

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

**PLANNING & ZONING AND
REGULAR SESSION
JULY 29, 2021**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, July 29, 2021, with ten members present 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; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District, and Alvey, Mayor/CEO, presiding. Markley, Commissioner Sixth District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Melissa Sieben and Alan Howze, Assistant County Administrators; Bridgette Cobbins, Interim Assistant County Administrator; Misty Brown, Chief Legal Counsel; Ashley Hand, Director of Strategic Communication; Gunnar Hand, Director of Planning and Urban Design; Wilba Miller, Director of Community Development; Kathleen VonAchen, Chief Financial Officer; Byron Toy, Lead Planner; Alley Porter, Commission Liaison; Brett Deichler, Interim Unified Government Clerk; Monica Sparks and Allie Facio, Clerk's Office.

Mayor Alvey said before we begin, I want to address the public who is on site. If you're interested in addressing the Commission on the Public Hearing Agenda regarding the Community Development 2021 Annual Action Plan or on the American Rescue Plan Act, please sign up to speak. If you have not yet signed up on your way in and wish to address the Commission on either or both of the public hearings, please go to the front table and sign up.

When the item is up for discussion, the Clerk will call the names in order according to the sign-up sheets. We will also announce who's on deck, which means you will be next to the podium. When you come to the podium, please state your name and city of residency for the record. You will be given up to three minutes to state your comments. The Clerk will announce when you have one minute remaining to allow you time to conclude your comments.

Before I call the meeting to order, I want to announce due to COVID-19, some commissioners, staff, and public are attending remotely via Zoom, by phone, or on-site. All participants joining by phone, please mute your phones when not speaking to avoid background noise. During the

meeting, make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

Due to COVID-19 requirements, the public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments are included in the record of the meeting. The public also has an opportunity to provide brief comments in the lobby of the Municipal Office Building. I'd ask the Clerk to please call the meeting to order, call roll.

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

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

Mayor Alvey said, tonight, we have two parts to the meeting; Planning and Zoning first, followed by Regular Commission. 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.

Brett Deichler, Interim UG Clerk, said, Mayor Alvey, before I would like to notify that there was a blue sheet published for the P&Z Consent Agenda for a miscellaneous ordinance authorizing a Special Use Permit at 1705, 1735, 1811, and 1831 South 45th Street. That was the only change. **Mayor Alvey** asked, and these are on the Consent Agenda? **Mr. Deichler** said, yes.

PLANNING AND ZONING CONSENT AGENDA

Brett Deichler, Interim UG Clerk, read the statement, required by state law, governing the Planning and Zoning portion of the meeting.

Mr. Deichler asked, does any member of the Commission wish to disclose any contact with proponents or opponents on any agenda item?

Mayor Alvey said, I'm not seeing any. **Commissioner Philbrook** said, yes, there is. Sorry, David, it took me a minute. It's MPL2021-007, MPL2021-009, and COZ2021-020 and COZ2021-021. All in favor of those. All pro.

Mayor Alvey said, I think that completes it.

Mr. Deichler read the items on the Planning and Zoning Consent Agenda.

Mayor Alvey asked, does any member of the Commission or any member of the public wish to set aside, or staff, wish to set aside any item on the 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.

Gunnar Hand, Director of Planning & Urban Design, said, staff requests Special Use Permit 2021-045, James Sullivan with Sullivan Palmer Architects, be set aside from the Consent Agenda so we can remand it back to the September 13th, 2021 City Planning Commission.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve all remaining items as submitted.** Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 21947...CHANGE OF ZONE APPLICATION 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
and

ITEM NO. 1 – 21951...MASTER PLAN AMENDMENT APPLICATION 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. The applicant 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. 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.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Change of Zone Application COZ2021-020 and Master Plan Amendment Application MPL2021-007, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 21948...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

and

ITEM NO. 2 – 21952...MASTER PLAN AMENDMENT APPLICATION 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. 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 CityWide 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. 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 nonindustrial 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.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Change of Zone Application COZ2021-021 and Master Plan Amendment Application MPL2021-009, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 21902...SPECIAL USE PERMIT APPLICATION 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. The applicant 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. The Planning Commission voted 7 to 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.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Special Use Permit Application SP2021-042 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 21903...SPECIAL USE PERMIT APPLICATION 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. 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. 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.

Case
SP2021-045

Petitioner	Address
James Sullivan, with Sullivan Palmer Architects	1037 South 26 th Street Kansas City, Kansas 66106

Synopsis

The applicant, James Sullivan with Sullivan Palmer Architects, is requesting a Special Use Permit to allow auto maintenance and auto storage. 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.

Introduction County Context Local Context Exhibits Recommendation Summary

Department of Planning + Urban Design
Unified Government of Wyandotte County + Kansas City, Kansas

Gunnar Hand, Director of Planning & Urban Design, said, again, this case has been resubmitted by the applicant. They had a change to the site plan after the City Planning Commission had recommended approval to the Board of Commissioners. We had since continued it from the July 1st meeting and now staff would like to remand it back to the City Planning Commission so we can rehear the revised site plan.

Mayor Alvey asked, is the applicant here? **Brett Deichler, Interim UG Clerk**, said, yes, they are.

Mayor Alvey asked, Mr. Sullivan, do you have anything—would you like to present your application? The request is to send this back to the Planning Commission.

Jim Sullivan said, yes, we'd like—together with the staff, recommend that the application be remanded back to the September 10th Planning Commission meeting due to a change in the plan layout.

Mayor Alvey said, thank you. I'll now open the public hearing. Clerk, have we received any notification from the public? **Mr. Deichler** said, none were received.

Mayor Alvey asked, anybody present who would like to speak in opposition to this? **Monica Sparks, UG Clerk's Office**, said, there are no hands raised.

Mayor Alvey asked, anyone in support who would like to speak? **Ms. Sparks** said, no hands are raised.

Mayor Alvey asked, anyone in the lobby? **Ms. Sparks** said, no appearances.

Mayor Alvey asked, how about anybody from Timbuktu? Alright, hearing none, I'll close the public hearing.

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

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to remand Special Use Permit Application SP2021-045 back to Planning Commission to redeliberate the site plan. Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

Mayor Alvey said, I have to ask Legal. Did that include (inaudible) was that both items together, or do we have to set these separately? **Mr. Hand** said, it's only a Special Use Permit, Mr. Mayor.

ITEM NO. 3 – 21944...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, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicants, Deborah and David Beauchamp, want 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. 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.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Special Use Permit Application SP2021-053 for five years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 4 – 21945...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, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. 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. 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.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Special Use Permit Application SP2021-054 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 5 – 21949...SPECIAL USE PERMIT 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. The applicant 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. 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.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Special Use Permit Application SP2021-057 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 6 – 21946...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, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. The applicant 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. 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

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Special Use Permit Application SP2021-058 for five years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

VACATION APPLICATION

ITEM NO. 1 – 21950...VACATION PERMIT APPLICATION 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. The applicant 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. 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.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Vacation Application VAC2021-007, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

PLAN REVIEW APPLICATIONS

ITEM NO. 1 – 21953...PLAN REVIEW APPLICATION 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. 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. 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.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Plan Review Application PR2021-017, subject to the

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

ITEM NO. 2 – 21954...PLAN REVIEW APPLICATION 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. The applicant 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. 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” caliber. 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.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve Plan Review Application PR2021-018, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

MISCELLANEOUS

ITEM NO. 1 – 21951...MASTER PLAN AMENDMENT 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.

Action: Item previously heard with Item No. A1 Change of Zone Application COZ2021-20 – NP Turner Industrial, LLC.

ITEM NO. 2 – 21952...MASTER PLAN AMENDMENT 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.

Action: Item previously heard with Item No. A2 Change of Zone Application
COZ2021-021 – NP Turner Industrial, LLC.

MISCELLANEOUS - ORDINANCES (Final action on previously approved items)

ITEM NO. 1 – 21955...ORDINANCE

Synopsis: 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.

Action: **ORDINANCE NO. O-93-21**, “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 that the real property at 933 Quindaro Boulevard shall hereafter be granted a Special Use Permit to operate a transitional/group home.” **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 21956...ORDINANCE

Synopsis: An 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.

Action: **ORDINANCE NO. O-94-21**, “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 that the real property at 900 South 66th Terrace shall hereafter be granted a Special Use Permit a mechanic, used auto sales and continuing an import/export business.” **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve the ordinance.** Roll call was taken and there were nine

“Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 3 – 21958...ORDINANCE

Synopsis: An 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.

Action: **ORDINANCE NO. O-95-21**, “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 that the real property at 927 Kansas Avenue shall hereafter be granted a Special Use Permit to operate a new automotive repair, auto body and used car sales business.” **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 4 – 21959...ORDINANCE

Synopsis: 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.

Action: **ORDINANCE NO. O-96-21**, “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 that the real property at 744 Kansas Avenue shall hereafter be granted a Special Use Permit for continuation of an auto body shop.” **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 5 – 21960...ORDINANCE

Synopsis: 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.

Action: **ORDINANCE NO. O-97-21**, “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 that the real property at 2706 Espenlaub Lane shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental/AirBnB.” **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 6 – 21973...ORDINANCE

Synopsis: 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.

Action: **ORDINANCE NO. O-98-21**, “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 that the real property at 1705, 1735, 1811, and 1831 South 45th Street shall hereafter be granted a Special Use Permit for grading and site preparation.” **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

REGULAR AGENDA**REGULAR CONSENT AGENDA**

July 29, 2021

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 McKiernan made a motion, seconded by Commissioner Philbrook, to approve all items as submitted.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 1 – 21940...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

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

ITEM NO. 2 - MINUTES

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

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

ITEM NO. 3 – WEEKLY BUSINESS MATERIAL

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

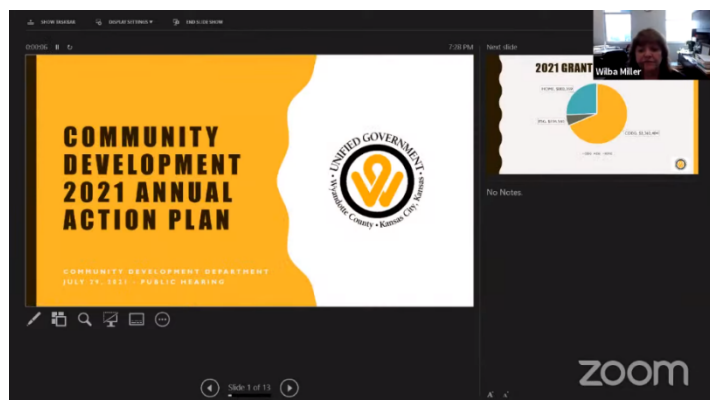
Action: Commissioner McKiernan made a motion, seconded by Commissioner Philbrook, to receive and file. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

PUBLIC HEARING AGENDA

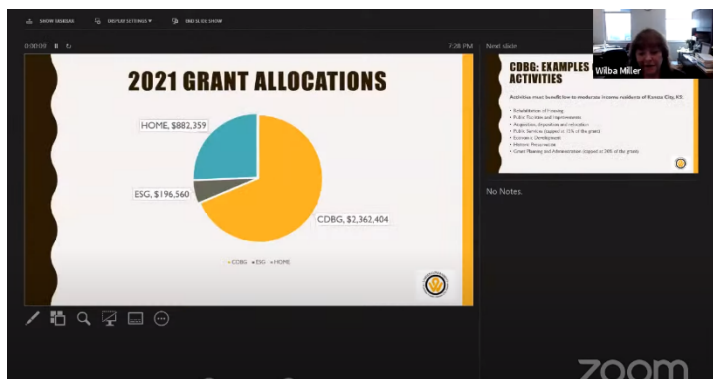
ITEM NO. 1 – 21942...PUBLIC HEARING/RESOLUTION: COMMUNITY DEVELOPMENT 2021 ANNUAL ACTION PLAN

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.

