

UPDATE
OCTOBER 28, 2021 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM

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Description: The Board of Commission has policy-making authority over the County of Wyandotte County and Kansas City, KS. The Commission sets county policies, adopts ordinances, appropriates funds, approves land re-zonings and special exceptions to the zoning ordinance, and carries out other responsibilities set forth by the State Code.

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I. CALL TO ORDER

II. ROLL CALL

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

IV. PLEDGE OF ALLEGIANCE

V. REVISIONS TO THURSDAY, OCTOBER 28, 2021 AGENDA

Standing Committee Agenda – New Item No. 1 – 211089....Resolution: Amending the
schedules of meeting times for the standing committees and full commission.

VI. CLERK’S STATEMENT

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

VII. PLANNING AND ZONING CONSENT AGENDA

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

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

PLANNING AND ZONING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. COZ2021-009 - LARRY J. EASTON

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for horses, cattle and hay production at 2948 South 65th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211116

2. COZ2021-013 - ANDREW SEEMILLER WITH REAL ESTATE GROUP

Synopsis: Change of Zone from M-1 Light Industrial and Industrial Park District to MP-2 Planned General Industrial District for storage in conjunction with existing Twin Traffic, a traffic marking and striping company at 626 North 47th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211117

3. COZ2021-017 - WILLIAM ENGLAND

Synopsis: Change of Zone from R-1(B) Single Family District to CP-O Planned Non-Retail Business District for office space at 2332 South 14th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211119

4. **COZ2021-031 - JAMES VIENS WITH INTEGRITY DIVERSIFIED HOLDINGS, LLC**

Synopsis: Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District to re-establish a duplex which was converted into a single-family home at 218 North 12th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211121

B. SPECIAL USE PERMIT APPLICATIONS

1. **SP2021-027 - 7521 NEBRASKA AVENUE LLC**

Synopsis: Special Use Permit for continuation of auto sales, detailing and light repair at 7521 Nebraska Avenue (SP-2018-91 expired 11/29/2020), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

Tracking #: 211122

2. **SP2021-047 - ALBERT H. WALKER**

Synopsis: Special Use Permit for horses on residential property at 3703, 3707 and 3633 Bell Crossing and 3701, 3702 and 3706 North 37th Street and 3655 Sortor Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

Tracking #: 211123

3. **SP2021-067 - WESTON SPARKS WITH RIDE 4 EVER SKATE PARK**

Synopsis: Special Use Permit to operate a skate park/skate school at 230 South 65th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 211124

4. **SP2021-068 - JILL SCHULTZ WITH K-9 CLUB**

Synopsis: Special Use Permit for a dog day care (SP-2015-30 expired 6/25/2020) at 221 South 22nd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

Tracking #: 211125

C. MASTER PLAN AMENDMENTS

1. **MPL2021-012 - WILLIAM ENGLAND**

Synopsis: Master Plan Amendment from Low-Density Residential to Neighborhood Commercial at 2332 South 14th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211127

2. **MPL2021-010 - ANDREW SEEMILLER WITH SUMMIT REAL ESTATE GROUP**
Synopsis: Master Plan Amendment from Mixed Use to Industrial (City-Wide Master Plan) at 626 North 47th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211129

D. PLAN REVIEW APPLICATION

1. **PR2021-024 - ANALY POLANCO WITH CHURCH MILAGRO DE VIDA**
Synopsis: Preliminary and Final Plan Review for a church at 1270 Merriam Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211126

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

1. AN ORDINANCE approving the Armourdale Area Master Plan, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211131
2. AN ORDINANCE rezoning property at 4600 Parkview Avenue, 4551 Sloan Avenue, 3334 North 44th Terrace, 3319 North 44th Terrace and 4249 Sortor Drive (COZ2021-026) from A-G Agriculture and R-1(B) Single Family Districts to A-G Agriculture District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211132
3. AN ORDINANCE rezoning property at 8741 Parallel Parkway (COZ2021-005) from R-1 Single Family District to CP-O Planned Non-Retail Business District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211133
4. AN ORDINANCE authorizing a Special Use Permit (SP2021-041) for auto storage and auto maintenance at 1032 South 25th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211134

5. AN ORDINANCE authorizing a Special Use Permit (SP2021-029) for a drinking establishment with live entertainment at 508 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211135
6. AN ORDINANCE authorizing a Special Use Permit (SP2021-052) to keep eight (8) mature ducks at 1921 Nebraska Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 211136

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. MISCELLANEOUS

1. CONSIDERATION OF ARMOURDALE AREA MASTER PLAN

Synopsis: Adoption of Armourdale Area Master Plan (plan and letters in support attached), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211130

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR OCTOBER 28, 2021

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2020.

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

REGULAR AGENDA

IX. MAYOR'S AGENDA

X. REGULAR CONSENT AGENDA

1. RESOLUTION: WAIVE CERTAIN FEES RELATED TO INFILL HOUSING EAST OF 78TH STREET

Synopsis: A resolution approving the waiving of certain fees associated with new construction of single-family homes and duplexes on vacant properties east of 78th Street for two years in order to spur new development, submitted by Katherine Carttar, Director of Economic Development.

*On October 11, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 211079

2. MINUTES

Synopsis: Minutes from regular session of August 26, 2021; and special session of October 14, 2021.

Tracking #: MINUTES

3. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated October 14 and 21, 2021.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

1. PUBLIC HEARING: CONSIDER AN ORDINANCE AND RESOLUTION REGARDING THE LEGEND HOTEL, LLC, CID AND DEVELOPMENT AGREEMENT

Synopsis: Conduct a public hearing to consider an ordinance approving a Community Improvement District (CID) in the area of N. 98th St. and Parallel Parkway to assist in the construction of a new Fairfield Inn and a resolution approving a Development Agreement between the Unified Government and Legend Hotel, LLC, submitted by Katherine Carttar, Director of Economic Development. The CID would add an additional 1.5% sales tax for visitors to the hotel and would be used to reimburse up to \$1,528,714 in construction costs.

*On October 11, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted 5-1 to approve and forward to full commission.*

Tracking #: 211076

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. RESOLUTION: AMENDING THE ASSIGNMENT & ASSUMPTION AGREEMENT (FORD)

Synopsis: Amending the Assignment & Assumption Agreement among the Unified Government, Premier Automotive of Bonner Springs KS, LLC, and Premier RE 1800 LLC,

to transfer ownership interest in the real estate of the Ford Project, submitted by Katherine Carttar, Director of Economic Development. The entities operating the dealership remain unchanged and continue to be responsible for operating in accordance with the agreement.

Tracking #: 211143

2. RESOLUTION: AMENDING THE ASSIGNMENT & ASSUMPTION AGREEMENT (CHRYSLER)

Synopsis: Amending the Assignment & Assumption Agreement among the Unified Government, Premier automotive of Kansas City, LLC, and Premier RE 1720 LLC, to transfer ownership interest in the real estate of the Chrysler Project, submitted by Katherine Carttar, Director of Economic Development. The entities operating the dealership remain unchanged and continue to be responsible for operating in accordance with the agreement.

Tracking #: 211144

3. RESOLUTION: AMENDING THE ASSIGNMENT & ASSUMPTION AGREEMENT (PRE-OWNED)

Synopsis: Amending the Assignment & Assumption Agreement among the Unified Government, Premier automotive at the Legends, LLC, and Premier RE 1801, LLC, to transfer ownership interest in the real estate of the Auto Outlet Project, submitted by Katherine Carttar, Director of Economic Development. The entities operating the dealership remain unchanged and continue to be responsible for operating in accordance with the agreement.

Tracking #: 211145

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. LAND BANK PROPERTY TRANSFERS

Synopsis: Request consideration of the following Land Bank transfers, submitted by Jud Knapp, Interim Land Bank Manager.

A. Property Transfers

1. The Homes, Inc.
2926 N. Allis St.

B. Yard Extensions

1. Bryant T. Crosby, Sr.
3541 R N. 60th St. - 031424
2. David Jennings
3533 Ford Ave. - 065612

Tracking #: 211081

2. LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager.

A. New Construction - Single Family Homes - 13

1. Aglahe D Montano – 1 home
2100 S. 37th St. – 118616
2. Oscar Garza – 1 home
129 S. 16th St. – 066600
3. Meredith Vertreese – 4 homes
720 Garfield Ave. – 095130
722 Garfield Ave.- 095129
724 Garfield Ave. - 095128
728 Garfield Ave. - 095127
4. Rebecca Davis – 1 home
5911 N. 123rd St. – 234011
5. Bright Solutions – 4 homes
810 N. 10th St. – 080435
1007 Armstrong Ave. – 080438
1013 Armstrong Ave. – 080437
1017 Armstrong Ave. – 080436
6. Bright Solutions – 2 homes
1238 Osage Ave. – 072352
1242 Osage Ave. – 072353
1244 Osage Ave. - 072354

B. New Construction – Multi Family – 4 Units

1. Bright Solutions – 1 Duplex
829 S. Mill St. – 073742
831 S. Mill St. – 073741
2. Bright Solutions – 1 Duplex
1220 Pennsylvania Ave. – 068242

C. New Construction – Garage – 1

1. Maria Barrios – 1 garage
845 Reynolds Ave. – 120219

D. New Construction - Commercial – 1

1. Bessie M. Robinson
2536 N. 17th St. – 115863

Tracking #: 211080

XVI. LAND BANK BOARD OF TRUSTEES' NON-CONSENT AGENDA

1. LAND BANK OPTION APPLICATIONS - KCK VALLEY OWNER, LLC

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager.

Circuit Avenue Partners LLC – 2 homes

907 Walker Ave. – 081093

909 Walker Ave. – 081094

913 Walker Ave. – 081095

915 Walker Ave. – 081096

Since the October 11 Neighborhood and Community Development Standing Committee meeting, the developer and the neighborhood association met to discuss the project location at 837 – 851 Freeman Ave. They both agreed to a new location at 907 – 915 Walker Ave. To keep on the developer’s timeline for two new homes by the end of the year. The Land Bank is presenting this item on the Full Commission Non-Consent Agenda.

Tracking #: 211128

XVII. PUBLIC ANNOUNCEMENTS

XVIII. ADJOURN

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, OCTOBER 28, 2021**

XII. STANDING COMMITTEES' AGENDA

NEW ITEM

ITEM NO. 1 – 211089...RESOLUTION: AMENDING THE SCHEDULES OF MEETING TIMES FOR THE STANDING COMMITTEES AND FULL COMMISSION

Synopsis: A resolution amending the schedules of meeting times for the Standing Committees and Full Commission of the Unified Government Board of Commissioners through January 2022, by switching the meeting times for the Neighborhood/Community Development and the Economic Development/Finance Standing Committees, submitted by Jeff Conway, Assistant Counsel.

This item appeared before the Administration and Human Services Standing Committee, chaired by Commissioner Markley, on October 25, 2021. It was requested, and approved by the Mayor, to fast track this item to the October 28, 2021 full commission meeting.



Staff Request for Commission Action

Tracking No. 211089

Full Commission Meeting Date: Fast track to 10/28/21 full commission meeting

Committee: Administration & Human Services

Date of Standing Committee Action: 10/25/21

(If none, please explain):

Publication Required: No

<u>Date:</u> 10/28/2021	<u>Contact Name:</u> Jeffrey Conway	<u>Contact Phone:</u> x5075	<u>Contact Email:</u> jconway@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> A resolution amending the schedules of meeting times for the Standing Committees of the Unified Government Board of Commissioners through January 2022, by switching the meeting times for the Neighborhood/Community Development and the Economic Development/Finance Standing Committees.				
<u>Action Requested:</u> To adopt the resolution and fast track to the full commission meeting on October 28, 2021.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Blue Sheet , Meeting Time resolution 2020-22 switch (1)				

RESOLUTION NO. _____

A RESOLUTION AMENDING THE SCHEDULES OF MEETING TIMES FOR THE STANDING COMMITTEES OF THE UNIFIED GOVERNMENT COMMISSION THROUGH JANUARY 2022, BY SWITCHING THE MEETING TIMES FOR THE NEIGHBORHOOD AND COMMUNITY DEVELOPMENT COMMITTEE WITH THE ECONOMIC DEVELOPMENT AND FINANCE COMMITTEE.

WHEREAS, pursuant to the provisions of Appendix C, Section 107 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, the Commission is authorized to set the time for regular meetings of the Commission as well as meetings limited to planning and zoning matters and to do so for a two-year period;

WHEREAS, pursuant to the provisions of Appendix C, Section 202 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, the neighborhood and community development (N/CD) and the economic development and finance (ED/F) standing committees of the Commission are required to meet on the Monday preceding the first full commission meeting of each month; and

WHEREAS, pursuant to the provisions of Appendix C, Section 202 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, the public works and safety (PW/S) and the administration and human services (A/HS) standing committees of the Commission are required to meet on the Monday preceding the second full commission meeting of each month.

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

Section 1. The attached schedule of meeting times of the standing committees of the Unified Government Commission, established pursuant to the provisions of Appendix C, Section 202 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby amended.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS
CITY, KANSAS, THIS _____ DAY OF _____, 2021.**

Approved:

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

STANDING COMMITTEE MEETINGS
February 2020 – January 2022

All Standing Committee meetings are scheduled the Monday prior to a full Commission meeting unless changed by the Chairperson of a committee, holiday, or for some other unforeseen reason. The meetings are held in the 5th Floor Conference Room of the Municipal Office Building.

N/CD - Neighborhood and Community Development

ED/F – Economic Development and Finance

PW/S – Public Works and Safety

A/HS – Administration and Human Services

Schedule for 2020 Standing Committees:

<u>Date</u>	<u>5:00 p.m.</u>	<u>Immediately following</u>
February 3	N/CD	ED/F
February 24	PW/S	A/HS
March 2	N/CD	ED/F
March 23	PW/S	A/HS
April 6	N/CD	ED/F
April 27	PW/S	A/HS
May 4	N/CD	ED/F
May 18	PW/S	A/HS
June 1	N/CD	ED/F
June 22	PW/S	A/HS
July 6	N/CD	ED/F
July 27	PW/S	A/HS
August 10	N/CD	ED/F
August 24	PW/S	A/HS
August 31	N/CD	ED/F
September 14	PW/S	A/HS
September 28	N/CD	ED/F
October 26	PW/S	A/HS

November 2	N/CD	ED/F
November 16	PW/S	A/HS
November 30	N/CD	ED/F
December 14	PW/S	A/HS

Schedule for 2021 Standing Committees:

<u>Date</u>	<u>5:00 p.m.</u>	<u>Immediately following</u>
January 4	N/CD	ED/F
January 25	PW/S	A/HS
February 1	N/CD	ED/F
February 22	PW/S	A/HS
March 1	N/CD	ED/F
March 22	PW/S	A/HS
March 29	N/CD	ED/F
April 26	PW/S	A/HS
May 3	N/CD	ED/F
May 24	PW/S	A/HS
June 7	N/CD	ED/F
June 21	PW/S	A/HS
June 28	N/CD	ED/F
July 26	PW/S	A/HS
August 9	N/CD	ED/F
August 23	PW/S	A/HS
September 13	N/CD	ED/F
September 27	PW/S	A/HS
October 11	N/CD	ED/F
October 25	PW/S	A/HS
November 8	ED/F	N/CD
November 15	PW/S	A/HS
November 29	ED/F	N/CD
December 6	PW/S	A/HS

Schedule for 2022 Standing Committees:

<u>Date</u>	<u>5:00 p.m.</u>	<u>Immediately following</u>
January 3	ED/F	N/CD
January 24	PW/S	A/HS

February 2020-January 2022 COMMISSION MEETING SCHEDULE
Thursdays 7:00 p.m. (unless otherwise specified)
Location: Commission Chambers

FC=Full Commission
P/Z=Planning & Zoning

2020

February	13	FC
	27	P/Z & FC
March	12	FC
	26	P/Z & FC
April	16	FC
	30	P/Z & FC
May	14	FC
	28	P/Z & FC
June	11	FC
	25	P/Z & FC
July	9	FC
	30	P/Z & FC
August	13	FC
	27	P/Z & FC
September	3	FC
	17	FC
October	1	P/Z & FC
	29	P/Z & FC
Nov	5	FC

	19	FC
Dec	3	P/Z & FC
	17	FC

February 2020- January 2022 COMMISSION MEETING SCHEDULE
Thursdays 7:00 p.m. (unless otherwise specified)
Location: Commission Chambers

FC=Full Commission
P/Z=Planning & Zoning

2021

January	7	P/Z & FC
	28	P/Z & FC

Feb	11	FC
	25	P/Z & FC

March	11	FC
	25	P/Z & FC

April	8	FC
	29	P/Z & FC

May	13	FC
	27	P/Z & FC

June	10	FC
	24	FC

July	1	P/Z & FC
	29	P/Z & FC

August	12	FC
	26	P/Z & FC

Sept	9	FC
	30	P/Z & FC

Oct	14	FC
	28	P/Z & FC

Nov	4	FC
	18	FC

Dec	2	P/Z & FC
	16	FC

February 2020-January 2022 COMMISSION MEETING SCHEDULE

Thursdays 7:00 p.m. (unless otherwise specified)

Location: Commission Chambers

**FC=Full Commission
P/Z=Planning & Zoning**

2022

January	6	P/Z & FC
	27	P/Z & FC



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: October 19, 2021

Re: Petition COZ2021-009

GENERAL INFORMATION

Applicant:
Larry Easton

Status of Applicant:
Property Owner
2948 South 65th Street
Kansas City, Kansas 66106

Requested Actions:
Approval of a Change of Zone.

Date of Application:
March 26, 2021

Purpose:
To change zoning district from R-1 Single Family District to AG Agricultural District.

Property Location:
2948 South 65th Street
Kansas City, Kansas 66106

Commission Districts: Commissioner At Large: Tom Burroughs
District #6 Commissioner: Angela Markley

Existing Zoning: R-1 Single Family District



Adjacent Zoning:	North:	R-1 Single Family District
	South:	A-G Agricultural and R-1 Single Family Districts
	East:	A-G Agricultural District
	West:	R-1 Single Family District
Adjacent Uses:	North:	Single Family Residence
	South:	Single Family Residence
	East:	Single Family Residence
	West:	Single Family Residence
Total Tract Size:	4.83 Acres	
Master Plan Area:	The Subject Property is within the City-Wide Master Plan.	
Master Plan Designation:	The City-Wide Master Plan designates this Property as Rural-Density Residential. These areas are comprised of agriculture, ranches, and large lot residential development.	
Major Street Plan:	The City-Wide Master Plan designates South 65 th Street as a Local Neighborhood Street.	
Parking Requirement:	R-1 District (current zoning): Section 27-454(e) requires two (2) off-street parking spaces premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport.	
	AG District (proposed zoning): Section 27-452(e) requires two (2) off-street parking spaces premises for each single-family dwelling. Furthermore, Section 27-667 specifies at least one (1) of which shall be a garage or carport.	
Advertisement:	<u>The Wyandotte Echo</u> – April 15, 2021 and May 13, 2021 Letters to Property Owners – April 16, 2021, May 4, 2021, June 7, 2021, July 6, 2021, July 30, 2021, September 7, 2021 and October 19, 2021.	
Public Hearings:	October 11, 2021 and October 28, 2021	
Public Support:	None to date.	
Public Opposition:	None to date.	

PROPOSAL

Detailed Outline of Requested Action: Applicant, Mr. Larry Easton, is requesting a Change of Zone for the subject property at 2948 South 65th Street. Applicant is requesting a Change of Zone from R-1 Single Family District to AG Agricultural District. The Change of Zone has been requested so that the applicant may keep livestock (goats and chickens) and raise crops (hay) for feed and to construct associated outbuildings for the care and keeping of such animals without the future additional special permits and variances typically required in properties zoned R-1 Single Family District or through Animal Control.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-245 – 27-339, Sections 27-592 – 27-606.

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The neighborhood is rural in character. Lots are heavily wooded with mature trees and homes have large yards with deep lot depths and sit on multiple acres. There streets are mostly asphalt and driveways are often gravel, long, and winding to homes or outbuildings. Residents in the area often have ponds or similar features. Roads do not have curbs, gutters, or sidewalks. Parcels in the area are as small as 0.5 acre or as large as ~21.5 acres, with typical sizes of two (2) to three (3) acres.

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

The subject property is surrounded by both R-1 and AG Zone Districts. The addition of horses or the use of the land for feed growth should not inhibit the character of the neighborhood considering the rural nature and atmosphere of surrounding properties.

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

Per Section 27-454 (a), the "purpose of the R-1 single-family district is to accommodate the bulk of single-family detached housing in the city, particularly in newly developing areas where similar density of development now exists" and per Section 27-454(b) permitted uses include outbuildings for agriculture use provided they follow building standards as described and outlined. Per Section 27-609, "Horses, ponies, cows, chickens, or other customary animals may be kept in accordance with the requirements of the public health department, except that on a lot or tract of less than five acres in size, a special use permit shall be required. If so approved, accessory barns or stables are permitted under the standards for accessory buildings." The requested zoning to AG Agricultural District, per Section 7-172, allow for livestock to be allowed without a Special Use

Permit to be submitted for their keeping on a regular interval basis. Additionally, the AG Agricultural District allows for lesser restrictions on the number of animals kept and the setbacks. As is, the current zoning allows for many of the requests in a limited capacity or with Special Use Permits; Removing the restrictions when converting from R-1 Single Family District to A-G Agriculture District is unlikely to negatively affect the subject property or nearby properties if the livestock and associated outbuildings conform to associated standards.

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

The property is currently not vacant. It is owner-occupied and appears to have been occupied by the applicant since the home was built in 1997.

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

Although there is no public gain from the applicant's petition request, the request would not substantially or permanently injure the appropriate use, quality, or marketability of nearby neighboring property.

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

The proposed Change of Zone usage would not be determined to have any impact or change on traffic in a way that would adversely affect road capacity, safety, or parking.

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

The City-Wide Master Plan designate this property as a Rural-Residential Land Use. Allowed uses include agricultural, ranches, large-lot single family detached residences, and open space. The minimum density is one (1) lot per three (3) acres. Currently, the subject property fully conforms to Rural-Residential, and this will not be impacted by a Change of Zone.

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

The applicant is not proposing any new structures at this time, however future structures to maintain the keeping of livestock would need to be erected. The presence of livestock is considered an agricultural use and the proposed use for private enjoyment would be of negligible impact on the environment if the Applicant maintains adequate care and keeping of said livestock including sheltering, waste mitigation, pest and nuisance control, and other requirements as set forth by Chapter 7 of the Municipal Code and any other requirements set

forth by the Conservation District. If the requirements by the municipal code are met, the impact should be minimal if any in terms of animal keeping.

Environmental impact should be examined by the Wyandotte County Conservation district to establish the impact on grading and soils.

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

a. *Water service*

Water Service is provided by BPU.

b. *Sanitary sewer service*

Sanitary sewer is provided by a private septic system.

c. *Storm water control*

A stormwater drain and discharge point on South 65th street is in front of the parcel directly North of the Subject Property. It runs under the asphalt and discharges into the neighbor's retention pond to the East.

d. *Police*

Police service is provided by South Patrol, District #334.

e. *Fire*

Fire service is provided by Station #7.

f. *Transit*

The subject property is not within a reasonable distance to any bus stop or bike hub.

g. *Schools*

Public education is provided by Turner USD 202.

h. *Streets*

See item #6 above

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

The economic impact on the community is negligible since the request is for private use only.

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

If the Applicant fulfills the requested requirements for rezoning, the subject property being rezoned to AG has a high degree conformance.

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

There is negligible impact or gain to public health, safety, or welfare as well as negligible impact or hardship to the individual landowner or owners.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. The current/prior property owner has received one (1) noise or disturbance complaints:
 - a. Date: 05/09/2017 Case: 2017-00046369 – Animal Complaint – Noted as a misunderstanding, handled by officer on site with no citation or formal complaint filed.

Building or Code Enforcement Complaints:

1. The current/prior property owner has received no building or code enforcement complaints

Outstanding or Related Permits and Cases:

1. The current/prior property owner has no open or related building permits.
2. The current/prior property owner has one (1) open or related planning permit:
 - a. BOZA2021-009: Two variance needed for Change of Zone Approval (parcel size and frontage)

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting August 14, 2021 by:

1.  **Via email and/or phone calls.**

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

KEY ISSUES

Parcel Size and Frontage
Animal Control
Grading and Soil Usage
Land Use Suitability
Accessory Dwelling Requirements

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application COZ2021-009, subject to:

- 1) The existing land use designation for the subject property, Rural-Density Residential, allows for agriculture, ranches, large lot residential development, parks, and open space. The land use does not change with the change of zone. The change of zone allows for the Applicant to keep livestock, grade, and related agricultural activities without future Variances or Special Use Permits so long as other standards of the Municipal Code are adhered to;
- 2) If approved, the Applicant shall construct adequate fencing, pens, stables, and/or stalls necessary for proper keeping of said animals, equipment, and supplies in accordance with Chapter 7 of the Municipal Code;
- 3) If approved, the Applicant shall adhere to the plan discussed with the Conservation District as approved;
- 4) A detailed site plan shall be provided indicating the type and size of any structures that will be erected to maintain proper care and keeping of the animals and associated uses, including current dwelling and any accessory buildings. Detail any erosion and grading control that will be needed as a result;
- 5) A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process; and,
- 6) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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

ATTACHMENTS

October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Site Photos Provided by Applicant
Conservation District Comment Letter Snippets
Neighborhood Meeting Letter

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing Rezoning	October 11, 2021 Approval	October 28, 2021

STAFF CONTACT: **Kallie McLaughlin**
 kdmclaughlin@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition COZ2021-009 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report, and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition COZ2021-009, as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 1:00:15:

CHANGE OF ZONE APPLICATION COZ2021-009 – LARRY J. EASTON -

SYNOPSIS: Change of Zone from R-1 Single Family District to A-G Agriculture District for goats, chickens and hay production at 2948 South 65th Street.

Detailed Outline of Requested Action: Applicant, Mr. Larry Easton, is requesting a Change of Zone for the subject property at 2948 South 65th Street. Applicant is requesting a Change of Zone from R-1 Single Family District to AG Agricultural District. The Change of Zone has been requested so that the applicant may keep livestock (horses, goats, chickens) and raise crops (hay) for feed and to construct associated outbuildings for the care and keeping of such animals without the future additional special permits and variances typically required in properties zoned R-1 Single Family District or through Animal Control.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-245 – 27-339, Sections 27-592 – 27-606.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners; and,
8. The testimony at the Board of Zoning Appeals meeting this evening.

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

Present in Support:

- Larry Easton, applicant, 2948 South 65th Street, Kansas City, Kansas 66106

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:03:57: Planning Director Hand stated that the Board of Zoning Appeals approved the variance for this project (BOZA2021-009) earlier this evening. This property is in the Turner area along 65th Street. He showed the Commission pictures of the property. The applicant met with the Wyandotte County Conservation District and developed a Conservation Plan, which was submitted to the

Commission. He stated that Staff has not received any letters in support nor opposition and there are no Notices of Violation for this property. Staff recommends approval, subject to the conditions in the staff report.

Motion and Vote starts at 1:04:55:

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application COZ2021-009:**

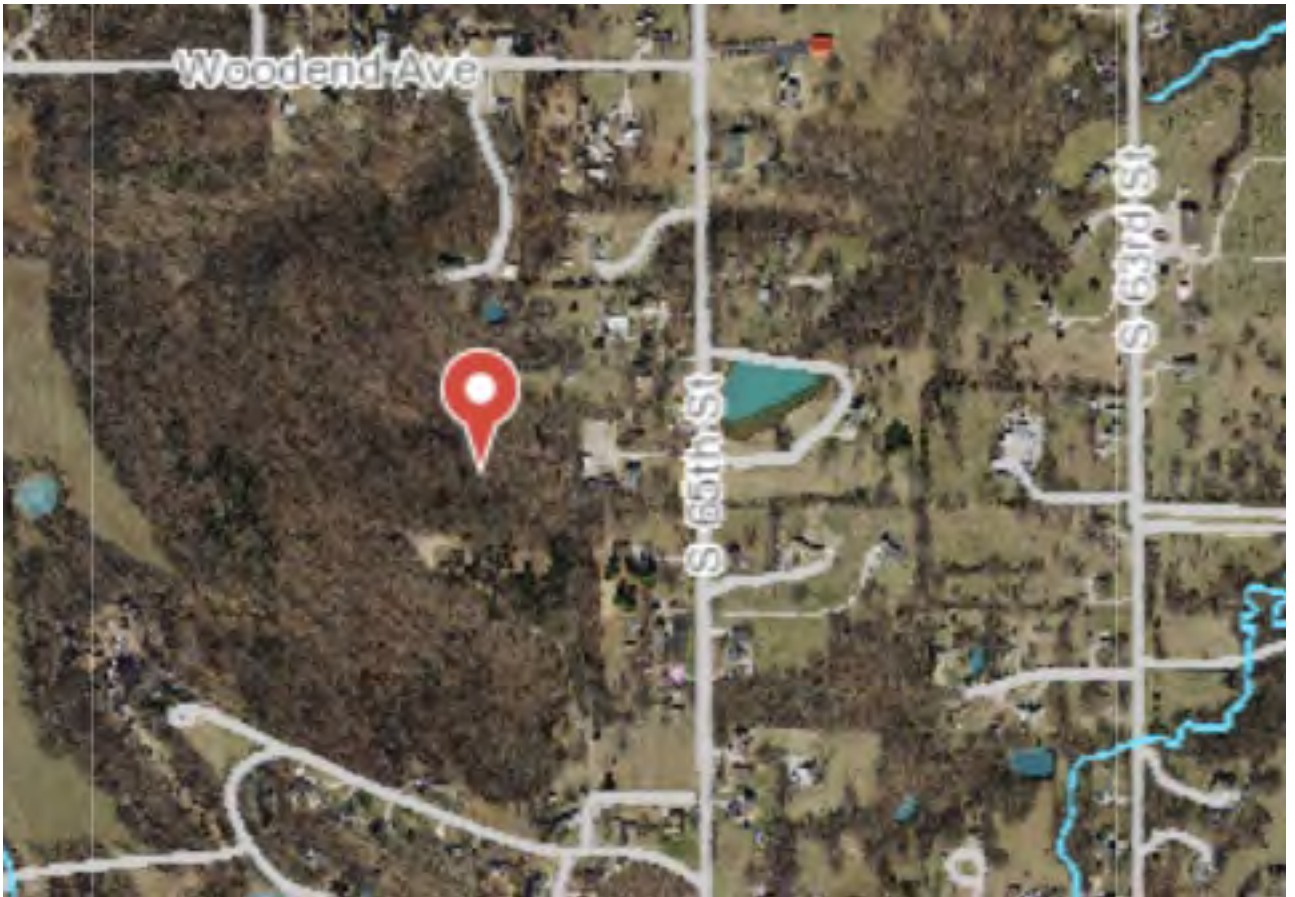
Carson	Chairman
Hill	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Not Present
Pauley	Not Present
Armstrong	Not Present
Connelly	Not Present
Ernst	Aye

Motion to recommend APPROVAL Passed: 5 to 0

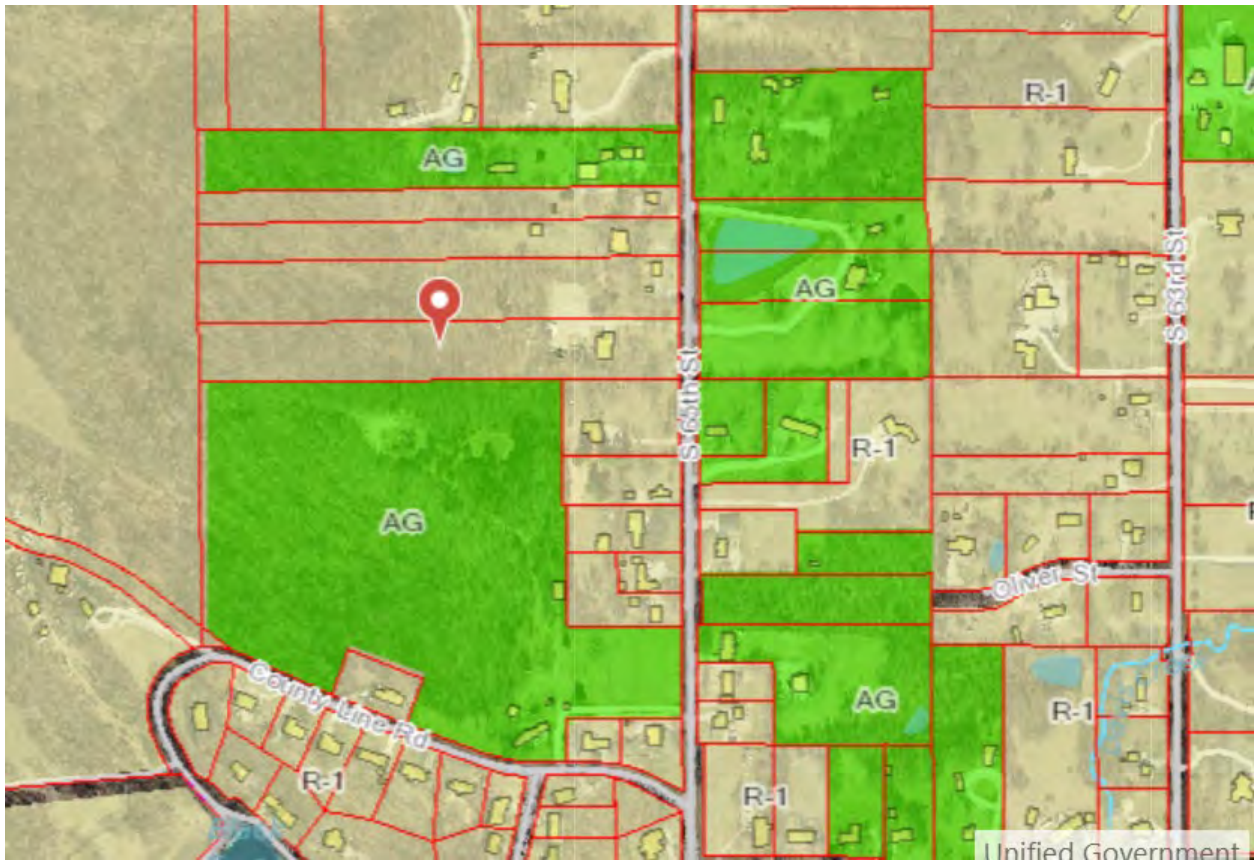
Subject to:

- 1) The existing land use designation for the subject property, Rural-Density Residential, allows for agriculture, ranches, large lot residential development, parks, and open space. The land use does not change with the change of zone. The change of zone allows for the Applicant to keep livestock, grade, and related agricultural activities without future Variances or Special Use Permits so long as other standards of the Municipal Code are adhered to;**
- 2) If approved, the Applicant shall construct adequate fencing, pens, stables, and/or stalls necessary for proper keeping of said animals, equipment, and supplies in accordance with Chapter 7 of the Municipal Code;**
- 3) If approved, the Applicant shall adhere to the plan discussed with the Conservation District as approved;**
- 4) A detailed site plan shall be provided indicating the type and size of any structures that will be erected to maintain proper care and keeping of the animals and associated uses, including current dwelling and any accessory buildings. Detail any erosion and grading control that will be needed as a result;**
- 5) A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process; and,**
- 6) 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.**

AERIAL MAP



ZONING MAP



LAND USE MAP



PHOTOS PROVIDED BY APPLICANT



PHOTOS PROVIDED BY APPLICANT



PHOTOS PROVIDED BY APPLICANT



PHOTOS PROVIDED BY APPLICANT



PHOTOS PROVIDED BY APPLICANT



PHOTOS PROVIDED BY APPLICANT



CONSERVATION DISTRICT COMMENT LETTER SNIPPETS



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

Easton Recommended Livestock Plan as of September 2021

Land Notes- Observations

The property owners indicated that they were interested in raising goats, chickens and/or Christmas trees on the property. The area that is to be used is quiet steep. There is a lot of tree cover that will reduce the production of ground vegetation. The soils that are in this area are mostly Vinland-rock outcrop complex. This soil type is not well adapted to growing good vegetation. We also noted that there were a number of high quality trees on the property.

Goats

Using the property to raise goats, we would not recommend more than three to four goats being raised at one time in the area that we looked at. The section of the property to be used needs to be fenced and the trees will need to be thinned out. Reducing the amount of secondary trees and shrubs will allow more sun and will improve the ground vegetation growth.

Fencing should be used to divide the lot into smaller parcels allowing for movement of a rotational grazing system. Rotating protects the property from being compacted by hooves, over grazed and allows time for grass to re-grow.

Soil samples will need to be taken to know what fertility is needed. I have included a brochure about taking soil samples.

The building or goat shelter should be placed on the level spot discussed. A smaller fenced area around the goat barn/shelter should be used to keep goats during wet times. This area will be the sacrifice lot. Protecting the area from erosion a fifteen foot filter strip will need to be planted above the steep slope to intercept runoff from the pasture and building areas. The filter area should be used only for limited grazing and only after the vegetation is fully established.

Making sure there are water sources available for goats in the various rotational sections might require bring in tanks or troughs. Supplementing their diet with a protein feed is a good practice to sustaining healthy animals. Contacting a veterinarian about goat health needs is also a good idea as needs can be different from breed to breed.

Christmas Trees

Growing Christmas trees, this is a very labor intense operation. The area would need to be completely cleared in order to plant Christmas trees. They require sun and open spaces and lots of water to grow fully. The property is steep and would be open to severe

CONSERVATION DISTRICT COMMENT LETTER SNIPPETS (CONT'D)

erosion. Steep slope protection would be needed to protect the area from slides and soil loss. This could be cost prohibitive to growing.

Timber Stand Improvement

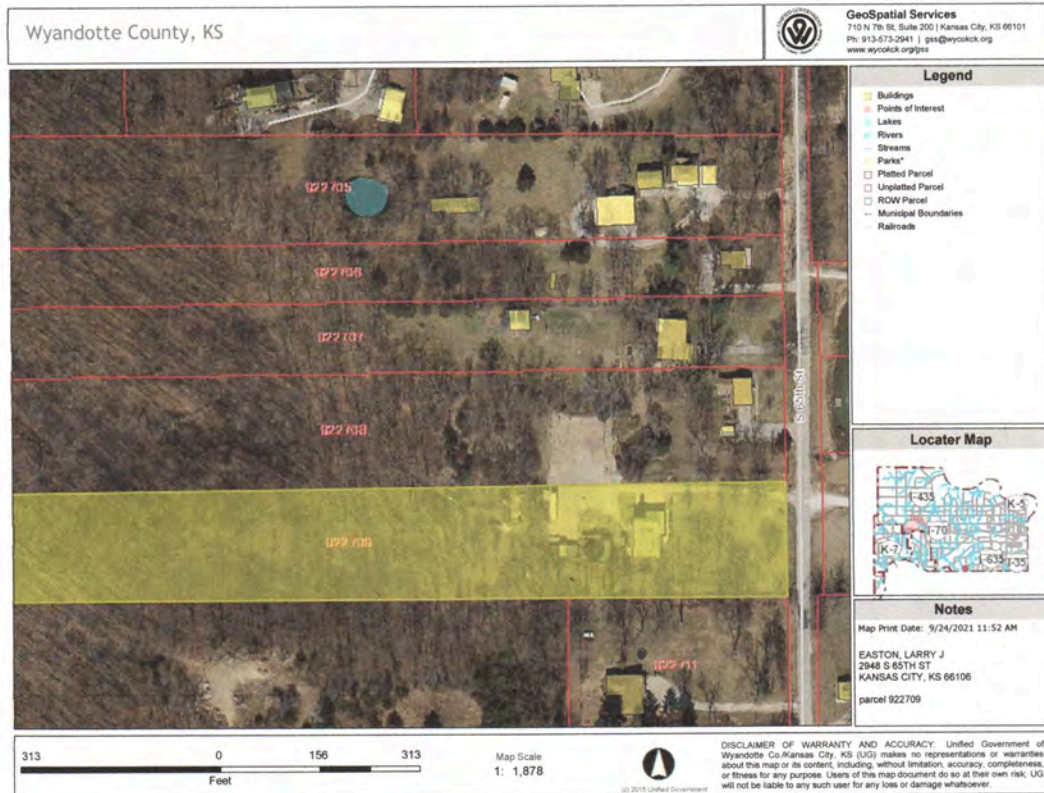
A better use for this area would be to improve the timber stand. The federal government has a program for timber stand improvement. The district forester can evaluate the stand and make recommendation on improvements. Timber can be a valuable resource to the area. You could combine timber stand improvements with goats possibly. Enclosed is the fact sheet about the Timber stand improvement practice.

Chickens

An option for raising chickens was discussed as well. A chicken coop placed up on the flat area closer to the existing garden area would be a good spot. The shelter would provide protection for the chickens from the elements and predators. Closer to the house will also help discourage predators. Waste material would need to be cleaned up so it didn't wash away in rain storms. They could have 15 to 25 chickens with no problems at this site.

If you have further questions or changes to items discussed please email and we will be happy to assist you.

CONSERVATION DISTRICT COMMENT LETTER SNIPPETS (CONT'D)



NEIGHBORHOOD MEETING LETTER

August 14, 2021

Name: Each of these were personalized with name and address

We are Lois and Larry Easton, we live at 2948 South 65th Street.

We have applied for two variances on our property, for the purpose of changing our zoning to agricultural. The county says we must contact neighbors within 200 feet of our property to see if they have any questions or concerns.

In doing so, if we have missed you please feel free to contact us with any questions or concerns by August 21st.

Thank you,

Lois and Larry Easton

913-226-1754

llbige@yahoo.com

Concerns _____

Questions _____



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: October 28, 2021

Re: COZ2021-013 & MPL2021-010

GENERAL INFORMATION

Applicant:

Andrew Seemiller

Status of Applicant:

Representative
Summit Real Estate Group
135 Meramac Avenue, Suite 600
St. Louis, MO 63105

Requested Actions:

Approval of a Change of Zone.

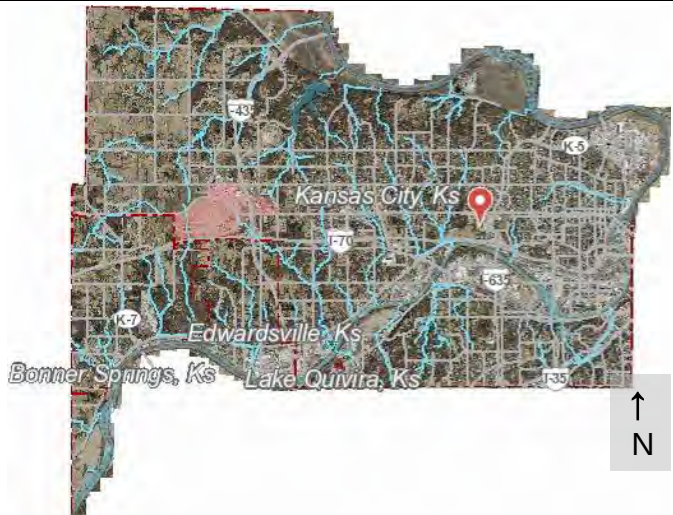
Approval of a Master Plan
Amendment.

Date of Application:

April 29, 2021

Purpose:

To change the zoning district from MP-1 Planned Light Industrial and Industrial Park District, CP-1 Planned Limited Business District, and R-1 Single Family District to MP-2 Planned General Industrial District.



Purpose (cont.):	To change the City-Wide Master Plan Land use designation from Mixed-Use to Industrial.		
Property Location:	626 North 47 th Street, Kansas City, Kansas 66102		
Commission Districts:	Commissioner At Large: Melissa Bynum District #8 Commissioner: Jane Philbrook		
Existing Zoning:	MP-1 Planned Light Industrial and Industrial Park District, CP-1 Planned Limited Business District, and R-1 Single-Family District		
Adjacent Zoning:	North:	R-1 Single Family District	
	South:	M-2 General Industrial, M-3 Heavy Industrial and R-1 Single Family Districts	
	East:	B-P Planned Business District	
	West:	R-1 Single Family and A-G Agriculture Districts	
Adjacent Uses:	North:	Single-family residences	
	South:	Vacant industrial lots	
	East:	Foodie Park campus	
	West:	Vacant lots and ongoing UG development	
Total Tract Size:	19.52 Acres		
Master Plan Area:	The subject property is within the City-Wide Master Plan.		
Master Plan Designation:	The City-Wide Master Plan designates this property as Mixed-Use. The Mixed-Use land use designation encourages a wide range of uses, from special retail to sit-down restaurants to public and religious institutions to parks, plazas, and open spaces. Discouraged uses within the Mixed-Use land use designation include industrial uses, business parks, and car lots. All Mixed-Use developments must meet the minimum City-Wide Master Plan Mixed-Use Guidelines.		
Major Street Plan:	The Major Street Plan designates South 47 th Street as a Class C Thoroughfare.		
Required Parking:	MP-1 District (current zoning): Section 468(e) requires paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. The ratio will		

vary among occupants and will be determined by the director of planning after receipt of a summary of parking needs and characteristics prepared by the owner or initial occupant. In no case, however, shall less than one (1) space for each 500 square feet of building floor area be provided. For buildings larger than 20,000 square feet, only one (1) space for each 1,000 square feet needs to be provided for building increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet the parking required for increments over 50,000 square feet will be determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government Board of Commissioners shall make the final determination upon recommendation of the Planning Commission. Commercial uses shall provide parking as would be required in the C-1 district.

CP-1 District (current zoning): Section 27-464(e) requires paved off-street parking spaces at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building.

R-1 District (current zoning): Section 27-454(e) requires two (2) off-street parking spaces on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport. This does not apply, as there is no dwelling on the portion of the parcel zoned R-1.

MP-2 District (proposed zoning): Section 27-469(e) requires paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. The ratio will vary among occupants and will be determined by the director of planning after receipt of a summary of parking needs and characteristics prepared by the owner or initial occupant. In no case, however, shall less than one (1) space for each 500 square feet of building floor area be provided. For buildings larger than 20,000 square feet, only one (1) space for each 1,000 square feet needs to be provided for increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet, the parking required for increments over 50,000 square feet will be determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government Board of

Commissioners shall make the final determination upon recommendation of the Planning Commission. Commercial uses shall provide parking as would be required in the C-3 district. Taken individually, the floor area of the four (4) buildings and the one (1) proposed addition on the property would require a total of 88 parking spaces. The current site plan shows 88 total spaces, which meets the parking minimum requirement.

Advertisement:	<u>The Wyandotte Echo</u> – May 20, 2021 Letters to Property Owners – May 21, 2021, June 17, 2021, September 17, 2021 and October 19, 2021
Public Hearings:	October 11, 2021 and October 28, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Andrew Seemiller with Summit Real Estate Group, is requesting a Change of Zone and Master Plan Amendment for the subject property at 626 North 47th Street. The subject property is simultaneously undergoing a subdivision into two (2) separate parcels, identified as Lot 1 (Tract I) and Lot 2 (Tract II). Lot 1 will be approximately 5.73 acres and Lot 2 will be approximately 13.88 acres. Lot 1 is zoned MP-1 and will remain zoned MP-1. Lot 2 is being rezoned; the applicant is requesting a Change of Zone for Lot 2 from MP-1 Planned Light Industrial and Industrial Park District, CP-1 Planned Limited Business District, and R-1 Single Family District to MP-2 Planned General Industrial District. The applicant is requesting a Master Plan Amendment of the City-Wide Master Plan land use designation from Mixed-Use to Industrial. This Master Plan Amendment will apply to both Lots 1 and 2. The Change of Zone and Master Plan Amendment have both been requested in order to comply with both the allowed land use and district for storage in conjunction with the existing company on site, Twin Traffic, a traffic marking and striping company.

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

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

- o May 11, 2021- Enforcement Complaint
- o September 14, 2012- Other Multiple Violations
- o October 19, 2010- Structural Issues
- o September 20, 2006- Environmental: Weeds
- o April 26, 2006- Environmental: Weeds

FACTORS TO BE CONSIDERED

Change of Zone

1. *The character of the neighborhood.*

The subject property is within the Coronado Statistical Neighborhood and is not within a Neighborhood Group. The area to the east and south—towards Interstate-635—is industrial in nature, although most of the land itself is either paved or undeveloped. To the north and west is zoned residential. The properties to the north are a single-family neighborhood, while the properties to the west are primarily owned by the Unified Government.

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

The subject property is situated between similar industrial uses, open spaces, and a single-family residential neighborhood. Expansion of industrial uses are compatible with the other industrial properties to the south and east but are not as compatible with the open space and is certainly not compatible with the residential neighborhood.

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

The subject property is nearly 20 acres, much of which is undeveloped and is suitable for storage use. The large swaths of undeveloped or paved land allows for the storage of visually unappealing material without ruining the view of the adjacent properties, especially that of the residential neighborhood. While the allowed changes in use that come with the proposed Change of Zone will likely not detrimentally affect the nearby properties, landscape buffering and screening is essential to maintaining this status.

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

The property is currently occupied by Twin Traffic, a traffic striping company.

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

The request for a Change of Zone will ostensibly allow Twin Traffic to both operate as usual and have several additional acres for storage. The applicant has not made it clear why a partial rezone of the existing parcel is necessary. With the information that Staff currently has, it does not appear that a rezone is reasonably necessary for storage and screening purposes when the subject property is nearly 20 acres. Even the M-1 screening requirements—outdoor storage must be screened so that it is not visible within 100 feet of the *property*

line—and storage requirements—outdoor storage may not cover more than 1.95 acres—are not so onerous as to necessitate a Change of Zone that is becoming more and more incompatible with properties to the north, west, and southwest. Properties zoned R-1 will be further injured by being neighbors with parcels zoned M-1/MP-1 and M-2/MP-2.

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

The applicant has not made it clear if traffic will increase due to the Change of Zone. The applicant must provide more information about the current traffic to and from the site, and whether the Change of Zone will allow for changes in use that could increase traffic to an extent that it would adversely affect road capacity or safety. The current site plans and parking plans demonstrate that there is enough paved area to provide sufficient parking and storage. The site plan submitted to Staff, however, only demonstrates 62 parking spaces, which is three (3) parking spaces short of the current required number of parking spaces and 28 spaces short of the proposed use and building expansions/additions. All designated parking spaces for vehicles must be striped.

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

The existing land use designation for the property is Mixed Use. A land use designation under the City-Wide Master Plan, Mixed-Use allows for a wide range of uses, from special retail to sit-down restaurants to public and religious institutions to parks, plazas, and open spaces. Discouraged uses within the Mixed-Use land use designation include industrial uses, business parks, and car lots. If the land use designation remains Mixed Use it must conform to the Master Plan standards, which requires all Mixed-Use developments to meet the minimum City-Wide Master Plan Mixed-Use Guidelines.

The applicant has simultaneously requested a Master Plan Amendment from Mixed Use to Industrial in order to address the current issue of the proposed use conforming with the current City-Wide Master Plan land use designation. Therefore, the proposed uses will conform with the proposed Master Plan land use designation of Industrial.

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

While there is a significant area on the subject property that is already covered and/or paved, the submitted plan will develop approximately an additional 14,135 square feet of covered area and 19,000 square feet for paved area. The additional 33,000 square feet for impermeable surface represents almost four percent (4%) of the entire parcel. There are currently two (2) drainage ponds on site to handle surface runoff and the applicant has provided plans to add a third drainage pond.

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

a. *Water service*

Water service is provided by BPU.

b. *Sanitary sewer service*

Sanitary sewer mains are located to the southeast of the subject property.

c. *Storm water control*

Storm water mains are located on North 47th Street, adjacent to the subject property.

d. *Police*

Police service is provided by Midtown District, #441.

e. *Fire*

Fire service is provided by Fire Station #11.

f. *Transit*

The property is approximately a one-quarter (1/4)-mile south of the 47th & State Avenue Metro center bus stop.

g. *Schools*

Public education is provided by Eugene Ware Elementary School, Coronado Middle School, and Schlagle High School, under Kansas City USD 500.

h. *Streets*

The property is accessible by North 47th Street/Orville Avenue

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

Twin Traffic is proposing a Change of Zone in order for the rezoned property to be used for storage. While this may be a helpful change of use for the company, this will likely do little to create a positive economic impact for the community. In fact, expansion of industrial uses may adversely injure the residential properties to the north.

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

The purposed Change of Zone and preliminary development plan must comply with the MP-2 District landscaping requirement. Per Section 27-469(g), the following landscaping must be depicted on a properly prepared plan: 1) a reasonable amount of landscaping is required on all projects in this district with emphasis being placed on screening or otherwise softening the visual impact of unsightly areas, including parking lots and storage areas, among other spaces; 2) trees are required to be provided at not less than one (1) per 10,000 square feet of site area; and, 3) six (6)-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. The landscape plan submitted shows the addition of eight (8) trees to the frontage of the property, as well as the retention of all existing trees and vegetation. The existing parcel is 850,156.447 square feet; at one (1) tree per 10,000 square feet the district landscaping code requires 86 trees. Although the current number of trees on the subject property is unknown, the addition of 86 net new trees will need to be reflected on the landscape plan, in addition to the maintenance of the existing tree stands.

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

The subject property is in a unique location, in which it borders similarly zoned parcels to the east and south but borders residentially zoned parcels to the north and west. Industrial and residential uses are largely incompatible, due to the both the intensity of uses allowed and other related impacts in the industrial zoning districts. The proposed Change of Zone will only add to the intensity of uses allowed on the subject property, further creating incompatibility with the adjacent residentially zoned parcels, especially the single-family neighborhood to the north. If the Change of Zone were to be approved, mitigation measures such as heavy landscape screening on the north boundary of the subject property would be necessary in order for an expansion of industrial uses to not be considered an imposed hardship on the adjacent residents and homeowners.

Master Plan Amendment

1. *Neighborhood character*

See Change of Zone Review Factor #1.

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

The proposed use would not necessarily increase traffic or parking. The initial Change of Zone request that then required this Master Plan Amendment request was started in order to allow for more outdoor storage by Twin Traffic, the

applicant's client and the property's tenant. There is no indication that the outdoor storage will directly lead to a significant increase in traffic or parking, whether due to increased production and services that require more employees, or due to more vehicles coming and going from the site to load and unload the barrels to be stored.

3. *The extent to which utilities and public services are available and adequate to serve the proposed amendment and the extent to which the environment would be impacted.*

The property is an established business along a Class C Thoroughfare. It already has a full array of utilities and public services, including electric, trash services, stormwater sewers, paved roads, and public transportation.

4. The difference between the existing and proposed Master Plan.

The existing land use designation for the property in the City-Wide Master Plan is Mixed-Use, and the proposed land use designation is Industrial. While the Mixed-Use land use designation encourages a wide range of uses, from special retail to sit-down restaurants to public and religious institutions to parks, plazas, and open spaces, one (1) of the uses it discouraged is anything industrial in nature. Due to the incongruity between the Master Plan and both the zoning district and the use of the business, a Master Plan Amendment is necessary.

5. Analysis of the impact on surrounding properties.

See Change of Zone Review Factors #2, 3, and 6.

6. Estimate the future costs and revenues to the Unified Government and property owner and Market Impact.

See Change of Zone Review Factor #10.

PREVIOUS ACTIONS

- COZ-2756 (Change of Zone from CP-1 & M-1 to MP-2) (2004)
- SP-2011-9 (Special Use Permit for a dirt fill)
- OZLAND Preliminary & Final Plat (one (1) single-family and one (1) industrial lot) (2011)
- SP-2012-53 (Special Use Permit for a dirt fill and temporary industrial use of land)
- SP-2013-10 (Special Use Permit for earthen fill and recycling of pavement materials operation)
- PR-2014-28 (Final Plan review for a building addition)
- SP-2015-52 (renewal of a Special Use Permit for a dirt fill, temporary industrial use of land, and truck weigh scales)
- SP-2016-61 (Special Use Permit for a fill site)
- SP-2017-74 (renewal of a Special Use Permit for a dirt fill, temporary industrial use of land, and truck weigh scales)

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting at 6:00 PM on May 27, 2021, via Microsoft Teams. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Dust
Land Use Compatibility
Landscape Buffering
Noise
Parking Spaces
Pollution
Presentation of Tree Stands
Screening

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Master Plan Amendment Application MPL2021-010, subject to:

- 1) **Aerial imagery shows the paved area extending to the south of the subject property, into Parcel #916302. The applicant must cease use of the neighboring property.**
- 2) **If any parcel of land or a portion of a parcel that is adjacent to the northern boundary line of the subject property changes uses or zoning districts that would require fencing, screening, and/or landscape buffering under any section of the Zoning Code, the applicant, property owner, or their designees, or future property owners must meet all the applicable requirements.**
- 3) **Future development will adhere to all relevant MP-2 and industrial district landscaping requirements.**
- 4) **All parking must comply with the submitted parking plans, which include 86 spaces, four (4) of which are ADA-compliant.**
- 5) **Per Section 27-577(e), all parking lot landscaping requirements must be met.**
- 6) **Due to the undermined area, the applicant must comply with any and all geo-tech reports and must renew or reapply any relevant fill and grading permits, including the necessary Special Use Permits.**
- 7) **After the proposed lot split, parking must continue to comply with Section 27-672, which states that required off-street parking shall be on the same zoning lot as the principal use served or within 100 feet, or in the case of employee parking within 300 feet of the same lot. The applicant’s client and/or any business operating on the property must continue to comply with Section 27-672; following the parking plan detailed in “Parking Lot**

Distances to Buildings on Lot 2” in the Attachments section of this report will ensure compliance.

- 8) The applicant has filed and maintained a current business occupation tax application, and,**
- 9) 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.**

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application COZ2021-013, subject to:

- 1) The Change of Zone request has been amended so that the proposed Change of Zone is now reflected as from MP-1 to MP-2.**
- 2) The lot split of Parcel #404401 must be completed before a Certificate of Occupancy is issued for the proposed building in Lot 2/Tract II. The Change of Zone application states that Lot 2 is desired to be zoned M-2 (or MP-2, see above staff comment), but that Lot 1 is to remain M-1 (or MP-1).**
- 3) Aerial imagery shows the paved area extending to the south of the subject property, into Parcel #916302. The applicant must cease use of the neighboring property.**
- 4) If any parcel of land or a portion of a parcel that is adjacent to the northern boundary line of the subject property changes uses or zoning districts that would require fencing, screening, and/or landscape buffering under any section of the Zoning Code, the applicant, property owner, or their designees, or future property owners must meet all the applicable requirements.**
- 5) Future development will adhere to all relevant MP-2 and industrial district landscaping requirements.**
- 6) All parking must comply with the submitted parking plans, which include 86 spaces, four (4) of which are ADA-compliant.**
- 7) Per Section 27-577(e), all parking lot landscaping requirements must be met.**
- 8) Per Sec. 27-468(g) a six (6) foot architectural screening in combination with a buffer area is to be provided alongside and rear property lines common to or across an alley from residentially zoned property. The existing tree stand along the north property line, abutting the single-family homes shall remain protected. An architectural screen is a privacy wood picket or metal panel fence with masonry columns every thirty-two (32) feet running.**
- 9) Due to the undermined area, the applicant must comply with any and all geo-tech reports and must renew or reapply any relevant fill and grading permits, including the necessary Special Use Permits.**
- 10) The applicant has filed and maintained a current business occupation tax application.**

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

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **MP2021-010** and **COZ2021-013**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of the Property Provided by Staff, Dated May 23, 2021
Photos of the Property Provided by the Applicant
Additional Information From the Applicant, Dated June 22, 2021
Plot Plan and Lot Split Submitted by the Applicant
Development Site Plan Submitted by the Applicant
Building Addition Floor Plan And Elevations Submitted by the Applicant
Undermined Area of the Subject Property
Sanitary Sewer Memorandum, Dated April 30, 2021
Preliminary Storm Water Drainage Letter, Dated April 30, 2021
Parking Lot Distances to Buildings on Lot 2
Neighborhood Meeting Materials, May 27, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing Change of Zone	October 11, 2021 Approval	October 28, 2021
Master Plan Amendment	October 11, 2021 Approval	October 28, 2021

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2021-010** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2021-010**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Change of Zone

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2021-013** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report, and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2021-013**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 1:06:11:

MASTER PLAN AMENDMENT MPL2021-010 – ANDREW SEEMILLER WITH SUMMIT REAL ESTATE GROUP – SYNOPSIS: Master Plan Amendment from Mixed Use to Industrial (City Wide Master Plan) at 626 North 47th Street.

CHANGE OF ZONE APPLICATION COZ2021-013 – ANDREW SEEMILLER WITH SUMMIT REAL ESTATE GROUP - SYNOPSIS: Change of Zone from M-1 Light Industrial and Industrial Park District to M-2 General Industrial District for storage in conjunction with existing Twin Traffic, a traffic marking and striping company at 626 North 47th Street.

Detailed Outline of Requested Action: The applicant, Andrew Seemiller with Summit Real Estate Group, is requesting a Change of Zone and Master Plan Amendment for the subject property at 626 North 47th Street. The subject property is simultaneously undergoing a subdivision into two (2) separate parcels, identified as Lot 1 (Tract I) and Lot 2 (Tract II). Lot 1 will be approximately 5.73 acres and Lot 2 will be approximately 13.88 acres. Lot 1 is zoned MP-1 and will remain zoned MP-1. Lot 2 is being rezoned; the applicant is requesting a Change of Zone for Lot 2 from MP-1 Planned Light Industrial and Industrial Park District, CP-1 Planned Limited Business District, and R-1 Single Family District to MP-2 Planned General Industrial District. The applicant is requesting a Master Plan Amendment of the City-Wide Master Plan land use designation from Mixed-Use to Industrial. This Master Plan Amendment will apply to both Lots 1 and 2. The Change of Zone and Master Plan Amendment have both been requested in order to comply with both the allowed land use and district for storage in conjunction with the existing company on site, Twin Traffic, a traffic marking and striping company.

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

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

- o May 11, 2021- Enforcement Complaint
- o September 14, 2012- Other Multiple Violations
- o October 19, 2010- Structural Issues
- o September 20, 2006- Environmental: Weeds
- o April 26, 2006- Environmental: Weeds

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and
7. The Notices to property owners.

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

Present in Support:

- Powell Minnis, Davidson Architecture, representing the applicant, 4301 Indian Creek Parkway, Overland Park, Kansas

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:12:20: Planning Director Hand stated that this is a Change of Zone and Master Plan Amendment and there will also be a lot split. This property is in the Mid-Town area of the city. This property has three (3) different zoning classifications, and this rezoning will correct this issue. It is also an undermined area for future reference. He showed the Commission where Twin Traffic will maintain the M-1 zoning next to the residential subdivision and the rest of the property will be MP-2, and both parcels are changing from Mixed Use to the Industrial land use designation. Staff recommends that the existing tree stand that buffers the residential properties to the north continue to be maintained. There is an existing fence and staff is recommending an upgrade to a privacy wood picket or metal panel fence with masonry columns every thirty-two (32) feet along the north and eastern property lines. In condition #3 of the Change of Zone and Condition #1 in the Master Plan Amendment, Staff would like to make a correction. After the word and; "Construct an architectural screening fence at or before the subject property's southern boundary line in order to prevent future encroachment or trespass" should be stricken. Staff has received no letters of support nor opposition and there are no Notices of Violation on this property. Staff recommends approval, subject to the conditions in the staff report.

Commissioner Hill asked where the proposed UG tow lot is located, and Director Hand showed her on the map, but stated those applications have been withdrawn.

Mr. Minnis asked for clarification on the fence. Director Hand stated that the fence is a code requirement as outlined in the staff report due to the storage locations on the property.

Motion and Vote starts at 1:21:30:

On motion by Mr. Ernst, seconded by Dr. Hill, the Planning Commission voted as follows to **recommend APPROVAL of Master Plan Amendment MPL2021-010:**

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

Motion to recommend APPROVAL Passed: 5 to 0

Subject to:

- 1) Aerial imagery shows the paved area extending to the south of the subject property, into Parcel #916302. The applicant must cease use of the neighboring property.
- 2) If any parcel of land or a portion of a parcel that is adjacent to the northern boundary line of the subject property changes uses or zoning districts that would require fencing, screening, and/or landscape buffering under any section of the Zoning Code, the applicant, property owner, or their designees, or future property owners must meet all the applicable requirements.
- 3) Future development will adhere to all relevant MP-2 and industrial district landscaping requirements.
- 4) All parking must comply with the submitted parking plans, which include 86 spaces, four (4) of which are ADA-compliant.
- 5) Per Section 27-577(e), all parking lot landscaping requirements must be met.
- 6) Due to the undermined area, the applicant must comply with any and all geo-tech reports and must renew or reapply any relevant fill and grading permits, including the necessary Special Use Permits.
- 7) After the proposed lot split, parking must continue to comply with Section 27-672, which states that required off-street parking shall be on the same zoning lot as the principal use served or within 100 feet, or in the case of employee parking within 300 feet of the same lot. The applicant's client and/or any business operating on the property must continue to comply with Section 27-672; following the parking plan detailed in "Parking Lot Distances to Buildings on Lot 2" in the Attachments section of this report will ensure compliance.
- 8) The applicant has filed and maintained a current business occupation tax application, and,
- 9) 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.

On motion by Mr. Ernst, seconded by Ms. Huey, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application COZ2021-013:**

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

Motion to recommend APPROVAL Passed: 5 to 0

Subject to:

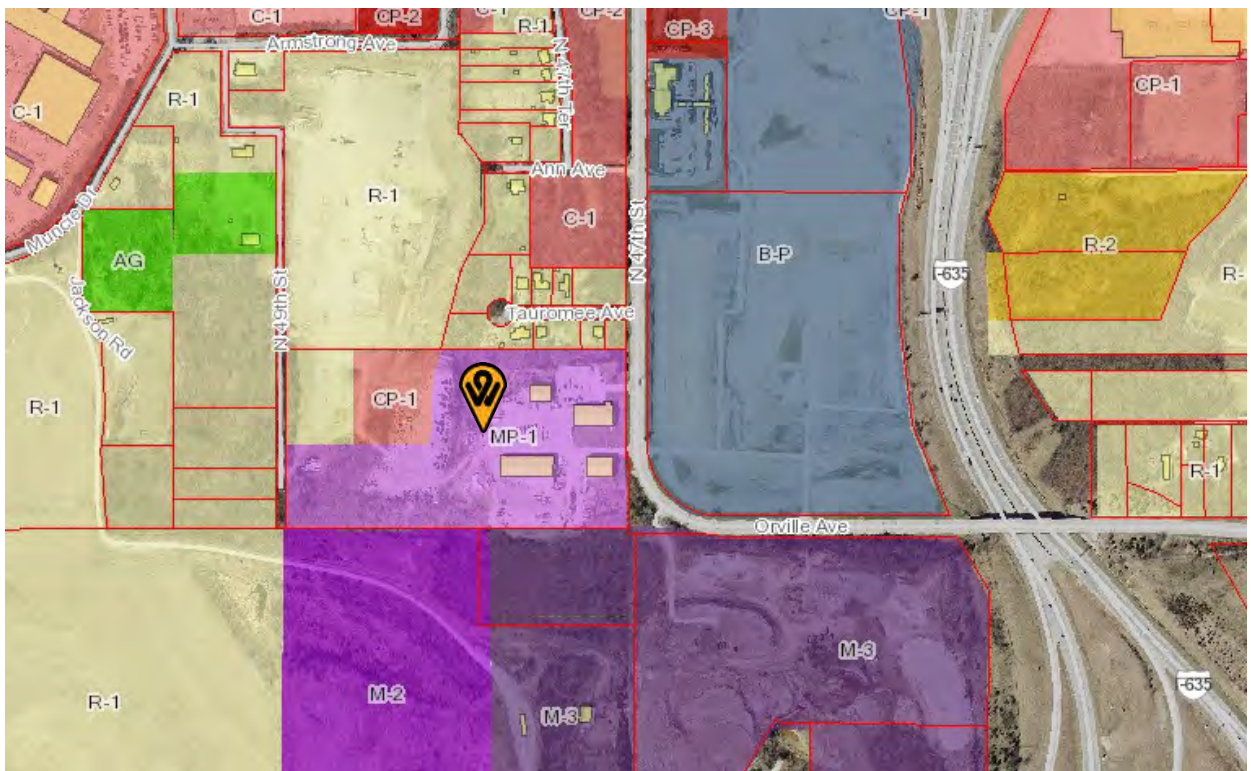
- 1) The Change of Zone request has been amended so that the proposed Change of Zone is now reflected as from MP-1 to MP-2.
- 2) The lot split of Parcel #404401 must be completed before a Certificate of Occupancy is issued for the proposed building in Lot 2/Tract II. The Change of Zone application states that Lot 2 is desired to be zoned M-2 (or MP-2, see above staff comment), but that Lot 1 is to remain M-1 (or MP-1).
- 3) Aerial imagery shows the paved area extending to the south of the subject property, into Parcel #916302. The applicant must cease use of the neighboring property.
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- 8) Per Sec. 27-468(g) a six (6) foot architectural screening in combination with a buffer area is to be provided alongside and rear property lines common to or across an alley from residentially zoned property. The existing tree stand along the north property line, abutting the single-family homes shall remain protected. An architectural screen is a privacy wood picket or metal panel fence with masonry columns every thirty-two (32) feet running.

- 9) Due to the undermined area, the applicant must comply with any and all geo-tech reports and must renew or reapply any relevant fill and grading permits, including the necessary Special Use Permits.
- 10) The applicant has filed and maintained a current business occupation tax application.
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- 12) 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.

