we did was correct and what we have an opportunity to learn from that going into next year when we get the ARA money—that ARP money that's coming. **Ms. VonAchen** said we learned a great deal from administering the CARES Act and one of the things that I learned is that we need to spend more focus time standing up a grant management team including writing a grant's manager manual and a grant's policy. Those are things that we plan to do in the coming months.

Commissioner Bynum said the other piece of that is that we at Administration & Human Services Standing Committee that Commissioner Markley chairs, we were having almost monthly updates on that and so what you're asking for, Commissioner, I think could probably be pulled from some of what was presented at some of those meetings last fall when we, as that committee, were receiving pretty regular updates on that whole process. I do think that the \$37M CARES Act experience was just a warm-up show based on what we're going to be dealing with now, so it was

a good experience and we probably did learn a lot but I think some of what Commissioner Burrough's is asking for is pretty readily available.

Ms. VonAchen said along those lines, you know, you give me a great idea which is it could be really helpful if we had kind of a close-out CARES Act report that we can put together and provide all that information and then put it up on our website.

Special Revenue, Sewer & EMS Funds
by Fund Category



* Graph displays only selected funds

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This is the last revenue slide and just because we often overlook some of the Special Revenue Funds, so in general, some of the key ones are Dedicated Sales Tax which is, of course, all sales tax. It's derived from a 3/8 cents sales tax dedicated for public infrastructure in our neighborhoods as well as Police & Fire personnel. It suffered during 2020 and so we—but in 2020—we're expecting in 2022 for it to rebound pretty nicely. Part of the drag on that is that it collects—well, the Legend's STAR Bond money in the General Fund is capped so any growth goes to pay off bonds so it kind of drags down the total in the General Fund, but here it's not capped. So, any growth in the Legend's is reflected in these funds.

Then Street & Highway Fund, you know those were really estimated to be pretty low because gas prices dropped during COVID, but they seem to be rebounding now. Tourism Promotion seems to be rebounding too as I mentioned earlier with my estimates. The Sewer Fund you see here is just a reflection of the 5% growth rate in the charges for services which is part of the settlement agreement. EMS, again, is one that's really dependent on two things, but mainly sales tax. They have a 25 cent sales tax and so it's impacted as well. But, like the Dedicated Sales Tax Fund, it captures all the growth in the Legend's. It's not kept by the bonds. That's all I've got for revenues.

Commissioner Johnson said I'm sorry, Kathleen, I forgot to ask how our results, both actual and revised, are compared to the national results, the national trends that we're seeing as well as do we collect data on similar urban municipalities and just to see how we're doing overall relative to what we're seeing across the nation in similar types of cities, not just size, but types of cities, I suppose, in terms of percentages and things of that nature? **Ms. VonAchen** said it's early going for me to really get data nationally. I know that the National League of Cities puts out a great status report. It doesn't come out until the fall I think, but we do have meetings with other Finance Directors in the region and we share information on what we're estimating, what we're seeing. And just anecdotally, I can tell you that all the Finance Directors in the region are really just blown over by the performance of the sales tax over the last few months which really has been significant and the growth in online sales. **Commissioner Johnson** said for Wyandotte County specific? **Ms. VonAchen** said no, all over. You know, Lenexa and Overland Park, all of them have said that it's really surprising, but we can put together some information for you. **Commissioner Johnson** said once it's available, I'm sure you all—you are okay.

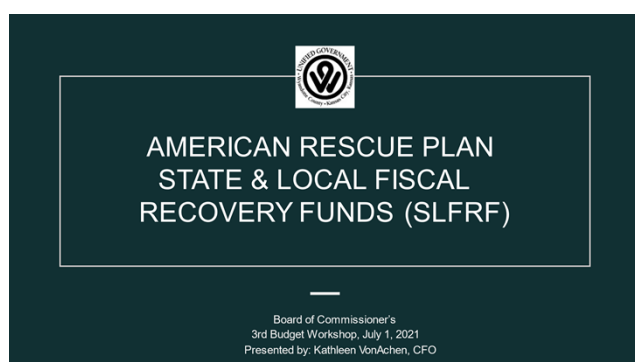
Commissioner McKiernan said as Commissioner Johnson had requested with the earlier multi-color graph that looks like this, I would love to see the 2020 numbers as well and should we assume that we spent 100% of these revenues collected? **Ms. VonAchen** said for '21? **Commissioner McKiernan** said for these funds all years. I mean we're showing revenue. Did we spend 100% of what we collected? **Ms. VonAchen** said well, you know, in subsequent meetings we're going to show you the fund position of each of these, so that will include the expenditure part. **Commissioner McKiernan** said so in an upcoming meeting we'll get expenditures by year to match this revenue by year. **Ms. VonAchen** said yes, and then the fund balance.

Mayor Alvey said that kind of takes us back to the question that Commissioner Walters was pointing to, that we did not draw as many reserve funds as we had anticipated, but we still were down one-half million? **Ms. VonAchen** said yes. **Mayor Alvey** said from the reserve fund. **Ms. VonAchen** said and it's an estimate.

Mayor Alvey said another point to Commissioner Burrough's question. Was there not necessary when we expended the funds, the Recovery Act, we had to provide an accounting, an audit by the

state government first, correct, because that's where the funds came from and then ultimately the Treasury Department also had to sign off on what—and maybe Commissioner Bynum and Commissioner Markley can remind—**Ms. VonAchen** said no—we got the money from the state. The Feds gave it to the state and they gave it to us. They reviewed the expenditures to see whether they met the guidelines and then they approved them, but the actual audit would take place in the coming three months by our external auditors. There may be a chance that the state will come back and audit us later on.

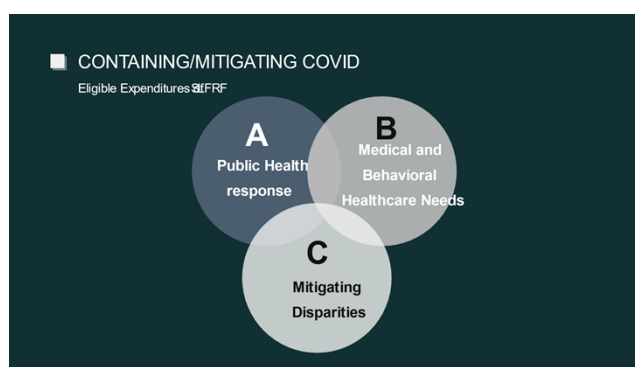
Mr. Bach said I don't know that they will talk about it tonight or we can ask, but the Comprehensive Audit goes through but then they are currently doing a single audit on just our expense of the CARES stuff. That won't come back to us probably until the end of the year.



Ms. VonAchen said the next presentation has to do with ARPA, the American Rescue Plan. We're going to go through these slides rather quickly because we want to kind of get towards the slides at the end so that will give you more time to discuss the topics and the policy areas.



Generally speaking the American Rescue Plan covers costs between now and December 31st of 2024 and then we can incur the cost until then and then we can actually spend all the funds another two years, so it goes—it reaches all the way to five years into the future. The allowable expenditures are these four categories: Mitigating COVID, Premium Pay, Revenue Loss which can be spent on government services and then Infrastructure. Those are the places you can spend the funds and you know due to our size, our population, the Treasury allocated Wyandotte County \$87.4M in revenue. We received half that revenue in May and we will receive the other half in the middle of May next year.



I just want to talk real briefly about some of these expenditure—allowable expenditures, so in the first category Containing and Mitigating COVID. We can spend it on the public health response, medical and behavioral healthcare needs, and mitigating disparities.

At this point now, I'm going to have Wesley come up here and talk a little bit about this section.

CONTAINING/MITIGATING COVID Eligible Expenditures ARF		
COVID RESPONSE	Medical/Behavioral Healthcare Needs	Mitigating Disparities
- Vaccines, testing, contact tracing - Communications and education - Data collection + systems upgrades - Evaluation and planning - Public facility repairs for air handling HVAC needs	- Supports for vulnerable populations to access services - Community Health Worker programs - Telehealth programs - UGPHD Mobile clinic	- Evidence-based violence prevention programs - Overdose and substance abuse prevention - Support for CHIP programming

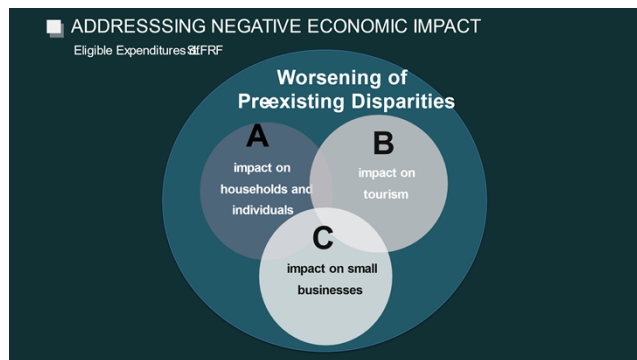
Wesley McKain, COVID Vaccination Resources Manager, said the Health Department has been working for about a month to look into the future at our COVID response and recovery from

2022 to 2024 and looking at the American Rescue Plan and the eligible uses under it and kind of compare them. One reason we wanted to put all this up here is the mitigating COVID use, that's the first eligible use under that plan. There's a lot of different eligible uses under that and so I just wanted to give you a flavor of the type of requests that we're looking at and the needs in that timeframe.

Kathleen laid out the three big buckets under this first section. The COVID-19 Response; those are the elements that we have been coming to present to you about for the last year and change, kind of the core elements of fighting the virus and recovering from it, so vaccines, testing, contact tracing. We need to continue to communicate to the public and you can see also of those items which I don't think will be a big surprise to you.

I'll point out that in the slide before, they mentioned mitigating disparities, a big component of the American Rescue Plan that they put in the plan, they don't want COVID to increase the health disparities that are already existing in communities. So, a lot of the emphasis is on, hey, you know, there are already disparities based on income, based on race and ethnicity so where at all possible try to use the funds to stabilize those to make sure that the pandemic which we know hit different communities differently doesn't widen those disparities. You can see a couple of those items here: supports for vulnerable populations, use of health workers and then we have a couple items in there about mobile clinics and telehealth programs.

Then, these are items that are specifically mentioned in the act. A lot of you are also aware of the increase in urban violence that has happened across the country during the pandemic and so they put in an emphasis in the plan on evidence-based violence prevention programs as well as overdose and substance abuse prevention. Also, mentioned—I was pleased a lot of the plan that they—the use of the funds that they suggest in the plan to help to mitigate those disparities lays over really well on our chip which I thought was a validation we were looking in the right direction. We do look at the chip as a way to push those strategies through and intend to include those in our request.

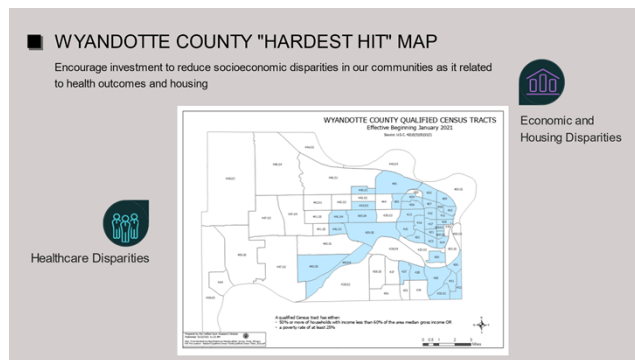


This is the next section. Most of the Health Department requests will be focused on the first section but this is also in that first use area of mitigating COVID and you see there is an emphasis on making sure those health disparities don't widen, impact on households, tourism and small business.



A couple of items that we've been discussing here to make sure that does not happen, direct food assistance to the community. We've talked about a lot of people losing their jobs, moving—housing situations, there is a big need for legal assistance for low-income residents which emerged as a big need. Then Wyandotte's workforce, several needs were identified, job training for unemployed and underemployed residents, investments in affordable childcare, and a workforce study to assess the needs for our workforce over the next 5 or 10 years. Then, a big emphasis on housing, bi-lingual housing navigators, Community Land Trust as one tool in the toolbox to maintain long-term affordability in some neighborhoods and then supportive housing.

So, just a taste, we continue to do planning and figuring out exactly what it's going to look like with Kathleen and others so I appreciate the time.



Ms. VonAchen said in the ARPA they also discussed what they call hardest hit communities—or counties. It's part of the census blocks and the hardest hit census blocks are actually those that qualify where they want you to really focus on. The census blocks are considered qualified census tracts are those tracts that have 50% or more of households with income less than 60% of area median gross income. Area median gross income here is \$86K, so 60% of that is only \$52K. So, what they're saying is that in that census tract, the people that live in that census tract, 60% of them have to be living under that income level or a poverty rate of at least 25% meaning that the poverty rate line is defined as \$26K per year for a family of four.

Of all these blue charts 89,000 people live in these blue census tracts which represents 54% of our county's population and 22% of those people have incomes below the poverty line. Minimum household incomes in these blue tracts range from \$11K a year in block 4, 18 which you can look on your chart, to \$45K down in the KU Med area. It should note that like the census tract 411 where there's 66% of the 1,500 people that live in that tract live below the poverty line and have a median household income of only \$13K. There are real needs in our community and this is a great opportunity that the federal government has given us to address those needs.

Commissioner Townsend said since the point had been made earlier in this presentation that we had until 2024 to spend the money—**Ms. VonAchen** said to obligate the money. **Commissioner Townsend** said to obligate the money, is there a provision for us if we wanted to or needed to, to go back and offset other costs or expenditures COVID related? Can we do that with this money or would these expenses have to be after the allocation of the money from the federal government and this plan? **Ms. VonAchen** said certain expenses are allowable up to the time that the emergency was declared, just certain, but not everything, so yes. **Commissioner Townsend**

asked, do we have any idea what those are, what types—**Ms. VonAchen** said yes, but I don't remember off-hand. I'm sorry.

Commissioner Bynum said two questions. When we say hardest hit, what are the data points being considered? Is it case rate and unemployment, what are the datasets being used to determine a census tract is hardest hit? That's question one.

Question two is, I heard you say that apparently the federal government guidelines are saying that a median household income for this area is \$86K. **Ms. VonAchen** said yeah, it's actually the area median gross income which is the entire area. **Commissioner Bynum** said the whole metro. **Ms. VonAchen** said yes. **Commissioner Bynum** said okay because that's never been true in Wyandotte County. **Ms. VonAchen** said yeah, the whole area and that's what is in the definition per the legislation. So, it's actually saying 60% of that median gross income which is \$52K.

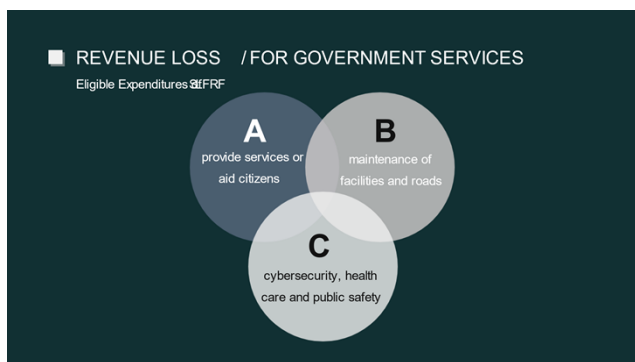
Commissioner Bynum said if you can help us know what they measured to determine a census tract is (inaudible). **Ms. VonAchen** said the U.S. Census Bureau, they have all these tracts and they have a definition of what a qualified census tract is and the definition based on the data they provide us, they tell us which tracts are qualified. The criteria is in that slide which states 50% or more of the households with income less than \$52K or a poverty rate where the poverty rate of the entire tract is greater than 25, so 25% of the people that live in that tract are below the poverty line. So, if you either hit one of those or the other, then you're a qualified census tract.

I did want to point out, there are 38 of these qualified census tracts and 25% of them meet both of those guidelines. **Commissioner Bynum** said so it's all based on household income. It's got nothing to do with being hit hard by COVID? **Ms. VonAchen** said no, it doesn't. No, because the Census Bureau doesn't have—their data really lags a lot so it's strictly what occurred based on the data from the American survey last year which doesn't include COVID.

Commissioner Burroughs said, Kathleen, you and I had this discussion over the weekend in reference to you mentioned KU being part of that census tract. **Ms. VonAchen** said yeah. **Commissioner Burroughs** said it's one of the wealthiest most—it generates a tremendous amount of revenue for our community, so when I saw that census tract, I did ask how it was that it qualified as an underperforming census tract when we have a lot of high-paying jobs that do live in that area.

So, I'm just curious how that might skew those numbers and if it really is needed to be in that census tract if it's one that we may want to look at and it's—we're not being mandated to give a certain amount of money to those census tracts. **Ms. VonAchen** said no. **Commissioner Burroughs** said all we're doing is identifying those census tracts if we want to invest in those through some of the proposals that were presented. I believe that is the correct analogy. **Ms. VonAchen** said yes. I did look at those census tracts in the KU Med area and there are a few, but the 452 in the KU area, their average income level is \$45K a year, but 22% of the 4,000 people that live there live below the poverty line so that's why it qualifies.