Doug Bach, County Administrator, said, annually, we review our Community Development budget and plan for the upcoming years. Tonight, we are here to make a public presentation regarding what is in the plan, what we are proposing to move forward, and also to conduct a public hearing to get additional input from the public. I will recognize Wilba Miller, Director of Community Development, to make presentation.



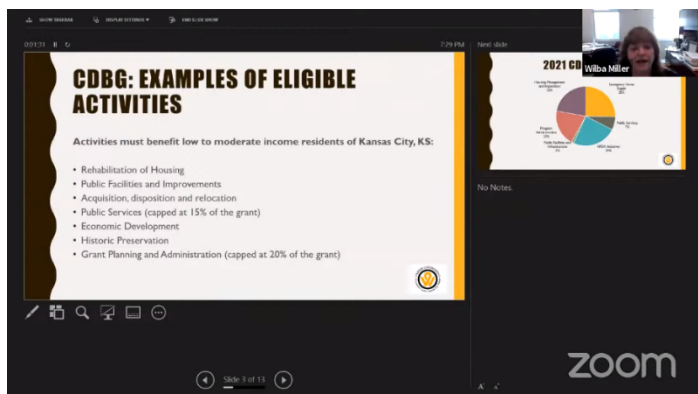
July 29, 2021



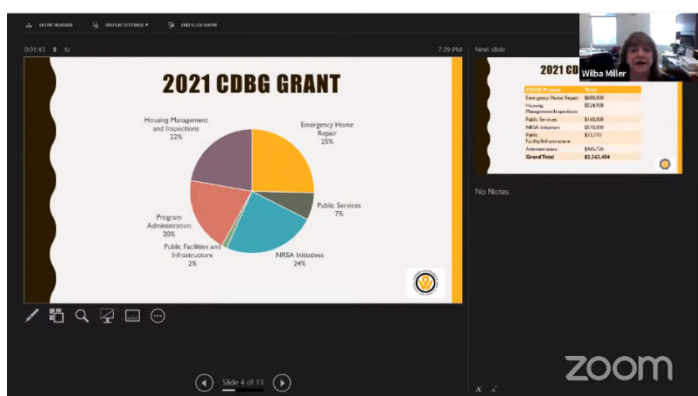
Wilba Miller, Director of Community Development, said, the Unified Government of Wyandotte County, Kansas City, Kansas, receives an annual allocation of entitlement funds from the U.S. Department of Housing and Urban Development for the following programs: Community Development Block Grant, the Home Investment Partnership, and the Emergency Solutions Grant Programs. In order to receive these funds, the Unified Government must submit an Annual Action Plan to HUD. The 2021 Annual Action Plan is the fifth and final year of the Community Development's 2017 to 2021 five-year plan.

The Annual Action Plan consolidates these three grant programs into a single application, which includes a description of the projects and activities expected to be undertaken using grant funds and any expected program income. The plan also includes actions that we expect to take during the program year to pursue strategies described in the five-year plan. The UG must hold two public hearings to inform the community about the plan, the plan process, and to obtain community input.

The first public hearing was held on March 12, 2021, prior to developing the draft plan. The draft plan was published on June 10, 2021, and citizens were given 30 days to comment. We are now fulfilling the second public hearing requirement tonight. The plan budget is summarized by the following slides and is shown by grant program and activities.



The Community Development Program was allocated \$2,362,404 and here are examples of CD-eligible activities.

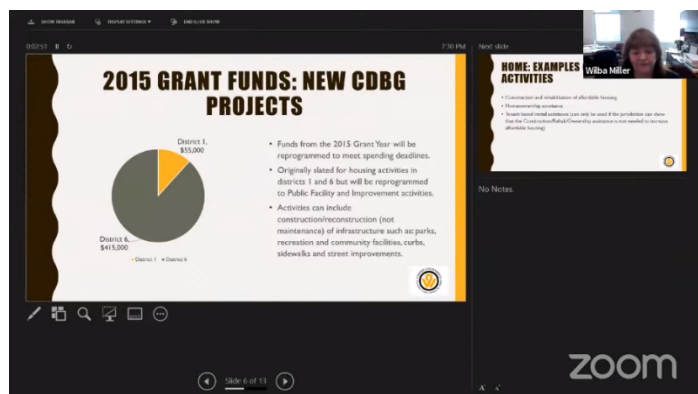


On the next slide, we show you the 2021 Grant, which includes the following project activities by percentage and then the following slide by actual project.

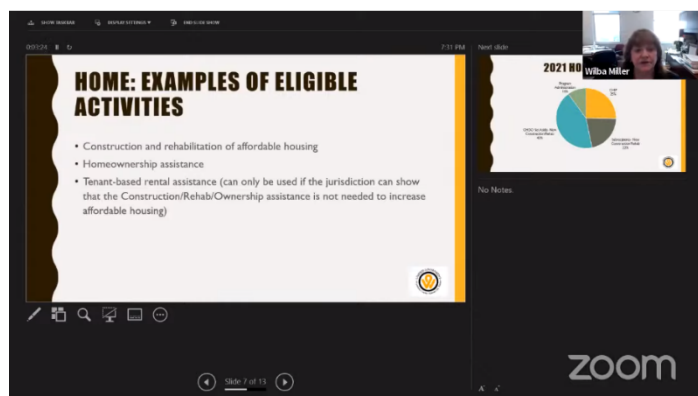
CDBG Project	Total
Emergency Home Repair	\$600,000
Housing Management/Inspections	\$524,908
Public Services	\$168,000
NRSA Initiatives	\$570,000
Public Facility/Infrastructure	\$33,770
Administration	\$465,726
Grand Total	\$2,362,404

You can see that we're doing the emergency home repair for \$600,000; the housing management inspections, \$524,908; public service activities, \$168,000; NRSA initiatives, \$570,000; public facility and infrastructure, \$33,770; and the administration of \$465,726. The 570 NRSA activity

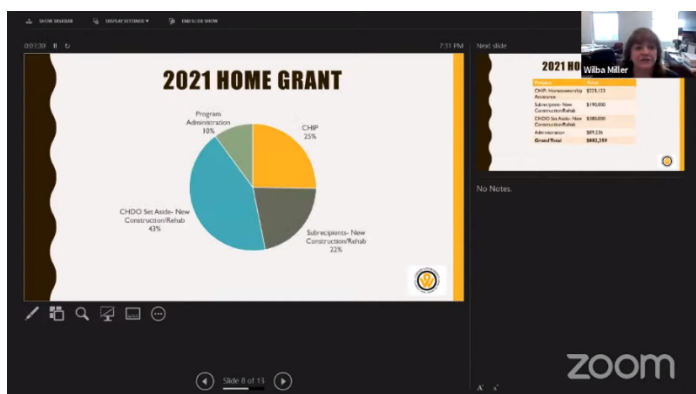
will also be the fifth and final budget in the five-year NRSA plan, and funds are proposed to be used in City Park North. NRSA stands for Neighborhood Revitalization Strategy Area. Please note that the 2019 and 2020 CDBG NRSA funds in the amount of \$1,350,000 are still open and will be used to fund improvements in Clifton Park.



Per HUD's instructions, we are also including approximately \$470,000 of 2015 CDBG grant funds that require reprogramming to meet spending deadlines. The funds were originally slated for housing activities in Districts 1 and 6 and will be reprogrammed to public facility improvements in those areas. Activities can include construction or reconstruction, not maintenance, of infrastructures such as parks, recreation and community facilities, curbs, sidewalks, and street improvements.



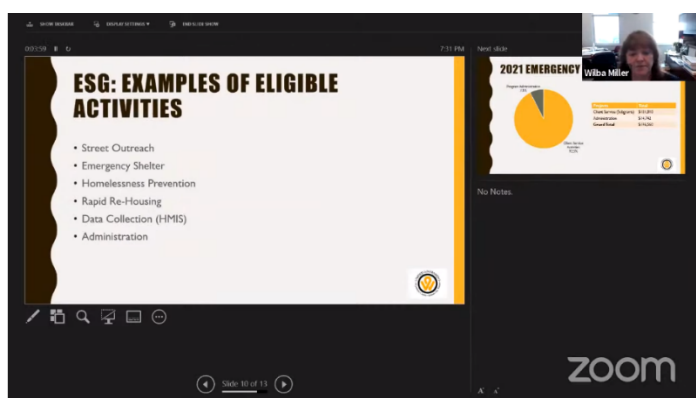
The next grant program is HOME. \$882,359 with some examples of eligible activities.



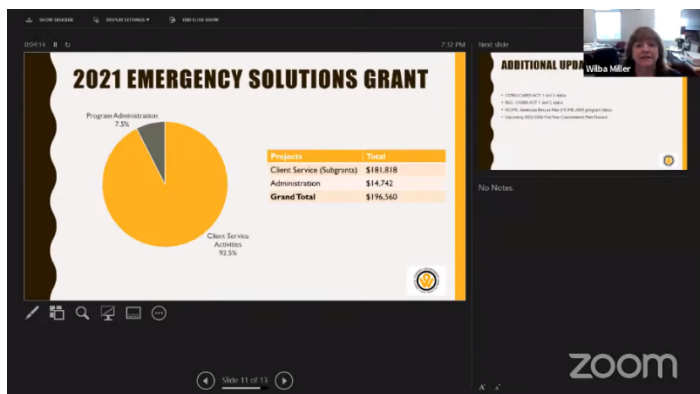
2021 HOME GRANT

Project	Total
CHIP- Homeownership Assistance	\$223,123
Subrecipients- New Construction/Rehab	\$190,000
CHDO Set Aside- New Construction/Rehab	\$380,000
Administration	\$89,236
Grand Total	\$882,359

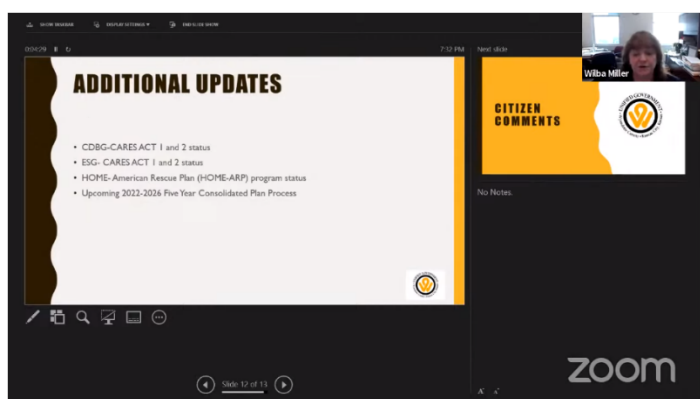
The 2021 grant includes the following percentages and the following program activities, direct activities. CHIP home ownership assistance, \$223,123; subrecipient new construction rehab, \$190,000; CHDO set aside new construction rehab, \$380,000; and administration limited to 10%, which is \$89,236.



The next grant program is the Emergency Solutions Grant of \$196,560. Examples of eligible activities are in this slide and the percentages are on the next slide



where we have client services from \$181,818 and then 7.5% admin, \$14,742.