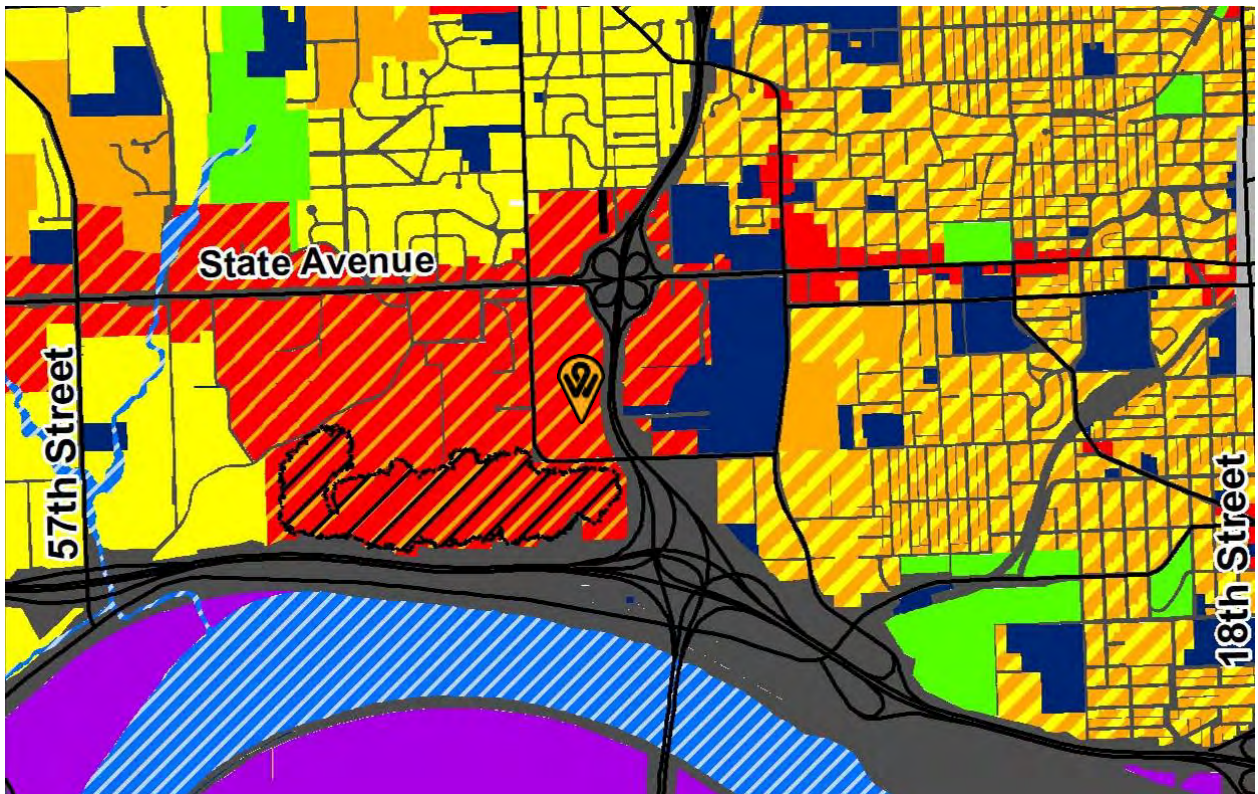
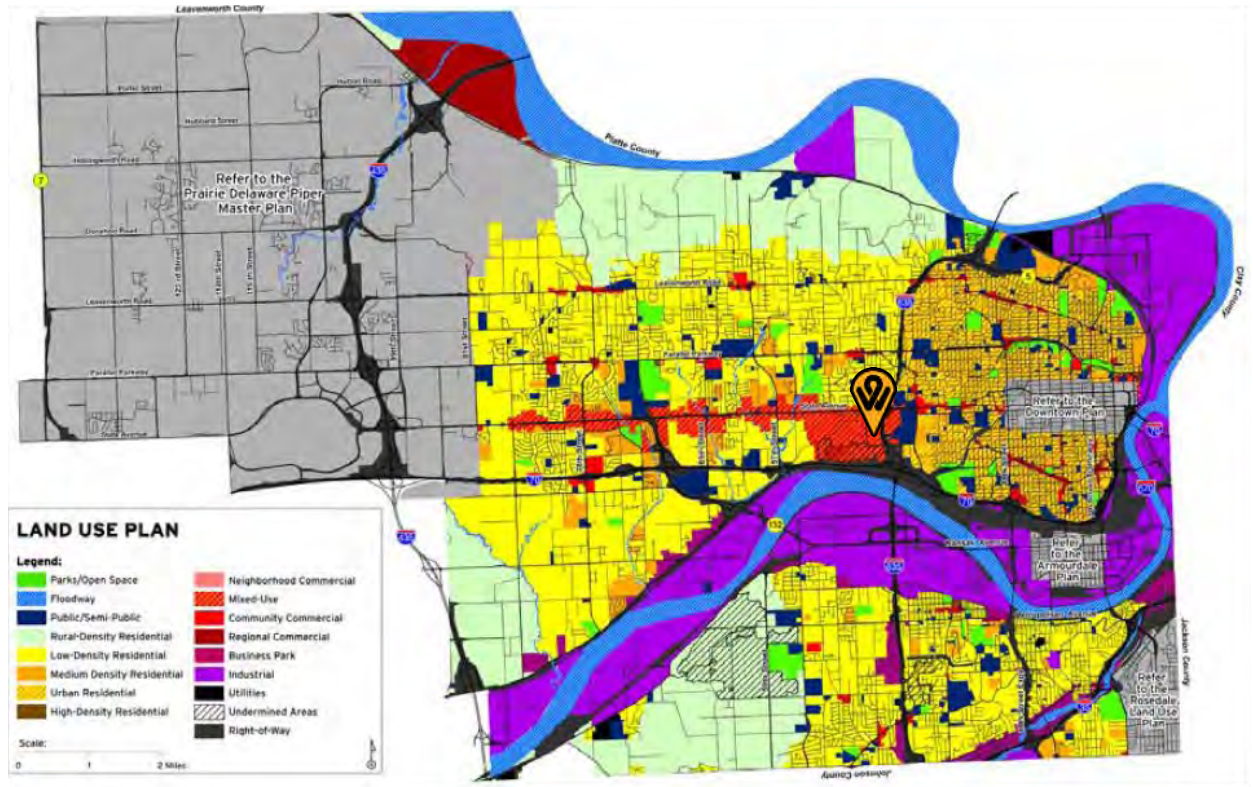
AERIAL MAP



ZONING MAP



LAND USE MAP



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



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



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



PHOTOS OF THE PROPERTY PROVIDED BY THE APPLICANT



Looking west from 47th Street – Warehouse building, equipment storage building in background

PHOTOS OF THE PROPERTY PROVIDED BY THE APPLICANT, CONT.



Looking west from 47th Street – existing office/warehouse building, equipment storage building in background

PHOTOS OF THE PROPERTY PROVIDED BY THE APPLICANT, CONT.



Looking west from 47th Street – existing parking area



June 22, 2021

Mr. Michael Farley, Planner
Dept. of Planning and Urban Design
Unified Government of Wyandotte County and Kansas City, Kansas
701 N. 7th Street, Room 423
Kansas City, Kansas 66101

Re: Response to Planning Staff Draft Comments
Twin Traffic Improvements, **COZ2021-013**

Dear Mr. Farley,

Regarding some of the comments received in the draft report of the Planning Staff, we have included some additional information and responses on the plans and in this letter.

1. We have requested an amendment to the City-Wide Master Plan from the current designation Mixed Use to Industrial use, which is what the property's existing use is currently.
2. The reason for maintaining the existing parcel as M-1/MP-1 is to keep this existing zone the same that is adjacent to the residential neighbors, so that no change occurs adjacent to their property.
3. Additional parking striping for vehicles shall be added in the existing truck parking area west of the office/warehouse building, see revised site plan A1.1. Additional 3 ADA spaces shall be added to the parking lot north of the office building so that a total of 5 ADA spaces will be onsite. A total of 115 parking spaces is proposed on the revised plan. If more vehicle parking is required, the owner will stripe additional spaces in the existing truck parking area to meet the UG requirements.
4. Regarding setbacks at the proposed vehicle parking lot that crosses the tract I and II boundary line, it is not possible to move the parking lot so that a setback can occur. Both tracts will maintain under the same ownership and will function as one property with Twin Traffic. If a variance is needed, then we request a variation/deviation for setbacks for this proposed parking lot.
5. The owner will work with the city to install an approved architectural screen fence along the northern boundary adjacent to the residential properties as required by the UG government.

Sincerely,
Davidson Architecture and Engineering

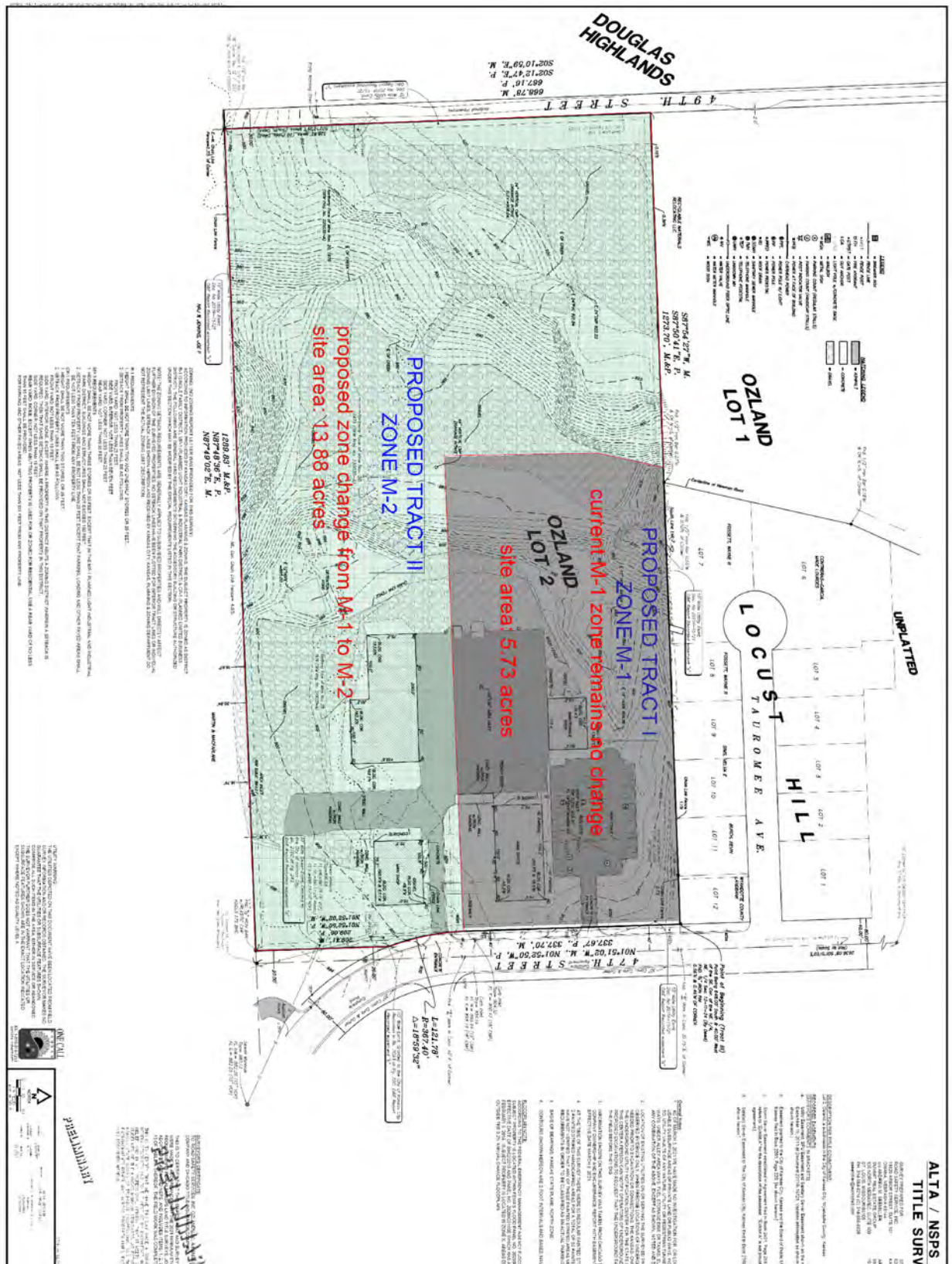
A handwritten signature in black ink that reads "Powell Minnis".

Powell Minnis, RA
Senior Registered Architect



4301 Indian Creek Parkway Overland Park, Kansas 66207 p. 913.451.9390 www.davidsonae.com

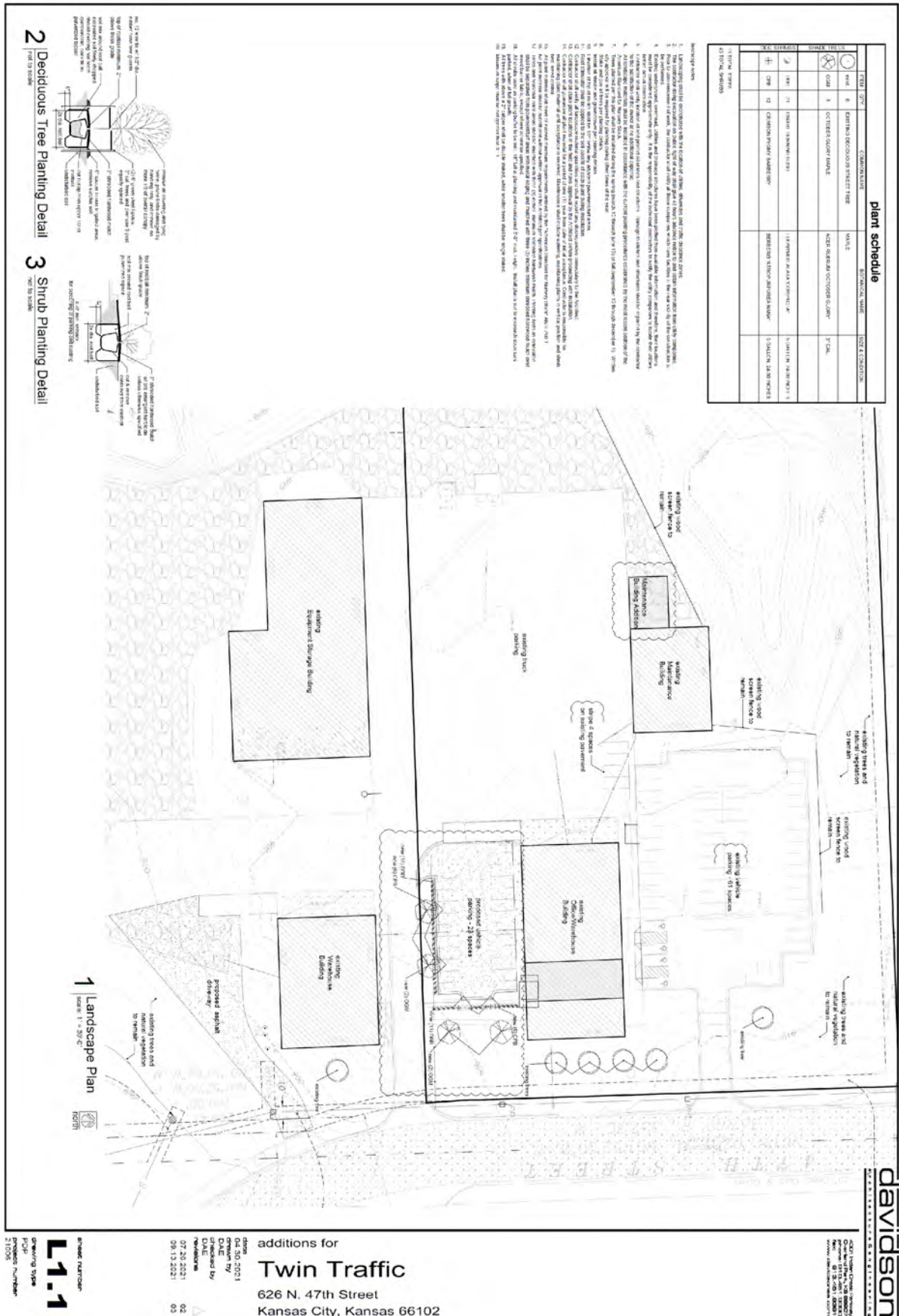
PLOT PLAN AND LOT SPLIT SUBMITTED BY THE APPLICANT



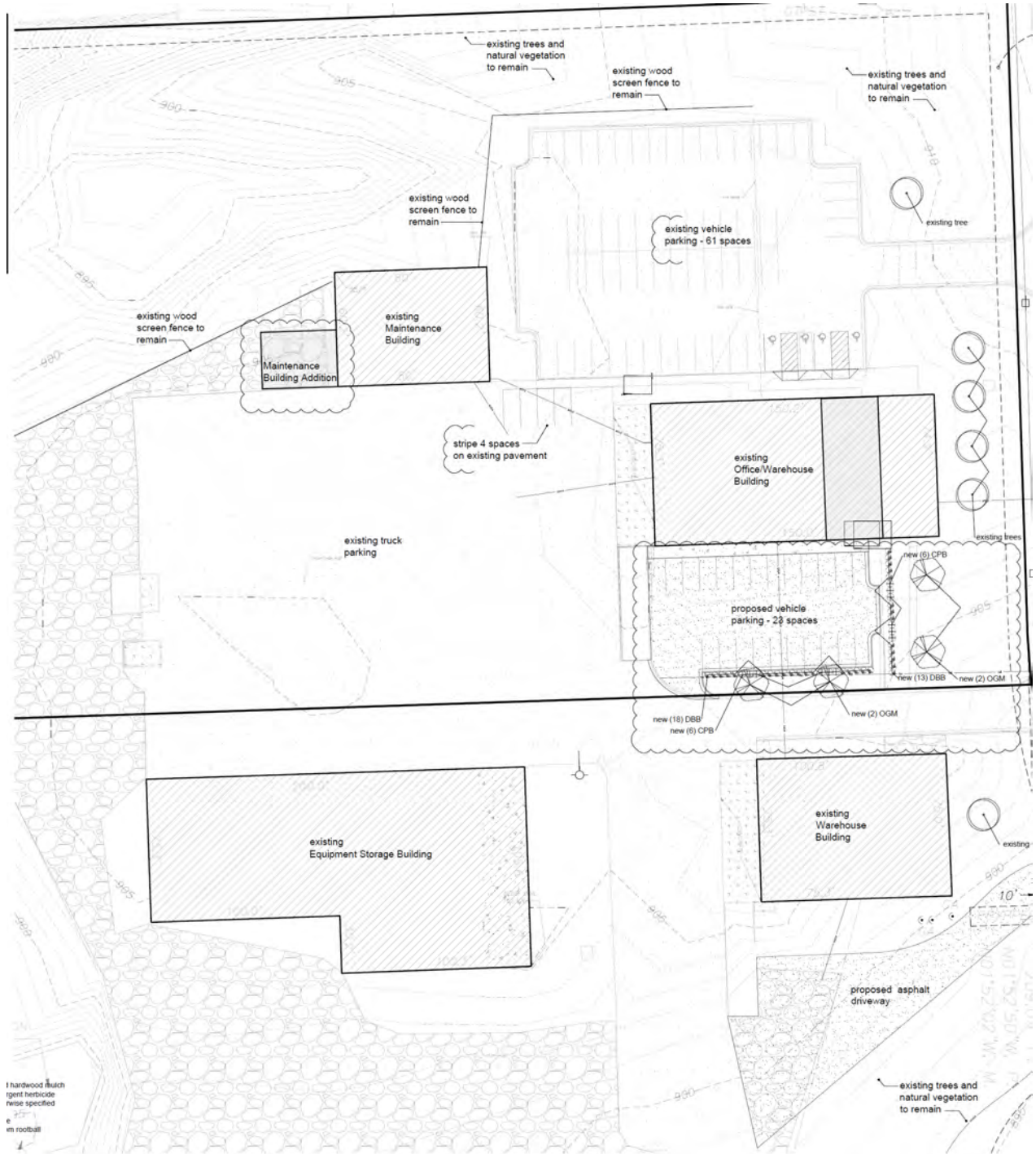
Staff Note: "Tract" and "Lot" are used interchangeably in the report when referring to the new proposed parcels to be created by the subdivision of the subject property. "Tract I" is the same as "Lot 1" and "Tract II" is the same as "Lot 2".

davidson





LANDSCAPING PLAN SUBMITTED BY THE APPLICANT, CONT.

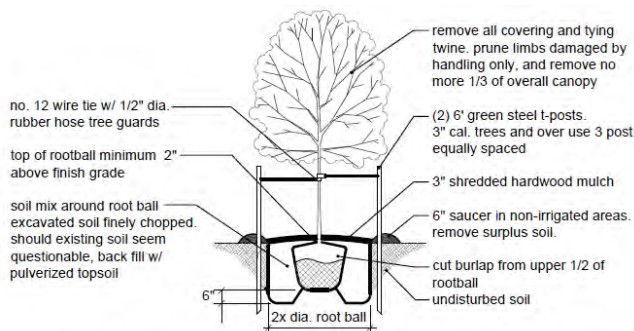


LANDSCAPING PLAN SUBMITTED BY THE APPLICANT, CONT.

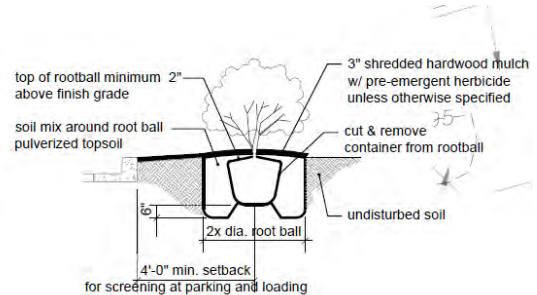
plant schedule					
	ITEM	QTY.	COMMON NAME	BOTANICAL NAME	SIZE & CONDITION
SHADE TREES		exist.	6	EXISTING DECIDUOUS STREET TREE	MAPLE
		OGM	4	OCTOBER GLORY MAPLE	ACER RUBRUM 'OCTOBER GLORY'
					3" CAL.
DEC. SHRUBS		DBB	31	DWARF BURNING BUSH	EUONYMUS ALATA 'COMPACTA'
		CPB	12	CRIMSON PYGMY BARBERRY	BERBERIS 'ATROPURPUREA NANA'
					5 GALLON, 24-30 INCHES
10 TOTAL TREES					
43 TOTAL SHRUBS					

landscape notes:

- Landscaping shall be coordinated with the location of utilities, driveways and traffic clearance zones.
- The contractor doing excavation on public right-of-way shall give 48 hours advance notice to and obtain information from utility companies.
- Prior to commencement of work, the contractor shall notify all those companies which have facilities in the near vicinity of the construction to be performed.
- Existing underground, overhead, utilities and drainage structures have been plotted from available information and therefore, their locations must be considered approximate only. It is the responsibility of the individual contractors to notify the utility companies to locate their utilities before actual construction.
- Contractor shall verify location of and protect all utilities and structures. Damage to utilities and structures shall be repaired by the contractor to the satisfaction of the owner at no additional expense.
- All landscape materials shall be installed in accordance with the current planting procedures established by the most recent addition of the American Standard for Nursery Stock.
- Trees planted per this plan shall be installed during the spring (march 15 through june 15) or fall (september 15 through december 1). Written city approval will be required for planting during other times of the year.
- Stake and guy all trees per planting details.
- Install all shrubs and groundcover per planting details.
- Elevation of top of mulch shall be 1/2" below any adjacent pavement/turf areas.
- Root stimulator shall be applied to the soil backfill of each plant during installation.
- Contractor shall verify all landscape material quantities and shall report any discrepancies immediately to the Architect.
- Contractor shall stake plant locations in the field and have approval by the Architect before proceeding with installation.
- Contractor shall guarantee all plant material for a period of one (1) year from date of initial acceptance. Contractor is responsible for maintaining plant material until acceptance is received. Maintenance shall include watering, maintaining plants in vertical position and shrub bed weed control.
- All plant material shall meet or exceed minimum requirements defined by the "American Standard for Nursery Stock" ANSI Z60.1.
- No plant material shall be substituted without written approval of the Architect per specifications.
- Trees and seasonal color areas shall be mulched with three (3) inches minimum shredded hardwood mulch. Planting beds as delineated shall be separated from pavement/turf areas with metal edging and mulched with three (3) inches minimum shredded hardwood mulch over weed barrier fabric, except where otherwise specified.
- All shrubs used as parking buffer to be min. 18" tall at planting and maintained 3'-0" max. height. Install plants not to encroach upon cars parked, when at full growth.
- All trees with above a 2" caliper shall be double staked, while smaller trees shall be single staked.
- Maximum slope shall be not greater than 3 : 1.

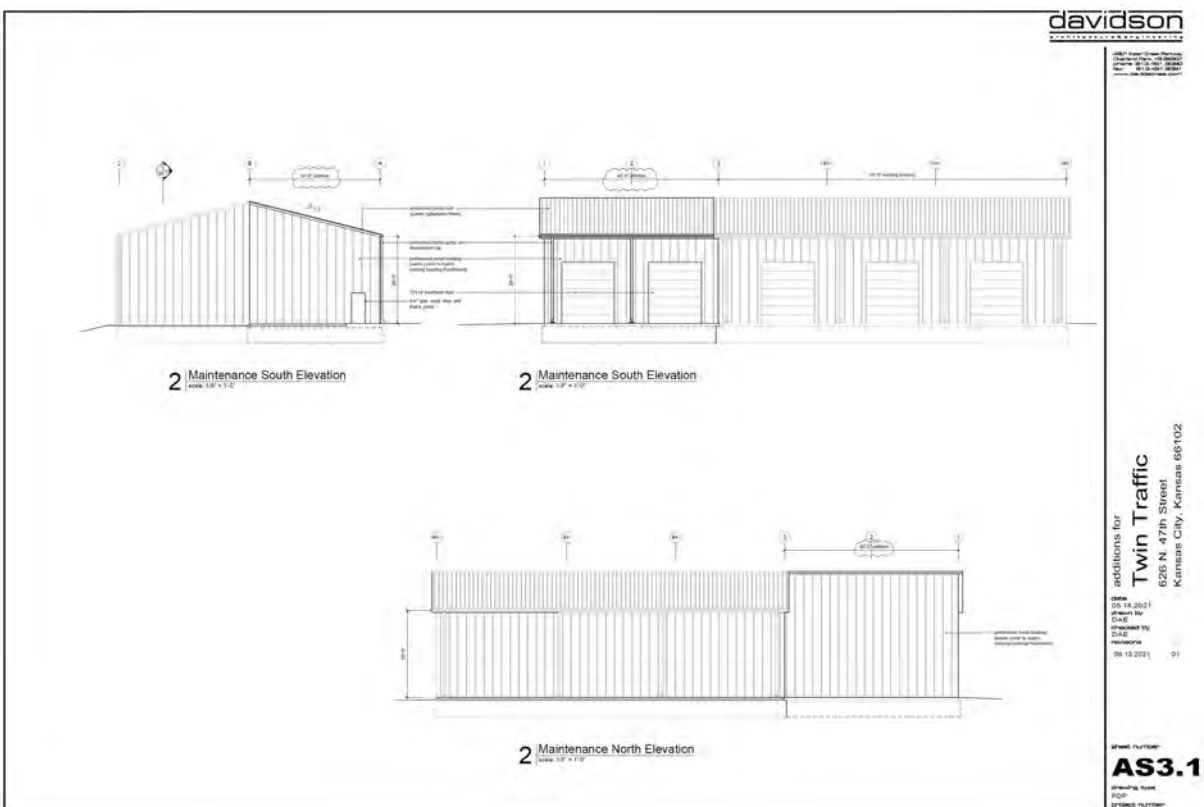
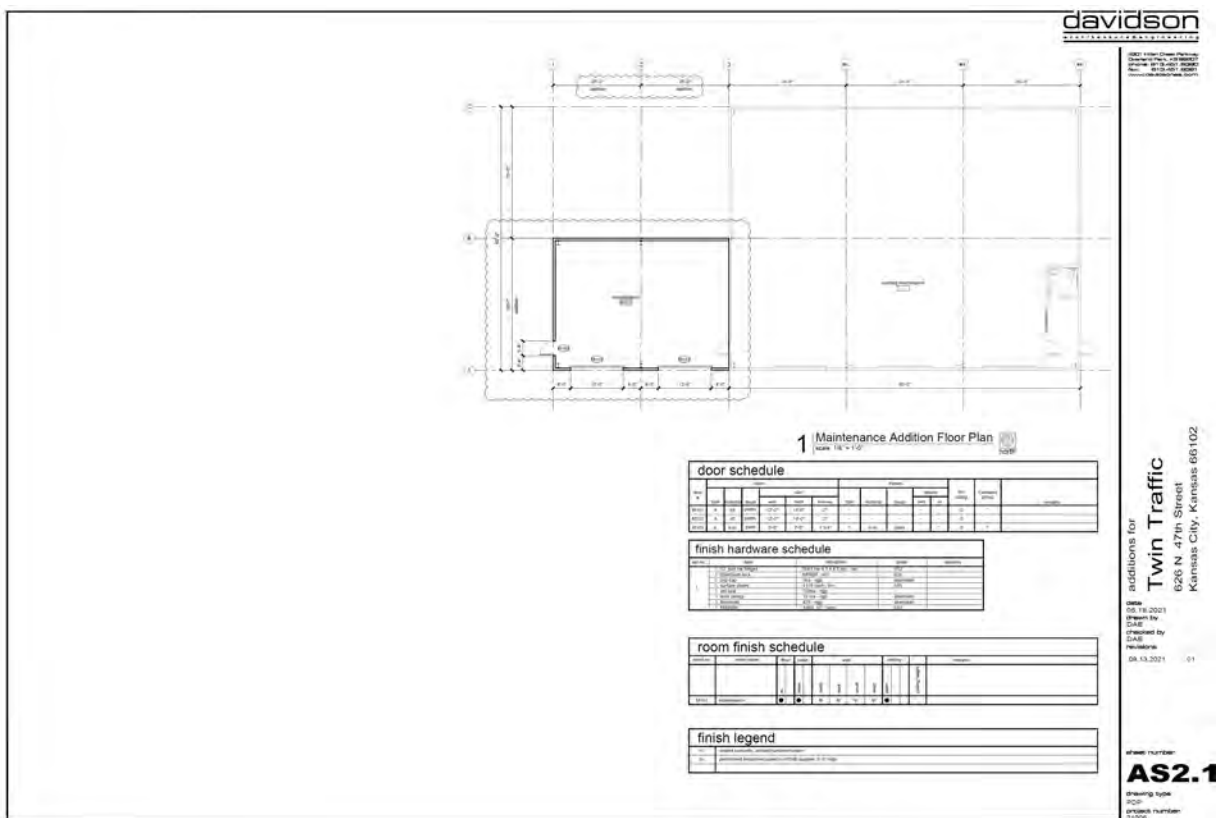


2 Deciduous Tree Planting Detail
not to scale



3 Shrub Planting Detail
not to scale

BUILDING ADDITION FLOOR PLAN AND ELEVATIONS SUBMITTED BY THE APPLICANT



UNDERMINED AREA OF THE SUBJECT PROPERTY



SANITARY SEWER MEMORANDUM, DATED APRIL 30, 2021



April 30, 2021

Urban Planning and Land Use
701 North 7th Street
Kansas City, Kansas 66101

**Re: Sanitary Sewer Memorandum
Twin Traffic
626 N. 47th Street
Kansas City, Kansas 66102**

This letter is to summarize the existing sanitary sewers, and proposed improvements, and general sanitary sewer services planned for the project described herein.

The existing developed project site consists of a trailer storage and park lot with associated asphalt and concrete drives, and utilities. The 19.61 acre project site is occupied by approximately 42,000 square feet of multiple buildings (spread throughout four different buildings), approximately 98,158 square feet of asphalt and concrete pavement, as well as approximately 249,229 square feet of compacted gravel pavement. The existing buildings are connected to the existing gravity sanitary sewer main to the southeast along N. 47th Street.

Proposed improvements to the 19.61 acre site located at 626 N. 47th Street, Kansas City, KS, consists of the construction of a new 11,135 square foot addition to the Equipment Storage Shed, and a 3,000 square foot addition to the Maintenance Building. A parking lot and driveway, concrete storage/laydown yard, and a compacted gravel laydown yard shall be added. The new building will not have water or sewer service lines and will not require a connection to the existing sanitary sewer main within the development. The existing sewer service line will remain.

No further modifications to the project site or the sanitary sewer service or sanitary sewer main are anticipated at this time.

Please feel free to call or email me to discuss this letter further,

A handwritten signature in blue ink, appearing to read "Paul A. Miller".

Paul A. Miller, P.E.
Davidson Architecture & Engineering



4301 Indian Creek Parkway Overland Park, Kansas 66207 p. 913.451.9390 www.davidsonae.com

PRELIMINARY STORM WATER DRAINAGE LETTER, DATED APRIL 30, 2021



April 30, 2021

Urban Planning and Land Use
701 North 7th Street
Kansas City, Kansas 66101

**Re: Preliminary Storm Water Drainage Letter for
Twin Traffic
626 N. 47th Street
Kansas City, Kansas 66102**

This letter is to summarize the existing conditions, proposed improvements, and general stormwater management approach planned for the project described herein.

The existing developed project site consists of a trailer storage and park lot with associated asphalt and concrete drives, and utilities. The 19.61acre project site is occupied by approximately 42,000 square feet of multiple buildings (spread throughout four different buildings), approximately 98,158 square feet of asphalt and concrete pavement, as well as approximately 249,229 square feet of compacted gravel pavement. The existing buildings are connected to the existing gravity sanitary sewer main to the southeast along N. 47th Street.

The 19.61acre project site is currently 45.65% impervious, with a Rational 'C' of 0.57.

Proposed improvements to the 19.61acre site located at 626 N. 47th Street, Kansas City, KS, consists of the construction of a new 11,135 square foot addition to the Equipment Storage Shed, and a 3,000 square foot addition to the Maintenance Building. A parking lot and driveway, concrete storage/laydown yard, and a compacted gravel laydown yard shall be added. Several areas that will be affected by the addition of building or pavement are already occupied by impervious surfaces. The overall increase in impervious area is approximately 9,410 square feet, or 1.10%.

The post development site will be 46.75% impervious, with a Rational 'C' of 0.58.

There exists within the site, two stormwater detention basins. These detention basins shall be reconstructed to provide additional stormwater storage and to provide for water quality for a portion of the site. Two additional detention basins shall be constructed to provide for additional on-site stormwater detention and will also provide for water quality for the stormwater runoff leaving the site. One of the new detention basins located to the Southeast of the existing building will be added without a discharge. The pond has been sized to retain stormwater runoff and allow the runoff to infiltrate and evaporate.

Total Site Stormwater Discharge from the Property			
	1-Year Event (cfs)	10-Year Event (cfs)	100-Year Event (cfs)
Pre-development	32.64	57.93	87.26
Post Development	30.99	54.21	80.67

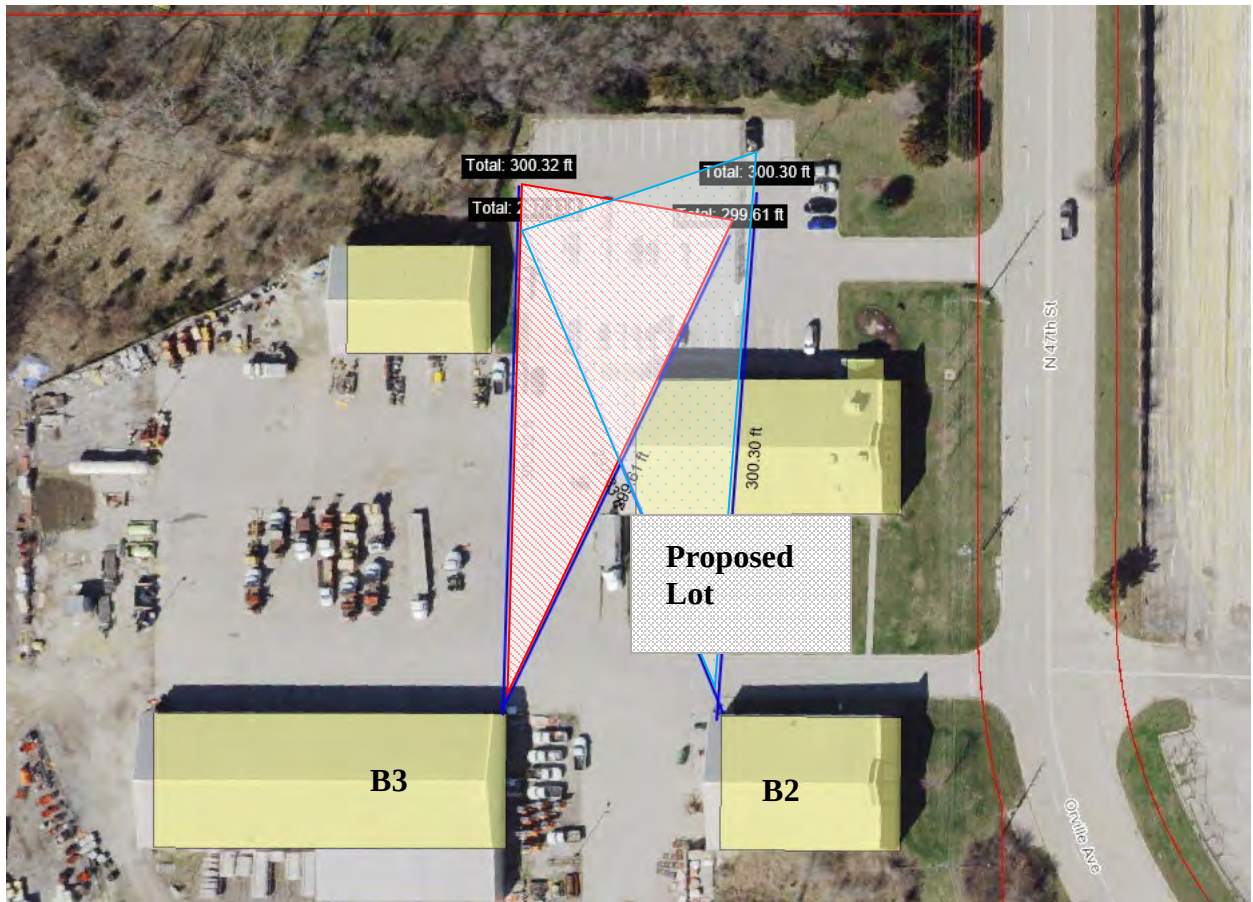
Stormwater quality for the proposed re-development has been reviewed, and the site's level of service has been calculated and a mitigation package has been formed using the Mid-America Regional Council Manual of Best Management Practices (BMP Manual). It has been found that the level of service for the site is 3.4, and a Total Value Rating of 14.45. The proposed mitigation package will treat approx. 4.13 acres with three proposed Extended Dry Detention Basins and one infiltration basin, as shown on the attached BMP Manual worksheets. A final Total Value Rating of 19.17 was achieved with the addition and re-construction of the detention basins and infiltration basin.

Please feel free to call or email me to discuss this letter further,

A handwritten signature in blue ink, appearing to read "Paul A. Miller".

Paul A. Miller, P.E.
Davidson Architecture & Engineering

PARKING LOT DISTANCES TO BUILDINGS ON LOT 2



After the lot split, buildings B2 and B3 will be on Lot 2, while all or nearly all the parking spaces will be on Lot 1.

In order to comply with Section 27-672, all guest or customer parking for B2 and B3 should be in the proposed parking lot marked “Proposed Lot”. This parking lot is within 100 feet for both B2 and B3. Furthermore, all employee parking for B2 and B3 must be located either in “Proposed Lot” or within the corresponding areas on the map above. All parking spaces within the blue dotted area are within 300 feet of B2 and all parking spaces within the red striped area are within 300 feet of B3. Staff has determined that if customer and guest parking for B2 and B3 are prioritized in “Proposed Lot” and employee parking for B2 and B3 is allowed in “Proposed Lot” and then in the parking spaces within the corresponding triangles, Section 27-672 will continue to be met even after the proposed lot split.

NEIGHBORHOOD MEETING MATERIALS, MAY 27, 2021



May 13, 2021

Re: Neighborhood Meeting
626 North 47th Street, Kansas City, KS 66102

Dear neighbor:

On behalf of the Owner, I have filed an application with the Department of Urban Planning and Land Use # COZ2021-013. The purpose of this is for a change of zone and preliminary plan review at the following address: 626 North 47th Street, Kansas City, KS 66102.

We are having an online neighborhood meeting on Thursday, May 27th at 6pm via Microsoft Teams Meeting. You can join by calling in with the following number:

+1-913-728-0292 United States, Kansas City

Phone Conference ID: **670 090 523#**

Or you can email me at powell@davidsonae.com and I will send you the link to join by phone or computer with both audio and visual connection.

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

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

Sincerely,

A handwritten signature in black ink that reads "Powell Minnis".

Powell Minnis, Senior Architect
4301 Indian Creek Parkway
Overland Park, KS 66207
913-451-9390
powell@davidsonae.com
Davidson A + E, LLC



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NEIGHBORHOOD MEETING MATERIALS, MAY 27, 2021, CONT.



Date: May 27, 2021
Time: 6:00 pm cst

Neighborhood Meeting Notes

Re: COZ2021-013
Rezoning and PDP for Twin Traffic
626 N. 47th Street, Kansas City, Kansas

Meeting held remotely via Microsoft Teams, with notifications mailed prior to meeting.

Attendees:

Powell Minnis, Senior Architect
Davidson Architecture and Engineering
4301 Indian Creek Parkway, Overland Park, Kansas 66207
913.451.9390

Sam Simpson, General Manager
Twin Traffic Marking Corp.
626 N. 47th Street
Kansas City, Kansas 66102
913.428.2575

Andrew Seemiller, Asst. V.P.
Summit Real Estate Group
135 Meramec Ave., Suite 600
St. Louis, Missouri 63105
314.584.6214

One neighbor called in:
Kevin Lee Burch
4715 Tauromee Ave.
Kansas City, Kansas 66102
913.424.6130

Meeting Notes:

1. Discussions started at approx. 6:10pm after a brief waiting period for any other potential callers to join the meeting.
2. Powell Minnis Architect with DAE welcomed the attendees and explained the proposed project for Twin Traffic and the request for rezoning from MP-1 to MP-2 along the south and west sides of Ozland Lot 2 Tract II. A site plan showing the proposed rezoning area was included in each mailing that was sent out. Tract I on the site plan remains unchanged as MP-1. Mr. Minnis explained that in addition to the proposed rezoning that several building additions are being planned – one at the maintenance building, and two additions to the equipment storage building.
3. Sam Simpson, General Manager with Twin Traffic explained the reason for the rezoning is primarily to allow for open storage of equipment that is critical and vital to their business as a highway/street pavement and traffic control company. The area of rezoning labeled as Tract II on the site plan is not adjacent to the residential zoned property located to the north of Ozland Lot 2. Tract I will remain MP-1 as currently zoned so that the residential neighbors maintain the existing zoning adjacent to their property. Mr. Simpson stressed Twin Traffic wants to continue to have a good and positive relationship with adjacent property owners. Mr. Simpson also shared that his company is growing and needs to use additional land they currently own as equipment storage.

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NEIGHBORHOOD MEETING MATERIALS, MAY 27, 2021, CONT.

4. Mr. Burch commented that he is supportive of the rezoning request, and understood the boundaries and changes that are being proposed. He commented that in the early hours of a business day, Twin Traffic is not too noisy as they are also starting their day. He indicated that the work hours of Twin Traffic was OK and did not create any hardship on him. He indicated he would let all his neighbors know that live on Tauromee Ave. that he called in and spoke with us to understand the rezoning request. He understood the Planning Commission will be hearing the request and voting on it in the near future. He indicated he is OK with the development and proposed storage on the south portion of Ozland Lot 2, which is labeled Tract II on the site plan.
5. Mr. Burch asked Mr. Simpson if Twin Traffic has any plans for development toward the west, and Mr. Simpson replied not at this time.
6. All questions from neighbor Mr. Burch was answered. Mr. Burch exited the Teams call at approx. 6:30pm.
7. Mr. Seemiller and Mr. Simpson remained on the call until approx. 6:45pm and then exited.
8. Mr. Minnis exited the Teams call at approx. 6:55pm, as no one else had called in by that time.

End of Neighborhood Meeting Notes



4301 INDIAN CREEK PARKWAY OVERLAND PARK, KANSAS 66207



913.451.9390



DAVIDSONAE.COM





Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: October 28, 2021

Re: **Change of Zone COZ2021-017 &
Master Plan Amendment MPL2021-012**

GENERAL INFORMATION

Applicant:
William England

Status of Applicant:
Representative
CI1 LLC
602 Westport Road
Kansas City, Missouri 64111

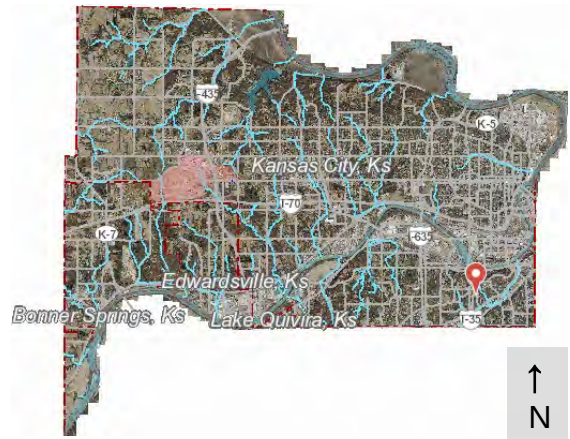
Requested Actions:
Approval of a Change of Zone.

Approval of a Master Plan Amendment.

Date of Application:
May 27, 2021

Purpose:
To change the zoning district from R-1(B) Single Family District to CP-0 Planned Nonretail Business District.

To change the City-Wide Master Plan from Low-Density Residential to Neighborhood Commercial.



Property Location:	2332 South 14 th Street, Kansas City, Kansas 66103
Commission Districts:	Commissioner At Large: Tom Burroughs District #3 Commissioner: Christian Ramirez
Existing Zoning:	R-1(B) Single-Family District
Adjacent Zoning:	North: R-1(B) Single Family District South: R-1(B) Single Family District East: R-1(B) Single Family District West: Public Right-of-Way
Adjacent Uses:	North: Single-family residence South: Single-family residence East: Noble Prentis Elementary School West: U.S. Highway 69/18 th Street Expressway
Total Tract Size:	0.67 Acre
Master Plan Area:	The subject property is within the City-Wide Master Plan.
Master Plan Designation:	The City-Wide Master Plan designates this property as Low-Density Residential. The Low-Density Residential land use designation allows single-family detached residences, institutional uses such as schools, places of worship, and open spaces.
Major Street Plan:	The Major Street Plan designates South 14 th Street Trafficway as a Collector Street.
Required Parking:	R-1(B) District (current zoning): Section 27-455(d) requires two (2) off-street parking spaces on the premises for each single-family dwelling. CP-0 District (proposed zoning): Section 27-463(d) requires paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. It appears that there are eight (8) parking spaces, which meets the CP-0 minimum for the current total interior floor area.
Advertisement:	<u>The Wyandotte Echo</u> – June 17, 2021 Letters to Property Owners – June 17, 2021, July 6, 2021, September 7, 2021 and October 19, 2021
Public Hearings:	October 11, 2021 and October 28, 2021

Public Support: Erin Stryka, Rosedale Development Association appeared in support at the October 11, 2021 City Planning Commission meeting.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, William England with CI1 LLC, is requesting a Change of Zone and Master Plan Amendment for the subject property at 2332 South 14th Street. The applicant is requesting a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail District. The applicant is requesting a Master Plan Amendment of the City-Wide Master Plan from Low-Density to Neighborhood Commercial. The Change of Zone and Master Plan Amendment have both been requested in order for the design and use of a non-conforming building constructed in 1940 to match with the zoning district and Master Plan land use designation.

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

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

- April 17, 2020 - Other Multiple Violations
- February 4, 2020 - Junk
- February 22, 2018 - Vehicles Parked on Unimproved Surfaces
- February 22, 2018 - Other Multiple Violations
- March 15, 2002 - Trash/Trailer Full of Old Couches
- May 25, 2000 - Trash

FACTORS TO BE CONSIDERED

Change of Zone

1. The character of the neighborhood.

The subject property is within the Shawnee Heights Statistical Neighborhood and is not within a Neighborhood Group. The properties along South 14th Street are residential. The lot frontages range from about 50 to 100 feet, but the lot depths vary depending on the block. North of Steele Road most lots are a little smaller than one-quarter (1/4) acre, as are the lots of the east side of South 14th Street between Steele Road and Gibbs Road. The lots on the west side of South 14th Street, abutting the highway, vary in depth and create a rural aesthetic.

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

The subject property is surrounded by parcels zoned in the R-1(B) District. The proposed use—a small commercial building—is a break from the typical single-family residential use. While it is unusual to have such a building in the middle of such a neighborhood, the design of the building features a small footprint and has features indicative of a space intended for office use, especially if that use required customers to make appointments before stopping by.

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

Per Section 27-463(a), the “purpose of the C-0 nonretail district is to accommodate services of an administrative, professional and governmental nature. It is intended that no products be handled on the premises other than documents involved in business transactions or items for display or training purposes. The... occupancy of the buildings is generally assumed to be in the 8:00 a.m. to 5:00 p.m. range, five [(5)] days per week. Little noise or commotion is produced, and quality of architecture, screening and landscaping is emphasized to assure compatibility with nearby residential neighbors. Location should be on major streets, in or adjacent to the central business district, or as transition between retail uses and residential property.” It is clear that the C-0 District was intended to be compatible with nearby residential uses. As for the subject property itself, the design of the building indicates that it was always intended to be an office or commercial space since it was constructed in 1940. The front façade features large glass storefront windows, the roof is flat with a parapet, and there is head-in parking on the right-of-way where a sidewalk would typically be in front of the building. There have been filed complaints on the property, but these complaints were about the lack of upkeep of the land, not the incompatibility of use. It is unlikely that removal of the restrictions will detrimentally affect the nearby properties.

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

It is unclear how long the property has been vacant. The last business license assigned to the property was terminated on September 6, 2005.

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

The C-0 Nonretail Business District permits a variety of low-intensity business uses that balances the community’s need for local services with the increase in parking and traffic generated by the business. The allowed uses in the C-0/CP-0 District include dental, medical, or law practices, barbershops and beauty salons, printing and arts, self-service laundry, and financial institutions. The community benefits from these services being local, personalized, and often operated by their neighbors. Such uses are reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.

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

The allowed uses in the C-0/CP-0 District vary greatly, but the theme throughout is an emphasis on mitigating increased traffic in the surrounding neighborhood that might be generated by the use. Thus, the allowed uses are services rather than retail. Some allowed uses are practices or businesses that often require an appointment, thus reducing the number of customers driving through the neighborhood and parking their vehicles in front of the building. Therefore, the proposed use would likely not increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.

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

The City-Wide Master Plan designates this property as Low-Density Residential. The Low-Density Residential land use designation allows single-family detached residences, institutional uses such as schools, places of worship, and open spaces. Any commercial or business use does not conform with this land use designation, which is why the applicant is simultaneously applying for a Master Plan Amendment for the land use designation, from Low-Density Residential to Neighborhood Commercial. The Neighborhood Commercial land use designation allows for convenience retail uses such as banks, drug stores, and service stations, local sit-down restaurants, and small-scale professional and office services. The proposed zoning district better conforms with the Master Plan Amendment.

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

The building is pre-existing; the applicant is not proposing any more development at this time. Therefore, the proposed use will not cause any increased environmental harm. In fact, allowing the property to continue to be used as a small non-retail business may prevent further environmental harm elsewhere by providing another commercial space that would otherwise be built on previously undeveloped land.

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

a. *Water service*

Water service is provided by BPU.

b. *Sanitary sewer service*

A sanitary sewer line runs under South 14th street to the north of the subject property.

c. Storm water control

Storm water mains are located across from the subject property South 14th Street, on a public right-of-way.

d. Police

Police service is provided by South District, #332.

e. Fire

Fire service is provided by Fire Station #7.

f. Transit

The subject property is not within a reasonable distance from any bus stops or bus routes.

g. Schools

Public education is provided by Noble Prentis Elementary School, Argentine Middle School, and Harmon High School, under Kansas City USD 500.

h. Streets

The property is accessible by South 14th Street Trafficway to the east and is in close proximity to Gibbs Road to the southeast.

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

Having more local businesses located directly in the communities that they are serving has a positive economic impact on that community. Businesses that are embedded within a residential neighborhood present greater opportunity to employ nearby residents because the commute is less of an obstacle.

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

There are several outstanding requirements that either the applicant has not met, or it is unclear to Staff if the applicant has met them. The applicant must provide a site plan in order to ensure proper setbacks, building and parking lot design, and landscaping and screening.

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

Having a non-retail commercial space in the Shawnee Heights neighborhood could be beneficial to the community and will likely not have detrimental effects. The property has been designed to be a small commercial space, and several commercial businesses have operated in the building in the past 20 years. While there has been a list of code complaints on the property, those complaints stemmed from improper use of the building and the land, rather than complaints generated from the operation of the business itself, such as traffic or noise complaints would be. Therefore, given the right business owner, the subject property could be a net positive for the nearby properties and the neighborhood as a whole.

Master Plan Amendment

1. *Neighborhood character*

See Change of Zone Review Factor #1.

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

See Change of Zone Review Factor #6.

3. *The extent to which utilities and public services are available and adequate to serve the proposed amendment and the extent to which the environment would be impacted.*

The applicant should confirm with BPU that all utilities can be restarted on the property. Additionally, the property is located within a well-developed neighborhood that has a full array of utilities and public services, including electric, trash services, stormwater sewers, paved roads, and public transportation.

4. *The difference between the existing and proposed Master Plan.*

The existing land use designation for the property in the City-Wide Master Plan is Low-Density Residential; the applicant is requesting a Master Plan Amendment to Neighborhood Commercial. The Low-Density Residential land use designation neither allows nor discourages small commercial businesses. The Neighborhood Commercial land use designation allows for convenience retail and small-scale professional and office services, which is consistent with the uses allowed by right in the proposed C-0 Nonretail Business District.

5. *Analysis of the impact on surrounding properties.*

See Change of Zone Review Factors #2, 3, and 6.

6. Estimate the future costs and revenues to the Unified Government and property owner and Market Impact.

See Change of Zone Review Factor #10.

PREVIOUS ACTIONS

- BOZA2021-020 (variance from the minimum parking requirement, heard simultaneously with COZ2021-017 and MPL2021-012).

NEIGHBORHOOD MEETING

The applicant received neighborhood comments via email and phone through June 28, 2021. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Commercial Development Guidelines Overlay District
Land Use Compatibility
Landscaping
Parking Design
Pedestrian Access
Setbacks
Spot Zoning
Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Master Plan Amendment MPL2021-012, subject to:

- 1) **Provide a scaled site plan of the property, featuring the following:**
 - a. **The setbacks and dimensions of all structures on the property;**
 - b. **The quantity and dimensions of all parking spaces on the property, including any portion of the parking spaces in the public right-of-way;**
 - c. **The parking space(s) designated as ADA-compliant parking with an access aisle and the requisite “designated ADA parking” sign;**
 - d. **Wheel stops located at the head of the parking spaces; and,**
 - e. **A landscaping in compliance with the C-0/CP-0 District ordinances as well as the standard of the Commercial Development Guidelines Overlay District.**
- 2) **The façade of the subject property must match as proposed by the applicant, per the renderings submitted to Staff and presented in this**

- report, including an awning, storefront windows with no or low tint, and a four (4)-foot wainscoting on the front façade.
- 3) The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces. Per Section 27-575(d)(10), sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses.
 - 4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.
 - 5) Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles.
 - 6) Accessible parking must be provided according to unified government requirements.
 - 7) Per Section 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. All screening materials must be well maintained at all times.
 - 8) Per Section 27-577(d)(1), at least 75 percent of the length of 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.
 - 9) These City Planning Commission cases are being heard in conjunction with BOZA2021-020. The following are conditions for BOZA2021-020 and are stated here for reference only, as COZ2021-017 and MPL2021-012 are solely for a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail Business District and a City-Wide Master Plan Amendment from Low-Density Residential to Neighborhood Commercial, respectively:
 - a. Provide a scaled site plan of the property;
 - b. The façade of the subject property must match as proposed by the applicant;
 - c. The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces;
 - d. The front façade of the building must undergo a four (4)-foot high wainscoting;
 - e. The subject property must obtain a Right-of-Way Use Agreement with the Public Works Department;
 - f. Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements;
 - g. Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles;
 - h. Accessible parking must be provided according to unified government requirements;
 - i. Buildings, walls, trees, topography, and other site features shall be oriented and arranged to define circulation areas and lend a human scale to the development;
 - j. All trash receptacles shall be enclosed under UG standards;
 - k. Reflective or mirrored glass for use as windows is prohibited;
 - l. Stand-alone trees are encouraged to be planted in landscape zones;

- m. The landscape design conditions must be met;
 - n. At least 75 percent of the length of 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;
 - o. A sign permit must be issued for all signs;
 - p. 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;
 - q. ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
 - r. The applicant must keep a current annual Business License/Occupation Tax Receipt;
 - s. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances; and,
 - t. All parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.
- 10) If approved, any tenant will need to file and maintain a current business occupation tax application with the Business License Office.
- 11) 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.
- 12) The current lighting scheme on the property is not in compliance and needs to be changed. 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.
- 13) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards.
- 14) Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance; and,

- 15) The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.**

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application COZ2021-017, subject to:

- 1) Provide a scaled site plan of the property, featuring the following:**
 - a. The setbacks and dimensions of all structures on the property;**
 - b. The quantity and dimensions of all parking spaces on the property, including any portion of the parking spaces in the public right-of-way;**
 - c. The parking space(s) designated as ADA-compliant parking with an access aisle and the requisite “designated ADA parking” sign;**
 - d. Wheel stops located at the head of the parking spaces; and,**
 - e. A landscaping in compliance with the C-0/CP-0 District ordinances as well as the standard of the Commercial Development Guidelines Overlay District.**
- 2) The façade of the subject property must match as proposed by the applicant, per the renderings submitted to Staff and presented in this report, including an awning, storefront windows with no or low tint, and a four (4)-foot wainscoting on the front façade.**
- 3) The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces. Per Section 27-575(d)(10), sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses.**
- 4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.**
- 5) Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles.**
- 6) Accessible parking must be provided according to unified government requirements.**
- 7) Per Section 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. All screening materials must be well maintained at all times.**
- 8) Per Section 27-577(d)(1), at least 75 percent of the length of 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.**
- 9) These City Planning Commission cases are being heard in conjunction with BOZA2021-020. The following are conditions for BOZA2021-020 and are stated here for reference only, as COZ2021-017 and MPL2021-012 are solely for a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail Business District and a City-Wide Master Plan Amendment from Low-Density Residential to Neighborhood Commercial, respectively:**

- a. Provide a scaled site plan of the property;
 - b. The façade of the subject property must match as proposed by the applicant;
 - c. The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces;
 - d. The front façade of the building must undergo a four (4)-foot high wainscoting;
 - e. The subject property must obtain a Right-of-Way Use Agreement with the Public Works Department;
 - f. Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements;
 - g. Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles;
 - h. Accessible parking must be provided according to unified government requirements;
 - i. Buildings, walls, trees, topography, and other site features shall be oriented and arranged to define circulation areas and lend a human scale to the development;
 - j. All trash receptacles shall be enclosed under UG standards;
 - k. Reflective or mirrored glass for use as windows is prohibited;
 - l. Stand-alone trees are encouraged to be planted in landscape zones;
 - m. The landscape design conditions must be met;
 - n. At least 75 percent of the length of 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;
 - o. A sign permit must be issued for all signs;
 - p. 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;
 - q. ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
 - r. The applicant must keep a current annual Business License/Occupation Tax Receipt;
 - s. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances; and,
 - t. All parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.
- 10) If approved, any tenant will need to file and maintain a current business occupation tax application with the Business License Office.
- 11) 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.
- 12) The current lighting scheme on the property is not in compliance and needs to be changed. 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.
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 - 15) The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable, and,
 - 16) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **MPL2021-012** and **COZ2021-017**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of the Property Provided by Staff, Dated June 20, 2021
Photos of the Property Submitted by the Applicant
Rendering of the Proposed Storefront Provided by the Applicant
Commercial Development Guidelines Overlay District Regulations
Wyandotte County Conservation District Letter, Dated June 15, 2021
Neighborhood Meeting Materials, Dated June 30, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing Change of Zone	October 11, 2021 Approval	October 28, 2021
Master Plan Amendment	October 11, 2021 Approval	October 28, 2021

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2021-012** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2021-012**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Change of Zone

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2021-017** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report, and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2021-017**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 1:24:10:

MASTER PLAN AMENDMENT MPL2021-012 – WILLIAM ENGLAND/CI 1 LLC –

SYNOPSIS: Master Plan Amendment from Low Density Residential to Neighborhood Commercial at 2332 South 14th Street.

CHANGE OF ZONE APPLICATION COZ2021-017 – WILLIAM ENGLAND/CI 1 LLC -

SYNOPSIS: Change of Zone from R-1(B) Single Family District to CP-O Planned Non-Retail Business District for office space at 2332 South 14th Street.

Detailed Outline of Requested Action: The applicant, William England with CI1 LLC, is requesting a Change of Zone and Master Plan Amendment for the subject property at 2332 South 14th Street. The applicant is requesting a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail District. The applicant is requesting a Master Plan Amendment of the City-Wide Master Plan from Low-Density to Neighborhood Commercial. The Change of Zone and Master Plan Amendment have both been requested in order for the design and use of a non-conforming building constructed in 1940 to match with the zoning district and Master Plan land use designation.

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

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

- April 17, 2020 - Other Multiple Violations
- February 4, 2020 - Junk
- February 22, 2018 - Vehicles Parked on Unimproved Surfaces
- February 22, 2018 - Other Multiple Violations
- March 15, 2002 - Trash/Trailer Full of Old Couches
- May 25, 2000 - Trash

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners; and,
8. The testimony at the Board of Zoning Appeals meeting this evening.

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

Present in Support:

- William England, applicant
- Erin Stryka, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:26:59: Planning Director Hand stated that this is a request to change the zoning from R-1(B) Single Family District to CP-O Planned Non-Retail Business District and a Master Plan Amendment from Low-Density Residential to Neighborhood Commercial. The property is located in the Rosedale/Shawnee Heights area off 14th Street and across the street from an elementary school. He stated that the Board of Zoning Appeals approved three (3) variances earlier this evening. This was a non-conforming building that lost its non-conforming status, and this action will correct the non-conformity. Staff has several conditions of approval, including upgrading the building to meet the Commercial Design Guidelines and adding handicap parking. The applicant will add wainscoting to the building, trash receptacles will be enclosed and there will be seven (7) parking spaces provided. Director Hand stated that the building has reflective glass, and the applicant will add an awning. The applicant must also obtain a right-off-way use agreement with the Public Works Department for all on-street parking requirements. Staff has received no letters of support nor opposition and there are no Notices of Violation. Staff recommends approval, subject to the conditions in the staff report.

Motion and Vote starts at 1:28:55:

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of Master Plan Amendment Application MPL2021-012:**

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

Motion to recommend APPROVAL Passed: 5 to 0

Subject to:

- 1) Provide a scaled site plan of the property, featuring the following:**
 - a. The setbacks and dimensions of all structures on the property;**
 - b. The quantity and dimensions of all parking spaces on the property, including any portion of the parking spaces in the public right-of-way;**
 - c. The parking space(s) designated as ADA-compliant parking with an access aisle and the requisite “designated ADA parking” sign;**
 - d. Wheel stops located at the head of the parking spaces; and,**
 - e. A landscaping in compliance with the C-0/CP-0 District ordinances as well as the standard of the Commercial Development Guidelines Overlay District.**
- 2) The façade of the subject property must match as proposed by the applicant, per the renderings submitted to Staff and presented in this report, including an awning, storefront windows with no or low tint, and a four (4)-foot wainscoting on the front façade.**
- 3) The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces. Per Section 27-575(d)(10), sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses.**
- 4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.**
- 5) Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles.**
- 6) Accessible parking must be provided according to unified government requirements.**
- 7) Per Section 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. All screening materials must be well maintained at all times.**

- 8) Per Section 27-577(d)(1), at least 75 percent of the length of 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.
- 9) These City Planning Commission cases are being heard in conjunction with BOZA2021-020. The following are conditions for BOZA2021-020 and are stated here for reference only, as COZ2021-017 and MPL2021-012 are solely for a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail Business District and a City-Wide Master Plan Amendment from Low-Density Residential to Neighborhood Commercial, respectively:
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 - g. Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles;
 - h. Accessible parking must be provided according to unified government requirements;
 - i. Buildings, walls, trees, topography, and other site features shall be oriented and arranged to define circulation areas and lend a human scale to the development;
 - j. All trash receptacles shall be enclosed under UG standards;
 - k. Reflective or mirrored glass for use as windows is prohibited;
 - l. Stand-alone trees are encouraged to be planted in landscape zones;
 - m. The landscape design conditions must be met;
 - n. At least 75 percent of the length of 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;
 - o. A sign permit must be issued for all signs;
 - p. 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;
 - q. ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
 - r. The applicant must keep a current annual Business License/Occupation Tax Receipt;
 - s. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure

- that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances; and,
- t. All parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.
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On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application COZ2021-017:**

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

- 1) Provide a scaled site plan of the property, featuring the following:
 - a. The setbacks and dimensions of all structures on the property;
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 - e. The subject property must obtain a Right-of-Way Use Agreement with the Public Works Department;
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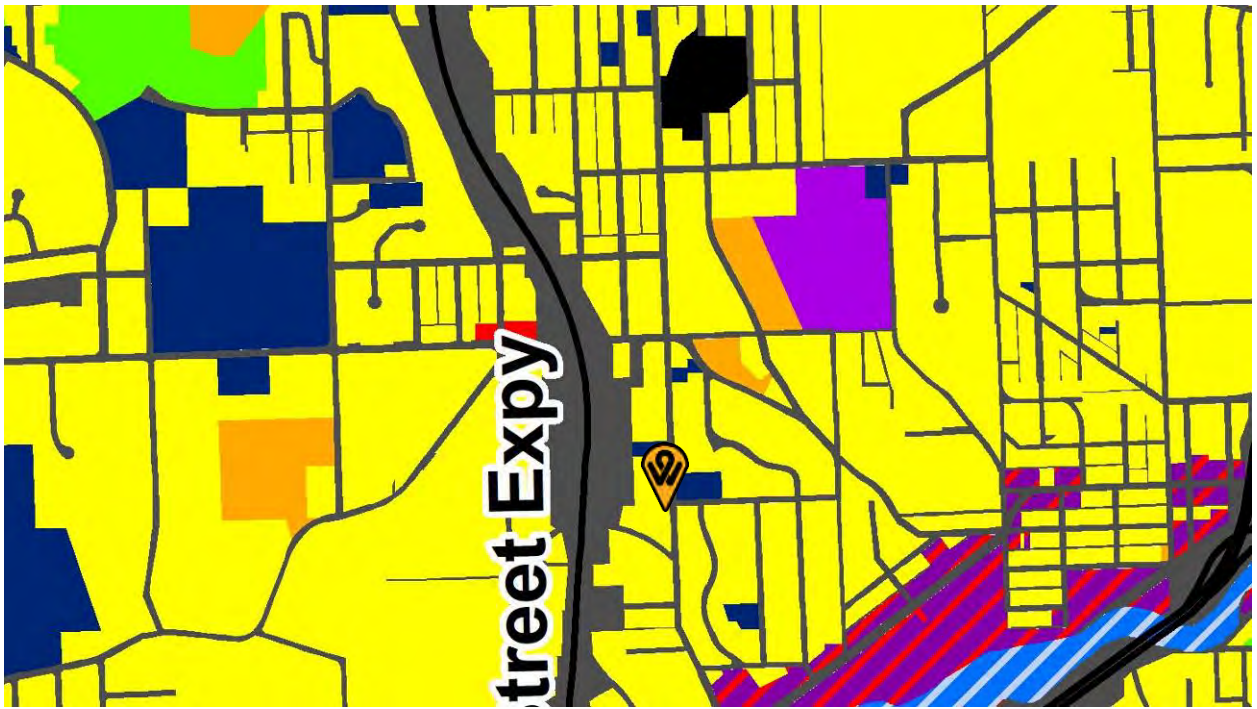
AERIAL MAP



ZONING MAP



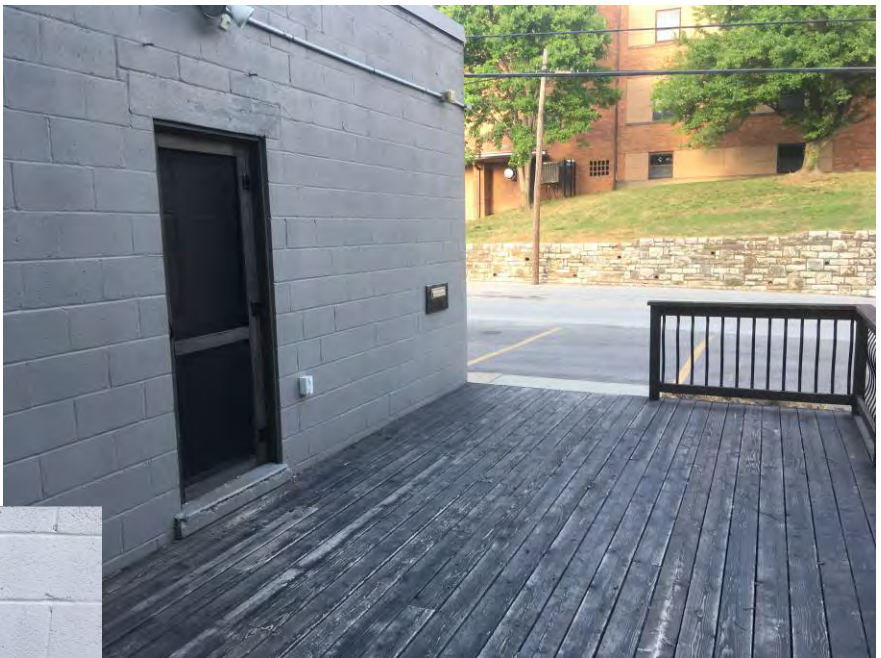
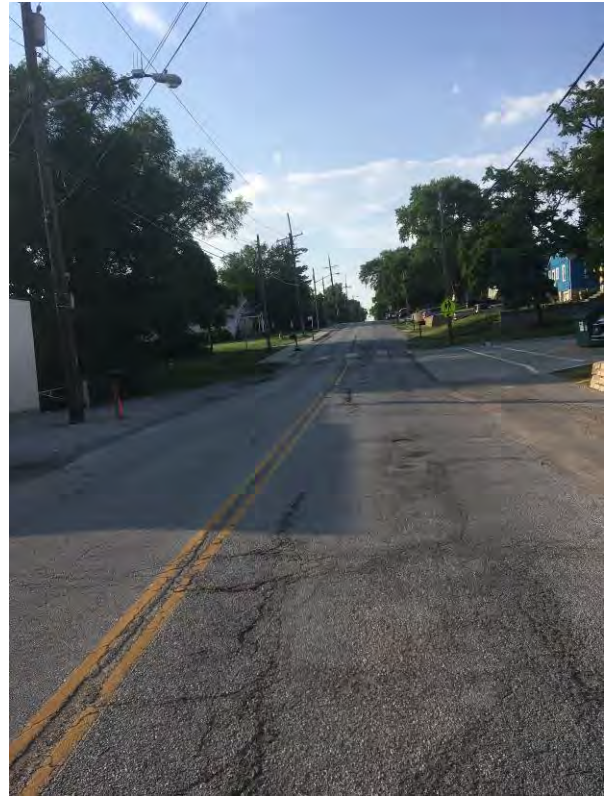
LAND USE MAP



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



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



PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT



RENDERING OF THE PROPOSED STOREFRONT PROVIDED BY THE APPLICANT



Section 27-573 - Purpose and intent.

The commercial design guidelines are intended to provide definitions and descriptions of acceptable design in specified areas of both the county and the city. These guidelines are established to accomplish the following goals:

- (1) Relate development to surrounding community;
- (2) Provide direction for the creation of quality development with respect to site planning, architectural design, and landscaping;
- (3) Ensure quality design that reflects community identity and sense of place;
- (4) Support property values in new development and redevelopment; and
- (5) Implement the long-range vision of the community.

Section 27-574 - Boundaries and application.

(a) The commercial design guidelines are applicable to all commercial and office development within the boundaries identified on the map (see appendix "A"). Commercial design includes all districts beginning with a "C" designation such as C-O, C-I, C-2 and C-3. This includes those commercial and office areas located west of 94th Street.

(b) The commercial design guidelines shall apply to all new development within the area described in subsection (a) of this section. The guidelines shall apply to existing development when changes (renovation, restoration, modification, addition, or retrofit, collectively referred to as rehabilitation) are proposed to a structure or a site that will exceed 50 percent of the current appraised value of the structure or site, as established by the county. Rehabilitation costs shall be aggregated over a five year period to determine whether the development is subject to these guidelines.

(c) Rehabilitation projects shall conform to these guidelines to the greatest extent possible, and shall provide written explanations for each area of noncompliance.

(d) Design solutions proposed as an alternative to these requirements may be considered by the planning commission provided that such alternative design furthers the purposes and intent of this subdivision and does not result in design that would otherwise violate the terms of the regulations contained in this subdivision.

(e) Design review will be provided as follows:

Application	Review	Appeal
Rezoning	Planning Commission	Board of Commissioners
Special Use Permit	Planning Commission	Board of Commissioners
Development Plan (without rezoning) DRC process	Director Urban Planning	Planning Commission
Development plan with rezoning	Planning Commission	Board of Commissioners
Alternative design	Planning Commission	Board of Commissioners

(f) Where there is conflict between the terms of this subdivision and other regulatory provisions applicable in the land development process, the more strict regulations will apply.