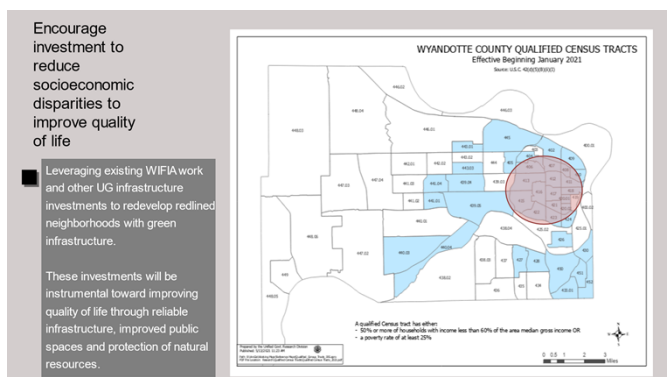
Commissioner Ramirez said just a comment. Looking at the map, it shows that we as a governing body and administration, should be diligent in how we spend—these are investments that we should make sure that are fair and spread out between these census tracts, not just the east but throughout Wyandotte County. It shows that we have a lot of disparity and I just want to make sure that when we go through these processes that we're diligent and keeping in mind that we're fair in investing and how we spend this money.



Ms. VonAchen said we do have a lot to go through. One of the categories is Revenue Loss and I told you that the Treasury guideline gives us a formula for calculating how much that is and so I've done that based on my estimates for 2021. The guidelines actually say you can claim revenue loss four years but I'm just assuming we're going to claim revenue loss for 2020 and '21 for now and given those two years, it equates to roughly \$30M that is available. So, the reason that's important is because that amount has great flexibility. Basically, you can spend those funds on government services and so providing services to aid citizens, maintenance of our facilities and roads, cybersecurity, health care, Public Safety; so all those are wide open.

UNIFIED GOVT STRATEGIC		GOALS			
	Mitigate COVID	Premium Pay	Govt Services/ Revenue Loss	Wastewater, Storm & Broadband	
Reducing Blight	✓		✓	✓	
Public Safety	✓		✓	✓	
Public Health	✓	✓	✓	✓	
Economic Prosperity	✓	✓	✓	✓	
Communication	✓		✓		
Cohesion	✓			✓	
Infrastructure	✓		✓	✓	

I just want to quickly go over—on the top are the four categories for ways to spend and we thought we would provide you an overview of our seven strategic goals—for your strategic goals and see how those four categories align with the goals. You can see that all of the goals are met with the mitigate COVID and with revenue loss, most of them with infrastructure, not so much, but just a few for premium pay.



This slide I'm going to pass on to Melissa Sieben who is going to talk about that. **Ms. Sieben, Assistant County Administrator**, said I'll make this quick. One of the things that we're looking at and want to discuss with you in the coming months is sort of how we leverage what we're already doing with these dollars to make an impact in these affected census tracts.

As an example, WIFIA is a program that we've been discussing with you and that really is going to attack infrastructure work in areas that were historically redlined within our community which if you start looking at these census tracts versus the redline census tracts, I'm pretty sure they align very closely. What we're hoping to do is work with you to make these investments then kind of layer to improve quality of life in our neighborhoods, introduce infrastructure that gives people the sense that this is the place to be and overall improves our public image and attracts new residents as well. That's all I had on that one and back to Kathleen.

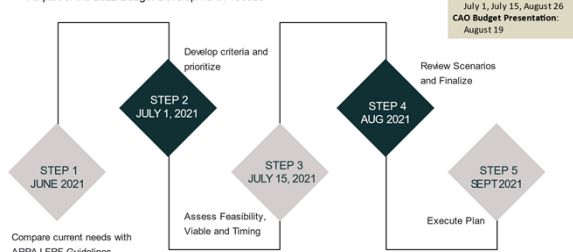


Ms. VonAchen said the next bubble here, this is a series of bubbles of possible expenditures that meet all of the criteria we just laid out and so these are proposals that we're examining right now. At this point, I would like to pass this off to Doug to kind of ask all of you to examine and provide your feedback on what you think is a priority.

Mr. Bach said as Kathleen said, I think this really kind of brings it as we're looking forward and we went through and had some preliminary meetings with commissioners in on-three's to talk about where we were from how the American Rescue Plan comes into play. You know, the different ideas, different things that could come in to be eligible expenses. You know infrastructure being one of the top priorities for us is not a direct thing but there are different ways you can approach that by coming in and buildings fall into that category and then there is the revenue loss category of where you redirect some of that money when you come to it. There are various areas that we see so that's what you all should be thinking about and there's more than this. You can spend it in almost—categories are wide to come to. These are just ones we've heard mentioned as we went through things or we could put a pin to it and say, okay, we know we have a definite need in this area and start to throw some stuff on the board.

EVALUATION PROCESS AND TIMELINE

As part of the 2022 Budget Development Process



July 1, 2021

Then the evaluation process timeline. Moving through this as we look ahead to our budget process which we're just looking to do the American Rescue Plan and just mirroring our budget process as we go through and identify where we see the priorities of where we want to spend that money, designate it as we come into it.

The next budget workshop is on the 15th and then we move forward into August and then for a September adoption timeframe.

Mayor, that's all we have on this part.

Commissioner Markley said I think I said it at a prior meeting and I'll say again. I think it's really important for us to think about the long-term benefits of anything that we're doing with this money. It's great to get money and you can go out and buy a new shirt or something like that and that's lovely, but we need to be thinking about what would we spend the money on to get us in the long-term. A couple of things that stand out to me are we've been struggling to reach a stormwater rate structure that everybody is comfortable with, so spending some money on stormwater infrastructure so that we can lower the amount that we have to charge our residents as we increase those rates would be lovely and I think that gives us a great long-term benefit.

Then, I've hammered on it before, I think we have some facilities we could stand to close. I understand in order to do that we need to make space in our existing facilities that we want to keep to accommodate those employees we're going to bring from the facilities we would like to close and in order to do that we're going to need some money to remodel the facilities we want to keep. I think that's a great long-term benefit as well. I would say if we spend that money to retool these buildings so we can keep them, we move employees out of other facilities and close them, every dime that we save from closing those buildings we should put it to infrastructure and that's how we should use that savings. Those are my thoughts.

Commissioner McKiernan said I'll just say ditto to everything Commissioner Markley just said. I agree 100% and then I just have a question on the timeline slide. It appears to say develop criteria and prioritize for today and I don't know what the process is for developing criteria and prioritizing if that's something we want to accomplish today. **Mr. Bach** said I think it would—I mean it's important to get feedback on what you just said. You know if that's priorities you want to have in or there's additional things coming in, I mean, that's where we're at today of making sure we're

getting to it. I don't think building that slide was necessarily meaning definitive July 1st, but this is the stage of the process we're in. If you have ideas, thoughts of how you want to put in for priorities, if you want to submit those to us as staff, bring them up today, however they come about but this is the time when we start coming up with what our priorities are and if these fit into them or if there are other areas.

Commissioner McKiernan said I guess I would just say that I'm a little unclear on what our timeline is for actually establishing the prioritization and gaining all the criteria. I mean the slide does say today, so how are we going to lay this out because it says on July 15th that we'll assess feasibility, viable and timing. So, this is a pretty aggressive timetable and I just want to know what are our markers, so goal entertainment along the way?

Ms. VonAchen said our thought is that we want to get feedback from you individually or in the public setting here about what you feel is the highest priority. So, either between now—right now or through July 15th, you can give us that and then as we're compiling the list of projects we're going to come back on July 15th, provide you that list and also share with the group the feedback we got from all of you. Then we'll develop that criteria and prioritization at that time. Just keep in mind that because of the size of the dollars, \$87M, we—and the pockets of dollars that meet the four provisions, it's a little tricky but it's not like yes on this and no on that, it's actually more nuanced than that. It's how much of this as opposed to that and where. It's going to be a process and this is just the first phase so that you have an idea of what we're looking at. You're going to get a lot more data and more information on July 15th.

Commissioner McKiernan said I guess I'm still not perfectly clear on what our process is moving forward. Do you want a free form list of priorities, do you want a rank ordered list of priorities, do you want it based on these bubbles that are on this slide—**Ms. VonAchen** said yes—**Commissioner McKiernan** said do you just want us to make something up, so I want to find a little bit more guideline. Do you want us to suggest prioritization to you? **Ms. VonAchen** said um-hum. **Commissioner McKiernan** said so you want us to use these bubbles—**Ms. VonAchen** said yes—**Commissioner McKiernan** said and prioritize them, not—okay, that's good to know.

Commissioner Bynum said I think my questions are similar. I'll put in a plug for infrastructure/stormwater right off the get-go, but I also think that we've got to utilize some of these funds for some of these more human needs, if you will. So, we have agencies in our

community who have been working for decades and working double and triple overtime for 14 months on issues like homelessness and health disparities and mental health issues and housing. I thought I heard in the last week or so that there is a separate allocation coming from somewhere apart from American Rescue Plan or else going to either the state or CDBG or something for those kinds of issues. I need to understand better than I do right now where all the buckets of money are. **Ms. VonAchen** said that is a perfect question. I do want to explain. The entire ARPA is almost \$2T and there's a section in it that is allocated to the state or where locals can actually apply for grants directly. That is not what we're talking about here. This is the \$87M we're getting directly.

I did want to add to Commissioner McKiernan's question because Doug and I are also wanting to get feedback from you on how you would like to see the process too, so we're not telling you how we want—we want to get some feedback on how you would best like to discuss the scenario and the prioritization.

Commissioner Bynum said just to kind of round-out what I need help with if we knew—here's my point. This time and funding feels like a once in a lifetime opportunity to completely eradicate homelessness in Wyandotte County and I would hate if we miss that opportunity. If there are funding opportunities that are elsewhere outside of the \$87M, I need to know that. It changes my prioritization because I'm going to hold firm to my belief that infrastructure is setting at the top of the pile, but there are smaller amounts of money that can go a super long way on fixing some of what hurts. We know and you know, Melissa, that there are agencies here in the county who believe they have plans that can eliminate homelessness. That would be amazing. So, is there a way for us to see a chart, something, a graph, a rubber chicken graph, with all of the potential places where money is going to flow into the community, so that's one question.

The other one is, Doug, I think I'm seeing, if I'm reading this timeline right, County Administrator Budget Presentation August 19th. Is that the one that we would have usually seen by now? **Mr. Bach** said yes. **Commissioner Bynum** said, okay, so that's pushed out about two months. **Mr. Bach** said yes, that's the one you would have typically saw like today. **Commissioner Bynum** said okay, that helps a lot.

Ms. Sieben said quickly, Commissioner Bynum, we have HUD dollars that we will be targeting towards homelessness very specifically. That's what those federal dollars have come down for.

It's \$3+M that we have in our hands to spend. Those were some CARES allotments from last year that we haven't spent and other dollars that have come in subsequently this spring. Separate conversation there, but we will be coming back to you with information related to that and we have been talking to those groups as you are aware of. You've seen me on two different conference calls and we've had several others. We're no means at a point to bring forward how to do that. Those dollars have a much longer time for expenditure. Obviously, we want to get them into the community as quickly as possible to address the concerns that we are dealing with in different ways throughout the county. So, just know, those are a separate pot of dollars totaling a little over \$3M, maybe slightly north of that.

Commissioner Burroughs said I appreciate the advocacy of my fellow commissioners. The prudent thing to do is to ensure we get the best return on investment whether it be on the human side or the infrastructure side, but one thing we shouldn't forget is those that were put at the point of contact dealing with COVID and that was our Public Safety personnel. Many of them were put into a hazardous environment while COVID was active in our community and are still—they were mandated to work, they worked long hours. I would like to see some of this CARES dollars earmarked for a bonus for our Public Safety employees, Police, Sheriff, jail workers, frontline health care workers, that we can identify through Payroll. I would suggest that we don't pay them by hours worked or by pay scale. I'll borrow Commissioner Kane's comment, when we provide the bonus, the bonus be on an even amount. Hypothetically, a \$1,000 per employee as a recognition of their duty to work during the most dangerous time our community has seen in modern times. I don't think the amount is that onerous.

I believe it would be a show of goodwill and we could do \$1,000 this year and \$1,000 next year when the second allocation comes out because as it was stated by Commissioner Johnson, I don't think we're out of this just yet and goodwill goes a long way during a crisis. I truly believe that those dollars would be well spent to send a message to those that were on the frontlines that we value your work, we respect what you've done and more than anything we want to partner with you to ensure that you know how we feel that you put yourself on the frontline for us. So, that's one.

The number of bubbles that were up there were bubbles that were thought of by the staff and going through the sheet, so I would like an opportunity for us to have a chance to look at some

additional bubbles that may go in there. One thing I didn't see in there was holding those dollars for a year or so and drawing the interest off of them and maybe meet some of the human resource issues that were brought up in reference to our community. I am aware that federal government and the state will be giving money to small businesses and those that have already received money, those loans were forgiven. It's one thing—we are not in the business of funding businesses.

We are a government that is for the people here in Wyandotte County and our responsibility is to ensure that we provide our services in a responsive and responsible manner. I would hope that as we go through this, we all have sacred cows and we all have things that we want to see, but broadband expansion in some of our most underserved areas in our community is extremely important, especially moving with a hybrid system that we have in business and in education. I think that is extremely important and as we move through this infrastructure I think there are ways to capitalize on infrastructure. We can use some of those dollars upfront, but we can also bond them and set that money aside, draw interest on that money and have it earmarked for infrastructure investment as we move forward.

So, it's about prioritization, I would hope that we give strong consideration to those that put themselves out there in the last year and a half serving this community in an unselfish manner, protecting our health, but send them the signal that we do value you. So, I will be advocating extensively for an additional funding for our Public Safety workers.

Commissioner Ramirez said my priorities line up with both Commissioner Bynum and Commissioner Burroughs. Infrastructure, that we know, we've been painted the dire picture of our infrastructure and that's important. The human needs, mitigating the disparities in our community. We can have improved infrastructure and improved amenities, but if we don't have happy, healthy residents, then what's the point in investing in our infrastructure and our amenities for them. So, I think that's important.

Also, the Public Safety personnel, Commissioner Burroughs is completely correct. They went above and beyond their job of what they were normally supposed to do. I always say talk about our Public Health Department, unfortunately, on a normal "year", normal non-COVID, most people don't hear about the Public Health Department or know what it does. Last year our Health Department was front and center of everything and they did, like I said, above and beyond their job. All of our staff here at the Unified Government did and so I think we need to remember

personnel, our infrastructure, and most importantly mitigating those disparities that we have so that we have happy, healthy residents to enjoy the amenities and the infrastructure that we improve.

Commissioner Philbrook said just give me about \$300M and I can get some of that spent in a heartbeat. I agree with most everybody here. There isn't anything that we've mentioned that's not important. That always makes it the hard part, where do you spend it and where don't you spend it, who do you not spend it on or what don't you spend it on.

Number one, of course again, just like several other people said, infrastructure because if we don't keep the infrastructure in place and halfway decent, people it's dangerous. It's dangerous for them to drive on the street, it's dangerous for them in their houses. You know, we've got sinkholes, all kinds of things going on. It's just not a pretty picture and so we have to catch up on that and that's going to be a major task.

The other thing is the human needs and that's a big broad swatch of area. For me, when I talk about human needs, I'm talking about the housing, the wraparound services that go with that, and that means all of the stuff that affects your life. That could mean mental health issues, that could be abuse or violence, all of those things that come along with poverty and being in situations where you can't get out and that's tough. Along with that then, of course, are the jobs and education so you can work your way out, so all of that is the human condition.

What I want to know is kind of like somebody else—several other people want to know, we have possibilities of pockets of money, buckets of money coming in to different entities that can ask for it from the federal and the state folks, but how do we know. How do we know which one of those folks are getting the big buckets of money unless they share that information with us and we already know of one or two that have already gotten some funding. The whole point is, is that how do we know where we need to put the UG dollars. Now the tax dollars that we have been given to be—it's our job to spend the money wisely as Harold reminds us constantly. Thank you Harold. It's tough, it's very tough and, yes, I'm whining a little bit because I don't know how and where to put this money at this point without having a better idea of what some sources are going to be for some of these other areas that we're prioritizing. So, I'm open for a lot of suggestions on that.

I'm sure that we can ask our community partners that are helping deal with some of these other things if they've been given funds or if they're looking forward to getting funds so we can

use the money that we have to expend in a more expedient and effective way. The other thing is, maybe we can have them help us and we can use that money to leverage and be more successful as working as a Wyandotte County team versus just us trying to fix everything. That's where I am.

Mayor Alvey said I'm going to echo what Commissioner Markley and others have said, but I think we have an opportunity to really bend the curve on some of our longstanding needs for capital improvements; streets, bridges, stormwater and the redevelopment of builder ready blocks. Again, we will have a continuous hole in our tax base until we redevelop those parcels in our community that have been hollowed out for decades that still require the infrastructure, still require police and fire, still require all the services we provide, but generate no income. We have an opportunity with the right kind of strategic investments in those areas to bring those back into production in generating revenues and bringing new population and new people living here. That will be a long-term support to help us solve the other problems that we see faced here. We have to be strategic and focused and intentional that we what to change the trajectory long-term investment in our community.