The plan must be submitted to HUD 45 days prior to the fiscal year that starts October 1st, which means submission of our Annual Action Plan can be no later than August 15, 2021. Failure to submit by August 15th will also automatically result in loss of funds. We also wanted to provide some additional information in addition to the proposed 2021 Action Plan.

The Unified Government is allocated the following. The Community Development Block Grant COVID funding, two allocations totaling \$2,143,980. The Unified Government has entered into an agreement with the Community Health Council in partnership with the Health Department in the amount of \$1,200,000. Thirteen community workers will be hired to assist in COVID-related activities such as testing, vaccinations, and other COVID-related resources. The balance of CDBG COVID funding will be used in conjunction with the HOME American Rescue Plan Grant funds to be discussed later.

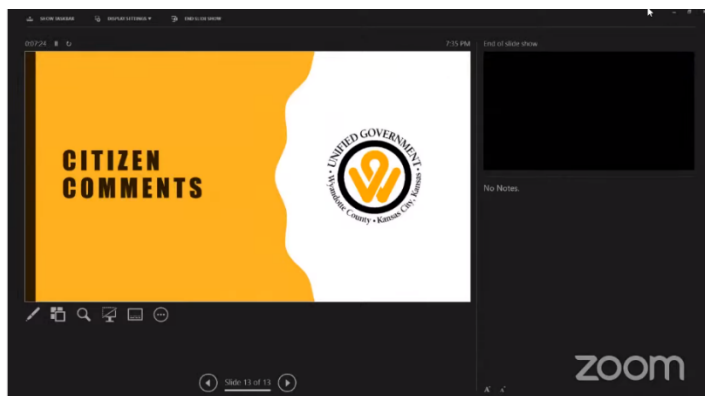
The Emergency Solutions Grant also received two allocations totaling \$2,391,577. These funds were allocated through a request for proposals process that included ranking and review by staff and members of our continuum of care. The Unified Government has entered into agreements

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with 7 partners who provide the following COVID-related services: emergency shelter, prevention, rapid rehousing, and street outreach. These partners also went through a second RFP process and will receive a second allocation only after the expenditure of the first round of funding.

The Home American Rescue Plan Act, we received \$3,197,903. At this time, we know that these funds are required to be used to create affordable housing solutions for those experiencing homelessness and at risk of homelessness. HUD Headquarters and Field Office have advised us not to undertake any planning activities until regulations and guidance are released this fall. This will require a substantial amendment to our 2021 Action Plan that we hope to approve tonight, but it will come before Commission again for submission. A resolution calling for the adoption of the 2021 Action Plan and attachments will be presented for Commission approval tonight following this public hearing.

Finally, upon adoption of the 2021 Action Plan tonight and submission to HUD, we will begin the process to develop our new 2022 to 2026 five-year consolidated plan in August to be submitted to the Commission for approval by mid-summer 2022. This concludes my portion of the presentation. Thank you.



Mayor Alvey said, I will now open the public hearing. Before we take public comments, I'd ask the Clerk to read the statement governing this public hearing.

Brett Deichler, Interim UG Clerk, read the statement governing the public hearing.

Mayor Alvey asked, Clerk, did we have anyone from the public sign up to speak, or we did, correct? **Mr. Deichler** said, yes, we did.

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Monica Sparks, UG Clerk's Office, said, Mayor, we have a hand raised.

Commissioner Bynum said, I think I'm confused. Are we taking public comment now on the CDBG Plan, not the American Rescue Plan, correct? My second question is—what's that? **Mayor Alvey** said, that's correct. We are just taking on the Community Development Block Grant Program at this point.

Commissioner Bynum said, and the second question is, how—when we move to the American Rescue Plan, those that are present virtually, how will we recognize those that want to speak that are online? I'm just not clear on this process yet.

Mayor Alvey said, well, I think when we get to that piece, that's a separate hearing. I think we'll explain how that works. The Clerk is conducting that part of the hearing.

Ms. Sparks said, there are no other hands raised.

Mayor Alvey asked, Bridgette, are you conducting this, coordinating this? **Bridgette Cobbins, Interim Assistant County Administrator**, said, looks like Broderick Crawford has his hand up to speak, Mr. Mayor.

Broderick Crawford said, I'll raise two issues. One, I'm concerned that as the rules were read that this indicates, or satisfies, the requirement for a second public hearing. I'm concerned because I'm not confident that the public truly had an opportunity tonight to be able to log in to the Zoom or UGTV or any of the other mechanisms in order to speak. I, myself, had to call or text some of the commissioners to get the right codes for tonight. The notice that went out on July the 20th for tonight's meeting had no mention of a meeting ID or a passcode in order to get in this meeting. So, I'm saying as a community resident that I don't believe that this should qualify as a public hearing because the public wasn't truly engaged and invited to participate. Thank you for your time.

Ms. Sparks said, we have a Tanece Tyler with a hand raised.

Tanece Tyler said, I just want to echo what Mr. Crawford said. That's what I raised my hand for. There was no indication of where the public meeting was going to be, and also the link that was provided—the Zoom link is not working. So, I echo what he says as far as there should be a second meeting, (inaudible) opportunity that should be given for public input.

Mayor Alvey asked, is there anyone else from the public available to speak? **Ms. Cobbins** said, we do have a member of the public that request to speak, Mr. Mayor.

Lisa Walker-Yeager said, I am actually wanting to third that motion. No one knew about it, and I'd like to stand up and make sure that this is heard. I am part of the community, and I would like to make sure that you all revisit this whole situation, please. Thank you for our community.

Mayor Alvey asked, is there anyone else present from the public? **Ms. Sparks** said, there are no other members.

Mayor Alvey said, I would ask, Ms. Miller, if you could address the concerns that were raised.

Ms. Miller said, we put an ad in the *Echo*, the *Globe*, the *KC Hispanic News*, *Dos Mundos* in June providing information and detail on the draft annual plan. In that, we also talked about submitting comments. We talked about the virtual public hearing that would be held tonight, and referred people to the Clerk's website for that information. In addition, I know that Livable Neighborhoods, the UG News, and other staff within the Unified Government has shared this with a lot of the neighborhood groups and the public. It is also on our website, and it's been out there since June the 10th.

Commissioner Philbrook said, I don't know. I guess I'm just kind of confused about why there's multiple people that were having problems with the link that they found. I want to ask them, if you don't mind, where exactly they got that link from that they were trying to come onto our meeting with. First, I'd like to clarify that before I even ask any other questions. Is that possible?

Ms. Sparks said, Tanece Tyler has her hand up.

Ms. Tyler said, I'm sorry, I didn't properly introduce myself the first time. So, my name is Tanece Tyler. I am the Executive Director for Northeast Economic Development Corporation. To answer the question from Ms. Philbrook in regards to the link that everyone was provided, there was a website that was given. I did put it in the YouTube link, someone put in the YouTube link, so you'll be able to see it there. On your YouTube TV, there's a link in there. That's the link that was provided for this. That was the information that was given for this. If you click on that Zoom link, it does not work.

In addition to that, it did not indicate that anyone could appear in person, and it did not indicate where they could appear in person. So, I'm not disputing what Ms. Miller said in regards to there was notification given, I think the issue here is what was given was incorrect. So, therefore, you may have a shortage of people who may want to speak up in regards to the situation. I'm done speaking.

Ms. Sparks said, Mr. Mayor, we have Melvin Williams with his hand up.

Melvin Williams asked, how come you all just didn't post it on social media? Don't nobody really read the newspapers no more. You all post everything else on social media. Facebook, Twitter, whatever because I see all kinds of stuff on Twitter, Facebook, but as far as links wise, you all don't post that stuff. I just feel like you just want to keep people in the dark about everything so you all (inaudible). **Mayor Alvey** asked, Mr. Williams, could you give us, again, your city of residency, please? I'm sure it's KCK.

Mr. Williams said, yeah, it's Kansas City, Kansas.

Mayor Alvey said, I see the hand up from the public. **Ms. Sparks** said, Mr. Mayor, we also have Broderick Crawford who is asking to speak again.

Ms. Cobbins said, Mr. Crawford, you are able to speak if you unmute yourself.

Mr. Crawford said, it wasn't a problem of me unmuting, for the record. Whoever's handling your IT took me out of the panelist mode. So, after I gave my initial comments, he took me out of

the panelist mode, so when I raised my hand and you gave permission, I was unable to do so because he had to let me back in. Again, this is a barrier to public comment with how even this is occurring tonight. You allow me in to speak and then you take me out, and then you give me another opportunity and I'm muted from the IT guy.

So, my response to Ms. Miller is yes, I do believe that she did put effort out there to give information, but the information was not complete. I'm currently looking at the email that was sent to me on June 20th and when you click on that link, it requires a meeting ID. Nowhere in that communication is there a meeting ID. Even when I was given the meeting ID by commissioners, then I have to have a passcode. There's nowhere in that system that has a passcode. That's unacceptable. Yes, you put information out, but the information wasn't provided so public can access it. That's all I'm saying.

Mayor Alvey said, again, we have someone in the lobby.

Ms. Walker-Yeager said, my understanding that this is a continual problem not just with this meeting, but several meetings where people wanting to speak not able to speak. They're muted when they're wanting to speak up. Along with the fact that your tax sales are being held the same way. So, this is a problem and we need to get it corrected if you can please take time out to make sure this gets corrected.

Then also, I have to second the motion with Melvin Williams on the fact that most people don't read the newspaper that you had stated. Maybe if you would try to call or dispatch post and, again, social media. Thank you.

Mayor Alvey said, we are still in the public hearing. I will recognize Dustin Hare.

Dustin Hare said, I just wanted to echo the sentiments of others. I had to search around for awhile to find the link. When I finally did, I found it on dashboards.mysidewalk.com. I click Join the Meeting and it told me multiple times that there was no meeting, that the meeting ID was invalid, I believe it said. I had to go around elsewhere and find the meeting link. After some more Google searches, it finally let me in.

Furthermore, on the information that's on that page, it said that this is the ARPA meeting. It says help us understand how you would like us to spend the local recovery funds from the American Rescue Plan Act and I got in to learn that it's a CDBG public hearing. So, that's all I wanted to say. Thank you.

Mayor Alvey said, we are currently—we have two hearings tonight. This is currently the CDBG public hearing. There's a second hearing that will address the ARPA funds. Mr. Hare said, thanks for that clarification.

Mayor Alvey asked, is there a person who would like to speak to the actual funding of CDBG, notwithstanding that there were some issues hooking up with this that we have to address, but is there anyone from the public who did find the link, did get on, and would like to address this? This is a good opportunity to do it.

Ms. Sparks said, Professor Stafford-Grey had his hand up.

Professor Debra Stafford-Grey said, I'm from Kansas City, Kansas, and I, too, had problems trying to get into the link. I know that it's kind of been rhetoric over and over, but on the website and on the notice that I got by email it said ARPA meeting was for tonight. Ms. Miller gave information that was very informative that I listened to after taking about 30 minutes to get into the site. So, I was wanting to discuss the ARPA on the community grant, but I think you said that the CDBG is now what was discussed this evening. Am I correct?

Mayor Alvey said, just at this moment. We have a second hearing after this is closed to discuss the ARPA grant. **Professor Stafford-Grey** asked, and when will that be, this evening or another time? **Mayor Alvey** said, yes, ma'am. Yes. **Professor Stafford-Grey** asked, it will be this evening? **Mayor Alvey** said, yes. **Professor Stafford-Grey** said, okay, then I'll wait. Thank you.

Mayor Alvey asked, do we have any additional comments on the CDBG? **Ms. Sparks** said, we have no other members of the public.