Section 27-575 - Site character.

(a) *Intent.* To encourage on-site and off-site compatibility of development while considering the relationship between site design and the existing environment. Site character includes consideration of: physical and natural features of land; building placement; vehicular access; circulation and parking; pedestrian access; preservation and buffering of views; surrounding development; and community character.

(1) Development should be sited in a manner consistent with, and be appropriate for, many of the existing conditions of the site.

(2) Parking and circulation should account for pedestrians bicycles and vehicles.

(3) Building and street layout should define a cohesive development.

(b) *General layout.*

(1) Multilot or multibuilding developments shall be designed as unified projects with a sense of place reflected through development layout and architectural design.

(2) Linear or strip development is discouraged, including linear open air centers or strip centers, either of which front parking lots.

(3) Large retail establishments (big box) are subject to these guidelines with the following specific requirements:

a. All big box developments shall include at least three retail establishments located in a complex that is planned and managed as a single unit.

b. No more than 80 percent of the off-street parking may be located in the front of the development if more than 80 percent is in front then the number of landscape islands will be increased by 50 percent.

c. At least two sides (the two sides that are projected to have the highest level of pedestrian activity) of a big box store (of more than 120,000 square feet) shall include customer entryways. Additional stores located within the development shall also have clearly marked entryways. The entryways shall be defined with at least three of the following features:

1. Canopy or portico;

2. Overhangs;

3. Recesses/projections;

4. Raised cornice parapets over doors;

5. Peaked roof forms;

6. Arches;

7. Outdoor patios;

8. Display windows;

9. Architectural details such as tile work or moldings that are integrated into the building or structure;

10. Integral planters or wing walls that incorporate landscaped areas and/or places for seating.

(c) *Grading and drainage.*

(1) Where possible, new development should maintain the natural topography of the existing site. Extensive grading (more than 70 percent of the site) or unusual site improvements are strongly discouraged.

(2) Site drainage patterns shall be designed to prevent surface drainage from collecting on and/or flowing across pedestrian areas.

- (3) Use of stepped retaining walls is where necessary along public streets and other visible areas of the site to reduce the steepness of manmade slopes and to provide pockets or terraces for revegetation and landscaping. Every wall over six feet in height must be "stepped." Four feet of terrace is required for every eight feet of wall.
 - (4) Detention ponds should not be contained within a lot or parcel that contains a building site. One detention area may be required to serve multiple lots.
 - (5) Detention ponds should be designed as a project amenity.
- (d) *Circulation.*
- (1) Projects must be designed to minimize any increased traffic use of neighborhood streets.
 - (2) Curb-cuts should be minimized and concentrated at mid-block.
 - (3) A sense of entry or arrival shall be created at primary entryways into the development. Building placement, landscaping, gates, entry monuments, specialty lighting, and other design elements can be used to create this design effect.
 - (4) Driveway configuration and design should be determined based on the size of development and capacity of streets. For example, a large, traffic-generating development with a multi-neighborhood drawing radius should provide significantly more driveway space for ingress and egress with turn lanes than a smaller, neighborhood-oriented development.
 - (5) The number of external entrances should be consistent with existing or anticipated design of adjacent streets.
 - (6) To reduce the need for multiple street access points and to allow for the potential future reduction of driveways consistent with access management principles, access points and driveways must be planned and shared between properties, with access easements noted on plats or other recorded document.
 - (7) There shall be a hierarchy of internal circulation beginning with site access from the public street.
 - 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.
 - d. Where possible, groups of buildings should be serviced by dedicated service access lanes.
 - (8) Internal vehicular, bicycle and pedestrian circulation must connect in a manner obvious to users.
 - (9) To the maximum extent possible, there shall be pedestrian circulation from the perimeter of the site to the principal customer entrance to all buildings. Within the site, there shall be pedestrian connections provided to all pedestrian activities, including transit stops, street crossings, open space, building and store entry points, and adjacent pedestrian systems.
 - (10) Sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses. This may include cafe seating and outdoor sales pursuant to the Chapter 32, Article III.

(11) Internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces.

(12) Pedestrian connections must be clearly defined in a combination of two or more of the following ways:

- a. Six-inch vertical curb.
- b. Trellis.
- c. Special railing.
- d. Bollards.
- e. Special paving.
- f. Low seat wall or other architectural features.
- g. Pedestrian scale lighting.
- h. Traffic calming devices.

(13) Site design should integrate and facilitate access to public transit.

(14) Sidewalks that are within reasonable proximity to an identified trail system should connect to that system and accommodate the uses anticipated on the trail (e.g., pedestrian, bicycle).

(e) Parking.

(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.

(2) Pedestrian walkways through the parking area to building entrances should be clearly marked pursuant to this subdivision.

(3) Parking located between front of building and street right-of-way must provide an additional 20 feet of landscaped area in addition to the required setback.

(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.

(5) Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles.

(6) Accessible parking must be provided according to unified government requirements.

(7) Dead-end parking without a designated turn-around area should be avoided and shall not be permitted on any new projects that are not infill or redevelopment.

(8) Parking should be divided into blocks of 40 to 50 spaces. Where this is not easily defined, groups of 20 spaces should be divided by a landscape island at least the size of one stall.

(9) Structured parking, as follows:

- a. Structured parking adjacent to a street shall provide an active front with pedestrian-oriented uses.
- b. Structured parking shall integrate with adjacent buildings using similar materials, alignments, and architectural finishes.

(10) Cart corrals should be low-profile, created with pavement (e.g., curbs), may include a bollard to deflect parking, and should have low-profile identification signs, no taller than four feet.

(f) Building elements.

(1) There should be a designated walkway or clear pathway to the main entrance of a building so that pedestrians are not required to walk through parking lots.

(2) Buildings should be located in such a manner as to minimize conflicts between pedestrians and automobiles.

- (3) Buildings should be oriented primarily to the street.
- (4) Retail shops at street level should have direct access to and from the sidewalk.
- (5) Entrances should be easily identifiable as primary points of access to buildings.
- (6) Corner buildings at gateways or prominent intersections shall be designed to emphasize the gateway or intersection location. This may include major architectural expression in the facade roof form and/or massing, such as:
 - a. Larger bulk;
 - b. Tower forms;
 - c. Peaked roofs; and/or
 - d. Over-sized windows.
- (7) Pad sites shall be clustered together to define street edges and entry points or to enclose and create interesting places between buildings, such as public outdoor seating, landscaped areas, or other focal points.
- (8) Buildings, walls, trees, topography, and other site features shall be oriented and arranged to define circulation areas and lend a human scale to the development.
- (9) Shared parking between adjacent or closely related developments is strongly encouraged, provided each development complies with unified government parking requirements.
- (g) *Outdoor storage areas/mechanical equipment.*
 - (1) Masonry screen walls are required to provide 100 percent opaque screening to public views of loading and service areas from other properties or public streets.
 - (2) Service areas and docking facilities should be located to the side or rear of the building away from public streets and main circulation and drives when possible.
 - (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 feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.

Section 27-576 - Architectural design.

- (a) *Intent.* It is the intent of this section to create and enhance community image through thoughtful design development. This section is intended to ensure that:
 - (1) Design relates buildings to each other and to the community.
 - (2) Good design incorporates and combines design theme, building facade materials, colors, roof, and equipment.
 - (3) Similar to site design, building design at street level must be oriented to people and cars.
- (b) *Overall design.*
 - (1) Architectural design shall create or contribute to uniqueness or sense of a specific place.
 - (2) Building elevation design determinations must consider the character of the surrounding architecture and neighborhood and incorporated design elements that further reflect or enhance community character. Where community character is difficult to determine, planning staff will work with the applicant to identify any relevant features.

(c) *Building facade.*

(1) Commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of a building.

(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of at least three of the following techniques:

- a. Divisions or breaks in materials;
- b. Building offsets (projections, recesses, niches);
- c. Window bays;
- d. Separate entrances and entry treatment; or
- e. Variation in rooflines.

(3) The scale of individual building facade components should relate to one another and the human scale, particularly at street level.

(d) *Design theme.*

(1) A single building development with multiple buildings must maintain a consistent style/architectural theme. Architectural design building materials, colors, forms, roof style and detailing should all work together to express consistent design. This includes all pads within a retail development, as well as gasoline pump canopies or other accessory structures.

(2) Large buildings adjacent to small buildings should consider and incorporate architectural design elements and details such that the scale of the larger building appears compatible with that of the smaller building.

(3) The composition of a building more than three stories tall shall include a clearly recognizable base, middle, and top. The base of a building should be weightier in appearance than the rest of the building. This can be accomplished with use of heavier, larger, or darker building materials. The top of the building may include, among other things, cornice treatments, sloping roof, or stepped parapets.

(4) Buildings in a grouped development should approximately align horizontally in their main architectural elements, windows, sills, cornices, banding, etc., although these lines may be carried from building to building by different elements.

(5) A single, large dominant building mass shall be avoided. Changes in mass should be related to entrances, the integral structure, and/or the organization of spaces and activities.

(6) Building elements must not function as signage. The appearance of "franchise architecture" where buildings function as signage is discouraged. Incorporation of franchise or business design elements unique or symbolic or a particular business must be unobtrusive and secondary to the overall architectural design.

- (7) New primary structures that express a standardized corporate identity shall incorporate at least three of the following elements to create a facade and building design similar to those on an existing primary structure visible from the new primary structure and located within 500 feet of the new primary structure. Significant departures from "off-the-shelf" buildings, either locally or by national chains, may be required to meet this standard.
- a. A similar roofline or roof material.
 - b. Similar facade colors and materials.
 - c. Similar pedestrian entry locations and entryway architecture.
 - d. Similar amounts of glazing on facades visible from the public street.
- (8) Accessory structures must incorporate matching design and materials of the primary building.
- (e) *Building materials.*
- (1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality prestressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
- a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided.
- (2) Exterior building materials shall not include the following:
- a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tee or double-tee concrete systems; or EIFS at the ground level or comprising more than 15 percent of any facade.
- (3) Exterior building material must be continued down to within nine inches of finished grade on any elevation. Exterior masonry materials must be continued to the top of grade.
- (4) All building facades shall be at least 50 percent masonry. Cementitious siding may be used to meet 50 percent of the total masonry requirement.
- (f) *Building color.*
- (1) Color should be used to tie building elements together.
 - (2) All building projections shall match or complement in color the permanent color of the surface from which they project.
 - (3) Intense, bright, black, or fluorescent colors shall be used sparingly and only as accents.
- (g) *Building roof.*
- (1) Buildings should have a defined top. This can be accomplished with cornices, caps, parapets, or roofs.
 - (2) Three-dimensional rooftops are encouraged. Variation in roofline is suggested to reduce the scale of large buildings.
 - (3) Sloped roofs or canopies shall be covered with high quality roofing material such as approved by the director. Metal roofing is preferred, especially for small articulations. Asphalt is discouraged and wood roofing materials are prohibited.

(h) *Windows.*

(1) For new construction, windows, windows with awnings, and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots. Windows should be for display purposes or to allow viewing both into and out of the interior. Exceptions may be made for individual tenants in excess of 20,000 square feet gross floor area or the rear elevation of a building that backs up to a public street, where the window percentage should be 25 percent of the linear building frontage.

(2) Reflective or mirrored glass for use as windows is prohibited, unless determined otherwise by the director. Clear glass shall be used for storefronts, windows, and doors.

Window painting, signage, or view blocking techniques are not permitted.

(i) *Auto-oriented uses.* Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should be not located between the front of the primary structure and the adjacent streets or sidewalks. Drive up facilities including drive lanes shall not be located within 150 feet of an existing residential structure, all means available should be taken to minimize the impact on adjacent residential structures.

(j) *Phasing of improvements.* If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements to accommodate the necessary public infrastructure to adequately screen the site.

Section 27-577 - Landscaping and screening.

(a) *Findings and intent.* Landscaping offers many benefits including providing color and shade, buffering wind, sun, and bad views, and reducing glare. Landscaping also integrates structures and uses with the site while reducing the visual impact of development on adjacent uses.

(1) Landscaping is important to completing the design picture.

(2) Landscaping is a working component of the development, serving to screen, buffer, soften, and energize the buildings, streets, and parking.

(3) Landscaping identifies street frontage and maintains character for rights-of-way.

(4) Landscaping is an on-going requirement for healthy development.

(5) Landscaping shall exceed the typical code requirements by at least 75 percent.

(b) *Streets and drives.*

(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curblin of a private easement.

(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.

(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:

- a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
- b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

(c) *Design.*

- (1) Unity of design should be achieved by repetition of certain plant varieties and other materials and by coordination with other landscaping where appropriate.
- (2) Plant selection should be appropriate to planting zone, hydrozone, specific site conditions, and ability to provide year-round ornamental value.
- (3) The choices, placement, and scale of plants should relate to the architectural and site design of the project. Plantings should be used to screen, accent focal points and entries, to contrast with or reinforce building design, to break up expanses of paving or wall, to define on-site circulation, to provide seasonal interest, and to provide shade.
- (4) Landscape areas located between commercial districts and residential districts must provide 100 percent sight-obscuring year-round buffer using plant material or a combination of fence, berm and plant material.
- (5) Landscape and streetscape design should be used to enhance the frontage of primary roadways.

(d) *Buildings.*

- (1) At least 75 percent of the length of 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.
- (2) Planting must be massed and scaled as appropriate for the entryway size and space.
- (3) Landscaping should breakdown in scale and increase in detail, color, and variety to mark entryways into developments.

(e) *Parking.*

- (1) Parking lot landscaping must be used to minimize the expansive appearance of parking lots, provide shaded parking areas, and mitigate any negative acoustic impacts of motor vehicles.
- (2) Parking lot landscaping should reinforce pedestrian and vehicular circulation, especially parking lot entrances, end of driving aisles, and pedestrian walkways leading through parking lots.
- (3) Groups of parking of between 40 and 50 spaces must be separated by a ten-foot wide landscaped median or berm, or pedestrian walkway within a landscaped median.
- (4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces.
- (5) The primary landscaping material used in parking lots must be trees that provide shade or are capable of providing shade at maturity. Shrubbery, hedges and other planting materials may be used to complement the tree landscaping, but shall not be the sole means of landscaping.

(f) *Maintenance.*

(1) All new development landscaping must be irrigated with an automatic system approved by the planning department. Rehabilitation development must either have an irrigation system or a watering plan.

(2) Plants that die must be replaced as quickly as possible, but in no event longer than four months.

(g) *Phasing.* The first phase of construction should include perimeter landscaping, entry drives, and detention ponds. Future phases must indicate interim landscaping.

Section 27-578 - Crime prevention through environmental design (CPTED).

(a) *Territoriality.* Territoriality is a concept that clearly delineates private space from semipublic and public spaces, and creates a sense of ownership. Ownership thereby creates an environment where appearance of such strangers and intruders stand out and are more easily identified through:

(1) The enhanced feeling of legitimate ownership by reinforcing existing natural surveillance and natural access control strategies with additional symbolic or social ones.

(2) The design of space to allow for its continued use and intended purpose.

(3) The use of pavement treatments, landscaping, art, signage, screening and fences define and outline ownership of space.

(b) *Natural surveillance.* Natural surveillance is a design concept directed primarily at keeping intruders under observation. Provision of natural surveillance helps to create environments where there is plenty of opportunity for people engaged in their normal behavior to observe the space around them. Areas can be designed so they are more easily observed through:

(1) Design and placement of physical features to maximize visibility. This will include building orientation, windows, entrances and exists, parking lots, refuse containers, walkways, guard gates, landscape trees and shrubs, use of fences or walls, signage and other physical obstructions.

(2) Placement of persons or activities to maximize surveillance possibilities.

(3) Minimum maintained lighting standards that provide for nighttime illumination of parking lots, walkways, entrances, exits and related areas to promote a safe environment.

(c) *Access control.* Access control is a design concept directed primarily at decreasing criminal accessibility. Provision of natural access control limits access and increases natural surveillance to restrict criminal intrusion, especially into areas where they will not be easily observed. When present, intruders are more readily recognized through:

(1) The use of sidewalks, pavement, gates, lighting and landscaping to clearly guide the public to and from entrances and exists.

(2) The use of gates, fences, walls, landscaping and lighting to prevent or discourage public access to or from dark or unmonitored areas.

COMMERCIAL DEVELOPMENT GUIDELINES OVERLAY DISTRICT REGULATIONS, CONT.

(d) *Activity support.* Activity support is the presence of activity planned for the space. Activity support involves placing activity where the individuals engaged in an activity will become part of the natural surveillance system. Examples include:

- (1) Place safe activities in areas that will discourage would be offenders, to increase the natural surveillance of these activities and the perception of safety for normal users, and the perception of risk for offenders.
- (2) Place high risk activities in safer locations to overcome the vulnerability of these activities by using natural surveillance and access control of the safe area.
- (3) Locate gathering areas in locations that provide for natural surveillance and access control or in locations away from the view of would-be offenders.
- (4) Improve the scheduling of space to allow for effective use and appropriate intensity of accepted behaviors.

(e) *Maintenance.* Proper maintenance of landscaping, lighting treatment and other features can facilitate the principles of CPTED, territorial reinforcement, natural surveillance and natural access control. Functions include:

- (1) Proper maintenance of lighting fixtures to prescribed standards.
- (2) Landscaping which is maintained at prescribed standards.
- (3) Minimizing the conflicts between surveillance and landscaping as the ground cover, shrubs and trees mature.



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

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

June 15, 2021

RE: COZ2021-017 William England single family to non-retail business district 2332
South 14th Street

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: COZ2021-017 William England single family to non-retail business district 2332 South 14th Street.

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

MAPS AND REPORTS

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

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

- There are two major soil types identified: Gosport-Sogn complex, 7 to 35 percent slopes and Knox silt loam, 7 to 12 percent slopes. These soil types are considered very erodible when the surface is denuded of a protective cover.
- Most of the area is woodland. This is not the best use for these soils. They are steep and not very stable for construction purposes.
- If the area is developed, there needs to be special design to prevent soil from sliding.

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

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

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

Sincerely,

Cheri Miller
District Manager

enclosures

Date: June 16th, 2021

Name
Address
City/State/Zip

SUBJECT: Rezoning and Master Plan Amendment

We have filed an application with the Department of Urban Planning and Land Use # COZ2021-017. The purpose of this:

- change of zone
- Master Plan Amendment (Number MPL2021-012) from Low-Density Residential to Neighborhood Commercial

is for an insurance office at the following address: 2332 South 14th Street, Kansas City, KS 66103.

This letter is to inform you of the proposed change in the zoning of this property and give you the chance to voice any questions or concerns you may have.

Please contact me between June 18th and June 28th at the email address/phone number listed below.

Sincerely,

Will England
913-267-3213
Will@BridgeTurnkey.com

Application Number COZ2021-017 and MPL2021-012

June 30th, 2021

Notice was sent to all neighbors to inform them of the proposed change in the zoning of this property and give them the chance to voice any questions or concerns you may have.

They were given from June 18th to June 28th to contact Will England at the email address/phone number listed below.

Will@BridgeTurnkey.com
913-267-3213

Only one response was received:

NGUYEN, HUE HUU (913-209-9134) called on June 21st at approximately 4:30pm. He stated that he was happy to see that a business would be present at this location, and that he had no concerns.



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: October 28, 2021

Re: **Petition COZ2021-031**

GENERAL INFORMATION

Applicant:

James Veins

Status of Applicant:

Owner, DBA
Integrity Diversified Holdings, LLC
9350 Nelson Lane
Kansas City, Kansas 66109

Requested Actions:

Approval of a Change of Zone.

Date of Application:

August 27, 2021

Purpose:

To change the zoning district from R-1(B) Single Family District to R-2(B) Two Family District.

Property Location:

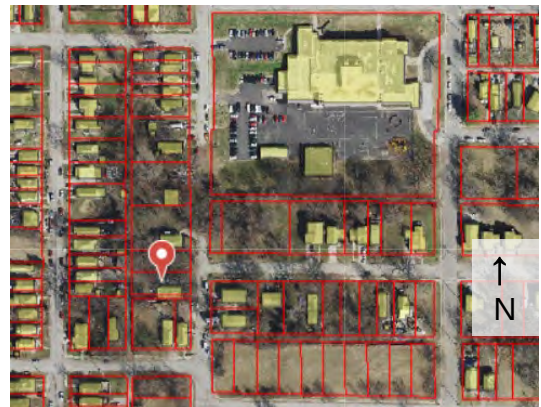
218 North 12th Street
Kansas City, Kansas 66102

Commission Districts:

Commissioner At Large: Tom Burroughs
District #2 Commissioner: Brian McKiernan

Existing Zoning:

R-1(B) Single-Family District



Adjacent Zoning:	North: R-1(B) Single Family District South: R-1(B) Single Family and R-2 Two Family District East: R-1(B) Single Family District West: R-1(B) Single Family District
Adjacent Uses:	North: Single Family Residence South: Single Family Residence Vacant Lot Two Family Residence East: Vacant Lot ME Pearson Elementary School West: Single Family Residence
Total Tract Size:	0.156 Acres
Master Plan Area:	The subject property is within the Central Area Master Plan
Master Plan Designation:	The Central Area Master Plan indicates that this parcel's current designation is Urban Density. The Central Area Master Plan indicates that Urban Density uses include Single Family Homes, Attached Residences including townhomes, duplexes, triplexes, fourplexes, etc., churches, schools, and libraries.
Major Street Plan:	The Central Area Master Plan designates Leavenworth Road as a Local Street.
Required Parking:	R-2(B) (proposed zoning): Section 27-457(d) requires one (1) parking space for each dwelling unit shall be provided on the premises. There are three off-street parking spaces provided.
Advertisement:	<u>The Wyandotte Echo</u> –September 16, 2021 Letters to Property Owners – September 17, 2021 and October 19, 2021
Public Hearings:	October 11, 2021 and October 28, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Integrity Diversified Holdings, LLC, has submitted a request for Change of Zone from R-1(B) Single Family Residential to R-2(B) Two Family Residential. The applicant purchased the property with the dwelling

divided into two (2) units, save for utilities. The property was zoned previously as a two family dwelling before the area was blanket rezoned in 2006. The Applicant would like to continue with the dwelling in its present two-family unit condition as they intend to rehab the property and make the necessary repairs to split the utilities for future tenants as a rental property.

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

Code Enforcement History: There are numerous outstanding violations from Rental Inspection and Code Enforcement prior to the property being sold to the current applicant. These refer mostly to the poor interior condition of the property with some abatement violations. Refer to Attachment at the end of the document for expanded explanation.

FACTORS TO BE CONSIDERED

1. The character of the neighborhood.

The subject property is in a residential neighborhood comprised of one- and two-family dwellings. There are numerous vacant lots, and many parcels have multiple dwellings within a single parcel. Many lots do not have sidewalks, are unimproved, or in disrepair.

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

The adjacent uses and zoning include single family residences and two-family residences. There is a nearby public elementary school, vacant land lots for building, and an urban farm. Some parcels have multiple dwellings on them. There is a high degree of compatibility with the nearby uses.

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

The adjacent property and surrounding neighborhood uses are for one- or two-family residences, vacant lots suitable for building, urban agriculture, and education. The proposed zoning remains residential in use. The updated zoning will not detrimentally affect the nearby properties and in contrary, updating the zoning reflects the current legal non-conforming use.

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

Rental inspection notes indicated that the home has been vacant since the 2017.

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

This proposed use is ostensibly reasonably necessary for the public convenience and welfare of the public. There is, effectively, a housing shortage and increased density in the Central Area will add additional units for lease to the public. The ability to provide dual rental incomes to the applicant provides for a source of future income that is necessary to rehabilitate the property to an acceptable living standard given its current poor condition. The property's rehabilitation will mitigate abatement and code issues that may injure the health, safety, or welfare of surrounding residents if left unaddressed. It is reasonable to ascertain that the proposed uses will not permanently injure the appropriate use, visual quality, or marketability of nearby property but rather enhance it. The updated zone will bring the parcel up to current code compliance standards.

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

The proposed Change of Zone will not effectively change the use of the property, as it still retains its residentially zoned characteristics. The proposed zoning still allows the lot to follow the prescriptive measures for parking along a local street this use will not increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems. The property is at the dead end of a street with no adjacent neighbors as the adjacent property sharing the dead end is vacant; any future construction on the property would be subject to current parking standards.

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

The Central Area Master Plan designates the property as Urban Density. The Urban Density land use designation in the Area Plan allows residential densities of single family, two family, and multifamily. Additional uses include churches, schools, and libraries. A two-family dwelling has a high degree of conformance in the Central Area Plan.

The recommended density within the Urban Residential land use designation in the Central Area Master Plan isn't explicit, however the most comparable land use in the City-Wide Master Plan to the subject property is Urban-Density Residential with a recommended density of six (6) to twelve (12) dwellings per one (1) acre. There are some "double" sized lots in the plan, however the average lot size in the neighborhood is approximately 0.15 acres, or one-sixth (1/6th) of an acre. If every parcel contained a single-family dwelling, the minimum density recommendation has been achieved. If every dwelling on the same six (6) lots was a two-family residence, the recommended density is still achieved. The mixture of single family and two-family residences still achieves the desired residential density of the Central Area Master Plan. Therefore, the proposed use conforms with the Central Area Master Plan.

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

The Change of Zone will not initiate the construction of more housing structures as the dwelling structure is already existing, but provides for another residential unit. The proposed rezoning to a two-family residence would provide for the financial means to rehabilitate the property, eliminating hazardous conditions and enhancing the neighborhood's character. The renovation of the property would still be subject to guidelines and restrictions set forth by the Building Inspections Division and would still be subject to rental inspection approval before tenant occupancy, ensuring any remaining hazards have been removed.

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

a. *Water service*

Water Service provided by BPU.

b. *Sanitary sewer service*

Sanitary Sewer Lines serve the property.

c. *Storm water control*

Storm Water drains naturally with the addition of Gravity Mains and Discharge Points at Leavenworth Road.

d. *Police*

Police service is provided by South Division, #333.

e. *Fire*

Fire service is provided by Fire Station #9, which is just under one third (0.3) miles from the subject property.

f. *Transit*

Public Transit is easily accessible from the subject property. The closest bus stop is approximately 1500 feet South, at North 12th and Central Avenue, which are served by the Central Avenue (102) bus route.

g. *Schools*

Public education is provided by Kansas City Kansas USD 500.

h. *Streets*

The subject property is currently accessible from North 12th Street and Tenny Avenue.

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

This project will allow for the rehabilitation of a two-family home that is currently in extensive disrepair. Ideally this will allow for two (2) additional units to move to Wyandotte County, which ostensibly has a positive economic impact. This renovation is incremental in nature and has a relatively low impact on the County, but will improve the overall character and positively impact the local community by the removal of blight and increased housing.

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

The subject property's proposed use has a high degree of capability to meet ordinance requirements. It was previously used as a two-family rental for several years before its prior owner purchased it in 2005 and continued to meet ordinance requirements up until its prolonged vacancy in 2017. The subject property's proposed use would allow for better compliance of ordinances.

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

There is some local gain to the public in terms of health, safety, and welfare should the property be rezoned. The two-family property would be able to provide for an income to the applicant at a ratio proportionate to funding needed to provide an extensive renovation, where-as a single-family rental may not provide enough, thus leaving the property in a poor condition. The renovation would improve the dwelling's conditions, removing the neighborhood blight and hazards that often result from a long-term vacant property. There may be some minor inconvenience due to any future construction, but that should be considered a temporary inconvenience and not a permanent hardship.

PREVIOUS ACTIONS

- None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting September 23, 2021 by:

1. **Via Zoom Virtual Meeting**

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

KEY ISSUES

Neighborhood Characteristics
Abatement, Blight, and Vacancy
Change of Zone
Parking
Land Use

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application COZ2021-031, subject to:

- 1) The applicant, contractors, subcontractors, and any related third parties shall comply with all applicable codes regarding the renovation, maintenance, and rental condition of the property;
- 2) The subject property shall ensure the conditions of the property eliminate any abatement or other code violations on the property;
- 3) Before resuming tenant occupancy, a rental license shall be obtained and all construction work on the property shall be complete and satisfactory to respective agencies;
- 4) A building permit is required. Please contact the Building Inspection Division at (913) 573-8620 to begin that process;
- 5) If necessary, obtain a right-of-way permit from the Public Works Department to build an apron;
- 6) Applicant 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]. 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; and,
- 7) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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

APPROVAL of **COZ2021-031**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Dwelling Plan Sketches
Building Blocks Property Report Snippets
Neighborhood Meeting Announcement Letter

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing		
Change of Zone	October 11, 2021 Approval	October 28, 2021

STAFF CONTACT: **Kallie McLaughlin**
 kdmclaughlin@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2021-031** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report, and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2021-031**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 1:30:50:

CHANGE OF ZONE APPLICATION COZ2021-031 – JAMES VIENS WITH INTEGRITY DIVERSIFIED HOLDINGS, LLC - SYNOPSIS: Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District to re-establish a duplex which was converted into a single family home at 218 North 12th Street.

Detailed Outline of Requested Action: The applicant, Integrity Diversified Holdings, LLC, has submitted a request for Change of Zone from R-1(B) Single Family Residential to R-2(B) Two Family Residential. The applicant purchased the property with the dwelling divided into two (2) units, save for utilities. The property was zoned previously as a two family dwelling before the area was blanket rezoned in 2006. The Applicant would like to continue with the dwelling in its present two-family unit condition as they intend to rehab the property and make the necessary repairs to split the utilities for future tenants as a rental property.

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

Code Enforcement History: There are numerous outstanding violations from Rental Inspection and Code Enforcement prior to the property being sold to the current applicant. These refer mostly to the poor interior condition of the property with some abatement violations. Refer to Attachment at the end of the document for expanded explanation.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and
7. The Notices to property owners.

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

Present in Support:

- James Viens, applicant, 9350 Nelson Lane, Kansas City, Kansas 66109

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:25:10 : Planning Director Hand stated that the applicant is requesting a rezoning from R-1(B) Single Family District to R-2(B) Two Family District. The applicant purchased the property with the dwelling divided into two (2) units except for utilities. The property was previously zoned as a two-family dwelling before the 12 block area in the Central Avenue Corridor was downzoned in 2006. The property is located close to an elementary school and 12th Street does not go all the way through at 12th and Tenny. Director Hand stated that there are multiple Notices of Violations due to the property being vacant for some time. The applicant is renovating the property and the violations will be cleared up through this entitlement. The applicant will be required to acquire a building permit and have the water meters separated. The applicant will need to acquire a right-of-way permit from the Public Works Department to build a concrete apron on the property to access their off-street parking on the driveway. Staff recommends approval, subject to the conditions in the staff report.

Motion and Vote starts at 1:38:00:

On motion by Mrs. Jones, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zone Application COZ2021-031**:

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

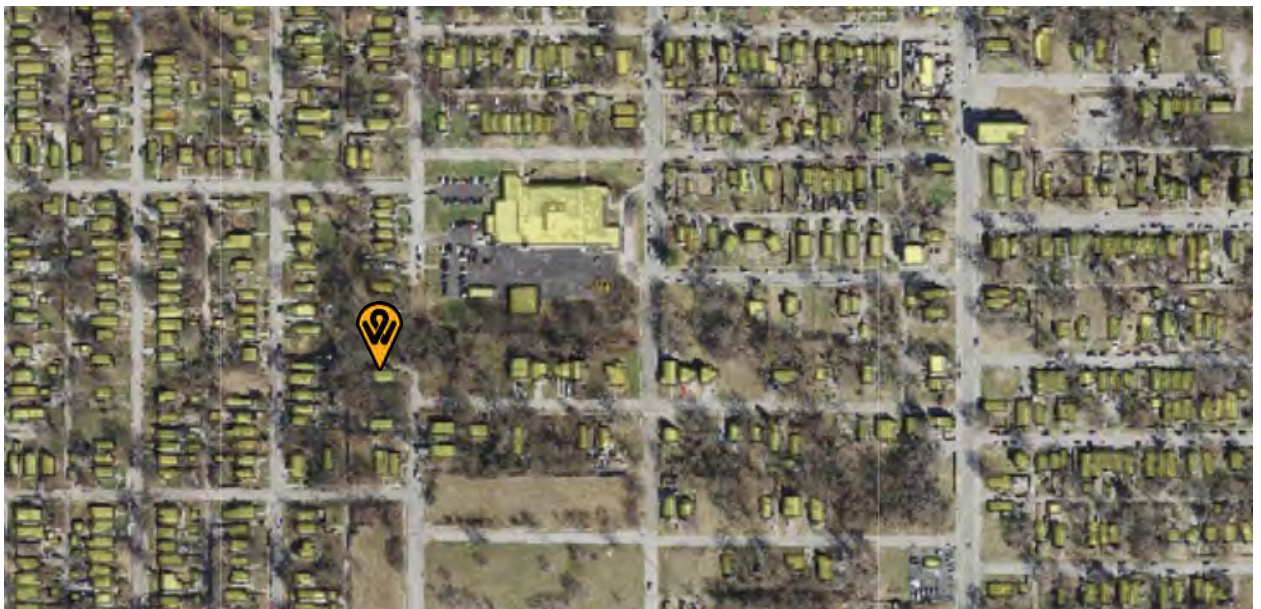
Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

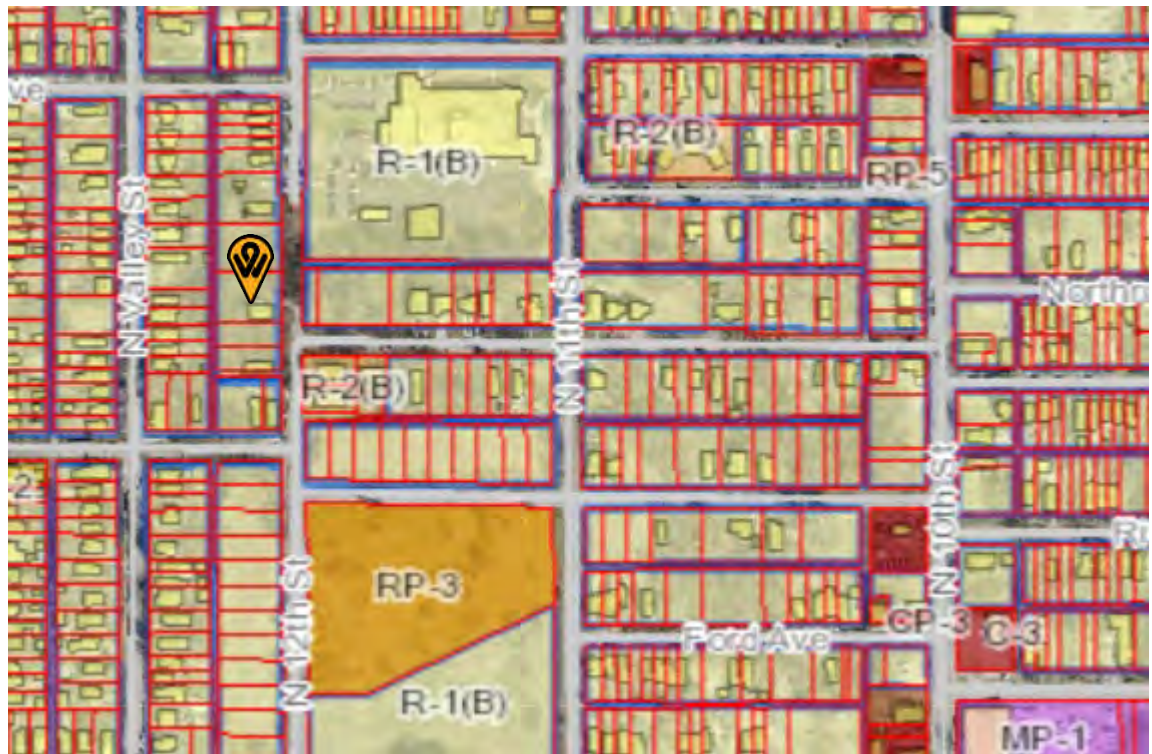
- 1) The applicant, contractors, subcontractors, and any related third parties shall comply with all applicable codes regarding the renovation, maintenance, and rental condition of the property;**
- 2) The subject property shall ensure the conditions of the property eliminate any abatement or other code violations on the property;**
- 3) Before resuming tenant occupancy, a rental license shall be obtained and all construction work on the property shall be complete and satisfactory to respective agencies;**
- 8) A building permit is required. Please contact the Building Inspection Division at (913) 573-8620 to begin that process;**
- 9) If necessary, obtain a right-of-way permit from the Public Works Department to build an apron;**
- 10) Applicant 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]. 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; and,
- 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.

AERIAL MAP



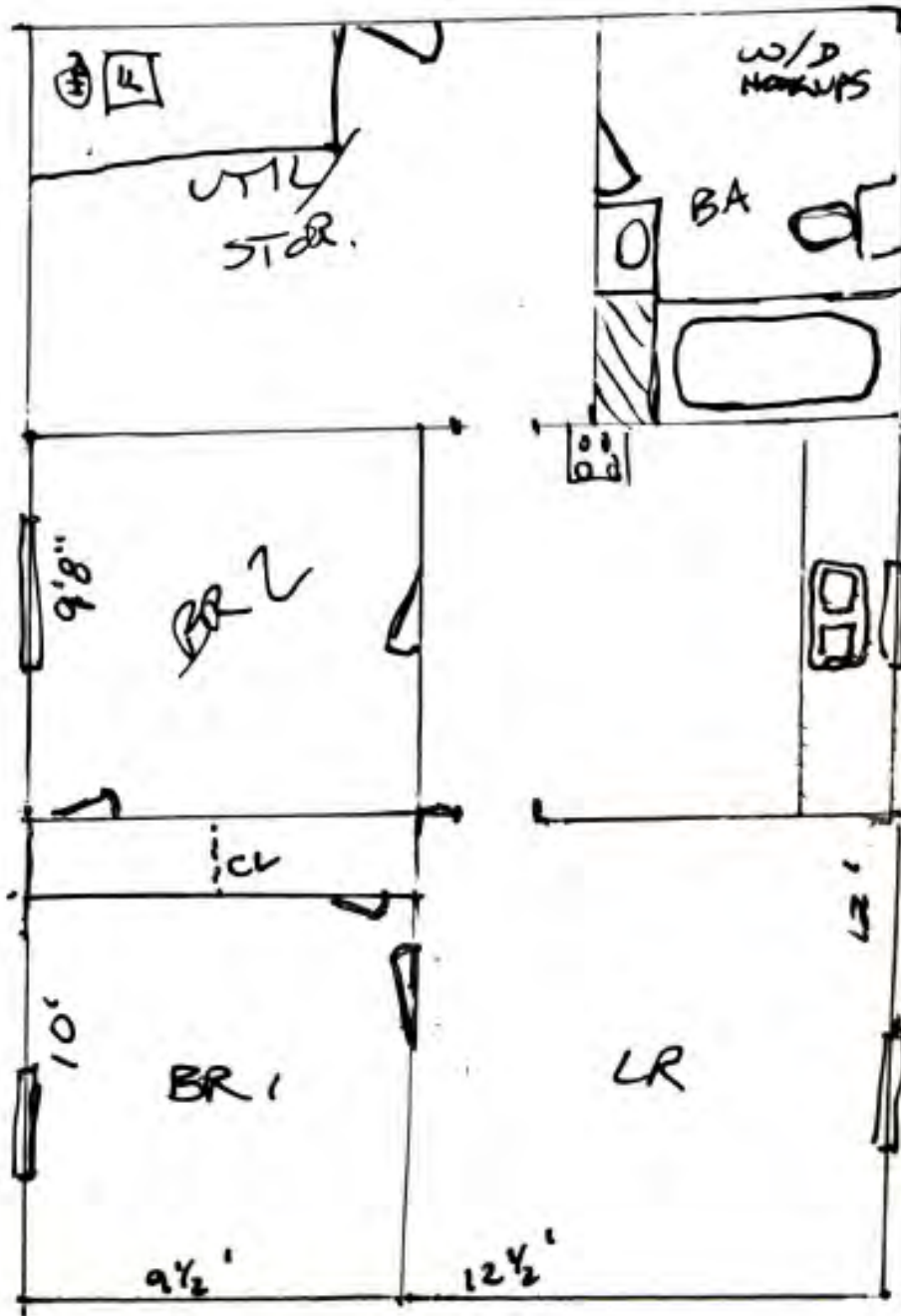
ZONING MAP



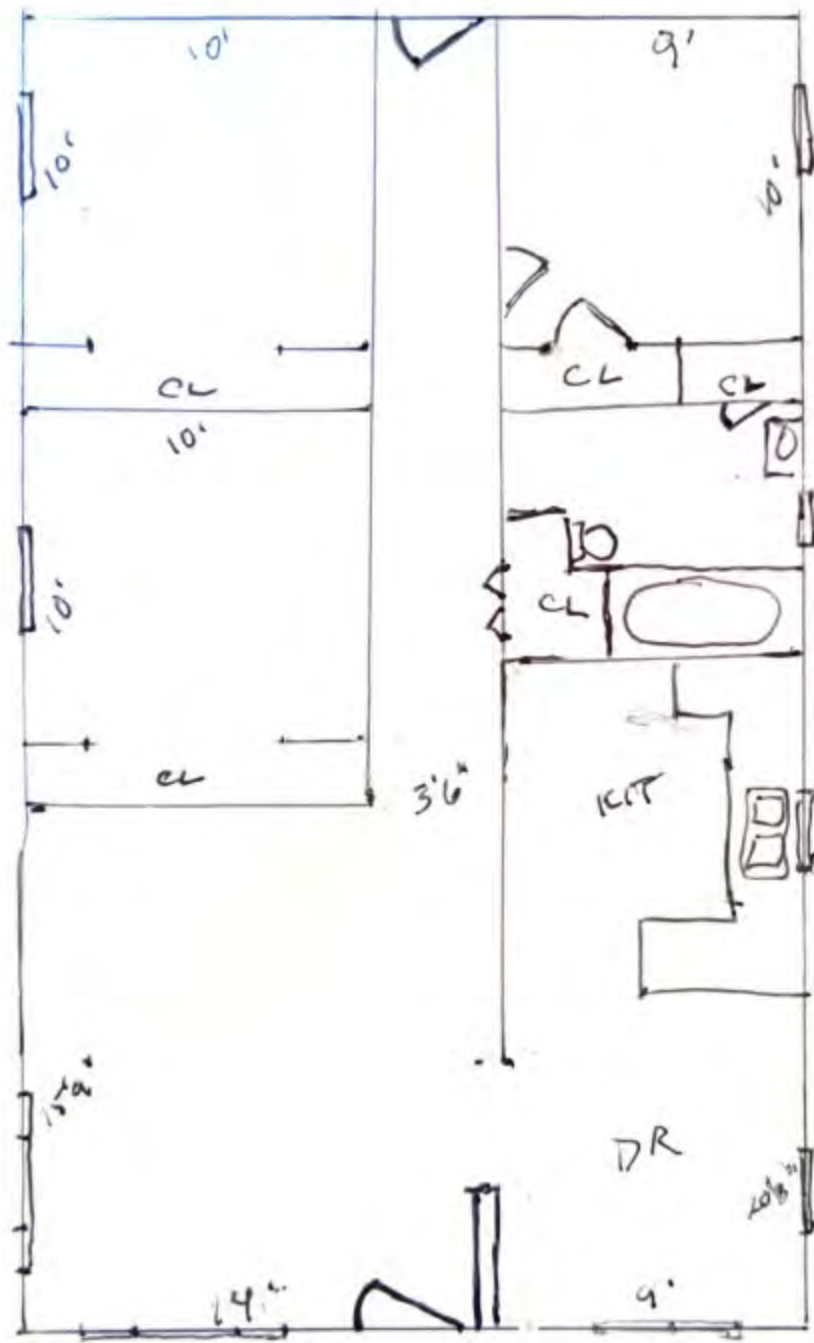
LAND USE MAP



DWELLING PLAN SKETCH (BASEMENT)



DWELLING PLAN SKETCH (MAIN FLOOR)



BUILDING BLOCKS PROPERTY REPORT SNIPPETS



NEIGHBORHOOD MEETING ANNOUNCEMENT LETTER

Date: September 10, 2021

Jim Viens
9350 Nelson Ln
Kansas City, KS 66109

SUBJECT: Neighborhood Meeting

I/We have filed an application with the Department of Urban Planning and Land Use COZ2021-031. The purpose of this is for Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District to re-establish a duplex which was converted into a single family home at 218 North 12th Street.

I/We am having a neighborhood meeting on Thursday September 23, 2021 at 6:30p.m. at the following address [due to COVID restrictions the meeting will be held via Zoom]:

Join Zoom Meeting:
<https://bit.ly/2YCrQu9>

Meeting ID: 856 7458 6169
Passcode: D3mZwg

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

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

Sincerely,
Jim Viens
Jim.viens@gmail.com
913-972-3100



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: October 28, 2021

Re: Petition SP2021-027

GENERAL INFORMATION

Applicant:
Reid Khalil

Status of Applicant:
Owner
AutoMartUSA
7521 Nebraska Avenue
Kansas City, KS 66112

Requested Action:
Approval of a Special Use Permit, a
renewal of SP-2018-91, which expired on
11/29/2020.

Date of Application:
March 26, 2021

Purpose:
To continue operation of an Automotive
Business for Light Maintenance and
Repair.

Property Location:
7521 Nebraska Avenue



Commission Districts:	Commissioner At Large: Melissa Bynum District 5 Commissioner: Mike Kane
Existing Zoning:	CP-2 Planned Business District
Adjacent Zoning:	North: CP-2 Planned Business District South: CP-2 Planned Business District East: CP-1 Planned Limited Business District and CP-2 Planned Business District West: CP-1 Planned Limited Business District
Adjacent Uses:	North: Nursing Home South: Dentist Office and Restaurant East: Daycare Facility West: Medical Office Building
Total Tract Size:	0.64 Acre
Master Plan Area:	City-wide Master Plan
Master Plan Designation:	The City-Wide Master Plan designates this property as Mixed-Use. Mixed-use are areas ideal for integrating complimentary land uses such as retail, offices, small businesses, and mixed-use residential.
Major Street Plan:	The Major Street Plan classifies State Avenue as a Class A Thoroughfare.
Parking Requirement:	Section 27-466(e) requires the use of off-street parking with a ratio of four (4) spaces per 1000 square feet of building area. Section 27-466(c)(5) specifies that automotive servicing uses require off-street parking with a ratio of four (4) spaces per 1000 square feet of total building area. Required parking does not include storage areas. Spaces required: 17 Stalls are required Spaces proposed: 21 Stalls plus 1 ADA Stall
Advertisement:	<u>The Wyandotte Echo</u> – April 15, 2021 Letters to Property Owner – April 16, 2021, May 4, 2021, June 8, 2021, August 3, 2021, October 4, 2021 and October 19, 2021
Public Hearings:	September 13, 2021, October 11, 2021 and October 28, 2021

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: Mr. Reid Khalil, owner of Auto Mart USA and new owner of the commercial property at 7521 Nebraska Avenue, is taking over as the applicant for SP2021-027. Mr. Khalil is requesting a Special Use Permit to continue to operate an automotive business focusing only on Light Auto Maintenance and Repair.

City Ordinance Requirements: 27-464 through 27-470 and 27-592 through 27-606

Code Enforcement History: None.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is comprised of commercial businesses and single-family houses and multi-family housing. State Avenue is one of the major east/west commercial thoroughfares in the Wyandotte Plaza area. It is a mixed-use, suburban neighborhood with residential and commercial uses.

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

The zoning and uses of properties nearby are set out above. The proposed use is considered to be compatible with the nearby uses if the development includes all the required property upgrades and is managed properly.

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

The property is suitable for automotive uses given the existing surrounding commercial uses adjacent to a major thoroughfare. This was a redevelopment of an existing automotive car wash that has the potential to detrimentally affect nearby property. By ordinance, a Special Use Permit is required.

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

The property has been in development for 2 years as an automotive sales, detail, and repair businesses. The property is an existing lot in a built-out commercial area.

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

Special Use Permits are not addressed in the Master Plan. New establishment, expansion, or relocation of Automotive uses require a Special Use Permit prior to operation pursuant to Ordinance O-42-15 as specified in 27-593(b)(19-20).

The City-Wide Master Plan designates the land at 7521 Nebraska Avenue as Mixed-Use. Mixed-use are areas ideal for integrating complimentary land uses such as retail, offices, small businesses, and mixed-use residential. This automotive use only partially conforms to the Master Plan because its is a higher level commercial use located in proximity to residential uses compared to the adjacent major thoroughfare.

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

The proposed use will inherently result in the increase of vehicular traffic. The additional vehicular traffic created by the proposed use is not expected to result in the increase of traffic to the point where it would impact the capacity of the Class A thoroughfare. There is also the question about the possibility of larger vehicles, tow trucks, and trash trucks needing to access the property for vehicle delivery or trash servicing. The site already includes an entrance off Nebraska Avenue and off of North 75th Place for property access.

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

The proposed use is not reasonably necessary for the convenience nor welfare of the public because the addition of car sales without any expansion of area will lead to higher use density and difficulty in screening the use from public view. The proposed use will likely substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property if not managed properly.

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

Noise, vibration, dust, and illumination are normally associated with the proposed uses, and it may be an issue to surrounding uses. The proposed use will likely create problems for nearby properties if not properly managed and screened.

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

The proposed use should not pollute the air, land or water if managed properly. The proposed use is often associated with the potential for chemical leaks,

hazardous waste, and runoff. If improved surfaces are managed properly and cleaned in a timely manner, groundwater contamination will not be a problem as long as there are no cracks that can allow direct seepage directly into the ground.

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

The proposed use should not result in the damage or destruction of an irreplaceable natural resource as it is located in an existing, built-out industrial area.

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

If this Special Use Permit is denied, the applicant will have to stop operation of the automotive business at 7521 Nebraska. The relative gain to the public health, safety, and welfare as compared to hardship imposed on the landowners is minimal.

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

The proposed use should not result in the overcrowding of land if it is properly managed and operates within the required conditions. The parking of cars on site may become an issue if not managed properly. The proposed use will not cause undue concentrations of population as it is a commercial use.

PREVIOUS ACTIONS

Special Use Permit SP-2018-91 (Expired 11/29/2020)

NEIGHBORHOOD MEETING

A neighborhood meeting was held on April 21, 2021. The meeting minutes stated that, "None of the attendance included the neighborhood meeting letter recipients. The owner of the project and the applicant were the only two in attendance." The applicant referred to receiving a phone call days before the meeting expressing concerns with the trash on the property.

KEY ISSUES

Pedestrian Access
Noise, illumination, and vibration
Site access
Inventory management
Site management and control of wastes
Parking
Building upgrades, parking lot upgrades, and property upgrades compliant with Commercial Design Guideline standards
Completion of building and site development to close the outstanding building permit.
Conformance with City-Wide Master Plan
Screening from adjacent public right of way

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **DENIAL** of Special Use Permit Application SP2021-027, **due to the continued outstanding unresolved issues and overall non-compliance and the reasons outlined by staff.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

Planning and Urban Design Comments:

The comment answers listed below reflect the responses from the new owner/applicant as submitted to Staff on August 6, 2021, and August 21, 2021. A document containing the comment/response history prior to August 6, 2021, is attached to this report.

General Planning:

1. **Staff Comment Update:** This application was heard by the City Planning Commission on September 13, 2021. The City Planning Commission referred the applicant back to Planning and Urban Design to address all outstanding items noted on this report. No additional documents were provided to Planning and Urban Design. The applicant did not respond to email contact on September 20, 2021. The applicant was offered the opportunity to set a meeting with Director Hand and Planning and Urban Design. On October 4, 2021, the applicant notified Executive Assistant Janet Parker that he was “not interested in meeting with anyone, he will take legal action against us, and will see us in court.” Email attached to this report.
2. **Staff Comment Update:** On September 13, 2021, Staff observed a real estate sign had been posted on the property. Photo attached to this report.

3. Describe your proposed use in detail. Include scope of services provided, scale of operation and numbers of vehicles, number of expected employees, historical and projected vehicle sales volume, percentage of business that is sales, and percentage that is maintenance, average sales inventory volume, etc. Elaborate on any changes since the approval of the previous Special Use Permit (SP-2018-91).

Applicant Response: 7521 Nebraska Ave will be used for light maintenance auto repair. No Car Sales or Leasing transactions will be done at that location at this point.

4. This Special Use Permit will apply only to 7521 Nebraska Avenue. There cannot be any shared work, inventory, storage, or property access with another business or another property under this Special Use Permit.

Applicant Response: Owner acknowledge and will comply with the comment.

5. Will vehicles ever be towed to the shop from accidents? If so, how will tow trucks access the property? Where will vehicles with accident damage be stored?

Applicant Response: Yes, customer vehicles that are mechanically inoperable will be, on rare occasions, towed to the shop. No vehicle with accident damage (body damage) will be allowed to be towed to or stored on the property.

6. Where will customers park and pick up and drop off vehicles at this business? The site plan shows 22 parking stalls on site, 20 of which are designated for sales inventory display or storage. Based on the building square footage, per sec 27-466, seventeen (17) parking stalls are required. Required parking stalls are for parking by customers, employees, and the public. Required parking stalls do not include storage or display parking.

This issue was raised on the staff report for SP-2018-91, indicating that the applicant should revise and resubmit plans. The applicant response stated: We acknowledge the need for additional spaces. Please see sheet AS1 for additional parking spaces and their dimensions [Rev 11]

Sheet AS1 rev 6/08/2020, submitted 3/26/2021, does not satisfactorily show the requested information. Revise and resubmit to show at least the minimum 17 required parking stalls provided, designated for parking, and accessible to the public on the site. Otherwise, a separate variance application for reduced parking will be required before this application can be considered.

Applicant Response (8/06/2021): There are 18 parking spots and that should be more than sufficient for customer and employee parking. Any inoperable vehicle will be stored inside the shop (inside the bays).

Applicant Response (8/21/2021): A PARKING PLAN PRIORITY 1,2,3,4 WITH DIMENSIONS WAS SUBMITTED ON REVISED PLAN ON JUL 30TH TO EDR. PLEASE UNDERSTAND THIS PARKING LOT IS ONLY FOR AUTO REPAIRS TO FIX OUR CARS ONLY. WE WILL NOT DEAL WITH OUTSIDE CUSTOMERS.

Staff Response: A required number of parking spaces must be provided on property as specified in Sec 27-667 through Sec 27-776, regardless the anticipation of public access or use. The referenced "*priority 1,2,3,4*" refers to: Required parking, Sales Inventory parking, Operable Vehicle storage, and Inoperable Vehicle storage, respectively. Applicant responses to items 4, 5, and 8 indicate that this information is outdated.

7. How many cars do you intend to keep as sales inventory? **The response to this item shall be reconciled with the response to item #4 above.**

Applicant Response: Not applicable. No inventory for car sales at the present time.

8. What are your intended hours of operation?

Applicant Response: 8:00 AM – 6:00 PM (Mon – Sat)

9. Must register and maintain annually a business license with the Business Licensing Department for all uses on the property.

Applicant Response: New Owner Has complied with this comment. Please see attached occupation tax cert. Also, we will comply with all the Business license requirements annually.

10. All vehicles for sale on the property must be in the inventory of the licensed dealership and reflected in the dealership inventory register paperwork.

As of the date of this report, there is no record of a valid current registration of any business activity at 7521 Nebraska Avenue.

Applicant Response: Not applicable. Owner will not have vehicles for sale and does not have a Kansas Dealership license.

11. No on-street parking of any vehicles. All vehicles on-site for sales, repairs or maintenance must be stored on the property. Vehicle storage on the property must be fully compliant with all ordinance regulations and must be completely

screened from public view from all sides by an architectural screening fence that is fully compliant with Commercial Design Guidelines and the specifications in a CP-2 Planned Business District.

Applicant Response: We acknowledge and will comply with the comment.

12. Auto repair or servicing shall not occur outside or in public view at any time to any degree.

Applicant Response: We acknowledge and will comply with the comment.

13. Inoperable vehicles are only allowed to be stored inside the enclosed building. Any inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with 27-466. As currently designed, no compliant outside storage area is provided on the site. Any outside storage may not reduce the availability of all required parking spaces.

Applicant Response: We acknowledge and will comply with the comment.

14. The auto sales and auto repair businesses must at all times operate within the restrictions of a CP-2 Planned Business District as detailed in 27-466 and in compliance with all requirements of this Special Use Permit in Sec 27-593.

Applicant Response: We acknowledge and will comply with the comment.

15. No storage or warehousing of salvage or wrecked automobile parts on the property. Storage of salvage parts requires M-3 Zoning and a separate Special Use Permit.

Applicant Response: We acknowledge and will comply with the comment.

16. The Special Use Permit requires final site plans prepared by a Professional Engineer licensed in the State of Kansas. Provide a final site plan showing property lines, existing buildings, proposed parking spaces, drive aisles, building elevations, fence elevations, gate details, trash enclosure details, etc., as applicable in accordance with UG standards and criteria.

Applicant Response: We acknowledge and will comply with the comment.

17. Vehicles shall not be parked in the right of way of Nebraska Avenue or North 75th Place in front of the property. Vehicles shall not park on Nebraska Avenue or North 75th Place at any time.

Applicant Response: We acknowledge and will comply with the comment.

18. 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.

Applicant Response: We acknowledge and will comply with the comment.

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 [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.

Applicant Response: We acknowledge and will comply with the comment.

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

Applicant Response: We acknowledge and will comply with the comment.

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.

Applicant Response: The new owner is working diligently to accomplish all outstanding issues, however a Temporary Certificate of Occupancy (TCO) was granted, please see attached copy, to operate while completing all ousting issues.

Staff Response: A Temporary Certificate of Occupancy was approved by Directorial Exception on promise to complete outstanding work, but that only allows the business to occupy the structure. This Special Use Permit approval is required before an automotive business can operate.

22. This Special Use Permit is not valid for the approved use to be in operation until all the outstanding development items related to the expired Building Permit are corrected and receive inspection and approval through the Developmental Review Committee. This shall require the applicant or property owner to meet all requirements to receive approval for a Final Certificate of Occupancy for the now expired Building Permit 19300-00001. The applicant or property owner must obtain all required permits to renew any building permits to complete this requirement.

Applicant Response: The new owner is working diligently to accomplish all outstanding issues, however a Temporary Certificate of Occupancy (TCO) was granted, please see attached copy, to operate while completing all outstanding issues.

Staff Response: A Temporary Certificate of Occupancy is separate from the required Special Use Permit. This Special Use Permit approval is required before an automotive business can operate.

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

Applicant Response: Will comply with the comment and the new owner is working diligently to accomplish all outstanding issues, however a Temporary Certificate of Occupancy (TCO) was granted, please see attached copy, to operate while completing all outstanding issues.

Staff Response: Planning Staff does not support this application and is including a recommendation for denial of this application for the reasons listed in the Staff Recommendations section of this report. However, should the City Planning Commission find reason to approve this application, the duration should not be more than **one (1) year** based on the historical record of non-compliance on this property.

Building Architecture:

1. Provide a comprehensive plan set to include: Site plan, Building floor plan and elevations, parking lot layout and parking stall count, and details for sidewalks and ADA access. Provide elevation details for fences and columns, landscaping requirements and commercial design guideline compliant elements. Provide a color and materials detail palette for this design.

Applicant Response (8/06/2021): Plans have been submitted to Mr. Faust, via E-mail, addressing all changes for the new SUP. Please advise if paper plans are required, if yes, what size of paper (11X17, or 24X36).

Staff Response: The most recent plan revision (Sheet AS-1, Revision 7/26/2021) is attached to this report. That revision does not include all of the requested items listed in this question.

2. All four (4) building facades must be finished in masonry materials of a distinctive color. Concrete masonry units are not allowed to be the finish material. The facades must be 100% covered in a masonry material, either brick, stone, or stucco. The lower third of the building on all sides must have stone or brick wainscoting using a different material from the building façades.
 - a. The submitted plan set shows stucco coating on all four (4) building facades and the exterior of the trash enclosure. The site is constructed with painted concrete block. This is not compliant with the Commercial Design Guidelines nor the Special Use Permit requirements in sec 27-593. Complete construction of the site to meet all requirements.

Applicant Response (8/06/2021): The building façade issue has been reviewed and accepted during the meeting held on 08-02-2021 by Mr. Rob Richardson and Mr. Gunner Hand. The owner was informed in the presence of Mr. Faust that no more faced work or brick work is needed or will be required for the building. The building façade is acceptable as it is.

Applicant Response (8/21/2021): YOU TOLD ME IN THE AUG 2ND MEETING THAT NO MORE FACADE WORK WILL BE NEEDED AND THE BRICK IS ACCEPTABLE AS IS. WE ARE FINISHED WITH THAT AND THE BUILDING AS IT LOOKS GOOD AND THERE IS NO NEED TO REPAINT OR REGROUT.

Staff Response: The referenced meeting on August 2, 2021 was related exclusively to the issues related to obtaining a TCO on this project. It was at that meeting when the applicant presented a photo of the building façade to show that it was painted brick and not painted concrete block. That was the first instance where the question was raised. Director Richardson (DDCCSS) suggested that the brick could be kept as part of the existing building. Further research showed that the present color of the brick was not original to construction. The

mandatory requirement to strip off paint and restore brick to original condition is specified in the requirements of Ordinance O-42-15 as listed in Sec 27-593(b)(19-20). In accordance with Sec 27-574(h), Sec 27-593(b)(19-20) shall govern as the more restrictive requirement. The applicant was informed of this information by email and presented with two options: 1) Continue with stucco as on the approved plans; or, 2) Strip off the paint and restore the brick as required in Sec 27-593(b)(19-20). As shown above, the applicant has refused both options.

3. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
 - a. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - b. Field painted or prefinished corrugated metal siding;
 - c. Complete construction of the site to meet all requirements.

Applicant Response: The building façade issue has been reviewed and accepted during the meeting held on 08-02-2021 by Mr. Rob Richardson and Mr. Gunner Hand. The owner was informed in the presence of Mr. Faust that no more faced work or brick work is needed or will be required for the building. The building façade is acceptable as it is.

Staff Response: The referenced meeting on August 2, 2021 was related exclusively to the issues related to obtaining a TCO on this project. It was at that meeting when the applicant presented a photo of the building façade to show that it was painted brick and not painted concrete block. That was the first instance where the question was raised. Director Richardson (DDCCSS) suggested that the brick could be kept as part of the existing building. Further research showed that the present color of the brick was not original to construction. The mandatory requirement to strip off paint and restore brick to original condition is specified in the requirements of Ordinance O-42-15 as listed in Sec 27-593(b)(19-20). In accordance with Sec 27-574(h), Sec 27-593(b)(19-20) shall govern as the more restrictive requirement. The applicant was informed of this information by email and presented with two options: 1) Continue with stucco as on the approved plans; or, 2) Strip off the paint and restore the brick as required in Sec 27-593(b)(19-20). As shown above, the applicant has refused both options to complete the work.

4. Must install and maintain proper parking lot striping and ADA requirements.
 - a. The parking lot shall be redesigned to provide the required parking stalls and inventory storage areas, with proper markings to designate and distinguish the three categories of parking, or else a separate variance application will be required before this application can be considered.

Applicant Response: We acknowledge and complied with the requirement.

5. Provide a scaled site plan indicating designated parking. Every vehicle must be in a designated, striped parking space. How many spaces for employee and customer parking? How many spaces for sales inventory? Where will vehicles in various states of repair/disrepair be stored? The parking lot layout shall show designated parking separating the cars for sale inventory from the parking of repair vehicles and customer and employee parking. The parking lot details shall show standard parking stall dimensions of nine (9) feet wide by eighteen (18) feet long and include dimensions for required drive aisles and ADA accessible spaces and access aisles. The parking lot will require landscape screening on the east, south, and west sides, as well as an architectural screening fence around the rear lot. The parking provided shall be prioritized as follows:
 - a. 1st priority to parking stalls for all required off-street parking for customers, employees, and the public.
 - b. 2nd priority to parking stalls for display of vehicles for sale.
 - c. 3rd priority to parking stalls for outside storage of operable vehicles inventory.
 - d. 4th priority to parking stalls for outside storage of inoperable vehicles {only allowable if located behind the required architectural screening fence and compliant with section 27-466}

Applicant Response: New submitted plan reflects the changes and shows all the details.

Staff Response: The plan revision (rev 7.26.2021) does not include all of the requested information.

6. Approval allows no more than a **zero (0)** inventory at this site.

Applicant Response: We acknowledge this comment. However, since the property use will be for Auto light repair, there will be no Inventory at this site.

Staff Response: Based on applicant responses on this issue, there will be zero sales inventory vehicles allowed on the property under this Special Use Permit. Any vehicles on the property must meet all requirements for both parking and storage at all times.

7. The entire site will need the pavement to be resurfaced and restriped. Add interior curbing to the entire parking lot and include concrete wheel stops at the front of all parking stalls and include detail sheets for dimensions and placement.

Applicant Response: The current condition of asphalt pavement and concrete curbing appear to be in good shape. Necessary steps will be taken to reseal and restripe if necessary. New Plan submitted show new wheel stopper on new added parking spots.

Staff Response: Site photos from April 2021 show different areas of the property where the asphalt is cracked or damaged and should be resealed as a prevention measure against stormwater contaminants leeching into the groundwater. The revised site plan does not show wheel stops along the east parking aisle. Wheel stops are required to ensure proper two-foot overhang on these parking stalls given the close proximity to the wood screening fence at the east property line.

8. Any building mounted lights must be hooded or controlled to direct light 90 degrees downward and to prevent horizontal glare. Sec 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 foot candle as measured from said property line.

Applicant Response: We acknowledge this comment and have complied with it. All lights on East side have been changed to comply with the changes. Northside light has been removed and eliminated.

9. Sec 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.

Applicant Response: We acknowledge the comment and have complied.

Landscaping and Screening:

1. Must plant remaining landscape elements in the northwest property corner and other property upgrades to comply with the commercial design guideline standards.

Applicant Response: We acknowledge and have complied with this comment. Please see new submitted plan. Also, more landscaping will be finished by the end of next week to compensate for the elimination of the monument sign.

2. Complete installation of screening panels around the wall-mounted HVAC unit, gas pipe, and electrical panels.

Applicant Response: We acknowledge this comment and have completed the installation and painting of the AC Condenser Panels. Please see attached photo.

3. Add additional landscaping elements to screen the gas meter in the west parking lot island.

Applicant Response: We acknowledge this comment and have complied with the screening of the gas meter.

4. A black metal open fence was installed on the northern edge of the parking lot from the east property line and wooden fence to the northwest corner of the building wall. This fence is not reflected on the submitted plans. This fence is not compliant with the Commercial Design Guidelines. This is a Planned Business District and new fences must be reviewed. Add this fence to revised plans, including elevations and material details, and show the required masonry columns with matching materials.

Applicant Response: The new submitted plan shows the Rot-Iron fence. As agreed to in the Aug 2nd meeting, The Rot-Iron fence will be modified to have 20" X 20" X 72" Stucco Posts at a max of 32 running Ft spans. The Stucco Posts will match the look and color of the stucco posts on the existing wood fence.

Staff Response: Staff has not received a revised plan set or plan sheet with this information included.

5. A chain link fence was installed on the southern property line sometime after the last inspection on 6/18/2020. New installations of chain link fence are not allowed in Commercial Districts and are not compliant with the Commercial Design Guidelines. The southern fence must be upgraded to either a CDG compliant solid screening fence with solid metal panels and masonry columns, or a CDG compliant open metal fence with masonry columns. It is not allowed to add material to an open fence in order to increase its opacity for screening purposes. Revise plans and resubmit.

Applicant Response: As agreed to in the Aug 2nd meeting, the chain-link fabric will be removed, and a wood screening fence will be installed and supported by metal posts and supports instead.

Staff Response: The applicant was requested by email on 8/20/2021 to provide additional details regarding the fences that were built without approval:

"Revised drawings and details for your fence that clearly shows in plan and elevation the design of the architectural fence and its masonry columns. When you were submitting revisions directly to staff and not to EDR@wycokck.org, we may not have received the revised plans that you say was submitted and shows this information. If you could please resubmit those plans to the email above that would be much appreciated." The applicant responded: A REVISED PLAN WAS EMAILED TO FAUST AND ON JULY 30TH TO EDR THAT SHOW BOTH FENCES ON THE PROPERTY WITH DETAILS .

Staff did not receive any such plan revision or details.

Staff has reiterated that any conversation at the August 2, 2021 meeting was related to the request for a TCO, items related to fences in this staff report are required by ordinance and cannot be exempted.

6. Upgrade the damaged trash enclosure doors to heavy duty metal framing and posts and change the wood pickets to solid metal panels painted to match the building color palette. Install the stucco covering around the exterior of the trash enclosure. Remove the trash dumpster from the northern driveway and place the trash dumpster inside the enclosure. Trash enclosure doors shall remain closed at all times except when the trash dumpster is being serviced.

Applicant Response: The Trash enclosure doors have been upgraded with heavy metal doors and all the walls have been textured with stucco.

Staff Response: Given the new parking lot layout as shown on plan sheet AS-1 (rev 7.26.2021) with two parallel parking aisles, the applicant was requested to provide more information on a plan revision of what path would be made available for trash trucks to enter the property and service the trash dumpster inside this enclosure. The applicant did not provide the requested information.

7. All landscape elements must be served by an automatic irrigation system.

Applicant Response: As agreed to in the Aug 2nd meeting, this comment regarding the automatic irrigation system apply only to new development. Existing development shall have the option to submit a watering plan per the ordinance sec 27-577 (f) Maintenance. The new submitted plan shows a detailed watering plan for the site.

Staff Response: The applicant included watering plan information on plan sheet AS-1 (rev 7.26.2021).

8. Must install a 5-foot-wide concrete sidewalk along the north side of the property along Nebraska Avenue and from the northeast corner to the northwest corner. Must install a 5-foot-wide concrete sidewalk along the west side of the property along North 75th Place, from the northwest corner to the southern property line. Applicant is responsible for acquiring all required construction and right-of-way permits.

Applicant Response: We acknowledge this comment and will comply. As discussed, and agreed to before, we will install a sidewalk along 75th place street to meet up with sidewalk to the south. One major issue that we are facing with this sidewalk is that there is a power pole in the middle of the island and more research needs to be done to figure out the best way to install the sidewalk.

Staff Response: Staff has requested that the applicant submit more sidewalk details on the site plan sheet AS-1, that shows “the sidewalks along both 75th Place and Nebraska Avenue, as well as a direct pedestrian connection to the front door of your business that is separate from your driveway for automobiles.” Staff has not received all of the requested information.

The applicant responded, “IT WAS AGREED TO BY YOUR STAFF THAT THE SIDEWALK ALONG NEBRASKA AVE IS NOT NECESSARY SINCE IT GOES NOWHERE AND THERE IS NO SIDEWALK TO CONNECT TO. READ THE ANSWERS TO THE COMMENTS ON MAY 17TH. ALSO, THE REVISED PLAN THAT WAS EMAILED TO EDR HAS A REVISED SIDEWALK PLAN FOR 75TH PL. WE CAN NOT CONNECT TO THE EXISTING SIDEWALK DUE TO THE POWER POLE.”

Staff Response: It was never agreed to omit any of the required sidewalks. The reference to May 17th refers to a comment from the previous applicant who suggested a reason to omit the sidewalk along Nebraska Avenue. That was never approved by Staff. Both sidewalks and the pedestrian access walkway are required on this project. It is the obligation of the applicant to present a solution to any barrier to providing the required sidewalks.

Signage:

1. Must obtain a sign permit for all signage.
 - a. At the time of this report, there are no existing sign permits on file for any signs at 7521 Nebraska Avenue. A site inspection showed 15 signs installed that require sign permits.

Applicant Response: We acknowledge and will comply.

2. The proposed monument sign has not been installed. Install the monument sign and complete the associated landscaping. Acquire the required sign permit for a monument sign.