Mr. Bach said that does conclude the presentation. We appreciate all the feedback. This will be an ongoing process as we work toward building a budget for presentation in the middle of August as we continue to target and figure this out. We are down, Mayor, to traditionally we would stop in about seven minutes, so I'm assuming to move to the next presentation would be a little—we wouldn't quite be able to do what we would like to do.

I would like to give a little preemptive side to it, and you have the presentation that was submitted out to you. The next section is really on recruitment, hiring and retention of employees and for me this has become a very big issue. It's one that I think some of you have recognized tonight as you talked about different areas to maybe do some bonuses out there to some employees. The problem is much bigger than that. I mean it is one where we are at an all time high of number of positions that we're posting and we're not even in an aggressive posting manner. I've still held back on a lot of positions from last year's timeframe, but we're at an all time high right now of the number of available positions. I think if we filled every position we have on the board today—

Renee, what was that number, 187; 191 and that's ones we're trying to fill which is no doubt impacting our work.

I mean our ability to get out, remediate in the community when we're just trying to work in our parks systems, trying to do maintenance on our streets, working in law enforcement areas, both Police and Sheriff Departments, are both hindered greatly in areas from working in the jail, on the streets to the dispatcher operations. Then, my back of the house operations are also having a difficult time. Those positions are spanned across all the way from our maintenance workers to our professionals working in Engineering or Technology, in various areas like that. We'll step through this with you, show a few things.

We did our survey too last year with the employees. There's some good input that we received from those groups that we wanted to point those things out to you, but salary is a big issue that comes into it. It's one that's identified out there. Employees identify that and I think you see that in all organizations but it's key in ours too, but just to show some of the discrepancies that's happened when we look back at the Compensation Plan that we did back in 2015. At that time we noted that we were really toward the bottom of where we were in our comparables. While over those last six years we've done a few very low COLA's in comparison to what other competing jurisdictions or private sectors are doing. Now as we are coming out of COVID the economy is returning to normal, this is really impacting our ability to hire and it's impacting our ability to retain in a lot of different areas.

So, that's the intent of this next section. I will hold it and we will probably lead off in our next section for that one unless we want to add another one for tonight, but I think we've already given a surprise one for that anyway. We will try to work on this more on the 15th as we move into our next sections, but it is becoming a very big issue for us.

Mayor, with that, I will conclude unless there's any other comments in the last five minutes or questions. **Mayor Alvey** said we'll look forward to this presentation. Again, probably more hard news to hear but need to hear it.

**MAYOR ALVEY ADJOURNED
THE MEETING AT 6:45 p.m.**

dt

Brett Deichler
Interim Unified Government Clerk

July 1, 2021



Unified Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Brett Deichler
Interim UG Clerk

Date: July 1, 2021

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tk

Attachment

Weekly Business Material for July 1, 2021

1. COMMUNICATION:

Debra Valenti, Wyandotte County Business News, providing rates for legal advertising appearing in the *Wyandotte County Business News*, effective July 1, 2021.

Action: Received and filed.

2. COMMUNICATION:

Lori Austin, BPU CFO, submitting the 2020 Comprehensive Annual Financial Report for the Board of Public Utilities.

Action: Received and filed.

3. COMMUNICATION:

Brett Deichler, Interim UG Clerk, listing bids received on June 30, 2021, for B#31933 – Parks and Recreation Department Maintenance Facility.

Action: Received and filed. Copy previously forwarded to County Administrator, Legislative Auditor and Public Works.

4. COMMUNICATION:

Pam Kahao, Accounting Manager, regarding a warrant cancellation:

<u>Warrant #</u>	<u>Reissue?</u>	<u>Date Issued</u>	<u>AMOUNT</u>	<u>FUND / ACD</u>	<u>Vendor Name/Number</u>	<u>Reason for void (dropdown)</u>
891535	Yes	6/25/2021	\$ 1,567.90	110 7600105244	CE Distribution, Inc. #13541	Wrong vendor

Action: Received and filed.

5. PERSONNEL ACTION COMMUNICATION, DATED JUNE 29, 2021:

Section II-Transfer

Name Job Title	Department/Division	Eff. Date	Former Job Title	New
Conrad S Vega	PW/Fleet	6/24/21	Equipment Operator I	Parts Clerk

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Ryan L Bailes	Parks/Rec	6/23/21	Summer Laborer
Meagan M Geyer	Police/Comm	6/30/21	Public Safety Dispatcher

Darrell E Keith	Parks/Rec	7/1/21	Groundskeeper IV
Mindy N Kong	DOTS	6/23/21	Info Sys Analyst
Rollin F Sachs	Health	6/25/21	Engineer Manager

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Mario Babic	District Court	6/14/21	Records Clerk II
Joshua B Bosley	Fire	6/20/21	Firefighter/Paramedic
Dana R Bye	District Court	6/14/21	Bonding Clerk
Adam M Collins	District Court	6/14/21	Trial Court Clerk II
Andrew C Heimann	Fire	6/20/21	Firefighter/Paramedic
Ryan P McNellis	District Court	6/14/21	Law Clerk
Jerome P Nienaber	Fire	6/20/21	Firefighter/Paramedic

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Robert Anderson	PW Engineering	ACD code change effective 1/1/21
Jack Andrade	Fire	ACD code change effective 1/1/21
David Andrews	Fire	ACD code change effective 1/1/21
John Droppelmann	Fire	ACD code change effective 1/1/21
Raymond Elmer	Fire	ACD code change effective 1/1/21
Maritza Fernandez	CDDO	ACD code change effective 7/1/21
Jeffrey Fisher	PW	ACD code change effective 1/1/21
Yer Hang	CDDO	ACD code change effective 7/1/21
Scott Hawley	Fire	ACD code change effective 1/1/21
Mark Heath	Fire	ACD code change effective 1/1/21
Diana Jimenez	PW	ACD code change effective 1/1/21
James Letcher	Fire	ACD code change effective 1/1/21
Jerilene Lewis	CDDO	ACD code change effective 7/1/21
Madeline McNerthney	PW/Engineering	ACD code change effective 1/1/21
David Reno	PW/Street	ACD code change effective 2/25/21
Brent Smith	Fire	ACD code change effective 1/1/21
Caleb J Smith	Police/Asset	Amend PAC 6/17/21 to reflect change in separation eff date to 6/23/21
Lenah Sugut	CDDO	ACD code change effective 7/1/21
Michael Tobin	PW	ACD code change effective 1/1/21
Valeria Urrutia Ramos	CDDO	ACD code change effective 7/1/21
Phyllis Wallace	CDDO	ACD code change effective 7/1/21
Chad Wiggans	PW/WPC	ACD code change effective 1/1/21
David Wilson	Fire	ACD code change effective 1/1/21
David Wood	Fire	ACD code change effective 1/1/21
Vacant PIN 6891	CDDO	ACD code change effective 7/1/21

Action: Received and filed. Copy previously forwarded to Payroll.

6. PERSONNEL ACTION COMMUNICATION, DATED JULY 1, 2021:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Lovieasha A Dawn-Bryant	Finance/Treasury	6/24/21	Fiscal Supt Asst

Kathleen M Holton	Municipal Court	7/8/21	Probation Officer
Erica Y Jones	Finance/Treasury	7/8/21	Fiscal Supt Asst
Mahmoud J Khalil	Legal	7/8/21	Attorney
Roy K Myer	PW/WPC	7/8/21	Environmental Scientist
Jonathan D Tompkins	Police	6/21/21	Patrol Officer

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Morgan B Fotovich	PW/Solid Waste	6/24/21	Prof Fiscal Asst	Prog Coordinator
Samantha R Saysoff	PW/Fleet	7/8/21	Prof Asst	Operations Superintendent

Section III – Separation

Name	Department/Division	Eff. Date	Job Title
David L Ornelas	Sheriff/Admin	7/15/21	Deputy

Section VIII – Other Requests

Name	Department/Division	Action Requested and Explanation
Michael Burgard	PW/Traffic	Dept/Div change to PW/Street effective 6/30/21
Juan Camacho	PW/Traffic	Dept/Div change to PW/Street effective 6/30/21
Martha C Her	Election	Amend PAC 5/4/21 to reflect effective date of hire to 6/25/21
Michael W Jackson	Election	Amend PAC 5/4/21 to reflect effective date of hire to 6/25/21
Robert Kennedy	PW/Traffic	Dept/Div change to PW/Street effective 6/30/21
Martin Ntonjira	PW/Traffic	Dept/Div change to PW/Engineering effective 6/30/21
Efren Nunez	PW/Traffic	Dept/Div change to PW/Street effective 6/30/21
John Schmidt	PW/Traffic	Dept/Div change to PW/Street effective 6/30/21
Joseph Slaughter	PW/Traffic	Dept/Div change to PW/Street effective 6/30/21
Vacant PIN 2273	PW/Traffic	Dept/Div change to PW/Street effective 6/30/21
Vacant PIN 2263	PW/Traffic	Dept/Div change to PW/Street effective 6/30/21

Action: Received and filed. Copy previously forwarded to Payroll.

7. MOTION TO SET ASIDE:

Unified Government vs Yeuifer Giraldo, Case No. 2021CV000026.

Action: Received and filed. Copy previously forwarded to Legal.

8. TRAVEL REQUESTS:

Andrew Wilcox and Robert Peck, Police, travel to Jacksonville Beach, FL, July 11 – July 16, 2021, to attend Drug Recognition Expert Field Certification Training, Employee Training & Travel.

Britttanie Pruitt, Keith Falkner, and John Grosko, Police, travel to Lenexa PD, October 25 – October 29, 2021, to attend Force Science Training, Employee Training & Travel.

Jeffrey Stroud, Fire/Administration, travel to Keystone, CO, October 19 – October 23, 2021, to attend Fire Leadership Challenge, Employee Training & Travel.

Don White, Fire/Suppression, travel to Charlotte, NC, July 27 – 31, to attend IAFC Annual Conference & Expo/Education & Research, Employee Training & Travel.

Action: Approved by Administrator's Office and received and filed.



Unified Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Brett Deichler
Interim UG Clerk

Date: July 8, 2021

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

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Attachment

Weekly Business Material for July 8, 2021

1. PUBLIC NOTICE:

Alandon Tow Service, 6224 Kansas Ave., held a public auto auction on July 6, 2021.

Action: Received and filed.

2. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Reissue?</u>	<u>Date Issued</u>	<u>AMOUNT</u>	<u>FUND / ACD</u>	<u>Vendor Name/Number</u>	<u>Reason for void (dropdown)</u>
891288	No	6/18/2021	\$ 1,505.00	110 3700045244	ROS Office Furniture #27593	Duplicate Payment
888510	Yes	4/1/2021	\$ 13,500.00	160 38400015533	Clerk Of District Court Wyandotte County Law #12988	Lost Warrant/Stale dated

Action: Received and filed.

3. PERSONNEL ACTION COMMUNICATION, DATED JULY 6, 2021:

Section II-Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Bradley J Flanders	Fire	6/17/21	Sr Firefighter	Sr Firefighter/Paramedic

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Michael L Bryant	PW/WPC	6/22/21	General Maint Worker
Jordan A Cogdill	Police	7/21/21	Patrolman II
Daniel J Dumovich	Fire	6/17/21	Sr Fire Captain
Milan H Hajdukovich	Fire	7/2/21	Firefighter I
Lisa L Wilson	Aging	6/10/21	Program Specialist

Action: Received and filed. Copy previously forwarded to Payroll.

4. TRAVEL REQUESTS:

Joseph Reyes and Matt Tomasic, KCKPD/COPPS/PAL, travel to New Orleans, LA, August 17 – August 21, 2021, to attend National PAL Conference, Employee Training & Travel.

Action: Approved by Administrator's Office and received and filed.

5. APPLICATION FOR CMB LICENSE (OP):

Wyandotte County Fair Assoc./James Knetter, DBA Wyandotte County Fair, 13700 Polfer Rd.

Action: Referred to License.

6. APPLICATION FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

Apple Central KC LLC/Rick Rehorn, DBA Applebee's Neighborhood Grill & Bar #79011, 1700 Village West Pkwy.

Apple Central KC LLC/Rick Rehorn, DBA Applebee's Neighborhood Grill & Bar #79003, 3404 Rainbow Blvd.

Vieux Carre, LLC DBA Fat Matt's Vortex, 411 N. 6th St.

Action: Referred to License.

7. APPLICATION FOR LIQUOR TEMPORARY LICENSE:

Taqueria Mexico of Kansas Inc./Jose Ricardo Romo, DBA Temporary Permit for July 10, 2021 from 4:00 p.m. to 12:00 a.m., 600 N. 7th St.

Action: Referred to License.

8. APPLICATION FOR PRIVATE CLUB CLASS B:

American Legion Post 199/Louis Torrez, DBA Quindaro Post 199, 7942 Leavenworth Rd.

Action: Referred to License.

9. APPLICATION FOR PRIVATE SECURITY BUSINESS:

Brosnan Risk Consultants, LTD/Zaverio Torres, DBA Brosnan Risk Consultants, LTD, One Blue Hill Plaza, Pearl River, NY

Action: Referred to License.



Unified Government Clerk's Office

Brett A. Deichler, PMP | CPM
Interim Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Brett Deichler
Interim UG Clerk

Date: July 15, 2021

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

mbb

Attachment

Weekly Business Material for July 15, 2021

1. BOARD OF PUBLIC UTILITIES' REPORTS:

2020 Fourth Quarter Unaudited Financial Statement for the period ending December 31, 2020.

2021 First Quarter Unaudited Financial Statement for the period ending March 31, 2021.

Action: Received and filed.

2. COMMUNICATION:

Pam Kahao, Accounting Manager, regarding a warrant cancellation:

<u>Warrant #</u>	<u>Reissue?</u>	<u>Date Issued</u>	<u>AMOUNT</u>	<u>FUND / ACD</u>	<u>Vendor Name/Number</u>	<u>Reason for void (dropdown)</u>
891599	No	6/25/2021	\$ 1,419.72	110 7600045279	TEC Payroll Service Inc #29840	Duplicate Payment Issued in error

Action: Received and filed.

3. PERSONNEL ACTION COMMUNICATION, DATED JULY 13, 2021:

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Richard A Ellingberg	B&L	7/8/21	Caretaker	Caretaker
Marvin M Flores	B&L	7/8/21	Caretaker	Caretaker
Joy L Frazier	Police/Public Safety	7/8/21	Fiscal Supt Specialist	Dispatcher
Timothy P Mock	Sheriff	7/1/21	Deputy	Deputy
Christopher W Parrish	Sheriff	7/8/21	Deputy	Deputy

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Juan C Acevedo	Sheriff	7/2/21	Deputy
Denisha R Acon	Sheriff	6/28/21	Deputy
Kristian A Alvarez	Sheriff	7/9/21	Clerk
Angelo N Bell	Police	7/2/21	Patrolman III
Zachary D Hitzelberger	Police	7/15/21	Police Sergeant
John E Pack	PW/Engineering	7/14/21	Prog Supervisor
Amarius T Valentine	Sheriff	6/24/21	Deputy

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Jennifer Allen-Caudle	Health	ACD code change effective 7/1/21
Susan Caman	Health	ACD code change effective 7/1/21

Betty Criss	Health	ACD code change effective 7/1/21
Crystal Doran	Health	ACD code change effective 7/1/21
Anjelicka Dorsey	Health	ACD code change effective 7/1/21
Janell Friesen	Health	ACD code change effective 7/1/21
Bianca Garcia	Health	ACD code change effective 7/1/21
Nicole Garner	Health	ACD code change effective 7/1/21
Michael Gibson	Health	ACD code change effective 7/1/21
Blake Hensley	Health	ACD code change effective 7/1/21
Olliea Jarrett	Health	ACD code change effective 7/1/21
Veronica Kariuki	Health	ACD code change effective 7/1/21
Lori Lanter	Health	ACD code change effective 7/1/21
Travis Lanter	Health	ACD code change effective 7/1/21
Marilyn Maier	Health	ACD code change effective 7/1/21
Andrea Manlove	Health	ACD code change effective 7/1/21
Esperanza Moreno	Health	ACD code change effective 7/1/21
Margarita Reyes	Health	ACD code change effective 7/1/21
Jovita Sanchez	Health	ACD code change effective 7/1/21
Michelle Smith	Health	ACD code change effective 7/1/21
Charlotte Square	Health	ACD code change effective 7/1/21
Vacant PIN 6417	Health	ACD code change effective 7/1/21
Vacant PIN 6406	Health	ACD code change effective 7/1/21
Vacant PIN 6418	Health	ACD code change effective 7/1/21
Vacant PIN 6324	Health	ACD code change effective 7/1/21
Vacant PIN 6399	Health	ACD code change effective 7/1/21
Vacant PIN 6410	Health	ACD code change effective 7/1/21
Vacant PIN 6375	Health	ACD code change effective 7/1/21
Vacant PIN 6343	Health	ACD code change effective 7/1/21
Rik Van Dyke	Aging	ACD code change effective 7/8/21

Action: Received and filed. Copy previously forwarded to Payroll.