Mayor Alvey said, so, Mr. Bach, I'm going to recommend that we bring this to a future meeting to accommodate and make sure that we have all these things operational. **Mr. Bach** said, yes, sir. We will work to address any of the link issues that are out there that all the people that were signing on tonight were talking about.

Mayor Alvey said, I will now close the public hearing. Any members of the Commission have any questions or comments?

Commissioner Bynum said, I was looking at our Unified Government of Wyandotte County and Kansas City, Kansas Facebook page and we did make a Facebook post just today publishing our Unified Government eNews weekly update for July 29. When I got that this morning, I also shared it to my Facebook page. So, we're using those tools.

However, I have to say when I open the news and read it, it speaks to our meeting tonight but provides no link for our meeting tonight. It says planning for recovery, help us prioritize, join us this Thursday, July 29 at 7 p.m., but does not provide a link. It does, however, provide a link to our Special Session on COVID that we held at 6 p.m., so I'm going to say that I think that we did a good job and left out an important detail, which was how to actually join the meeting. So, I would be in support of an additional session.

Commissioner Ramirez said, thank you, Mr. Mayor, but I will hold my comment for a moment. I believe Ashley Hand has a comment to make.

Ashley Hand, Director of Strategic Communications, said, we do apologize for any confusion regarding the log-in. It appears that it's the issue of the password. There is a link at the bottom of every single eNews that does go to tonight's sessions, if you scroll down to our meeting session with the Commission. So, I think we're having some access issues because in order to avoid Zoom bombing and things like that, you do need a password-protected session.

The information is also on our website under the Meeting Agenda and Special Session information that was there for this evening's meeting, as well as access to all of our virtual meetings. So, we apologize for any confusion. It sounds like there's quite a bit of confusion over

the agenda itself, but please know that our website does have that information and eNews did include the same link that we've been using for all meetings at the end of each newsletter.

Commissioner Ramirez said, thank you, Mrs. Hand, and thank you, Mr. Mayor. I think I'm just going to echo the words of Commissioner Bynum. I know this is—we have these links on our website all the time, but it seems like this is the first time someone has—a lot of people have been pretty vocal on not being able to get in. So, my thought is, how many people in the past have had this same issue? So, I just want to make sure that when we look over this again with staff, try and finding—making sure it's more accessible for the community because especially for the next topic of our public hearing which is the federal funding we're getting from the American Rescue Plan.

A priority that we have as a Commission have said is we want it to be community driven. So, we want to make sure as many people from the community voice their opinion and how they think and their thoughts on that. So, just a thought I just had, is if we've had this many people, how many people in the past have also had this same issue, but we don't know about that? So, I just ask that staff, moving forward, we try and make it more accessible, and I thank you for what you do. I know it's on the website, but sometimes not everyone in this county has a computer or Facebook or Twitter, so let's figure out a way to make it more accessible for everyone. Thank you.

Commissioner Townsend said, a question for maybe Legal and for Ms. Miller, is there enough time to have another one of these sessions, another public hearing, without jeopardizing the spending of the funds that were identified tonight, without losing that and giving the public another opportunity, another bite at this apple?

Ms. Miller said, we have to have the document approved and submitted to HUD before August the 15th. So, I don't know what kind of meetings are scheduled between now and then, but HUD really doesn't want me to wait until the very last minute. August the 15th is on a weekend, so we would have to be very very quickly. One of the things that I think might be important is that all comments received are typed up and summarized in our document when we submit to HUD. So, comments that we've gotten tonight, we will be putting in the document now.

Commissioner Townsend said, right, but in case someone had some substantive comments. The comments I've heard had to do tonight were more with process and accessibility. So, would it be possible just to have another opportunity for the public to express, in a public session, whatever comments they wanted to about the CDBG Budget?

Mr. Bach said, I believe you could take the action to leave the public hearing open tonight. We've met all the requirements by HUD for all publications. As you all know, we did a public hearing earlier in the year. We had opportunities for people to submit written comments. We've received all those. So, tonight's public hearing is one that's required by HUD to be done right before the actual adoption that's going. So, you could leave the public hearing process open. We could advertise again that people can join like the four, five or so joined tonight for the Zoom site, and then we could come back downtown. The doors are open for people to come in and walk through the doors as they did so we can put that out there and let them have additional opportunities to be part of the process. Then, you could take action that night as well. As Wilba notes, that would put it on a crunch, but I believe that they could summarize the stuff they have to date and then they would have to have everything together at the last minute. Unless we had a Special Meeting in between, otherwise that would be our next scheduled meeting.

Commissioner Townsend asked, so there would be a motion required to do that, to leave the public hearing open that was open tonight, identify the next earliest available date for the public to, once again, come and make comments if they chose to? Do we need a motion on that?

Ms. Hand said, I would go ahead and recommend your next formal meeting instead of trying to set a Special Session, which would further create confusion or lack of transparency. So, August 12th would be that meeting. **Commissioner Townsend** asked, okay, do you need a motion?

Misty Brown, Chief Counsel, said, yes, a motion would be in order to leave the public hearing open and continue it to the August 12th timeframe.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Kane, to continue the CDBG budget public hearing until August 12, 2021, at 7 p.m.**

Commissioner Philbrook said, well, the only thing I was going to say is that, yes, I'm happy to go forward like this and thank you, Commissioner Townsend, for that motion. I would like to volunteer to work with Mrs. Hand to help those who are, which is like me, I need instructions for—excuse the expression—dummies to be able to get on these websites and be able to connect, all that sort of thing.

So, if you and I, ma'am, could work together on this, you could give me guidance and I can help you know just how tough it is, okay? All of you all do this stuff all the time and I appreciate any help. I just want to donate my slow brain to this, okay, if you don't mind.

Ashley Hand, Director of Strategic Communications, said, much appreciated. Again, our apologies for any confusion regarding this. There's a lot of information out there to track and so we really appreciate the concern and appreciate that you're giving us additional time to potentially hear the community feedback on this.

Commissioner Ramirez said, I guess my comments are more for clarification. What are we postponing until the 12th, exactly? I know Wilba said she needs to submit everything by the 15th and that leaves very little time for her to get everything, compile it, and submit it to HUD. Like she said, the 15th falls on a weekend. So, that may leave her one or two days before the actual weekend to get anything done. So, the 15th, is that when we're going to close the public hearing and adopt the CDBG budget? The 12th? The 12th.

Mr. Bach said, yes, that would be the action you would take then. You would see if there are any additional comments, close, adopt the Community Development budget, and then Ms. Miller would have to summarize any additional comments that come in that night to add them as part of the plan that she would submit the next day. I believe would be your action, Wilba? **Ms. Miller** said, yes, sir.

Commissioner Ramirez said, okay. I do support it, but I'm just cautioning with staff, that's a very very quick turnaround. So, I just want to make sure that—I'm just cautious about it. I do support the move, but I'm just cautious about it. I don't want—I just want to make sure that staff has ample time. Know this is a very important application, a very important part of what we do, and I want to make sure staff has the time to turn it in in time. Thank you.

Ms. Miller said, Mr. Bach, it is important to note that we do submit this through a computerized program and if that computer is down, and we don't get it in, we'll be done with submission. I'm not saying that the computer will be down on the 12th or the 13th, but we have to have everything with the Mayor's signature into them by August 15th.

Mr. Bach said, I think that's a good caution, Ms. Miller, that we could—because all the people that signed on tonight felt like there might be others that didn't have the opportunity to comment over the past several months, we could lose our Community Development funding, but this process is outlined.

Commissioner Burroughs said, I think there's two things here that we have a non-clarification of being able to get on. I've received numerous emails this evening asking for the passcode and having been taken out. I might suggest that—I know when I administer Zoom when it's allowed people to speak as a panelist, when they're done, I usually leave them in until that particular issue is finished. I don't know what our practice is, but it may be that some of them may want to respond or continue on. So, I would just like to get some clarification on that. Wilba, is there any opportunity for us to ask for an extension due to the recent outbreak of Delta? **Ms. Miller** said, no, Commissioner, they do not. It's by federal law, August 15th.

Commissioner Burroughs said, okay. Thank you for that, I just wanted to clarify if there was an opportunity for us to ask for an extension that we should do so, but if that is not allowable, then I understand the time crunch that we're under. With the confusion of the public, transparency is a hot topic and a big issue and the community deserves to have an opportunity to weigh-in on the issues before us this evening. So, I support the motion. I would just hope that we have an opportunity at the next meeting that it's not a heavy agenda in case there's those that want to come forward will have a chance to do that and still allow staff enough time to add that to the testimony and move it through. Thank you, Wilba, I appreciate it.

Ms. Miller said, the only thing else I would caution is if enough people made comments, that Commission decided to make changes to the one-year annual plan, we probably would not have the time to get any changes through in time for the deadline.

Mayor Alvey said, Mr. Bach, I'm going to recommend that we would convene a Special Meeting Thursday the 5th. **Mr. Bach** asked, Thursday the 5th, Mayor? **Mayor Alvey** said, yes.

Mr. Bach asked, so you would like to—that would provide the opportunity for this motion to be amended to change that date, to extend it to that time, if Commission would so choose? **Commissioner Kane** said, I'm okay with that. **Commissioner Townsend** said, as well am I. I am in support of the amendment to the motion to change the date from August 12th to August 5th.

Action: **Commissioner Townsend amended the motion, seconded by Commissioner Kane, to continue the public hearing to August 5th.**

Commissioner Bynum said, Mayor, I just wanted to clarify with Wilba Miller that anyone who would like to comment on the CDBG one-year action plan that we're talking about does have that opportunity to provide that comment to your department in writing right now, correct?

Ms. Miller said, yes. The ad that we put in for the draft plan said that they had any way—they could contact the Clerk, they could do it in writing to our offices, yes.

Commissioner Bynum said, I'm supportive of our August 5th plan, but I wanted to make sure that the public understands there's more than one way to submit comment on this action plan. It does include communicating directly with your office. Thank you. Would you like to provide that information one more time here with us tonight on how to submit that to your office?

Ms. Miller said, they can put it in writing to our office at 701 North 7th Street, Room 823. Then, of course, our zip code is 66101. They can call the front desk and leave a message with the operator at 573-5100. They can call and ask for me, and I can take their comment or Stephanie Stauffer, who is also at this meeting, either one of us would take comment from people. They can email me at wmiller@wycokck.org.

Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 21957...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.



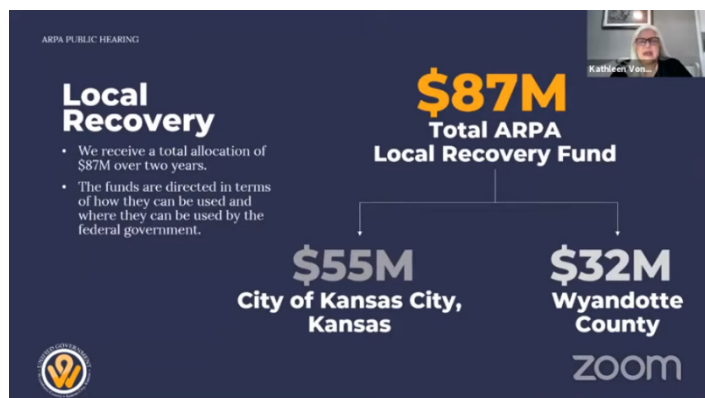
Doug Bach, County Administrator, said, as we brought forward to the Commission a couple of weeks ago, we started to talk about some additional things coming forward with American Recovery Plan Act. As we were going through, we kind of put it up into three different areas we were looking at funds that were lost revenues, they were fairly straightforward to where that money would go to help replenish Unified Government operations. Then, we had some immediate needs we noted, but there are also other areas where these funds would be eligible to be expended.