Applicant Response: The monument sign has been eliminated and the new submitted plan reflects that change.

3. No attention attracting devices/signage are permitted on-site.

Applicant Response: We acknowledge and will comply.

4. No signage is permitted in the public right of way, sec 27-722.

Applicant Response: We acknowledge and will comply.

5. All businesses located at this property must operate in compliance with the Sign Ordinances at all times.

Applicant Response: We acknowledge and will comply.

Planning Engineering Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval:
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition **SP2021-027**, subject to all comments and suggestions outlined in this staff report, recommendation of the City Planning Commission, and reasons summarized by the following:

- 1) **Staff Comment Update:** This application was heard by the City Planning Commission on September 13, 2021. The City Planning Commission referred the applicant back to Planning and Urban Design to address all outstanding items noted on this report. No additional documents were provided to Planning and Urban Design. The applicant did not respond to email contact on September 20, 2021. The applicant was offered the opportunity to set a meeting with Director Hand and Planning and Urban Design. On October 4, 2021, the applicant notified Executive Assistant Janet Parker that he was “not interested in meeting with anyone, he will take legal action against us, and will see us in court.” Email attached to this report.
- 2) **Staff Comment Update:** On September 13, 2021, Staff observed a real estate sign had been posted on the property. Photo attached to this report.
- 3) **Applicant has not provided all required documents, plan revisions, and design and materials information related to this development.**
- 4) **Applicant has refused to adopt design details that are required by Ordinance O-42-15 as specified in Sec 27-593(b)(19-20).**
- 5) **Applicant has refused to adopt design details specified by Planning Staff which are required by the Commercial Development Guideline Overlay District regulations and as specified in Sec 27-573 through 27-578, and Sec 27-593(b)(19-20).**
- 6) **Applicant has not continued to retain the Architect of Record for this project.**
- 7) **Applicant remains out of compliance with the regulations for a CP-2 Planned Business District.**

ATTACHMENTS

September 13, 2021 City Planning Commission Minutes
October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photographs Provided by Staff (Dated 4/15/2021, 8/02/2021, and 9/13/2021).
Photographs Provided by Applicant (Submitted 8/16/2021)
Building Inspection Report for this property development with outstanding issues (Dated 6/18/2020).
Building Inspection Report for this property development with outstanding issues, TCO Approval by Directorial Exception. (Dated 8/02/2021).
Letter from Architect (former applicant) in support of this application (Dated 3/26/2021).
Revised Architectural Plan, Sheet AS-1 {Revision 7/26/2021} (Submitted by Applicant 8/16/2021).
Architectural Plans, Sheets AS1 and A3 {Revision 6/08/2020} (Submitted by Applicant 3/26/2021).
Comment Letter from Wyandotte County Conservation District (Dated April 13, 2021)
Copy of Email from Janet Parker (Submitted 10/04/2021).
Copy of Email from BPU Engineering (Submitted by Applicant 8/16/2021)
Copy of Email attachment Letter from Staff to new applicant requesting new responses to Staff Report Comments. (Dated 8/06/2021).

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 13, 2021	
SUP	Held Over October 11, 2021	October 28, 2021
	Denial	

STAFF CONTACT: **Jason Faust**
 jfaust@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition **SP-2021-027**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-027** as meeting all the requirements of the City code and being in the interest of the

public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

September 13, 2021 City Planning Commission Minutes:

Hearing starts at 1:57:49:

SPECIAL USE PERMIT APPLICATION SP2021-027 – 7521 NEBRASKA AVENUE – SYNOPSIS: Special Use Permit for continuation of auto sales, detailing and light repair at 7521 Nebraska Avenue (SP-2018-91 expired 11/29/2020).

Detailed Outline of Requested Action: Mr. Reid Khalil, owner of Auto Mart USA and new owner of the commercial property at 7521 Nebraska Avenue, is taking over as the applicant for SP2021-027. Mr. Khalil is requesting a Special Use Permit to continue to operate an automotive business focusing only on Light Auto Maintenance and Repair.

City Ordinance Requirements: 27-464 through 27-470 and 27-592 through 27-606

Code Enforcement History: None.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 13, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners.

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

Present in Support:

- Reid Khalil, applicant, AutoMartUSA, 7320 Troost Avenue, Kansas City, Missouri 64131

Present in Opposition:

- No one appeared

Chairman Carson asked Director Hand for clarification as the applicant stated that the ordinance does not require a Special Use Permit for what he wants to do. Planning Director Hand stated that a Special Use Permit is required for auto repair and auto sales regardless of the history of this property.

Staff Recommendation starts at 2:05:25: Planning Director Hand stated that the applicant has not submitted the materials needed for Staff to complete its review and the applicant requested that this application be heard tonight knowing that Staff would recommend denial since the review could not be completed. Staff recommends denial.

Chairman Carson asked if a 30-day holdover would be beneficial to work out the review issues. Director Hand stated that if the applicant would respond to the draft staff report and provide the requested materials, Staff would agree with a hold over. However, the applicant has stated that he refuses to do so. Chairman Carson asked the applicant if he wants to proceed with a recommendation on the application this evening or hold over the application to work with Staff on the requested items as Staff has determined that a Special Use Permit is required. Mr. Khalil cited sections in the code as to why he does not believe a Special Use Permit is necessary. Deputy Chief Counsel Waters stated that if the applicant disagrees with the interpretation of the Director of Planning, he can file a variance with the Board of Zoning Appeals. Legal Counsel confirmed that his is not the Body to appeal that interpretation. Counsel Waters stated that he stands with the interpretation of Director Hand.

The Planning Commission directed questions to the applicant as to why he does not want to renew his Special Use Permit. Mr. Khalil stated due to the requirements being requested by Staff.

Motion and Vote starts at 2:14:40:

On motion by Ms. Pauley, seconded by Mrs. Jones, the Planning Commission voted as follows to **HOLD OVER** Special Use Permit **SP2021-027 for the Staff and applicant to work together on a resolution:**

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

MOTION to HOLDOVER Passed: 8 to 0

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 1:39:00:

SPECIAL USE PERMIT APPLICATION SP2021-027 – 7521 NEBRASKA AVENUE – SYNOPSIS: Special Use Permit for continuation of auto sales, detailing and light repair at 7521 Nebraska Avenue (SP-2018-91 expired 11/29/2020).

Detailed Outline of Requested Action: Mr. Reid Khalil, owner of Auto Mart USA and new owner of the commercial property at 7521 Nebraska Avenue, is taking over as the applicant for SP2021-027. Mr. Khalil is requesting a Special Use Permit to continue to operate an automotive business focusing only on Light Auto Maintenance and Repair.

City Ordinance Requirements: 27-464 through 27-470 and 27-592 through 27-606

Code Enforcement History: None.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners.

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

Recording Secretary Parker stated that this application was held over from last month's meeting for the applicant and staff to work together on a resolution.

Present in Support:

- No one appeared

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:40:50: Planning Director Hand stated that Staff reached out to the applicant and his response is included in the staff report. Staff does not believe that the applicant will be present this evening. Staff attempted to work with

the applicant throughout the process. There was a change of ownership which made things confusing. At the September meeting, the applicant cited an ordinance section requires this as an allowed use in the zoning code classification. Director Hand stated that that is one (1) of several ordinances relating to this type of use. A Special Use Permit is also required for this specific use. This is a former car wash that has been converted to the automotive use, but was never opened. The applicant was the operator and purchased the building and business from the property owner and previous applicant. Staff requested changes to the site plan and elevations relating to the Commercial Design Guidelines and some changes were submitted. The applicant has communicated to staff that they will not communicate with the Staff anymore. Staff recommends denial due to lack of requested materials and answers to questions.

Commissioner Jones asked about the real estate sign on the property and Director Hand stated that Staff has seen the sign, but as the applicant is not communicating with Staff, Staff does not know the status of the property.

Planning Commission directed questions to Staff.

Motion and Vote starts at 1:51:15:

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend DENIAL of Special Use Permit SP2021-027 due to the continued outstanding unresolved issues and overall non-compliance and the reasons outlined by the staff:**

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

MOTION to recommend DENIAL Passed: 5 to 0



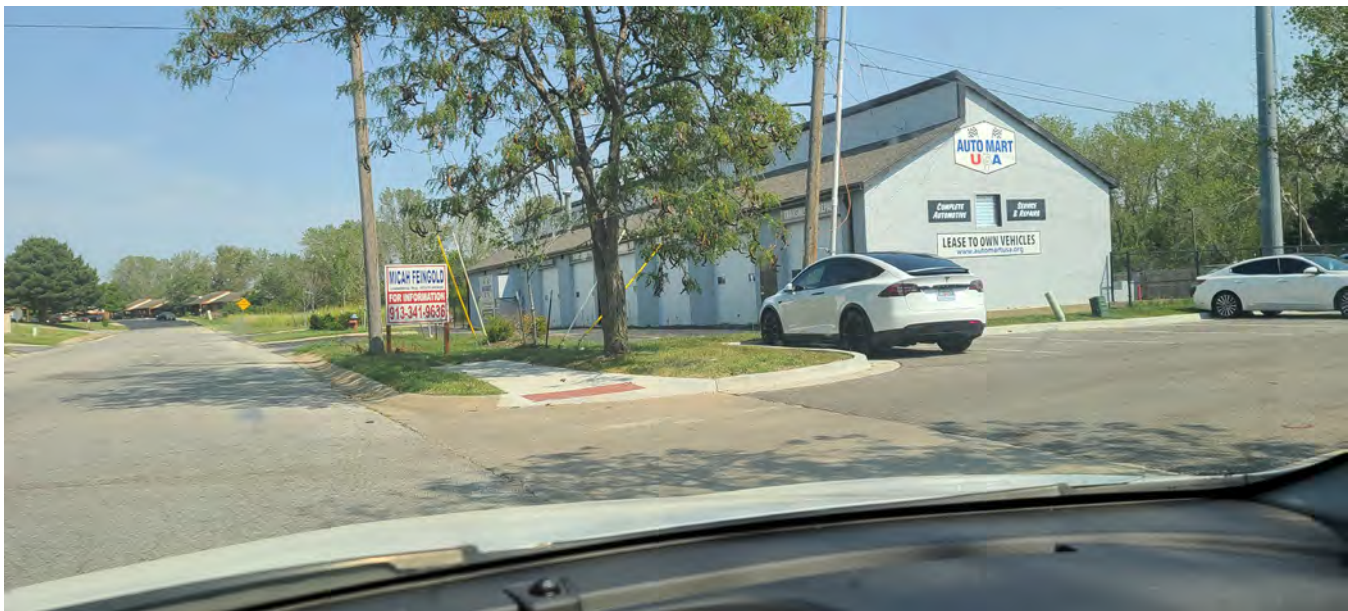


















BUILDING INSPECTION DIVISION

Neighborhood Resource Center
Unified Government of Wyandotte County/Kansas City, Kansas
4953 State Ave. Kansas City, Kansas 66102
p. (913) 573-8620 | f. (913) 573-8622 | www.wyockck.org/building

Inspection Results Slip

Permit #: 19300-00001

Building
DRC
NA
NA

Shows Completed Inspections for the
Date Specified

Address: 7521 NEBRASKA AVE, KANSAS CITY, KS 66112

Contractor: CONSTRUCTION RESOURCES GROUP, LL

Applicant: MARK MURDICK 8621 JOHNSON DR
MERRIAM, KS 66202

<u>Insp Date</u>	<u>Type of Insp</u>	<u>Result</u>	<u>Comments</u>

Inspection Results Slip

Permit #: 19300-00001

Building
DRC
NA
NA

Shows Completed Inspections for the
Date Specified

Address: 7521 NEBRASKA AVE, KANSAS CITY, KS 66112

Contractor: CONSTRUCTION RESOURCES GROUP, LL

Applicant: MARK MURDICK 8621 JOHNSON DR
MERRIAM, KS 66202

<u>Insp Date</u>	<u>Type of Insp</u>	<u>Result</u>	<u>Comments</u>
06/18/2020	Final, Re-Inspection	Disapproved	Not Approved for Final CO or TCO. Applicant may request re-inspection after correcting the following items: 1.) Site Plan (rev 6.08.2020) added back the five angled parking stalls on the north end of the parking lot. Stripe the parking stalls or remove them from the plan set. 2.) South wall ventilator fan should be completely painted in gray to match the building wall. 3.) Trash enclosure calls for split-face block integrally colored to match building, not smooth cmu block painted to match. Alternately, it may be wrapped in stucco to match the building. 4.) Screening fence masonry columns must be wrapped in stucco to match the building. 5.) Screening fence sections must be tied into the masonry columns to meet requirements as a screening fence. 6.) Site plan (rev 6.08.2020) shows light poles in the east parking lot. Correct the plans to reflect the removed light poles as-built. 7.) The east wall around the bay doors shall be coated in stucco like the plan elevations on sheet A3 (rev 6.08.2020). 8.) The south wall shall be coated in stucco like the plan elevations on sheet A3 (rev 6.08.2020). 9.) Electrical meter box, gas pipe, and all conduit on the west wall must be painted to match the building wall. 10.) The HVAC condenser unit and the wall mount must be screened from public view by an architectural screen or screen panel system mounted on the wall. 11.) The gas meter in the western grass area must be screened from public view with landscape screening (evergreen species, on all four sides, minimum 4 foot tall or the height of the gas meter at time of installation). 12.) Install an automatic irrigation system to irrigate all landscape areas on the site. 13.) Install trees, shrubs, and landscaping on west and north sides to match the landscape plan (Sheet AS1 rev 6.08.2020) 14.) Wall pack lights on east wall must be 90 degree hooded and controller to direct light to the ground and prevent horizontal glare.
JFAUST			

Inspection Results Slip

Permit #: 19300-00001

Building
DRC
NA
NA

Shows Completed Inspections for the
Date Specified

Address: 7521 NEBRASKA AVE, KANSAS CITY, KS 66112

Contractor: CONSTRUCTION RESOURCES GROUP, LL

Applicant: MARK MURDICK 8621 JOHNSON DR
MERRIAM, KS 66202

<u>Insp Date</u>	<u>Type of Insp</u>	<u>Result</u>	<u>Comments</u>
06/18/2020	Final, Re-Inspection	Temporary Occupancy A	
	JSIMMONS		FINAL PENDING ALL OTHER DEPARTMENTS (6/19/20-TCO APPROVED PER GREG TALKIN)

Reinspection(s) are scheduled with Building Inspections at (913) 573-8620. You must have your permit number available when you call. DRC inspections require a 48 hour notice and inspections are conducted on Tuesday, Thursday, and Friday between 8am and 12pm. www.wycokck.org/DRC.

You must have your permit number available when you call.

For update information on building permits, access the NRC E-Link at
<http://mauwi.wycokck.org/citizenaccess>

Date: 06/18/2020

Time: 12:00 am

Signed:

Stan Bartley

Building Inspector

Inspection Results Slip

Permit #: 19300-00001

Building
DRC
NA
NA

Shows Completed Inspections for the
Date Specified

Address: 7521 NEBRASKA AVE, KANSAS CITY, KS 66112

Contractor: CONSTRUCTION RESOURCES GROUP, LL

Applicant: MARK MURDICK 8621 JOHNSON DR
MERRIAM, KS 66202

<u>Insp Date</u>	<u>Type of Insp</u>	<u>Result</u>	<u>Comments</u>
08/02/2021	Final, Re-Inspection	Approved	Approved for TCO with work to be completed (per Rob Richardson). Applicant may request re-inspection after correcting the following items, not longer than 90 days from this approval: 1.) Site Plan (rev 5.17.2021) shows 18 parking stalls including one ADA parking stall, and 4 additional angled parking stalls on the north side. During this inspection, only 15 parking stalls are provided. Stripe the parking stalls to match the plan set. Ensure that 18 parking spaces are provided. (TCO requirement, reinspection within 90 days). 1a.) The parking lot pavement shall be patched and resealed. During this inspection, there were areas of asphalt paving on the northeast corner of the building and the southeast corner near the trash enclosure with signs of cracking or spalling with weeds growing through. (TCO requirement, reinspection within 90 days). 2.) South wall ventilator fan should be completely painted in gray to match the building wall. (TCO requirement, reinspection within 90 days). 3.) Wall pack light module on the north wall also must be changed to a light module that directs light 90 degrees downward. (TCO requirement, reinspection within 90 days). 4.) Site plan (rev 6.08.2020 and rev 5.17.21) shows light poles to remain in the east parking lot. Correct the plans to reflect the removed light poles as-built. 5.) The wall mount architectural screen panels around the HVAC condenser unit mounted on the wall must be painted to match the wall. (TCO requirement, reinspection within 90 days). 6.) The gas meter in the western grass area must be screened from public view with landscape screening (evergreen species, on all four sides, minimum 4 foot tall or the height of the gas meter at time of installation. At the time of this inspection, these landscape screening shrubs showed signs of browning. (Any dead or diseased landscaping must be restored or replaced before inspection for Final CO). 7.) Provide detailed notes on Landscape Plan Sheet for a hand-watering plan to irrigate all landscape areas on the site. (TCO requirement, reinspection within 90 days). 8.) Install trees, shrubs, and landscaping on west and north

Inspection Results Slip

Permit #: 19300-00001

Building
DRC
NA
NA

Shows Completed Inspections for the
Date Specified

Address: **7521 NEBRASKA AVE, KANSAS CITY, KS 66112**

Contractor: CONSTRUCTION RESOURCES GROUP, LL

Applicant: MARK MURDICK 8621 JOHNSON DR
MERRIAM, KS 66202

<u>Insp Date</u>	<u>Type of Insp</u>	<u>Result</u>	<u>Comments</u>
			sides to match the landscape plan (Sheet AS1 rev 6.08.2020) With no monument sign installed on the northwest corner, that area must be landscaped (required before Final CO). 9.) Remove the chain link fence from the south of the property. New installation of chain link fence is not allowed in a CP-2 District. Revised plan set shows this fence as 'existing', but this fence was not shown on the approved plans (6.08.2020) and was installed sometime after the inspections in June 2020 and does not pre-date the Commercial Design Guidelines. Replacement fence should be of durable metal framing with solid material (Wood, metal, or stone) facing outward and securely installed. If a fence is not solid to the view, then it cannot be considered as a screening fence and uses on the property will be limited to those uses that do not require screening from view. (TCO requirement, reinspection within 90 days). 10.) The trash dumpster must be stored inside the trash enclosure at all times except when it is being serviced. Place the dumpster inside the trash enclosure. (TCO requirement, reinspection within 90 days). 11.) Sign permits required for all signage on the building and the property. (TCO requirement, reinspection within 90 days). 12) Northern open metal fence was not approved, is not CDG compliant, and is blocking northern drive aisle. Remove the fence or install the required masonry columns. Masonry columns must be stucco, matching the masonry columns on the east screening fence and the color of the main building. (TCO Requirement, reinspection within 90 days). For TCO.

Reinspection(s) are scheduled with Building Inspections at (913) 573-8620. You must have your permit number available when you call. DRC inspections require a 48 hour notice and inspections are conducted on Tuesday, Thursday, and Friday between 8am and 12pm. www.wycokck.org/DRC.

You must have your permit number available when you call.

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Inspection Results Slip

Permit #: 19300-00001

Building
DRC
NA
NA

Shows Completed Inspections for the
Date Specified

Address: 7521 NEBRASKA AVE, KANSAS CITY, KS 66112

Contractor: CONSTRUCTION RESOURCES GROUP, LL

Applicant: MARK MURDICK 8621 JOHNSON DR
MERRIAM, KS 66202

<u>Insp Date</u>	<u>Type of Insp</u>	<u>Result</u>	<u>Comments</u>
Date: 08/02/2021	Time: 12:00 am	Signed: JASON FAUST	Building Inspector



25 MARCH 2021

Development Review Committee

4953 State Ave.

Kansas City, KS - 66102

Phone (913) 573-8664

RE: SPECIAL USE PERMIT RENEW - 7521 Nebraska Ave Auto Sales

7521 Nebraska Ave

Permit Number: 19300-00001

Existing Operations:

'Auto Mart USA' auto sales / detailing / light maintenance repair [in shop]

Existing Conditions:

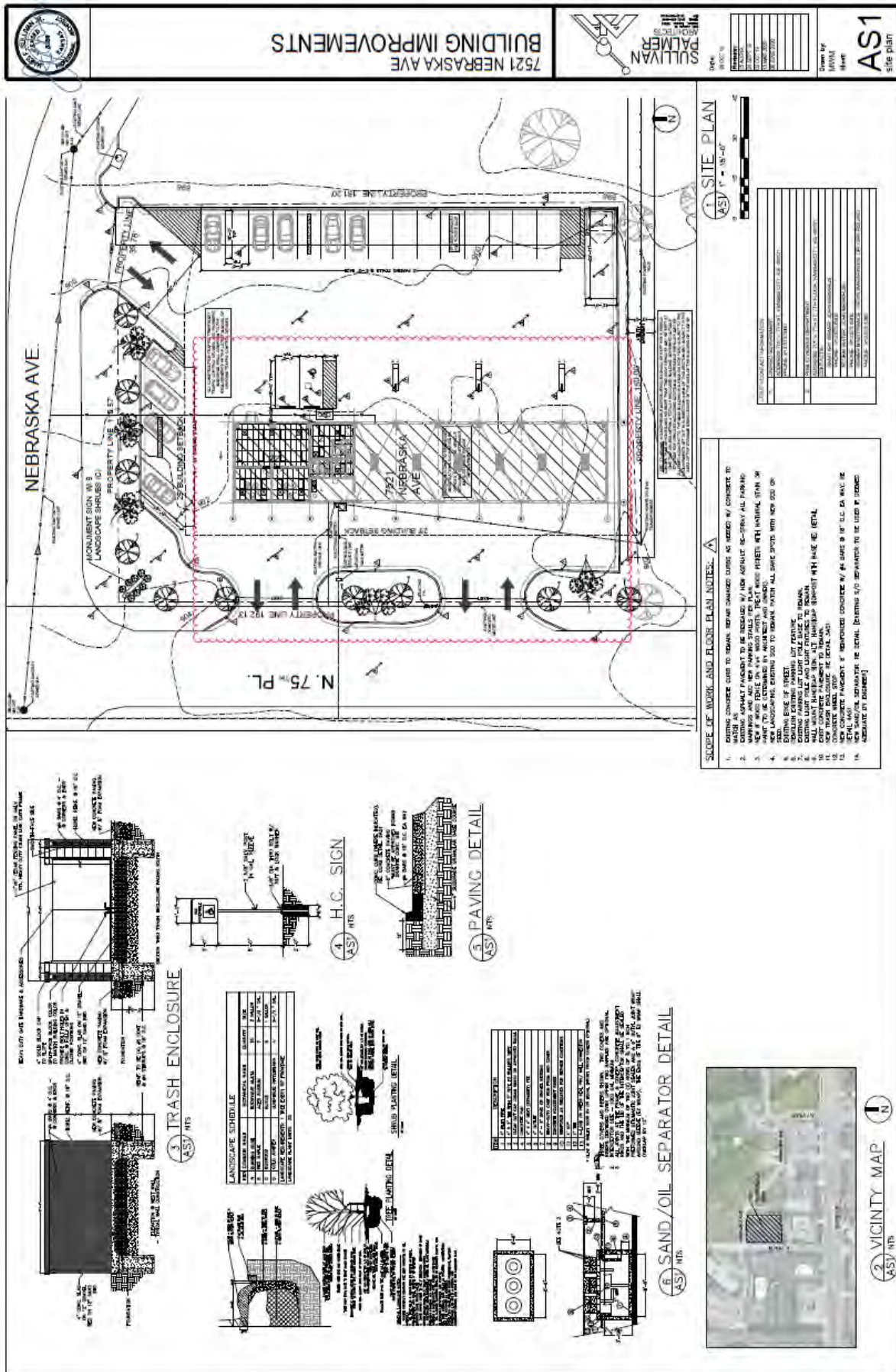
The existing site is well maintained and landscaping appear to have been installed per approved plan. All other entities of the site plan appear to have been installed per approved plans. The existing renovated building is currently in great condition. All city approved entities of the building inside and out were installed per plan and in quality condition. The building is painted in neutral colors.

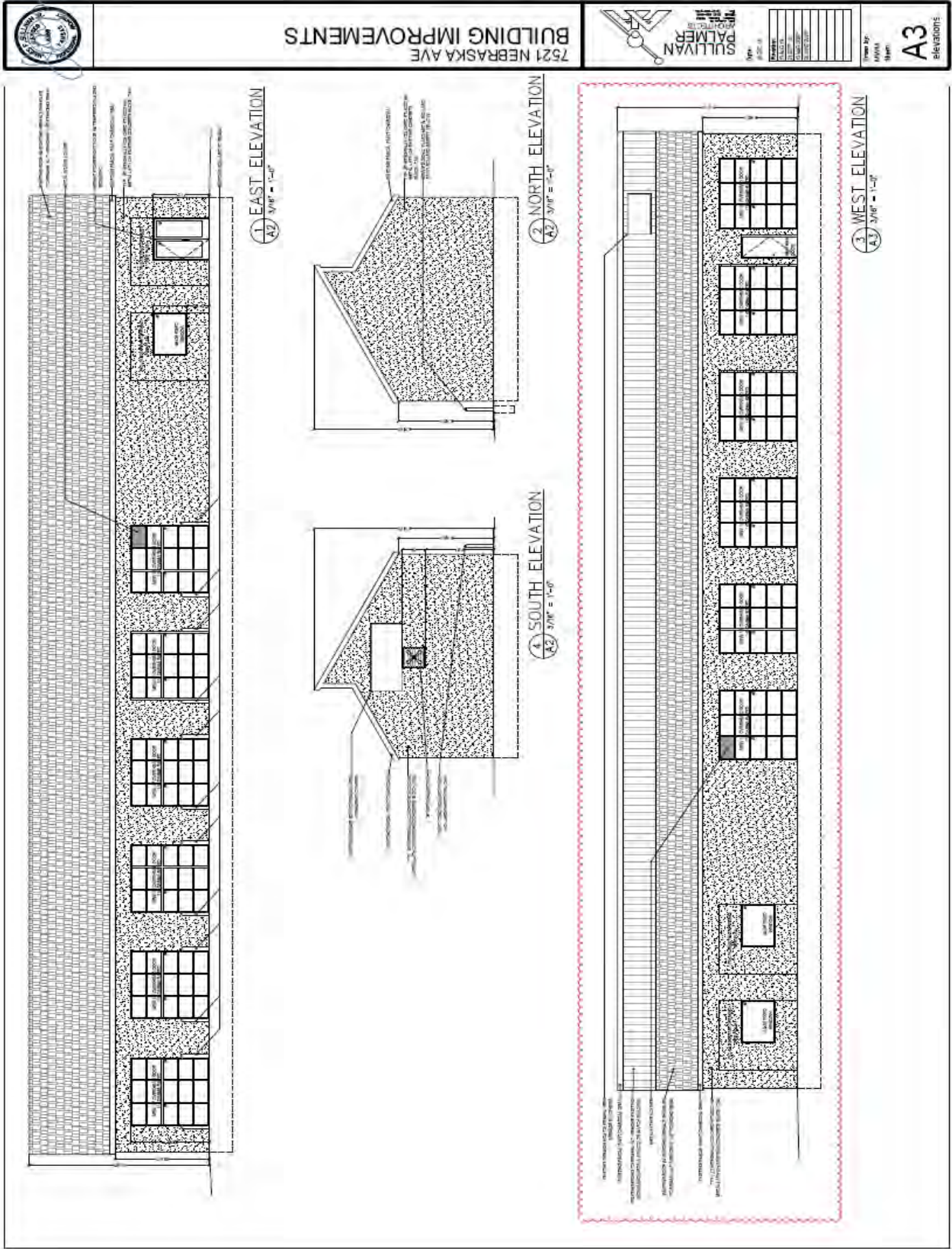
Respectfully,

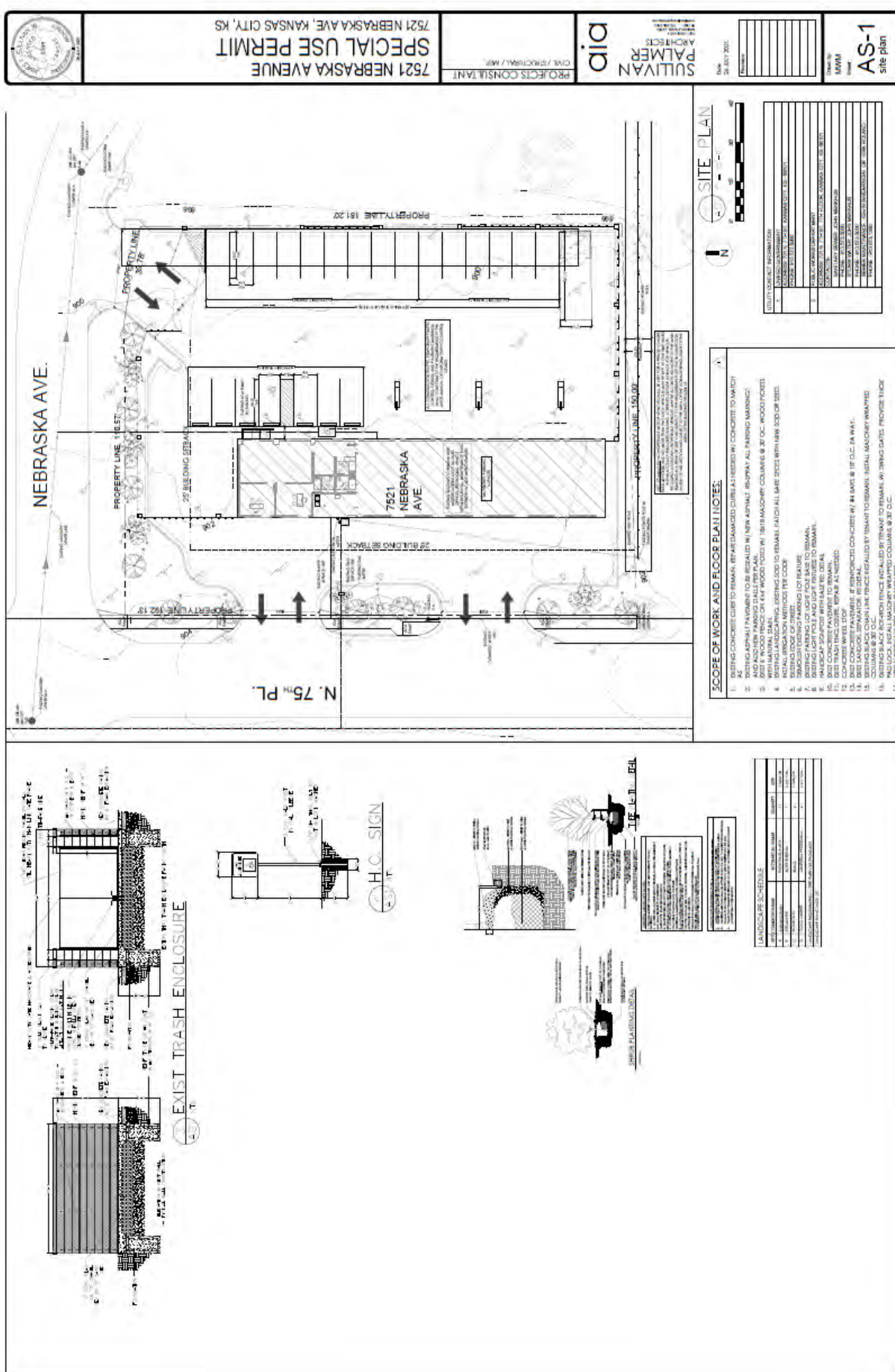
A handwritten signature in blue ink, appearing to be 'Mark Murdick', written over a horizontal line.

Mark Murdick

Sullivan Palmer Architects









Wyandotte County Conservation District

1204 N. 79th Street - Kansas City, KS 66112 - Phone (813)-134-0120
wyccconservation@gmail.com

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

April 13, 2021

RE: SP2021-027 Mark Murdick auto sales, detailing and repairs 7521 Nebraska Avenue

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: SP2021-027 Mark Murdick auto sales, detailing and repairs 7521 Nebraska Avenue.

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

MAPS AND REPORTS

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

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

- There is one major soil type identified: Knox silt loam, 7 to 12 percent slopes. This soil type is considered very erodible when the surface is denuded of a protective cover.
- The lot is paved or covered by structures, making runoff the biggest concern.
- The major concern with this project is chemical spills. Any chemical spills or leaks need to be cleaned up immediately.

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

The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological

investigation may be needed. The natural soils and drainage pattern may have been changed in this area due to previous urban development. Therefore, the physical composition influencing the structure of the natural soil has already been altered; however, some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineation on the maps includes soils that differ from the named soil. Soil lines may not be exact therefore; on site investigation is needed for site specific planning.

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

Sincerely,

Cheri Miller
District Manager

enclosures

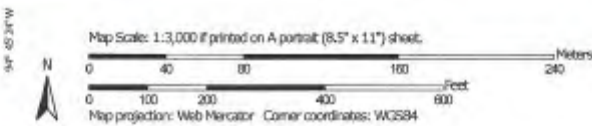
Map Unit Name—Wyandotte County, Kansas
(SP2021-27 7521 Nebraska Ave)

39° 7' 13" N

39° 7' 13" N



Soil Map may not be valid at this scale.



USDA
Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

4/7/2021
Page 1 of 3

Map Unit Name—Wyandotte County, Kansas
(SP-2021-27 7521 Nebraska Ave)

MAP LEGEND

- Area of Interest (AOI)
 - ☐ Area of Interest (AOI)
- Soils
 - ☐ Soil Rating Polygons
 - Knox silt loam, 7 to 12 percent slopes
 - Not rated or not available
- Soil Rating Lines
 - Knox silt loam, 7 to 12 percent slopes
 - Not rated or not available
- Soil Rating Points
 - Knox silt loam, 7 to 12 percent slopes
 - Not rated or not available
- Water Features
 - Streams and Canals
- Transportation
 - Rate
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background
 - Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Maps may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: websoilsurvey.sc.egov.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

The product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Wyandotte County, Kansas
Survey Area Date: Version 14, Jun 10, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 16, 2019—Sep 23, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Name

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
7B55	Knox silt loam, 7 to 12 percent slopes	Knox silt loam, 7 to 12 percent slopes	0.7	100.0%
Totals for Area of Interest			0.7	100.0%

Description

A soil map unit is a collection of soil areas or nonsoil areas (miscellaneous areas) delineated in a soil survey. Each map unit is given a name that uniquely identifies the unit in a particular soil survey area.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower



Map Unit Description (Brief, Generated)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, provide information on the composition of map units and properties of their components.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

The Map Unit Description (Brief, Generated) report displays a generated description of the major soils that occur in a map unit. Descriptions of non-soil (miscellaneous areas) and minor map unit components are not included. This description is generated from the underlying soil attribute data.

Additional information about the map units described in this report is available in other Soil Data Mart reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the Soil Data Mart reports define some of the properties included in the map unit descriptions.

Report—Map Unit Description (Brief, Generated)

Wyandotte County, Kansas

Map Unit: 7955—Knox silt loam, 7 to 12 percent slopes

Component: Knox (80%)

The Knox component makes up 80 percent of the map unit. Slopes are 7 to 12 percent. This component is on hillslopes on uplands. The parent material consists of fine-silty loess. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This component is in the R107BY003MO Deep Loess Exposed Backslope Savanna Quercus Macrocarpa-quercus Alba/amorpha Canescens/schizachyrium Scoparium-dalea Candida Bur Oak-white Oak/leadplant/little Bluestem-white Prairie Clover, Deep Loess Protected Backslope Woodland Quercus Rubra-bilia Americana/asimina Triloba-ulmus Rubra/carex Jamesii-sanguinaria Canadensis Northern Red Oak-american Basswood/pawpaw-slippery Elm/james' Sedge-bloodroot ecological site. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.

Component: Armster, eroded (5%)

Generated brief soil descriptions are created for major soil components. The Armster, eroded soil is a minor component.

Component: Similar soil (5%)

Generated brief soil descriptions are created for major soil components. The Similar soil soil is a minor component.

Component: Ladoga (5%)

Generated brief soil descriptions are created for major soil components. The Ladoga soil is a minor component.

Component: Welda (5%)

Generated brief soil descriptions are created for major soil components. The Welda soil is a minor component.

Data Source Information

Soil Survey Area: Wyandotte County, Kansas
Survey Area Data: Version 14, Jun 10, 2020

Soil Features

This table gives estimates of various soil features. The estimates are used in land use planning that involves engineering considerations.

A *restrictive layer* is a nearly continuous layer that has one or more physical, chemical, or thermal properties that significantly impede the movement of water and air through the soil or that restrict roots or otherwise provide an unfavorable root environment. Examples are bedrock, cemented layers, dense layers, and frozen layers. The table indicates the hardness and thickness of the restrictive layer, both of which significantly affect the ease of excavation. *Depth to top* is the vertical distance from the soil surface to the upper boundary of the restrictive layer.

Subsidence is the settlement of organic soils or of saturated mineral soils of very low density. Subsidence generally results from either desiccation and shrinkage, or oxidation of organic material, or both, following drainage. Subsidence takes place gradually, usually over a period of several years. The table shows the expected initial subsidence, which usually is a result of drainage, and total subsidence, which results from a combination of factors.

Potential for frost action is the likelihood of upward or lateral expansion of the soil caused by the formation of segregated ice lenses (frost heave) and the subsequent collapse of the soil and loss of strength on thawing. Frost action occurs when moisture moves into the freezing zone of the soil. Temperature, texture, density, saturated hydraulic conductivity (K_{sat}), content of organic matter and depth to the water table are the most important factors considered in evaluating the potential for frost action. It is assumed that the soil is not insulated by vegetation or snow and is not artificially drained. Silty and highly structured, clayey soils that have a high water table in winter are the most susceptible to frost action. Well drained, very gravelly, or very sandy soils are the least susceptible. Frost heave and low soil strength during thawing cause damage to pavements and other rigid structures.

Risk of corrosion pertains to potential soil-induced electrochemical or chemical action that corrodes or weakens uncoated steel or concrete. The rate of corrosion of uncoated steel is related to such factors as soil moisture, particle-size distribution, acidity, and electrical conductivity of the soil. The rate of corrosion of concrete is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil. Special site examination and design may be needed if the combination of factors results in a severe hazard of corrosion. The steel or concrete in installations that intersect soil boundaries or soil layers is more susceptible to corrosion than the steel or concrete in installations that are entirely within one kind of soil or within one soil layer.

For uncoated steel, the risk of corrosion, expressed as *low*, *moderate*, or *high*, is based on soil drainage class, total acidity, electrical resistivity near field capacity, and electrical conductivity of the saturation extract.

For concrete, the risk of corrosion also is expressed as *low*, *moderate*, or *high*. It is based on soil texture, acidity, and amount of sulfates in the saturation extract.



Report—Soil Features

Soil Features—Wyandotte County, Kansas									
Map symbol and soil name	Restrictive Layer				Subsidence		Potential for frost action	Risk of corrosion	
	Kind	Depth to top	Thickness	Hardness	Initial	Total		Uncoated steel	Concrete
		Low-R/L High	Range		Low-High In	Low-High In			
7925—Knox silt loam, 7 to 12 percent slopes		In	In						
Knox		—	—		—	—	High	Moderate	Low

Data Source Information

Soil Survey Area: Wyandotte County, Kansas
Survey Area Data: Version 14, Jun 10, 2020

Faust, Jason

From: Parker, Janet
Sent: Monday, October 4, 2021 2:31 PM
To: Hand, Gunnar; Waters, Patrick; Faust, Jason; Richardson, Rob
Cc: Parker, Janet
Subject: SP2021-027 - Mr. Khalil's Application

Importance: High

All,

As you are aware, this application was held over from the September 14, 2021 meeting to the October 11, 2021 meeting for the applicant and staff to work together to see if a resolution could be reached.

Jason Faust sent the applicant an email to which no response was received.

Director Hand instructed me to set a meeting with the applicant and I spoke with him today on the phone and he said that he is not interested in meeting with anyone, he will take legal action against us and he will see us in court.

Janet

Janet L. Parker, CSC/APC 913.573.5758
Executive Assistant to Gunnar Hand, AICP jparker@wyandotte.org



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



Reid Khalil <khalilrma@gmail.com>

7521 Nebraska

1 message

Luke Terrell <lterrell@bpu.com>

Wed, Aug 11, 2021 at 10:02 AM

To: "khalilrma@gmail.com" <khalilrma@gmail.com>

Mr. Khalil,

Per our conversation about the address [7521 Nebraska Ave Kansas city, KS, 66112](#). A sidewalk cannot be installed around our pole and guy wires. In order to put a side walk here the pole and guy wires need to be relocated. There will be a relocation fee associated with this work.

Thanks,

Luke Terrell, EIT

Electric Distribution

Kansas City Board of Public Utilities

6742 Riverview Avenue

[Kansas City, KS 66102](#)

Office: [913-573-9508](#)

Email: lterrell@bpu.com



Planning and Urban Design Comments

General

1. Describe your proposed use in detail. Include scope of services provided, scale of operation and numbers of vehicles, number of expected employees, historical and projected vehicle sales volume, percentage of business that is sales, and percentage that is maintenance, average sales inventory volume, etc. Elaborate on any changes since the approval of the previous Special Use Permit (SP-2018-91).

7521 Nebraska Ave will be used for vehicle repairs and Lease-to-own vehicles. There will be about 25 [5 of which shall be stored in the bays] cars parked on the Lot all the time. The state of Kansas does not require any special licensing for Lease to own vehicles since these vehicles will be owned by our corporation (Missouri LLC) until they are sold. If sold, the transaction will be done in our Missouri location.

Please provide an updated response from the new property owner. Auto Leasing is included in the definition related to Sec 27-593(b)(19-20). Statements have been made about the removal of Auto Sales/Leasing. Provide an updated response.

2. This Special Use Permit will apply only to 7521 Nebraska Avenue. There cannot be any shared work, inventory, storage, or property access with another business or another property under this Special Use Permit.

We acknowledge this comment

Please provide an updated response from the new property owner.

3. Will vehicles ever be towed to the shop from accidents? If so, how will tow trucks access the property? Where will vehicles with accident damage be stored?

Yes we will have towed vehicles but not because of accidents (body damage), it will be because of mechanical failures and tow trucks will drop vehicles on the parking lot in the back.

Please provide an updated response from the new property owner.

4. Where will customers park and pick up and drop off vehicles at this business? The site plan shows 22 parking stalls on site, 20 of which are designated for sales inventory display or storage. Based on the building square footage, per sec 27-466, seventeen (17) parking stalls are required. Required parking stalls are for parking by customers, employees, and the public. Required parking stalls do not include storage or display parking.

This issue was raised on the staff report for SP-2018-91, indicating that the applicant should revise and resubmit plans. The applicant response stated:

We acknowledge the need for additional spaces. Please see sheet AS1 for additional parking spaces and their dimensions [Rev 11]

Sheet AS1 rev 6/08/2020, submitted 3/26/2021, does not satisfactorily show the requested information. Revise and resubmit to show at least the minimum 17 required parking stalls provided, designated for parking, and accessible to the public on the site. Otherwise, a separate variance application for reduced parking will be required before this application can be considered.

The tenant states that they need 25 spaces for Lease-to-own vehicles.

Please provide an updated response from the new property owner. The most recent site plan rev. 7.26.2021 again proposes 22 total parking spaces now arranged in two single parking stall aisles.

5. How many cars do you intend to keep as sales inventory? The response to this item shall be reconciled with the response to item #4 above.

The tenant states that they need 25 spaces for Lease-to-own vehicles.

Please provide an updated response from the new property owner. Statements have been made about the removal of Auto Sales/Leasing. Provide an updated response.

6. What are your intended hours of operation?

8:00 AM - 6:00 PM (M-F), Sat 9:00 AM - 3:00 AM.

Please provide an updated response from the new property owner.

7. Must register and maintain annually a business license with the Business Licensing Department for all uses on the property.

As of the date of this report, there is no record of a valid current registration of any business activity at 7521 Nebraska Avenue.

The tenant is currently in the process of obtaining the proper business license required.

Please provide an updated response from the new property owner.

8. All vehicles for sale on the property must be in the inventory of the licensed dealership and reflected in the dealership inventory register paperwork.

As of the date of this report, there is no record of a valid current registration of any business activity at 7521 Nebraska Avenue.

Lease to Own Vehicles all registered in the State of Missouri. Kansas State has no special registration requirements for leased vehicles.

Please provide an updated response from the new property owner. Auto Leasing is included in the definition related to Sec 27-593(b)(19-20). Statements have been made about the intended removal of Auto Sales/Leasing. Provide an updated response.

9. No on-street parking of any vehicles. All vehicles on-site for sales, repairs or maintenance must be stored on the property. Vehicle storage on the property must be fully compliant with all ordinance regulations and must be completely screened from public view from all sides by an architectural screening fence that is fully compliant with Commercial Design Guidelines and the specifications in a CP-2 Planned Business District.

We acknowledge this comment

Please provide an updated response from the new property owner. Statements have been made about the intended removal of Auto Sales/Leasing. Provide an updated response including acknowledgment of the District Requirements in Sec 27-465.

10. Auto repair or servicing shall not occur outside or in public view at any time to any degree.

We acknowledge this comment

Please provide an updated response from the new property owner.

11. Inoperable vehicles are only allowed to be stored inside the enclosed building. Any inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with 27-

466. As currently designed, no compliant outside storage area is provided on the site. Any outside storage may not reduce the availability of all required parking spaces.

We acknowledge this comment. Inoperable vehicles shall be stowed in the bays

Please provide an updated response from the new property owner. Reconcile any proposed use of parking stalls in excess of the 17 required minimum parking with the site plan and elevation details for fences. Remove any reference to storage or parking for sales/leasing inventory.

12. The auto sales and auto repair businesses must at all times operate within the restrictions of a CP-2 Planned Business District as detailed in 27-466 and in compliance with all requirements of this Special Use Permit in Sec 27-593(b)(19-20).

We acknowledge this comment

Please provide an updated response from the new property owner. Auto Leasing is included in the definition related to Sec 27-593(b)(19-20). Statements have been made about the removal of Auto Sales/Leasing and the focus on auto repair. Auto Repair businesses in a CP-2 District must follow all regulations and limitations as described in Sec 27-466. Provide an updated response.

13. No storage or warehousing of salvage or wrecked automobile parts on the property. Storage of salvage parts requires M-3 Zoning and a separate Special Use Permit.

We acknowledge this comment

Please provide an updated response from the new property owner. Outside storage is not allowed in a CP-2 District as described in Sec 27-466, except for very specifically limited auto parking and only with the required screening in place. Provide an updated response.

14. The Special Use Permit requires final site plans prepared by a Professional Engineer licensed in the State of Kansas. Provide a final site plan showing property lines, existing buildings, **proposed parking spaces**, drive aisles, building elevations, fence elevations, gate details, trash enclosure details, etc., as applicable in accordance with UG standards and criteria.

We acknowledge this comment

Please provide an updated response from the new property owner. Auto Leasing is included in the definition related to Sec 27-593(b)(19-20). Statements have been made about the removal of Auto Sales/Leasing. Provide an updated response. Include parking space number calculations on the site plan, provide fence elevations for the north and south fences with their proposed design and details for gates and columns.

15. Vehicles shall not be parked in the right of way of Nebraska Avenue or North 75th Place in front of the property. *Vehicles shall not park on Nebraska Avenue or North 75th Place at any time.*

We acknowledge this comment

Please provide an updated response from the new property owner.

16. 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.

We acknowledge this comment

Please provide an updated response from the new property owner.

17. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request.

We acknowledge this comment

Please provide an updated response from the new property owner.

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

We acknowledge this comment

Please provide an updated response from the new property owner.

19. 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.

The design team & ownership is currently working on all the issues pertaining to obtaining the certificate of occupancy

Please provide an updated response from the new property owner.

20. This Special Use Permit is not valid for the approved use to be in operation until all the outstanding development items related to the expired Building Permit are corrected and receive inspection and approval through the Developmental Review Committee. This shall require the applicant or property owner to meet all requirements to receive approval for a Final Certificate of Occupancy for the now expired Building Permit 19300-00001. The applicant or property owner must obtain all required permits to renew any building permits to complete this requirement.

The design team & ownership is currently working on all the issues pertaining to obtaining the certificate of occupancy

Please provide an updated response from the new property owner. A 2nd Temporary Certificate of Occupancy has been approved by exception and upon the commitment from the new owner to complete all outstanding items. Temporary Certificates of Occupancy are only valid for 90 days. It is the responsibility of the building permit holder to ensure timely re-inspection and renewal of a Temporary Certificate of Occupancy. It is still required that the property owner must resolve all

outstanding items from the most recent DRC Inspection Report from 8.02.2021 and obtain a Final Certificate of Occupancy for Building Permit 19300-0001. The new property owner was advised that this project would be allowed 6 months to complete items that are conditions or stipulations of the Special Use Permit. All work listed on the DRC Inspection Report(s) must be prioritized to be completed before 6 months from the approval of the Special Use Permit.

21. The Special Use Permit shall be valid for X 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. *This number is subject to review of building and site plans and review of the details of proposed business operation.*

The design team & ownership is currently working on all the issues pertaining to obtaining the certificate of occupancy. The tenant is currently will either get the proper licensing before the SUP is granted or the tenant shall cease all operations until SUP is granted.

The new property owner was advised that this project would be allowed 6 months to complete items that are conditions or stipulations of the Special Use Permit. All work listed on the DRC Inspection Report(s) must be prioritized to be completed before 6 months from the approval of the Special Use Permit. *The duration of this Special Use Permit will be established after review of all requested design documents and applicant and owner responses.*

Building Architecture

1. Provide a comprehensive plan set to include: Site plan, Building floor plan and elevations, parking lot layout and parking stall count, and details for sidewalks and ADA access. Provide elevation details for fences and columns, landscaping requirements and commercial design guideline compliant elements. Provide a color and materials detail palette for this design.

We acknowledge this comment

Prepare and submit additional plan revisions to address all changes and new items in this new response letter.

2. All four (4) building facades must be finished in masonry materials of a distinctive color. Concrete masonry units are not allowed to be the finish material. The facades must be 100% covered in a masonry material, either brick, stone, or stucco. The lower third of the building on all sides must have stone or brick wainscoting using a different material from the building facades.

The submitted plan set shows stucco coating on all four (4) building facades and the exterior of the trash enclosure. The site is constructed with painted concrete block. This is not compliant with the Commercial Design Guidelines nor the Special Use Permit requirements in sec 27-593. Complete construction of the site to meet all requirements.

We acknowledge this comment. The design team & ownership is currently working on all the issues pertaining to this comment

The original plan set approved in 2019 proposed 100% stucco material on all four facades of the building. The current 'as-built' state of the building facades have changed in an attempt to keep the "existing brick" on the entire south façade and the southern half of the east façade. Historically, that brick has been painted different colors and the current gray color to match the installed stucco is not original. The changes since the approved plan are relying on the

construction and change of use to be considered as remodeling of an existing building. Accordingly, the requirements listed in the mandatory Special Use Permit for remodeling an existing building in Sec 27-593(b)(19)(c), states:

Used car/truck lots and light automotive service and maintenance only in C-2 general business district, C-3 commercial district, M-1 light industrial and industrial park district, M-2 general industrial district, and M-3 heavy industrial district subject to the following criteria:

- a. *Repurposing of structure(s) for used car/truck lots or light automotive service and maintenance.*
 1. Upgrade parking, including striping and/or resurfacing of parking lots, if deemed necessary by staff.
 2. Landscaping, screening, and façade improvements to meet commercial design guidelines.
- b. *Signage.*
 1. Following all permanent sign requirements under section 27-727.
 2. Following all special event display requirements under section 27-734.
 3. No display on sidewalks.
- c. *Façade, landscaping, and screening.*
 1. For new buildings:
 - i. All commercial design guidelines and district regulations shall be upheld in C-3 commercial districts including, but not limited to, the creation of quality development with respect to site planning, architectural design and landscaping.
 - ii. Commercial uses in industrial districts shall be subject to commercial design guidelines.
 2. For existing structures:
 - i. Such modifications as:
 - A. Restoring original brick.
 - B. Any necessary repair of the facade.
 - 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.
 - E. For non-brick buildings in addition to paint, additional architectural embellishments such as a brick wainscot may be required.
- d. *Condition of automobiles/trucks.*
 1. Automobiles/trucks available for sale, rent or lease must not be inoperable, ruined, dismantled or wrecked.
- e. *Parking.*
 1. The display area shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by sections 27-466 through 27-470.
 2. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
 3. Each automobile shall be in a striped, designated parking space.
- f. *Install/repair sidewalks per Code.*

Based on items a and c2, the existing brick work on the south façade and southern half of the east façade must be cleaned, the paint must be removed down to the original material, and all grout or mortar joints should be tuck pointed. In addition, as stated in Building Architecture Item #2 above, a wainscoting shall be added to the lower third of the west, north, and east facades. That wainscot shall be made of brick material matching as close as possible the original material of the cleaned and stripped existing brick of the southern façade.

3. Sec. 27-576(e)(2) Exterior building materials shall not include the following:

- a. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - b. Field painted or prefinished corrugated metal siding;
- Complete construction of the site to meet all requirements.

We acknowledge this comment. The design team & ownership is currently working on all the issues pertaining to this comment.

Please provide an updated response from the new property owner.

4. Metal paneling and EIFS may only account for 15% of the exterior building material per façade on the ~~grocery store~~ building. Please revise the ~~grocery store~~ building elevations ~~and retail building~~ to comply with the Commercial Design Guidelines and Sec. 27-576(e)(1).

We acknowledge this comment.

Please provide an updated response from the new property owner.

5. Must install and maintain proper parking lot striping and ADA requirements.

The parking lot shall be redesigned to provide the required parking stalls and inventory storage areas, with proper markings to designate and distinguish the three categories of parking, or else a separate variance application will be required before this application can be considered.

We acknowledge this comment. The design team & ownership is currently working on all the issues pertaining to this comment. See updated site plan.

Please provide an updated response from the new property owner.

6. Provide a scaled site plan indicating designated parking. Every vehicle must be in a designated, striped parking space. How many spaces for employee and customer parking? How many spaces for sales inventory? Where will vehicles in various states of repair/disrepair be stored? The parking lot layout shall show designated parking separating the cars for sale inventory from the parking of repair vehicles and customer and employee parking. The parking lot details shall show standard parking stall dimensions of nine (9) feet wide by eighteen (18) feet long and include dimensions for required drive aisles and ADA accessible spaces and access aisles. The parking lot will require landscape screening on the east, south, and west sides, as well as an architectural screening fence around the rear lot. The parking provided shall be prioritized as follows:

- 1.) 1st priority to parking stalls for all required off-street parking for customers, employees, and the public.
- 2.) ~~2nd priority to parking stalls for display of vehicles for sale.~~
- 3.) 3rd priority to parking stalls for outside storage of operable vehicles ~~inventory.~~
- 4.) ~~4th priority to parking stalls for outside storage of inoperable vehicles (only allowable if located behind the required architectural screening fence and compliant with section 27-466)~~

We have updated our plans to adhere to this comment.

Please provide an updated response from the new property owner.

The most recent site plan (rev. 7.26.2021) shows parking stalls added to the east and west parking aisles, now presenting two single parking aisles using the same single entrance and exit to the property. On a revised site plan, show the parking stall dimensions, drive aisle dimension to show adequate access and turning, and include a parking space count calculation using the now two parking priorities (reduced from three by the removal of auto sales/leasing). Pedestrian walkways will be designated and striped to show pathways to travel from the east parking aisle to the west parking aisle and to the office entrance, and from the northern sidewalk to the office entrance. Provide dimensioned details of how trash trucks will access the site and service the trash dumpster in the southeast corner.

7. Approval allows no more than a X inventory at this site. *This number is still subject to review of the revised site plans and parking details.*

We acknowledge this comment

Please provide an updated response from the new property owner. For this question, "inventory" refers to vehicles on site for repair.

8. The entire site will need the pavement to be resurfaced and restriped. Add interior curbing to the entire parking lot and include concrete wheel stops at the front of all parking stalls and include detail sheets for dimensions and placement.

The current condition of the asphalt pavement and the concrete curbing appear to be in good condition. The ownership will take steps to make sure all necessary repairs to both the asphalt and concrete curbs will be repaired as needed.

Show concrete wheel stops at the front of all parking stalls including those on the east parking aisle. Overhang parking along this aisle will interfere with the landscaping along the eastern fence and because of proximity likely increase the risk of fence damage. As mentioned in the DRC Inspection Report from 8/02/2021, there are areas in the northeast and southeast parking lot that are damaged or cracked and require repair and resurfacing or sealant.

9. Any building mounted lights must be hooded or controlled to direct light 90 degrees downward and to prevent horizontal glare. Sec 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 foot candle as measured from said property line.

We acknowledge this comment. The design team and ownership will replace all lighting not in compliance.

As mentioned in the DRC Inspection Report from 8/02/2021, the wall pack light on the north façade must be replaced. Please provide an updated response from the new property owner.

10. Sec 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.

We acknowledge this comment. The design team and ownership will replace all lighting not in compliance

Please provide an updated response from the new property owner. Remove Note #8 from the site plan, as there are no remaining parking lot light poles.

Landscaping and Screening

1. Must plant remaining landscape elements in the northwest property corner and other property upgrades to comply with the commercial design guideline standards.

We acknowledge this comment

Please provide an updated response from the new property owner.

2. Complete installation of screening panels around the wall-mounted HVAC unit, gas pipe, and electrical panels.

We acknowledge this comment. The design team & ownership is currently working on all the issues pertaining to this comment. Proper screening methods will be installed to screen all HVAC, gas pipe and electrical panels.

The HVAC screen panels must be painted to match the building wall.

3. Add additional landscaping elements to screen the gas meter in the west parking lot island.

We acknowledge this comment. The design team & ownership is currently working on all the issues pertaining to this comment. Additional landscaping will be installed to screen the gas meter.

Please provide an updated response from the new property owner.

4. A black metal open fence was installed on the northern edge of the parking lot from the east property line and wooden fence to the northwest corner of the building wall. This fence is not reflected on the submitted plans. This fence is not compliant with the Commercial Design Guidelines. This is a Planned Business District and new fences must be reviewed. Add this fence to revised plans, including elevations and material details, and show the required masonry columns with matching materials.

The fencing was installed by the tenant. They would like to work with staff in finding a compromise to keep this fence installed. This fencing is crucial to maintaining the security of inventory during off-hours

Please provide an updated response from the new property owner. Provide elevations and fence material details for the wrought iron style fence on the northern side of the property. Provide details and elevations of the masonry columns to be added to this fence spaced at every 32 linear feet. The masonry columns can be either stucco to match the east fence columns or brick to match the original brick on the southern façade. Provide elevations and gate details for this wrought iron style fence to include the opening or access for the required pedestrian walkway along the west side of the drive entrance from the northern sidewalk to the office entrance.

5. A chain link fence was installed on the southern property line sometime after the last inspection on 6/18/2020. New installations of chain link fence are not allowed in Commercial Districts and are not compliant with the Commercial Design Guidelines. The southern fence must be upgraded to either a CDG compliant solid screening fence with solid metal panels and masonry columns, or a CDG compliant open metal fence with masonry columns. It is not allowed to add material to an open fence in order to increase its opacity for screening purposes. Revise plans and resubmit.

The fencing was installed by the tenant. They would like to work with staff in finding a compromise to keep this fence installed. This fencing is crucial to maintaining the security of inventory during off-hours

Please provide an updated response from the new property owner. This chain link fence cannot remain installed on this commercial property. Statements were made about the intent to replace the installed chain link fence with a perimeter fence or an architectural fence that is compliant with the Commercial Design Guidelines. Provide design details, material details, and elevations for the proposed fence design. Provide details and elevations of the masonry columns to be included in this fence spaced at every 32 linear feet.

Upgrade the damaged trash enclosure doors to heavy duty metal framing and posts and change the wood pickets to solid metal panels painted to match the building color palette. Install the

stucco covering around the exterior of the trash enclosure. Remove the trash dumpster from the northern driveway and place the trash dumpster inside the enclosure. Trash enclosure doors shall remain closed at all times except when the trash dumpster is being serviced.

We acknowledge this comment. The design team & ownership is currently working on all the issues pertaining to this comment. The trash enclosure shall be repaired and utilized properly.

Please provide an updated response from the new property owner. Remove the trash dumpster from the public right of way along Nebraska Avenue and place it inside the trash dumpster enclosure inside the site. The trash dumpster shall remain in the enclosure at all times except for when the dumpster is being serviced. Trash dumpster servicing may only take place on the property.

6. All landscape elements must be served by an automatic irrigation system.

We acknowledge this comment. The design team & ownership is currently working on all the issues pertaining to this comment. Landscape irrigation shall be installed.

Please provide an updated response from the new property owner. The remodel of an existing building allows the option to provide a landscape watering plan in lieu of installation of an automatic irrigation system as required by the Commercial Design Guidelines. The new owner has submitted a watering plan for this property. Continue to include the landscape watering plan details on any future revisions of plan sheets.

7. Must install a 5-foot-wide concrete sidewalk along the north side of the property along Nebraska Avenue and from the northeast corner to the northwest corner. Must install a 5-foot-wide concrete sidewalk along the west side of the property along North 75th Place, from the northwest corner to the southern property line. Applicant is responsible for acquiring all required construction and right-of-way permits.

We acknowledge this comment. The design team & ownership is currently working on all the issues pertaining to this comment. We can agree to install a sidewalk along 75th street to meet up with the sidewalk to the south. However, the requirement for the sidewalk along Nebraska Avenue will lead to nowhere due to the adjacent property to the east will not have a sidewalk.

We can agree to install a sidewalk along 75th street to meet up with the sidewalk to the south. However, the requirement for the sidewalk along Nebraska Avenue will lead to nowhere due to the adjacent property to the east will not have a sidewalk.

Perhaps a condition can be made that the ownership will be responsible to installing a sidewalk along Nebraska Avenue in the event that the property to the east installs a sidewalk per code.

The Special Use Permit requires the installation of sidewalks in Sec 27-593(b)(19)(f). Show details for a 5 foot wide sidewalk along North 75th Place from the southern property line to the northwest corner, and a 5 foot wide sidewalk along Nebraska Avenue from the northwest corner to the eastern property line, and a 4 foot wide pedestrian walkway along the west side of the drive entrance from the sidewalk along Nebraska Avenue, through the gate or a pedestrian entrance, all the way to the office entrance door. Include all details for transition points and ADA compliance. The portion of the pedestrian walkway from the interior parking lot curb to the office entrance can be striped on the asphalt. All other sidewalk components must be concrete.

Used car/truck lots and light automotive service and maintenance only in C-2 general business district, C-3 commercial district, M-1 light industrial and industrial park district, M-2 general industrial district, and M-3 heavy industrial district subject to the following criteria:

a. *Repurposing of structure(s) for used car/truck lots or light automotive service and maintenance.*

1. Upgrade parking, including striping and/or resurfacing of parking lots, if deemed necessary by staff.
2. Landscaping, screening, and façade improvements to meet commercial design guidelines.

b. *Signage.*

1. Following all permanent sign requirements under [section 27-727](#).
2. Following all special event display requirements under [section 27-734](#).
3. No display on sidewalks.

c. *Façade, landscaping, and screening.*

1. For new buildings:
 - i. All commercial design guidelines and district regulations shall be upheld in C-3 commercial districts including, but not limited to, the creation of quality development with respect to site planning, architectural design and landscaping.
 - ii. Commercial uses in industrial districts shall be subject to commercial design guidelines.
2. For existing structures:
 - i. Such modifications as:
 - A. Restoring original brick.
 - B. Any necessary repair of the facade.
 - 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.
 - E. For non-brick buildings in addition to paint, additional architectural embellishments such as a brick wainscot may be required.

d. *Condition of automobiles/trucks.*

1. Automobiles/trucks available for sale, rent or lease must not be inoperable, ruined, dismantled or wrecked.

e. *Parking.*

1. The display area shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by [sections 27-466 through 27-470](#).
2. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
3. Each automobile shall be in a striped, designated parking space.

f. *Install/repair sidewalks per Code.*

Signage

1. Must obtain a sign permit for all signage.

At the time of this report, there are no existing sign permits on file for any signs at 7521 Nebraska Avenue. A site inspection showed 15 signs installed that require sign permits.

The tenant will be taking the steps to apply for the necessary signage permits needed for additional signage

Please provide an updated response from the new property owner.

2. The proposed monument sign has not been installed. Install the monument sign and complete the associated landscaping. Acquire the required sign permit for a monument sign.

We have removed the monument sign design on the plans as the monument sign will not be needed for this project.

Please provide an updated response from the new property owner.

3. No attention attracting devices/signage are permitted on-site.

We acknowledge this comment

Please provide an updated response from the new property owner.

4. No signage is permitted in the public right of way, sec 27-722.

We acknowledge this comment

Please provide an updated response from the new property owner.

5. All businesses located at this property must operate in compliance with the Sign Ordinances at all times.

We acknowledge this comment

Please provide an updated response from the new property owner.



Planning and Urban Design

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www.wycokck.org/planning

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: October 28, 2021

Re: Special Use Permit SP2021-047

GENERAL INFORMATION

Applicant:
Albert Walker

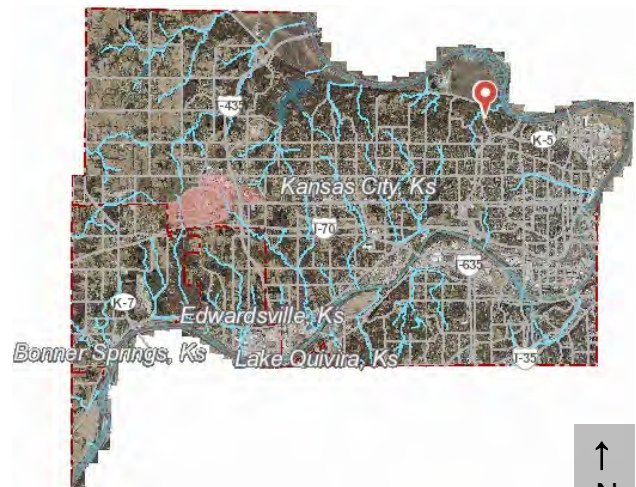
Status of Applicant:
Property Owner
5758 Georgia Avenue
Kansas City, Kansas 66104

Requested Action:
Approval of a Special Use Permit.

Date of Application:
April 20, 2021

Purpose:
To request a Special Use Permit to keep livestock (horses) on the property.

Property Location:
3633, 3703, & 3707 Bell Crossing, 3701, 3702, & 3706 North 37th Street, and 3655 Sortor Drive
Kansas City, Kansas 66104



Commission District:	Commissioner At Large: Melissa Bynum District #1 Commissioner: Gayle Townsend
Existing Zoning:	R-1(B) Single Family District (all parcels)
Adjacent Zoning:	North: R-1(B) Single Family District South: A-G Agriculture District East: R-1(B) Single Family District West: R-1(B) Single Family District
Adjacent Uses:	North: Single-family residence; Vacant lots South: Agricultural land East: Vacant lot West: Vacant lot
Total Tract Size:	0.48 Acre (3633 Bell Crossing Drive) 0.04 Acre (3703 Bell Crossing Drive) 0.05 Acre (3707 Bell Crossing Drive) 0.31 Acre (3701 North 37 th Street) 0.08 Acre (3702 North 37 th Street) 0.09 Acre (3706 North 37 th Street) 0.50 Acre (3655 Sortor Drive) 1.55 Acres (all seven (7) parcels)
Master Area Plan:	The subject property is within the City-Wide Master Plan.
Master Plan Designation:	The City-Wide Master Plan designates all subject parcels as Rural-Density Residential. The Rural-Density Residential land use designation allows for agriculture, ranches, large-lot single-family detached residences, and passive parks and open space. Uses discouraged by the Rural-Density Residential land use designation includes all industrial uses, business parks, and higher-density residential uses.
Major Street Plan:	The Major Street Plan classifies Bell Crossing Drive as a Collector Street. The Major Street Plan classifies Sortor Drive as a Local/Neighborhood Street. The Major Street Plan classifies North 37 th Street as a Local/Neighborhood Street.
Required Parking:	Section 27-455(d) requires two (2) off-street parking spaces on the premises for each single-family dwelling. There appears to be no paved parking available on the “subject property” (consisting of all seven (7) identified parcels).

Advertisement:	<u>The Wyandotte Echo</u> – May 20, 2021 Letters to Property Owners – May 18, 2021, June 9, 2021, July 6, 2021, September 7, 2021 and October 20, 2021
Public Hearings:	October 11, 2021 and October 28, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Albert Walker, is requesting a Special Use Permit to keep horses on seven (7) residentially zoned parcels at 3633, 3703, & 3707 Bell Crossing, 3701, 3702, & 3706 North 37th Street, and 3655 Sortor Drive (herein after known as the “subject property”). This subject property is not the applicant’s primary residence and has no primary residence on the property, but there is one (1) accessory structure (a clubhouse) and one (1) storage container.

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

Code Enforcement History: There is one (1) outstanding violation recorded at this collective subject property. The subject property was cited on May 12, 2021 for an enforcement complaint. The subject property has also been previously cited by Property Maintenance Compliance:

- March 30, 2021- Code Administrative Citation: Structural
- March 3, 2021- Code Administrative Citation: Environmental
- December 7, 2018- Other Multiple Violations
- July 27, 2018- Other Multiple Violations
- March 28, 2018- 14-Day trash Abatement

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Quindaro Bluffs Statistical Neighborhood and is not within a Neighborhood Group. The neighborhood, while primarily zoned for single-family residential use, displays many characteristics of a rural or agricultural area. The neighborhood is heavily wooded, features large lots, and has a significant number of properties that have livestock, some which are held in compliance with the Zoning Code and some which are not.

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

The subject property is zoned R-1(B) Single Family District. This is compatible with all the surrounding adjacent properties, which are also zoned R-1(B) or A-G.

The proposed use of keeping farm animals on the property, however, is not compatible with the surrounding properties due to the size of the subject property and the lack of adequate on-site facilities. Animals Services has cited previous issues of neglected horses on the property since it has been owned by the applicant.

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

The subject property is only 1.55 acres collectively. This makes the land suitable for no more than two (2) horses, but ideally only one (1) horse. This suitability is also based on the assumption that the applicant will construct adequate facilities to stable the horse, to provide fenced-in grazing and roaming area, and to hold enough food on site.

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

It is unclear how long the property has been vacant.

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

Special Use Permits are not addressed in the Northeast Area Master Plan. The Rural-Density land use designation allows for agricultural uses, ranches, and open space. Keeping horses and having recreational activities—the applicant's proposed uses—are rural and agricultural uses that benefit from having large amounts of land and few nearby neighbors. Therefore, the proposed use is neither in conformance nor in opposition to the City-Wide Master Plan.

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

The horses will have to be transported to the property via trailer and will presumably be transported off-site for some veterinary visits. Furthermore, the applicant has stated that family and friends will be using the property to gather and for recreation. The subject property is at the intersection of Bell Crossing Drive and Sortor Drive, two (2) major roads for the neighborhood. While even though family may be visiting frequently, it is unlikely that so many people would come to visit at once as to exceed the capacity of the street network to accommodate it. The applicant, however, must provide paved parking that is completely within the boundaries of the subject property and not within the public right-of-way.

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

Keeping farm animals on a parcel less than two (2) acres, away from the residential property, may be convenient to the applicant, but it is not necessary to

the convenience nor welfare of the public. Animal Services has stated that neglected horses have been found on the applicant's property in the past few years, which indicates an inability to make frequent visits to the property. An absentee landowner can cause problems for the neighbors, problems which will be exacerbated by the fact that horses will be living on the property alone. Since the applicant lives off-site, they will not be around all the time to address any rising issues. Keeping such animals could substantially or permanently injure the appropriate use, visual quality, or marketability of the adjoining properties.