4. PERSONNEL ACTION COMMUNICATION, DATED JULY 15, 2021:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Christopher G Arana Lemus	Police	7/15/21	Patrol Officer
William J Budy	PW/B&L	7/8/21	Fac. Maint Specialist
Landon M Cross	Police	7/15/21	Patrol Officer
David Gonzalez	Police	7/15/21	Patrol Officer
Kenyatta P. Kennedy	Finance/Treasury	7/8/21	Fiscal Supt Asst
Austin C Lindsey	Police	7/15/21	Patrol Officer
Jared R Paulakovich	Police	7/15/21	Patrol Officer
Zackery H Ryburn	Police	7/15/21	Patrol Officer
Isidro Torres	Police	7/15/21	Patrol Officer
Juleain M Winters	Police	7/15/21	Patrol Officer

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Elizabeth A Calderon	Legal	7/16/21	Admin Supt Specialist
Michael G Taylor	Cao/Public Relations	7/7/21	Director

Section IV - Leaves of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Jennifer Reynoso	Finance/Treasury	7/7/21	unknown	paid admin leave
Jessica A Rubio	Finance/Treasury	7/7/21	unknown	paid admin leave

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Tyler J Dinsmore	Fire	7/16/21	Firefighter IV
Steven Hernandez	Parks/Rec	7/7/21	Groundskeeper I
Justin M Hylton	Fire	7/16/21	Firefighter IV
Brandon E Jackson	Fire	7/16/21	Firefighter IV
Lore E Maloney	Police/Comm	1/21/21	Public Safety Dispatcher
Angelo Pena	Fire	7/16/21	Firefighter IV
Semian U Vanderpool	Fire	7/16/21	Firefighter IV
Andrew Y Xiong	Fire	7/16/21	Firefighter IV

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Kamra Cole	Aging	ACD code change effective 7/14/21
Betty Ewell	Aging	ACD code change effective 7/14/21
Milan H Hajdukovich	Fire	Amend PAC 7/6/21 effective 7/2/21
Vacant PIN 6029	Aging	ACD code change effective 7/14/21

Action: Received and filed. Copy previously forwarded to Payroll.

5. CLAIM FOR DAMAGES:

Pete Cole, III, 3027 N. 33rd, alleging damages to house due to swat team trying to reach a woman who had barricaded herself in Mr. Cole's home December 29, 2020.

Taylor Gardner, 12213 Briar Dr., Overland Park, KS, alleging damage to tire due to hitting pot hole on Southwest Blvd. near Rainbow.

LaKeisha Porchia, 1800 Emanuel Cleaver II Blvd., #311, Kansas City, MO, alleging bodily injuries due to the EMT dropping her out of the cot when removing her from the EMT vehicle on July 1, 2021.

Bernard Weston, 2730 N. 76th St., through Michael Wharton, Attorney, 12 Corporate Woods, Suite 370, alleging bodily injuries after stepping into a water meter pit on December 16, 2020.

Action: Received and filed. Copies previously forwarded to Legal.

6. MOTION TO SET ASIDE:

Unified Government vs. Juanita Leonard, Case No. 2021-CV-000026.

Action: Received and filed. Copy previously forwarded to Legal.

7. SUMMONESS:

Frances Giles vs Tapco Products Company and Unified Government Wyandotte County/Kansas City, Kansas Case No. 2021-CV-000445(2).

Unified Government of Wyandotte County, Kansas City, KS, vs Teresa Ackors, Et. Al., Case No. 2021-CV-000393, (Tax Sale 349).

Action: Received and filed. Copies previously forwarded to Legal.

8. TRAVEL REQUESTS:

Kent Anderson, Angel A Garrison, Richard Harris and Stephen Owen, Police, travel to Osage Beach, MO, September 7 – 10, 2021, to attend the FBI Natl Academy Associates 2021 Fall Retrainer, SLETF.

Robert Anderson and Troy Shaw, Public Works, travel to St. Louis, MO, August 29 – September 1, 2021, to attend the PWX Public Works EXPO, Employee Training & Travel.

Raymond Elmer, Scott Hawley, Brent Smith and Adam Ziegler, Fire Department, travel to Appleton, WI, July 12 – 14, 2021, regarding Pierce final inspection, N/A.

PJ Locke, Police Athletic League – COPPS, travel to Long Beach, CA, August 13 – 16, 2021, to assist with PAL kids surfing with non -profit group S.W.E.L., N/A.

Action: Approved by Administrator's Office and received and filed.

9. CERTIFICATES OF INSURANCE:

Asplundh Tree Expert, LLC
Clarence Palmer DBA Palmer Tree Service
Garda World Security Corporation Whelan Security Co.
Norred & Associates, Inc.
Outfront Media Group, LLC
T.A.P.S. of KC, Inc.

Action: Referred to License.

10. BUSINESS BONDS:

Electrical Contractor's Bonds
Arrow Circle Electric, Inc.
Creative Associates, Inc.
Skyview Utilities, LLC

General Contractor's Bond
3 Co., LLC

HVAC Contractor's Bonds

Priority One HVAC, LLC
Ray Coleman DBA Coleman Temperature Control

Plumber's Bond
Ace's Drain Cleaning Plus

Action: Referred to License.

11. CONTINUATION CERTIFICATES:

Electrical Contractor's Bonds
J. Warren Company, Inc.
Prante Communications, Inc. d/b/a – Prante Electric & Communications

Plumber's Bonds
Age Mechanical, Inc.
Fratzel Plumbing, LLC

Miscellaneous Bonds
Lin R. Rogers Electrical Contractors, Inc.
Hussmann Services Corporation

Action: Referred to License.

12. CANCELLATION NOTICES:

HVAC Bond
Midwest Commercial Refrigeration, LLC

Mechanical/HVAC Contractor's Bond
All 4 One Heating and Cooling, LLC.

Action: Referred to License.

13. REINSTATEMENT NOTICE:

Electrical Contractor's Bond
Mish Electric, LLC

Action: Referred to License.

14. RIDER TO BOND:

Miscellaneous Bond
Galloway's Electric

Action: Referred to License.

15. APPLICATION FOR PRIVATE SECURITY BUSINESS:

Securitas Security Services/Michael Washbourne DBA Securitas Security Services, 9 Campus Dr., Parsippany, NJ

Action: Referred to License.



Unified Government Clerk's Office

Brett A. Deichler, PMP | CPM
Interim Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Brett Deichler
Interim UG Clerk

Date: July 22, 2021

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tpl

Attachment

Weekly Business Material for July 22, 2021

1. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Reissue?</u>	<u>Date Issued</u>	<u>AMOUNT</u>	<u>FUND / ACD</u>	<u>Vendor Name/Number</u>	<u>Reason for void</u>
891599	No	6/25/2021	\$1,419.72	110 7600045279	TEC Payroll Service Inc #29840	Duplicate Payment Issued in error
893026	Yes	7/19/2021	\$92	632 93200015520	Hostetler and Assoc. Inc	Wrong vendor Other
893107	No	7/23/2021	\$92	632 93200015520	Hostetler and Assoc. Inc	Wrong vendor Issued in error

Action: Received and filed.

2. PERSONNEL ACTION COMMUNICATION, DATED JULY 20, 2021:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Erick W Acosta-Valdez	Police	7/15/21	Patrol Officer
Alexis R Conejo	Finance/Treasury	7/22/21	Fiscal Supt Asst
Jaylen T Dupree	Police	7/15/21	Patrol Officer
Kang B Her	Aging	7/22/21	Program Specialist Programs
Marlane L Sadeghi	Sheriff/Detention	7/22/21	Assistant

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Kyle M Brady	Fire	7/15/21	Sr Firefighter/Paramedic	Fire Driver
Pamela R Carver	Police/Comm	6/10/21	Public Safety Dispatcher	Lead Dispatcher
Jarred J Good	Fire	7/15/21	Fire Driver	Fire Captain

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Abigail M Eccher	CKO	7/30/21	Info System Coordinator
Michael E Herdman	Police	7/10/21	Police Outreach Cadet
Angel Villanueva-Nava	Parks/Rec	7/14/21	Groundskeeper I

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Juliana A Moreno-Garcia	Finance/Treasury	7/21/21	Fiscal Supt Asst
Juliann J Van Liew	Health	5/13/21	Director
Brandi D Wallace	Finance/Treasury	7/21/21	Fiscal Supt Asst

Section VII - Reclassifications

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Bruce B Brooks	PW/Street	7/1/21	Dispatcher II	Flare Tech II
Dennis W Brough	PW/Street	7/1/21	Dispatcher I	Flare Tech II

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Juan C Acevedo	Sheriff	Amend PAC 7/13/21 to reflect no action taken on separation effective 7/2/21
Landon Cross	Police	ACD code change effective 7/15/21
David Gonzalez	Police	ACD code change effective 7/15/21
Milan H Hajdukovich	Fire	Amend PAC 7/6/21 to reflect change in kelly days effective 7/2/21
Julieann Winters	Police	ACD code change effective 7/15/21

Action: Received and filed. Copy previously forwarded to Payroll.

3. MOTION TO GET A REFUND:

Reverse Mortgage/Unified Government Wyandotte County vs. Henrietta Jones/Irvin Properties Rentals & Investments LLC, Case No. 2020-CV-00063.

Action: Received and filed. Copy previously forwarded to Legal.

4. MOTION TO SET ASIDE:

Unified Government of Wyandotte County/Kansas City, Kansas vs. Steven Acinger, et al, Case No. 2021-CV-000026 (Tax Sale No. 348).

Action: Received and filed. Copy previously forwarded to Legal.

5. REQUESTS FOR DEFENSE:

Officer James M. Gunzenhauser notification of suit pursuant to the Kansas Tort Claim Act in Case, Lilian Silva, et al, vs. City of Kansas City Kansas, et al, 2021-CV-000261.

Officer Noemi Reliford notification of suit pursuant to the Kansas Tort Claim Act in Case, Lilian Silva, et al, vs. City of Kansas City Kansas, et al, 2021-CV-000261.

Action: Received and filed. Copies previously forwarded to Legal.

6. SUMMONS:

Edward Allen vs. Don Ash et. al, Case No. 2021-CV-000374.

Action: Received and filed. Copy previously forwarded to Legal.

7. TRAVEL REQUESTS:

Jeffrey Gardner, KCKPD, travel to Pipe Creek, TX, July 18 – 14, 2021, to attend the Canine handler Basic Training and Canine Certification, SLETF.

Kari Oakman, KCKPD, travel to New Orleans, LA, September 10 – 14, 2021, to attend the 2021 IACP Conference, SLETF.

Action: Approved by Administrator's Office and received and filed.

8. APPLICATION FOR CMB LICENSE (PKG):

S and S Commercial, LLC/Govinda Regmi DBA S and S Commercial, LLC, 2859 State Ave.

Action: Referred to License.

9. APPLICATION FOR CMB LICENSE (OP):

Strawberry Hill Neighborhood Association, Inc/Garrett Seelinger DBA Strawberry Hill Community Garden, 419 N. 7th St.

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 21942

Full Commission Meeting Date: July 29, 2021

Committee: Administration & Human Services

Date of Standing Committee Action: May 24, 2021

(If none, please explain):

Publication Required: Yes 7/8/2021

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
7/20/2021	Wilba Miller	x5112	wmiller@wycokck.org	Community Development

Item Description:

The U.S. Department of Housing and Urban Development (HUD) has awarded the Unified Government of Wyandotte County/ Kansas City, Kansas three annual block grants: 2021 Community Development Block Grant (\$2,362,404), 2021 Home Investment Partnership Program Grant (\$882,359) and 2021 Emergency Solutions Grant (\$196,560). Collectively, these grants can be used to address a variety of community needs related to housing, public facilities, infrastructure, and public services to meet the needs of low to moderate income households and individuals.

To receive these funds, the Unified Government Department of Community Development must submit an Annual Action Plan to HUD before August 15th, 2021.

HUD regulation requires citizen participation and comment opportunities before adoption of the Annual Action Plan, including a 30-day public comment period which began June 10, 2021 and ended July 13, 2021 and two public hearings held March 12, 2021 and July 29, 2021.

An update will also be given on the following Community Development Department activities:

- CDBG – Park Drive Neighborhood Revitalization Strategy Area (NRSA) Program
- CDBG – COVID #1 and COVID #2 Status
- ESG – COVID #1 AND COVID #2 Status
- HOME – American Recovery Program Status
- 2022 Five Year Consolidated Plan Process

Action Requested:

Hold public hearing and consider resolution for submission of the 2021 Annual Action Plan to HUD

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

2021-2022 ANNUAL ACTION PLAN, RESOLUTION FOR CON PLAN 2021-2022, 2021 Annual Action Plan Presentation
7.29.2021



Annual Action Plan

Unified Government Wyandotte County/ Kansas City, Kansas PY 2021-2022

October 2021-September 2022

Prepared by:

The Unified Government of Wyandotte
County and Kansas City, Kansas
Community Development Department

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

Each year, the Unified Government of Wyandotte County/Kansas City, Kansas (the Unified Government or UG) receives funds from HUD for housing and community development activities to address priority needs locally identified by the UG. To receive these federal funds, the UG must submit a strategic plan — the Consolidated Plan — every five years that identifies local needs and how these needs will be addressed. In addition to the Five-Year Consolidated Plan, the UG must submit an Annual Action Plan (this document) every year that summarizes the planned activities and use of HUD funding. HUD grants are not measured by the UG fiscal year but are measured by the grant program year (PY). The 2021 PY will begin on October 1, 2021, and end on September 30, 2022. Program Year (PY) 2021 will be the fifth and final year of the 2017-2021 Consolidated Plan.

The primary federal funding resources in the 2017-2021 Consolidated Plan are the following:

- **Community Development Block Grant (CDBG):** The primary objective of this program is to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of low- and moderate-income levels. Funds can be used for a wide array of activities, including housing rehabilitation, homeownership assistance, lead-based paint detection and removal, construction or rehabilitation of public facilities and infrastructure, removal of architectural barriers, public services, rehabilitation of commercial or industrial buildings, and loans or grants to businesses.
- **HOME Investment Partnerships Program (HOME):** The HOME program provides federal funds for the development and rehabilitation of affordable rental and ownership housing for low- and moderate-income households. HOME funds can be used for activities that promote affordable rental housing and homeownership by low- and moderate-income households, including reconstruction, moderate or substantial rehabilitation, homebuyer assistance, and tenant-based rental assistance.
- **Emergency Solutions Grant (ESG):** The Emergency Shelter Grant program became the Emergency Solutions Grant program under the Hearth Act of 2009. Recognizing the need to end homelessness, the Hearth Act places more emphasis on homeless prevention and rapid re-housing and less on shelters and transitional housing. ESG funding can be used to support traditional shelters and transitional housing that is grandfathered from 2010 funding, supportive services, rent and utility payments and security deposits to prevent homelessness or to rapidly re-house homeless individuals and families, street outreach, and management of a homeless management information system (HMIS).

PY 2019 and 2020 brought many challenges related to the COVID-19 health and economic crisis. Stay-at-home orders, gathering restrictions and, increased costs related to building materials, required the

Unified Government and partners to pivot services to fit the new environment and take steps to mitigate delays in service. These challenges also brought additional resources from the CARES Act, including supplemental allocations of CDBG and ESG to prevent, prepare for and respond to COVID-19. Those funds were allocated in an amendment to the 2019 Annual Action Plan and CARES Act projects will continue through PY2021.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items, or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis, or the strategic plan.

For PY 2021, the Unified Government (UG) has identified the following goals and outcomes:

- Improve access to and quality of affordable housing options
- Improve and expand public services to serve low income and special needs populations
- Support activities that prevent homelessness
- Support activities that move persons experiencing homelessness to permanent housing
- Improve and expand public facilities and infrastructure to serve low to moderate income populations

See Annual Goals and Objectives for more details.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The UG's past performance of the CDBG, HOME, and ESG programs has fulfilled the spirit and intent of the federal legislation governing these programs. The UG has facilitated affordability for decent housing, availability and accessibility of suitable living environments, sustainability of suitable living environments, and the accessibility of economic opportunities. The following is a summary of UG's past performance as reported to HUD in the PY2019 Consolidated Annual Performance and Evaluation Report (CAPER), the most recent report filed.

New Construction and Rehabilitation: New affordable housing units were created through new construction and rehabilitation of existing housing units:

- Goal for Construction of New Units: 3
- Actual Number of Units Completed: 6

Rehabilitation/Home Repair Program: The annual goal was exceeded with the use of CDBG funds:

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- Objective for Rehab/Repair: 50
- Actual Number Completed: 51

Access to Housing by Barrier Removal. The annual goal was accomplished with use of CDBG funds to remediate barriers to housing accessibility and mobility for those with disabilities:

- Objective for Barrier Removal: 3
- Actual Number Completed: 14

See 2019 CAPER for more details.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

Two public hearings were held for the 2021 Annual Action Plan. The first hearing was held on March 11, 2021. The second public hearing will be held on July 29, 2021. Due to the COVID-19 health crisis, all meetings of the UG Board of Commissioners will be held virtually. The public is able to participate via Zoom and YouTube Live. A recording of all meetings are also published on the Unified Government YouTube page. There was an additional presentation to the Administration and Human Services subcommittee of the Board of Commissioners on May 24, 2021 prior to the Draft Plan public comment period that the public could also attend via Zoom and YouTube Live.