So, with that process, we brought forward the idea to start doing public hearings, get public input to assist the Commission as they make decision to strategize on where this funding can be spent in the future as we go through this process. So, tonight, Kathleen VonAchen, our Chief Financial Officer, is here and she's going to walk through some of the—how the plan works and some of the eligible funding areas.

Kathleen VonAchen, Chief Financial Officer, said, this is a public hearing to consult with members of the community or those 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. This is all

encouraged by the U.S. Presidential Order on advancing racial equity in support of underserved communities. So, no action's going to be taken tonight by the Commission. This is simply an opportunity to take public comments for future consideration of the prioritization of the American Rescue Plan Act Local Fiscal Recovery funds. So, additional public engagement events are being planned for the coming months.

Before I start, I'd like to direct the public to our ARPA website, which is at wycokck.org/arpa or you can—we encourage you to also email us with your ideas at the email address arpa@wycokck.org. I am joined in this presentation by Ashley Hand, our Strategic Communications Director, who will provide direction for the opportunity for the public to submit your ideas and comments through a poll that she will be leading. She will be discussing that in more detail after I make this presentation here tonight. It's a brief presentation.



So, this is the local recovery portion of the American Rescue Plan Act. The ARPA is a huge act that entails a great number of federal grant programs and opportunities. This is only the portion that is being provided directly to local governments, in our case state, the city, and the county. So, we are receiving a total of \$87M over a two-year period and it's actually two recipients—the city of Kansas City, Kansas, and Wyandotte County, Kansas. The \$87M is the total. City of Kansas City, Kansas, is getting \$55M and Wyandotte County is receiving \$32M.

The funds are directed in terms of how they can be used, directed by the federal government very specifically. Then also, I want to mention that we have until the end of 2024 to obligate these funds and have until the end of 2026 to completely spend the funds. So, there is plenty of time for a prioritization and conversation around how to direct the funds to meet the objectives of the act.

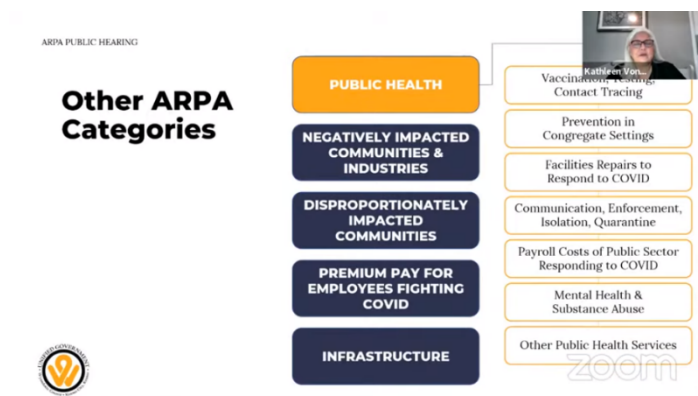


So, within the total allocation, there is a provision in the act that a portion of the funds would go towards covering the lost revenue during 2020 and 2021 due to the pandemic. As you can see in the chart, for Kansas City, Kansas, of the \$55M, \$31M has been calculated based on the provisions of the act as revenue lost over a two-year period. On the county side, it's \$11M. So, that's those two orange numbers there you see.

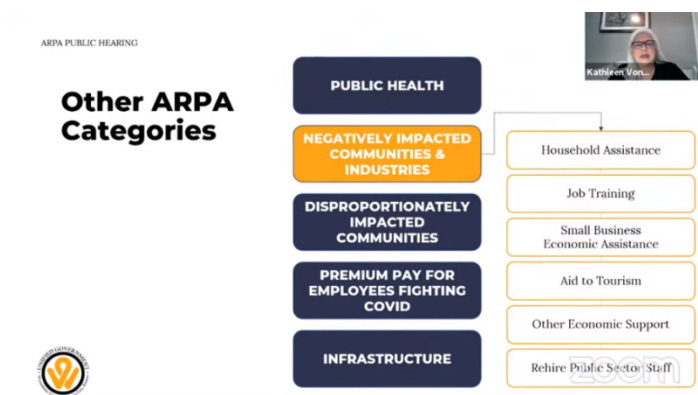
As a result, the remaining amount of funds is \$24M on the Kansas City, Kansas, side and \$21M on the Wyandotte County side that are available for other ARPA categories, which I'm going to go over in a moment. So, just to be clear, this isn't a blank check because the federal government does have some very specific requirements, but it is an opportunity to double down on some of our key priorities.



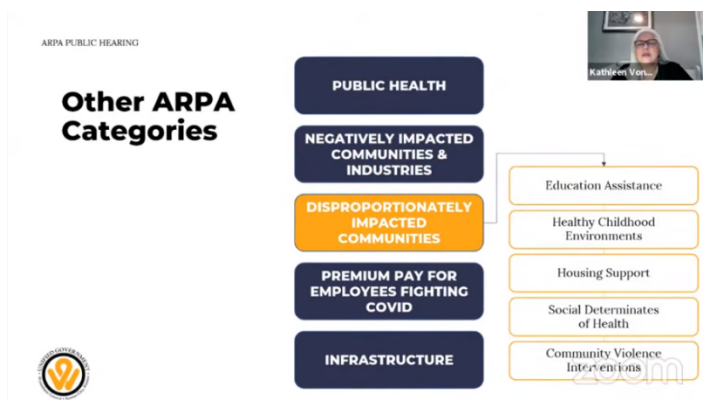
So, the other ARPA opportunities, aside from revenue loss, are listed here. They're public health, the negatively impacted communities and industries, disproportionately impacted communities, premium pay for employees fighting COVID, and then infrastructure.



In the following slides, I'm going to provide some more detailed descriptions of each of these areas. So, in the area of public health, the categories that are eligible uses by the federal government are for vaccinations, testing, and contact tracing. For the prevention of in congregate settings, such as nursing homes, hospitals, and other areas, it can also be used to do facility repairs that would respond to COVID, such as HVAC improvements. It's also allowed to use the money for communication efforts to get the word out about the vaccination efforts undertaken by the Public Health Department: enforcement, isolation, and quarantine costs, as well as payroll costs related to the public sector that is responding to COVID. There are some eligible uses for mental health and substance abuse, and other public health services.



For negatively impacted communities, those eligible costs include household assistance, job training, small business economic assistance, aid to the tourism industry, other economic support, and to rehire public sector staff that were either laid off or not hired, or positions were held vacant during the COVID in order to save costs.



Under disproportionately impacted communities, the eligible uses are education assistance, developing a healthy childhood environment, providing housing support including the development of affordable housing, identifying and addressing the social determinates of health, and providing interventions for community violence.



The fourth category is premium pay for employees fighting COVID, not only in the public sector, but also in the private sector.



The very last category is infrastructure, which is limited to only wastewater, stormwater, and broadband. So, at this point, we would like to pass this off to Ashley Hand who is going to be talking about the poll.

ARPA PUBLIC HEARING

How to Participate

- Text **UnifiedGovernment123** to 22333 to join the session and follow the prompts.

OR

- Go to **pollev.com** and enter **UnifiedGovernment123** to join the session.

Ashley Hand, Director of Strategic Communications, said, we're going to test a new tool today, and I encourage anyone who's listening in the room or downstairs or online to either text Unified Government123 to the number 22333, or you can go to pollev.com and enter Unified Government123. So, I'll give you all a minute to do that and get online. I know all of you have phones, so I hope that you will participate.

So, when you text that number, you should probably get a prompt back. So, if you just give me a nod so I can get a general sense as to—you can scan the code as well, yep. All right. Commissioner Philbrook, I'm more than willing to help you, too. You're shaking your head over there, I'm happy to come over and help.

Mayor Alvey said, I'd like to remind the Commission that this is for public input. There will be plenty of opportunities for Commission to weigh-in on recommendations later.

ARPA PUBLIC HEARING

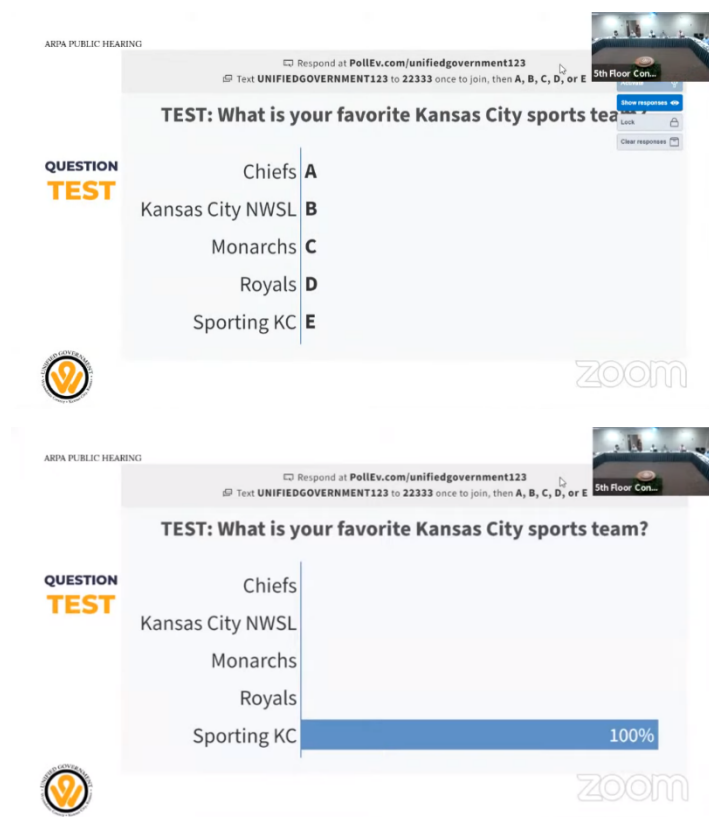
Respond at [Pollev.com/unifiedgovernment123](https://pollev.com/unifiedgovernment123)
Text **UNIFIEDGOVERNMENT123** to 22333 once to join, then A, B, C, D, or E

TEST: What is your favorite Kansas City sports team?

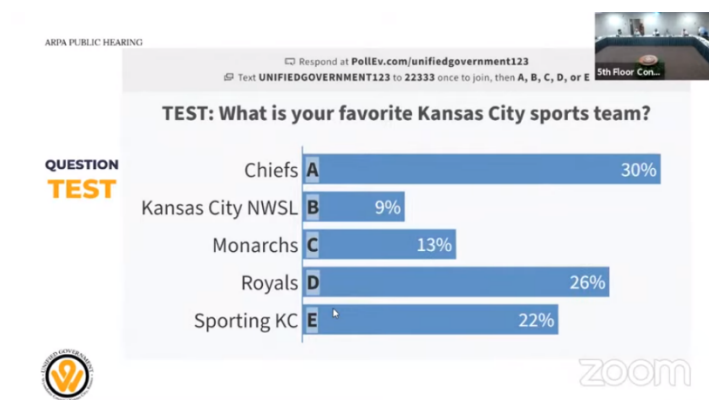
QUESTION TEST

- Chiefs
- Kansas City NWSL
- Monarchs
- Royals
- Sporting KC

Ms. Hand said, we're going to do a quick test question to see if we can test the tool. I just want to get a sense as to everybody's working, so what is your favorite Kansas City sports team?