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

Farm animals and stables/barns produce some noise, dust, pollen, and odors. Such externalities increase as more and more animals live within a single parcel. Since the applicant has not provided the number of horses that will be on the subject property, Staff cannot make a determination as to the negative externalities which might occur. Though Staff has concerns about the noise, dust, and odors that would be produced from the property, but would like the applicant to provide a manure disposal plan for the horses and chickens before making a final determination.

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

Animal waste, if not properly disposed, can pollute the air, land, and water by its smell, substance, and pathogens, respectively. There is a stream that runs through the property, and there is a significant amount of horse manure on the property and near the creek. The applicant must provide a manure disposal plan to Staff.

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

Overgrazing is always a concern with pasture animals. This concern is elevated for this case. The parcel is less than two (2) acre and within that space there is little vegetation for property grazing because of the heavily forested eastern portion of the subject property.

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

The gain to the applicant is as described in the application: the subject property could be a place to keep horses, drive on a dirt bike path, and gather the applicant's family. There is the potential for hardships to be imposed on nearby properties—smell, dust, and escaped animals—but proper housing, cleaning, and securing of the horse should address any of these potential issues.

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

Due to the amount of land that a horse needs to live healthily, any more than two (2) horses stabled on the subject property would constitute an undue concentration of animals on the subject property.

PREVIOUS ACTIONS

N/A

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on at 5:15 PM on June 1, 2021, at 3633 Sortor Drive. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Accessory Structure Without Building Permit
Environmental Junk & Trash
Manure Disposal Plan
Noise
Odors
Parking
Pasture Space
Site Plan
Storage Container
Water Contamination

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **DENIAL** of Special Use Permit Application SP-2021-047, **due to unresolved violations on the property, incompatibility of the land for livestock, and the recommendation of the Conservation District.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

Planning and Urban Design Comments:

General

- 1) There are two (2) separate rights-of-way that partially divide the applicant's parcels. The applicant may not use the rights-of-way without first successfully obtaining a vacation for the two (2) identified pieces of land. Before that time, the parcel boundaries adjacent to the rights-of-way must be fenced, in order to visually mark the difference between the applicant's private property and the public rights-of-way.
- 2) The applicant and visitors to the subject property may not park within the public rights-of-way. This includes the shoulder of Bell Crossing and Sortor Drives, and in the two (2) portions of rights-of-way surrounded by the applicant's parcels on three (3) sides.
- 3) Would the applicant be interested in replatting the seven (7) subject parcels? A replat would allow for a simultaneous combination of all the plats as well as the vacation and incorporation of the two (2) named public rights-of-way into the newly created plat.

Staff Response: *In various conversations with Staff, the applicant has previously stated that they are interested in combining all their parcels in the near future.*

- 4) While the applicant has made great strides in cleaning up the subject property, the following areas must continue to be addressed before horses can be safely stabled on site:
 - a. The structure on the property must either receive a Certificate of Occupancy from the Building Inspections Division or be demolished;
 - b. The storage container must either obtain a Special Use Permit or be removed;
 - c. The semi-truck cab must either obtain a Special Use Permit and be parked on a paved surface or be removed;
 - d. Broken concrete and stone must be removed from the areas in which the horses will roam, in order to prevent injuries; and,
 - e. Grading and erosion mitigation measures, such as a retaining wall, must be constructed in order to address the steep decline in terrain from the west portion and northwest corner of the property to the east portion of the property. There is currently no mitigation or retention measures in place.

Applicant Response: *I am still working at cleaning my property up. As far the stalls are concerned, they will be repaired, and color coordinated with the club house after the hearing if I am allowed to keep them.*

- 5) The area in which the horses will graze, and roam must be properly fenced.
- 6) How many horses will be kept on the subject property?
- 7) Will there be any lights on the subject property?
- 8) Does the applicant know how long the subject property has been vacant?
- 9) The storage container on the property will either need to receive a Special Use Permit or be removed. Would the applicant like to apply for a Special Use Permit for a storage container? This Special Use Permit case, SP2021-047, would be

held over in order for the applicant to submit a Special Use Permit application for a storage container.

Applicant Response: *We are asking for a special use permit to keep the container now that I know you can have one. All I was told was to remove this container. I practically gave my other one away.*

Staff Response: *Originally SP2021-047 was only a Special Use Permit for keeping livestock on a property between one (1) and five (5) acres. Staff was not informed of the applicant's request for a Special Use Permit until the applicant responded to Staff's comments. The applicant must apply for a separate Special Use Permit for the storage container.*

- 10) Provide a revised site plan for the property that includes the following:
 - a. The location of any existing structures (including the clubhouse and storage container), as measured by the distance of the structure from the front and side property boundary lines;
 - b. A fenced-in area where the horse(s) and chicken(s) can roam and graze, which dimensions for the perimeter of the fenced-in area; and,
 - c. The location of any proposed structures, such as new horse stables, as measured by the distance of the structure from the front and side property boundary lines; and,
 - d. The paved or gravel areas on the property, and note where the designated vehicle parking is.
- 11) Provide a floor plan for any existing or proposed structures, such as the clubhouse or stables.
- 12) Provide a manure disposal plan for the horses that will be stabled on site.
- 13) The applicant lives several miles away from the property. Given the fact that Animal Services has found neglected horses on the property several times in since 2018, Staff is concerned about the welfare of any animals kept on the property. Provide a schedule that demonstrates who is visiting the property and when they will visit, in order to ensure that there is no issue with neglected animals.
- 14) Aerial imagery from 2020 shows some large, unidentified items on the property. Any vehicles, scrap/junk, or other materials must be removed from the property in order to create a suitable environment for the farm animals.

Standard Conditions

- 1) A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department at (913) 573-8620 to begin that process.
- 2) 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.

Animal Services Comments:

- 1) Animal Services Unit (ASU) strongly opposed horses being kept at any of the address listed on this special use permit application. ASU has received two complaints of horse neglect at 3707 Bell Crossing (and the surrounding area where addresses are not discernable) with Mr. Albert Walker being listed as the owner of the property. Mr. Walker has allowed people to keep their horses on his property and proper care was not ensured; on at least two occasions 7/5/2018 and 2/5/2019, horses were found to be severely neglected. The horse found on 7/5/2018 required a search warrant for removal due to severe neglect and poor shelter. The horse that was found on 2/5/2019 was removed from the property prior to ASOs returning to confiscate the horse.

Property Maintenance Compliance Comments:

- 1) Owner continues to clear land and add gravel to properties.

Wyandotte County Conservation District Comments:

- 1) For full Conservation District comments, see the Wyandotte County Conservation District Letter to the Director of Planning (labeled “Conservation District Letter, Dated May 18, 2021”, in the *Attachments* section of this report).

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition **SP2021-047** subject to all comments and suggestions outlined in this staff report, the recommendation of the City Planning Commission, recommendation, and summarized by the following:

- 1) **Based on the professional assessments by Animal Services, no horses or other livestock shall be stabled overnight on the subject property. The Animal Services comments are as follows:**
 - a. **ASU strongly opposed horses being kept at any of the address listed on this special use permit application. ASU has received two complaints of horse neglect at 3707 Bell Crossing (and the surrounding area where addresses are not discernable) with Mr. Albert Walker being listed as the owner of the property. Mr. Walker has allowed people to keep their horses on his property and proper care was not ensured; on at least two occasions 7/5/2018 and 2/5/2019, horses were found to be severely neglected. The horse found on 7/5/2018 required a search warrant for removal due to**

severe neglect and poor shelter. The horse that was found on 2/5/2019 was removed from the property prior to ASOs returning to confiscate the horse.

- 2) Based on the professional assessments by the Wyandotte County Conservation District, no horses or other livestock shall be stabled overnight on the subject property. The Conservation District has provided the following reasons for not recommending approval:
- a) The area is denuded of most of the vegetation;
 - b) There is a severe erosion problem in the area. There are some trees which does not help the area;
 - c) The stream is not fenced so animal waste ends up in the stream. Soil is eroding into the stream as well;
 - d) No animals were visible at the time of the inspection. The animals' condition are unknown today. In the past years though, animals were in poor shape; and,
 - e) The area needs to be seeded and mulched as soon as possible. No animals should be allowed to roam the area until the seeding is well established.

ATTACHMENTS

October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of Property Provided by Staff, Dated May 23, 2021
Photos of Property Provided by the Applicant
Site Plan Provided by the Applicant
Additional Information Provided by the Applicant
Neighborhood Meeting Materials, Dated June 1, 2021
Wyandotte County Conservation District Letter, Dated May 18, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Unified Government Commission</u>
Public Hearing		
Special Use	October 11, 2021 Denial	October 28, 2021

STAFF CONTACT: Michael Farley
mfarley@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-047**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-047** as meeting all the requirements of the City Code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff report, and the following additional requirements:

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

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 1:52:24:

SPECIAL USE PERMIT APPLICATION SP2021-047 – ALBERT H. WALKER – SYNOPSIS: Special Use Permit for horses on residential property at 3703, 3707 and 3633 Bell Crossing and 3701, 3702 and 3706 North 37th Street and 3655 Sortor Drive.

Detailed Outline of Requested Action: The applicant, Albert Walker, is requesting a Special Use Permit to keep horses on seven (7) residentially zoned parcels at 3633, 3703, & 3707 Bell Crossing, 3701, 3702, & 3706 North 37th Street, and 3655 Sortor Drive (herein after known as the “subject property”). This subject property is not the applicant's primary residence and has no primary residence on the property, but there is one (1) accessory structure (a clubhouse) and one (1) storage container.

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

Code Enforcement History: There is one (1) outstanding violation recorded at this collective subject property. The subject property was cited on May 12, 2021 for an enforcement complaint. The subject property has also been previously cited by Property Maintenance Compliance:

- March 30, 2021- Code Administrative Citation: Structural
- March 3, 2021- Code Administrative Citation: Environmental
- December 7, 2018- Other Multiple Violations
- July 27, 2018- Other Multiple Violations
- March 28, 2018- 14-Day trash Abatement

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;

5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners.

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

Present in Support:

- Albert Walker, applicant, 5758 Georgia Avenue, Kansas City, Kansas 66104

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:10:06: Planning Director Hand stated that the applicant is requesting a Special Use Permit to keep horses on his property in the Sortor Drive area. There have been several applications on Sortor Drive before the Commission, so the Commission is aware of the difficult conditions of the area. Mr. Walker has put together multiple parcels that total approximately 1.5 acres if there were two (2) vacations approved adjacent to these properties. The applicant is not close to the required five (5) acres required for agriculture/animals. The Conservation District does not recommend approval of this Special Use Permit. If the Commission moves forward with a recommendation of approval, Staff has several conditions of approval. The Conservation District does not recommend horses on the property overnight, but that does not mean that he cannot bring horses onto the property. Director Hand stated that there are Notices of Violations mostly due to the existing, unpermitted accessory structure on the subject property. Staff has received no letters in support nor opposition and recommends denial in accordance with the recommendation of the Conservation District.

The Planning Commission directed questions to the staff.

Motion and Vote starts at 2:16:45:

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **DENIAL** of Special Use Permit **SP2021-047, due to unresolved violations on the property, incompatibility of the land for livestock, and the recommendation of the Conservation District:**

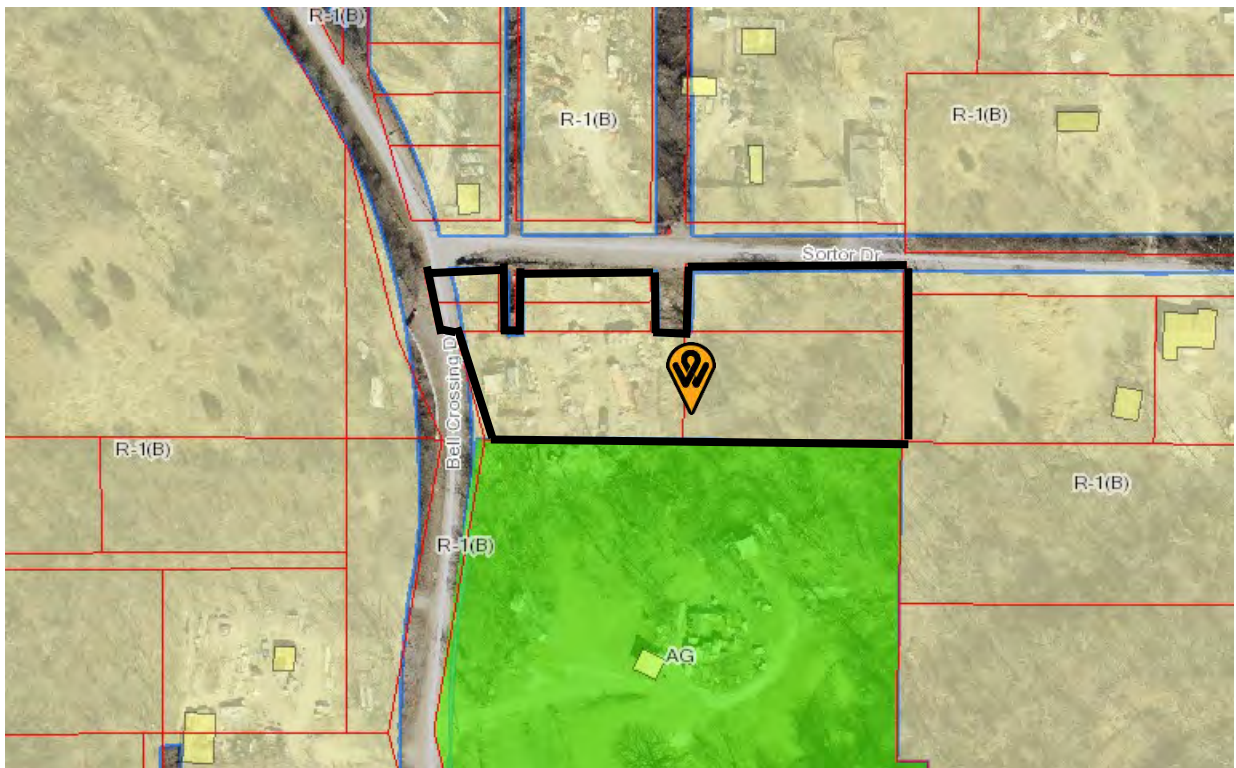
Carson	Chairman
Hill	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Not Present
Pauley	Not Present
Armstrong	Not Present
Connelly	Not Present

Ernst Aye
Motion to RECOMMEND DENIAL Passed: 5 to 0

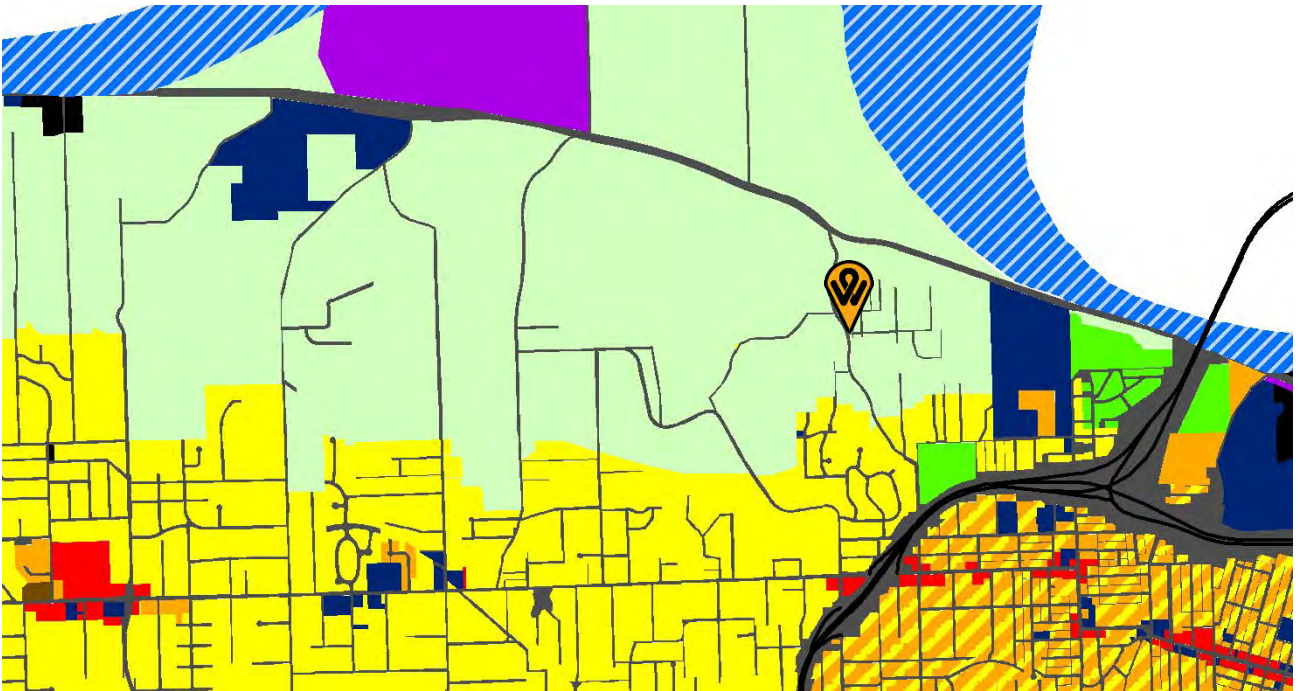
AERIAL MAP



ZONING MAP



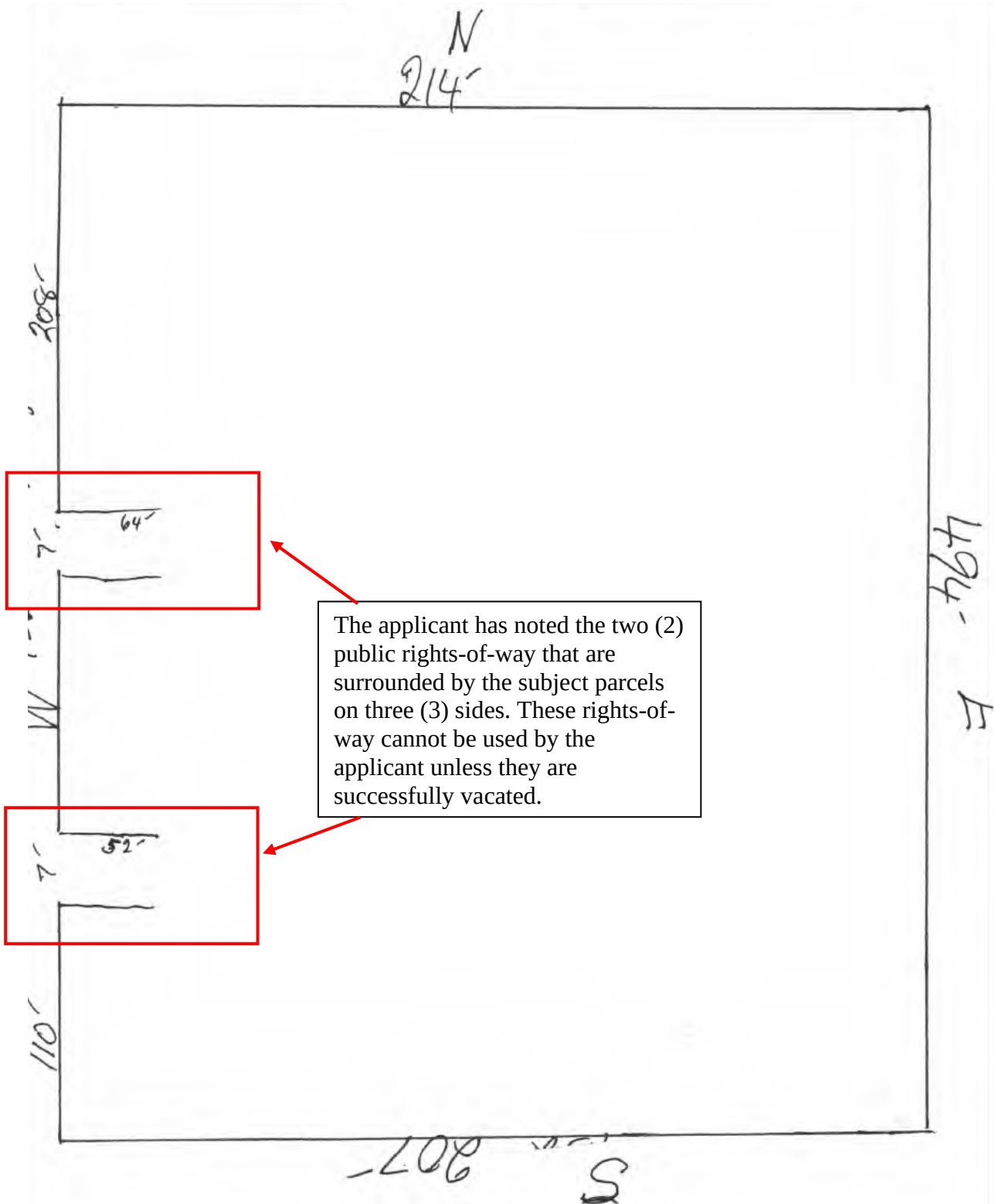
LAND USE MAP



PHOTOS OF PROPERTY PROVIDED BY THE APPLICANT



SITE PLAN PROVIDED BY THE APPLICANT



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED MAY 22, 2021



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED MAY 22, 2021, CONT.



PHOTOS OF PROPERTY PROVIDED BY STAFF, DATED MAY 22, 2021, CONT.



ADDITIONAL INFORMATION PROVIDED BY THE APPLICANT

9. Additional Information Please note any additional information that may assist staff in reviewing this request.

the land east of me is considered as agriculture land and also the north and west will be considered as agriculture land. There is no sewer line running down here, kids walk in the middle of the street going to school because there's no side walks down here.

9

Kids wear lights on their heads to see because there's insufficient lighting on these streets down here as they go to school early in the morning.

Many of us down here bought land from the land bank and we were told that we would be allowed to keep horses on our land.

We were told in a meeting that if we clean up and repair down here some of us would get agriculture status which I don't understand. If we clean up the land and repair fences everybody should be allowed to get agriculture status. This was our understanding.

If horses have been kept down here for the past 75 years or more what's the problem with us having horses down here today.

If we were asking you for something that have not been going on in this area then we could understand some of the things you are saying. But being we are not we are confused.

Land we purchased even from the city was overran with grass, weeds and dead trees. Old wrecked cars, rims and different junk was on land that we purchased and we cleaned the land and we are still cleaning on it.

Our question is when are you going to do something?

I purchased a little piece of land on the corner from a guy name Marvin. He had been on this property for 9 years with horses and paid no taxes and you did not run him off. I buy the land and was made to pay back taxes and I am still paying taxes on it and the other land that I have bought. I have only been here 3 years and you are trying to run me off. I don't understand this.

We have purchased 2 four wheelers and a buggy for a horse to pull for the kids. We have prepared a trail which is a full circle so they can be safe and ride the four wheelers and horses. We have also purchased a swing and see saw set. We plan to purchase a volley ball net, horse shoes and a small wading pool.

We are foster parents for four teenage girls and have a grandson in our care who is disabled. We have grandchildren who really enjoy spending time on the property.

We are hoping that you allow us to get this special permit for the time being but our ultimate goal is for this community to become agriculture.

I took the liberty of measuring my land. My neighbor east of me moved his stake 15 to 20 feet down on my land after a surveyor showed him where his land stopped. We will deal with this issue later.

The club house that you see if I am allowed for it to remain on my property and other horse stalls will be the same color with a white roof. The container will be moved and I am hoping to put a better house there to put the four wheelers and buggy in but if I can get a permit to keep it I will secure it to the ground.

To Whom It May Concern

This letter is to make you aware that on the bottom of page 9 and the beginning of page 10 the information is wrong. No horse on my place (Mr. Walker) have never been neglected. The property at 3707 Bell Crossing where the horse was removed from was not my horse nor was that my property at the time. I fed the horse at times even though it wasn't my animal because it was being neglected. I bought the property on July 10, 2018. The other two horses that are mentioned, a young man was not able to take care of them and asked for my help and I gave it. They were at the point of death when I got them. I purchased medicine for them after calling the vet. I applied it as I was directed. One survived and one didn't. The one that survived is up the street from me. A young starting a club bought him for \$500.00. He's a good horse and in good condition now.

I am still working at cleaning my property up. As far the stalls are concerned they will be repaired and color coordinated with the club house after the hearing if I am allowed to keep them.

We are asking for a special permit to keep the container now that I know you can have one. All I was told was to remove this container. I practically gave my other one away.

Right now I can't get stuff off the property because of so much rain. I have tried but got stuck and actually had to have someone pull me out because I was trying to clean up.

This property is in better shape now than it was when I purchased it and I bought it from the city. The property was unworked, uncut and unclean and some unusable. People down here keep telling me what a great job I am doing with this corner and yet you keep telling me what a bad job I am doing.

The things Mr. Smith told me to do I am working on them.

The legal description of my property is not correct on the mapping. I have more than 2 acres.

My son is disabled and has a disabled grandson who enjoy being down here. This

Application Number SP2021-046

June 1, 2021

3633 Bell Crossing Dr

Meeting Called to order at 5:15pm

Names of people in attendance:

Lydia Mejia

Mr. Walker was in charge of the meeting

Discussions were made about the desires, intentions and plans that will go into effect if approved for his kids, grandchildren and friends.

There were no questions asked and no concerns about my usage of the land. She was in total agreement for my plans for the land. To the best of my knowledge No shows means a yes.

We waited until 5:15 to start the meeting hoping others would show.

After the discussions we adjourned at 6:05pm

Minutes taken by Wilma J Walker

Sign in Sheet

Lydia Mejia

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

Comes now Albert H. Walker, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP 2021-046
2. That I conducted a neighborhood meeting on June 1, 2021
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Albert H. Walker
Affiant

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

My commission expires _____ of _____, 200_.

Notary Public



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

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

May 18, 2021

RE: SP2021-047 Albert H. Walker horses at 3703, 3707, and 3633 Bell Crossing, 3701, 3702, and 3706 North 37th Street and 3655 Sortor Drive

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: SP2021-047 Albert H. Walker horses at 3703, 3707, and 3633 Bell Crossing, 3701, 3702, and 3706 North 37th Street and 3655 Sortor Drive.

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

MAPS AND REPORTS

Soils Map
Soils Inventory Report
Map Unit Description (Brief)
Agricultural Disposal of Manure
Soil Features

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

- There are two major soil type identified: Kennebec silt loam, occasionally flooded and Knox silt loam, 18 to 30 percent slopes. These soil types are considered very erodible when the surface is denuded of a protective cover.
- **We would not recommend approval of this site for these reasons:**
- This area is denuded of most of the vegetation.
- There is a severe erosion problem in this area. There are some trees which does not help the area.
- The stream is not fenced so animal waste ends up in the stream. Soil is eroding into the stream as well.
- No animals were visible at the time of the inspection. The animals' condition are unknown today. In the past years though, animals were in poor shape.

- The area needs to be seeded and mulched as soon as possible. No animals should be allowed to roam the area until the seeding is well established.

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

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

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

Sincerely,

Cheri Miller
District Manager

enclosures



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: October 28, 2021
Re: Special Use Permit SP2021-067

GENERAL INFORMATION

Applicant:
Weston Sparks

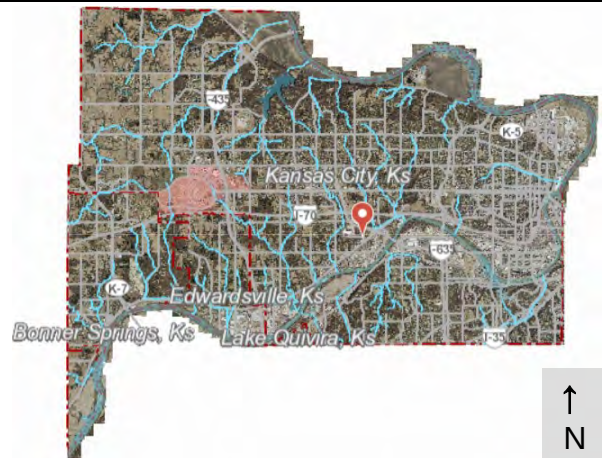
Status of Applicant:
Representative
Ride 4Ever Skate Park
230 South 65th Street
Kansas City, Kansas 66111

Requested Actions:
Approval of a Special Use Permit.

Date of Application:
July 24, 2021

Purpose:
Special Use Permit to operate a skate park
and skate school.

Property Location:
230 South 65th Street
Kansas City, Kansas 66111



Commission Districts:	Commissioner At Large: Melissa Bynum District #8 Commissioner: Jane Philbrook
Existing Zoning:	R-1 Single Family District
Adjacent Zoning:	North: R-1 Single Family District South: MP-2 Planned General Industrial District East: R-1 Single Family District; MP-2 Planned General Industrial District West: R-1 Single Family District
Adjacent Uses:	North: Single-family residences South: Industrial business campus East: Single-family residences; Industrial building West: Single-family residence
Total Tract Size:	4.72 Acres
Master Plan Area:	The subject property is within the City-Wide Master Plan.
Master Plan Designation:	The City-Wide Master Plan designates this property as Low-Density Residential. Low-Density Residential allows for single-family residences and institutions such as elementary and middle schools, libraries, and small places of worship. Low-Density Residential discourages all industrial uses. The cultural principles of the Low-Density Residential land use designation state that land use polices are geared to protect against industrial, commercial, and multi-family encroachment into established single-family neighborhoods.
Major Street Plan:	The Citywide Master Plan designates South 65 th Street as a Collector Street.
Required Parking:	R-1 District: Section 27-454(e) requires two (2) off-street parking spaces premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport.
Advertisement:	<u>The Wyandotte Echo</u> – August 19, 2021 Letters to Property Owners – August 20, 2021, October 1, 2021 and October 20, 2021
Public Hearings:	September 13, 2021, October 11, 2021 and October 28, 2021

Public Support: One (1) letter in support has been submitted.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Weston Sparks with Ride 4Ever Skate Park, is requesting a Special Use Permit for a skate park and skate school. A skate park and skate school is considered an athletic facility and therefore requires a Special Use Permit under Section 27-593(a)(1).

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

Code Enforcement History: There are no outstanding violations recorded at this property. The subject property has been previously cited by Property Maintenance Compliance:

- May 22, 2017- Other Multiple Violations
- May 16, 2017- Weeds & Trash Abatement
- April 10, 2015- Other Multiple Violations
- June 29, 2006- Environmental: Grass & Weeds
- *May 12, 2006- Environmental: Grass & Weeds

*Entry is listed under the subject property's address, but the overgrown weeds were determined to have been in the right-of-way, which is unusually large at the corner.

FACTORS TO BE CONSIDERED

1. The character of the neighborhood.

The subject property is within the Muncie-Stony Point Statistical Neighborhood and is not within a Neighborhood Group. The neighborhood has some clusters of single-family residences but is growing in the number of industrial properties and uses. Most industrial parcels are located along or near Kaw Drive, but properties such as the Amazon warehouse has expanded the range of the industrial area.

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

The subject property has a unique layout, which includes an enclave parcel that holds a single-family residence. This parcel is separate from the subject property. Staff's concern is that the proposed skate park will not be compatible with the continued use of the residence. There are, however, mitigation measures that the applicant can take, such as heavily screening the skate park building and parking lot with trees and shrubs so that it will not be visible from the residence. Through these mitigation measures, a skate park could be compatible with the existing residence.

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

The adjacent single-family residence was constructed in 1920, but the primary building on the subject property—the building that is undergoing interior renovations to become an indoor skate park—has existed since 1973, when it initially served as a school. Therefore, the enclave parcel has already existed in conjunction with the subject property for 50 years, and for some of that time school buses and cars drove by the residence twice a day, 180 days a year. The C-3 Commercial District allows for a range of uses, many of which rely on in-person visits from customers. Patrons using the subject property's long driveway from South 65th Street to access the primary building does require them to drive by the neighboring property, but again, this amount of traffic is not a new phenomenon to either property. As the applicant is specifically applying to operate a skate park, the concern over traffic—the ancillary use most likely to detrimentally affect the enclaved property—is lessened even further. The skate park's proposed hours of operation 12 PM to 7 PM daily; the applicant has further stated that while the capacity of the building is 30 persons, it is more likely that there will be about 10 skaters in the building at any time. Since the traffic will likely be much lower and at more limited hours than it was when the subject property operated as a school, Staff has determined that removal of the restrictions will not detrimentally affect the nearby property.

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

The subject property is not vacant. The accessory structure is being rented out to store lawncare and landscaping equipment.

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

Based on a cursory search, it does not appear that there is an indoor skate park in Kansas City. While a skate park is not reasonably necessary for the convenience and welfare of the public, an indoor park does give the Kansas City skating community the opportunity to continue to skate locally when the temperature or inclement weather prevents use of outdoor facilities. Rezoning the subject property to C-3 and using it for a skate park will not harm the appropriate use, visual quality or marketability of the nearby industrial properties. For the adjacent residential properties to the north, a skate park will create a buffer between the industrial uses to the south, and also bring in business that many members of the local community can actually use, instead of a construction company, bulk supplies sales, a warehouse, or a bar.

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

The subject property was once a school, and so has previously experienced heavy traffic for small but predictable times of day. The site is designed to handle a quick influx of traffic, with its large parking lot and long driveway. The deteriorated driveway that once accessed Speaker Road could even be restored and open up a second entry/exit point for the property. But, as the applicant is specifically applying to operate a skate park, the concern over traffic is minimal. The skate park's proposed hours of operation are 12 PM to 7 PM daily and the applicant predicts that approximately 10 skaters will be on site at any moment in time. Furthermore, it is not only unlikely but effectively impossible for all required 68 parking spaces will be simultaneously filled, as the applicant's capacity for the building is only 30. The only measures that the applicant needs to take is to repave and restripe the parking lot, update the driveway apron to South 65th Street, and possibly restore the driveway leading north from the parking lot to Speaker Road.

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

The existing land use designation for the property is Low-Density Residential. A land use designation under the City-Wide Master Plan, Low-Density Residential allows for single-family residences and institutions such as elementary and middle schools, libraries, and small places of worship. Low-Density Residential discourages all industrial uses and the cultural principles of the Low-Density Residential land use designation state that land use policies are geared to protect against industrial, commercial, and multi-family encroachment into established single-family neighborhoods. Therefore, the proposed use does not conform with the City-Wide Master Plan land use designation for the subject property.

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

Of all the affected properties, the single-family residence at 234 South 65th Street will face the largest hardship overall, due to the increase in traffic and use of the property under the proposed Special Use Permit for the skate park. Staff has previously pointed out that the neighboring residences has co-existed with a school at the subject property, and that traffic from a skate park would very likely be less than the traffic that would consistently be at a school, especially during drop-off times in the morning and pick-up times in the afternoons. Furthermore, there are mitigation measures that the applicant can take, such as heavily screening the skate park building and parking lot with trees and shrubs so that it will not be visible from the residence.

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

While a skate park will bring in more traffic than does the current uses, a skate park is also a much more productive use of the property. Staff has previously assessed the impact that traffic will have on the neighborhood, especially the adjacent residential parcel at 234 South 65th Street and has concluded that

mitigation measures such as landscape screening will greatly reduce any interference of noise or vibration. All drivable surfaces will have to be repaved, so dust is not a concern, and all lighting in the parking lot and on the building is required to face downward at a 90-degree angle, so light pollution off-site is also not a concern.

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

The Special Use Permit does not require additional construction or paving, so the increase of impermeable surface areas is highly unlikely. The parking lot and driveway accessing South 65th Street will have to be repaved, but unless the Kansas City, Kansas Fire Department (KCKFD) requires the second driveway accessing Speaker Road to be repaved and useable for fire safety purposes, there will be no increase in impermeable area. The proposed use will not involve runoff or airborne pollutants.

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

As previously stated in Factor #10, there is no necessary expansion of the current building or site. The applicant has provided a landscaping plan for the property, which serves both to screen the parking lot and driveway from the neighboring parcels and rights-of-way and also to enhance the aesthetics of the property. Therefore, the proposed use will not damage or destroy an irreplaceable natural resource.

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

The floor area of the proposed skate park building is the front 8,000 square feet of the 17,000-square-foot building. As the subject property is zoned R-1 Single-Family District, the strictest parking standards are regulated by Section 27-668(a)(2), which grants the City Planning Commission the discretion to determine the number of required parking spaces for an athletic facility. The applicant has provided a basic parking plan that demonstrates 30 viable parking spaces. Given the capacity of the building and the applicant's experience with the skate park at its current location, Staff finds that 30 parking spaces striped and paved to UG standards sufficient for the purposes of this Special Use Permit. All other future entitlements may require additional parking or a variance from additional parking requirements. Therefore, the proposed use will not result in overcrowding of land or cause undue concentrations of population.

PREVIOUS ACTIONS

N/A

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting at 3:00 PM on August 26, 2021, at 230 South 65th Street. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Commercial Development Guidelines Overlay District
Compatibility of Uses
Landscaping Plan
Parking Lot
Pedestrian Access
Site Improvements

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2021-067, **for two (2) years**, subject to:

- 1) The hours of operation for the skate park will be from 12:00 PM to 7:00 PM daily;
- 2) Special Use Permit for an athletic facility (skate park) shall only apply to the 8,000-square-foot area as designated by the applicant on the floor plan provided. A partition wall must divide the entirety of the 8,000-square-foot area designated as the skate facility from the remainder of the building. Any expansion or alteration of the space will require SP2021-067 to be amended by the City Planning Commission and the Board of Commissioners;
- 3) A Final Plan Review of the landscaping, parking lot, and building façade, per all relevant zoning district, landscaping, and/or CDGOD ordinances, may be required, and if so, must be successfully granted within six (6) months of the approval of SP2021-067 by the Board of Commissioners;
- 4) A separate Special Use Permit for temporary use of land for commercial or industrial purposes must be issued, as storage of material and equipment for a separate business and use is not allowed in either the R-1 or C-3 Districts. Note that under this Special Use Permit, any stored equipment or material shall be removed upon the date of expiration of the special use permit, which permit shall not be approved for more than two (2) years. This separate Special Use Permit must be granted within six (6) months of the approval of SP2021-067 by the Board of Commissioners;
- 5) Trees are required at not less than one per 7,000 square feet of site area;
- 6) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements. Therefore, the applicant must provide landscaping along the east side of the parking lot, to mitigate the amount of light, noise, and visuals reaching the adjacent residence at 234 South 65th Street;

- 7) 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;
- 8) 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;
- 9) If approved, occupying businesses will need to maintain a current business occupation tax application with this office;
- 10) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
- 11) 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,
- 12) The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **SP2021-067**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

September 13, 2021 City Planning Commission Minutes
October 11, 2021 City Planning Commission Minutes
Aerial Map
Land Use Map
Zoning Map
Photos of the Property Provided by Staff, Dated August 31, 2021
Photos of the Property Submitted by the Applicant
Floor Plans Submitted by the Applicant
Preliminary Landscape Plan Submitted by the Applicant
Wyandotte County Conservation District Comment Letter, Dated August 17, 2021
Neighborhood Meeting Materials, Dated August 26, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	September 13, 2021 – Held Over	
Special Use	October 11, 2021 Approval	October 28, 2021

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2021-067**, as meeting all the requirements of the City code and being in the interest of the public health safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2021-067**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 13, 2021 City Planning Commission Minutes:

Hearing starts at 1:24:08:

MASTER PLAN AMENDMENT MPL2021-018 – WESTON SPARKS FOR RIDE 4 EVER SKATE PARK – SYNOPSIS: Master Plan Amendment from Low Density Residential to Community Commercial (City-Wide Master Plan) at 230 South 65th Street.

CHANGE OF ZONE APPLICATION COZ2021-029 – WESTON SPARKS WITH RIDE 4 EVER SKATE PARK – SYNOPSIS: Change of Zone from R-1 Single Family District to CP-3 Planned Commercial District to convert warehouse to skate park/skate school at 230 South 65th Street.

SPECIAL USE PERMIT APPLICATION SP2021-067 – WESTON SPARKS WITH RIDE 4 EVER SKATE PARK – SYNOPSIS: Special Use Permit to operate a skate park/skate school at 230 South 65th Street.

Detailed Outline of Requested Action: The applicant, Weston Sparks with Ride 4Ever Skate Park, is requesting a Change of Zone, Master Plan Amendment, and Special Use Permit. The applicant is requesting a Change of Zone from R-1 Single-Family District to C-3 Commercial District, a Master Plan Amendment of the City-Wide Master Plan from Low-Density Residential to Community Commercial, and a Special Use Permit for a skate park and skate school. The Master Plan Amendment and Change of Zone have been requested in order to support the skate park and skate school, which requires a Special Use Permit under Section 27-593(a)(1).

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

Code Enforcement History: There are no outstanding violations recorded at this property. The subject property has been previously cited by Property Maintenance Compliance:

- May 22, 2017- Other Multiple Violations
- May 16, 2017- Weeds & Trash Abatement
- April 10, 2015- Other Multiple Violations
- June 29, 2006- Environmental: Grass & Weeds
- *May 12, 2006- Environmental: Grass & Weeds

*Entry is listed under the subject property's address, but the overgrown weeds were determined to have been in the right-of-way, which is unusually large at the corner.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 13, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;

7. The Notices to property owners.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Planning Commissioner Miller stated that he had comments with the applicant's counsel in passing but did not receive any additional information.

Present in Support:

- Tom Stibal, attorney representing the property owner Daniel Jansen, 509 Armstrong, Kansas City, Kansas 66101
- Weston Sparks, applicant

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:46:36: Planning Director Hand stated that after further consideration staff has determined that a Special Use Permit would be the best recommendation for this use on the property instead of a Change of Zone and Master Plan Amendment. He stated that a final development plan will be required no matter which direction is taken for this case as compliance with the Commercial Design Guidelines will require details on landscaping, elevations, material pallet, etc. Some of the items can be addressed through the Development Review process. There is also a request to continue storage on the property unrelated to the business and would require its own Special Use Permit. The storage on the property is not currently allowed. The Master Plan Amendment and Change of Zone represents a further encroachment into the residential neighborhood. This building was built in the 1970s as a school, which is allowed in a residential zone. Staff believes that if this property is rezoned to commercial and a Master Plan Amendment to Community Commercial, the other allowable uses in the commercial district would be inconsistent with the neighborhood, and that is why Staff is recommending approval of the Special Use Permit for this particular use only. There are further site details that are needed by the staff. He stated that Staff prefers that all applications are voted on tonight or hold over all three (3) applications.

The Planning Commission directed questions to staff regarding the difference between recommending a deed restriction on the previous application for an asphalt batch plant and this application. Staff noted that the previous case represented an intensification of an existing industrial property and not a change in zone category like this case.

Motion and Vote starts at 1:54:54:

On motion by Mrs. Jones, seconded by Mr. Mohler, the Planning Commission voted as follows to **HOLD OVER Master Plan Amendment Application MPL2021-018, Change of Zone Application COZ2021-029, and Special Use Permit Application SP2021-067 until the October 11, 2021 meeting for the applicant and staff to work together on the best path for this proposal:**

Carson	Chairman
Connelly	Not Present

Ernst	Aye
Hill	Aye
Huey	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Pauley	Aye
Armstrong	Aye

Motion to HOLD OVER Passed: 8 to 0

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 2:18:26:

SPECIAL USE PERMIT APPLICATION SP2021-067 – WESTON SPARKS WITH RIDE 4 EVER SKATE PARK – SYNOPSIS: Special Use Permit to operate a skate park/skate school at 230 South 65 Street.

Detailed Outline of Requested Action: The applicant, Weston Sparks with Ride 4Ever Skate Park, is requesting a Special Use Permit for a skate park and skate school. A skate park and skate school is considered an athletic facility and therefore requires a Special Use Permit under Section 27-593(a)(1).

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

Code Enforcement History: There are no outstanding violations recorded at this property. The subject property has been previously cited by Property Maintenance Compliance:

- May 22, 2017- Other Multiple Violations
- May 16, 2017- Weeds & Trash Abatement
- April 10, 2015- Other Multiple Violations
- June 29, 2006- Environmental: Grass & Weeds
- *May 12, 2006- Environmental: Grass & Weeds

*Entry is listed under the subject property's address, but the overgrown weeds were determined to have been in the right-of-way, which is unusually large at the corner.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners.

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

Recording Secretary Parker stated that the Change of Zone, Special Use Permit and Master Plan Amendment were held over from last month's meeting, (The Special Use Permit was split off from the Change of Zone and Master Plan Amendment.)

Present in Support:

- Weston Sparks, applicant,
- William Hutton, 509 Armstrong, Kansas City, Kansas, attorney representing the owner of the property, Mr. Dan Jansen and the applicant

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:23:00: Planning Director Hand stated that this case was continued from the September agenda. When staff met with the applicant, the applicant decided to decouple the Special Use Permit from the Change of Zone and Master Plan Amendment. This property is in the Riverview area north of Kaw Drive and adjacent to U. E. Dunn equipment facility. It is a former school. Since the Special Use Permit has been split from the other two (2) applications, one of the conditions of approval would be a final plan review within six (6) months. If the Change of Zone and Master Plan Amendment move forward and are approved next month, the final plan review would be included in those applications. He stated that another condition of approval is that a partition wall must divide the entirety of the 8,000 square foot area designated as the skate facility from the remainder of the building. Staff has received one (1) letter in support and no letters in opposition. There are old Notices of Violation not related to this proposal. Staff has one (1) correction to the staff report as it did not specify the approval timeframe. Staff recommends approval for two (2) years, subject to the conditions in the staff report.

Motion and Vote starts at 2:25:48:

On motion by Mr. Ernst, seconded by Dr. Hill, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2021-067 for two (2) years:**

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

Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

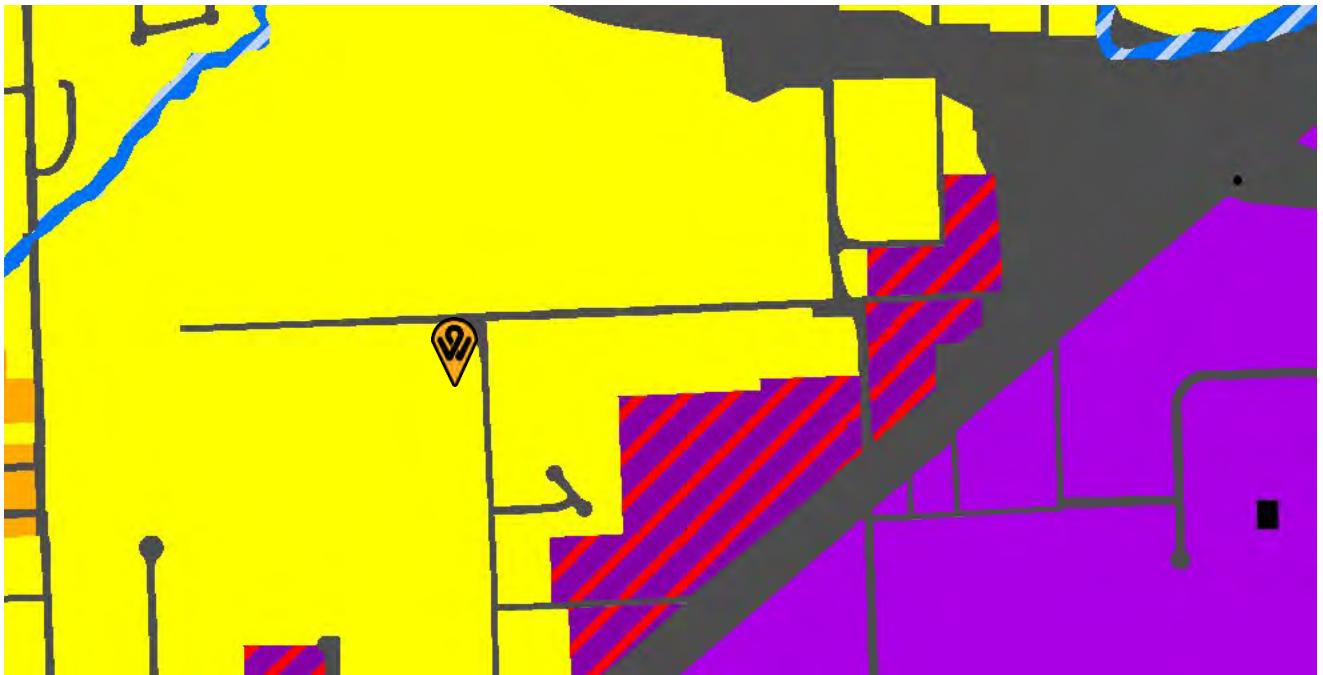
- 1) The hours of operation for the skate park will be from 12:00 PM to 7:00 PM daily;
- 2) Special Use Permit for an athletic facility (skate park) shall only apply to the 8,000-square-foot area as designated by the applicant on the floor plan provided. A partition wall must divide the entirety of the 8,000-square-foot area designated as the skate facility from the remainder of the building. Any expansion or alteration of the space will require SP2021-067 to be amended by the City Planning Commission and the Board of Commissioners;
- 3) A Final Plan Review of the landscaping, parking lot, and building façade, per all relevant zoning district, landscaping, and/or CDGOD ordinances, may be required, and if so, must be successfully granted within six (6) months of the approval of SP2021-067 by the Board of Commissioners;
- 4) A separate Special Use Permit for temporary use of land for commercial or industrial purposes must be issued, as storage of material and equipment for a separate business and use is not allowed in either the R-1 or C-3 Districts. Note that under this Special Use Permit, any stored equipment or material shall be removed upon the date of expiration of the special use permit, which permit shall not be approved for more than two (2) years. This separate Special Use Permit must be granted within six (6) months of the approval of SP2021-067 by the Board of Commissioners;
- 5) Trees are required at not less than one per 7,000 square feet of site area;
- 6) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements. Therefore, the applicant must provide landscaping along the east side of the parking lot, to mitigate the amount of light, noise, and visuals reaching the adjacent residence at 234 South 65th Street;
- 7) 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;
- 8) 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;
- 9) If approved, occupying businesses will need to maintain a current business occupation tax application with this office;
- 10) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
- 11) 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,
- 12) The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.

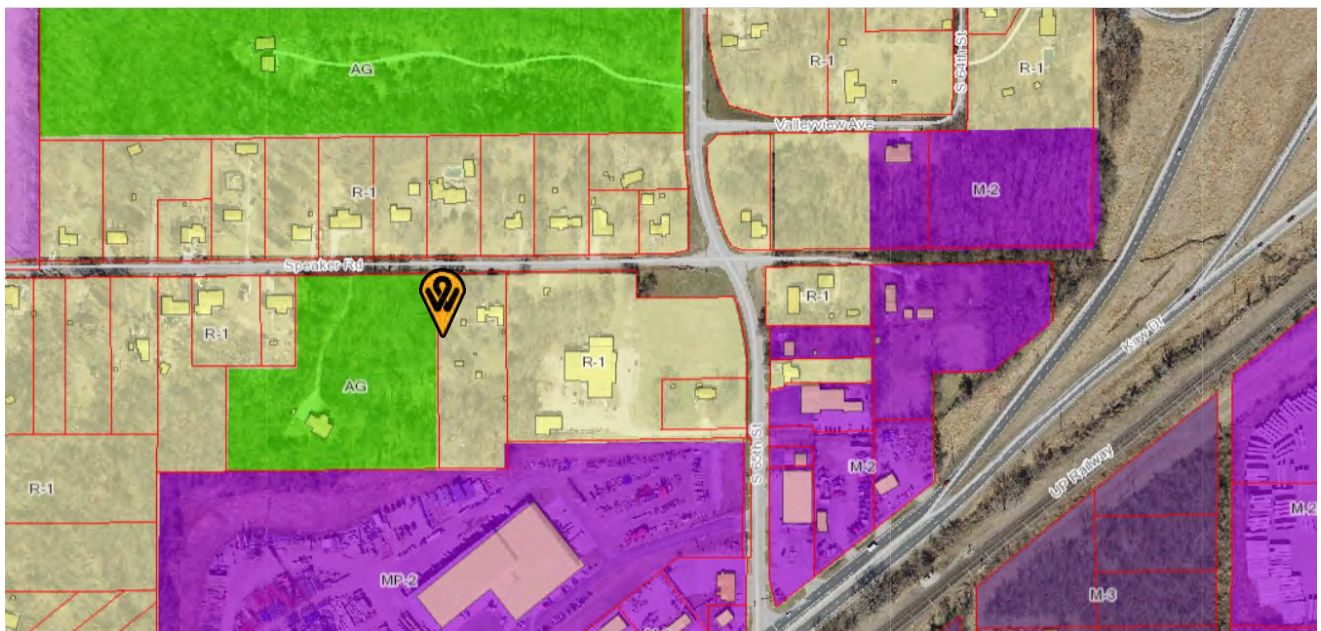
AERIAL MAP



LAND USE MAP



ZONING MAP



PHOTOS OF THE PROPERTY PROVIDED BY STAFF, DATED AUGUST 31, 2021



Upper Left: View of the primary building from the eastern boundary of the property (adjacent to South 65th Street).

Upper Right: Closer view of the primary building, facing west.

Center Left: View of the primary building from the northeast corner of the block, within the public right-of-way.

Center Right: Closer view of the primary building, demonstrating the current façade, from the northeast corner of the parking lot.

Lower Left: View of the property from the parking lot, facing east. South 65th Street is hidden beyond the slope of the hill.

Lower Right: View of the rear yard of 234 South 65th Street, a single-family residence, from the parking lot.



Upper Left: View of the parking lot in front of the primary building, facing north.

Upper Right: View of the driveway accessing South 65th Street.

Lower Left: View of the entrance off Speaker Road, which will be removed and returned to grass.

Lower Right: View of unused driveway accessing Speaker Road. This driveway will be torn up and restored as grass.



PHOTOS OF THE PROPERTY PROVIDED BY STAFF, DATED AUGUST 31, 2021, CONT.



Various views of the
lawncare/landscaping storage area.

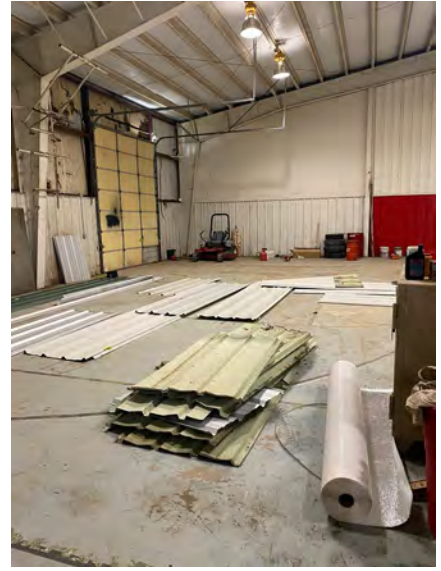
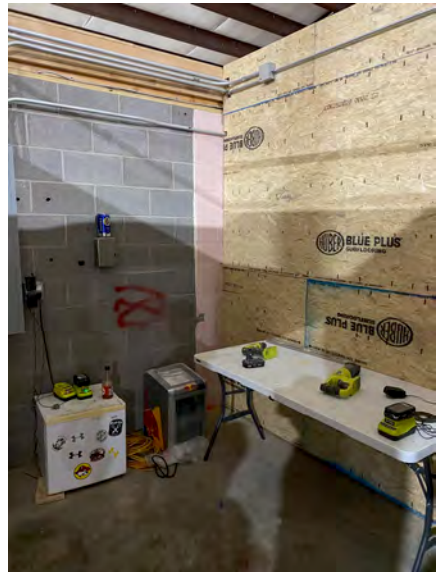
PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT



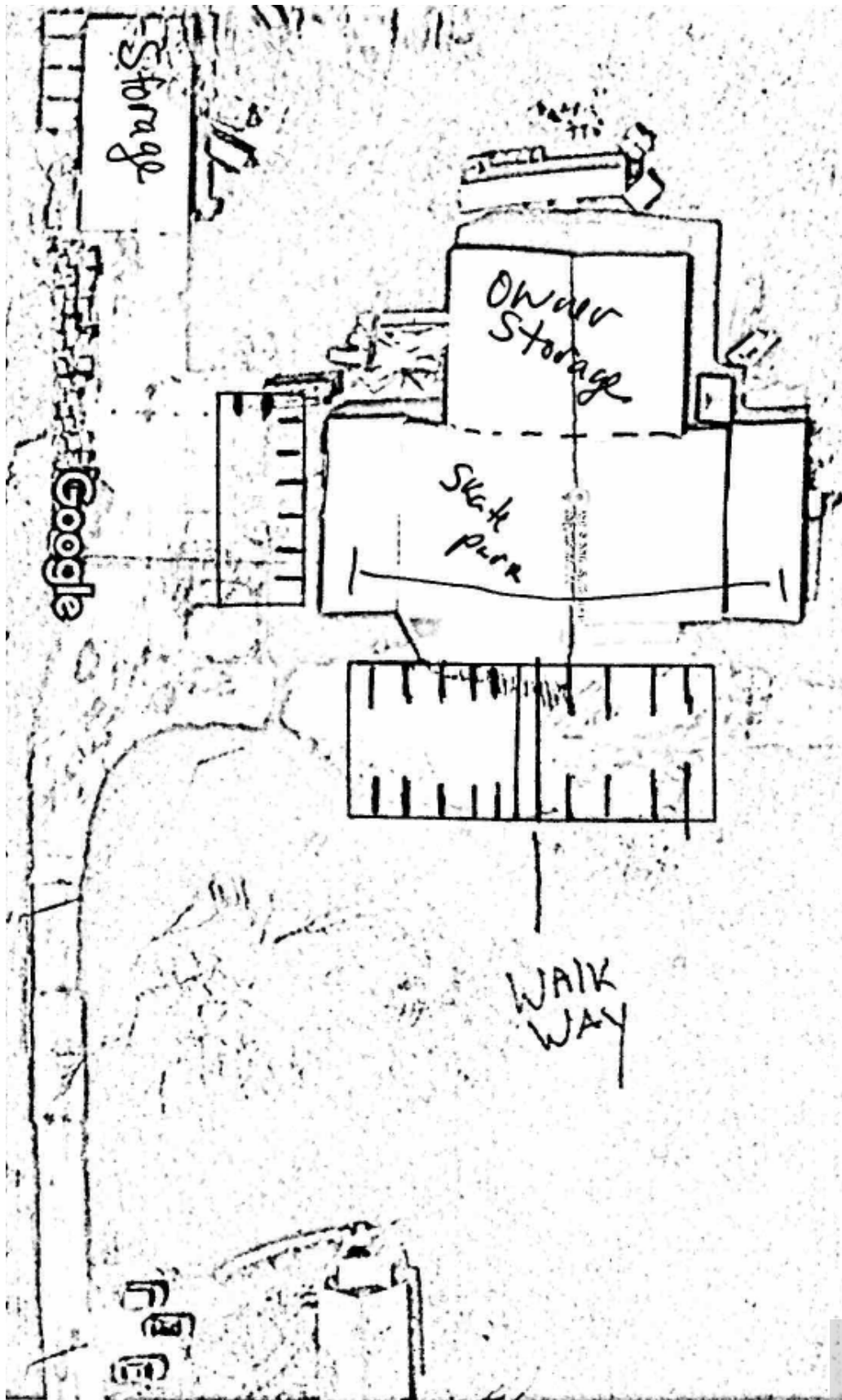
PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT, CONT.

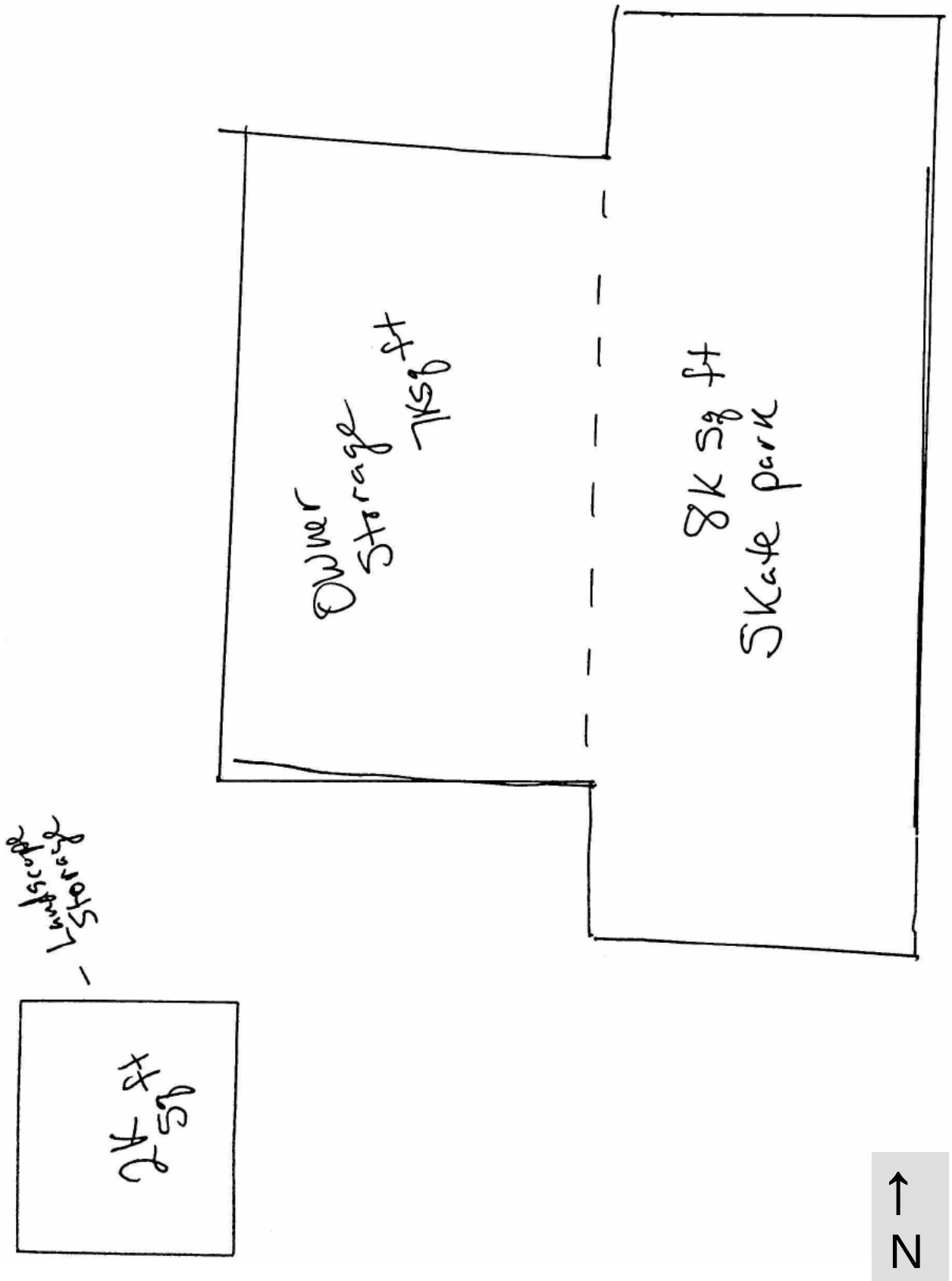


PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT, CONT.



FLOOR PLANS SUBMITTED BY THE APPLICANT





PRELIMINARY LANDSCAPE PLAN SUBMITTED BY THE APPLICANT



Imagery ©2021 Maxar Technologies, Map data ©2021 50 ft

repair driveway
and stripe parking
as needed

bushes to block parking from house



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

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

August 17, 2021

RE: COZ2021-029, SP2021-067 and MPL2021-018 Weston Sparks with Ride 4Ever Skate Park for skate park at 230 South 65th Street

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: COZ2021-029, SP2021-067 and MPL2021-018 Weston Sparks with Ride 4Ever Skate Park for skate park at 230 South 65th Street.

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

MAPS AND REPORTS

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

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

- There are three major soil types identified: Falleaf-Grinter soils, 4 to 8 percent slopes, Ladoga silt loam, 3 to 8 percent slopes and Knox silt loam, 7 to 12 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.
- This is a positive repurposing for the site.
- Creating an Erosion Control Plan would be necessary if grading is done on the property, such as parking lots, to control the sediment from impacting neighbors to the East and South.
- The Best Management Practices I this report can be used to develop an Erosion Control Plan for this site if needed.

The following Best Management Practices are recommended for this plat:

CONT.

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

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

* **Critical Area Planting** – After final grade has been completed permanent vegetation will be established. See the *Protecting Water Quality Field Guide* pages 35-54 for Temporary, and Permanent Seeding.

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

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

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

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

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

* **Sediment Basins** – This best management practice should be utilized in the natural concentrated flow areas to protect adjacent property and meet the National Pollution Discharge Elimination Systems Permit (NPDES). See the *Water Quality Field Guide* pages 201 – 208 for Temporary Sediment Trap and pages 209-216 for Sediment Basin.

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

The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological

CONT.

investigation may be needed. The natural soils and drainage pattern may have been changed in this area due to previous urban development. Therefore, the physical composition influencing the structure of the natural soil has already been altered; however, some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineation on the maps includes soils that differ from the named soil. Soil lines may not be exact therefore; on site investigation is needed for site specific planning.

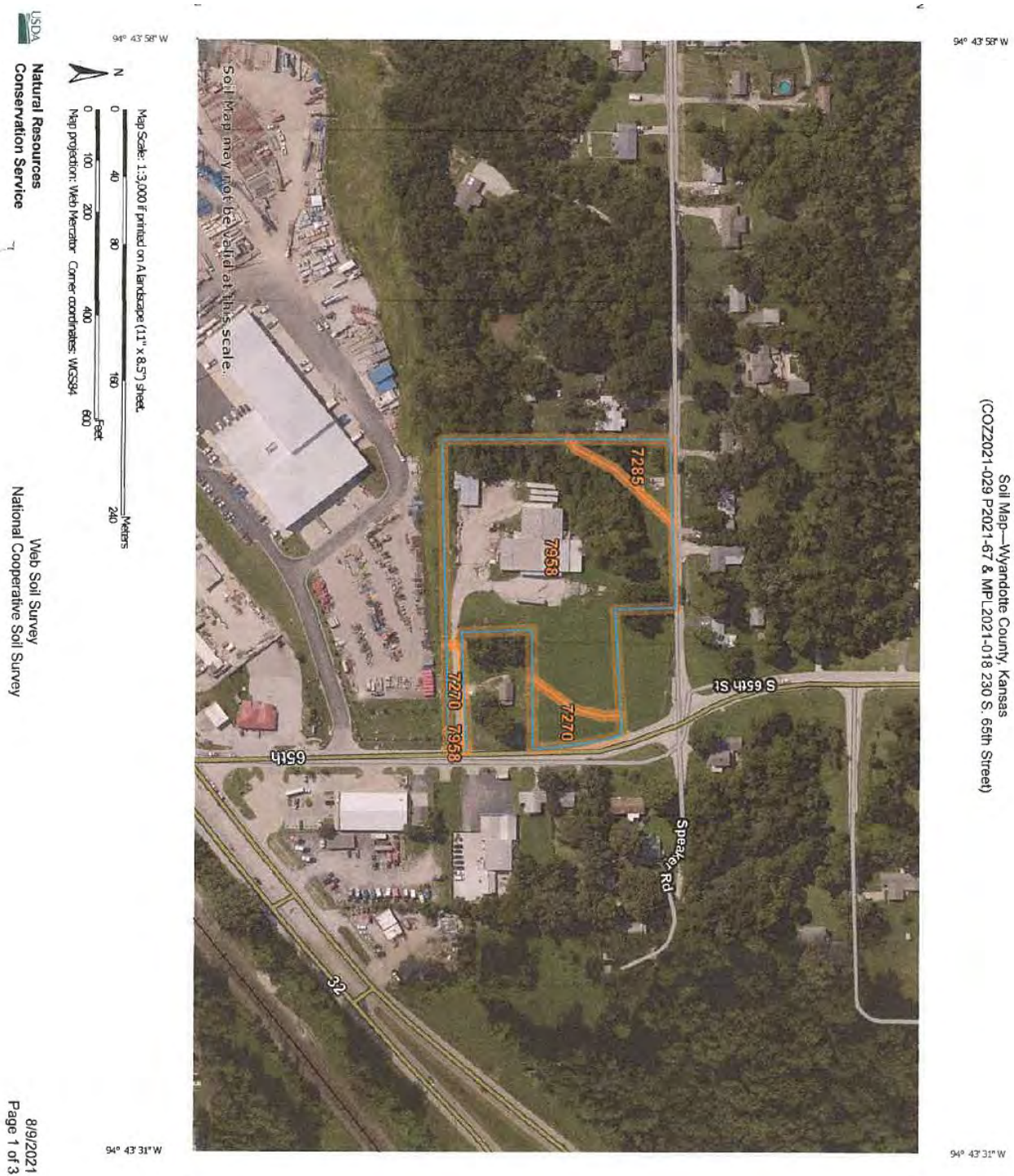
If you have any comments or questions, please do not hesitate to call me.

Sincerely,

Cheri Miller
District Manager

enclosures

CONT.



NEIGHBORHOOD MEETING MATERIALS, DATED AUGUST 26, 2021

8/12/2021

Ride Fouever
230 S. 65th st
Kansas City, KS 66111

Neighborhood meeting

We have filed an application with the Dept. of Urban planning and land use #
COZ2021-029, MPL2021-018 and SP2021-067
The purpose of this is for change of zone from R-1 TO C-3 and special use permit is for a
athletic facility at the following address: 230 S. 65th st.

We are having a neighborhood meeting on August 26th at 3pm at the following address:
230 S. 65th St Kansas City, KS 66111

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

Here is a little description of what we are about and what we do. We are an indoor
athletic facility open from 12-7pm. We host a skate school for the youth ages 6-15 and offer a
place for skateboarders to practice during bad weather. The business formally operated out of
All American sports in Lenexa, KS. We were at that location for the past 13 years and now its
time to expand and move to KCK.

Weston Sparks
(913) 326-2650
sparksweston@yahoo.com

Dan Janssen
(816) 474-6460
Dan@deluxelightingllc.com

SP2021-067
COZ2021-029
Application Number MPL 2021-018
Date and Location: 8/26/2021 230565th

Meeting called to order at: 3:00

Names of people in attendance:

Weston Sparks
Daniel Janssen

Introductions:

✓

Questions and answers (include the following):

✓

Meeting adjourned at: 3:45

Minutes taken by: Weston Sparks

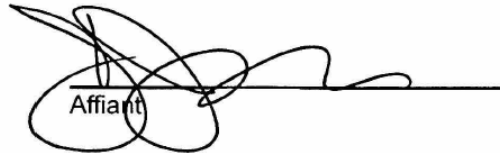
AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandotte) SS:

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

1. That I am the petitioner for Petition # C022021-029, PL 2021-018,
2. That I conducted a neighborhood meeting on 8/26/2021 3pm
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.


Affiant

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

My commission expires _____ of _____, 200_.

Notary Public



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: October 28, 2021

Re: **Petition SP2021-068**

GENERAL INFORMATION

Applicant:

Jill Schultze DBA K-9 Club KC, LLC

Status of Applicant:

Business Owner
5537 Reeds Road
Mission, KS 66202

Requested Action:

Renewal Special Use Permit to operate a dog daycare facility, which expired June 25, 2020.

Date of Application:

August 30, 2021

Purpose:

To renew a Special Use Permit of a dog daycare facility currently in business for 13 years.