The Draft Plan was published in summary in the official local newspaper The Wyandotte Echo on June 11, 2021 and in whole on the Unified Government Community Development webpage. Hard copies of all plans are available in the Community Development Office and the Unified Government Clerk's office. A 30-day comment period for the draft 2021 Annual Action Plan was advertised in multiple local news sources and newsletters distributed throughout the community. See attachment for more details.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

See attached public comments.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments and views were accepted.

7. Summary

In summary, the Annual Action Plan has been developed with community input and reflects the decisions and history of the County Commission in funding allocations.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role		Name	Department/Agency
CDBG Administrator		KANSAS CITY	Department of Community Development
HOME Administrator		KANSAS CITY	Department of Community Development
ESG Administrator		KANSAS CITY	Department of Community Development

Table 1 – Responsible Agencies

Narrative (optional)

The lead agency for the Annual Action Plan (AAP) is the Department of Community Development for the Unified Government of Wyandotte County/Kansas City, Kansas. The Department serves the residents of Wyandotte County through administration of the Community Development Block Grant, HOME Investment Partnership, and Emergency Solutions Grant.

Consolidated Plan Public Contact Information

Community Development Department, 701 N. 7th Street, Room 823, Kansas City, KS 66101

(913) 573-5100

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The Unified Government conducts outreach efforts to maximize input from a large cross-section of stakeholders. This outreach effort includes public meetings, published meeting notices, stakeholder meetings and public workshops.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

Meaningful collaboration as it relates to the development and implementation of housing and community development programs and services has become increasingly important as the federal resources available to these programs continue to decline. Collaboration with housing and service providers helps the Unified Government to capture the maximum benefit for each dollar it invests and ensures that investments strategically address both short-term needs and advance long-term goals. These agencies are proactively recruited to participate in the development of annual planning processes. Many local entities, such as business organizations, neighborhood-based organizations, lenders and realtors, and UG staff are working to establish a framework for multi-level collaboration at the neighborhood level to preserve and enhance residential areas.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Wyandotte County/Kansas City, Kansas is part of the Greater Kansas City Coalition to End Homelessness (GKCCEH), which is the region's Continuum of Care. The GKCCEH works to address homelessness and the priority needs of homeless individuals and families, including homeless subpopulations. The UG assigns a staff person to assist the GKCCEH, serving on the board of directors as a non-voting member.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

When allocating ESG funding, the Unified Government issues a request for proposals to all agencies that are members of the Continuum of Care. A committee with at least one CoC member representative reviews all the applications and makes recommendations for that year's allocations. The UG typically funds homelessness prevention, rapid rehousing, HMIS, and operations.

2. Describe Agencies, groups, organizations, and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	LIVEABLE NEIGHBORHOODS, INC.
	Agency/Group/Organization Type	Services-Education Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Anticipated outcomes of the consultation are to provide input for the most critical needs of the community for the next planning years.
2	Agency/Group/Organization	COMMUNITY HOUSING OF WYANDOTTE COUNTY
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Anticipated outcomes of the consultation are to provide input for the most critical needs of the community for the next planning year.
3	Agency/Group/Organization	FRIENDS OF YATES, INC.
	Agency/Group/Organization Type	Services - Housing Services-homeless Services-Health Services-Education Services-Employment Services - Victims
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Anticipated outcomes of the consultation are to provide input for the most critical needs of the community for the next planning years.
4	Agency/Group/Organization	HILLCREST TRANSITIONAL HOUSING
	Agency/Group/Organization Type	Services-homeless Services-Employment
	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Anticipated outcomes of the consultation are to provide input for the most critical needs of the community for the next planning years.
5	Agency/Group/Organization	Kansas City KS Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Anticipated outcomes of the consultation are to provide input for the most critical needs of the community for the next planning years.
6	Agency/Group/Organization	Kim Wilson
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Anticipated outcomes of the consultation are to provide input for the most critical needs of the community for the next planning years.
7	Agency/Group/Organization	METROPOLITAN LUTHERAN MINISTRIES
	Agency/Group/Organization Type	Services - Housing

	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Anticipated outcomes of the consultation are to provide input for the most critical needs of the community for the next planning years.
8	Agency/Group/Organization	MOUNT CARMEL REDEVELOPMENT CORP.
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Families with children Homelessness Strategy Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Anticipated outcomes of the consultation are to provide input for the most critical needs of the community for the next planning years.
9	Agency/Group/Organization	Salvation Army
	Agency/Group/Organization Type	Services - Housing Services-Children Services-homeless Services-Employment
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Anticipated outcomes of the consultation are to provide input for the most critical needs of the community for the next planning years.

Identify any Agency Types not consulted and provide rationale for not consulting

There were no types of agencies that the UG did not consult and engage, either through phone, email, focus group meetings, personal interviews and/or questionnaires.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Greater Kansas City Coalition to End Homelessness	
2020 Annual Action Plan	Unified Government	Goals of the Strategic Plan relate to previous year's efforts, adjusting based on previous outcomes to maximize benefit of CDBG, HOME and ESG investments.
City-Wide Master Plan	Unified Government	Strategic Plan goals comply with long-range goals compiled by the City.
Plan for Affirmatively Furthering Fair Housing	Kansas City Region	Strategic plan goals and objectives will intentionally, affirmatively further fair housing.
Comprehensive Economic Development Strategy Plan	Mid-America Regional Council	Strategic plan acknowledges, and addresses needs identified for expanding economic opportunities.
Wyandotte County Community Health Improvement Plan	Public Health Department	Strategies for serving individuals with HIV/AIDS identified in this plan are aligned with the Strategic Plan.
KCKHA 2020 Five Year Plan and Annual Plan	Kansas City, Kansas Housing Authority	Strategic Plan goals support the work undertaken by the Housing Authority.
10 Year Plan to End Homelessness	Wyandotte Homeless Services Coalition	The goals of the CoC were used in the development of the Strategic Plan.
Assessment of Service Needs for At-risk Children	Mid-America Regional Council	Strategic Plan incorporates needs and strategies identified by this report

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

The Unified Government consulted with various organizations such as neighborhood organization, housing developers, homeless agencies, housing authority, and other groups throughout the NRSA process as well as the Annual Plan process. In addition, business and civic leaders such as lenders, appraisers, stakeholders along with elected officials have played a part through UG initiatives such as Stabilization, Occupation And Revitalization (SOAR), the Neighborhood Revitalization Strategy Area (NRSA) and the UG Community Health Improvement Plan.

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal setting

The UG actively encourages citizen participation in accordance with the approved Citizen Participation Plan. Efforts were made to engage citizens through public hearings, newspaper ads, internet outreach, and public meetings. All citizen comments were considered in developing the Annual Action Plan. See attached for more details.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Hearing	Non-targeted/broad community	Citizen participation comments attached.	Citizen Participation comments attached	All comments were accepted.	
2	Newspaper Ad	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	Citizen participation comments attached.	Citizen participation comments attached.	All comments were accepted.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Internet Outreach	Non-targeted/broad community	Citizen participation comments attached.	Citizen participation comments attached.	All comments were accepted.	
4	Public Meeting	Residents of Public and Assisted Housing	Citizen participation comments attached.	Citizen participation comments attached.	All comments were accepted.	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The following outlines the UG's expected resources for the purposed of meeting Annual Action Plan goals. Resources include HUD grant funding, program income, leveraged funds, and UG owned property.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	2,362,404	0	470,000	2,832,404	0	This funding includes \$2,362,404 in 2021 funding and approximately \$470,000 in 2015 funding for newly identified activities.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	882,359	0	0	882,359	0	
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	196,560	0	0	196,560	0	

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Several potential funding sources have been identified to implement the strategies contained in the 2021 Annual Action Plan. The federal funds outlined above will leverage other sources such as state funds provided under various programs and private funds such as Low Income Housing Tax Credits and mortgages.

HOME: The UG local jurisdiction has been granted a 100% match reduction for the HOME program due to severe fiscal distress. HOME funds leverage private mortgages through the CHIP program and partnerships with CHDOs and CDCs.

CDBG: Public Services grants leverage Unified Government General Fund dollars and cash and in-kind donations.

ESG: Non-profit organizations subcontracting with the UG are required (for UG to meet HUD regulations) to provide a 100% match for the grant that they are awarded. The match may be in the form of cash or in-kind services and/or donations.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The County owns over 4,000 vacant lots through the UG Land Bank. The UG Land Bank currently implements a Land Bank Rehab Program to partner with contractors, real estate investors and experienced rehabbers to rehabilitate vacant and often dilapidated land bank properties for resale. Although this program does not utilize community development funds, the program leverages UG owned properties and private development dollars for revitalization efforts to remediate homes that would otherwise be demolished or remain vacant. Revitalizing vacant homes reduces neighborhood crime, increases the perception of neighborhood safety, increases neighborhood property values, and brings additional tax revenues to the UG for critical infrastructure and community services. To date, this program has had 62 completed homes and increased the appraised values of those parcels by \$3.1 million.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Improve access to and quality of housing	2017	2021	Affordable Housing		Expand Affordable Housing Opportunities Preserve Existing Affordable Housing Units	CDBG: \$1,124,908 HOME: \$793,123	Homeowner Housing Added: 4 Household Housing Unit Homeowner Housing Rehabilitated: 50 Household Housing Unit Direct Financial Assistance to Homebuyers: 15 Households Assisted
2	Provide public services	2017	2021	Homeless Non-Housing Community Development		Public Services	CDBG: \$168,000	Public service activities other than Low/Moderate Income Housing Benefit: 1500 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
3	Housing/services for persons who are homeless	2017	2021	Public Housing Homeless		Housing/Services for the Homeless/At-Risk	ESG: \$196,560	Tenant-based rental assistance / Rapid Rehousing: 470 Households Assisted Homeless Person Overnight Shelter: 500 Persons Assisted Overnight/Emergency Shelter/Transitional Housing Beds added: 400 Beds Homelessness Prevention: 700 Persons Assisted
4	Planning & administration	2017	2021	Administration		Planning & Administration	CDBG: \$465,726 HOME: \$89,236	Other: 1 Other
5	Economic development	2017	2021	Non-Housing Community Development		Economic Development		
6	AFH 1: Minor Home Repair	2017	2021	Affordable Housing		Expand Affordable Housing Opportunities Preserve Existing Affordable Housing Units		
7	AFH 2: Code Assistance	2017	2021	Affordable Housing		Blight Removal		

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
8	AFH 3: ReCap Housing Needs	2017	2021	Affordable Housing		Blight Removal Expand Affordable Housing Opportunities Preserve Existing Affordable Housing Units		
9	AFH 4: Universal Design	2017	2021	Affordable Housing Non-Homeless Special Needs		Preserve Existing Affordable Housing Units		
10	AFH 5: Education	2017	2021	Education		Economic Development		
11	AFH 6: Jobs	2017	2021	Jobs		Economic Development		
12	AFH 7: Affordable Housing	2017	2021	Affordable Housing Non-Homeless Special Needs		Expand Affordable Housing Opportunities Preserve Existing Affordable Housing Units		
13	AFH 8: Mobility	2017	2021	Non-Homeless Special Needs		Economic Development		

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
14	Reg 1: Expand use of CDFIs and NMTCs	2017	2021	Affordable Housing Public Housing Homeless Non-Homeless Special Needs Non-Housing Community Development		Expand Affordable Housing Opportunities Preserve Existing Affordable Housing Units		
15	Reg 2: Establish fair housing information website	2017	2021	Affordable Housing		Expand Affordable Housing Opportunities		
16	Reg 3: Fair Housing Education-Stakeholders	2017	2021			Public Services		
17	Reg 4: Advocate for Universal Designs	2017	2021	Non-Homeless Special Needs				
18	Reg 5: Regional Housing Mobility	2017	2021	Affordable Housing		Housing/Services for the Homeless/At-Risk		
19	Reg 6: Develop Compact Use Zoning	2017	2021	Affordable Housing		Expand Affordable Housing Opportunities		
20	Reg 7: Develop Regional Housing Locator	2017	2021	Affordable Housing		Expand Affordable Housing Opportunities		
21	Reg 8: Encourage Affordable TOD Zoning	2017	2021	Affordable Housing				

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
22	Reg 9: Universal Design Incentive Policy	2017	2021	Affordable Housing Non-Homeless Special Needs		Expand Affordable Housing Opportunities		
23	Reg 10: Promote KC Degrees and KC Scholars	2017	2021			Public Services		
24	Reg 13: Align Regional Transit to Jobs	2017	2021	Non-Homeless Special Needs				
25	Reg 11: KC Rising Education and Job Training	2017	2021	Education		Public Services		
26	Reg: 12 Transportation Option Partnership	2017	2021	Transit				
27	Reg 14: Affordable Housing Educational Materials	2017	2021	Affordable Housing		Public Services		
28	Reg 15: Fair Housing Goals Metrics	2017	2021	Affordable Housing				
29	NRSA 1: Public Facilities & Improvements	2017	2021	Public Facilities & Improvements		Infrastructure Maintenance & Improvement Public Facility Improvements	CDBG: \$570,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1915 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
30	NRSA 2: Affordable Housing	2017	2021	Affordable Housing		Expand Affordable Housing Opportunities Preserve Existing Affordable Housing Units		
31	NRSA 3: Economic Development	2017	2021	Economic Development		Economic Development		
32	NRSA 4: Education and Public Services	2017	2021	Education and Public Services		Public Services		
33	Public Facility/Infrastructure Improvements	2021	2022	Non-Housing Community Development		Infrastructure Maintenance & Improvement Public Facility Improvements	CDBG: \$503,770	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Improve access to and quality of housing
	Goal Description	Expand affordable housing opportunities and preserve existing affordable housing through the addition of affordable housing units, rehabilitation of existing housing, and direct financial assistance to homebuyers.

2	Goal Name	Provide public services
	Goal Description	Public services provided to Kansas City residents by subrecipient organizations- Willa Gill and Livable Neighborhoods.
3	Goal Name	Housing/services for persons who are homeless
	Goal Description	Homelessness response and prevention activities provided by subrecipients through the Emergency Solutions Grant program.
4	Goal Name	Planning & administration
	Goal Description	
5	Goal Name	Economic development
	Goal Description	
6	Goal Name	AFH 1: Minor Home Repair
	Goal Description	Target the use of CDBG funds to support minor home repair for low-income, members of protected classes, and elderly homeowners to enable them to maintain their properties.
7	Goal Name	AFH 2: Code Assistance
	Goal Description	Evaluate and, if necessary, provide resources to support low-income and protected class homeowners, especially the elderly and disabled, who may have property maintenance code violations, particularly in R/ECAPs.
8	Goal Name	AFH 3: ReCap Housing Needs
	Goal Description	Work with LISC to expand the resources in LISC's new Pre-Development Fund to support new or renovated housing in disadvantaged (R/ECAPs) neighborhoods in Kansas City, Kansas.
9	Goal Name	AFH 4: Universal Design
	Goal Description	Evaluate KCK building codes to consider changes that enable more than the federal requirements for ADA compliance to be addressed in new housing construction and encourage universal design.

10	Goal Name	AFH 5: Education
	Goal Description	KCK will promote services, including career exploration, mentoring, and experiential learning to enable middle and high school students to better prepare for careers.
11	Goal Name	AFH 6: Jobs
	Goal Description	Local governments should adopt economic development strategies that target development, retention and expansion of firms and industries that provide good jobs — ones that both have low barriers to entry and provide clear career paths to a living wage.
12	Goal Name	AFH 7: Affordable Housing
	Goal Description	
13	Goal Name	AFH 8: Mobility
	Goal Description	Adopt and implement complimentary mobility options such as walking, biking car sharing.
14	Goal Name	Reg 1: Expand use of CDFIs and NMTCs
	Goal Description	Expand the use of CDFIs and New Market Tax Credits in neighborhoods with concentrations of persons in protected classes and low-income residents.
15	Goal Name	Reg 2: Establish fair housing information website
	Goal Description	Establish www.kcmetrohousing.org as a central location for the public to access fair housing information.
16	Goal Name	Reg 3: Fair Housing Education-Stakeholders
	Goal Description	Establish a fair housing education program for landlords, realtors, and lenders.