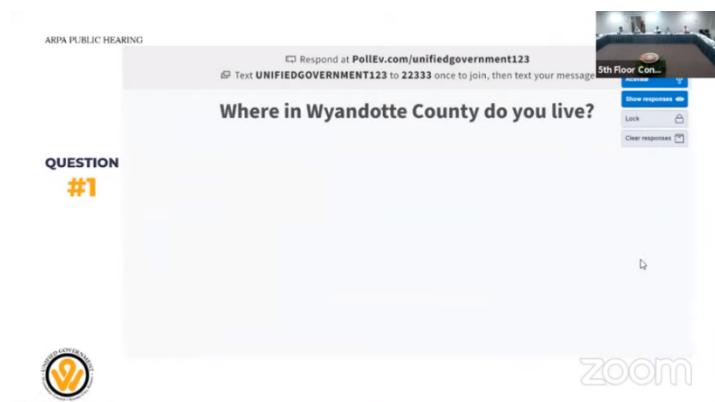


Well then, we got a strong, solid start. I'm going to give everybody a minute to get that in. It's A, B, C, D, or E. There you go. That Sporting KC jumped out so quickly, it took away the prompt.



So, as you can see, in real time we're able to kind of understand what people are thinking; what they're saying. We see it's interacting. So, the next few questions are an opportunity, and they're open-ended. You can answer more than once, and you can use a few/several words to kind of help

us understand how you would answer any of the following questions. So, I'm going to see how we're doing here and we're going to close that. So, clearly, the Chiefs are winning today. I'm going to lock this one down, and we're going to move onto the next one.

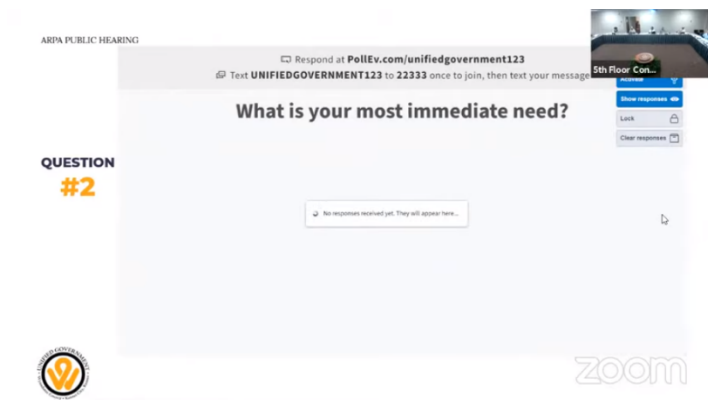


So, our next question for you is, just to help us understand who's at the table, who's in the room, who's online virtually—where in Wyandotte County do you live? Just give us our neighborhood name, so we generally understand where you're at. Some good Piper representation tonight. Seeing some folks from Westheights and Edwardsville, Rosedale, Armourdale, excellent. Argentine, fantastic. All right, some Bonner Springs folks. Strawberry Hill. Give it a couple of seconds more, see how—Pomeroy, excellent. All right. Well, Piper definitely outnumbers today, as is Strawberry Hill and Rosedale. Excellent. Spanning east and west. All right, I'm going to give it one more second. Fantastic.



So, as you can see, we have some pretty good representation across the county, but noting that this is just one meeting and one opportunity. This will help us also kind of figure out where else do we need to go within the community to make sure that we're pinpointing the type of neighborhoods

that are not represented at tonight's conversation or on the various channels that we're offering to provide feedback throughout the ARPA process.

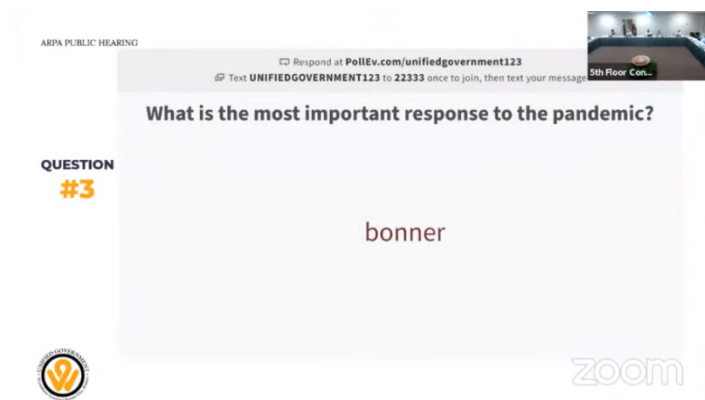


I'm going to lock this and move onto our first big question, which is, what is your most immediate need? So, as we think about recovery and what does that look like, in a few words, help us understand what's most important. As you saw in the many different categories that were outlined by Ms. VonAchen, there is quite a few areas where we can provide immediate assistance. So, what is the most pressing need in your community, in your neighborhood, and even in your own household? You can enter more than one answer for this question. We're seeing things like affordable housing and workforce. We see parks, pay, infrastructure, business support. A mask mandate, homelessness, parks, increasing rental and mortgage support. Excellent. We're also seeing things like resources for businesses and recreation. There needs to be support in the northeast, we're seeing. Stormwater, safety. Excellent. It gets better and better.



If you see words that you like, put them in again, and that will make it bigger. Fantastic. It's pretty dynamic. We see it getting a lot of answers. I appreciate that. Childcare, we see some rehabilitation and training. We see food desert has come up. Excellent. Graffiti, we've definitely seen some issues recently. Broadband. Excellent. Some really good information in here. Lower taxes, okay. This is excellent. I'm going to give it just a couple of more seconds because we have a couple of more questions to go through. As we get past our most immediate needs as Ms. VonAchen outlined for us, we do have several years to address some of these priorities. Water quality, air quality, street improvements, education, no bullying for those who can't wear masks. Okay. Sidewalks.

Some of these things aren't necessarily covered within ARPA, but they certainly help us understand in the overall arching budgeting process where your priorities and concerns—swimming, that's something that has come up quite a bit this summer, as we all are well aware. The heat of this week has certainly not made it any simpler for any of us. Enforcement. All right, I am going to lock it down in just a second and we'll move onto the next question. Excellent.



So, as we think about the pandemic response, it's not just about what's happening now, but when we think about long-term, what do we want to see for Wyandotte County when we come out of the pandemic? What is the most important response that we can take as a community, as a result of what has happened to us over the last 18 months?

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always trying to strike. All right, I am going to close this down because I want to point you to another resource that we will be continuing to roll out as we move forward.



So, as Ms. VonAchen had mentioned, we have launched a website called wycokck.org/arpa and what this does is walk you through some of the basics of ARPA funding, how it can be used. Provides you with access to the various presentations that have been made over the last several of months that have come before Commission so that you can kind of get a little bit of the background on what this money was intended for, and some of the many things that are being considered, including the Commission principles that they've outlined and defined for the people who are thinking through the spending of these funds. Then, there's also a segment within this website that you can link to and join an online forum, which we will be running several of these questions over the next month where you can enter in your ideas. You can support and boost ideas that you appreciate and agree with or add to them through an online dialogue.

So, this platform is going to be one of the many tools that we will be using over the next month or so, and specifically to help us understand both immediate needs, as well as some of the more near-term needs. That information, in addition to the email that Ms. VonAchen mentioned, arpa@wycokck.org is another tool where you can directly email the Finance Department with your ideas and suggestions. Then, we will be creating other opportunities, whether online or in person over the next several weeks where you can stay tuned and hear more and participate in this ongoing discussion about what the future of Wyandotte County looks like post-recovery. Thank you very much.

Commissioner Burroughs said, Ashley, the opportunity to participate, is there any way to break this out—to break it out from staff and/or commissioners putting in their recommendations and

flooding the process with their ideas versus actually hearing from the public and allowing them to have an opportunity without being pushed out by staff and/or Commission, so it shares with the public that they have a fair opportunity and a transparent opportunity to participate in this process?

Ms. Hand said, absolutely. So, we're offering multiple channels for that with that intention, to give us the ability to check our data and understand what the community has said. We also are pulling from the community survey data of 2020 that was with great statistical relevance to our community and reflects kind of how our community thinks. So, we're comparing that input as well. I would like to remind you that our 2,200 employees are residents, as well. So, we will be creating channels for our staff to participate in these conversations because they, too, are part of our community, but we absolutely will be offering multiple channels to help people participate and provide input. Gleaning from existing planning efforts that have gone out into the community to collect feedback at the neighborhood level, as well as incorporating some of these larger scale tools that could help us look across the entire county for insight.

Commissioner Burroughs said, and I do appreciate that. Just for those that were listening, that they actually have a fair opportunity just as we do to put... **Ms. Hand** said, absolutely.

Commissioner Burroughs said, ...we're all taxpayers; we're all residents. It's important that they know that we are asking for their input and we're providing a number of avenues for them to do that. Their word is just as important, if not more important, than many of us in this committee this evening, as well as in the administration and city hall collectively. So, I just wanted to ensure that they understand they have just as fair of an opportunity as we do. **Ms. Hand** said, absolutely. **Commissioner Burroughs** said, thank you.

Mayor Alvey asked, would someone describe then, what that process will be moving forward?

Ms. Hand said, so, we've launched a website to provide information about the program itself, including some of the kind of limitations of how the funds can be allocated. We've launched a public forum online through that website that allows you to answer any of the questions that we posed tonight, and we'll be posing more questions and survey tools and other insights as we gather them. We're also using the tools of understanding what we're hearing on social media over the last 18 months, for us to be able to pull insights from what our key priorities within the community,

leveraging our community survey data, as well to help guide some of the kind of insights that we can infer from that information as it applies specifically to ARPA related funding.

Mayor Alvey asked, could you just explain the timeline for this?

Ms. Hand said, so, the near-term is to run a series of these questions over the next month to help us, particularly around the most immediate needs, and understanding some of the most pressing priorities within our community, recognizing that we have a pretty long-time horizon. We will be rolling out multiple opportunities over the course of the next six months, possibly even longer, factoring these things into how we plan with our general budget, as well. So, there's a lot of opportunities that we'll be introducing. I'm relatively new to this organization and very excited to be bringing more opportunities in for community engagement in these discussions.

Mayor Alvey asked, so, if someone came to the meeting tonight or zoomed in on the meeting tonight expecting to make public comments, is that happening?

Doug Bach, County Administrator, said, yes, sir, Mayor. After we conclude our opening comments in this process, we were going to recommend the opening of the public hearing.

Mayor Alvey said, thank you. I'd like to get to that. Commissioner Ramirez? **Commissioner Ramirez** said, yes, that's perfectly fine, Mr. Mayor.

Mr. Bach asked, Ms. VonAchen, do you have any other comments? Okay, Mayor, we are done with our opening remarks and ready for the public hearing.

Mayor Alvey said, and Ms. Cobbins, I think you are facilitating this. **Brett Deichler, Interim UG Clerk**, said, we will be facilitating it, Mayor. Actually, we had one person sign up, a Ms. Carolyn Wyatt, to speak this evening and we also have four emails to read.

Mayor Alvey said, go right ahead.

Mr. Deichler asked, Ms. Wyatt, are you available? **Mayor Alvey** said, let's go ahead and read the emails and then we can come back to Ms. Wyatt.

Mr. Deichler said, thank you, Mayor. First email is by Meighan Peifer from Uncle Sam's Academy for Tots. It says, Hello. I've received the invitation to the Zoom meeting next week. Our center would like to look at applying for funds to use in this area: to provide premium pay to eligible essential workers. I would also like to ask that these funds be allowed to pay for college courses, as well as essential workers like our teachers who will be dealing with many more developmental and/or mental health issues as more businesses reopen. It would be crucial that employees have the tools they need to deescalate or interpret a situation with the general public and our customers. Thank you for your consideration, Meighan Peifer.