Property Location:

221 South 22nd Street
Kansas City, Kansas 66102

Commission Districts:

Commissioner At Large: Melissa Bynum
District #4 Commissioner: Harold Johnson

Existing Zoning:

R-1(B) Single Family District



Adjacent Zoning:	North:	R-1(B) Single Family District
	South:	R-1(B) Single Family District
	East:	R-1(B) Single Family District
	West:	R-1(B) Single Family District
Adjacent Uses:	North:	Vacant Treed Lot
	South:	Vacant Treed ROW for I-70
	East:	Vacant Treed Lot
	West:	Vacant Treed Lots – UG Owned
Total Tract Size:		1.0 Acres
Master Plan Designation:		The City-Wide Master Plan designates this property as Low-Density Residential.
Major Street Plan:		The Major Street Plan designates South 22nd Street as a Local Street.
Advertisement:		<u>The Wyandotte Echo</u> – September 16, 2021 Letters to Property Owner – September 17, 2021 and October 20, 2021
Public Hearings:		October 11, 2021 and October 28, 2021
Public Support:		None to date.
Public Opposition:		None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jill Schultze, has applied for the renewal of a Special Use Permit for the operation of a dog daycare at the address of 221 S 22nd Street. The subject property has a single-family residence currently used as staff restroom facilities and a two-car garage used for supplies and dog washing. The property has been used for this business for the past thirteen (13) years. The Applicant and additional staff pick up the animals and transport them to the property. Daycare hours in which the dogs are on the property are between 11 am and 3 pm, Monday through Friday.

City Ordinance Requirements: Municipal Code Sections 27-592 through 27-606, 27-593, and Chapter 7.

Code Enforcement History: Although there are several enforcement and police cases associated with this address, they are a result of the Applicant's request to address issues by outside agents. No existing or outstanding issues are determined to be the result of the Applicant's negligence.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This neighborhood is comprised of large, wooded residential lots. The majority are vacant and undeveloped. Lots in this area tend to be secluded, with ample space between one another. Most of the streets in this area were not constructed, there are no sidewalks and streets are narrow.

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

The zoning and uses of properties nearby are set out above. The properties surrounding the proposed use are designated as R-1(B) Single Family Residences but are vacant, undeveloped and relatively secluded on expansive, wooded lots with ample space. The proposed use has been determined to be compatible with the surrounding uses.

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

The property is suitable for the keeping of animals because it is a large parcel fenced off from its neighbors. The removal of restrictions, however, may detrimentally affect nearby properties as multiple dogs escaping from the property could cause a nuisance.

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

The property is not vacant. There is a single-family home on the residence however it is used as the bathroom and storage for the business.

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

Special Use Permits are not addressed in the Master Plan. The City-Wide Master plan does not discuss dog boarding facilities, however, Sec. 27-454 of the Municipal Code States that animal-related activity in this zone must comply with the section 27-609(3) requirements that are addressed additionally in this document. Section 27-593(29) allows for the special use of a veterinary clinic or dog kennel.

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

The continued use will not result in the increase of traffic that would exceed the capacity of the Local Street. The applicant is picking up the animals at their client's residences and will drop them off at the end of the daycare time. This should not impact the capacity of the Local Street. The subject property's entrance and approach is off South 22nd Street, a dead-end street.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public, as it is a private operation, but should not substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining properties as they are heavily secluded, vacant, and undeveloped. Additionally, the presence of a daily business operation in the area may aid the health, safety, and welfare of the area due to its remote location and propensity to attract vagrancy and associated blight-related hazards.

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

There is a potential for noise to be a problem in this scenario, but because the lots are large and heavily wooded, thereby creating a natural buffer, the impact of potential barking is minimal. The nearby lots are nearly all vacant and undeveloped with the exception of one or two neighbors.

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

There is a potential for the pollution of the air, land, or soil. As long as dog waste is disposed of properly and in a timely manner the potential for such a problem can and should be mitigated.

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

This is not applicable as it is an existing structure in a built-out lot in an underdeveloped neighborhood.

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

The relative gain to the public health, safety, and welfare as compared to hardship imposed on the landowners is minimal because the proposed use is not necessary for public health, safety, or welfare. However, Denying the Special Use Permit, however, may cause hardship for the property owner as the desired use is a source of income.

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

The proposed use will not result in overcrowding of land as the total acreage of the property is determined to be ample for the intended use. The only occupants are the two staff members on the property during limited occupational hours

PREVIOUS ACTIONS

- SP-2013-27 – Renewal of Special Use Permit
- SP-2015-30 – Renewal of Special Use Permit – Expired June 25th, 2020 (5 year permit)

NEIGHBORHOOD MEETING

Applicant hosted a neighborhood meeting in person on the property September 24, 2021 at 6:30 p.m.

KEY ISSUES

Pet Waste	Dept. of Ag Requirements for Animal Handling
Noise	Business Licensing & Occupation Tax Application
Traffic, Traffic Circulation	Animal Confinement
Fences and Screening	

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of SP2021-068, for **ten (10) years**, subject to:

- Applicant maintains proof of Kansas Boarding License and Business License and continuously maintains the licenses through the life of the permit (if approved);**
- Adhere to the Standards Above regarding animal keeping;**
- Ensure the property maintains sound maintenance, waste disposal, and fencing conditions;**
- No more than thirty (30) dogs at any time on the property associated with the doggy daycare;**
- Business Hours shall remain 9:00 a.m. to 5:00 p.m.**
- If approved, the applicant will need to file and maintain a current business occupation tax application with the Business Licensing Division;**
- 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;

- h. 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;
- i. 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,
- j. The Special Use Permit shall be valid for ten (10) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.



STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2021-068** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.



ATTACHMENTS

October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Building Blocks Property History Report Snippets
Photos Provided by Applicant
Partial Conservation Comments Letter Dated September 14, 2021

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	October 11, 2021	October 28, 2021
Special Use	Approval	

STAFF CONTACT: **Kallie McLaughlin**
kdmclaughlin@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2021-068**, as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2021-068**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 2:27:05:

SPECIAL USE PERMIT APPLICATION SP2021-068 – JILL SCHULTZ WITH K-9 CLUB – SYNOPSIS: Special Use Permit for a doggie day care (SP-2015-30 expired June 25, 2020) at 221 South 22nd Street.

Detailed Outline of Requested Action: The applicant, Jill Schultze, has applied for the renewal of a Special Use Permit for the operation of a dog daycare at the address of 221 S 22nd Street. The subject property has a single-family residence currently used as staff restroom facilities and a two-car garage used for supplies and dog washing. The property has been used for this business for the past thirteen (13) years. The Applicant and additional staff pick up the animals and transport them to the property. Daycare hours in which the dogs are on the property are between 11 am and 3 pm, Monday through Friday.

City Ordinance Requirements: Municipal Code Sections 27-592 through 27-606, 27-593, and Chapter 7.

Code Enforcement History: Although there are several enforcement and police cases associated with this address, they are a result of the Applicant's request to address issues by outside agents. No existing or outstanding issues are determined to be the result of the Applicant's negligence.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners.

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

Present in Support:

- Jill Schultz with K-9 Club, applicant, 221 South 22nd Street, Kansas City, Kansas 66102

Commissioner Ernst asked the applicant the reason for the long period in the lapse of the Special Use Permit. Ms. Schultz stated that the renewal period was during the pandemic, and she was unsure if she was going to be able to continue with her business. She did not receive anything in the mail regarding her renewal. Commissioner Ernst stated that it is the applicant's responsibility to renew their permit.

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:31:07: Planning Director Hand stated that this application is for the continuation of a dog day care in the Central Area Master Plan. This would be the applicant's third approval. Staff has received no letters of support nor opposition and no Notices of Violations. There have been some calls for service for the Police Department, but that was the applicant calling due to people being on her property. The report states approval for five (5) years, but as there have been no problems on the property, Staff does not have any objections to a ten (10) year approval. Staff recommends approval of this application for ten (10) years, subject to the conditions in the staff report.

Motion and Vote starts at 2:32:45:

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2021-068 for ten (10) years:**

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

Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

- a. Applicant maintains proof of Kansas Boarding License and Business License and continuously maintains the licenses through the life of the permit (if approved);
- b. Adhere to the Standards Above regarding animal keeping;
- c. Ensure the property maintains sound maintenance, waste disposal, and fencing conditions;
- d. No more than thirty (30) dogs at any time on the property associated with the doggy daycare;
- e. Business Hours shall remain 9:00 a.m. to 5:00 p.m.
- f. If approved, the applicant will need to file and maintain a current business occupation tax application with the Business Licensing Division;
- g. 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;

- h. 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;**
- i. 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,**
- j. The Special Use Permit shall be valid for ten (10) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.**

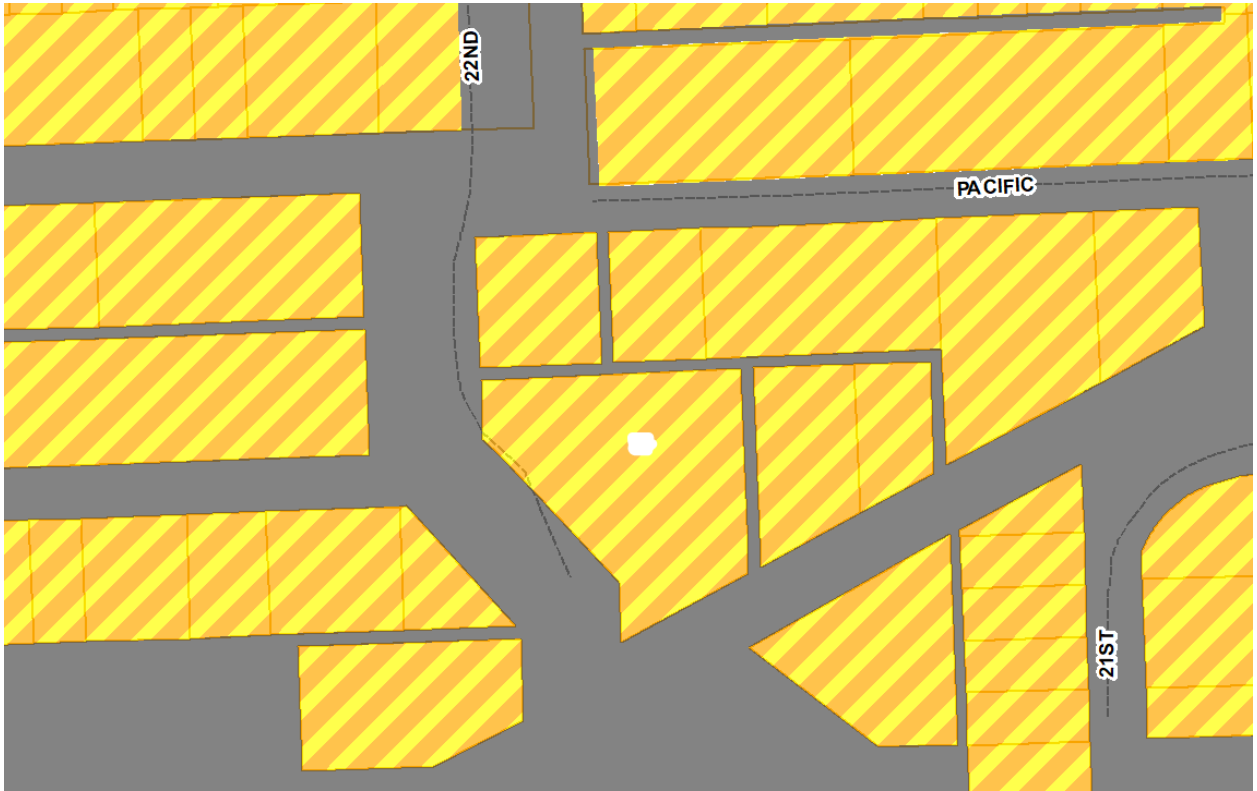
AERIAL MAP



ZONING MAP



LAND USE MAP



BUILDING BLOCKS PROPERTY HISTORY REPORT SNIPPETS

221 S 22ND ST

Parcel ID: 143919

Address: 221 S 22ND ST, Kansas City, KS

Property Attributes

Current Use	1101- Single family residence (detached)
Land Size	1.003 acres
Property Type	Structure
Total Assessed Value	\$6,107.00
Assessed Improvement Value	\$4,192.00
Assessed Land Value	\$1,915.00

Sales

Last Sale Date	11/10/2020
----------------	------------

Taxes & Liens

Is Tax Delinquent	No
Delinquent taxes since	-

Land Bank

Is Land Bank	No
--------------	----

Rental

Active Rental	No
---------------	----

Owner Attributes

Owner Location	In State (Out of County)
Owner Occupied	No

BUILDING BLOCKS PROPERTY HISTORY REPORT SNIPPETS

> Neighborhood Revitalization Strategic Area	Neighborhood Revitalization Strategic Area
> Zoning	Residential - R-1(B) Single Family District
> City Limits	Kansas City
> Zip Code	66102
Community Improvement District	-
Floodplain	-
Historic District	-
Historic District Environs	-
STAR Project Area	-
TIFF Project Area	-

✓ Permit (1)

Number	Date	Estimated Cost	Status	Type
 01380-01339	11/16/2001	\$31.00	Closed	Electrical

[Download Spreadsheet](#)

✓ Police Calls for Service (3)

ID	Date	Details	Address
 2018-00017408	02/19/2018	Statute: 21-5813(a)(1)(C2) Description: Criminal Damage	221 S 22ND ST

BUILDING BLOCKS PROPERTY HISTORY REPORT SNIPPETS

Police Calls for Service (3)

ID	Date	Details	Address
2018-00017408	02/19/2018	Statute: 21-5813(a)(1)(C2) Description: Criminal Damage	221 S 22ND ST

ID	Date	Details	Address
2017-00132810	12/19/2017	Statute: 21-5412(d)(1) Description: Agg Assault	221 S 22ND ST
2017-00101515	09/22/2017	Statute: 22-79 (a1) Description: Criminal Damage	221 S 22ND ST

[Download Spreadsheet](#)

BUILDING BLOCKS PROPERTY HISTORY REPORT SNIPPETS

✓ Police Case (18)

	Number	Date	Type
📄	2019-00103637	10/08/2019	Suspicious Crowd/Activity
📄	2019-00062634	06/24/2019	Suspicious Vehicle

	Number	Date	Type
📄	2019-00005088	01/15/2019	Eviction of Court Order
📄	2018-00114412	10/29/2018	Suspicious Vehicle
📄	2018-00051739	05/21/2018	Suspicious Vehicle
+	📄	2018-00017408	Eviction of Court Order
📄	2017-00133620	12/21/2017	Suspicious Vehicle
📄	2017-00133237	12/20/2017	Abandoned Vehicle
📄	2017-00132863	12/19/2017	Suspicious Vehicle
📄	2017-00132533	12/18/2017	Lost/Found Property

↓ Spreadsheet

1 2 >











PARTIAL CONSERVATION DISTRICT COMMENTS LETTER DATED SEPTEMBER 14, 2021



Wyandotte County Conservation District

1204 N. 79th Street - Kansas City, KS 66112 - Phone (913)-334-0329 -
wyco.conservation@gmail.com

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

September 14, 2021

RE: SP2021-068 Jill Schultz with K-9 Club for doggie day care at 221 South 22nd Street

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: SP2021-068 Jill Schultz with K-9 Club for doggie day care at 221 South 22nd Street.

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

MAPS AND REPORTS

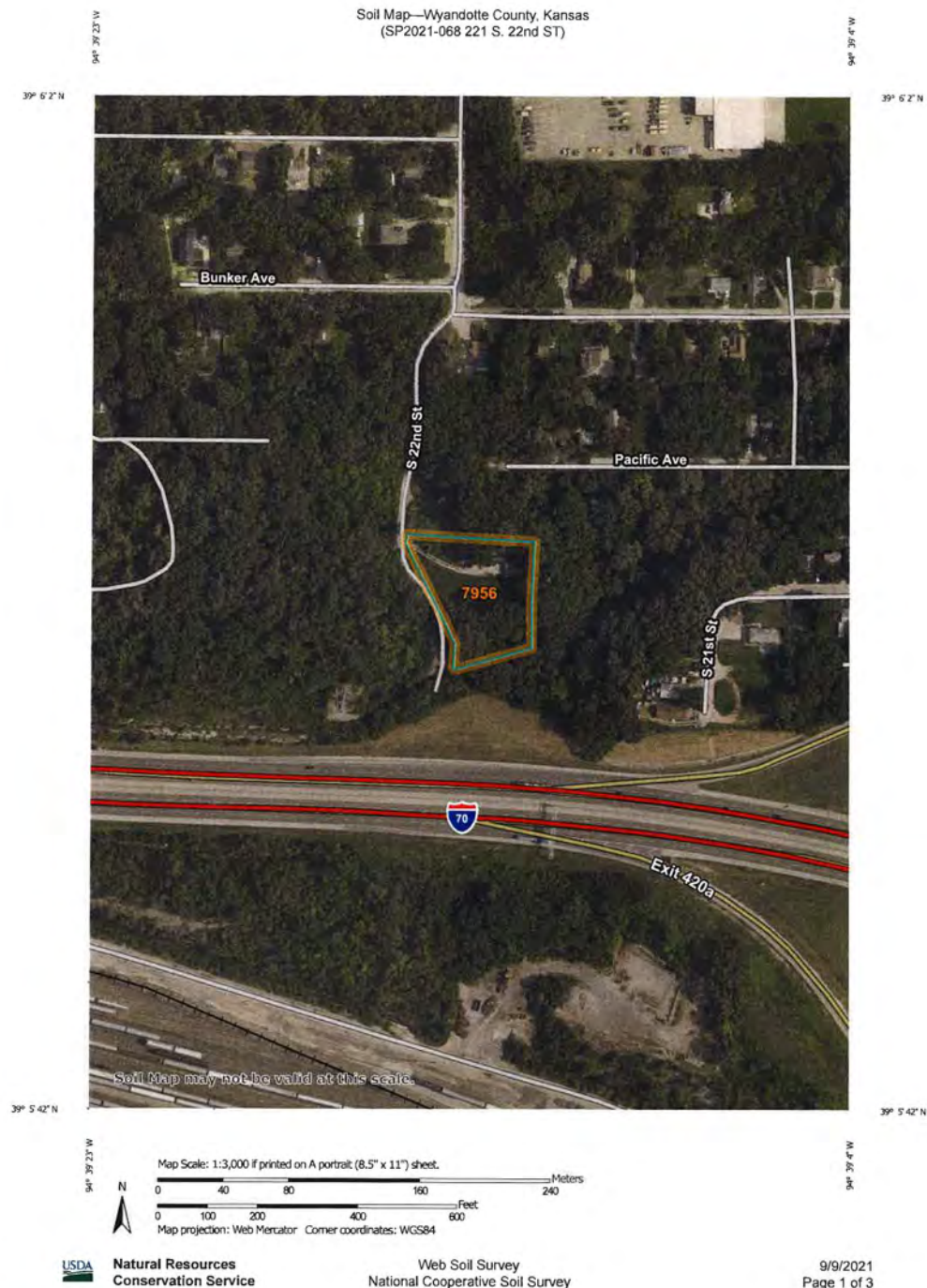
Soils Map
Soils Inventory Report
Map Unit Description (Brief)
Agricultural Waste Disposal
Soil Features

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

- There is one major soil type identified: Knox silt loam, 12 to 18 percent slopes. This soil type is considered highly erodible when the surface is denuded of a protective cover.
- The grassy area is well established from what we could see from the locked gate.
- Animal waste needs to be cleaned up on a daily basis and deposited of in a safe manner.

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

PARTIAL CONSERVATION DISTRICT COMMENTS LETTER DATED SEPTEMBER 14, 2021





Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: October 28, 2021

Re: **Change of Zone COZ2021-017 &
Master Plan Amendment MPL2021-012**

GENERAL INFORMATION

Applicant:
William England

Status of Applicant:
Representative
CI1 LLC
602 Westport Road
Kansas City, Missouri 64111

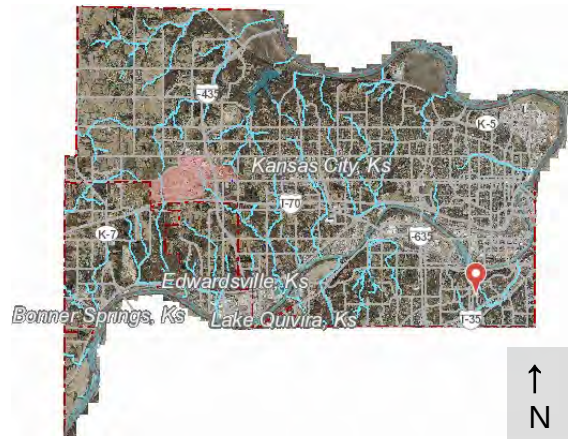
Requested Actions:
Approval of a Change of Zone.

Approval of a Master Plan Amendment.

Date of Application:
May 27, 2021

Purpose:
To change the zoning district from R-1(B) Single Family District to CP-0 Planned Nonretail Business District.

To change the City-Wide Master Plan from Low-Density Residential to Neighborhood Commercial.



Property Location:	2332 South 14 th Street, Kansas City, Kansas 66103
Commission Districts:	Commissioner At Large: Tom Burroughs District #3 Commissioner: Christian Ramirez
Existing Zoning:	R-1(B) Single-Family District
Adjacent Zoning:	North: R-1(B) Single Family District South: R-1(B) Single Family District East: R-1(B) Single Family District West: Public Right-of-Way
Adjacent Uses:	North: Single-family residence South: Single-family residence East: Noble Prentis Elementary School West: U.S. Highway 69/18 th Street Expressway
Total Tract Size:	0.67 Acre
Master Plan Area:	The subject property is within the City-Wide Master Plan.
Master Plan Designation:	The City-Wide Master Plan designates this property as Low-Density Residential. The Low-Density Residential land use designation allows single-family detached residences, institutional uses such as schools, places of worship, and open spaces.
Major Street Plan:	The Major Street Plan designates South 14 th Street Trafficway as a Collector Street.
Required Parking:	R-1(B) District (current zoning): Section 27-455(d) requires two (2) off-street parking spaces on the premises for each single-family dwelling. CP-0 District (proposed zoning): Section 27-463(d) requires paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. It appears that there are eight (8) parking spaces, which meets the CP-0 minimum for the current total interior floor area.
Advertisement:	<u>The Wyandotte Echo</u> – June 17, 2021 Letters to Property Owners – June 17, 2021, July 6, 2021, September 7, 2021 and October 19, 2021
Public Hearings:	October 11, 2021 and October 28, 2021

Public Support: Erin Stryka, Rosedale Development Association appeared in support at the October 11, 2021 City Planning Commission meeting.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, William England with CI1 LLC, is requesting a Change of Zone and Master Plan Amendment for the subject property at 2332 South 14th Street. The applicant is requesting a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail District. The applicant is requesting a Master Plan Amendment of the City-Wide Master Plan from Low-Density to Neighborhood Commercial. The Change of Zone and Master Plan Amendment have both been requested in order for the design and use of a non-conforming building constructed in 1940 to match with the zoning district and Master Plan land use designation.

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

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

- April 17, 2020 - Other Multiple Violations
- February 4, 2020 - Junk
- February 22, 2018 - Vehicles Parked on Unimproved Surfaces
- February 22, 2018 - Other Multiple Violations
- March 15, 2002 - Trash/Trailer Full of Old Couches
- May 25, 2000 - Trash

FACTORS TO BE CONSIDERED

Change of Zone

1. The character of the neighborhood.

The subject property is within the Shawnee Heights Statistical Neighborhood and is not within a Neighborhood Group. The properties along South 14th Street are residential. The lot frontages range from about 50 to 100 feet, but the lot depths vary depending on the block. North of Steele Road most lots are a little smaller than one-quarter (1/4) acre, as are the lots of the east side of South 14th Street between Steele Road and Gibbs Road. The lots on the west side of South 14th Street, abutting the highway, vary in depth and create a rural aesthetic.

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

The subject property is surrounded by parcels zoned in the R-1(B) District. The proposed use—a small commercial building—is a break from the typical single-family residential use. While it is unusual to have such a building in the middle of such a neighborhood, the design of the building features a small footprint and has features indicative of a space intended for office use, especially if that use required customers to make appointments before stopping by.

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

Per Section 27-463(a), the “purpose of the C-0 nonretail district is to accommodate services of an administrative, professional and governmental nature. It is intended that no products be handled on the premises other than documents involved in business transactions or items for display or training purposes. The... occupancy of the buildings is generally assumed to be in the 8:00 a.m. to 5:00 p.m. range, five [(5)] days per week. Little noise or commotion is produced, and quality of architecture, screening and landscaping is emphasized to assure compatibility with nearby residential neighbors. Location should be on major streets, in or adjacent to the central business district, or as transition between retail uses and residential property.” It is clear that the C-0 District was intended to be compatible with nearby residential uses. As for the subject property itself, the design of the building indicates that it was always intended to be an office or commercial space since it was constructed in 1940. The front façade features large glass storefront windows, the roof is flat with a parapet, and there is head-in parking on the right-of-way where a sidewalk would typically be in front of the building. There have been filed complaints on the property, but these complaints were about the lack of upkeep of the land, not the incompatibility of use. It is unlikely that removal of the restrictions will detrimentally affect the nearby properties.

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

It is unclear how long the property has been vacant. The last business license assigned to the property was terminated on September 6, 2005.

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

The C-0 Nonretail Business District permits a variety of low-intensity business uses that balances the community’s need for local services with the increase in parking and traffic generated by the business. The allowed uses in the C-0/CP-0 District include dental, medical, or law practices, barbershops and beauty salons, printing and arts, self-service laundry, and financial institutions. The community benefits from these services being local, personalized, and often operated by their neighbors. Such uses are reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.

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

The allowed uses in the C-0/CP-0 District vary greatly, but the theme throughout is an emphasis on mitigating increased traffic in the surrounding neighborhood that might be generated by the use. Thus, the allowed uses are services rather than retail. Some allowed uses are practices or businesses that often require an appointment, thus reducing the number of customers driving through the neighborhood and parking their vehicles in front of the building. Therefore, the proposed use would likely not increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.

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

The City-Wide Master Plan designates this property as Low-Density Residential. The Low-Density Residential land use designation allows single-family detached residences, institutional uses such as schools, places of worship, and open spaces. Any commercial or business use does not conform with this land use designation, which is why the applicant is simultaneously applying for a Master Plan Amendment for the land use designation, from Low-Density Residential to Neighborhood Commercial. The Neighborhood Commercial land use designation allows for convenience retail uses such as banks, drug stores, and service stations, local sit-down restaurants, and small-scale professional and office services. The proposed zoning district better conforms with the Master Plan Amendment.

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

The building is pre-existing; the applicant is not proposing any more development at this time. Therefore, the proposed use will not cause any increased environmental harm. In fact, allowing the property to continue to be used as a small non-retail business may prevent further environmental harm elsewhere by providing another commercial space that would otherwise be built on previously undeveloped land.

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

a. *Water service*

Water service is provided by BPU.

b. *Sanitary sewer service*

A sanitary sewer line runs under South 14th street to the north of the subject property.

c. Storm water control

Storm water mains are located across from the subject property South 14th Street, on a public right-of-way.

d. Police

Police service is provided by South District, #332.

e. Fire

Fire service is provided by Fire Station #7.

f. Transit

The subject property is not within a reasonable distance from any bus stops or bus routes.

g. Schools

Public education is provided by Noble Prentis Elementary School, Argentine Middle School, and Harmon High School, under Kansas City USD 500.

h. Streets

The property is accessible by South 14th Street Trafficway to the east and is in close proximity to Gibbs Road to the southeast.

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

Having more local businesses located directly in the communities that they are serving has a positive economic impact on that community. Businesses that are embedded within a residential neighborhood present greater opportunity to employ nearby residents because the commute is less of an obstacle.

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

There are several outstanding requirements that either the applicant has not met, or it is unclear to Staff if the applicant has met them. The applicant must provide a site plan in order to ensure proper setbacks, building and parking lot design, and landscaping and screening.

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

Having a non-retail commercial space in the Shawnee Heights neighborhood could be beneficial to the community and will likely not have detrimental effects. The property has been designed to be a small commercial space, and several commercial businesses have operated in the building in the past 20 years. While there has been a list of code complaints on the property, those complaints stemmed from improper use of the building and the land, rather than complaints generated from the operation of the business itself, such as traffic or noise complaints would be. Therefore, given the right business owner, the subject property could be a net positive for the nearby properties and the neighborhood as a whole.

Master Plan Amendment

1. *Neighborhood character*

See Change of Zone Review Factor #1.

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

See Change of Zone Review Factor #6.

3. *The extent to which utilities and public services are available and adequate to serve the proposed amendment and the extent to which the environment would be impacted.*

The applicant should confirm with BPU that all utilities can be restarted on the property. Additionally, the property is located within a well-developed neighborhood that has a full array of utilities and public services, including electric, trash services, stormwater sewers, paved roads, and public transportation.

4. *The difference between the existing and proposed Master Plan.*

The existing land use designation for the property in the City-Wide Master Plan is Low-Density Residential; the applicant is requesting a Master Plan Amendment to Neighborhood Commercial. The Low-Density Residential land use designation neither allows nor discourages small commercial businesses. The Neighborhood Commercial land use designation allows for convenience retail and small-scale professional and office services, which is consistent with the uses allowed by right in the proposed C-0 Nonretail Business District.

5. *Analysis of the impact on surrounding properties.*

See Change of Zone Review Factors #2, 3, and 6.

6. Estimate the future costs and revenues to the Unified Government and property owner and Market Impact.

See Change of Zone Review Factor #10.

PREVIOUS ACTIONS

- BOZA2021-020 (variance from the minimum parking requirement, heard simultaneously with COZ2021-017 and MPL2021-012).

NEIGHBORHOOD MEETING

The applicant received neighborhood comments via email and phone through June 28, 2021. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Commercial Development Guidelines Overlay District
Land Use Compatibility
Landscaping
Parking Design
Pedestrian Access
Setbacks
Spot Zoning
Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Master Plan Amendment MPL2021-012, subject to:

- 1) **Provide a scaled site plan of the property, featuring the following:**
 - a. **The setbacks and dimensions of all structures on the property;**
 - b. **The quantity and dimensions of all parking spaces on the property, including any portion of the parking spaces in the public right-of-way;**
 - c. **The parking space(s) designated as ADA-compliant parking with an access aisle and the requisite “designated ADA parking” sign;**
 - d. **Wheel stops located at the head of the parking spaces; and,**
 - e. **A landscaping in compliance with the C-0/CP-0 District ordinances as well as the standard of the Commercial Development Guidelines Overlay District.**
- 2) **The façade of the subject property must match as proposed by the applicant, per the renderings submitted to Staff and presented in this**

- report, including an awning, storefront windows with no or low tint, and a four (4)-foot wainscoting on the front façade.
- 3) The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces. Per Section 27-575(d)(10), sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses.
 - 4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.
 - 5) Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles.
 - 6) Accessible parking must be provided according to unified government requirements.
 - 7) Per Section 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. All screening materials must be well maintained at all times.
 - 8) Per Section 27-577(d)(1), at least 75 percent of the length of 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.
 - 9) These City Planning Commission cases are being heard in conjunction with BOZA2021-020. The following are conditions for BOZA2021-020 and are stated here for reference only, as COZ2021-017 and MPL2021-012 are solely for a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail Business District and a City-Wide Master Plan Amendment from Low-Density Residential to Neighborhood Commercial, respectively:
 - a. Provide a scaled site plan of the property;
 - b. The façade of the subject property must match as proposed by the applicant;
 - c. The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces;
 - d. The front façade of the building must undergo a four (4)-foot high wainscoting;
 - e. The subject property must obtain a Right-of-Way Use Agreement with the Public Works Department;
 - f. Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements;
 - g. Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles;
 - h. Accessible parking must be provided according to unified government requirements;
 - i. Buildings, walls, trees, topography, and other site features shall be oriented and arranged to define circulation areas and lend a human scale to the development;
 - j. All trash receptacles shall be enclosed under UG standards;
 - k. Reflective or mirrored glass for use as windows is prohibited;
 - l. Stand-alone trees are encouraged to be planted in landscape zones;

- m. The landscape design conditions must be met;
 - n. At least 75 percent of the length of 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;
 - o. A sign permit must be issued for all signs;
 - p. 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;
 - q. ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
 - r. The applicant must keep a current annual Business License/Occupation Tax Receipt;
 - s. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances; and,
 - t. All parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.
- 10) If approved, any tenant will need to file and maintain a current business occupation tax application with the Business License Office.
- 11) 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.
- 12) The current lighting scheme on the property is not in compliance and needs to be changed. 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.
- 13) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards.
- 14) Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance; and,

- 15) The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.**

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application COZ2021-017, subject to:

- 1) Provide a scaled site plan of the property, featuring the following:**
 - a. The setbacks and dimensions of all structures on the property;**
 - b. The quantity and dimensions of all parking spaces on the property, including any portion of the parking spaces in the public right-of-way;**
 - c. The parking space(s) designated as ADA-compliant parking with an access aisle and the requisite “designated ADA parking” sign;**
 - d. Wheel stops located at the head of the parking spaces; and,**
 - e. A landscaping in compliance with the C-0/CP-0 District ordinances as well as the standard of the Commercial Development Guidelines Overlay District.**
- 2) The façade of the subject property must match as proposed by the applicant, per the renderings submitted to Staff and presented in this report, including an awning, storefront windows with no or low tint, and a four (4)-foot wainscoting on the front façade.**
- 3) The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces. Per Section 27-575(d)(10), sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses.**
- 4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.**
- 5) Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles.**
- 6) Accessible parking must be provided according to unified government requirements.**
- 7) Per Section 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. All screening materials must be well maintained at all times.**
- 8) Per Section 27-577(d)(1), at least 75 percent of the length of 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.**
- 9) These City Planning Commission cases are being heard in conjunction with BOZA2021-020. The following are conditions for BOZA2021-020 and are stated here for reference only, as COZ2021-017 and MPL2021-012 are solely for a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail Business District and a City-Wide Master Plan Amendment from Low-Density Residential to Neighborhood Commercial, respectively:**

- a. Provide a scaled site plan of the property;
 - b. The façade of the subject property must match as proposed by the applicant;
 - c. The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces;
 - d. The front façade of the building must undergo a four (4)-foot high wainscoting;
 - e. The subject property must obtain a Right-of-Way Use Agreement with the Public Works Department;
 - f. Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements;
 - g. Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles;
 - h. Accessible parking must be provided according to unified government requirements;
 - i. Buildings, walls, trees, topography, and other site features shall be oriented and arranged to define circulation areas and lend a human scale to the development;
 - j. All trash receptacles shall be enclosed under UG standards;
 - k. Reflective or mirrored glass for use as windows is prohibited;
 - l. Stand-alone trees are encouraged to be planted in landscape zones;
 - m. The landscape design conditions must be met;
 - n. At least 75 percent of the length of 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;
 - o. A sign permit must be issued for all signs;
 - p. 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;
 - q. ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
 - r. The applicant must keep a current annual Business License/Occupation Tax Receipt;
 - s. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances; and,
 - t. All parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.
- 10) If approved, any tenant will need to file and maintain a current business occupation tax application with the Business License Office.
- 11) 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.
- 12) The current lighting scheme on the property is not in compliance and needs to be changed. 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.
 - 13) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards.
 - 14) Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance.
 - 15) The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable, and,
 - 16) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **MPL2021-012** and **COZ2021-017**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of the Property Provided by Staff, Dated June 20, 2021
Photos of the Property Submitted by the Applicant
Rendering of the Proposed Storefront Provided by the Applicant
Commercial Development Guidelines Overlay District Regulations
Wyandotte County Conservation District Letter, Dated June 15, 2021
Neighborhood Meeting Materials, Dated June 30, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing Change of Zone	October 11, 2021 Approval	October 28, 2021
Master Plan Amendment	October 11, 2021 Approval	October 28, 2021

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2021-012** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2021-012**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Change of Zone

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2021-017** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report, and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2021-017**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 1:24:10:

MASTER PLAN AMENDMENT MPL2021-012 – WILLIAM ENGLAND/CI 1 LLC –

SYNOPSIS: Master Plan Amendment from Low Density Residential to Neighborhood Commercial at 2332 South 14th Street.

CHANGE OF ZONE APPLICATION COZ2021-017 – WILLIAM ENGLAND/CI 1 LLC -

SYNOPSIS: Change of Zone from R-1(B) Single Family District to CP-O Planned Non-Retail Business District for office space at 2332 South 14th Street.

Detailed Outline of Requested Action: The applicant, William England with CI1 LLC, is requesting a Change of Zone and Master Plan Amendment for the subject property at 2332 South 14th Street. The applicant is requesting a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail District. The applicant is requesting a Master Plan Amendment of the City-Wide Master Plan from Low-Density to Neighborhood Commercial. The Change of Zone and Master Plan Amendment have both been requested in order for the design and use of a non-conforming building constructed in 1940 to match with the zoning district and Master Plan land use designation.

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

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

- April 17, 2020 - Other Multiple Violations
- February 4, 2020 - Junk
- February 22, 2018 - Vehicles Parked on Unimproved Surfaces
- February 22, 2018 - Other Multiple Violations
- March 15, 2002 - Trash/Trailer Full of Old Couches
- May 25, 2000 - Trash

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners; and,
8. The testimony at the Board of Zoning Appeals meeting this evening.

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

Present in Support:

- William England, applicant
- Erin Stryka, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:26:59: Planning Director Hand stated that this is a request to change the zoning from R-1(B) Single Family District to CP-O Planned Non-Retail Business District and a Master Plan Amendment from Low-Density Residential to Neighborhood Commercial. The property is located in the Rosedale/Shawnee Heights area off 14th Street and across the street from an elementary school. He stated that the Board of Zoning Appeals approved three (3) variances earlier this evening. This was a non-conforming building that lost its non-conforming status, and this action will correct the non-conformity. Staff has several conditions of approval, including upgrading the building to meet the Commercial Design Guidelines and adding handicap parking. The applicant will add wainscoting to the building, trash receptacles will be enclosed and there will be seven (7) parking spaces provided. Director Hand stated that the building has reflective glass, and the applicant will add an awning. The applicant must also obtain a right-off-way use agreement with the Public Works Department for all on-street parking requirements. Staff has received no letters of support nor opposition and there are no Notices of Violation. Staff recommends approval, subject to the conditions in the staff report.

Motion and Vote starts at 1:28:55:

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of Master Plan Amendment Application MPL2021-012:**

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

Motion to recommend APPROVAL Passed: 5 to 0

Subject to:

- 1) Provide a scaled site plan of the property, featuring the following:**
 - a. The setbacks and dimensions of all structures on the property;**
 - b. The quantity and dimensions of all parking spaces on the property, including any portion of the parking spaces in the public right-of-way;**
 - c. The parking space(s) designated as ADA-compliant parking with an access aisle and the requisite “designated ADA parking” sign;**
 - d. Wheel stops located at the head of the parking spaces; and,**
 - e. A landscaping in compliance with the C-0/CP-0 District ordinances as well as the standard of the Commercial Development Guidelines Overlay District.**
- 2) The façade of the subject property must match as proposed by the applicant, per the renderings submitted to Staff and presented in this report, including an awning, storefront windows with no or low tint, and a four (4)-foot wainscoting on the front façade.**
- 3) The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces. Per Section 27-575(d)(10), sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses.**
- 4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.**
- 5) Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles.**
- 6) Accessible parking must be provided according to unified government requirements.**
- 7) Per Section 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. All screening materials must be well maintained at all times.**

- 8) Per Section 27-577(d)(1), at least 75 percent of the length of 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.
- 9) These City Planning Commission cases are being heard in conjunction with BOZA2021-020. The following are conditions for BOZA2021-020 and are stated here for reference only, as COZ2021-017 and MPL2021-012 are solely for a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail Business District and a City-Wide Master Plan Amendment from Low-Density Residential to Neighborhood Commercial, respectively:
- a. Provide a scaled site plan of the property;
 - b. The façade of the subject property must match as proposed by the applicant;
 - c. The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces;
 - d. The front façade of the building must undergo a four (4)-foot high wainscoting;
 - e. The subject property must obtain a Right-of-Way Use Agreement with the Public Works Department;
 - f. Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements;
 - g. Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles;
 - h. Accessible parking must be provided according to unified government requirements;
 - i. Buildings, walls, trees, topography, and other site features shall be oriented and arranged to define circulation areas and lend a human scale to the development;
 - j. All trash receptacles shall be enclosed under UG standards;
 - k. Reflective or mirrored glass for use as windows is prohibited;
 - l. Stand-alone trees are encouraged to be planted in landscape zones;
 - m. The landscape design conditions must be met;
 - n. At least 75 percent of the length of 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;
 - o. A sign permit must be issued for all signs;
 - p. 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;
 - q. ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
 - r. The applicant must keep a current annual Business License/Occupation Tax Receipt;
 - s. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure

- that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances; and,
- t. All parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.
- 10) If approved, any tenant will need to file and maintain a current business occupation tax application with the Business License Office.
 - 11) 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.
 - 12) The current lighting scheme on the property is not in compliance and needs to be changed. 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.
 - 13) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards.
 - 14) Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance; and,
 - 15) The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application COZ2021-017:**

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

- 1) Provide a scaled site plan of the property, featuring the following:
 - a. The setbacks and dimensions of all structures on the property;
 - b. The quantity and dimensions of all parking spaces on the property, including any portion of the parking spaces in the public right-of-way;
 - c. The parking space(s) designated as ADA-compliant parking with an access aisle and the requisite “designated ADA parking” sign;
 - d. Wheel stops located at the head of the parking spaces; and,
 - e. A landscaping in compliance with the C-0/CP-0 District ordinances as well as the standard of the Commercial Development Guidelines Overlay District.
- 2) The façade of the subject property must match as proposed by the applicant, per the renderings submitted to Staff and presented in this report, including an awning, storefront windows with no or low tint, and a four (4)-foot wainscoting on the front façade.
- 3) The sidewalk must be extended along the storefront for the entire length of the proposed parking spaces. Per Section 27-575(d)(10), sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses.
- 4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.
- 5) Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles.
- 6) Accessible parking must be provided according to unified government requirements.
- 7) Per Section 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. All screening materials must be well maintained at all times.
- 8) Per Section 27-577(d)(1), at least 75 percent of the length of 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.
- 9) These City Planning Commission cases are being heard in conjunction with BOZA2021-020. The following are conditions for BOZA2021-020 and are stated here for reference only, as COZ2021-017 and MPL2021-012 are solely for a Change of Zone from R-1(B) Single Family District to CP-0 Planned Nonretail Business District and a City-Wide Master Plan Amendment from Low-Density Residential to Neighborhood Commercial, respectively:
 - a. Provide a scaled site plan of the property;
 - b. The façade of the subject property must match as proposed by the applicant;
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- d. The front façade of the building must undergo a four (4)-foot high wainscoting;
 - e. The subject property must obtain a Right-of-Way Use Agreement with the Public Works Department;
 - f. Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements;
 - g. Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles;
 - h. Accessible parking must be provided according to unified government requirements;
 - i. Buildings, walls, trees, topography, and other site features shall be oriented and arranged to define circulation areas and lend a human scale to the development;
 - j. All trash receptacles shall be enclosed under UG standards;
 - k. Reflective or mirrored glass for use as windows is prohibited;
 - l. Stand-alone trees are encouraged to be planted in landscape zones;
 - m. The landscape design conditions must be met;
 - n. At least 75 percent of the length of 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;
 - o. A sign permit must be issued for all signs;
 - p. 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;
 - q. ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
 - r. The applicant must keep a current annual Business License/Occupation Tax Receipt;
 - s. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances; and,
 - t. All parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable.
- 10) If approved, any tenant will need to file and maintain a current business occupation tax application with the Business License Office.
- 11) 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.
- 12) The current lighting scheme on the property is not in compliance and needs to be changed. 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.

- 13) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards.**
- 14) Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance.**
- 15) The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable, and,**
- 16) 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.**

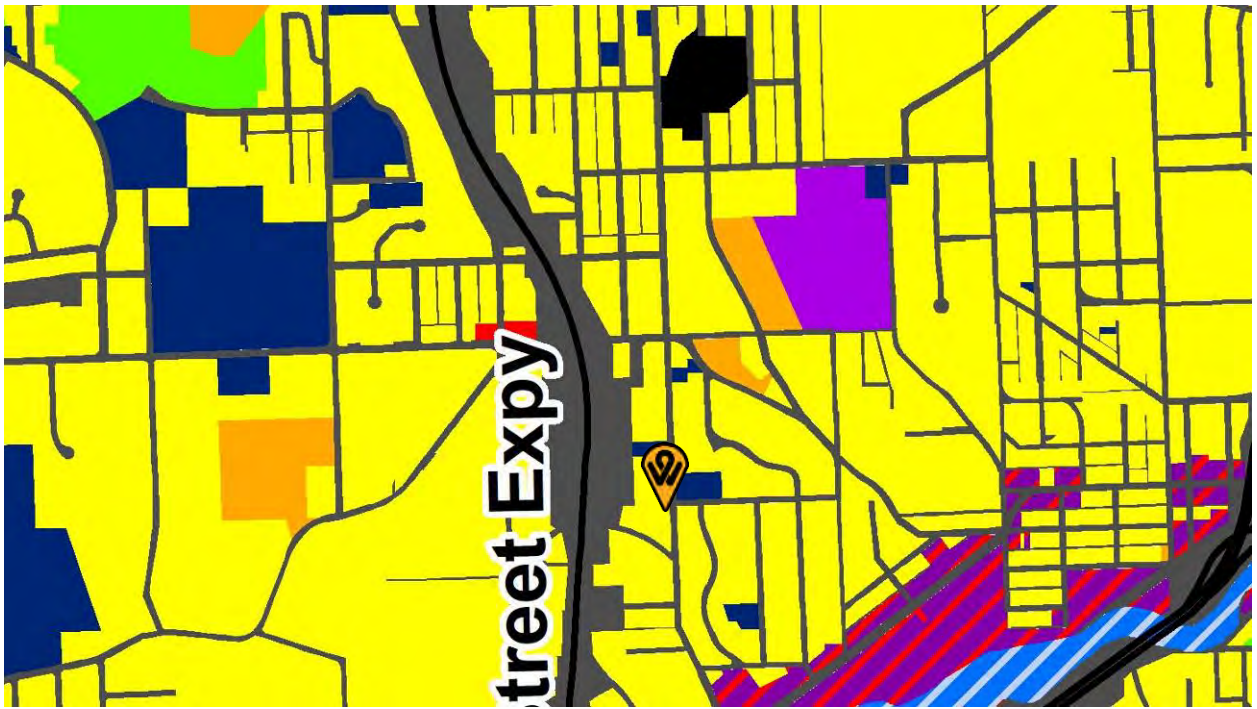
AERIAL MAP



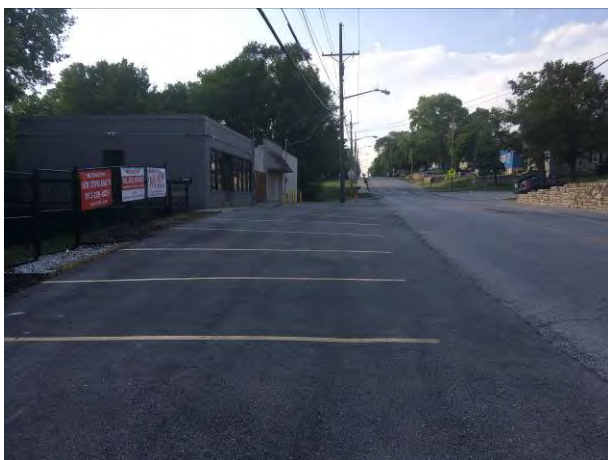
ZONING MAP



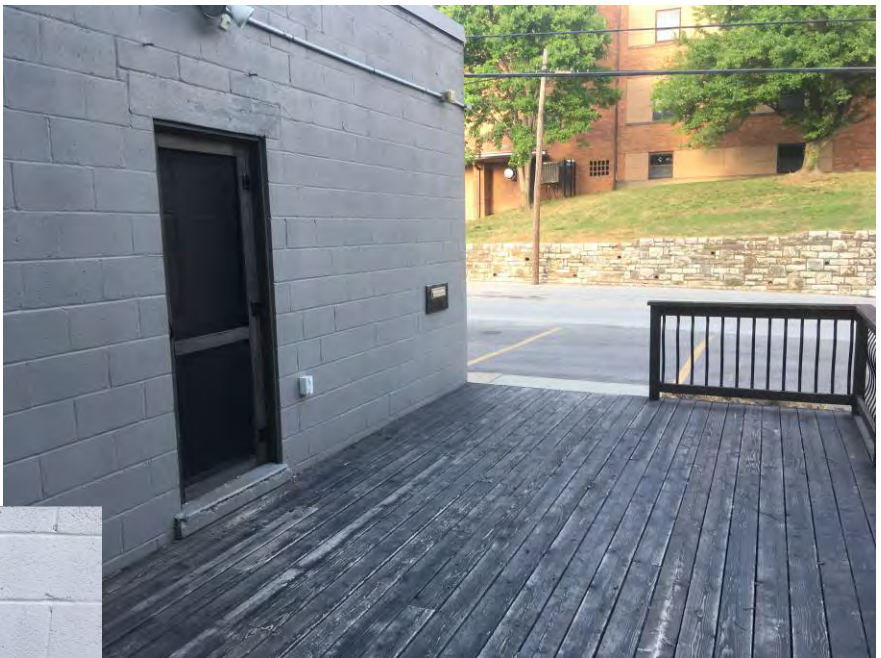
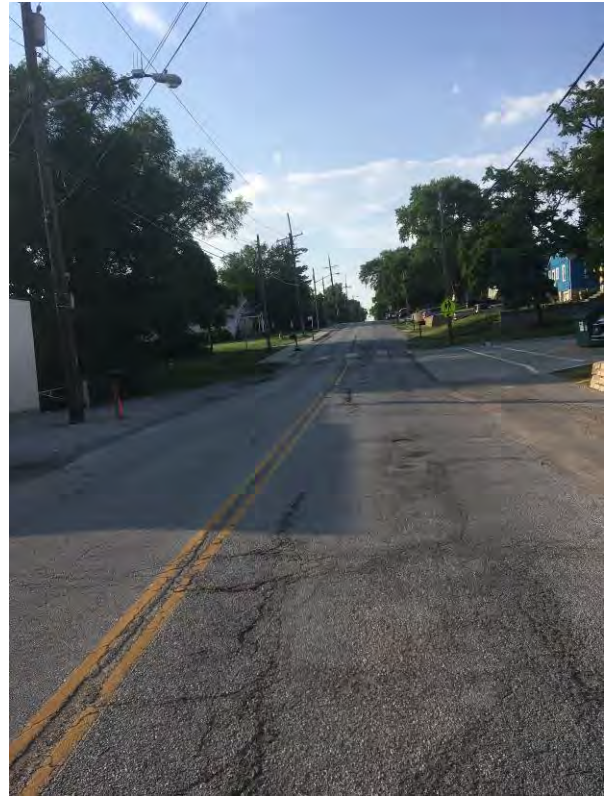
LAND USE MAP



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



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



PHOTOS OF THE PROPERTY SUBMITTED BY THE APPLICANT



RENDERING OF THE PROPOSED STOREFRONT PROVIDED BY THE APPLICANT



Section 27-573 - Purpose and intent.

The commercial design guidelines are intended to provide definitions and descriptions of acceptable design in specified areas of both the county and the city. These guidelines are established to accomplish the following goals:

- (1) Relate development to surrounding community;
- (2) Provide direction for the creation of quality development with respect to site planning, architectural design, and landscaping;
- (3) Ensure quality design that reflects community identity and sense of place;
- (4) Support property values in new development and redevelopment; and
- (5) Implement the long-range vision of the community.

Section 27-574 - Boundaries and application.

(a) The commercial design guidelines are applicable to all commercial and office development within the boundaries identified on the map (see appendix "A"). Commercial design includes all districts beginning with a "C" designation such as C-O, C-I, C-2 and C-3. This includes those commercial and office areas located west of 94th Street.

(b) The commercial design guidelines shall apply to all new development within the area described in subsection (a) of this section. The guidelines shall apply to existing development when changes (renovation, restoration, modification, addition, or retrofit, collectively referred to as rehabilitation) are proposed to a structure or a site that will exceed 50 percent of the current appraised value of the structure or site, as established by the county. Rehabilitation costs shall be aggregated over a five year period to determine whether the development is subject to these guidelines.

(c) Rehabilitation projects shall conform to these guidelines to the greatest extent possible, and shall provide written explanations for each area of noncompliance.

(d) Design solutions proposed as an alternative to these requirements may be considered by the planning commission provided that such alternative design furthers the purposes and intent of this subdivision and does not result in design that would otherwise violate the terms of the regulations contained in this subdivision.

(e) Design review will be provided as follows:

Application	Review	Appeal
Rezoning	Planning Commission	Board of Commissioners
Special Use Permit	Planning Commission	Board of Commissioners
Development Plan (without rezoning) DRC process	Director Urban Planning	Planning Commission
Development plan with rezoning	Planning Commission	Board of Commissioners
Alternative design	Planning Commission	Board of Commissioners

(f) Where there is conflict between the terms of this subdivision and other regulatory provisions applicable in the land development process, the more strict regulations will apply.

Section 27-575 - Site character.

(a) *Intent.* To encourage on-site and off-site compatibility of development while considering the relationship between site design and the existing environment. Site character includes consideration of: physical and natural features of land; building placement; vehicular access; circulation and parking; pedestrian access; preservation and buffering of views; surrounding development; and community character.

(1) Development should be sited in a manner consistent with, and be appropriate for, many of the existing conditions of the site.

(2) Parking and circulation should account for pedestrians bicycles and vehicles.

(3) Building and street layout should define a cohesive development.

(b) *General layout.*

(1) Multilot or multibuilding developments shall be designed as unified projects with a sense of place reflected through development layout and architectural design.

(2) Linear or strip development is discouraged, including linear open air centers or strip centers, either of which front parking lots.

(3) Large retail establishments (big box) are subject to these guidelines with the following specific requirements:

a. All big box developments shall include at least three retail establishments located in a complex that is planned and managed as a single unit.

b. No more than 80 percent of the off-street parking may be located in the front of the development if more than 80 percent is in front then the number of landscape islands will be increased by 50 percent.

c. At least two sides (the two sides that are projected to have the highest level of pedestrian activity) of a big box store (of more than 120,000 square feet) shall include customer entryways. Additional stores located within the development shall also have clearly marked entryways. The entryways shall be defined with at least three of the following features:

1. Canopy or portico;

2. Overhangs;

3. Recesses/projections;

4. Raised cornice parapets over doors;

5. Peaked roof forms;

6. Arches;

7. Outdoor patios;

8. Display windows;

9. Architectural details such as tile work or moldings that are integrated into the building or structure;

10. Integral planters or wing walls that incorporate landscaped areas and/or places for seating.

(c) *Grading and drainage.*

(1) Where possible, new development should maintain the natural topography of the existing site. Extensive grading (more than 70 percent of the site) or unusual site improvements are strongly discouraged.

(2) Site drainage patterns shall be designed to prevent surface drainage from collecting on and/or flowing across pedestrian areas.

- (3) Use of stepped retaining walls is where necessary along public streets and other visible areas of the site to reduce the steepness of manmade slopes and to provide pockets or terraces for revegetation and landscaping. Every wall over six feet in height must be "stepped." Four feet of terrace is required for every eight feet of wall.
 - (4) Detention ponds should not be contained within a lot or parcel that contains a building site. One detention area may be required to serve multiple lots.
 - (5) Detention ponds should be designed as a project amenity.
- (d) *Circulation.*
- (1) Projects must be designed to minimize any increased traffic use of neighborhood streets.
 - (2) Curb-cuts should be minimized and concentrated at mid-block.
 - (3) A sense of entry or arrival shall be created at primary entryways into the development. Building placement, landscaping, gates, entry monuments, specialty lighting, and other design elements can be used to create this design effect.
 - (4) Driveway configuration and design should be determined based on the size of development and capacity of streets. For example, a large, traffic-generating development with a multi-neighborhood drawing radius should provide significantly more driveway space for ingress and egress with turn lanes than a smaller, neighborhood-oriented development.
 - (5) The number of external entrances should be consistent with existing or anticipated design of adjacent streets.
 - (6) To reduce the need for multiple street access points and to allow for the potential future reduction of driveways consistent with access management principles, access points and driveways must be planned and shared between properties, with access easements noted on plats or other recorded document.
 - (7) There shall be a hierarchy of internal circulation beginning with site access from the public street.
 - 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.
 - d. Where possible, groups of buildings should be serviced by dedicated service access lanes.
 - (8) Internal vehicular, bicycle and pedestrian circulation must connect in a manner obvious to users.
 - (9) To the maximum extent possible, there shall be pedestrian circulation from the perimeter of the site to the principal customer entrance to all buildings. Within the site, there shall be pedestrian connections provided to all pedestrian activities, including transit stops, street crossings, open space, building and store entry points, and adjacent pedestrian systems.
 - (10) Sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses. This may include cafe seating and outdoor sales pursuant to the Chapter 32, Article III.

- (11) Internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces.
 - (12) Pedestrian connections must be clearly defined in a combination of two or more of the following ways:
 - a. Six-inch vertical curb.
 - b. Trellis.
 - c. Special railing.
 - d. Bollards.
 - e. Special paving.
 - f. Low seat wall or other architectural features.
 - g. Pedestrian scale lighting.
 - h. Traffic calming devices.
 - (13) Site design should integrate and facilitate access to public transit.
 - (14) Sidewalks that are within reasonable proximity to an identified trail system should connect to that system and accommodate the uses anticipated on the trail (e.g., pedestrian, bicycle).
- (e) *Parking.*
- (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.
 - (2) Pedestrian walkways through the parking area to building entrances should be clearly marked pursuant to this subdivision.
 - (3) Parking located between front of building and street right-of-way must provide an additional 20 feet of landscaped area in addition to the required setback.
 - (4) Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.
 - (5) Parking lot curb cuts must be designed and minimized to reduce conflicts between pedestrians and automobiles.
 - (6) Accessible parking must be provided according to unified government requirements.
 - (7) Dead-end parking without a designated turn-around area should be avoided and shall not be permitted on any new projects that are not infill or redevelopment.
 - (8) Parking should be divided into blocks of 40 to 50 spaces. Where this is not easily defined, groups of 20 spaces should be divided by a landscape island at least the size of one stall.
 - (9) Structured parking, as follows:
 - a. Structured parking adjacent to a street shall provide an active front with pedestrian-oriented uses.
 - b. Structured parking shall integrate with adjacent buildings using similar materials, alignments, and architectural finishes.
 - (10) Cart corrals should be low-profile, created with pavement (e.g., curbs), may include a bollard to deflect parking, and should have low-profile identification signs, no taller than four feet.
- (f) *Building elements.*
- (1) There should be a designated walkway or clear pathway to the main entrance of a building so that pedestrians are not required to walk through parking lots.
 - (2) Buildings should be located in such a manner as to minimize conflicts between pedestrians and automobiles.

- (3) Buildings should be oriented primarily to the street.
- (4) Retail shops at street level should have direct access to and from the sidewalk.
- (5) Entrances should be easily identifiable as primary points of access to buildings.
- (6) Corner buildings at gateways or prominent intersections shall be designed to emphasize the gateway or intersection location. This may include major architectural expression in the facade roof form and/or massing, such as:
 - a. Larger bulk;
 - b. Tower forms;
 - c. Peaked roofs; and/or
 - d. Over-sized windows.
- (7) Pad sites shall be clustered together to define street edges and entry points or to enclose and create interesting places between buildings, such as public outdoor seating, landscaped areas, or other focal points.
- (8) Buildings, walls, trees, topography, and other site features shall be oriented and arranged to define circulation areas and lend a human scale to the development.
- (9) Shared parking between adjacent or closely related developments is strongly encouraged, provided each development complies with unified government parking requirements.
- (g) *Outdoor storage areas/mechanical equipment.*
 - (1) Masonry screen walls are required to provide 100 percent opaque screening to public views of loading and service areas from other properties or public streets.
 - (2) Service areas and docking facilities should be located to the side or rear of the building away from public streets and main circulation and drives when possible.
 - (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 feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.

Section 27-576 - Architectural design.

- (a) *Intent.* It is the intent of this section to create and enhance community image through thoughtful design development. This section is intended to ensure that:
 - (1) Design relates buildings to each other and to the community.
 - (2) Good design incorporates and combines design theme, building facade materials, colors, roof, and equipment.
 - (3) Similar to site design, building design at street level must be oriented to people and cars.
- (b) *Overall design.*
 - (1) Architectural design shall create or contribute to uniqueness or sense of a specific place.
 - (2) Building elevation design determinations must consider the character of the surrounding architecture and neighborhood and incorporated design elements that further reflect or enhance community character. Where community character is difficult to determine, planning staff will work with the applicant to identify any relevant features.

(c) *Building facade.*

(1) Commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of a building.

(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of at least three of the following techniques:

- a. Divisions or breaks in materials;
- b. Building offsets (projections, recesses, niches);
- c. Window bays;
- d. Separate entrances and entry treatment; or
- e. Variation in rooflines.

(3) The scale of individual building facade components should relate to one another and the human scale, particularly at street level.

(d) *Design theme.*

(1) A single building development with multiple buildings must maintain a consistent style/architectural theme. Architectural design building materials, colors, forms, roof style and detailing should all work together to express consistent design. This includes all pads within a retail development, as well as gasoline pump canopies or other accessory structures.

(2) Large buildings adjacent to small buildings should consider and incorporate architectural design elements and details such that the scale of the larger building appears compatible with that of the smaller building.

(3) The composition of a building more than three stories tall shall include a clearly recognizable base, middle, and top. The base of a building should be weightier in appearance than the rest of the building. This can be accomplished with use of heavier, larger, or darker building materials. The top of the building may include, among other things, cornice treatments, sloping roof, or stepped parapets.

(4) Buildings in a grouped development should approximately align horizontally in their main architectural elements, windows, sills, cornices, banding, etc., although these lines may be carried from building to building by different elements.

(5) A single, large dominant building mass shall be avoided. Changes in mass should be related to entrances, the integral structure, and/or the organization of spaces and activities.

(6) Building elements must not function as signage. The appearance of "franchise architecture" where buildings function as signage is discouraged. Incorporation of franchise or business design elements unique or symbolic or a particular business must be unobtrusive and secondary to the overall architectural design.

- (7) New primary structures that express a standardized corporate identity shall incorporate at least three of the following elements to create a facade and building design similar to those on an existing primary structure visible from the new primary structure and located within 500 feet of the new primary structure. Significant departures from "off-the-shelf" buildings, either locally or by national chains, may be required to meet this standard.
- a. A similar roofline or roof material.
 - b. Similar facade colors and materials.
 - c. Similar pedestrian entry locations and entryway architecture.
 - d. Similar amounts of glazing on facades visible from the public street.
- (8) Accessory structures must incorporate matching design and materials of the primary building.
- (e) *Building materials.*
- (1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality prestressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
- a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided.
- (2) Exterior building materials shall not include the following:
- a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tee or double-tee concrete systems; or EIFS at the ground level or comprising more than 15 percent of any facade.
- (3) Exterior building material must be continued down to within nine inches of finished grade on any elevation. Exterior masonry materials must be continued to the top of grade.
- (4) All building facades shall be at least 50 percent masonry. Cementitious siding may be used to meet 50 percent of the total masonry requirement.
- (f) *Building color.*
- (1) Color should be used to tie building elements together.
 - (2) All building projections shall match or complement in color the permanent color of the surface from which they project.
 - (3) Intense, bright, black, or fluorescent colors shall be used sparingly and only as accents.
- (g) *Building roof.*
- (1) Buildings should have a defined top. This can be accomplished with cornices, caps, parapets, or roofs.
 - (2) Three-dimensional rooftops are encouraged. Variation in roofline is suggested to reduce the scale of large buildings.
 - (3) Sloped roofs or canopies shall be covered with high quality roofing material such as approved by the director. Metal roofing is preferred, especially for small articulations. Asphalt is discouraged and wood roofing materials are prohibited.

(h) *Windows.*

(1) For new construction, windows, windows with awnings, and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots. Windows should be for display purposes or to allow viewing both into and out of the interior. Exceptions may be made for individual tenants in excess of 20,000 square feet gross floor area or the rear elevation of a building that backs up to a public street, where the window percentage should be 25 percent of the linear building frontage.

(2) Reflective or mirrored glass for use as windows is prohibited, unless determined otherwise by the director. Clear glass shall be used for storefronts, windows, and doors.

Window painting, signage, or view blocking techniques are not permitted.

(i) *Auto-oriented uses.* Drive-up and drive-through facilities, order stations, pick-up windows, bank teller windows, money machines, etc., shall be located on the side or rear of primary structures to minimize views from public streets. Drive-up and drive-through lanes should be not located between the front of the primary structure and the adjacent streets or sidewalks. Drive up facilities including drive lanes shall not be located within 150 feet of an existing residential structure, all means available should be taken to minimize the impact on adjacent residential structures.

(j) *Phasing of improvements.* If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements to accommodate the necessary public infrastructure to adequately screen the site.

Section 27-577 - Landscaping and screening.

(a) *Findings and intent.* Landscaping offers many benefits including providing color and shade, buffering wind, sun, and bad views, and reducing glare. Landscaping also integrates structures and uses with the site while reducing the visual impact of development on adjacent uses.

(1) Landscaping is important to completing the design picture.

(2) Landscaping is a working component of the development, serving to screen, buffer, soften, and energize the buildings, streets, and parking.

(3) Landscaping identifies street frontage and maintains character for rights-of-way.

(4) Landscaping is an on-going requirement for healthy development.

(5) Landscaping shall exceed the typical code requirements by at least 75 percent.

(b) *Streets and drives.*

(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curblin of a private easement.

(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.

(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:

- a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
- b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

(c) *Design.*

- (1) Unity of design should be achieved by repetition of certain plant varieties and other materials and by coordination with other landscaping where appropriate.
- (2) Plant selection should be appropriate to planting zone, hydrozone, specific site conditions, and ability to provide year-round ornamental value.
- (3) The choices, placement, and scale of plants should relate to the architectural and site design of the project. Plantings should be used to screen, accent focal points and entries, to contrast with or reinforce building design, to break up expanses of paving or wall, to define on-site circulation, to provide seasonal interest, and to provide shade.
- (4) Landscape areas located between commercial districts and residential districts must provide 100 percent sight-obscuring year-round buffer using plant material or a combination of fence, berm and plant material.
- (5) Landscape and streetscape design should be used to enhance the frontage of primary roadways.

(d) *Buildings.*

- (1) At least 75 percent of the length of 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.
- (2) Planting must be massed and scaled as appropriate for the entryway size and space.
- (3) Landscaping should breakdown in scale and increase in detail, color, and variety to mark entryways into developments.

(e) *Parking.*

- (1) Parking lot landscaping must be used to minimize the expansive appearance of parking lots, provide shaded parking areas, and mitigate any negative acoustic impacts of motor vehicles.
- (2) Parking lot landscaping should reinforce pedestrian and vehicular circulation, especially parking lot entrances, end of driving aisles, and pedestrian walkways leading through parking lots.
- (3) Groups of parking of between 40 and 50 spaces must be separated by a ten-foot wide landscaped median or berm, or pedestrian walkway within a landscaped median.
- (4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces.
- (5) The primary landscaping material used in parking lots must be trees that provide shade or are capable of providing shade at maturity. Shrubbery, hedges and other planting materials may be used to complement the tree landscaping, but shall not be the sole means of landscaping.

(f) *Maintenance.*

(1) All new development landscaping must be irrigated with an automatic system approved by the planning department. Rehabilitation development must either have an irrigation system or a watering plan.

(2) Plants that die must be replaced as quickly as possible, but in no event longer than four months.

(g) *Phasing.* The first phase of construction should include perimeter landscaping, entry drives, and detention ponds. Future phases must indicate interim landscaping.

Section 27-578 - Crime prevention through environmental design (CPTED).

(a) *Territoriality.* Territoriality is a concept that clearly delineates private space from semipublic and public spaces, and creates a sense of ownership. Ownership thereby creates an environment where appearance of such strangers and intruders stand out and are more easily identified through:

(1) The enhanced feeling of legitimate ownership by reinforcing existing natural surveillance and natural access control strategies with additional symbolic or social ones.

(2) The design of space to allow for its continued use and intended purpose.

(3) The use of pavement treatments, landscaping, art, signage, screening and fences define and outline ownership of space.

(b) *Natural surveillance.* Natural surveillance is a design concept directed primarily at keeping intruders under observation. Provision of natural surveillance helps to create environments where there is plenty of opportunity for people engaged in their normal behavior to observe the space around them. Areas can be designed so they are more easily observed through:

(1) Design and placement of physical features to maximize visibility. This will include building orientation, windows, entrances and exists, parking lots, refuse containers, walkways, guard gates, landscape trees and shrubs, use of fences or walls, signage and other physical obstructions.

(2) Placement of persons or activities to maximize surveillance possibilities.

(3) Minimum maintained lighting standards that provide for nighttime illumination of parking lots, walkways, entrances, exits and related areas to promote a safe environment.

(c) *Access control.* Access control is a design concept directed primarily at decreasing criminal accessibility. Provision of natural access control limits access and increases natural surveillance to restrict criminal intrusion, especially into areas where they will not be easily observed. When present, intruders are more readily recognized through:

(1) The use of sidewalks, pavement, gates, lighting and landscaping to clearly guide the public to and from entrances and exists.

(2) The use of gates, fences, walls, landscaping and lighting to prevent or discourage public access to or from dark or unmonitored areas.

COMMERCIAL DEVELOPMENT GUIDELINES OVERLAY DISTRICT REGULATIONS, CONT.

(d) *Activity support.* Activity support is the presence of activity planned for the space. Activity support involves placing activity where the individuals engaged in an activity will become part of the natural surveillance system. Examples include:

- (1) Place safe activities in areas that will discourage would be offenders, to increase the natural surveillance of these activities and the perception of safety for normal users, and the perception of risk for offenders.
- (2) Place high risk activities in safer locations to overcome the vulnerability of these activities by using natural surveillance and access control of the safe area.
- (3) Locate gathering areas in locations that provide for natural surveillance and access control or in locations away from the view of would-be offenders.
- (4) Improve the scheduling of space to allow for effective use and appropriate intensity of accepted behaviors.

(e) *Maintenance.* Proper maintenance of landscaping, lighting treatment and other features can facilitate the principles of CPTED, territorial reinforcement, natural surveillance and natural access control. Functions include:

- (1) Proper maintenance of lighting fixtures to prescribed standards.
- (2) Landscaping which is maintained at prescribed standards.
- (3) Minimizing the conflicts between surveillance and landscaping as the ground cover, shrubs and trees mature.



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

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

June 15, 2021

RE: COZ2021-017 William England single family to non-retail business district 2332
South 14th Street

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: COZ2021-017 William England single family to non-retail business district 2332 South 14th Street.

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

MAPS AND REPORTS

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

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

- There are two major soil types identified: Gosport-Sogn complex, 7 to 35 percent slopes and Knox silt loam, 7 to 12 percent slopes. These soil types are considered very erodible when the surface is denuded of a protective cover.
- Most of the area is woodland. This is not the best use for these soils. They are steep and not very stable for construction purposes.
- If the area is developed, there needs to be special design to prevent soil from sliding.

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

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

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

Sincerely,

Cheri Miller
District Manager

enclosures

Date: June 16th, 2021

Name
Address
City/State/Zip

SUBJECT: Rezoning and Master Plan Amendment

We have filed an application with the Department of Urban Planning and Land Use # COZ2021-017. The purpose of this:

- change of zone
- Master Plan Amendment (Number MPL2021-012) from Low-Density Residential to Neighborhood Commercial

is for an insurance office at the following address: 2332 South 14th Street, Kansas City, KS 66103.

This letter is to inform you of the proposed change in the zoning of this property and give you the chance to voice any questions or concerns you may have.

Please contact me between June 18th and June 28th at the email address/phone number listed below.