17	Goal Name	Reg 4: Advocate for Universal Designs
	Goal Description	Advocate to Missouri Housing Development Commission and Kansas Housing Resources Commission to include universal design standards beyond HUD and ADA minimums in their projects.
18	Goal Name	Reg 5: Regional Housing Mobility
	Goal Description	Work with local housing authorities to explore a regional approach to housing voucher utilization.
19	Goal Name	Reg 6: Develop Compact Use Zoning
	Goal Description	Develop model zoning code for smaller homes on smaller lots and small (4-12 unit) multifamily.
20	Goal Name	Reg 7: Develop Regional Housing Locator
	Goal Description	Develop regional housing locator service to help voucher holders find the most appropriate housing.
21	Goal Name	Reg 8: Encourage Affordable TOD Zoning
	Goal Description	Develop model zoning codes to encourage accessible affordable housing units near transit or other key services at activity centers.
22	Goal Name	Reg 9: Universal Design Incentive Policy
	Goal Description	Develop model incentive policy to require any multi-unit housing construction or substantial renovation receiving a public subsidy to include some affordable, accessible units that meet universal design standards.
23	Goal Name	Reg 10: Promote KC Degrees and KC Scholars
	Goal Description	Promote use of KC Degrees and KC Scholars to help adults in protected populations return to and complete college.
24	Goal Name	Reg 13: Align Regional Transit to Jobs
	Goal Description	

25	Goal Name	Reg 11: KC Rising Education and Job Training
	Goal Description	Continue to develop and refine the education and job training component of KC Rising and provide guidance to local institutions in targeting these efforts.
26	Goal Name	Reg: 12 Transportation Option Partnership
	Goal Description	Form partnerships between local governments, private employers, and neighborhood organizations to develop transportation options that connect low income and protected populations living in concentrated areas of poverty with job opportunities.
27	Goal Name	Reg 14: Affordable Housing Educational Materials
	Goal Description	Develop informational materials for local governments and community organizations to use to educate the public about the need for affordable housing.
28	Goal Name	Reg 15: Fair Housing Goals Metrics
	Goal Description	Establish metrics to meet fair housing and affordable housing goals.
29	Goal Name	NRSA 1: Public Facilities & Improvements
	Goal Description	
30	Goal Name	NRSA 2: Affordable Housing
	Goal Description	
31	Goal Name	NRSA 3: Economic Development
	Goal Description	

32	Goal Name	NRSA 4: Education and Public Services
	Goal Description	
33	Goal Name	Public Facility/Infrastructure Improvements
	Goal Description	Public Facility and Infrastructure Improvements. For the 2021 program year, this will include \$33,770 in 2021 grant funds and \$470,000 in unspent 2015 funding that has been reprogrammed to meet this goal.

Projects

AP-35 Projects – 91.220(d)

Introduction

The finalized amount of 2021 Community Development Block Grant (CDBG) funds for the Unified Government is \$2,362,404. The 2021 HOME Investment Partnerships program (HOME) funds for the UG is \$882,359. The 2021 Emergency Solutions Grant program (ESG) is \$196,560. The following describes projects to be carried out for the 2021 program year, including estimated allocations and accomplishments.

Projects

#	Project Name
1	2021 Public Facilities and Improvements- NRSA Park Drive
2	2021 Emergency Home Repair
3	2021 Livable Neighborhoods
4	2021 Willa Gill Multi-Service Center
5	2021 Rehab Project Delivery
6	2021 CD Administration
7	2021 CHIP Program
8	2021 CHDO Set Aside (Rehab/New Construction)
9	2021 HOME Rehab/New Construction
10	2021 HOME Administration
11	2021 Emergency Solutions Grant (ESG)
12	2021 Public Facilities and Infrastructure Improvements

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The Unified Government is committed to allocating funds that serve the needs of low- to moderate-income (LMI) residents. Funding awards are based on need and activity eligibility. Actual locations are determined by applications received and funding availability, except for NRSA activities to be undertaken as proposed in the Park Drive area.

The primary obstacle to meeting underserved needs is the limited resources available to address identified priorities. The UG will partner with other public agencies and non-profit organizations, when feasible, to leverage resources and maximize outcomes in housing and non-housing community development.

AP-38 Project Summary

Project Summary Information

1	Project Name	2021 Public Facilities and Improvements- NRSA Park Drive
	Target Area	
	Goals Supported	NRSA 1: Public Facilities & Improvements
	Needs Addressed	Public Facility Improvements
	Funding	CDBG: \$570,000
	Description	Improvements may include park improvements, including removing barriers to accessibility in compliance with ADA, playground, curbs and sidewalks, and other public facility improvements to increase accessibility, healthy living and safety in the Park Drive NRSA.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	The beneficiaries of the project will include all households within the Park Drive NRSA.
	Location Description	See Park Drive NRSA for NRSA boundaries (https://www.wycokck.org/SOAR/Park-Drive.aspx).
	Planned Activities	Improvements may include park improvements, including removing barriers to accessibility in compliance with ADA, playground, curbs and sidewalks, and other public facility improvements to increase accessibility, healthy living and safety in the Park Drive NRSA.
2	Project Name	2021 Emergency Home Repair
	Target Area	City Wide
	Goals Supported	Improve access to and quality of housing
	Needs Addressed	Preserve Existing Affordable Housing Units
	Funding	CDBG: \$600,000
	Description	Emergency Home Repair Program for single-family owner-occupied houses. Repairs include critical infrastructure such as electrical, heating, plumbing and roof repairs, as well as the removal of architectural barriers that impede accessibility for qualifying residents.
	Target Date	9/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	Approximately 50 households will benefit from the activity. The program is available to low to moderate income households city-wide. Demographics of households will depend on applications received.
	Location Description	Actual location of project activities will depend on location of applicant home within the jurisdiction.
	Planned Activities	Specific activities are yet to be determined but will include repair for single-family owner-occupied houses such as electrical, furnace, plumbing, and roofs, as well as removal of architectural barriers that impede accessibility for qualifying resident. Activities will be carried out as applications are submitted and applicants are income qualified.
3	Project Name	2021 Livable Neighborhoods
	Target Area	City Wide
	Goals Supported	Provide public services
	Needs Addressed	Public Services
	Funding	CDBG: \$20,000
	Description	Livable Neighborhoods works with neighborhood groups and non-profit organizations to address community-wide concerns that affect the livability and safety of neighborhoods.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 500 persons assisted
	Location Description	City-wide
	Planned Activities	Public services
4	Project Name	2021 Willa Gill Multi-Service Center
	Target Area	City Wide
	Goals Supported	Provide public services
	Needs Addressed	Public Services
	Funding	CDBG: \$148,000

	Description	Willa Gill Multi-Service Center provides services to homeless and near-homeless individuals. Funding provides for operating costs for the center.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	The Center will serve approximately 1000 persons.
	Location Description	Public Services will be provided at Willa Gill Multi-Service Center.
	Planned Activities	Public services for those who are homeless or at-risk of homelessness.
5	Project Name	2021 Rehab Project Delivery
	Target Area	City Wide
	Goals Supported	Improve access to and quality of housing
	Needs Addressed	Expand Affordable Housing Opportunities Preserve Existing Affordable Housing Units
	Funding	CDBG: \$524,908
	Description	Rehab project delivery.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
6	Project Name	2021 CD Administration
	Target Area	City Wide
	Goals Supported	Planning & administration
	Needs Addressed	Planning & Administration
	Funding	CDBG: \$465,726
	Description	Applicable administration costs of the Community Development program.

	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Planning and administration.
7	Project Name	2021 CHIP Program
	Target Area	City Wide
	Goals Supported	Improve access to and quality of housing
	Needs Addressed	Expand Affordable Housing Opportunities
	Funding	HOME: \$223,123
	Description	CHIP provides down payment assistance to qualifying low to moderate income (LMI) homebuyers in accordance with HOME and CHIP program guidelines.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	15 income eligible households
	Location Description	Actual location will depend on location of applicant home purchase.
	Planned Activities	Specific activities will be determined as applications are received and applicants are qualified. CHIP provides down payment assistance for qualifying low-to-moderate income (LMI) homebuyers in accordance with HOME and CHIP program guidelines.
8	Project Name	2021 CHDO Set Aside (Rehab/New Construction)
	Target Area	City Wide
	Goals Supported	Improve access to and quality of housing
	Needs Addressed	Expand Affordable Housing Opportunities
	Funding	HOME: \$380,000

	Description	Community Housing Development Organizations (CHDO) Set Aside for rehabilitation and new construction. CHDO's are local organizations who meet the criteria and certification requirements of the UG HOME program.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Two households will benefit from the addition of two housing units.
	Location Description	Actual locations of activities will be determined by CHDO.
	Planned Activities	Actual activities have yet to be determined but are anticipated to include rehabilitation or new construction of two housing units by CHDO's for the purpose of increasing access to affordable housing for LMI households. CHDO's are local organizations who meet the criteria and certification requirements of the UG HOME program.
9	Project Name	2021 HOME Rehab/New Construction
	Target Area	
	Goals Supported	Improve access to and quality of housing
	Needs Addressed	Expand Affordable Housing Opportunities
	Funding	HOME: \$190,000
	Description	HOME rehabilitation and new construction activities carried out by the UG or subrecipient organizations.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Two households will benefit from the addition of two affordable housing units.
	Location Description	Location will be determined by the subrecipient in accordance with HOME policy and procedures.
	Planned Activities	Actual activities have yet to be determined but are anticipated to include rehabilitation or new construction of two housing units by subrecipient for the purpose of increasing access to affordable housing for LMI households.
10	Project Name	2021 HOME Administration

	Target Area	City Wide
	Goals Supported	Improve access to and quality of housing
	Needs Addressed	Expand Affordable Housing Opportunities
	Funding	HOME: \$89,236
	Description	Applicable HOME administration costs.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	HOME administrative costs support the overall success of the HOME program.
	Location Description	N/A
	Planned Activities	Applicable HOME administrative costs
11	Project Name	2021 Emergency Solutions Grant (ESG)
	Target Area	City Wide
	Goals Supported	Housing/services for persons who are homeless
	Needs Addressed	Housing/Services for the Homeless/At-Risk
	Funding	ESG: \$196,560
	Description	Emergency Solutions Grant program activities to be carried out by selected area service providers.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
12	Project Name	2021 Public Facilities and Infrastructure Improvements
	Target Area	City Wide
	Goals Supported	Public Facility/Infrastructure Improvements

	Needs Addressed	Public Facility Improvements
	Funding	CDBG: \$503,770
	Description	Public Facilities and Infrastructure Improvements to increase quality of life in neighborhoods. This project includes \$33,700 in 2021 funding for general public facilities and improvements, \$55,000 in unspent 2015 funds reprogrammed for activities in District 1, and \$415,000 in unspent 2015 funds reprogrammed for activities in District 6.
	Target Date	9/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Improvements will benefit residents of low to moderate income service areas, approximately 500 individuals. The actual number of individuals served will depend on specific activities undertaken and the identified service areas.
	Location Description	Specific location has not been identified.
	Planned Activities	Specific activities have not been identified but will include the provision of public facilities and infrastructure improvements that benefit low to moderate income service areas. The 2015 funds were originally allocated to housing activities in Districts 1 and 6 but are being reprogrammed for public facility and improvement project in those same districts.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Wyandotte County/Kansas City, Kansas is located in the northeast part of Kansas and is part of the Kansas City, Missouri metropolitan region. Housing values are some of the lowest in the region, but the County also has a higher unemployment and poverty rate than the majority of Kansas. According to the 2011 AI for the Kansas City Region, concentrations occur when the percentage of residents of a particular racial or ethnic group is 10 percentage points or more above the community-wide average. In 2011, Wyandotte County was approximately 40% non-White and 25% Hispanic. The largest concentrations (50%) of the Black/African-American population are in the Northeast neighborhood. For Hispanics, the largest concentrations (35%) are in the Argentine, Kensington, and Riverview neighborhoods. There are no areas with high concentrations of Asian populations. Using poverty rate as a proxy for low-income residents and a definition of “concentrated” as being 10 percentage points or more above the community-wide average (22%), there are concentrations of poverty located in the neighborhoods of Northeast, Kensington, Riverview, Coronado/Bethel/Welborn, and Rosedale. The greatest racial/ethnic concentrations of poverty are located in the Northeast neighborhood. Ultimately, Wyandotte County/Kansas City is working to ensure that a mix of housing types exists within each community to accommodate households of all types and income levels. The County housing strategies will be especially guided by the increasing divide between incomes and housing costs and the specific accommodations necessary to ensure that special needs populations have adequate affordable housing options with appropriate supportive services where needed.

Geographic Distribution

Target Area	Percentage of Funds
City Wide	100

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The Unified Government did not set priorities for allocating investments geographically, except for the area designated as a Neighborhood Revitalization Strategy Area (NRSA) identified as the Park Drive Neighborhood NRSA (<https://www.wyockck.org/SOAR/Park-Drive.aspx>). This will be the final year of activities in the five-year Park Drive NRSA.

Discussion

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The Unified Government will use HOME funds and a portion of CDBG funds for new affordable housing and to rehabilitate existing housing units. The special needs population will be served through the rehabilitation of an existing structures. The homeless population will be served through assistance grants to local service providers. Therefore, outcomes for these two groups will be determined by applicants to the rehabilitation program and the sub-recipient during the sub-grant ESG application process.

One Year Goals for the Number of Households to be Supported	
Homeless	506
Non-Homeless	15
Special-Needs	3
Total	524

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	5
Rehab of Existing Units	50
Acquisition of Existing Units	0
Total	55

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

Homeless and at-risk populations may receive affordable rental assistance through the Emergency Solutions Grant program subrecipients (Rapid Re-housing and Prevention). ESG outcomes will be reported in the SAGE system. HOME funds are utilized for production of new units, rehab of existing units and acquisition (down payment assistance). CDBG funds are used for owner-occupied rehabilitation.

AP-60 Public Housing – 91.220(h)

Introduction

The Kansas City, Kansas Housing Authority's (KCKHA) mission is to help families and individuals with low and moderate incomes achieve greater stability and self-reliance by providing safe, affordable, quality housing and partnering with community services and agencies and promoting economic opportunity in a suitable living environment free from discrimination. According to the 2016 Wyandotte County/Kansas City/Kansas City CAPER (most recent available), 2,058 families are served by public housing and 1,469 are served by Section 8 vouchers.

Actions planned during the next year to address the needs to public housing

KCKHA will continue improving the quality of its housing by investing in the capital (CAP) fund allocation to make units competitive with housing in the private sector. CAP funds will be used for HVAC improvements in family development community centers, interior modernization, roof replacements, fencing, mechanical improvements, exterior repair, painting and parking lot expansion.

Since taking over responsibility of the Rosedale Ridge apartment complex, KCKHA is in the process of issuing 116 Section 8 vouchers to those families.

The Unified Government, acting as the Responsible Entity, will work in conjunction with the Kansas City, Kansas Public Housing Authority to ensure that the requirements of 24 CFR Part 58 are adhered to.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Residents of the KCKHA are encouraged to participate in decision making in all aspects of the agency's operations. This involvement typically occurs through the Resident Associations and Resident Councils that exist at each KCKHA public housing development. Each Resident Association or Council has its own membership made up of residents from that specific community, and each is led by an elected board of directors.

The Resident Associations and Resident Councils work to improve the conditions of the residents they represent in their specific communities. The presidents of each Resident Association or Council then are able to join together to form a jurisdiction-wide council that allows residents' concerns and involvements to be addressed at a broader Agency level. The jurisdiction-wide council may advise the Board of Commissioners and Executive Director in all areas of KCKHA operations, including occupancy, general management, maintenance, security, resident training, social services, modernization, etc. The KCKHA has two jurisdiction-wide councils: the United Presidents Council is comprised of Presidents and

other officers of the individual family development resident associations, and the Council of United Residents is comprised of Presidents and other officers of the individual elderly and disabled developments. These two jurisdiction-wide councils are contacted in advance to participate in the planning and development of the KCKHA's Annual Plan.

Another way to ensure resident input and participation of residents in KCKHA operations is by the election of a Resident Commissioner to the KCKHA Board of Commissioners.

KCKHA currently operates a homeowner program. Participants must pay 30% of their household income toward a mortgage, the housing authority pays the remainder. Once the family is able to pay the full cost of the mortgage for six months, they graduate from the program. Participants must qualify for a standard mortgage, so only those with a decent credit history are eligible. Elderly and disabled residents can receive KCKHA assistance for the life of the loan.

KCKHA is in the process of implementing a new Family Self-Sufficiency (FSS) program. Approximately 10-15 individuals are currently being trained to staff the program.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

Discussion

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The Unified Government is a partner with the area Continuum of Care (CoC) to address homelessness and the priority needs of homeless individuals and families, including homeless subpopulations.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The lead entity for the Continuum of Care is the Greater Kansas city Coalition to End Homelessness (GKCCEH). This is a partnership of organizations and individuals including: nonprofit organizations, public sector agencies, formerly homeless persons, business community persons, housing developers, faith-based community organizations and other key stakeholders. The UG provides funding to support a full time Coordinator and provides administrative support through UG general funds.

The Finance committee and the Greater Kansas City Coalition to End Homelessness (GKCCEH) Board plan and coordinate various fundraisers throughout the year to help fund the annual operational budget of the organization. Every year during National Hunger and Homeless Awareness Week in November the GKCCEH works to bring awareness to the community and will continue to do this each year. Other activities include the State of Our Homelessness in the Kansas City metropolitan area, Point-in-Time Count, and work to ensure the Homeless Management Information System (HMIS) delivers needed data used for HUD and local government reporting. Each year the GKCCEH conducts a single day “Point-In-Time” count for sheltered and unsheltered homeless persons and families.