Mr. Deichler said, the second is from Paula Neath, President and CEO of The Family Conservancy. We know Wyandotte County is looking at investments of the American Rescue Plan funds to support our community in recovering from the pandemic while improving long-term resiliency. The Family Conservancy believes an investment in our childcare infrastructure for our youngest children and their families is exactly what Wyandotte County needs. A \$4M investment of ARPA funding over two years would be strategic in the commissioners' priority for increased economic prosperity in the community and an opportunity for our residents to get back into the workforce.

The support would be targeted towards expanding The Family Conservancy's innovative Start Young program through 2022 and 2024. TFC is confident long-term investments in the infrastructure of the childcare sector in Wyandotte County will provide stability for parents and help make much needed improvements in the early learning classroom today through a quality learning environment all while building of the foundation for the next generation's local workforce. Furthermore, we have three years of success and momentum to build from. If you would like, I would be happy to discuss investment opportunities in more detail. Paula Neath.

Mr. Deichler said, the last is quite lengthy, so I'll paraphrase this—or I should say, the next to last. From Ms. Kari Rinker from the American Heart Association. She says the public health crisis and resulting economic stress has put state, local, and tribal governments under immense strain. As you are aware, the federal government's Treasury Department has allocated \$350B emergency pandemic funding to state, local, territorial, and tribal governments. American Heart Association understands we are still navigating unprecedented times. Given some of the flexible

guidance and latitudes to support public health needs and recovery efforts, the AHA views this latest distribution of pandemic relief funds as an opportunity to reengage in discussions to address critical needs in areas and strengthen support for vital public health services.

Some of those services include the comprehensive tobacco control programs, hypertension programs, healthy equity programs, and supplemental nutrition assistance programs. We must recognize the intent of ARPA funding to state and local communities is to address the severe negative economic impact of the pandemic and ease some of the financial strains from the past year. Speedy recovery and rebuilding capacity requires strategic investments and collaborative efforts at all levels.

Although we are faced with unique challenges, we can use these fiscal recovery funds as an opportunity to lead the charge in critical public health investments to benefit Wyandotte County's population. Thank you again for your ongoing leadership in responding to the needs of the communities and citizens, especially those that were hit hard. As the AHA asks that you consider the above referenced priority areas as you engage in appropriation discussions, and we look forward to continuing to work with you to address the health issues and long-standing inequities facing Wyandotte County.

Mr. Deichler said, I just received one on my phone here, which I have now opened from Emily Wolfe with the Metropolitan Energy Center. She says, Mayor Alvey and Commissioners, I am with Metropolitan Energy Center and a lifelong resident of Wyandotte County. Since 1983, MEC has successfully managed millions of dollars in federally funded projects advancing clean, efficient use in the Kansas City metro area, including Wyandotte County and KCK. In an attached letter, we stated why we are urging the UG to consider investing remaining funds from the ARPA to improve the infrastructure in our community.

As you continue to work through the process to determine how to utilize the remaining ARP funds, we would love to meet with you to share how our organization can support your efforts. We have over 20 years of experience and expertise promoting and implementing clean fuels, fuel efficiency, and new transportation technology. Additionally, our building performance program is rapidly expanding to help municipalities successfully navigate building code updates to make the built environment more efficient and resilient. Thank you for your efforts to better understand

the projects and priorities that are important to community members. Please let us know if you would like us to set up a meeting in the future. Thank you.

Mr. Deichler said, that is all we have, Mayor, except for Ms. Carolyn Wyatt, who is, I think, now ready.

Carolyn Wyatt, 359 Troup, KCK, northeast area, said, there is a master plan, Northeast Master Plan that never came to the process where it should have come. We spent money, but we need a store in the northeast area. Also, the Quindaro pool. It needs to be a new one or upgraded. Also, in these parks around here, there's Klammer and not Quindaro, but Parkwood Park. We could also use a water park. Also, these parks should have bigger swings also. Not only for the children, but older people like to sit in swings. They take their kids to the park. I've seen where they have parks for senior citizens where they can sit and they can swing at the same time. Also, we need a diversity inclusion officer because there's one in Lawrence, Kansas, and one that's in Kansas City, Missouri.

Also, there's a lot that could be done to the northeast area. There is not a police station in the northeast area, which would bring along development at the same time because we don't have the infrastructure, we don't have what we need, but we know that with this Northeast Master Plan that already—we've paid people who came here to get information about the Master Plan and paid them all this money and they went back home, but nothing happened.

So, I think everybody's getting their Master Plan, but we're leaving the inner city out of everything. So, I'm thinking that with this money that we have here for this American Rescue Plan Act, Recovery Act, and with the CDBG money, there is money that can be invested in the northeast area. So, we're hoping that the commissioners who are listening will realize this also, everything is not out west. We still live down here. **Monica Sparks, UG Clerk's Office**, said, ma'am, you have one minute remaining.

Ms. Wyatt said, and we have a mayor and a commissioner that is for the whole city. You can't leave out the northeast area. We're very vital. There's all kinds of highways down here. Either way you want to go, up north, Kansas City, Missouri, we're here, and there's Fairfax. I just want to say just remember the northeast area. Thank you, bye.

Louise Lynch said, thank you for that. I've been holding from the beginning of all these meetings. So, I appreciate you taking my call. The first thing I want to talk about before I comment is the process doing this ARPA problem. The IT—I have not been able to participate because it kicks me out. The other thing is, it is not easy for someone who is having trouble seeing as I am, as a result of long-haulers COVID, to maneuver this or to tell me to type in or email in or any of those sorts. So, if it's difficult for me, I am sure it is difficult for many seniors. I am sure it's difficult for those who cannot see or have a vision problem, and we should be able to participate at the same time as everyone else is meeting. To tell us to send in something between now and another time does not give us the same opportunity and respect to voice our opinion for everyone to hear at the same time.

So, all of those questions you were asking and having people input, it would kick me out every single time. I have not been able to look at screens because of my vision issue due to long-haulers, and so this is a huge problem. So, I really would like you to make sure that this is a viable way for everyone, not just those who can see, not just those who are young, not just those that are technically challenged or not challenged. All of us deserve a voice at the table at the same time.

Now, I would like to comment about the ARPA. In regards to that, I have sent in comments, and I have had a two-hour discussion with the Chief of Staff in the Mayor's Office back in April, May time period in regards to some of my concerns... **Ms. Sparks** said, ma'am, you have one minute remaining.

Ms. Lynch said, I'm still waiting back for a call from Mayor Alvey. BPU is a huge issue. People who are not able to pay their bills because there are medical devices that they need to use and don't have the money due to COVID, should be totally covered. Water should never be cut off from anyone. We are in the middle of a very hot heat season and making the most vulnerable suffer because they are indigent or they are sick and have to choose what to do is not acceptable. I have a whole list of things. I would like you to call me, email me, text me because there are a lot of issues that this money should be going to, and going to agencies like WYCO Mutual Aid who have helped a lot of people in a lot of areas in this community. I want to thank my commissioner, Tom Burroughs, for helping as many people as he can... **Ms. Sparks** said, ma'am, your time is up. **Ms. Lynch** said, thank you.

Broderick Crawford, Kansas City, Kansas, northeast, right off of 8th and State, said, once again, good evening, Mayor and Commissioners. I'm going to also raise the same issue that I had before, similar to what the previous speaker just spoke to, and that's access. So, tonight, as I was trying to get to the word cloud that Ashley was putting together, I don't have equal use of both my hands. So, by the time it took me to type and get the things that she wanted me to type in, she was at two or three questions down. So, I think many of our—what we're putting forth to the public is accessible to those that are people close to and we are not necessarily taking into consideration those that may have challenges. So, for me, I got frustrated and I stopped responding because I couldn't type fast enough.

Again, as the young lady was talking about those that are visually impaired and other things that they have—obstacles that they have. We have a lot of our folks here that have government-issued flip phones. A government-issued flip phone is not going to do all the things—I'll say, folks, I just need a phone to call and text, but I'm probably one step beyond a flip phone myself. So, the types of phones that people have, when you're asking for these apps, all of these phones don't accept or maneuver and navigate through these apps the same way that others' phones might. Are we taking that in consideration? Electronic media, broadband is not widely available in this county. Much different than Google would like you to believe, it is not there. So, in the homes of many of the residents that I serve, they don't have broadband. So, if that's the only access point, then we're not reaching the masses of folks in our county. **Ms. Sparks** said, sir, you have one minute.

Mr. Crawford said, thank you, I appreciate that. I also want us to consider funding to the northeast, funding to the Parks and Rec, folks that are getting their lights and things turned off for 45 cents is atrocious, and I'm going to challenge you all. Who do we want to make it easier for? The staff, or the residents? I do understand the staff are residents, but staff are working. There are many residents that are unemployed that are hurting, that are in peril that we're not providing access to. I'd like for us to consider folks that don't necessarily have what we have, and they have a fair and equitable chance to provide comment. Thank you for your time.

Greg Kindle, President of the Wyandotte Economic Development Council and a resident of Kansas City, Kansas, said, good evening, Mayor, Commissioners, and UG Staff. There are eight areas we've asked the UG to consider for ARPA funds. One, increase funding for community

health improvement programs, known as CHIP, through the UG Public Health Department. The programs are already underway with goals, strategies, and metrics in place. The challenge is often funding the strategies themselves.

Two, additional funding to support small business assistance that have struggled through the pandemic. We encourage funding specifically for The Tool Box, Alt Cap for small business loans, two Wyandotte County businesses, and additional funding for the UG Small Business Grant Program.

Three, funding up to \$150,000 for a future work study via the YEDC to look specifically at the talent skills needed to ready for the jobs anticipated to be created in Wyandotte County in the years to come. We need a long-term workforce solutions plan to help us build resilience and ultimately reduce poverty and increase household income by connecting our residents to the high wage jobs in Wyandotte County.

Four, funding for programs that lift residents out of poverty through attainment of their GED through collaborative efforts like those being discussed through Made Men, Workforce Partnership, KCK Community College, and YEDC. 19% of Wyandotte County residents have no high school diploma, largely ensuring a life of poverty and poor health, and who have been heavily affected by the pandemic.

Five, funding for programs to assist persons experiencing homelessness. We are seeing an increase in the number of our neighbors who are homeless. This is affecting the attraction and retention of businesses to the downtown and certain public transit locations throughout the county. We recommend identifying and funding programs that provide housing, wraparound services, and a sheltered workshop model that looks holistically at the issue.

Six, if you want to expedite urban housing development, we could consider a flexible funding matrix to help fill the gap. Particularly, as the cost to construct residential homes has significantly increased... **Ms. Sparks** said, Mr. Kindle, you have one minute remaining.

Mr. Kindle said, ...quality housing, the UG largely holds the land that needs to be redeveloped and we have a pool of builders now interested in building homes. Unfortunately, there is a gap between what our residents can pay for a home, and the cost to build a home. This may be an opportunity to help fill that gap if certain criteria are met.

Seven, we need additional funding to increase the number of full-day quality childcare spots to organizations like the Family Conservancy.

Childcare's incredibly expensive but has a major long-term impact on that child's future and whether Wyandotte County will continue to have a high level of poverty. We encourage further discussion on how ARPA funds can help our underserved populations find and afford full-day quality childcare.