Sincerely,

Will England
913-267-3213
Will@BridgeTurnkey.com

Application Number COZ2021-017 and MPL2021-012

June 30th, 2021

Notice was sent to all neighbors to inform them of the proposed change in the zoning of this property and give them the chance to voice any questions or concerns you may have.

They were given from June 18th to June 28th to contact Will England at the email address/phone number listed below.

Will@BridgeTurnkey.com
913-267-3213

Only one response was received:

NGUYEN, HUE HUU (913-209-9134) called on June 21st at approximately 4:30pm. He stated that he was happy to see that a business would be present at this location, and that he had no concerns.



Planning and Urban Design

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

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

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: October 28, 2021

Re: COZ2021-013 & MPL2021-010

GENERAL INFORMATION

Applicant:

Andrew Seemiller

Status of Applicant:

Representative
Summit Real Estate Group
135 Meramac Avenue, Suite 600
St. Louis, MO 63105

Requested Actions:

Approval of a Change of Zone.

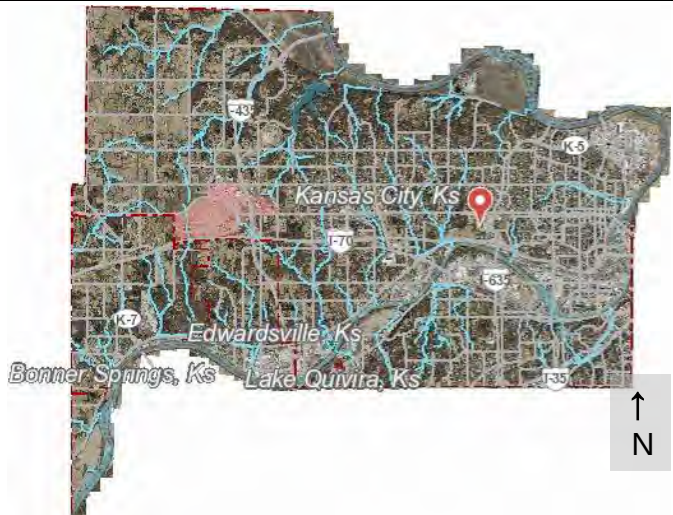
Approval of a Master Plan
Amendment.

Date of Application:

April 29, 2021

Purpose:

To change the zoning district from MP-1 Planned Light Industrial and Industrial Park District, CP-1 Planned Limited Business District, and R-1 Single Family District to MP-2 Planned General Industrial District.



Purpose (cont.):	To change the City-Wide Master Plan Land use designation from Mixed-Use to Industrial.		
Property Location:	626 North 47 th Street, Kansas City, Kansas 66102		
Commission Districts:	Commissioner At Large: Melissa Bynum District #8 Commissioner: Jane Philbrook		
Existing Zoning:	MP-1 Planned Light Industrial and Industrial Park District, CP-1 Planned Limited Business District, and R-1 Single-Family District		
Adjacent Zoning:	North:	R-1 Single Family District	
	South:	M-2 General Industrial, M-3 Heavy Industrial and R-1 Single Family Districts	
	East:	B-P Planned Business District	
	West:	R-1 Single Family and A-G Agriculture Districts	
Adjacent Uses:	North:	Single-family residences	
	South:	Vacant industrial lots	
	East:	Foodie Park campus	
	West:	Vacant lots and ongoing UG development	
Total Tract Size:	19.52 Acres		
Master Plan Area:	The subject property is within the City-Wide Master Plan.		
Master Plan Designation:	The City-Wide Master Plan designates this property as Mixed-Use. The Mixed-Use land use designation encourages a wide range of uses, from special retail to sit-down restaurants to public and religious institutions to parks, plazas, and open spaces. Discouraged uses within the Mixed-Use land use designation include industrial uses, business parks, and car lots. All Mixed-Use developments must meet the minimum City-Wide Master Plan Mixed-Use Guidelines.		
Major Street Plan:	The Major Street Plan designates South 47 th Street as a Class C Thoroughfare.		
Required Parking:	MP-1 District (current zoning): Section 468(e) requires paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. The ratio will		

vary among occupants and will be determined by the director of planning after receipt of a summary of parking needs and characteristics prepared by the owner or initial occupant. In no case, however, shall less than one (1) space for each 500 square feet of building floor area be provided. For buildings larger than 20,000 square feet, only one (1) space for each 1,000 square feet needs to be provided for building increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet the parking required for increments over 50,000 square feet will be determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government Board of Commissioners shall make the final determination upon recommendation of the Planning Commission. Commercial uses shall provide parking as would be required in the C-1 district.

CP-1 District (current zoning): Section 27-464(e) requires paved off-street parking spaces at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building.

R-1 District (current zoning): Section 27-454(e) requires two (2) off-street parking spaces on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport. This does not apply, as there is no dwelling on the portion of the parcel zoned R-1.

MP-2 District (proposed zoning): Section 27-469(e) requires paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. The ratio will vary among occupants and will be determined by the director of planning after receipt of a summary of parking needs and characteristics prepared by the owner or initial occupant. In no case, however, shall less than one (1) space for each 500 square feet of building floor area be provided. For buildings larger than 20,000 square feet, only one (1) space for each 1,000 square feet needs to be provided for increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet, the parking required for increments over 50,000 square feet will be determined by the Director of Planning. Where questions arise concerning increments over 50,000 square feet, the Unified Government Board of

Commissioners shall make the final determination upon recommendation of the Planning Commission. Commercial uses shall provide parking as would be required in the C-3 district. Taken individually, the floor area of the four (4) buildings and the one (1) proposed addition on the property would require a total of 88 parking spaces. The current site plan shows 88 total spaces, which meets the parking minimum requirement.

Advertisement:	<u>The Wyandotte Echo</u> – May 20, 2021 Letters to Property Owners – May 21, 2021, June 17, 2021, September 17, 2021 and October 19, 2021
Public Hearings:	October 11, 2021 and October 28, 2021
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Andrew Seemiller with Summit Real Estate Group, is requesting a Change of Zone and Master Plan Amendment for the subject property at 626 North 47th Street. The subject property is simultaneously undergoing a subdivision into two (2) separate parcels, identified as Lot 1 (Tract I) and Lot 2 (Tract II). Lot 1 will be approximately 5.73 acres and Lot 2 will be approximately 13.88 acres. Lot 1 is zoned MP-1 and will remain zoned MP-1. Lot 2 is being rezoned; the applicant is requesting a Change of Zone for Lot 2 from MP-1 Planned Light Industrial and Industrial Park District, CP-1 Planned Limited Business District, and R-1 Single Family District to MP-2 Planned General Industrial District. The applicant is requesting a Master Plan Amendment of the City-Wide Master Plan land use designation from Mixed-Use to Industrial. This Master Plan Amendment will apply to both Lots 1 and 2. The Change of Zone and Master Plan Amendment have both been requested in order to comply with both the allowed land use and district for storage in conjunction with the existing company on site, Twin Traffic, a traffic marking and striping company.

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

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

- o May 11, 2021- Enforcement Complaint
- o September 14, 2012- Other Multiple Violations
- o October 19, 2010- Structural Issues
- o September 20, 2006- Environmental: Weeds
- o April 26, 2006- Environmental: Weeds

FACTORS TO BE CONSIDERED

Change of Zone

1. *The character of the neighborhood.*

The subject property is within the Coronado Statistical Neighborhood and is not within a Neighborhood Group. The area to the east and south—towards Interstate-635—is industrial in nature, although most of the land itself is either paved or undeveloped. To the north and west is zoned residential. The properties to the north are a single-family neighborhood, while the properties to the west are primarily owned by the Unified Government.

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

The subject property is situated between similar industrial uses, open spaces, and a single-family residential neighborhood. Expansion of industrial uses are compatible with the other industrial properties to the south and east but are not as compatible with the open space and is certainly not compatible with the residential neighborhood.

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

The subject property is nearly 20 acres, much of which is undeveloped and is suitable for storage use. The large swaths of undeveloped or paved land allows for the storage of visually unappealing material without ruining the view of the adjacent properties, especially that of the residential neighborhood. While the allowed changes in use that come with the proposed Change of Zone will likely not detrimentally affect the nearby properties, landscape buffering and screening is essential to maintaining this status.

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

The property is currently occupied by Twin Traffic, a traffic striping company.

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

The request for a Change of Zone will ostensibly allow Twin Traffic to both operate as usual and have several additional acres for storage. The applicant has not made it clear why a partial rezone of the existing parcel is necessary. With the information that Staff currently has, it does not appear that a rezone is reasonably necessary for storage and screening purposes when the subject property is nearly 20 acres. Even the M-1 screening requirements—outdoor storage must be screened so that it is not visible within 100 feet of the *property*

line—and storage requirements—outdoor storage may not cover more than 1.95 acres—are not so onerous as to necessitate a Change of Zone that is becoming more and more incompatible with properties to the north, west, and southwest. Properties zoned R-1 will be further injured by being neighbors with parcels zoned M-1/MP-1 and M-2/MP-2.

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

The applicant has not made it clear if traffic will increase due to the Change of Zone. The applicant must provide more information about the current traffic to and from the site, and whether the Change of Zone will allow for changes in use that could increase traffic to an extent that it would adversely affect road capacity or safety. The current site plans and parking plans demonstrate that there is enough paved area to provide sufficient parking and storage. The site plan submitted to Staff, however, only demonstrates 62 parking spaces, which is three (3) parking spaces short of the current required number of parking spaces and 28 spaces short of the proposed use and building expansions/additions. All designated parking spaces for vehicles must be striped.

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

The existing land use designation for the property is Mixed Use. A land use designation under the City-Wide Master Plan, Mixed-Use allows for a wide range of uses, from special retail to sit-down restaurants to public and religious institutions to parks, plazas, and open spaces. Discouraged uses within the Mixed-Use land use designation include industrial uses, business parks, and car lots. If the land use designation remains Mixed Use it must conform to the Master Plan standards, which requires all Mixed-Use developments to meet the minimum City-Wide Master Plan Mixed-Use Guidelines.

The applicant has simultaneously requested a Master Plan Amendment from Mixed Use to Industrial in order to address the current issue of the proposed use conforming with the current City-Wide Master Plan land use designation. Therefore, the proposed uses will conform with the proposed Master Plan land use designation of Industrial.

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

While there is a significant area on the subject property that is already covered and/or paved, the submitted plan will develop approximately an additional 14,135 square feet of covered area and 19,000 square feet for paved area. The additional 33,000 square feet for impermeable surface represents almost four percent (4%) of the entire parcel. There are currently two (2) drainage ponds on site to handle surface runoff and the applicant has provided plans to add a third drainage pond.

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

a. *Water service*

Water service is provided by BPU.

b. *Sanitary sewer service*

Sanitary sewer mains are located to the southeast of the subject property.

c. *Storm water control*

Storm water mains are located on North 47th Street, adjacent to the subject property.

d. *Police*

Police service is provided by Midtown District, #441.

e. *Fire*

Fire service is provided by Fire Station #11.

f. *Transit*

The property is approximately a one-quarter (1/4)-mile south of the 47th & State Avenue Metro center bus stop.

g. *Schools*

Public education is provided by Eugene Ware Elementary School, Coronado Middle School, and Schlagle High School, under Kansas City USD 500.

h. *Streets*

The property is accessible by North 47th Street/Orville Avenue

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

Twin Traffic is proposing a Change of Zone in order for the rezoned property to be used for storage. While this may be a helpful change of use for the company, this will likely do little to create a positive economic impact for the community. In fact, expansion of industrial uses may adversely injure the residential properties to the north.

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

The purposed Change of Zone and preliminary development plan must comply with the MP-2 District landscaping requirement. Per Section 27-469(g), the following landscaping must be depicted on a properly prepared plan: 1) a reasonable amount of landscaping is required on all projects in this district with emphasis being placed on screening or otherwise softening the visual impact of unsightly areas, including parking lots and storage areas, among other spaces; 2) trees are required to be provided at not less than one (1) per 10,000 square feet of site area; and, 3) six (6)-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. The landscape plan submitted shows the addition of eight (8) trees to the frontage of the property, as well as the retention of all existing trees and vegetation. The existing parcel is 850,156.447 square feet; at one (1) tree per 10,000 square feet the district landscaping code requires 86 trees. Although the current number of trees on the subject property is unknown, the addition of 86 net new trees will need to be reflected on the landscape plan, in addition to the maintenance of the existing tree stands.

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

The subject property is in a unique location, in which it borders similarly zoned parcels to the east and south but borders residentially zoned parcels to the north and west. Industrial and residential uses are largely incompatible, due to the both the intensity of uses allowed and other related impacts in the industrial zoning districts. The proposed Change of Zone will only add to the intensity of uses allowed on the subject property, further creating incompatibility with the adjacent residentially zoned parcels, especially the single-family neighborhood to the north. If the Change of Zone were to be approved, mitigation measures such as heavy landscape screening on the north boundary of the subject property would be necessary in order for an expansion of industrial uses to not be considered an imposed hardship on the adjacent residents and homeowners.

Master Plan Amendment

1. *Neighborhood character*

See Change of Zone Review Factor #1.

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

The proposed use would not necessarily increase traffic or parking. The initial Change of Zone request that then required this Master Plan Amendment request was started in order to allow for more outdoor storage by Twin Traffic, the

applicant's client and the property's tenant. There is no indication that the outdoor storage will directly lead to a significant increase in traffic or parking, whether due to increased production and services that require more employees, or due to more vehicles coming and going from the site to load and unload the barrels to be stored.

3. *The extent to which utilities and public services are available and adequate to serve the proposed amendment and the extent to which the environment would be impacted.*

The property is an established business along a Class C Thoroughfare. It already has a full array of utilities and public services, including electric, trash services, stormwater sewers, paved roads, and public transportation.

4. The difference between the existing and proposed Master Plan.

The existing land use designation for the property in the City-Wide Master Plan is Mixed-Use, and the proposed land use designation is Industrial. While the Mixed-Use land use designation encourages a wide range of uses, from special retail to sit-down restaurants to public and religious institutions to parks, plazas, and open spaces, one (1) of the uses it discouraged is anything industrial in nature. Due to the incongruity between the Master Plan and both the zoning district and the use of the business, a Master Plan Amendment is necessary.

5. Analysis of the impact on surrounding properties.

See Change of Zone Review Factors #2, 3, and 6.

6. Estimate the future costs and revenues to the Unified Government and property owner and Market Impact.

See Change of Zone Review Factor #10.

PREVIOUS ACTIONS

- COZ-2756 (Change of Zone from CP-1 & M-1 to MP-2) (2004)
- SP-2011-9 (Special Use Permit for a dirt fill)
- OZLAND Preliminary & Final Plat (one (1) single-family and one (1) industrial lot) (2011)
- SP-2012-53 (Special Use Permit for a dirt fill and temporary industrial use of land)
- SP-2013-10 (Special Use Permit for earthen fill and recycling of pavement materials operation)
- PR-2014-28 (Final Plan review for a building addition)
- SP-2015-52 (renewal of a Special Use Permit for a dirt fill, temporary industrial use of land, and truck weigh scales)
- SP-2016-61 (Special Use Permit for a fill site)
- SP-2017-74 (renewal of a Special Use Permit for a dirt fill, temporary industrial use of land, and truck weigh scales)

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting at 6:00 PM on May 27, 2021, via Microsoft Teams. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Dust
Land Use Compatibility
Landscape Buffering
Noise
Parking Spaces
Pollution
Presentation of Tree Stands
Screening

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Master Plan Amendment Application MPL2021-010, subject to:

- 1) **Aerial imagery shows the paved area extending to the south of the subject property, into Parcel #916302. The applicant must cease use of the neighboring property.**
- 2) **If any parcel of land or a portion of a parcel that is adjacent to the northern boundary line of the subject property changes uses or zoning districts that would require fencing, screening, and/or landscape buffering under any section of the Zoning Code, the applicant, property owner, or their designees, or future property owners must meet all the applicable requirements.**
- 3) **Future development will adhere to all relevant MP-2 and industrial district landscaping requirements.**
- 4) **All parking must comply with the submitted parking plans, which include 86 spaces, four (4) of which are ADA-compliant.**
- 5) **Per Section 27-577(e), all parking lot landscaping requirements must be met.**
- 6) **Due to the undermined area, the applicant must comply with any and all geo-tech reports and must renew or reapply any relevant fill and grading permits, including the necessary Special Use Permits.**
- 7) **After the proposed lot split, parking must continue to comply with Section 27-672, which states that required off-street parking shall be on the same zoning lot as the principal use served or within 100 feet, or in the case of employee parking within 300 feet of the same lot. The applicant’s client and/or any business operating on the property must continue to comply with Section 27-672; following the parking plan detailed in “Parking Lot**

Distances to Buildings on Lot 2” in the Attachments section of this report will ensure compliance.

- 8) The applicant has filed and maintained a current business occupation tax application, and,**
- 9) 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.**

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Change of Zone Application COZ2021-013, subject to:

- 1) The Change of Zone request has been amended so that the proposed Change of Zone is now reflected as from MP-1 to MP-2.**
- 2) The lot split of Parcel #404401 must be completed before a Certificate of Occupancy is issued for the proposed building in Lot 2/Tract II. The Change of Zone application states that Lot 2 is desired to be zoned M-2 (or MP-2, see above staff comment), but that Lot 1 is to remain M-1 (or MP-1).**
- 3) Aerial imagery shows the paved area extending to the south of the subject property, into Parcel #916302. The applicant must cease use of the neighboring property.**
- 4) If any parcel of land or a portion of a parcel that is adjacent to the northern boundary line of the subject property changes uses or zoning districts that would require fencing, screening, and/or landscape buffering under any section of the Zoning Code, the applicant, property owner, or their designees, or future property owners must meet all the applicable requirements.**
- 5) Future development will adhere to all relevant MP-2 and industrial district landscaping requirements.**
- 6) All parking must comply with the submitted parking plans, which include 86 spaces, four (4) of which are ADA-compliant.**
- 7) Per Section 27-577(e), all parking lot landscaping requirements must be met.**
- 8) Per Sec. 27-468(g) a six (6) foot architectural screening in combination with a buffer area is to be provided alongside and rear property lines common to or across an alley from residentially zoned property. The existing tree stand along the north property line, abutting the single-family homes shall remain protected. An architectural screen is a privacy wood picket or metal panel fence with masonry columns every thirty-two (32) feet running.**
- 9) Due to the undermined area, the applicant must comply with any and all geo-tech reports and must renew or reapply any relevant fill and grading permits, including the necessary Special Use Permits.**
- 10) The applicant has filed and maintained a current business occupation tax application.**

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

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **MP2021-010** and **COZ2021-013**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of the Property Provided by Staff, Dated May 23, 2021
Photos of the Property Provided by the Applicant
Additional Information From the Applicant, Dated June 22, 2021
Plot Plan and Lot Split Submitted by the Applicant
Development Site Plan Submitted by the Applicant
Building Addition Floor Plan And Elevations Submitted by the Applicant
Undermined Area of the Subject Property
Sanitary Sewer Memorandum, Dated April 30, 2021
Preliminary Storm Water Drainage Letter, Dated April 30, 2021
Parking Lot Distances to Buildings on Lot 2
Neighborhood Meeting Materials, May 27, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing Change of Zone	October 11, 2021 Approval	October 28, 2021
Master Plan Amendment	October 11, 2021 Approval	October 28, 2021

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

MOTIONS

Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2021-010** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2021-010**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

Change of Zone

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2021-013** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report, and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2021-013**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 1:06:11:

MASTER PLAN AMENDMENT MPL2021-010 – ANDREW SEEMILLER WITH SUMMIT REAL ESTATE GROUP – SYNOPSIS: Master Plan Amendment from Mixed Use to Industrial (City Wide Master Plan) at 626 North 47th Street.

CHANGE OF ZONE APPLICATION COZ2021-013 – ANDREW SEEMILLER WITH SUMMIT REAL ESTATE GROUP - SYNOPSIS: Change of Zone from M-1 Light Industrial and Industrial Park District to M-2 General Industrial District for storage in conjunction with existing Twin Traffic, a traffic marking and striping company at 626 North 47th Street.

Detailed Outline of Requested Action: The applicant, Andrew Seemiller with Summit Real Estate Group, is requesting a Change of Zone and Master Plan Amendment for the subject property at 626 North 47th Street. The subject property is simultaneously undergoing a subdivision into two (2) separate parcels, identified as Lot 1 (Tract I) and Lot 2 (Tract II). Lot 1 will be approximately 5.73 acres and Lot 2 will be approximately 13.88 acres. Lot 1 is zoned MP-1 and will remain zoned MP-1. Lot 2 is being rezoned; the applicant is requesting a Change of Zone for Lot 2 from MP-1 Planned Light Industrial and Industrial Park District, CP-1 Planned Limited Business District, and R-1 Single Family District to MP-2 Planned General Industrial District. The applicant is requesting a Master Plan Amendment of the City-Wide Master Plan land use designation from Mixed-Use to Industrial. This Master Plan Amendment will apply to both Lots 1 and 2. The Change of Zone and Master Plan Amendment have both been requested in order to comply with both the allowed land use and district for storage in conjunction with the existing company on site, Twin Traffic, a traffic marking and striping company.

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

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

- o May 11, 2021- Enforcement Complaint
- o September 14, 2012- Other Multiple Violations
- o October 19, 2010- Structural Issues
- o September 20, 2006- Environmental: Weeds
- o April 26, 2006- Environmental: Weeds

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and
7. The Notices to property owners.

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

Present in Support:

- Powell Minnis, Davidson Architecture, representing the applicant, 4301 Indian Creek Parkway, Overland Park, Kansas

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:12:20: Planning Director Hand stated that this is a Change of Zone and Master Plan Amendment and there will also be a lot split. This property is in the Mid-Town area of the city. This property has three (3) different zoning classifications, and this rezoning will correct this issue. It is also an undermined area for future reference. He showed the Commission where Twin Traffic will maintain the M-1 zoning next to the residential subdivision and the rest of the property will be MP-2, and both parcels are changing from Mixed Use to the Industrial land use designation. Staff recommends that the existing tree stand that buffers the residential properties to the north continue to be maintained. There is an existing fence and staff is recommending an upgrade to a privacy wood picket or metal panel fence with masonry columns every thirty-two (32) feet along the north and eastern property lines. In condition #3 of the Change of Zone and Condition #1 in the Master Plan Amendment, Staff would like to make a correction. After the word and; "Construct an architectural screening fence at or before the subject property's southern boundary line in order to prevent future encroachment or trespass" should be stricken. Staff has received no letters of support nor opposition and there are no Notices of Violation on this property. Staff recommends approval, subject to the conditions in the staff report.

Commissioner Hill asked where the proposed UG tow lot is located, and Director Hand showed her on the map, but stated those applications have been withdrawn.

Mr. Minnis asked for clarification on the fence. Director Hand stated that the fence is a code requirement as outlined in the staff report due to the storage locations on the property.

Motion and Vote starts at 1:21:30:

On motion by Mr. Ernst, seconded by Dr. Hill, the Planning Commission voted as follows to **recommend APPROVAL of Master Plan Amendment MPL2021-010:**

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

Motion to recommend APPROVAL Passed: 5 to 0

Subject to:

- 1) Aerial imagery shows the paved area extending to the south of the subject property, into Parcel #916302. The applicant must cease use of the neighboring property.
- 2) If any parcel of land or a portion of a parcel that is adjacent to the northern boundary line of the subject property changes uses or zoning districts that would require fencing, screening, and/or landscape buffering under any section of the Zoning Code, the applicant, property owner, or their designees, or future property owners must meet all the applicable requirements.
- 3) Future development will adhere to all relevant MP-2 and industrial district landscaping requirements.
- 4) All parking must comply with the submitted parking plans, which include 86 spaces, four (4) of which are ADA-compliant.
- 5) Per Section 27-577(e), all parking lot landscaping requirements must be met.
- 6) Due to the undermined area, the applicant must comply with any and all geo-tech reports and must renew or reapply any relevant fill and grading permits, including the necessary Special Use Permits.
- 7) After the proposed lot split, parking must continue to comply with Section 27-672, which states that required off-street parking shall be on the same zoning lot as the principal use served or within 100 feet, or in the case of employee parking within 300 feet of the same lot. The applicant's client and/or any business operating on the property must continue to comply with Section 27-672; following the parking plan detailed in "Parking Lot Distances to Buildings on Lot 2" in the Attachments section of this report will ensure compliance.
- 8) The applicant has filed and maintained a current business occupation tax application, and,
- 9) 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.

On motion by Mr. Ernst, seconded by Ms. Huey, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application COZ2021-013:**

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

Motion to recommend APPROVAL Passed: 5 to 0

Subject to:

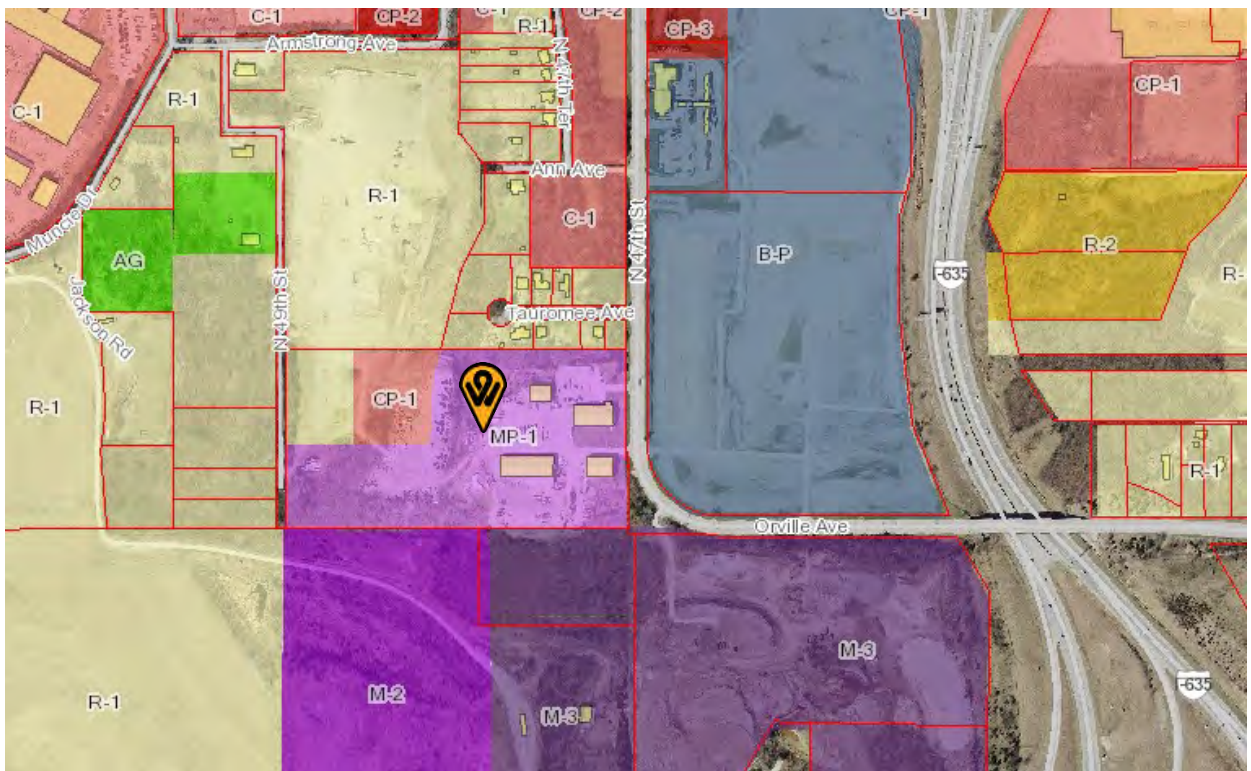
- 1) The Change of Zone request has been amended so that the proposed Change of Zone is now reflected as from MP-1 to MP-2.
- 2) The lot split of Parcel #404401 must be completed before a Certificate of Occupancy is issued for the proposed building in Lot 2/Tract II. The Change of Zone application states that Lot 2 is desired to be zoned M-2 (or MP-2, see above staff comment), but that Lot 1 is to remain M-1 (or MP-1).
- 3) Aerial imagery shows the paved area extending to the south of the subject property, into Parcel #916302. The applicant must cease use of the neighboring property.
- 4) If any parcel of land or a portion of a parcel that is adjacent to the northern boundary line of the subject property changes uses or zoning districts that would require fencing, screening, and/or landscape buffering under any section of the Zoning Code, the applicant, property owner, or their designees, or future property owners must meet all the applicable requirements.
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- 8) Per Sec. 27-468(g) a six (6) foot architectural screening in combination with a buffer area is to be provided alongside and rear property lines common to or across an alley from residentially zoned property. The existing tree stand along the north property line, abutting the single-family homes shall remain protected. An architectural screen is a privacy wood picket or metal panel fence with masonry columns every thirty-two (32) feet running.

- 9) Due to the undermined area, the applicant must comply with any and all geo-tech reports and must renew or reapply any relevant fill and grading permits, including the necessary Special Use Permits.
- 10) The applicant has filed and maintained a current business occupation tax application.
- 11) 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, and,
- 12) 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.

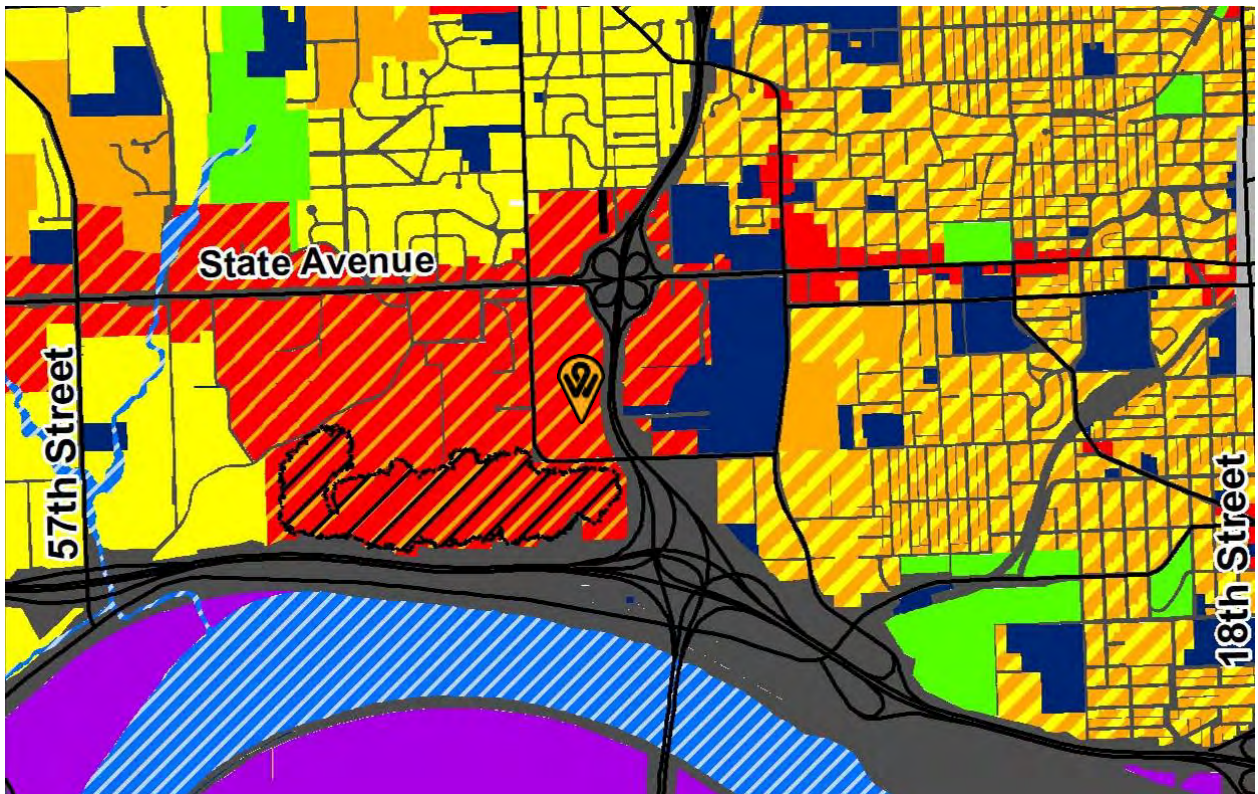
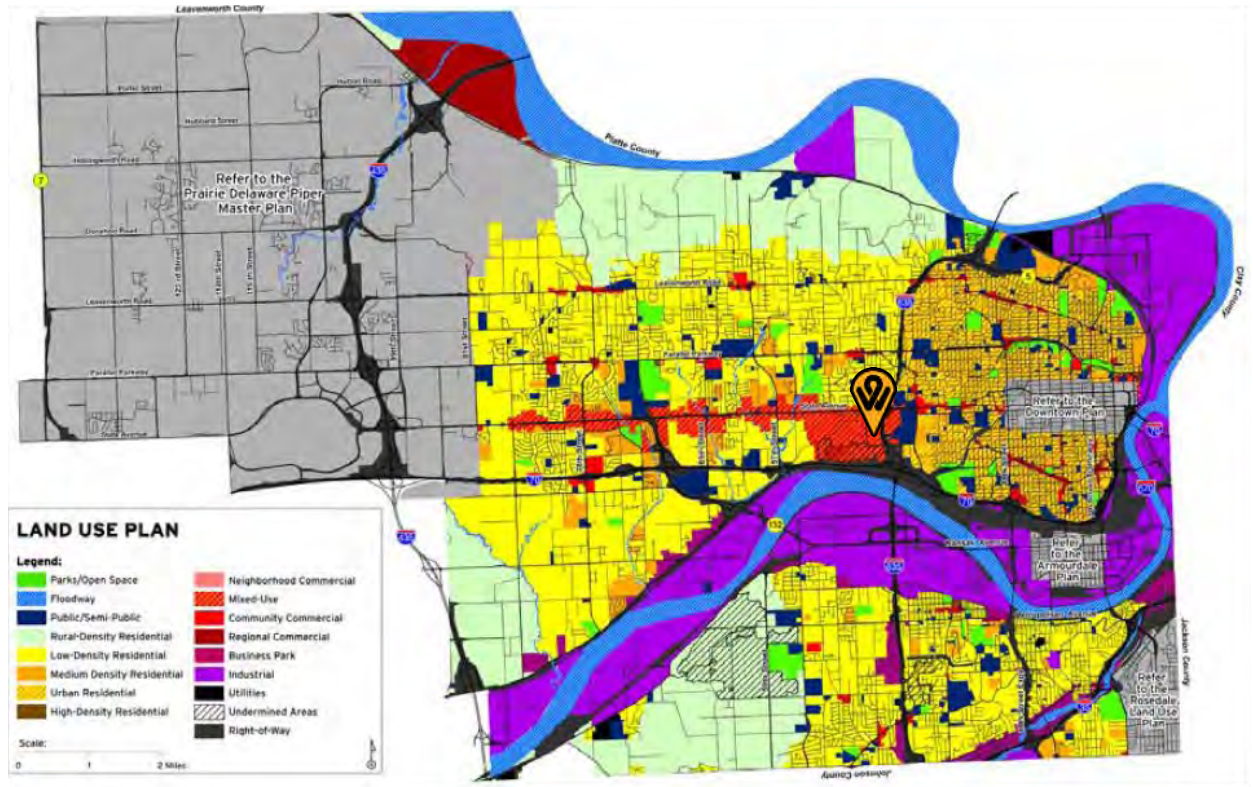
AERIAL MAP



ZONING MAP



LAND USE MAP



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



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



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



PHOTOS OF THE PROPERTY PROVIDED BY THE APPLICANT



Looking west from 47th Street – Warehouse building, equipment storage building in background

PHOTOS OF THE PROPERTY PROVIDED BY THE APPLICANT, CONT.



Looking west from 47th Street – existing office/warehouse building, equipment storage building in background

PHOTOS OF THE PROPERTY PROVIDED BY THE APPLICANT, CONT.



Looking west from 47th Street – existing parking area



June 22, 2021

Mr. Michael Farley, Planner
Dept. of Planning and Urban Design
Unified Government of Wyandotte County and Kansas City, Kansas
701 N. 7th Street, Room 423
Kansas City, Kansas 66101

Re: Response to Planning Staff Draft Comments
Twin Traffic Improvements, **COZ2021-013**

Dear Mr. Farley,

Regarding some of the comments received in the draft report of the Planning Staff, we have included some additional information and responses on the plans and in this letter.

1. We have requested an amendment to the City-Wide Master Plan from the current designation Mixed Use to Industrial use, which is what the property's existing use is currently.
2. The reason for maintaining the existing parcel as M-1/MP-1 is to keep this existing zone the same that is adjacent to the residential neighbors, so that no change occurs adjacent to their property.
3. Additional parking striping for vehicles shall be added in the existing truck parking area west of the office/warehouse building, see revised site plan A1.1. Additional 3 ADA spaces shall be added to the parking lot north of the office building so that a total of 5 ADA spaces will be onsite. A total of 115 parking spaces is proposed on the revised plan. If more vehicle parking is required, the owner will stripe additional spaces in the existing truck parking area to meet the UG requirements.
4. Regarding setbacks at the proposed vehicle parking lot that crosses the tract I and II boundary line, it is not possible to move the parking lot so that a setback can occur. Both tracts will maintain under the same ownership and will function as one property with Twin Traffic. If a variance is needed, then we request a variation/deviation for setbacks for this proposed parking lot.
5. The owner will work with the city to install an approved architectural screen fence along the northern boundary adjacent to the residential properties as required by the UG government.

Sincerely,
Davidson Architecture and Engineering

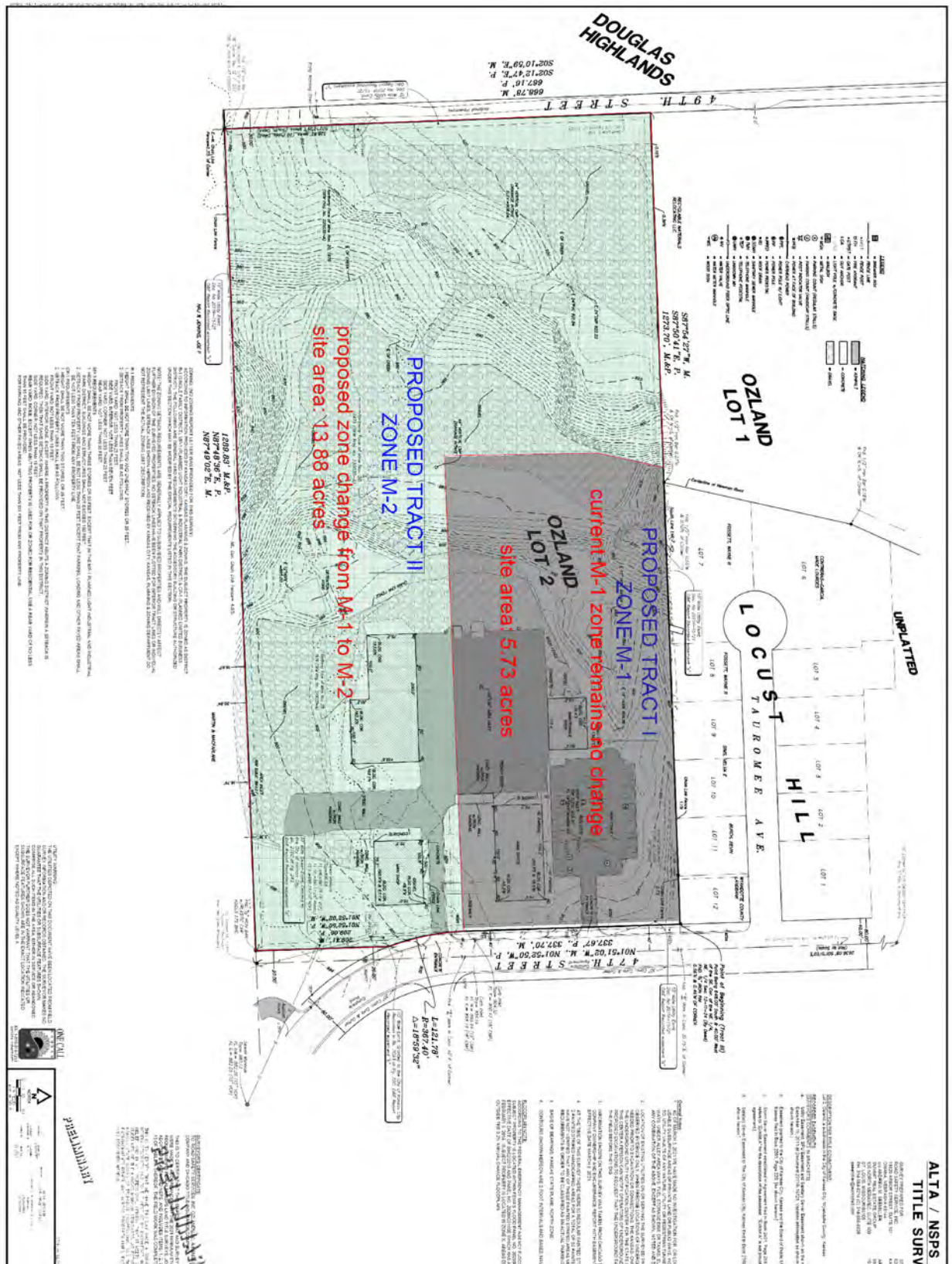
A handwritten signature in black ink that reads "Powell Minnis".

Powell Minnis, RA
Senior Registered Architect



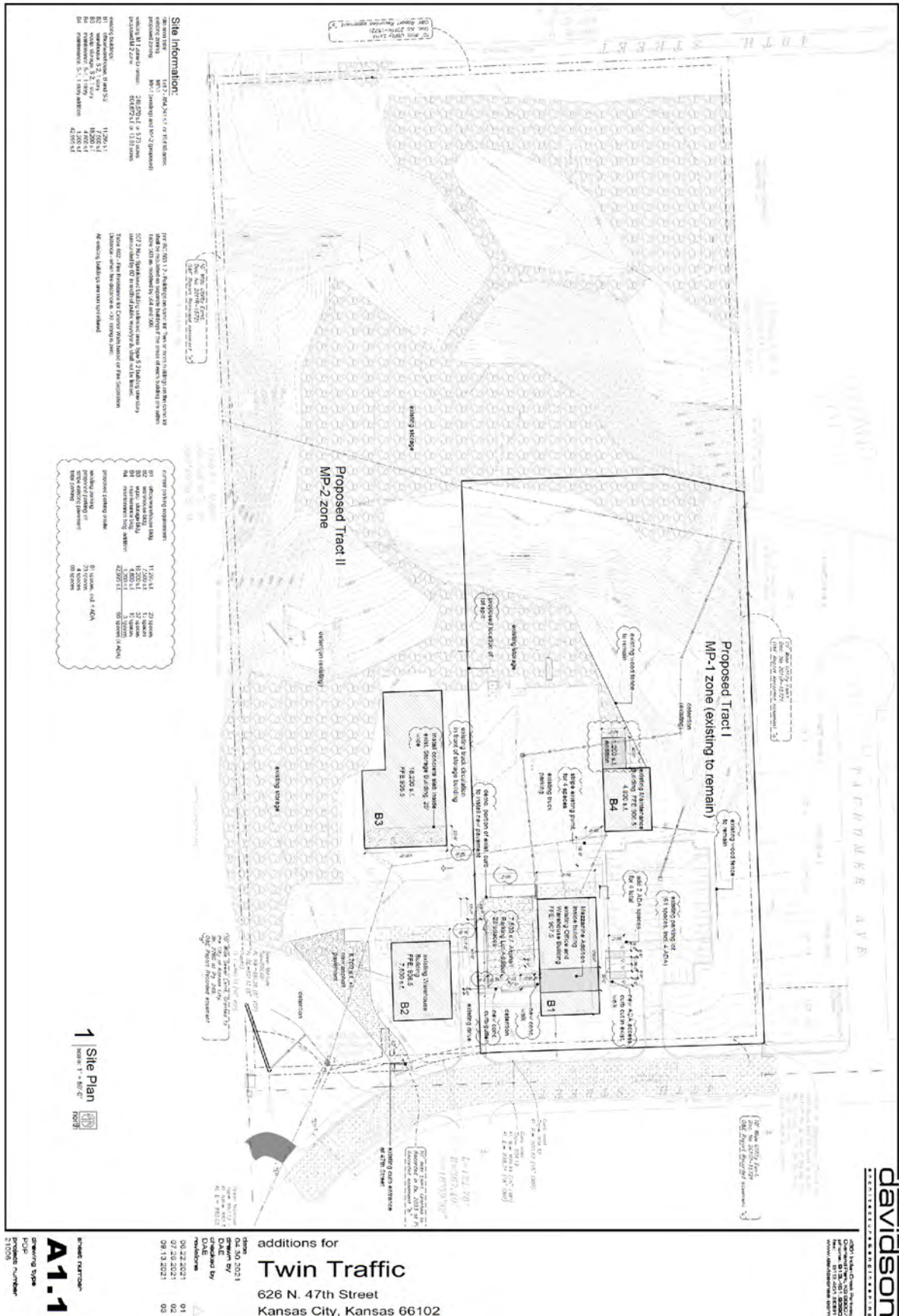
4301 Indian Creek Parkway Overland Park, Kansas 66207 p. 913.451.9390 www.davidsonae.com

PLOT PLAN AND LOT SPLIT SUBMITTED BY THE APPLICANT



Staff Note: "Tract" and "Lot" are used interchangeably in the report when referring to the new proposed parcels to be created by the subdivision of the subject property. "Tract I" is the same as "Lot 1" and "Tract II" is the same as "Lot 2".

DEVELOPMENT SITE PLAN SUBMITTED BY THE APPLICANT





Site plan showing the proposed maintenance building addition and vehicle parking. The plan includes the following features:

- existing trees and natural vegetation to remain
- existing wood screen fence to remain
- existing wood screen fence to remain
- existing wood screen fence to remain
- existing Maintenance Building
- Maintenance Building Addition
- existing truck parking
- stripe 4 spaces on existing pavement
- existing vehicle parking - 61 spaces
- existing Office/Warehouse Building
- proposed vehicle parking - 23 spaces
- new (18) DBB
- new (5) CPB
- new (13) DBB
- new (2) OGM
- new (5) CPB
- new (2) OGM
- existing Warehouse Building
- proposed asphalt driveway
- existing trees and natural vegetation to remain

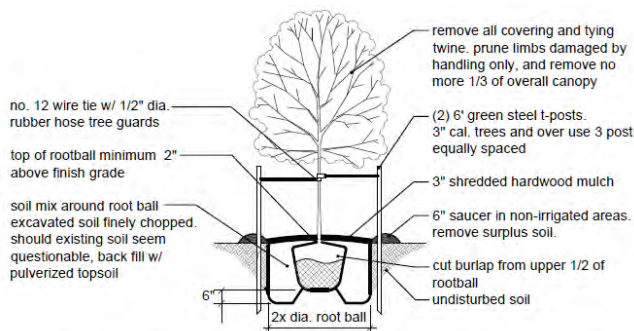
1 hardwood slash
10% herbicide
10% mulch
10% soil
10% straw
10% wood chips
10% bark
10% leaves
10% grass
10% weeds
10% other

LANDSCAPING PLAN SUBMITTED BY THE APPLICANT, CONT.

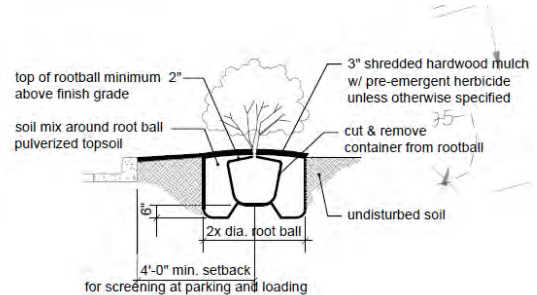
plant schedule					
	ITEM	QTY.	COMMON NAME	BOTANICAL NAME	SIZE & CONDITION
SHADE TREES		exist.	6	EXISTING DECIDUOUS STREET TREE	MAPLE
		OGM	4	OCTOBER GLORY MAPLE	ACER RUBRUM 'OCTOBER GLORY'
					3" CAL.
DEC. SHRUBS		DBB	31	DWARF BURNING BUSH	EUONYMUS ALATA 'COMPACTA'
		CPB	12	CRIMSON PYGMY BARBERRY	BERBERIS 'ATROPURPUREA NANA'
					5 GALLON, 24-30 INCHES
10 TOTAL TREES					
43 TOTAL SHRUBS					

landscape notes:

- Landscaping shall be coordinated with the location of utilities, driveways and traffic clearance zones.
- The contractor doing excavation on public right-of-way shall give 48 hours advance notice to and obtain information from utility companies.
- Prior to commencement of work, the contractor shall notify all those companies which have facilities in the near vicinity of the construction to be performed.
- Existing underground, overhead, utilities and drainage structures have been plotted from available information and therefore, their locations must be considered approximate only. It is the responsibility of the individual contractors to notify the utility companies to locate their utilities before actual construction.
- Contractor shall verify location of and protect all utilities and structures. Damage to utilities and structures shall be repaired by the contractor to the satisfaction of the owner at no additional expense.
- All landscape materials shall be installed in accordance with the current planting procedures established by the most recent addition of the American Standard for Nursery Stock.
- Trees planted per this plan shall be installed during the spring (march 15 through june 15) or fall (september 15 through december 1). Written city approval will be required for planting during other times of the year.
- Stake and guy all trees per planting details.
- Install all shrubs and groundcover per planting details.
- Elevation of top of mulch shall be 1/2" below any adjacent pavement/turf areas.
- Root stimulator shall be applied to the soil backfill of each plant during installation.
- Contractor shall verify all landscape material quantities and shall report any discrepancies immediately to the Architect.
- Contractor shall stake plant locations in the field and have approval by the Architect before proceeding with installation.
- Contractor shall guarantee all plant material for a period of one (1) year from date of initial acceptance. Contractor is responsible for maintaining plant material until acceptance is received. Maintenance shall include watering, maintaining plants in vertical position and shrub bed weed control.
- All plant material shall meet or exceed minimum requirements defined by the "American Standard for Nursery Stock" ANSI Z60.1.
- No plant material shall be substituted without written approval of the Architect per specifications.
- Trees and seasonal color areas shall be mulched with three (3) inches minimum shredded hardwood mulch. Planting beds as delineated shall be separated from pavement/turf areas with metal edging and mulched with three (3) inches minimum shredded hardwood mulch over weed barrier fabric, except where otherwise specified.
- All shrubs used as parking buffer to be min. 18" tall at planting and maintained 3'-0" max. height. Install plants not to encroach upon cars parked, when at full growth.
- All trees with above a 2" caliper shall be double staked, while smaller trees shall be single staked.
- Maximum slope shall be not greater than 3 : 1.

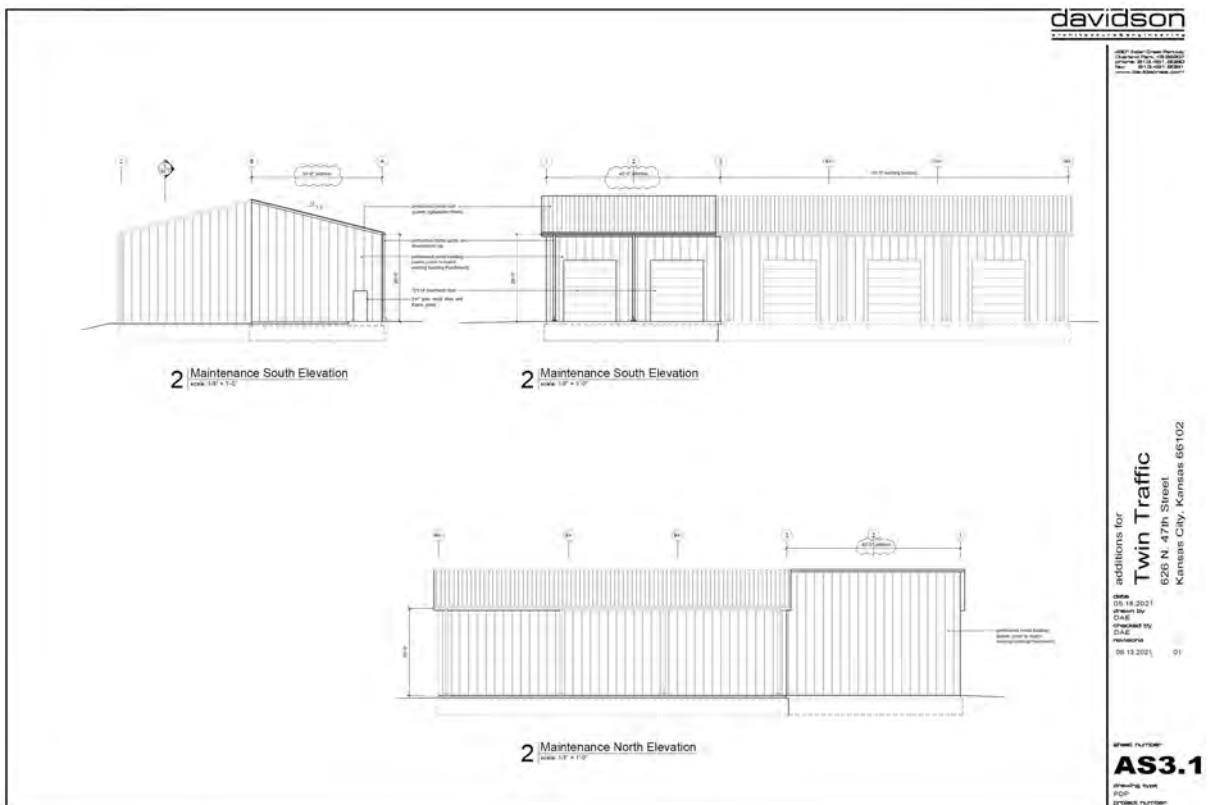
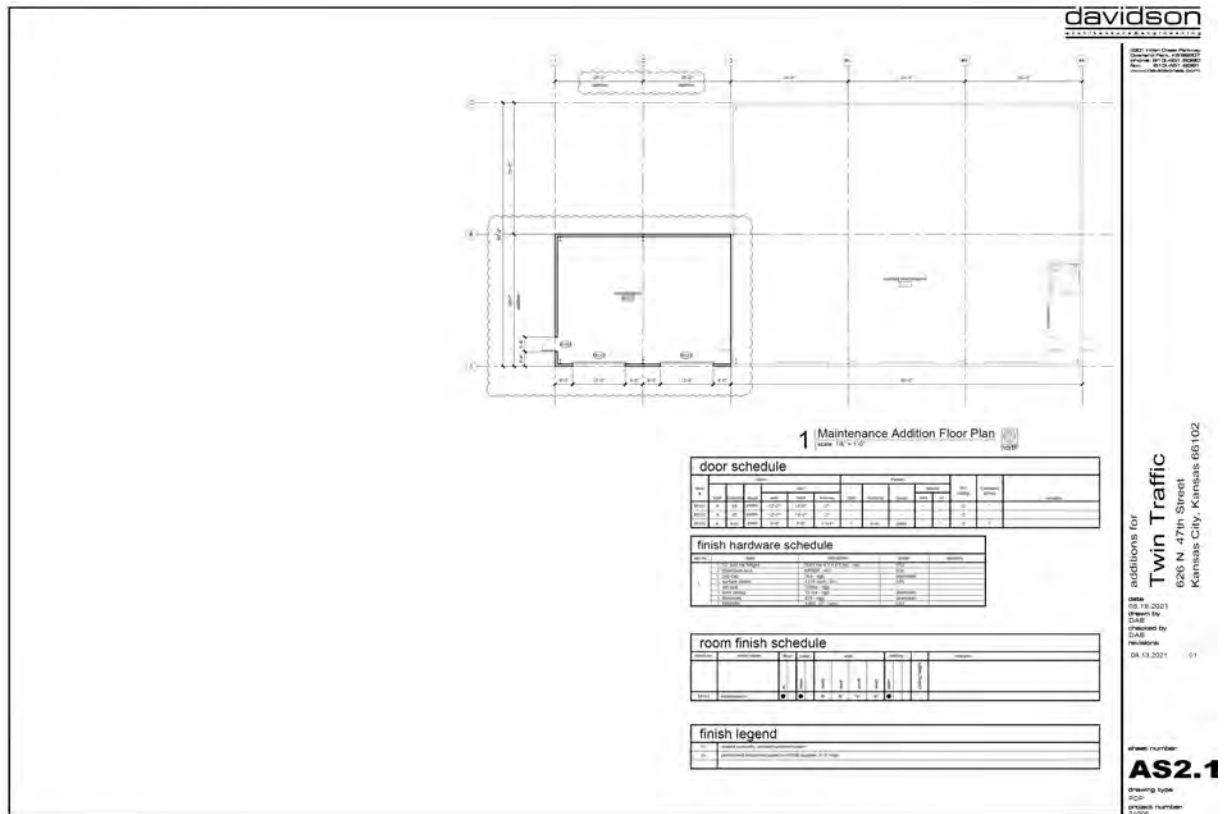


2 Deciduous Tree Planting Detail
not to scale



3 Shrub Planting Detail
not to scale

BUILDING ADDITION FLOOR PLAN AND ELEVATIONS SUBMITTED BY THE APPLICANT



UNDERMINED AREA OF THE SUBJECT PROPERTY



SANITARY SEWER MEMORANDUM, DATED APRIL 30, 2021



April 30, 2021

Urban Planning and Land Use
701 North 7th Street
Kansas City, Kansas 66101

**Re: Sanitary Sewer Memorandum
Twin Traffic
626 N. 47th Street
Kansas City, Kansas 66102**

This letter is to summarize the existing sanitary sewers, and proposed improvements, and general sanitary sewer services planned for the project described herein.

The existing developed project site consists of a trailer storage and park lot with associated asphalt and concrete drives, and utilities. The 19.61 acre project site is occupied by approximately 42,000 square feet of multiple buildings (spread throughout four different buildings), approximately 98,158 square feet of asphalt and concrete pavement, as well as approximately 249,229 square feet of compacted gravel pavement. The existing buildings are connected to the existing gravity sanitary sewer main to the southeast along N. 47th Street.

Proposed improvements to the 19.61 acre site located at 626 N. 47th Street, Kansas City, KS, consists of the construction of a new 11,135 square foot addition to the Equipment Storage Shed, and a 3,000 square foot addition to the Maintenance Building. A parking lot and driveway, concrete storage/laydown yard, and a compacted gravel laydown yard shall be added. The new building will not have water or sewer service lines and will not require a connection to the existing sanitary sewer main within the development. The existing sewer service line will remain.

No further modifications to the project site or the sanitary sewer service or sanitary sewer main are anticipated at this time.

Please feel free to call or email me to discuss this letter further,

A handwritten signature in blue ink, appearing to read "Paul A. Miller".

Paul A. Miller, P.E.
Davidson Architecture & Engineering



4301 Indian Creek Parkway Overland Park, Kansas 66207 p. 913.451.9390 www.davidsonae.com

PRELIMINARY STORM WATER DRAINAGE LETTER, DATED APRIL 30, 2021



April 30, 2021

Urban Planning and Land Use
701 North 7th Street
Kansas City, Kansas 66101

**Re: Preliminary Storm Water Drainage Letter for
Twin Traffic
626 N. 47th Street
Kansas City, Kansas 66102**

This letter is to summarize the existing conditions, proposed improvements, and general stormwater management approach planned for the project described herein.

The existing developed project site consists of a trailer storage and park lot with associated asphalt and concrete drives, and utilities. The 19.61acre project site is occupied by approximately 42,000 square feet of multiple buildings (spread throughout four different buildings), approximately 98,158 square feet of asphalt and concrete pavement, as well as approximately 249,229 square feet of compacted gravel pavement. The existing buildings are connected to the existing gravity sanitary sewer main to the southeast along N. 47th Street.

The 19.61acre project site is currently 45.65% impervious, with a Rational 'C' of 0.57.

Proposed improvements to the 19.61acre site located at 626 N. 47th Street, Kansas City, KS, consists of the construction of a new 11,135 square foot addition to the Equipment Storage Shed, and a 3,000 square foot addition to the Maintenance Building. A parking lot and driveway, concrete storage/laydown yard, and a compacted gravel laydown yard shall be added. Several areas that will be affected by the addition of building or pavement are already occupied by impervious surfaces. The overall increase in impervious area is approximately 9,410 square feet, or 1.10%.

The post development site will be 46.75% impervious, with a Rational 'C' of 0.58.

There exists within the site, two stormwater detention basins. These detention basins shall be reconstructed to provide additional stormwater storage and to provide for water quality for a portion of the site. Two additional detention basins shall be constructed to provide for additional on-site stormwater detention and will also provide for water quality for the stormwater runoff leaving the site. One of the new detention basins located to the Southeast of the existing building will be added without a discharge. The pond has been sized to retain stormwater runoff and allow the runoff to infiltrate and evaporate.

Total Site Stormwater Discharge from the Property			
	1-Year Event (cfs)	10-Year Event (cfs)	100-Year Event (cfs)
Pre-development	32.64	57.93	87.26
Post Development	30.99	54.21	80.67

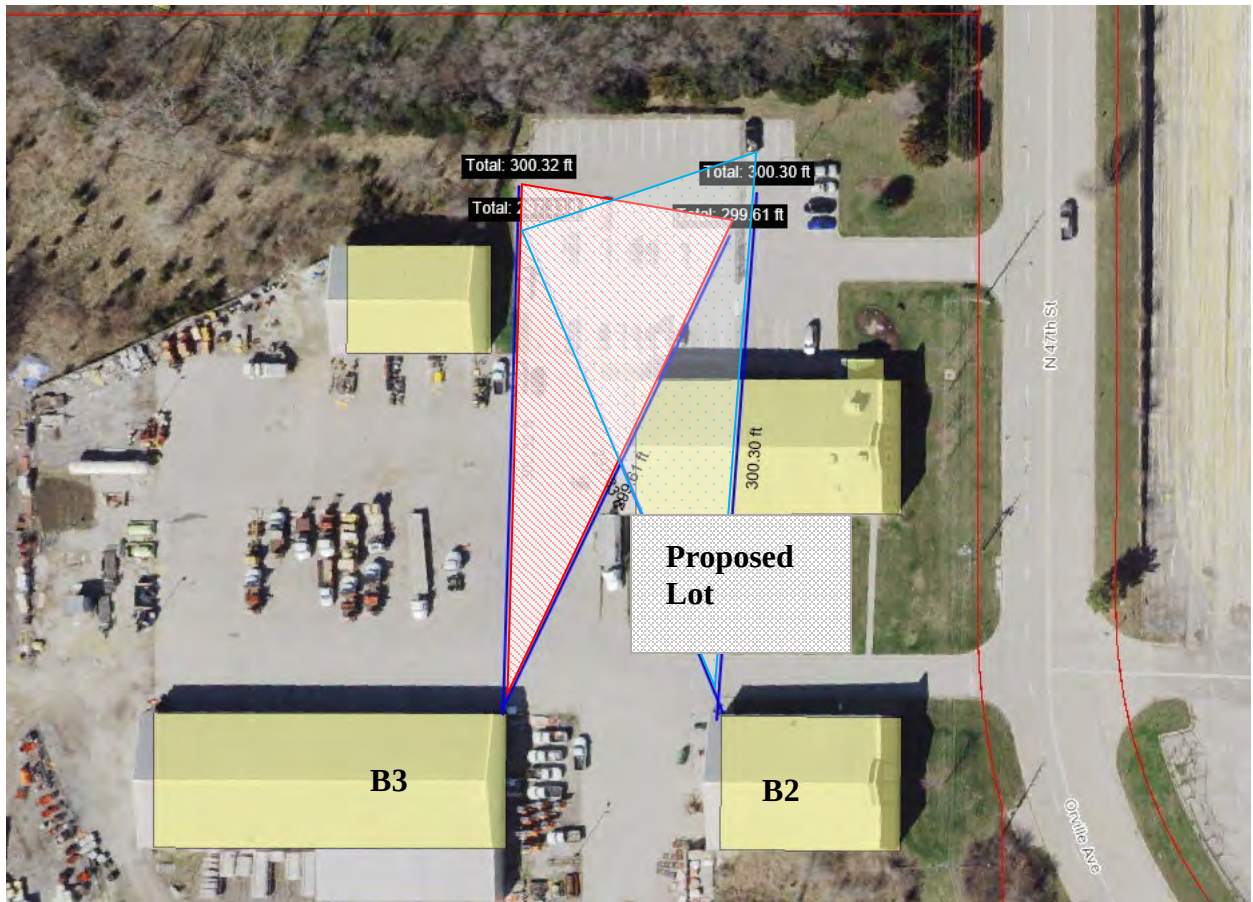
Stormwater quality for the proposed re-development has been reviewed, and the site's level of service has been calculated and a mitigation package has been formed using the Mid-America Regional Council Manual of Best Management Practices (BMP Manual). It has been found that the level of service for the site is 3.4, and a Total Value Rating of 14.45. The proposed mitigation package will treat approx. 4.13 acres with three proposed Extended Dry Detention Basins and one infiltration basin, as shown on the attached BMP Manual worksheets. A final Total Value Rating of 19.17 was achieved with the addition and re-construction of the detention basins and infiltration basin.

Please feel free to call or email me to discuss this letter further,

A handwritten signature in blue ink, appearing to read "Paul A. Miller".

Paul A. Miller, P.E.
Davidson Architecture & Engineering

PARKING LOT DISTANCES TO BUILDINGS ON LOT 2



After the lot split, buildings B2 and B3 will be on Lot 2, while all or nearly all the parking spaces will be on Lot 1.

In order to comply with Section 27-672, all guest or customer parking for B2 and B3 should be in the proposed parking lot marked “Proposed Lot”. This parking lot is within 100 feet for both B2 and B3. Furthermore, all employee parking for B2 and B3 must be located either in “Proposed Lot” or within the corresponding areas on the map above. All parking spaces within the blue dotted area are within 300 feet of B2 and all parking spaces within the red striped area are within 300 feet of B3. Staff has determined that if customer and guest parking for B2 and B3 are prioritized in “Proposed Lot” and employee parking for B2 and B3 is allowed in “Proposed Lot” and then in the parking spaces within the corresponding triangles, Section 27-672 will continue to be met even after the proposed lot split.

NEIGHBORHOOD MEETING MATERIALS, MAY 27, 2021



May 13, 2021

Re: Neighborhood Meeting
626 North 47th Street, Kansas City, KS 66102

Dear neighbor:

On behalf of the Owner, I have filed an application with the Department of Urban Planning and Land Use # COZ2021-013. The purpose of this is for a change of zone and preliminary plan review at the following address: 626 North 47th Street, Kansas City, KS 66102.

We are having an online neighborhood meeting on Thursday, May 27th at 6pm via Microsoft Teams Meeting. You can join by calling in with the following number:

+1-913-728-0292 United States, Kansas City

Phone Conference ID: **670 090 523#**

Or you can email me at powell@davidsonae.com and I will send you the link to join by phone or computer with both audio and visual connection.

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

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

Sincerely,

A handwritten signature in black ink that reads "Powell Minnis".

Powell Minnis, Senior Architect
4301 Indian Creek Parkway
Overland Park, KS 66207
913-451-9390
powell@davidsonae.com
Davidson A + E, LLC



4301 INDIAN CREEK PARKWAY OVERLAND PARK, KANSAS 66207 + 913.451.9390 + DAVIDSONAE.COM



NEIGHBORHOOD MEETING MATERIALS, MAY 27, 2021, CONT.



Date: May 27, 2021
Time: 6:00 pm cst

Neighborhood Meeting Notes

Re: COZ2021-013
Rezoning and PDP for Twin Traffic
626 N. 47th Street, Kansas City, Kansas

Meeting held remotely via Microsoft Teams, with notifications mailed prior to meeting.

Attendees:

Powell Minnis, Senior Architect
Davidson Architecture and Engineering
4301 Indian Creek Parkway, Overland Park, Kansas 66207
913.451.9390

Sam Simpson, General Manager
Twin Traffic Marking Corp.
626 N. 47th Street
Kansas City, Kansas 66102
913.428.2575

Andrew Seemiller, Asst. V.P.
Summit Real Estate Group
135 Meramec Ave., Suite 600
St. Louis, Missouri 63105
314.584.6214

One neighbor called in:
Kevin Lee Burch
4715 Tauromee Ave.
Kansas City, Kansas 66102
913.424.6130

Meeting Notes:

1. Discussions started at approx. 6:10pm after a brief waiting period for any other potential callers to join the meeting.
2. Powell Minnis Architect with DAE welcomed the attendees and explained the proposed project for Twin Traffic and the request for rezoning from MP-1 to MP-2 along the south and west sides of Ozland Lot 2 Tract II. A site plan showing the proposed rezoning area was included in each mailing that was sent out. Tract I on the site plan remains unchanged as MP-1. Mr. Minnis explained that in addition to the proposed rezoning that several building additions are being planned – one at the maintenance building, and two additions to the equipment storage building.
3. Sam Simpson, General Manager with Twin Traffic explained the reason for the rezoning is primarily to allow for open storage of equipment that is critical and vital to their business as a highway/street pavement and traffic control company. The area of rezoning labeled as Tract II on the site plan is not adjacent to the residential zoned property located to the north of Ozland Lot 2. Tract I will remain MP-1 as currently zoned so that the residential neighbors maintain the existing zoning adjacent to their property. Mr. Simpson stressed Twin Traffic wants to continue to have a good and positive relationship with adjacent property owners. Mr. Simpson also shared that his company is growing and needs to use additional land they currently own as equipment storage.

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NEIGHBORHOOD MEETING MATERIALS, MAY 27, 2021, CONT.

4. Mr. Burch commented that he is supportive of the rezoning request, and understood the boundaries and changes that are being proposed. He commented that in the early hours of a business day, Twin Traffic is not too noisy as they are also starting their day. He indicated that the work hours of Twin Traffic was OK and did not create any hardship on him. He indicated he would let all his neighbors know that live on Tauromee Ave. that he called in and spoke with us to understand the rezoning request. He understood the Planning Commission will be hearing the request and voting on it in the near future. He indicated he is OK with the development and proposed storage on the south portion of Ozland Lot 2, which is labeled Tract II on the site plan.
5. Mr. Burch asked Mr. Simpson if Twin Traffic has any plans for development toward the west, and Mr. Simpson replied not at this time.
6. All questions from neighbor Mr. Burch was answered. Mr. Burch exited the Teams call at approx. 6:30pm.
7. Mr. Seemiller and Mr. Simpson remained on the call until approx. 6:45pm and then exited.
8. Mr. Minnis exited the Teams call at approx. 6:55pm, as no one else had called in by that time.

End of Neighborhood Meeting Notes



4301 INDIAN CREEK PARKWAY OVERLAND PARK, KANSAS 66207



913.451.9390



DAVIDSONAE.COM





Planning and Urban Design

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

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

To: Unified Government Board of Commissioners
From: Planning and Urban Design Staff
Date: October 28, 2021
Re: PR2021-024

GENERAL INFORMATION

Applicant:
Analhy Polanco

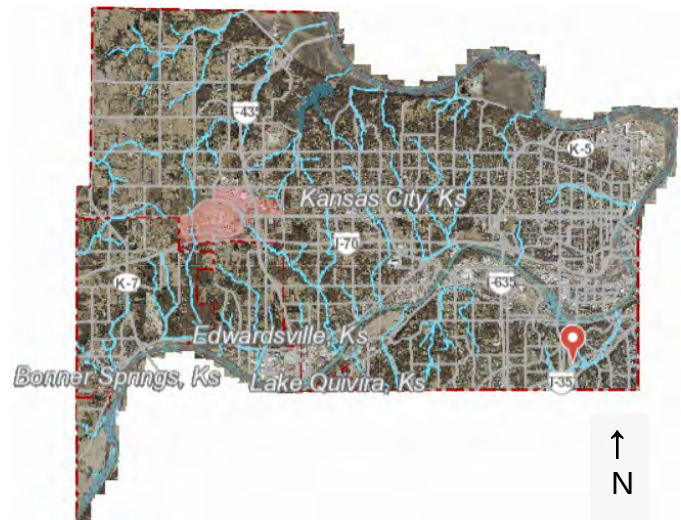
Status of Applicant:
Representative
Church Milagro de Vida
6037 Pflumm Road
Shawnee, Kansas 66216

Requested Actions:
Approval of a Preliminary and Final
Plan Review.