Addressing the emergency shelter and transitional housing needs of homeless persons

ESG funds are awarded annually to eligible nonprofit agencies that provide emergency shelter and transitional housing.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Wrap around support services provided through the CoC’s permanent supportive housing (PSH) programs are key to the high success agencies have experienced keeping homeless persons in PSH for at

least six months (prior to exit). The PSH grantees collaborate and share housing retention strategies to support each project in achieving the housing maintenance goal. A chief strategy in achieving the stated goal has been to relocate individuals who experience housing difficulties before a loss of housing occurs. Because 80% of our CoC's PSH units are dedicated to serve households with severe mental illness or addictions, relocation is often a key strategy in giving someone a fresh start to be successful in housing.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The UG promotes four (4) eligible ESG activities that are intentionally focused on housing —either financial assistance to help pay for housing or services designed to keep people in housing or to obtain housing. This assistance is not intended to provide long-term support for program participants, nor will it be able to address all of the financial and supportive services needs of households that affect housing stability. Rather, assistance should be focused on housing stabilization, linking program participants to community resources and mainstream benefits, and helping participants develop a plan for preventing future housing instability.

Emergency Shelter

- Essential Services: Case management related to emergency shelter, referrals to employment, healthcare, substance abuse and related services within the community.
- Shelter Operations: including maintenance, rent, repair, security, fuel, insurance, and utilities.

Homelessness Prevention Assistance

- Housing relocation and stabilization services (case management).
- Leasing assistance, as necessary, to prevent the individual or family from becoming homeless when the assistance is necessary to help program participants regain stability in their current permanent housing or move into other permanent housing and achieve stability in that housing. Eligible costs include housing search and placement, housing stability case management, rental arrearages, leasing assistance, security deposits, utility deposits, utility arrearages, mediation, and cost for obtaining identification.

Rapid Re-housing Assistance

- Housing relocation and stabilization services (case management).

- Leasing assistance as necessary to help individuals or families living in shelters or in places not meant for human habitation to move as quickly as possible into permanent housing and achieve stability in that housing. Eligible costs include housing search and placement, housing stability case management, leasing assistance, security deposits, utility deposits, utility arrearages, mediation, and cost for obtaining identification.

Housing Relocation and Stabilization Services - Funds must be used to create and implement a comprehensive, easily accessible service and housing response system that addresses the needs of those who are homeless or at serious risk of homelessness. Eligible activities include:

- Housing stabilization services include arranging, coordinating, linking and monitoring the delivery services that assist participants to obtain and sustain housing stability; this includes the salary of the Housing Resource Specialist(s)/Case Manager;
- Transportation/travel for supportive housing stabilization services, i.e. visit a participant;
- Costs associated with cell phones to support housing stabilization services.

HMIS/Data Collection and Evaluation will be conducted via HMIS. Cost associated with data collection is limited to one percent (2%) of the total grant amount. The HEARTH Act requires that data collection and reporting for ESG be conducted via HMIS.

Discussion

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Approximately 43% of households in Wyandotte County are cost-burdened by housing, meaning they spend 30% or more of their income on rent or mortgage payments (US Census, *2012-2016 American Community Survey*). While some affordable housing stock may exist in Wyandotte County, safety of said stock is a concern with approximately 21% of houses in Wyandotte County having one or more severe housing problems (such as lack of complete plumbing, overcrowding, lack of complete kitchen facilities, etc.) (US Census, *2012-2016 American Community Survey*). Eliminating barriers to affordable housing, including ensuring that housing is also *safe*, is critical for increasing economic opportunities, access to prosperity and improving health outcomes for Wyandotte County residents.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The Unified Government will continue to implement the Home Repair Grant Program which provides repairs to homes where the owner is income eligible and living in the home. Additionally, the program has a sub-program for Barrier Removal to allow for remediation of mobility issues in the home. Both programs ensure that Wyandotte County residents may remain *safely* in their homes, increase quality of life, and ensure that quality of affordable housing stock is maintained.

In addition, the UG participated in a Regional Affirmatively Furthering Fair Housing Plan. The Plan includes goals and objectives to addressing housing issues in the region.

The UG will continue to review housing to be constructed with UG or CDBG/HOME assistance to ensure it meets acceptable standards. Quality design and neighborhood compatibility will be prioritized.

The UG will support the rehabilitation of existing units and construction of new units in low income neighborhoods and work with private property owners to preserve affordable housing throughout neighborhoods in Wyandotte County.

Discussion:

AP-85 Other Actions – 91.220(k)

Introduction:

In addition to goals listed previously in the 2021 Annual Action Plan, the UG will accomplish the following to further improve community conditions for Kansas City, KS residents.

Actions planned to address obstacles to meeting underserved needs

The primary obstacles to meeting underserved needs are lack of financial and human resources, a growing gap between housing costs and incomes, and an aging housing stock. The County will continue to use its resources carefully and strategically as evidenced in this plan to reduce the effects of the cost/income gap.

Actions planned to foster and maintain affordable housing

A lack of affordable housing is a primary obstacle to addressing unmet needs. The UG will continue to support its goals of maintaining and expanding affordable housing by utilizing its CDBG and HOME allocations to create new opportunities for affordable homeownership and rehabilitate existing affordable units.

Actions planned to reduce lead-based paint hazards

Information about lead-based paint hazards is distributed to households participating in HOME and CDBG-funded programs. The UG Community Development, in partnership with the Wyandotte County Public Health Department received a \$1,500,000 grant award from HUD for the Lead-Based Paint Hazard Control Program, along with \$150,000 in Healthy Homes Supplemental Grant funds. The program will seek to reduce lead and provide healthy homes intervention in the Kansas City, KS area, to increase awareness of lead poisoning and prevention through community outreach and education and to build capacity for lead abatement through training of low income residents in lead hazard controls.

Actions planned to reduce the number of poverty-level families

CDBG, HOME, and ESG funding is integrated into the programs that address poverty and homelessness by participating agencies that are served by the Greater Kansas City Coalition to End Homelessness. These agencies, and others, provide much needed services to assist residents that are living in poverty. Further programs such as job training, child care, and transportation assistance reduce the impact of poverty and provide for income growth for families living in poverty.

Through its policies and planning, the UG will continue to encourage business growth in the community. Efforts will continue to support programs to maintain the quality and integrity of the low and moderate income neighborhoods where older housing is found. Support will continue for infrastructure improvements in these areas, and code enforcement will be apparent throughout the County. In recognition that some families cannot afford to correct code violations, the UG provides referrals services to help income-eligible homeowners correct the property deficiency. Program referrals are made to Christmas in October, Coalition for Independence, ECKAN, KC Church of Christ, Hope Builders and LIHEAP and other organizations.

Actions planned to develop institutional structure

Previously discussed efforts include the SOAR and Community Health Improvement groups that work to develop collaborative efforts.

Actions planned to enhance coordination between public and private housing and social service agencies

Public agencies, for-profit and non-profit private organizations all play a part in the provision of affordable housing, social services, capital improvements, and economic development. However, the lack of financial resources for development, operations, and support services is a huge gap to overcome. Addressing these gaps will be a high priority for the County. The Unified Government will continue to work to provide stronger coordination between agencies and local organizations.

Discussion:

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

The Unified Government of Wyandotte County/Kansas City, Kansas is an entitlement grantee for HUD Community Planning and Development block grant programs: Community Development Block Grants, HOME Investment Partnerships, and Emergency Solution Grants. The following program specific requirements satisfy regulatory and programmatic obligations that the Unified Government will undertake in the 2020 program year.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

There are no other forms of investment.

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

When the PJ, CHDO or Housing Partner sells a HOME Assisted House to an income eligible household the HOME Agreement with the homebuyer is executed along with the executed and recorded Second Mortgage. These documents state the recapture provision will be used, below is the language.

Sale to a New Homebuyer: Full recapture will occur upon sale, transfer, or conveyance of the property to a new homebuyer prior to the expiration of the prescribed affordability period. The HOME-assisted buyer must repay the full amount of the entire HOME subsidy less any owner-paid closing costs and owner equity included therein; provided, that if the property is sold for market value and net proceeds from the sale is insufficient to pay the full subsidy amount, the difference between the net proceeds and the HOME subsidy amount may be forgiven.

Conversion to Business or Rental Use: Full Recapture will occur upon sale or conversion of the property for rental or business purposes prior to the expiration of the prescribed affordability period. The HOME-assisted buyer must repay the full amount of the HOME subsidy. No pro-rata reduction may be made.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

The UG will hold a lien on property for the amount of the HOME subsidy to assure that the assisted household continues to meet program guidelines throughout the affordability period. The minimum affordability period required is based on the amount of HOME assistance and is as follows:

Each property assisted with HOME funds must also have deed restrictions that run with the land, in addition to the applicable affordability period. These restrictions ensure the property remains affordable to a low to moderate income household for the applicable period and stipulate that: 1) The property must be the principal and primary residence of the purchaser; 2) All or any portion of the property may not be used as rental property or as investment property; and 3) Any portion of the property assisted with HOME funds may not be used as a business.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The UG does not use HOME funds for this purpose.

Emergency Solutions Grant (ESG) Reference 91.220(l)(4)

1. Include written standards for providing ESG assistance (may include as attachment)

FY 2021 ESG funds were awarded by HUD under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act). The HEARTH Act improves administrative efficiency and enhances response coordination and effectiveness in addressing the needs of homeless persons. The Act adds short- and medium-term rental assistance and services to rapidly re-house homeless and at-risk people, and places greater emphasis on helping people quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness. In addition, the HEARTH Act provides grantees with the programmatic framework to maximize communitywide planning and strategic use of resources, and to improve coordination and integrate with mainstream services to increase efficiency, including services funded by other programs targeted to homeless people.

HUD drew from its recent program experience with the Homelessness Prevention and Rapid Re-Housing Program (HPRP), a temporary program, to establish the regulations for the ESG program, a permanent program. These funds must exclusively be used for Street Outreach, Emergency Shelter, Homelessness Prevention Assistance, Rapid Re-housing Assistance, Homeless Management

Information Systems (HMIS), and Administration.

Refer to the Unique Appendices for the ESG Policy and Procedures.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

The Greater Kansas City Coalition to End Homelessness operates as the regional Continuum of Care applicant. Currently, the coordinated system in place is HMIS; all HUD and non-HUD funded agencies are required to enter beneficiary data into this system. Other CoC responsibilities include holding monthly membership meetings, adopt and follow written process to select a board to act on behalf of the CoC, collaborate with the HMIS lead.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

The Unified Government submits a Request for Proposal in local newspapers and announces ESG funding allocations to the Continuum of Care membership. Eligible applicants are non-profit organizations and Continuum of Care participants; an ESG application must be submitted to the Program Coordinator of the grant program. The Unified Government coordinates with the Continuum of Care to evaluate applications and fund subrecipients. A ranking and reviewing committee (consist of 3-4 persons) will meet to score applicants based on the attached ranking and review scoring.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

Sub-recipients are required to have participation of not less than one homeless individual or formerly homeless individual on the board of directors; this is verified through annual monitoring reviews and required documentation of board of directors and recent board minutes.

5. Describe performance standards for evaluating ESG.

There are two primary data sources CoC's and ESG recipients will use to collect system-level performance measures:

1. Sheltered and unsheltered PIT count data reported through HUD's Homelessness Data Exchange (HDX)

1. Client-level outcome information based on data collected in HMIS and unduplicated across all continuum and ESG projects that contribute data to HMIS with the CoC.

System Performance Measurement Parameters also include the following:

1. Project Type
1. Reporting Period
1. Client Universe (adults, leavers, stayers)
1. Setting Local Performance Targets
1. HMIS Bed Coverage and Data Quality

Please review attached performance and evaluation of projects procedures.

RESOLUTION NO. _____

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

That the Mayor/Chief Executive Officer of the Unified Government of Wyandotte County/Kansas City, Kansas is hereby authorized and directed to execute in the name of the Unified Government, and the Unified Government Clerk is hereby authorized and directed to attest the signature of said Mayor/Chief Executive Officer and to attach the seal of the Unified Government thereto as the voluntary act of the Unified Government to the 2021-2022 Annual Action Plan which includes the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program along with Certifications for Entitlement Grantees by the City of Kansas City, Kansas to the U.S. Department of Housing and Urban Development and to implement the 2021-2022 Annual Action Plan upon approval.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS 29th
DAY OF JULY 2021.

Mayor/CEO

David Alvey

Attest:

Unified Government Clerk

Approved as to Form:

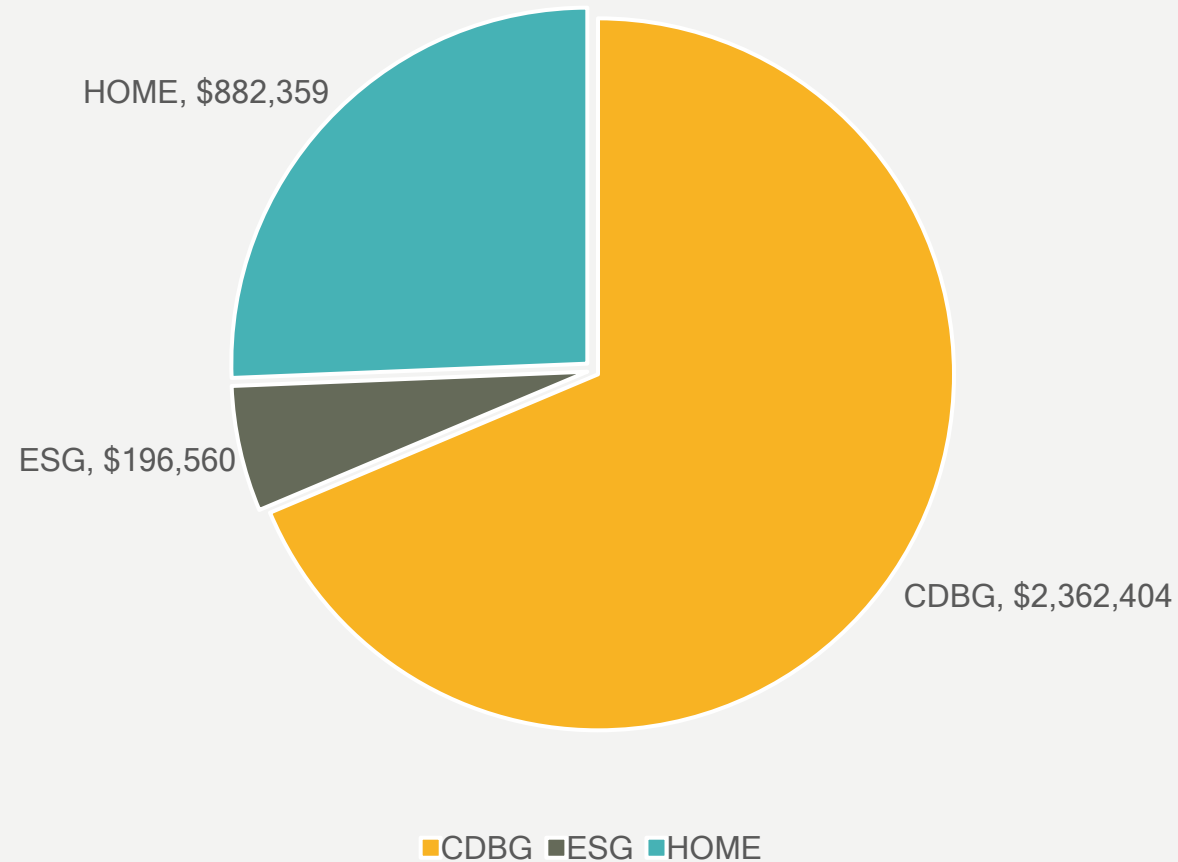
Unified Government Counsel

COMMUNITY DEVELOPMENT 2021 ANNUAL ACTION PLAN

COMMUNITY DEVELOPMENT DEPARTMENT
JULY 29, 2021 - PUBLIC HEARING



2021 GRANT ALLOCATIONS



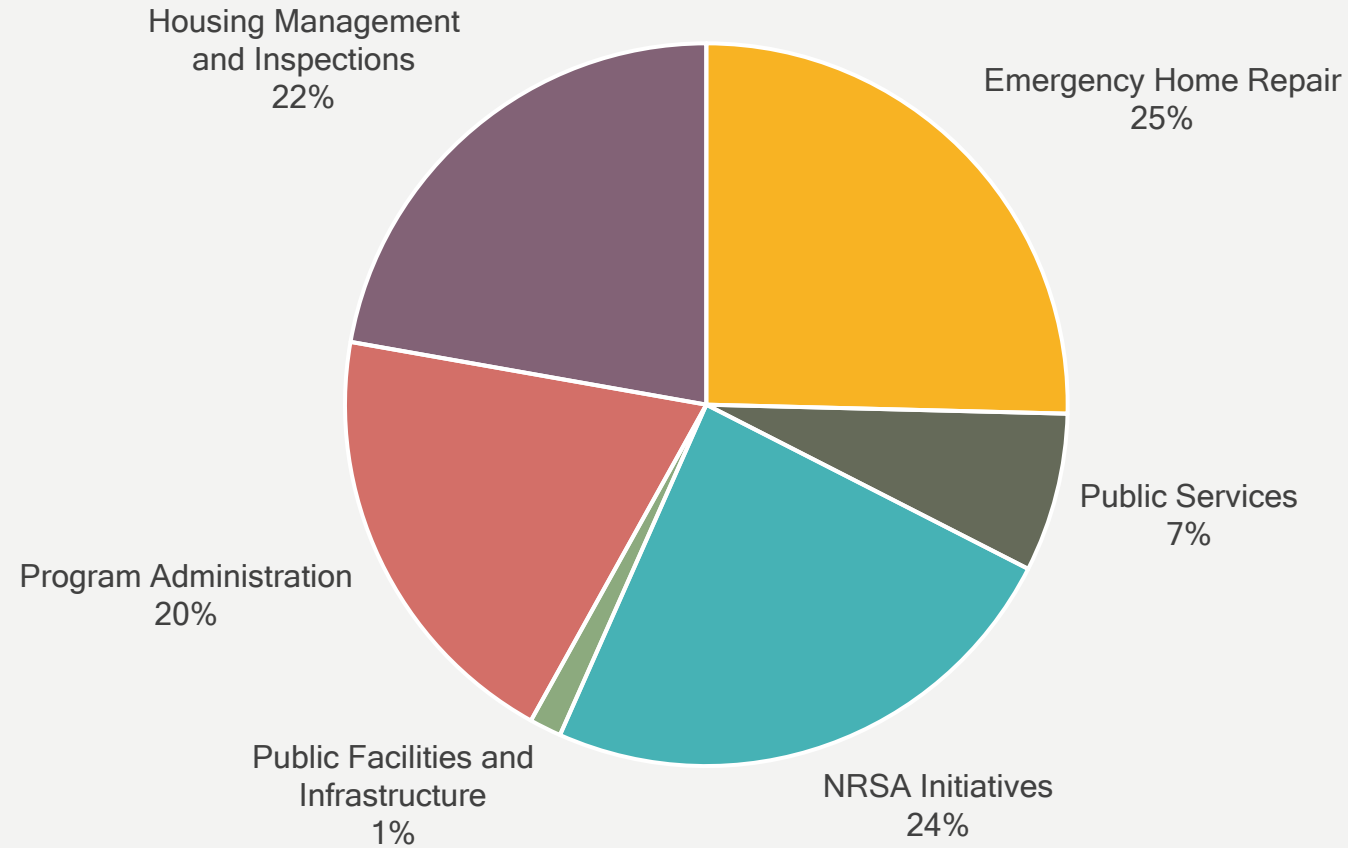
CDBG: EXAMPLES OF ELIGIBLE ACTIVITIES

Activities must benefit low to moderate income residents of Kansas City, KS:

- Rehabilitation of Housing
- Public Facilities and Improvements
- Acquisition, disposition and relocation
- Public Services (capped at 15% of the grant)
- Economic Development
- Historic Preservation
- Grant Planning and Administration (capped at 20% of the grant)



2021 CDBG GRANT

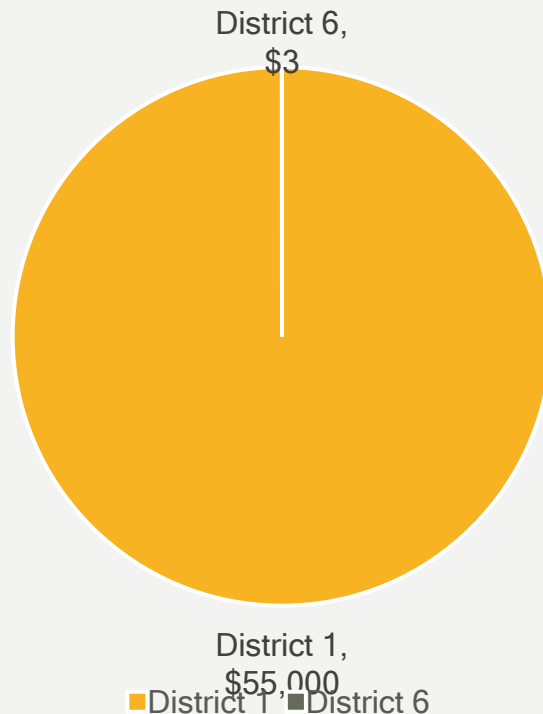


2021 CDBG GRANT

CDGB Project	Total
Emergency Home Repair	\$600,000
Housing Management/Inspections	\$524,908
Public Services	\$168,000
NRSA Initiatives	\$570,000
Public Facility/Infrastructure	\$33,770
Administration	\$465,726
Grand Total	\$2,362,404



2015 GRANT FUNDS: NEW CDBG PROJECTS



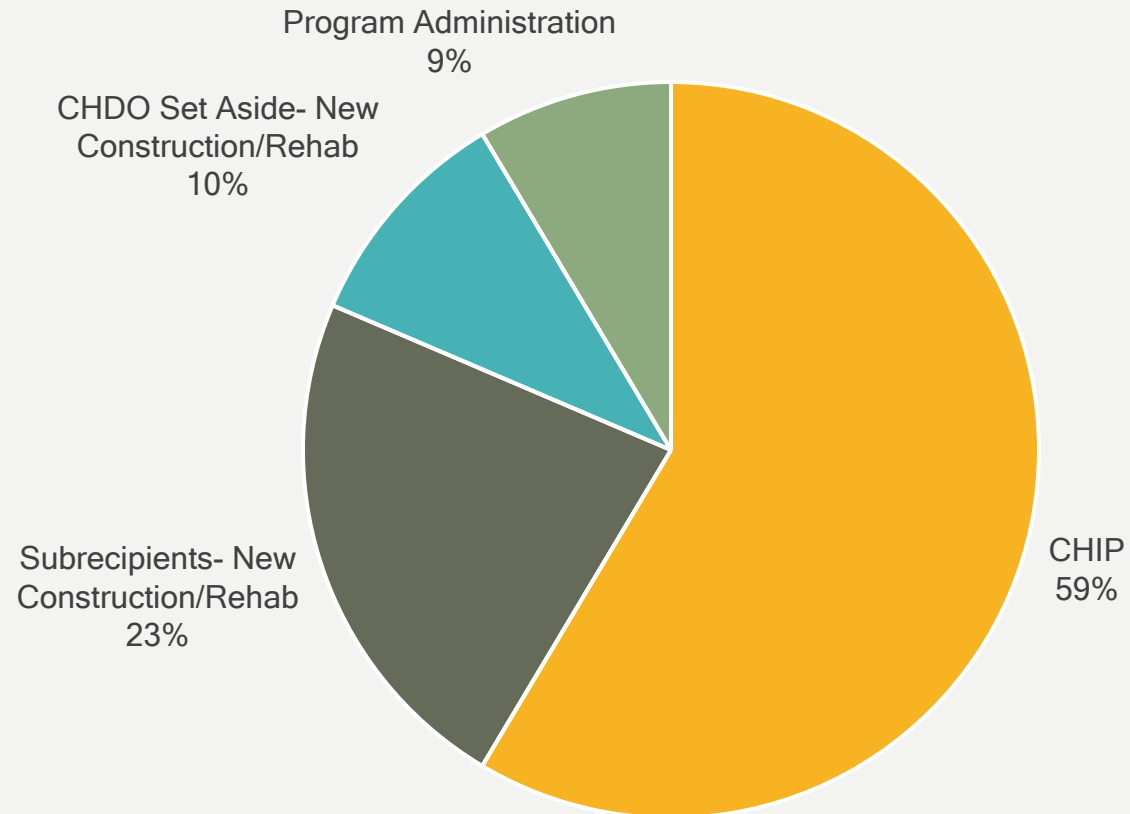
- Funds from the 2015 Grant Year will be reprogrammed to meet spending deadlines.
- Originally slated for housing activities in districts 1 and 6 but will be reprogrammed to Public Facility and Improvement activities.
- Activities can include construction/reconstruction (not maintenance) of infrastructure such as: parks, recreation and community facilities, curbs, sidewalks and street improvements.



HOME: EXAMPLES OF ELIGIBLE ACTIVITIES

- Construction and rehabilitation of affordable housing
- Homeownership assistance
- Tenant-based rental assistance (can only be used if the jurisdiction can show that the Construction/Rehab/Ownership assistance is not needed to increase affordable housing)

2021 HOME GRANT



2021 HOME GRANT

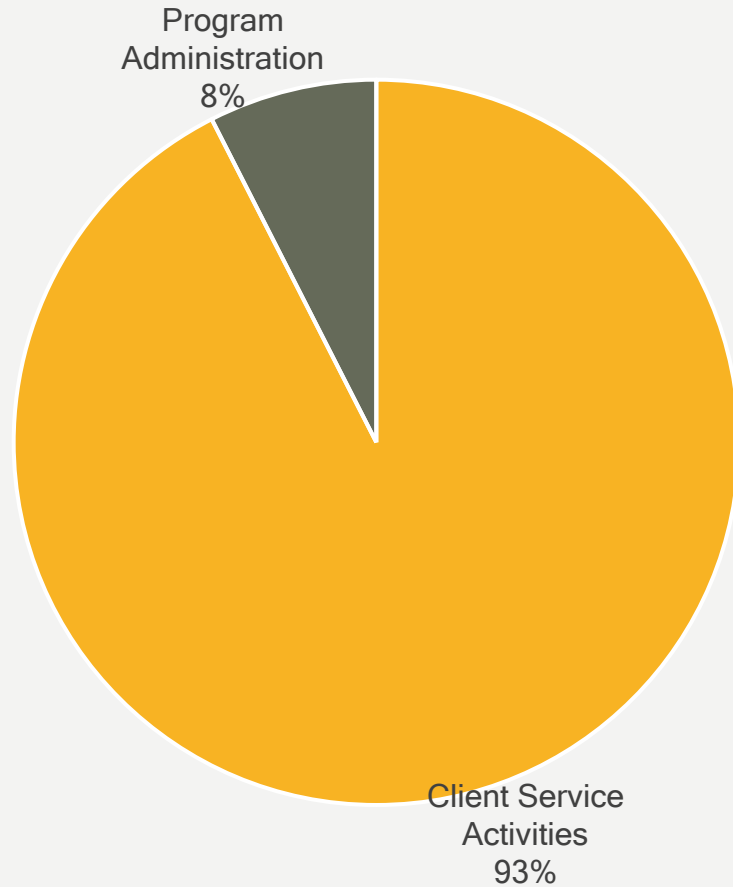
Project	Total
CHIP- Homeownership Assistance	\$223,123
Subrecipient- New Construction/Rehab	\$190,000
CHDO Set Aside- New Construction/Rehab	\$380,000
Administration	\$89,236
Grand Total	\$882,359



ESG: EXAMPLES OF ELIGIBLE ACTIVITIES

- Street Outreach
- Emergency Shelter
- Homelessness Prevention
- Rapid Re-Housing
- Data Collection (HMIS)
- Administration

2021 EMERGENCY SOLUTIONS GRANT



Projects	Total
Client Service (Subgrants)	\$181,818
Administration	\$14,742
Grand Total	\$196,560



ADDITIONAL UPDATES

- CDBG Park Drive Neighborhood Revitalization Strategy Area (NRSA) Program
- CDBG-CARES ACT 1 and 2 status
- ESG- CARES ACT 1 and 2 status
- HOME- American Rescue Plan (HOME-ARP) program status
- Upcoming 2022-2026 Five Year Consolidated Plan Process

CITIZEN COMMENTS





Staff Request for Commission Action

Tracking No. 21957

Full Commission Meeting Date: 7/29/21

Committee: Full Commission

Date of Standing Committee Action: NA

(If none, please explain): No action required by the Standing Committee.

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
7/23/2021	Kathleen VonAchen	x5186	kvonachen@wycokck.org	Finance

Item Description:

On March 11, 2021, President Joseph R. Biden signed the \$1.9 trillion American Rescue Plan Act of 2021 (ARPA). ARPA is an ambitious initiative to stimulate the American economy, support residents, and curb the spread of the COVID-19 virus. As we continue to navigate our way through the COVID-19 pandemic, and the local, national, and global economies work diligently to reopen and rebuild, the new American Rescue Plan Act of 2021 (ARPA) will provide some much-needed relief to American families and businesses, including those right here in Wyandotte County.

This is public hearing to consult with members of communities that have been historically underrepresented or underserved in the Federal Government with the objective to increase coordination, communication, and engagement with community-based organizations and civil rights organizations, as encouraged by U.S. Presidential Order 13985, *On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.

As part of the ARPA local government assistance package (Local Fiscal Recovery Funds), the Unified Government of Wyandotte County / Kansas City, Kansas will directly receive \$87 million in federal aid across two years. Of this total, the City of Kansas City, Kansas is the recipient of \$55 million and Wyandotte County of \$32 million.

Through these Local Fiscal Recovery Funds, the ARPA seeks to provide local governments with the resources to address these specific needs:

- Improve public health and community resilience
- Address disparities of disproportionately impacted communities
- Diminish family violence and substance abuse
- Create more stable, affordable housing and prevent evictions
- Invest in workforce development
- Augment broadband/internet access in underserved areas
- Invest in critical wastewater and stormwater infrastructure
- Assist small businesses impacted by the pandemic

All residents are encouraged to attend the public hearing or reach out with ideas, comments or questions to ARPA@wycokck.org.

For more details on ARPA go to our website to published 7/7/21 at www.wycokck.org/ARPA

Action Requested:

No action

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



Staff Request for Commission Action

Tracking No. 21961

Full Commission Meeting Date: 7/29/21

Committee: Full Commission

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

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
7/26/2021	Doug Bach	x5027	dbach@wycokck.org	Administrator's Office

Item Description:

Recommend the appointment of Matthew Willard as the Wyandotte County Appraiser to the term running through June 2025. Mr. Willard is currently serving as our Interim County Appraiser.

Action Requested:

Adopt resolution

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Reso appointing appraiser Matthew Willard, Matthew Willard Appointment 07.2021

RESOLUTION NO. _____

WHEREAS, each county in the State of Kansas is mandated by K.S.A. 19-430 to adopt a resolution appointing the County Appraiser for such County; and

WHEREAS, the County Administrator, under the authority granted to him by Resolution No. R-1-97, has the authority to appoint office holders employed by Unified Government; and

WHEREAS, Matthew Willard, RMA, was appointed as Interim County Appraiser effective July 1, 20121; and

WHEREAS, Matthew Willard, RMA, possesses all of the qualifications required by K.S.A. 19-430 and Kansas law to hold such office; and

WHEREAS, the County Administrator wishes to appoint Matthew Willard, RMA, as the County Appraiser; and

WHEREAS, K.S.A. 19-430 requires that the appointment of the County Appraiser be adopted, ratified and approved by a Resolution of the County Commission; and

WHEREAS, K.S.A. 19-434 states that the annual salary of the County Appraiser be fixed by a Resolution of the County Commission.

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

1. Matthew Willard, RMA, who currently serves as the Interim County Appraiser, is hereby appointed County Appraiser for the Unified Government of Wyandotte County/Kansas City, Kansas, as of July 29, 2021.

2. Matthew Willard's appointment shall remain in effect for the remainder of the current County Appraiser term, expiring June 30, 2025 or until the position is deemed vacated prior thereto.

3. Matthew Willard's employment is subject to the provisions of the Unified Government Human Resources Guide and K.S.A. 19-430 et seq as may be amended.

4. Matthew Willard's compensation will be in Range 17 of the Unified Government of Wyandotte County/Kansas City, Kansas, Non-Union Classification and Compensation Plan, with the Step to be determined by the County Administrator.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS ____ DAY OF JULY, 2021.**

Brett Deichler
Interim Unified Government Clerk

Approved as to Form:

Misty Brown
Chief Counsel



County Administrator's Office
Douglas G. Bach, County Administrator

701 North Seventh Street, Ste. 945
Kansas City, Kansas 66101
(913) 573-5030 • FAX (913) 573-5540

MEMORANDUM

TO: Mayor Alvey and Board of Commissioners

FROM: Douglas Bach *DB*

DATE: July 26, 2021

RE: County Appraiser Appointment

With the resignation of Kathy Briney as County Appraiser in June of this year I began the recruitment and hiring process to fill this position. After completion of interviews, I am pleased to recommend Matthew Willard to be the next County Appraiser for the Unified Government.

Mr. Willard is currently our Interim County Appraiser. He began working for the Wyandotte County Appraiser's Office in 2006 and worked his way up to the position of Deputy Appraiser which he was appointed to on December 1, 2016. I have a high level of confidence in Mr. Willard and know he has the skill sets, understanding, and personality to continue to move this office forward in the future.

I am recommending approval of the attached resolution appointing Matthew Willard as County Appraiser to the term running through June 2025.