Number eight, we encourage you to consider utilizing some level of ARPA funds to start the stormwater improvement program. While these funds won't meet all the needs we have, we believe there is a cost benefit to the community and to the UG, which could expedite getting these improvements started. Thank you for your time and consideration for the use of the UG's ARPA funds.

Dustin Hare said, I'm the cofounder of WYCO Mutual Aid. We know that COVID-19 had profound impacts on the economic situations of nearly everybody in the country, but it affected low-income, black, and brown folks disproportionately. In Kansas City, Kansas, that means it impacted the northeast area disproportionately. To put this into context, in the upcoming tax sale that's happening in October, there are 265 properties labeled residential with improvement. This means these homes have fallen behind on their property taxes and those properties are heavily concentrated in the northeast area. Instead of making assumptions about these properties, I went out earlier this week and talked to some of the folks that are on the tax sale list. What I learned is that a lot of these people have owned their homes for years but fell behind on their taxes because of COVID. The people I talked to were almost entirely on fixed incomes and had additional financial burdens directly caused by COVID-19. The total sum of the back taxes comes to exactly \$1M. Now, it can be assumed that many of these properties are not currently being lived in, and they will not need to be removed from the tax sale list, but many others are currently being lived in.

Several hundred thousand dollars of ARP money to be invested into ensuring that people who have lived in our community for years or decades are not forced out of their homes and displaced. Speaking of housing, Wyandotte County has a homelessness problem that is unaddressed and worsening. Housing first solutions to homelessness are needed and should be funded by the ARP funds. This means converting Land Bank properties into suitable housing and hiring community members to do the rehab to make them livable. A priority that has been identified by Wyandotte County residents who are experiencing housing insecurity. It also means purchasing apartment

buildings, such as the currently vacant West Height Apartments, fixing them up, and converting them into housing. It means opening a transitional shelter in Wyandotte County for folks experiencing homelessness because this is something that our county is currently lacking. Housing insecurity is the scariest thing that folks in Wyandotte County are dealing with, and it is exciting that we have this opportunity... **Ms. Sparks** said, sir, you have one minute remaining.

Mr. Hare said, thank you. Housing insecurity is the scariest thing that folks in Wyandotte County are dealing with. It's exciting that we have this opportunity in front of us to make a difference in the lives for our residents. Thank you.

Tanece Tyler said, once again, I'm with Northeast Economic Development Corporation, Executive Director. The first thing I wanted to comment on was the—kudos to the Communications Director for attempting new technology. I think it was pretty cool how the poll and everything worked. However, I have a couple of text messages where my poll didn't go through. Happy to share that with you and work with you on how that could be improved because I'm not sure how many other people may have had an issue. So, would love to connect with you offline to share what happened here.

In regards to the funding, I don't know if you all—well, you all should be familiar with the TAP with the Urban League Institute. There was a Technical Assistance Panel that was done where they enlisted the experts or some of the real estate professionals within the area in regards with what to do with the Juniper Garden area. I would recommend that some of the funding go directly towards those efforts that were presented in the TAP. If you are not familiar with that presentation, or what was presented, I'll be happy to share the link. There's a whole presentation on that. So, I just wanted to provide my input for funding to be looked at to go directly in the northeast area towards that plan that was developed, and it is in regards to workforce development, housing, and some other things. So, if anyone would like the link to that or more information on that, I'll be happy to provide it. I'm done speaking. Thank you very much.

Melvin Williams said, my sentiments are with a lot of people on here, with Ms. Wyatt, Broderick, we do have a homeless problem, but at the same time I would say focus the funds on the northeast area because during the whole time of the pandemic, the northeast has been hit the hardest. Before

I get off of here, I have a question for my current commissioner. Townsend, Commissioner Townsend, where are we at on this Northeast Master Plan?

Mayor Alvey said, I'm going to ask that this is not related to the agenda item that we're bringing, so I'm going to ask Commissioner Townsend, please, that's not what this is about. You can have an offline conversation with Mrs. Townsend if you please. If you are done speaking, we'll move to the next speaker.

Mr. Williams said, I would have an offline conversation with her, but my commissioner never calls nobody back. Have a good day.

Mamie Springs said, hi to everyone. My question is, when will we be able to address—everybody sit down and address the systematic racism that is going on? You talk about economic development plans, but there has nothing really been put in place for the African Americans. So, it'd be nice to like sit down and be able to address that because this is a diverse community and also this is a free state. I would like to know when are African Americans going to be involved in the economic development plans, as well? That's all. Thank you.

Alan Carr said, I am the Executive Director for Visit Kansas City, Kansas, and I'm a resident of Kansas City, Kansas. I want to speak in support of tourism initiatives. As many of you know, the tourism industry has been one of the hardest hit industries during COVID. I know one of the categories you're looking at are negatively impacted industries. Our hotels in Wyandotte County have seen approximately 45% decrease in revenues in 2000 compared to 2019. That amounts to about \$48M in lost revenue for our hotels here in Wyandotte County.

I know our tourism partners would love to see some opportunities to help make up for some of those losses, but I think one of the things that our tourism partners really want to see is the opportunity to grow tourism and to use these funds to help us grow tourism and make us a more attractive community. The type of things that visitors are looking for here are really the same things that residents are looking for. We want to support, we'd love to see programs that will support stronger neighborhoods, that will make us a safe and welcoming community, that will improve our infrastructure, and that will improve our public parks and spaces to make us a more attractive community for visitors.

Specifically on tourism initiatives, I think there's two things that we would love to see. One, as Kathleen mentioned earlier, I think there's an opportunity to use some of the funds for some mitigation and prevention programs around improving ventilation systems in some of our tourism attractions. So, we would be supportive of those funds.

We also would support job training. We know that we have a challenge right now in getting enough hospitality employees to fill our tourism businesses, and we would love to see some funds that we can grow that workforce. This is not only a short-term issue, but it's a long-term issue as we add more hotels and attractions here in Wyandotte County, we need a strong... **Ms. Sparks** said, sir, you have one minute remaining. **Mr. Carr** said, and we would love to see some funds dedicated to some training programs to get some Wyandotte County residents into some hospitality training and culinary programs here in the community. Thank you.

Professor Debra Stafford-Gray said, my question is about the ARPA Community Block Grant. What I need to know is, does a group from our neighborhood, do we need to get together in order to do this block grant, and the only way to apply would be for feedback on the website or email? If someone could give me more clarity on that, I'd appreciate it.

My concern is we have storm management problems in our area. We have a lot of flooding in our area over here on 67th and Webster. I thank Dr. Jane Philbrook for coming to our residence to see about the problem, but the problem still exists. So, as a result, some of us have had to get loans to get our foundations of our houses sealed from the flooding, but there's some engineering that needs to be done in the area. So, I would like to see some of the funding go, as far as storm management, but I was just concerned about the Community Block Grant development plan. Do you need to have a group in order to do it? That's my question and thank you.

Susila Jones said, I am the Executive Director with Crosslines Community Outreach in Kansas City, Kansas. There are so many great items that have been brought up today, and I can't disagree with anything that people are proposing that the ARPA funds get utilized for. I would say that this is—ARPA provides us with an opportunity to take a truly collaborative approach to end homelessness in our community, and also create truly affordable and accessible housing. These are challenges that we face every day at Crosslines and I fully support everything that Dustin Hare, the recommendations he had for some sheltering options.

We also are in full support of converting hotels or motels into sheltering options for folks experiencing homelessness, with also the ability to maybe turn that also into some permanent supportive housing as well. The ARPA funds, from my understanding, can help us with that process and we do have some hotels available that may fit that. Again, we support sheltering options that provide permanent support of housing with wraparound services to provide long-term sustainability so that we can address homelessness not just right now, but in the long-term.

I would also like to mention Crosslines is in Armourdale, so it's a business in Armourdale. Also, as we work with residents in Armourdale, we face infrastructure issues, specifically stormwater issues, on a continual basis. So, we are also in full support of any stormwater issues that we can address, specifically within Armourdale, to help those residents and businesses in our community. So, that is what I have. Thank you very much.

Ms. Sparks said, we have Louise Lynch seeking to speak. **Mayor Alvey** said, no. No, she's already had a chance to speak. **Ms. Sparks** said, we have no other hands raised.

Mayor Alvey said, so, Mr. Bach, that concludes the public hearing.

Mr. Bach said, thank you, Mayor. That concludes all the comments from us for this. We do have this outlined to come back to the Commission on August 12th for presentation, so we'll be able to provide additional information for the Commission to consider. We'll be able to, hopefully, weave in some of these comments that we received from the public hearing tonight and any additional feedback.

As was noted earlier, we're not in a decision of making final decisions on it. We will be looking to make some immediate decisions and ask for that for Commission consideration at the end of August as we have several things in the area of healthcare that we need to do to continue to provide for our fight against COVID and the variant as it continues to attack our community. I think that's a very serious thing, and we need to direct money for that now, by the end of the month. But, as Ms. VonAchen outlined as she went through the presentation earlier, there's still money that we'll be able to go through and prioritize in the coming year as we go through this process. Mayor, that concludes staff's presentation.

Mayor Alvey asked, Commissioner Bynum, did you have a question?

Commissioner Bynum said, Mayor, it's a comment. I appreciate hearing from all the community, and I really take to heart the technical issues we had and the comments we heard to make sure that we're as inclusive as possible in the ways that we hear from the community and provide opportunities for input. So, I just wanted to say that we do have the email address arpa@wycokck.org for anyone that would still like to send an email about ways that they think the ARPA money could be prioritized. Thank you.

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 21961...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.

Doug Bach, County Administrator, said, after going through a recruitment process and then an intensive interview process and hiring, I am pleased to bring forward a recommendation of Matthew Willard to be the next County Appraiser for the Unified Government. Mr. Willard started working for the Unified Government in 2006. He worked his way up through our organization. In December of 2016, he was appointed as the Deputy County Appraiser. He has been serving in the interim role in that capacity since the departure of Ms. Briney at the end of June.

This is brought forward to you for confirmation of appointment by the resolution that is set forth in the agenda document tonight. Mr. Willard is here tonight if we'd like to have him give a nice long presentation to everyone. He's been sitting here enjoying the meeting for the evening. I appreciate that, but I do recommend Mr. Willard as a very qualified and good resident of our community who is ready to step up and take charge.

Action: **RESOLUTION NO. R-45-21**, "A resolution appointing Matthew Willard, RMA, as the Wyandotte County Appraiser, his term 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." **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to adopt the resolution.** Roll call was

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

Mayor Alvey said, that concludes our meeting for the evening...**Commissioner Philbrook** said, no, Mayor. No, sorry. That’s not—no, we need to have him talk so people can meet him just because Administration knows him, and the Mayor knows him, doesn’t mean there’s other people out there that don’t want to meet him and hear a little bit about what he has to say. Please, sir.

Matthew Willard said, one of my favorite things to do is talk. I appreciate the opportunity to visit with you all for a minute. Matt Willard, been with Wyandotte County since 2006, been appraising a bit longer than that. I really appreciate the opportunity and the confidence that’s been shown here tonight. I also want to recognize my staff because the office wouldn’t be anything without the folks that are out there every day out on the streets and making sure everything moves. So, that’s it for me, I hope.

Commissioner Philbrook said, thank you because at least people get to see your face for a moment to know who’s behind a lot of the decisions and how things are being done. So, thank you so much. I really appreciate it.

MAYOR ALVEY
ADJOURNED THE MEETING AT 9:25 P.M.
July 29, 2021

Brett A. Deichler
 Interim Unified Government Clerk

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July 29, 2021