Date of Application:
May 6, 2021

Purpose:
A Preliminary and Final Plan Review
for a church within a multi-tenant
building.

Property Location:
1270 Merriam Lane
Kansas City, Kansas 66103



Commission District:	Commissioner At Large: Melissa Bynum District #3 Commissioner: Christian Ramirez
Existing Zoning:	C-1 Limited Business and R-1(B) Single Family Districts
Adjacent Zoning:	North: R-1(B) Single Family District South: C-1 Limited Business District East: C-1 Limited Business District and R-1(B) Single Family District West: C-1 Limited Business District and R-1(B) Single Family District
Adjacent Uses:	North: Single-family residences South: Single-family residences and Multi-tenant commercial building East: Restaurant West: Vacant properties
Total Tract Size:	4.02 Acres
Master Plan Area:	City-Wide Master Plan
Master Plan Designation:	The City-Wide Master Plan designates the property as Business Park. The Business Park land use designation allows warehouse, distribution, business/research parks, related commercial and services, and medical facilities.
Major Street Plan:	The Major Street Plan classifies Merriam Lane as a Class C Thoroughfare. The Major Street Plan classifies South 14 th Street as a Collector Street.
Required Parking:	Section 27-464(e) requires paved off-street parking spaces at a ratio of not less than four spaces per 1,000 square feet of floor area in the building. Section 27-668(a)(4) requires one (1) parking space for each six (6) seats or nine (9) linear feet of seating area. The tenant space in which the proposed use occupies is 8,407 square feet; the applicant has not provided any seating or pew chart. Under Section 27-464(e) the use is required to have 34 parking spaces, two (3) of which must be ADA-compliant. The parking plan shows 29 parking spaces, including two (2) ADA-compliant spaces, designated for the proposed use within the tenant space. A variance may be required.

Advertisement:	<u>The Wyandotte Echo</u> – Not Required Letters to Property Owners – August 20, 2021, September 7, 2021 and October 20, 2021
Public Hearings:	October 11, 2021 and October 28, 2021
Public Support:	One (1) letter in support has been received.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Analhy Polanco with Church Milagro de Vida, is requesting a Preliminary and Final Plan Review for a church at 1270 Merriam Lane. The subject property is one (1) tenant space within a multi-tenant commercial building. All tenants on the parcel share a parking lot.

City Ordinance Requirements: Article VI Sections 27-196 – 27-209, 27-212

Code Enforcement History: There are three (3) outstanding violations attached to this property. A Stop Work Order was issued on December 11, 2020 for an occupancy conversion without a building permit, an abatement letter was sent on July 20, 2021 for tall grass and weeds on the property, and an administrative citation was issued on August 3, 2021. The subject property has previously cited by Property Maintenance Compliance:

- o September 8, 2020- Weeds Abatement
- o May 20, 2020- Weeds Abatement
- o May 3, 2018- Graffiti
- o June 12, 2017- Weeds Abatement
- o September 8, 2015- Trash Abatement

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Shawnee Heights Statistical Neighborhood and is not within a Neighborhood Group. The subject property is located on the east end of a commercial-industrial business corridor along Merriam Lane, which is a Class C Thoroughfare. There are residences just off of Merriam Lane, both up the hill into Shawnee Heights, as well as down the slope towards Turkey Creek.

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

The proposed use is located in a multi-tenant commercial building with a large parking lot at the corner of Merriam Lane (a Class C Thoroughfare) and South 14th Street (a Collector Street). The building, parking lot, and public streets have

been developed in a manner meant to accommodate heavy traffic and on-site use from vehicles. Pedestrian connectivity is lacking within the property, but a new streetscape improvement on Merriam Lane includes a new sidewalk and bike lanes. There appears to be a sufficient number of parking spaces on site, but the applicant will still need to provide Staff with details of their parking arrangement/agreement with the property owner and also provide the additional uses, if any, that are occurring on the property.

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

The City-Wide Master Plan designates the property as Business Park. The Business Park land use designation allows warehouse, distribution, business/research parks, related commercial and services, and medical facilities. This designation is consistent with—and likely a result of—the current and planned use of the Merriam Lane corridor. While community gathering and worship are not uses consistent with the intention of the Business Park land use designation, these uses do not impose on or present compatibility issues with the present uses of the surrounding area nor with the anticipated uses of the Business Park land use designation. Therefore, while the proposed use does not closely conform to the Master Plan, there are not any major issues that concern Staff; a Master Plan Amendment is also not necessary at this time.

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

a. *Water service*

Water service is provided by BPU.

b. *Sanitary sewer service*

A sanitary sewer line directly accesses the building on the subject property and connects to lines under the public right-of-way.

c. *Storm water control*

The property is served by storm water lines running through the parcel and along the north side of Merriam Lane.

d. *Police*

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

e. *Fire*

Fire service is provided by Fire Station #10, which is 1.7 miles from the subject property.

f. Transit

There is no public transportation reasonably available to the subject property. The closest bus stop is at West 48th Street and Roe Avenue in Roeland Park, over one (1) mile away from the property. The closest bus stop in Wyandotte County is at South 17th Street and Ruby Avenue, one and one-half (1.5) miles to the north.

g. Schools

Public education is provided by Noble Prentis Elementary School, Argentine Middle School, and Harmon High School, under Kansas City, Kansas USD 500.

5. The capability of the proposed use to meet applicable ordinance and other requirements.

There appears to be a sufficient number of parking spaces on site, but the applicant will still need to provide Staff with details of their parking arrangement/agreement with the property owner in order to confirm with certainty that the parking dedicated to the proposed use meets the minimum standards. Landscaping will also need to be added along Merriam Lane, but there is sufficient green space between the parking lot and the street for trees and bushes to be planted. All other requirements of the Commercial Development Guidelines Overlay District (CDGOD) can be easily addressed.

The current lighting scheme for the subject property, both on the multi-tenant building and in the parking lot, does not completely feature downward lighting that keeps the vast majority of light on the property. In order for the Preliminary and Final Plan Review to comply with all relevant ordinances of the Zoning Code, lighting that is pointed downward at a 90-degree angle must be installed on all building and parking lot lights on the subject property, and no more than one (1) foot-candle of light may be measured at the boundary of the parcel.

The subject property is part of Parcel # 908304, which is split-zoned C-1 Limited Business District and R-1 Single-Family District. Although the proposed use is entirely within the C-1 portion of the parcel, and although the proposed use is compatible with the R-1 zoning district, Staff would still suggest that the entire parcel be rezoned in order to address the split-zoning condition.

PREVIOUS ACTIONS

N/A

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting at 5:00 PM on August 30, 2021, at 1270 Merriam Lane. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Bicycle Parking
Commercial Development Guidelines Overlay District
Landscaping
Lighting
Pedestrian Traffic Safety and Access
Split Zoning

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5 to 0 to recommend **APPROVAL** of Plan Review Application PR2021-024, subject to:

- 1) **Bicycle parking must be provided on the sidewalk by the front door of the building space, as indicated in the applicant’s submissions.**
- 2) **All parking lot lighting must continue to be downward facing and pointed away from residentially zoned properties and public rights-of-way. Any parking lot lighting not shown by the applicant’s submissions and found to be in violation of this condition must be replaced with compliant lighting.**
- 3) **All outstanding Notices of Violation (see “Code Enforcement History” in the Proposal section of this report) must be resolved before Preliminary and Final Plan Review PR2021-024 can go into effect. Staff encourages the applicant to address the outstanding violations ahead of the October 11, 2021 City Planning Commission meeting.**
- 4) **If the store front windows are highly tinted, they must be removed and replaced with windows that have no or little tint.**
- 5) **All Commercial Development Guidelines Overlay District relating to building and façade materials must be met.**
- 6) **All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times.**
- 7) **A direct connection to the front door must be established by marking a pedestrian access walkway through the parking lot, which must be striped and properly marked in compliance with Section 27-575(d)(12).**
- 8) **An ADA-compliant curb must be installed at the front sidewalk and door.**
- 9) **The pedestrian walkway and access points between the parking lot and front door must have at least two (2) of the elements listed:**
 - a. **Six-inch vertical curb;**

- b. Trellis;
 - c. Special railing;
 - d. Bollards;
 - e. Special paving;
 - f. Low seat wall or other architectural features;
 - g. Pedestrian scale lighting; and,
 - h. Traffic calming devices.
- 10) Per Section 27-575(e)(4), parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements. Therefore, the applicant must provide landscaping along Merriam Lane.
- 11) The applicant must provide a parking agreement with the property owner that demonstrates the following:
- a. An identified and specified number of parking spaces in the subject property parking lot that are designated for the purposed use;
 - b. Use of said identified parking spaces are allowed to the purposed use throughout the lease between the property owner and the applicant; and,
 - c. Notarized signatures of both the property owner and lease and/or applicant.
- 12) ADA-compliant parking proximate to the entrance must be installed, including the required graphics and sign placards.
- 13) A reasonable amount of landscaping is required on all projects in this district, with emphasis being placed on screening or otherwise softening the visual impact of parking or unsightly areas. Such features shall be depicted on a properly prepared plan.
- 14) Six (6)-foot high architectural or landscape screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property.
- 15) Landscape berms and/or continuous rows of shrubs must be planted along Merriam Lane in order to screen parking from public streets.
- 16) At least 75 percent of the length of 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.
- 17) All parking, landscaping, lighting, and commercial design requirements has outlined in the *Staff Comments and Suggestions* section of this report must be complied with or a deviation must be granted by the City Planning Commission.
- 18) A building permit is required for a change of occupancy. Please contact the Building Inspection Department to begin that process at (913) 573-8620, and,
- 19) 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.

STAFF RECOMMENDATION

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of **PR2021-024**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

ATTACHMENTS

October 11, 2021 City Planning Commission Minutes
Aerial Map
Zoning Map
Land Use Map
Photos of the Property Provided by Staff, Dated August 31, 2021
Site Plan Submitted by the Applicant
Parking Plan Submitted by the Applicant
Floor Plan Submitted by the Applicant
Site Plan Photos Submitted by the Applicant
Neighborhood Meeting Materials, Dated August 30, 2021

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing		
P&F Plan Review	October 11, 2021 Approval	October 28, 2021

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **PR2021-024** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

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

OR

I move the Unified Government Board of Commissioners **DENY** Petition **PR2021-024**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

October 11, 2021 City Planning Commission Minutes:

Hearing starts at 2:35:12:

PLAN REVIEW APPLICATION PR2021-024 – ANALY POLANO WITH CHURCH MILAGRO DE VIDA – SYNOPSIS: Preliminary and Final Plan Review for a church at 1270 Merriam Lane.

Detailed Outline of Requested Action: The applicant, Analhy Polanco with Church Milagro de Vida, is requesting a Preliminary and Final Plan Review for a church at 1270 Merriam Lane. The subject property is one (1) tenant space within a multi-tenant commercial building. All tenants on the parcel share a parking lot.

City Ordinance Requirements: Article VI Sections 27-196 – 27-209, 27-212

Code Enforcement History: There are three (3) outstanding violations attached to this property. A Stop Work Order was issued on December 11, 2020 for an occupancy conversion without a building permit, an abatement letter was sent on July 20, 2021 for tall grass and weeds on the property, and an administrative citation was issued on August 3, 2021. The subject property has previously cited by Property Maintenance Compliance:

- o September 8, 2020- Weeds Abatement
- o May 20, 2020- Weeds Abatement
- o May 3, 2018- Graffiti
- o June 12, 2017- Weeds Abatement
- o September 8, 2015- Trash Abatement

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated October 11, 2021;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and,
6. The Notices to property owners.

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

Present in Support:

- Carlos Cameron, 921 Hayward, Independence, Missouri, member of the church
- Analay Polanco, applicant
- Erin Stryka, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:39:43: Planning Director Hand stated that the request is for a church in a strip mall in the Rosedale area along Merriam Lane where new bike lanes are located. Staff had several conditions of approval, including down lighting all existing parking lot lighting, adding trees and landscaping, and providing bicycle parking on the sidewalk by the front door of the building. Staff asked that a parking agreement as part of the applicant's lease be provided to ensure there is enough required parking. Staff received one (1) letter of support and no letters of opposition. Staff recommends approval, subject to the conditions in the staff report.

Motion and Vote starts at 2:42:21:

On motion by Mrs. Jones, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of Plan Review **PR2021-024:**

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

Motion to RECOMMEND APPROVAL Passed: 5 to 0

Subject to:

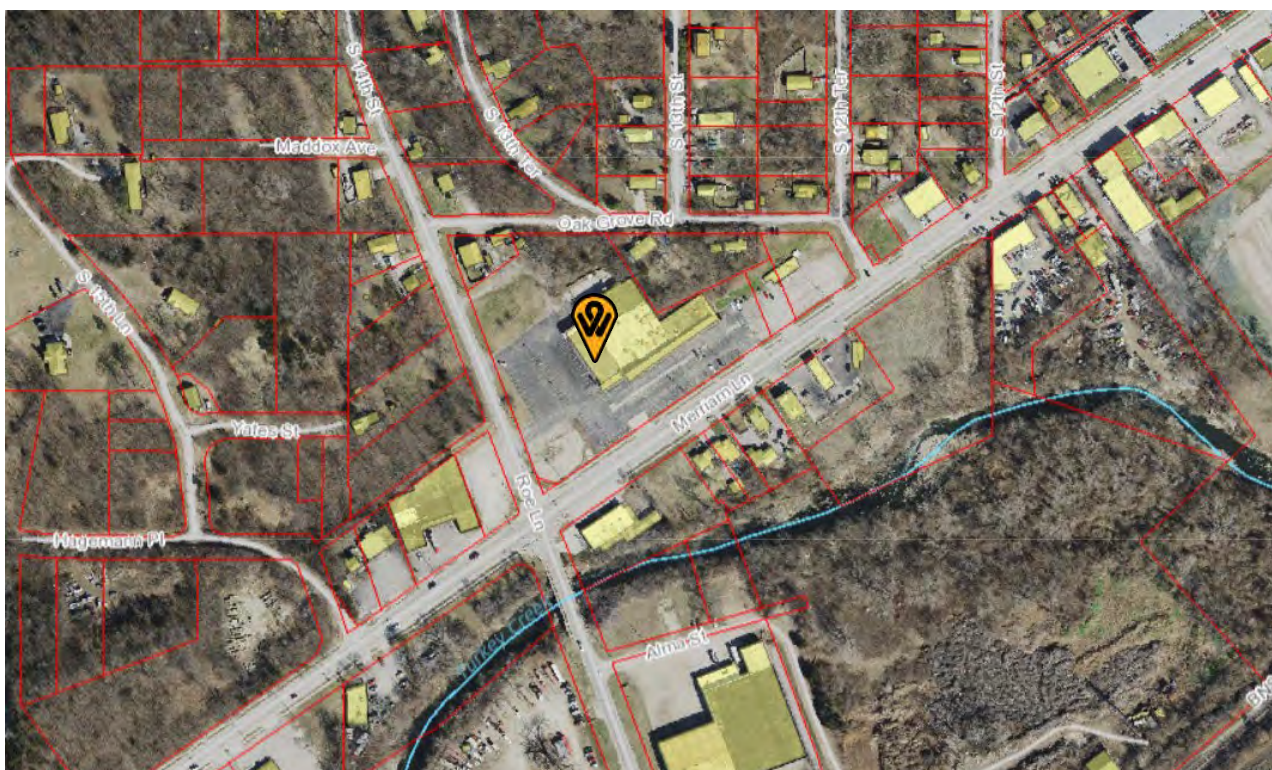
- 1) Bicycle parking must be provided on the sidewalk by the front door of the building space, as indicated in the applicant's submissions.**
- 2) All parking lot lighting must continue to be downward facing and pointed away from residentially zoned properties and public rights-of-way. Any parking lot lighting not shown by the applicant's submissions and found to be in violation of this condition must be replaced with compliant lighting.**
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- 4) If the store front windows are highly tinted, they must be removed and replaced with windows that have no or little tint.
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- 9) The pedestrian walkway and access points between the parking lot and front door must have at least two (2) of the elements listed:
 - a. Six-inch vertical curb;
 - b. Trellis;
 - c. Special railing;
 - d. Bollards;
 - e. Special paving;
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- 10) Per Section 27-575(e)(4), parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements. Therefore, the applicant must provide landscaping along Merriam Lane.
- 11) The applicant must provide a parking agreement with the property owner that demonstrates the following:
 - a. An identified and specified number of parking spaces in the subject property parking lot that are designated for the purposed use;
 - b. Use of said identified parking spaces are allowed to the purposed use throughout the lease between the property owner and the applicant; and,
 - c. Notarized signatures of both the property owner and lease and/or applicant.
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- 15) Landscape berms and/or continuous rows of shrubs must be planted along Merriam Lane in order to screen parking from public streets.
- 16) At least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be

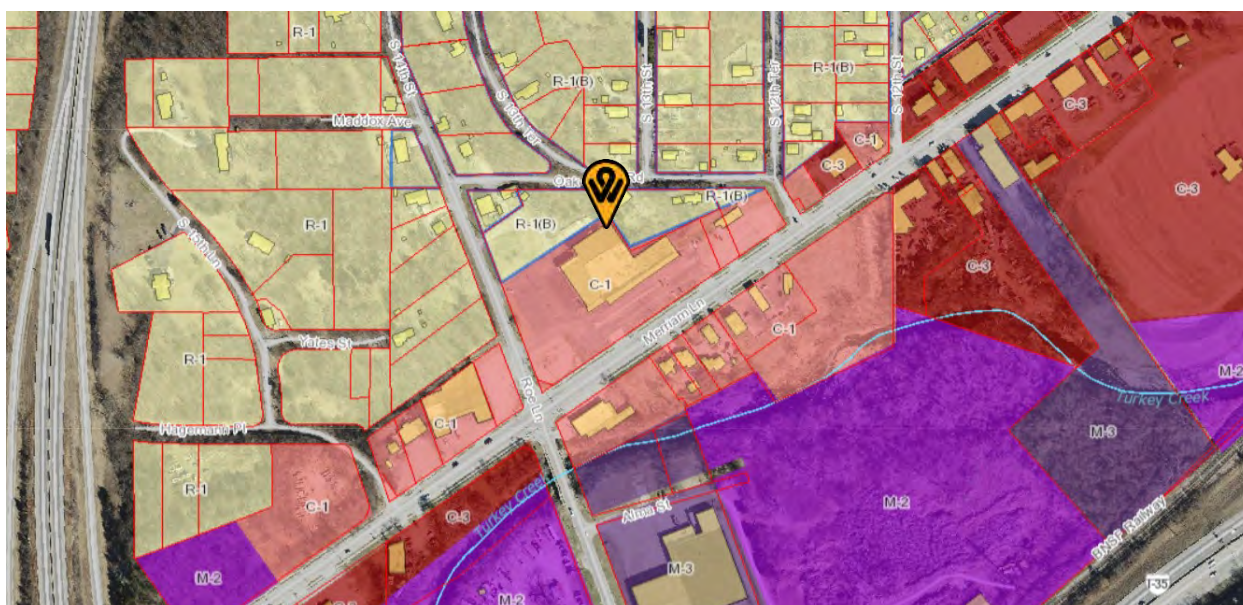
planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.

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- 18) A building permit is required for a change of occupancy. Please contact the Building Inspection Department to begin that process at (913) 573-8620, and,
- 19) 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.

AERIAL MAP



ZONING MAP



LAND USE MAP



PHOTOS OF THE PROPERTY PROVIDED BY STAFF, DATED AUGUST 31, 2021



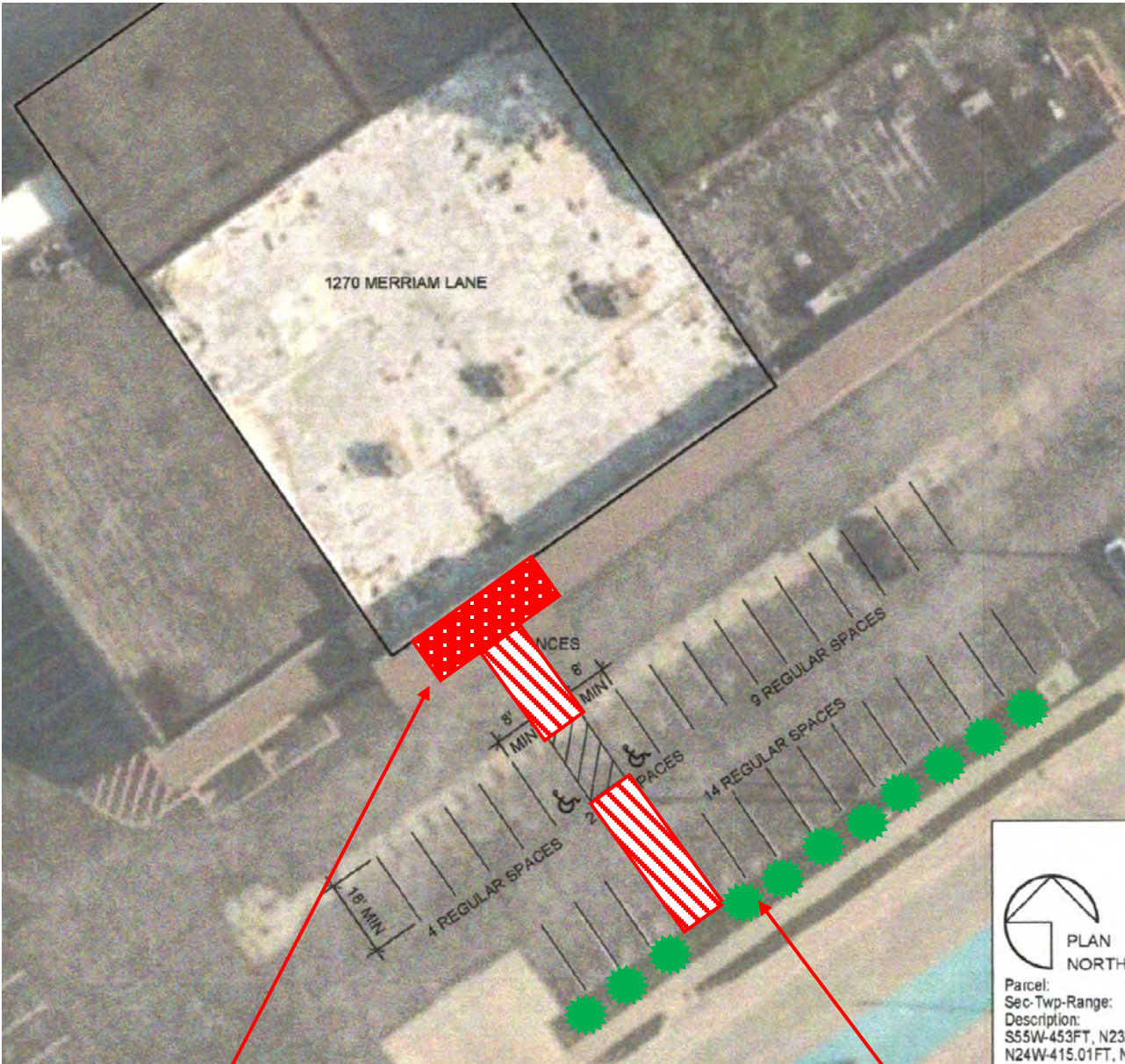
SITE PLAN SUBMITTED BY THE APPLICANT



Norton & Schmidt
 Consulting Engineers, L.L.C.
 311 East 17th Avenue
 North Kansas City, MO 64116
 Phone: (816) 421-4230
 Fax: (816) 421-1568
 www.nortonschmidt.com
 MISSOURI PROFESSIONAL ENGINEERS
 2021-0591



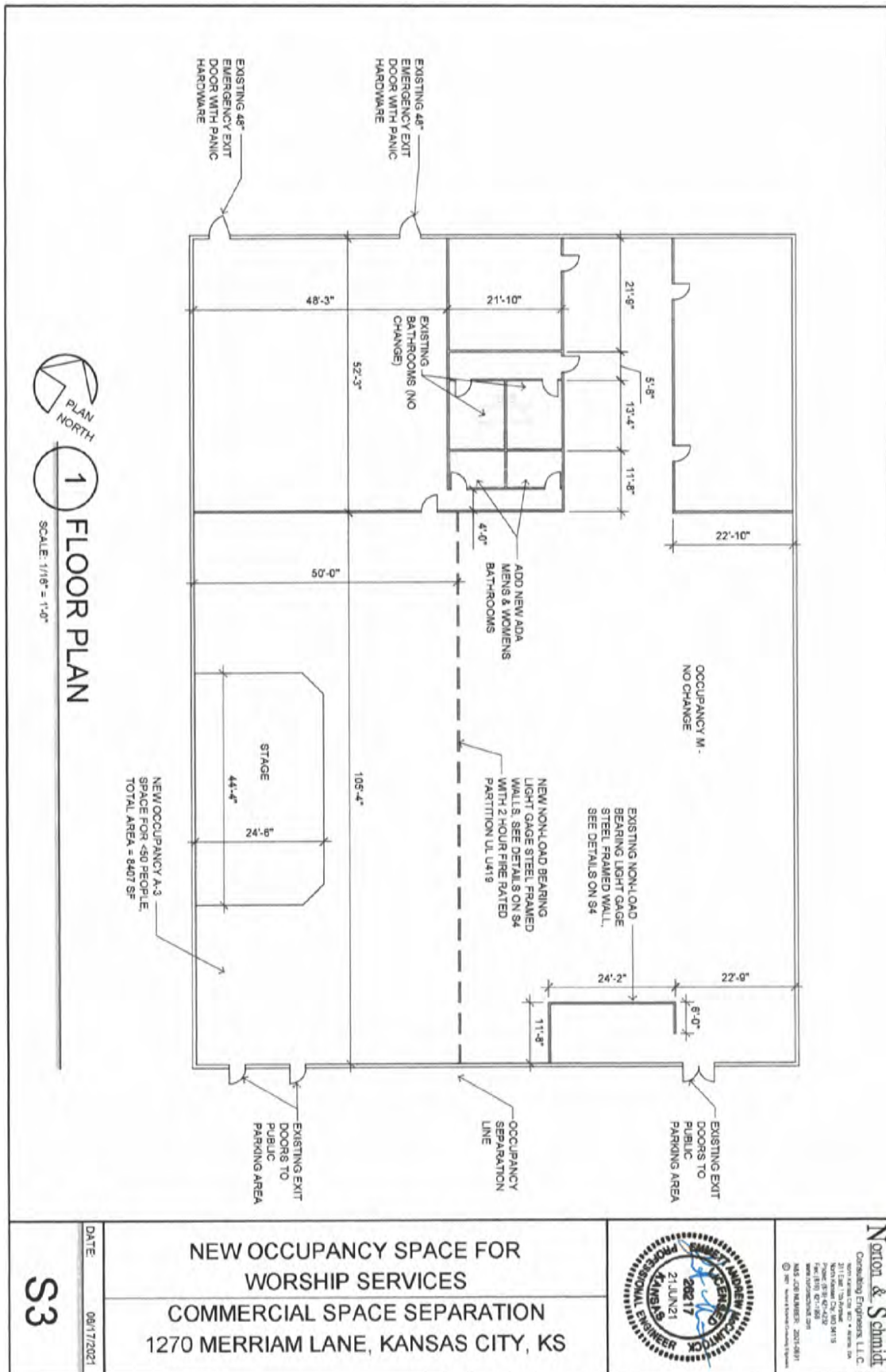
PARKING PLAN SUBMITTED BY THE APPLICANT



Add a pedestrian walkway to the parking lot and storefront. An enhanced, ADA-complaint curb must be installed at the front door.

Create a landscaping plan that demonstrates parking lot screening along Merriam Lane.

FLOOR PLAN SUBMITTED BY THE APPLICANT



SITE PLAN PHOTOS SUBMITTED BY THE APPLICANT



This is where the dumpster will go, it is completely fenced off behind the church with a large gate for the dump truck to get through



Inside the fence, pictured is the gate



Area that will be painted for safe walk way from sidewalk to the church



30 parking spaces

Parking spaces for the church

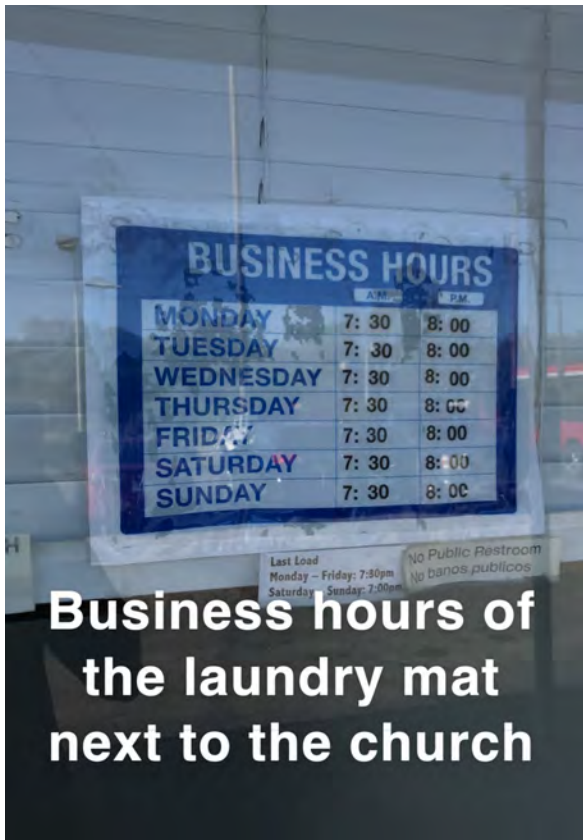


Where trees and landscaping will be installed

SITE PLAN PHOTOS SUBMITTED BY THE APPLICANT, CONT.



SITE PLAN PHOTOS SUBMITTED BY THE APPLICANT, CONT.



NEIGHBORHOOD MEETING MATERIALS, DATED AUGUST 30, 2021

August 18, 2021

Analy Polanco
6037 plum rd
Shawnee, Kansas 66216

Neighborhood Meeting

I/We Have filed an application with the department of Urban Planning and Land Use #PR2021-024
The purpose of this is for a change of zone at the following address 1270 Merriam Ln Kansas City,
Kansas 66103.

I/We are having a neighborhood meeting on August 30th, 2021 at 5p.m. at the following address 1270
Merriam Ln Kansas City, Kansas 66103.

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

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

Sincerely,

Analy Polanco

1274 Merriam Ln Kansas city, Kansas 66103
(913)-306-2966 or (405)-990-1770
hugojuarez728@gmail.com
ccameron.oat@gmail.com

NEIGHBORHOOD MEETING MATERIALS, DATED AUGUST 30, 2021, CONT.



(Published in *The Wyandotte Echo* on November 4, 2021)

ORDINANCE NO. _____

AN ORDINANCE approving the Armourdale Area Master Plan.

WHEREAS, on October 11, 2021, the Planning Commission for the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”) held a public hearing and recommended approval of the Armourdale Area Master Plan, a copy of which is on file with the Unified Government Clerk; and

WHEREAS, a public hearing on the Armourdale Area Master Plan was held on October 28, 2021 before the Board of Commissioners, which voted to approve the recommendation of the Planning Commission; and

WHEREAS, pursuant to K.S.A. 12-747(b) the governing body may approve the recommendation of the Planning Commission with respect to a master plan or master plan amendment by ordinance.

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

Section 1. The Board of Commissioners hereby approves the recommendation of approval made by the Planning Commission and hereby approves the Armourdale Area Master Plan, as presented to the Board of Commissioners on October 28, 2021, and incorporated by reference herein.

Section 2. The Director of the Department of Planning and Urban Design, and all other appropriate officers and agents of the Unified Government are hereby authorized to take such action as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3. This Ordinance shall take effect and be in full force after its approval and publication in the *Wyandotte Echo*.

APPROVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS 28th DAY OF OCTOBER, 2021.

David Alvey

Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Unified Government Chief Counsel

(First published _____)

COZ2021-026

ORDINANCE NO. _____

AN ORDINANCE rezoning property hereinafter described located at approximately 4600 Parkview Avenue, 4551 Sloan Avenue, 3334 North 44th Terrace, 3319 North 44th Terrace and 4249 Sortor Drive, in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture and R-1(B) Single Family Districts to A-G Agriculture District.

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

Section 1. It is hereby found and determined that a petition was filed on July 30, 2021, by the owners of property to have the zoning of said property changed from its present zoning of A-G Agriculture and R-1(B) Single Family Districts to A-G Agriculture District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

TRACT 1:

LOTS 12, 13, 14, 15, 16, 17, 18, AND 19, CUTLER FARMS, A
SUBDIVISION IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS

TRACT 2:

BEGINNING AT A POINT 1452 1/2 FEET NORTH AND 1234.6 FEET
WEST OF THE SOUTHEAST COMER OF THE SOUTHEAST 1/4 OF
SECTION 25, TOWNSHIP 10, RANGE 24, THENCE NORTH 57
DEGREES 15 MINUTES WEST 524.5 FEET; THENCE WEST 244 FEET;
THENCE NORTH 680.62 FEET, THENCE EAST 257.2 FEET, THENCE
NORTH 5 DEGREES 20 MINUTES EAST 99 FEET, THENCE SOUTH 43
DEGREES 30 MINUTES EAST 605 FEET, THENCE SOUTH 6
DEGREES EAST 360 FEET, THENCE SOUTH 5 DEGREES WEST 275
FEET TO POINT OF BEGINNING; EXCEPT THAT PART AS

CONVEYED IN DEED RECORDED IN BOOK 1707, AT PAGE 582 AND
IN CORRECTION DEED FILED IN BOOK 2118, AT PAGE 23.

TRACT 3:

BEGINNING AT A POINT 825 WEST AND 59.5 FEET SOUTH OF THE
NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 25,
TOWNSHIP 10, RANGE 24; THENCE SOUTH 1261 FEET; THENCE
NORTH 71 DEGREES 54 MINUTES WEST, 364.4 FEET; THENCE
NORTH 76 DEGREES 54 MINUTES WEST, 68.8 FEET; MORE OR LESS
TO THE SOUTHWEST COMER OF THE BUSTER TRACT; THENCE
NORTHERLY ALONG THE BUSTER TRACT, NORTH 5 DEGREES
EAST, 253 FEET; THENCE NORTH 4 DEGREES 15 MINUTES WEST,
360 FEET ALONG SAID TRACT; THENCE NORTH 4 DEGREES 15
MINUTES WEST 55 FEET; THENCE NORTH 52 DEGREES 25
MINUTES EAST, 616.6 FEET TO BEGINNING, LESS ROADWAY AS
RECORDED IN THE REGISTER OF DEEDS OFFICE IN BOOK 745 AT
PAGE 292, ALL IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS.

TRACT 4:

LOT 2, ELVERS SUBDIVISION, A SUBDIVISION IN KANSAS CITY,
WYANDOTTE COUNTY, KANSAS

TRACT 5:

LOT 12, GATEWOOD SUB-DIVISION, A SUBDIVISION IN KANSAS
CITY, WYANDOTTE COUNTY, KANSAS

Located at approximately 4600 Parkview, Avenue, 4551 Sloan Avenue, 3334
North 44th Terrace, 3319 North 44th Terrace and 4249 Sortor Drive, Kansas City,
Kansas,

be changed from its present zoning of A-G Agriculture District and R-1(B) Single
Family Districts to A-G Agriculture District, as defined by the Zoning Ordinances
of Kansas City, Kansas.

Section 3. The Urban Planning and Land Use Department of Kansas City,
Kansas, is hereby ordered and directed to cause such designation to be made on
the official District Map of said City in its custody and to show the property herein
described to be now zoned for A-G Agriculture District. Said District Map,
previously incorporated by reference by Section 27-408 of the Code of
Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the
Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

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

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY: _____
DAVID ALVEY
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

UNIFIED GOVERNMENT CLERK

(First published _____)

COZ2021-005

ORDINANCE NO. _____

AN ORDINANCE rezoning property hereinafter described located at approximately 8741 Parallel Parkway, in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to CP-O Planned Non-Retail Business District.

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

Section 1. It is hereby found and determined that a petition was filed on February 3, 2021, by the owners of property to have the zoning of said property changed from its present zoning of R-1 Single Family District to CP-O Planned Non-Retail Business District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

All that Tract of land being part of Lot 1 PARALLEL PLACE a subdivision of land recorded as Document Number 2017R-03180 in Kansas City, Wyandotte County, Kansas, said Tract as surveyed by Joe McLaughlin, PLS-1625 of BHC RHODES, KS CLS 175, being more particularly described by metes and bounds as follows: (Note: For course orientation the bearings in this description are based on the North line of PARALLEL PLACE having a bearing of South 89° 30' 42" East, as shown on the recorded plat of said subdivision. Commencing at the Northwest Corner of Lot 1, PARALLEL PLACE, monumented by a 1/2-inch reinforcing rod with a 2-inch aluminum cap; Thence on the West line of said Lot 1 South 00° 19' 02" West, 700.00 feet, to the POINT OF BEGINNING of said Tract herein described; Thence South 89° 40' 58" East, 338.00 feet; Thence South 00° 19' 02" West, 391.38 feet to the South line of said Lot 1; Thence North 89° 40' 58" East, 338.00 feet, to the West line of said Lot 1; Thence on said West line, North 00° 19' 02" East, 391.38 feet, to the POINT OF

BEGINNING, said Tract containing 132,288 square feet or 3.0369 acres.
Located at approximately 8741 Parallel Parkway, Kansas City, Kansas,

be changed from its present zoning of R-1 Single Family District to CP-O
Planned Non-Retail Business District as defined by the Zoning Ordinances of
Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-463, the
Governing Body approves the preliminary development plans, incorporated
herein by reference, marked as the certified preliminary development plan, and
maintained in the Urban Planning and Land Use Department as submitted to the
Governing Body and received by the Unified Clerk.

Section 4. The Urban Planning and Land Use Department of Kansas City,
Kansas, is hereby ordered and directed to cause such designation to be made on
the official District Map of said City in its custody and to show the property herein
described to be now zoned for CP-O Planned Non-Retail Business District. Said
District Map, previously incorporated by reference by Section 27-408 of the Code
of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the
Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its
passage, approval and publication in the Wyandotte Echo.

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

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY: _____
DAVID ALVEY
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

UNIFIED GOVERNMENT CLERK

ORDINANCE NO. _____

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

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

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2021-041, commonly known as 1032 South 25th Street, Kansas City, Kansas, legally described as:

CALIFORNIA DISPOSAL SERVICE
LEGAL DESCRIPTION:
MULVANES ADDITION, BLOCK 11, LOTS 17, 18

SAENTZ PROPERTY
LEGAL DESCRIPTION:
MULVANES ADDITION, BLOCK 11, LOTS 41 TO 56

Located at 1032 South 25th Street, Kansas City, Kansas

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for auto storage and auto maintenance.

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

- 1) The property may only be used for light maintenance for the business owner's existing truck fleet. The trucks to be repaired shall not exceed 30,000 gross vehicle weight rating (GVWR). Light maintenance is defined by Section 27-340 as "(1) tire and battery sales and installation, (2) Brakes and other similar diagnostic and repair services, and (3) auto detail shops, tune-up shops, upholstery shops, radiator repair shops, lubrications service, sound system shops, or alignment and suspension services";**
- 2) At least eight (8) parking spaces, at least one (1) which is ADA-compliant, must be available for use by the employees and guests of the subject property. The applicant or business owner must submit a notarized Parking Agreement with the Register of Deeds;**
- 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) 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.";**
- 5) There is a deteriorating sidewalk serving the subject property along South 25th Street. The sidewalk must be rehabilitated and restored along the frontage of the subject property and extended north to provide sufficient access to the off-site parking lot;**
- 6) 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;**
- 7) Improve the alleyway for the entire length of the property to the east (1037 South 26th Street), and the area of the alley in between the two (2) related parcels (i.e., the subject property, 1032 South 25th Street, and 1037 South 26th Street and south to Argentine Boulevard);**
- 8) The perimeter gate at 1032 South 25th Street shall swing inward towards the property so when trucks are transferred to 1027 South 26th Street, the alley is not blocked;**
- 9) 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;**
- 10) 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;

- 11) The applicant must file and maintain a current business occupation tax application and entertainment license;
- 12) 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;
- 13) Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations (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;
- 14) 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;
- 15) The driveway and access to alleyways meet current codes.
- 16) 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;
- 17) 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,

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

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

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

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

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

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

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2021-029, commonly known as 508 Kansas Avenue, Kansas City, Kansas, legally described as:

Lots 20, 21, 22, 23 And 24, Block 27, FIRST ADDITION TO ARMOURDALE, an addition now in and a part of Kansas City, Wyandotte County, Kansas, located at 508 Kansas Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for a drinking establishment with live entertainment.

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

- 1) The applicant must comply with all Fire Department comments, including the comments stemming from the July 9, 2021 Inspection Report;**
- 2) The hours of operation are as follows:**
 - Monday-Thursday, 5:00 pm – 11:00 pm;**
 - Friday and Saturday, 5:00 pm – 2:00 am.;**
 - Sunday, occasionally (the applicant must provide hours of operation for Sundays, even if the space is only open occasionally)**

- 3) Live entertainment shall be limited to Fridays and Saturdays, as well as occasionally on holidays as scheduled.
- 4) *The noise level shall be kept under 85 decibels per the M-3 Heavy Industrial District performance standard Sec. 27-470(d)(1)c.*
- 5) Attendance is limited to 289, the legal occupancy of the building.
- 6) Live entertainment events must comply with the following requirements:
 - a. All entertainment must cease by at least 1:00 am;
 - b. Doors and windows must stay closed during any entertainment performance;
 - c. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
 - i. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
 - ii. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
 - iii. An I.D. scanner will be used at all times;
 - iv. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles.
 - d. No amplified speakers or entertainment is allowed in outdoor spaces; and,
 - e. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses.
- 7) Respond and resolve any issues brought to the attention of the operator by residents and/or neighborhood groups.
- 8) If issues arise with adjacent property owners and are brought to staff's attention during the term, this Special Use Permit can be submitted to the Unified Government Board of Commissioners for revocation;
Total public area has been established by the applicant as 4,000 square feet—2,600 square feet on the first floor and 1,600 square feet on the second floor.
- 9) The proposed parking plan submitted by the applicant demonstrates 32 parking spaces, two (2) of which are ADA-compliant. The parking lot must be striped, any potholes or cracks in the pavement must be repaired, ADA-compliant parking proximate to the entrance must be installed, per the submitted parking plan;
- 10) Must comply with the previously provided Landscape Plan which indicates trees and landscaping along South 5th Street on the East and Kansas Avenue on the western edges of the property;
- 11) Any illumination that results from a live entertainment event shall not be seen or otherwise impact adjacent residential uses;
- 12) An owner must always be present on-site during hours of operation;
- 13) 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;

- 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 one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
- 16) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

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

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

ORDINANCE NO. _____

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

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

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2021-052, commonly known as 1921 Nebraska Avenue, Kansas City, Kansas, legally described as:

All of Lot 16, in Block 2, WESTHEIGHT MANOR, an addition now in and part of Kansas City, Wyandotte County, Kansas, located at approximately 1921 Nebraska Avenue.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for eight (8) mature ducks.

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

- 1) **Per the conservation plan, up to eight (8) mature ducks may reside on the subject property. There may also be a revolving number of ducklings, based on the breeding and incubation patterns of those eight (8) ducks;**
- 2) **Per the conservation plan, the applicant must maintain the existing shelter for all ducks to get out of the weather and nest;**

- 3) Per the conservation plan, the applicant must utilize the beds to the west side of the backyard for rotational grazing. The applicant can use the existing fencing covering over the beds to making moveable fences, which will allow grasses time for regrowth;
- 4) Per the conservation plan, the lagoon in the rear yard will need to be cleaned out on a minimum monthly, or as needed to maintain a healthy environment. With the current number of ducks, it would be suggested to be cleaned out every two (2) weeks. Once the number is brought down to eight (8) ducks with short-term ducklings monthly clean out should suffice. Waste from the lagoon can be composted with plant or grasses to be used as fertilizer for crop plants in front yard;
- 5) Per the conservation plan, the area around the lagoon must be fully seeded with grass in order to provide the best ground cover slow runoff and prevent erosion of the soil across the property. A combination of straw and seeding of grasses along the manmade channels in the yard would also help prevent soil loss and filter nutrients;
- 6) Per the conservation plan, fencing the ducks out of areas allowing seed to grow will be necessary, subject to the following conditions:
 - a) Fencing should be placed along the south part of the backyard to create a buffer and filter area along the property line. The area created should be three (3) to five (5) feet in width and seeded with grasses and plants tolerant to stand in wet conditions and handle high nutrient levels. Native grasses such as little blue stem, western wheat grass, and Indian grass can provide vital root systems to help infiltrate runoff. Forbs can be added to mix to provide more variety and berries;
 - b) Fencing should also be added to the east side of the property with another three (3)-foot filter strip to help protect the soil and slow runoff. Cardboard was observed on this path when visited demonstrating the need for seeding and soil protection. The area could also be mulched if it is to be used as pathway only. Mulched path would still need to be about two (2) feet wide and regularly maintain to prevent it from becoming to compacted and no longer slow water movement; and,
 - c) Most to the above can be completed by repurposing materials on the property;
- 7) A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;
- 8) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

- 9) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- 10) 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. 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; and 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; and,
- 11) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

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

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk



Staff Request for Commission Action

Tracking No. 211130

Full Commission Meeting Date: 10/28/2021

Committee: Full Commission

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

Publication Required: No

<u>Date:</u> 10/21/2021	<u>Contact Name:</u> Gunnar Hand	<u>Contact Phone:</u> 5751	<u>Contact Email:</u> ghand@wycokck.org	<u>Department/Division:</u> Planning and Urban Design
<u>Item Description:</u>				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> 21_1021_AMP_Master Plan Report_Spreads, SKM_C550i21102113490				



**Unified Government of
Wyandotte County and
Kansas City, Kansas**

Armourdale Area Master Plan Report

Prepared by:

port

with

**MVRDV +
Borderless Studio**

Issued:

October 11th, 2021

Unified Government of
Wyandotte County and
Kansas City, Kansas

Armourdale Area Master Plan Report

Prepared by:

port

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Borderless Studio**

Issued:
October 11th, 2021

ARMOURDALE

STRONG FUERTE

Armourdale Area Master Plan Report

Table of Contents *(Click Below for PDF Hyperlinks)*

1. Introduction	07
2. Community Outreach	13
3. Armourdale Overview	39
4. A Future for Armourdale	69
5. Future Land Use Plan	197
Endnotes	204
Appendix 1: Health and Safety Workshop Report	207
Appendix 2: Economic Development Workshop Report	221
Appendix 3: Full Community Survey Results Report	243
Appendix 4: Clear Air Now Report	261

ARMOURDALE

STRONG FUERTE

1. Introduction

Table of Contents *(Click Below for PDF Hyperlinks)*

Acknowledgments

08

Schedule

10

ABOUT THIS REPORT

The 2008 Unified Government of Wyandotte County / Kansas City, KS City-Wide Master Plan is a planning guide designed to achieve the community’s vision of a forward looking, environmentally minded city with development that supports healthy neighborhoods and the City’s rich and diverse cultural history. Individual Area Plans are intended to serve as the vision and development framework documents that can guide future redevelopment actions in downtown Kansas City, KS and surrounding neighborhoods.

The Armourdale Area Master Plan will serve as a resource for developers, property owners, business owners and residents; serve as a marketing tool for environmentally minded industries and businesses; incorporate sustainable approaches to development and enhance natural areas; revitalize the neighborhood; identify a true “multi-modal” transportation network that balances the needs of motorists, transit, pedestrians and cyclists; recognize, reinforce and enhance established neighborhood identify and sense of place; prioritize public infrastructure investments; and outline an action plan for implementation.

This Report defines the Armourdale Area Master Plan (hereafter, simply the ‘Master Plan’) for the Unified Government of Wyandotte County and Kansas City, Kansas (hereafter, simply the ‘UG’). The Master Plan is an important, official document of the Unified Government that guides future investment in the Armourdale area over the next 10 years through land use, transportation and other strategic initiatives, in partnership with the Armourdale community and businesses.

Cover: Draft Rendering of Armourdale - 2021 (PORT)

ACKNOWLEDGMENTS

The authors of this report are indebted to our Armourdale community partners, members of the Armourdale Area Master Plan Steering Committee, colleagues from across the UG, and others who have contributed to this planning effort. In particular, we would like to thank Monica Mendez and Claudine Sanders from the Armourdale Renewal Association; Beto Lugo and his colleagues at Clean Air Now; Vladimir Krstic and Mariah Randell of the Kansas City Design Center; Susila Jones of Cross-Lines Community Outreach; Daniel Serda and Gene Chavez; Mayor David Alvey, Commissioners Brian McKiernan, Tom Burroughs, and Melissa Bynum. Without the support, participation and input of all of those involved, this document and the community’s shared vision of the future it illustrates, would not have been possible.

KANSAS CITY DESIGN STUDIO

The Spring 2021 Kansas City Design Studio explored urban design, public space and architectural strategies sited throughout the Armourdale neighborhood. KCDC carried out their four-month studio effort in conjunction with our planning team’s site analysis and community engagement work. This strategy allowed our respective groups to share research, community engagement efforts and constructive feedback that was mutually beneficial. We are grateful for the opportunity to have collaborated with the KCDC team and appreciated their enthusiastic support throughout the master planning effort.

STEERING COMMITTEE

Joe Graham	Principal, John Fiske Elementary School
Susila Jones	Director, Cross-lines
Yvonne Lopez Pastor	UGFBH Church, ARA Board Member
Claudine Sanders	Vice President, ARA
Marc Lonesk	Board Member, ARA
Rebecca Sprang	Board Member, ARA and Armourdale Resident
Mike Zeller	Flying Truss
Blake Willhite	Premier Investments
Bill Haw	Stockyards District
Mariah Randell	Kansas City Design Center
Vladimir Krstic	Kansas City Design Center
Ben Walker	Kaw Beautiful Coalition
Beto Lugo	Clean Air Now
Rick Behrens	Levee Trail
Scott Brown	Historic West Bottoms
Scott Mensing	Army Corp of Engineers

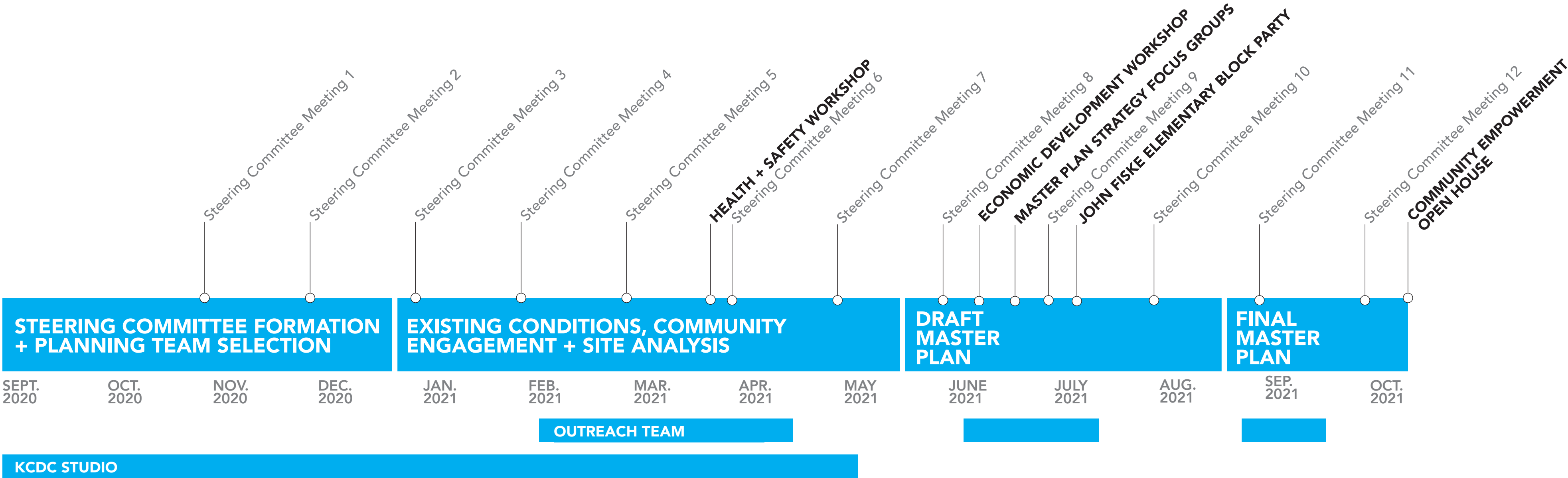
Tom Jacobs	Mid America Regional Council
Troy Shaw	UG Public Works Department
Justice Welker	UG Transportation Department
Wesley McKain	UG Public Health Department
Jeff Fisher	UG Public Works Department
Angel Obert	UG Parks and Recreation Department
Katherine Carttar	UG Economic Development Department
Jesus Casas	UG Community Policing
Wilba Miller	UG Community Development
Andrea Generaux	UG Livable Neighborhoods
Phil Donnellan	Kansas City Boat Club
Tim Berger	All American Catfish
Stefan White	Friends of the River
Tom Burroughs	UG Commissioner, At-Large District 2
Brian McKiernan	UG Commissioner, At-Large District 2
Melissa Bynum	UG Commissioner, At-Large District 1

SCHEDULE + PROCESS

During the fall of 2020, the UG and KCDC established a robust steering committee composed of community leaders, advocates, public workers, business owners, and residents. Beginning in January 2021, the planning team began meeting with the committee monthly to provide project updates and initiate discussion around issues and assets of Armourdale. The planning team also met individually with a multitude of the stakeholders. These discussions proved to be an incredible resource helping the planning team gain a better understanding of the existing conditions in Armourdale, from how it is experienced by a resident or business owner to a developer or a city official.

Also during the first 5-months of the planning effort, the planning team researched and assembled an existing conditions analysis and historical inventory of Armourdale; worked with Monica Mendez from the Armourdale Renewal Association to recruit four (4) residents of Armourdale to join the team in support of the community outreach effort; and organized and led the Health and Safety Workshop and Economic Development Workshop. Upon completion of these tasks, the planning team issued the Site Analysis Report for public review and comment.

In summer 2021, the planning team pivoted to developing the vision and implementation strategies outlined in this report based upon the site history, existing conditions research and future goals for Armourdale identified by the community and stakeholders during Site Analysis.



12

ARMOURDALE

STRONG FUERTE

13

2. Community Outreach

Table of Contents *(Click Below for PDF Hyperlinks)*

Community Outreach Ecosystem	14
Community Expert Interviews	16
Outreach Campaign Identity	18
Outreach Team	20
Website & Voicemail Box	22
Posters & Postcards	24
Survey	26
Workshops & Events	34

COMMUNITY OUTREACH ECOSYSTEM

The planning team’s community outreach approach is rooted in active engagement with community groups, public audiences, and stakeholders through ongoing conversations and interventions, rather than an occasional meeting followed by weeks or months of no information. This requires a multi-pronged approach that accommodates people with different comfort levels for interacting and engaging in a planning process.

This ecosystems approach relies on three (3) core strategies: an Outreach Team, constant dialogue with community experts, and continuous engagement:

Outreach Team: The planning team worked with the Armourdale Renewal Association to recruit and train four (4) residents from the neighborhood to work closely with the planning and client teams on outreach efforts.

Community Experts: The planning team initiated a dialogue with leaders of community-based organizations and community experts to engage them in an active role in the planning process.

Continuous Engagement: The planning team developed an overall strategy of continuous engagement, rather than occasional meetings staggered over the course of the project.

Each community is unique and will have different responses to engagement strategies; this is why it is vital to provide a variety of ways to interact and provide insights on the project. This approach—the combination of close partnerships with community members and organizations and a robust set of tools—grounds this planning effort in real community needs.

Together, the ambition of these strategies is to gain enthusiasm and feedback during the planning process and build capacity that empowers the community to champion for change and investment in Armourdale.



Input #1: Survey

Specific questions to create data sets to better understand the community’s needs & concerns.

- MindMixer Online Survey
- Printed Survey
- Outreach Team

Input #2: Personal Story

Open-ended platform for community members to share stories of inspirations and challenges.

- Armourdale Strong Website
- Postcards
- Voicemail Recordings

OUTREACH TEAM

ONLINE/PRINTED SURVEY

POSTERS & POSTCARDS

WEBSITE

WORKSHOPS

COMMUNITY LEADERS

MASTER PLAN PRIORITIES

COMMUNITY EXPERT INTERVIEWS

The planning team conducted numerous interviews with community leaders who were not on the formal Steering Committee, as well as Steering Committee members with a particular commitment to serving Armourdale residents. These conversations, most of which took place in the Spring of 2021, offered the planning team essential perspective into the history of Armourdale and how it shapes the community today.

We spoke first with Gene Chavez, a historian with particular expertise in Mexican-American social institutions in the early part of the 20th century. His work on the emergence of Mexican-American baseball and softball leagues in the decades surrounding World War Two in response to segregation and racism gave the team important historical perspective.

The planning team also spoke with Daniel Serda, an Armourdale native and staff member at Local Initiatives Support Coalition (hereafter, simply ‘LISC’), who wrote his masters thesis on the effects of urban renewal and the devastating 1951 flood on the Armourdale community.

Pastor Gary Roellchen of Central United Methodist Church has been serving the Armourdale community for years, and gave the planning team valuable insight into dynamics of Armourdale today, including the unique assets that this planning process can build on.

Susila Jones of Cross-Lines offered perspective from running that organization’s food service and housing access programs, Joe Graham of Fiske Elementary was a supportive and valuable educational voice, and finally, Monica Mendez over numerous conversations proved to have a multi-faceted understandings of the unique opportunities and challenges facing the Armourdale community.

“The UG has to make a decision. Do you want Armourdale to be a residential neighborhood? If so, then invest in essential infrastructure of streets, sidewalks and public spaces, support the rehabilitation and development of affordable housing, and create and abide by sound planning and development policies to make it a walkable, livable community. If not, recognize that over a century of uncertainty has and will undermine the community.”

~Daniel Serda, City Planner and Armourdale Native

“The real center of community life and culture in the area for years has been Shawnee Park. There is definitely an opportunity to highlight the importance of the park to the Mexican community.”

~Gene Chavez, Educator, Historian and Author

“There is also wealth in Armourdale. You can see satellite dishes, nice cars, houses that have been fixed up. There is income in Armourdale. There are some very talented people who have the skills and the ethics. We need more of that investment. It is not as poor as people might think.”

~Gary Roellchen, Central United Methodist Church

“It will be really important that the residents and business owners really understand the concept of a master plan and have set expectations for the time in which it takes to implement the numerous possible strategies.”

~Monica Mendez, Armourdale Renewal Association

“A lot of the newcomers to the community are from places outside the country, especially Guatemala, Central and South America...Those new families just want to establish roots and they get help from other families.”

~Joe Graham, Fiske Elementary

“Residents have expressed concern that if development happens it could raise home prices leading to gentrification. How can we start growth in Armourdale that provides opportunity for both new residents and existing?”

~Susila Jones, Cross-Lines

OUTREACH CAMPAIGN IDENTITY

The branding was developed to establish a consistent identity to help build recognition, excitement, and momentum. This graphic style will underly all documentation and media developed for the Master Plan.

Identity

The Community of Armourdale has been resilient to many obstacles and is home to a diverse population. Armourdale Strong, Armourdale Fuerte is a statement to that history. The planning team wanted to treat both English and Spanish equally so a system of color blocks for each language was developed to help guide the reader.

Color Scheme

The planning team looked to the neighborhood for inspiration on the colors for the outreach campaign. Retail stores, restaurants, and even houses are often painted in a vibrant color that are reflected in the printed and digital media. Swatches were established from images taken in Armourdale to develop a three (3) color palette used across all of the Armourdale Area Master Plan documentation.



Photographs of Armourdale Businesses (PORT)

ARMOURDALE

STRONG *FUERTE*

STORIES OF PRIDE IN THE COMMUNITY
HISTORIAS DE ORGULLO EN LA COMUNIDAD

OUTREACH TEAM

The planning team worked with Monica Mendez from the Armourdale Renewal Association to recruit four (4) residents of Armourdale to serve as points of contact between the planning team and the community. It was important to assemble a team comprising different ages, backgrounds, and social circles to ensure we reached people across the neighborhood.

The planning team has been working with the outreach team to train its members to be local eyes and ears on the ground, help gather community feedback, and build excitement and momentum. For their work, each team member received a \$500 stipend and committed to approximately 20 hours of work with the project team.

Through online conference meetings, Gohan, Jessica, Luis, and Rosa were introduced to the tools the planning team created for the outreach effort. A goal was set for each team member to collect 20 surveys from residents and small business owners, as well as promote the project and share updates on the process.

After the first segment of the outreach teams work, the planning team held a debrief meeting to understand what was successful and what did not work. The primary insights were that many residents didn't have or take the time to fill out the survey when provided just a web link. However, when approached and engaged by a member of the outreach team, residents often shared more information and asked more questions than what were asked. This demonstrates how important developing a group of active community leaders will be in developing a comprehensive and responsive master plan. A large aspect of the outreach team is to empower these individuals to take on the leadership for the community.

Opposite: The Outreach Team Interviewing an Armourdale Resident in Their Home *(Outreach Team)*



Gohan Mendez

I attend Sumner Academy High School as a Junior, where I am also a football player. I'm currently part of the VERA Institute of Justice to become a Certified Community Researcher.



Luis Alvarado

I am a student at Donnelly College, freshman year, and I have been living here in Armourdale for 11 years. I volunteer for the Food Pantry at the Armourdale Community Center and enjoyed going to camps there while growing up in Armourdale.



Jessica Jimenez

I am a part-time student at Kansas City Kansas Community College (KCKCC) and part-time worker taking care of the elderly. I am a resident of Armourdale, and grew up in this area playing with other kids past 8pm, riding our bikes, and participating in the Armourdale Summer Camp program.



Rosa Chavez

I have worked the past 24 years for the School District in the Armourdale community. I like to listen to people in the community so I can get to know them and help them to find resources so they can fulfill their needs and goals. I have always loved volunteering and serving the community by participating in food drives and helping the Hispanic community in the Armourdale area.



WEBSITE & VOICEMAIL BOX

Website [www.armourdalestrong.com]

The planning team established a platform-responsive website to be a landing base for digitally sharing information and receiving community feedback. It provides the content in both English and Spanish allowing the user to select their preferred language using a menu at the top of the page.

The website is designed to be a digital platform to solicit personal stories from Armourdale residents. To a leave a story, users fill out the embed-ded form to share their story or feedback and, optionally, their name, place of residence, and length of stay.

For the initial roll out of the public engagement campaign, the web-site only contributed a relatively small portion of community feedback. The planning team found digital tools to generally be less successful in engaging the community, though there were close to 100 Kansas City residents that visited the website.

Voicemail Box [913.308.6008]

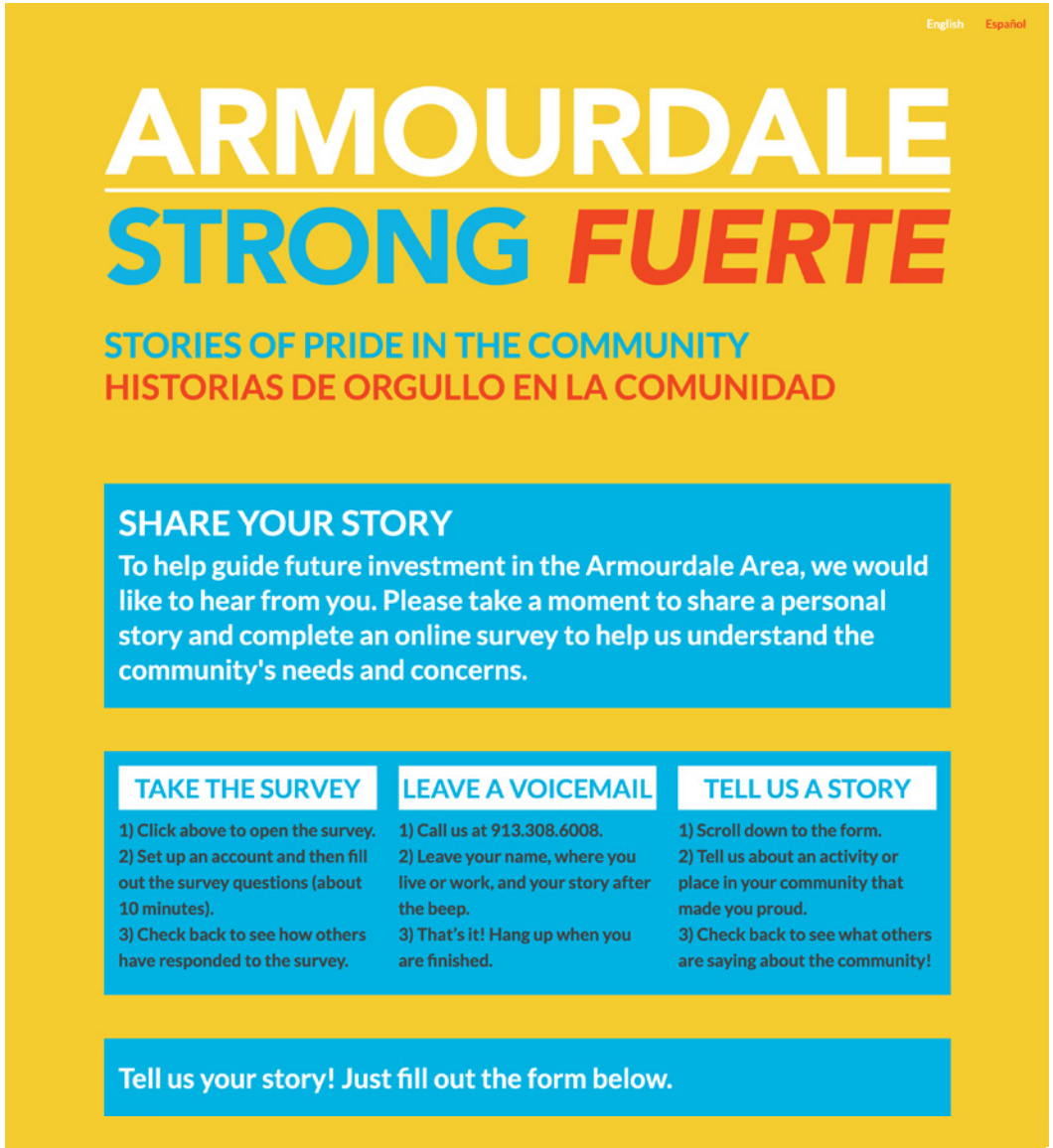
A local phone number was setup with a digital voicemail inbox to col-lect verbal stories from the community. When calling in, a prompt asks the caller to select English or Spanish. Based on the callers selection, a prompt is read in the language of choice asking the caller to take a moment to “share a personal story of a place in Armourdale that brings them pride.”

“The Armourdale Levee Fest were great events. There should be better connections to the Levees so that people can walk or ride their bike near-by. Better lighting, safer connections and signage would help make it inviting.”

~Matt Kleinmann, Dotte Agency

“Cross-Lines community out reach has been amaz-ing with help with in the community and I am truly thankful for them. However they also are attract-ing most of the homeless around the park and the homeless just leave trash and liquor bottles every-where.”

~Christina Grissom/Endsley



English Website (PORT)



Spanish Website (PORT)

POSTERS AND POSTCARDS

As part of the outreach ecosystem, a set of printed media was created to distribute throughout the community. This included posters, postcards, and the survey. This provided a physical presence in the community to inform the public on how to be involved and find out updates on the planning process.

The posters were designed and printed to display in store windows of local businesses. The posters contain the same text in English and Spanish for more broad accessibility. A QR code linked to the online survey as well as links to the website and the voicemail box.

The outreach team each identified five (5) retail and restaurant establishments that receive a lot of local patronage to display the posters. In total 20 establishments displayed the poster in their front window or reception area.

Postcards were also created that allow for community members to share any personal stories of Armourdale. The cards were distributed to partner organizations to be handed out to anyone interested.



English + Spanish Poster (PORT)



Your name | Nombre: _____

How long you have been in the neighborhood? | Cuanto tiempo lleva usted en la comunidad?: _____

Tell us about an activity or place in your community that made you proud | Cuéntenos sobre una actividad o lugar de su comunidad que lo enorgullezca: _____

To take the survey, visit armourdalestrong.com Para completar la encuesta, visite: armourdalestrong.com
To leave a voicemail Para dejar un mensaje de voz, llame: xxx.xxx.xxxx

Postcard (PORT)



The Outreach Team Hanging Armourdale Strong Posters in Armourdale Businesses (Outreach Team)



Above: An Armourdale Strong Poster at L.A. True Value Hardware in Armourdale (Outreach Team)

Below: An Armourdale Strong Poster Quickies Burgers & Fries in Armourdale (Outreach Team)

SURVEY

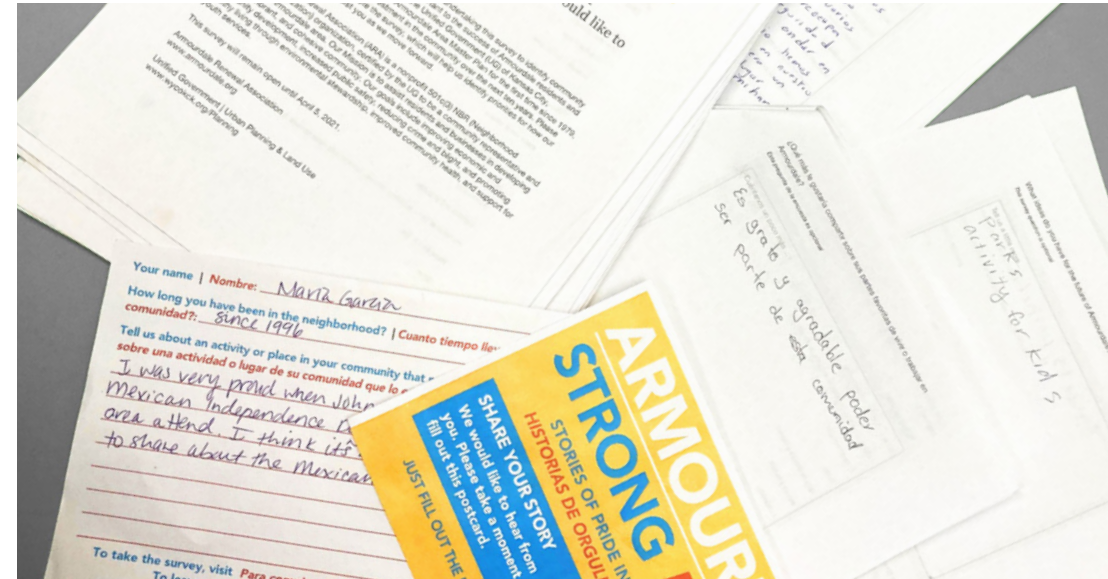
As part of the outreach campaign, the planning team worked with the Armourdale Renewal Association to create a survey that covered a range of topics—from basic demographics to specific community challenges and issues. The questions were a mix of single-choice, multiple choice, and write-in questions. The questions were tailored to target specific topics as well as provide room for open responses that the planning team may have not thought to ask.

The survey was provided both digitally and on paper. The former used an online platform that allowed users to answer the questions in English or Spanish. Results of both were combined and translated. The printed survey was primarily utilized by the outreach team as they met socially distanced one-on-one with residents and small business owners of Armourdale and walked through each question of the survey.

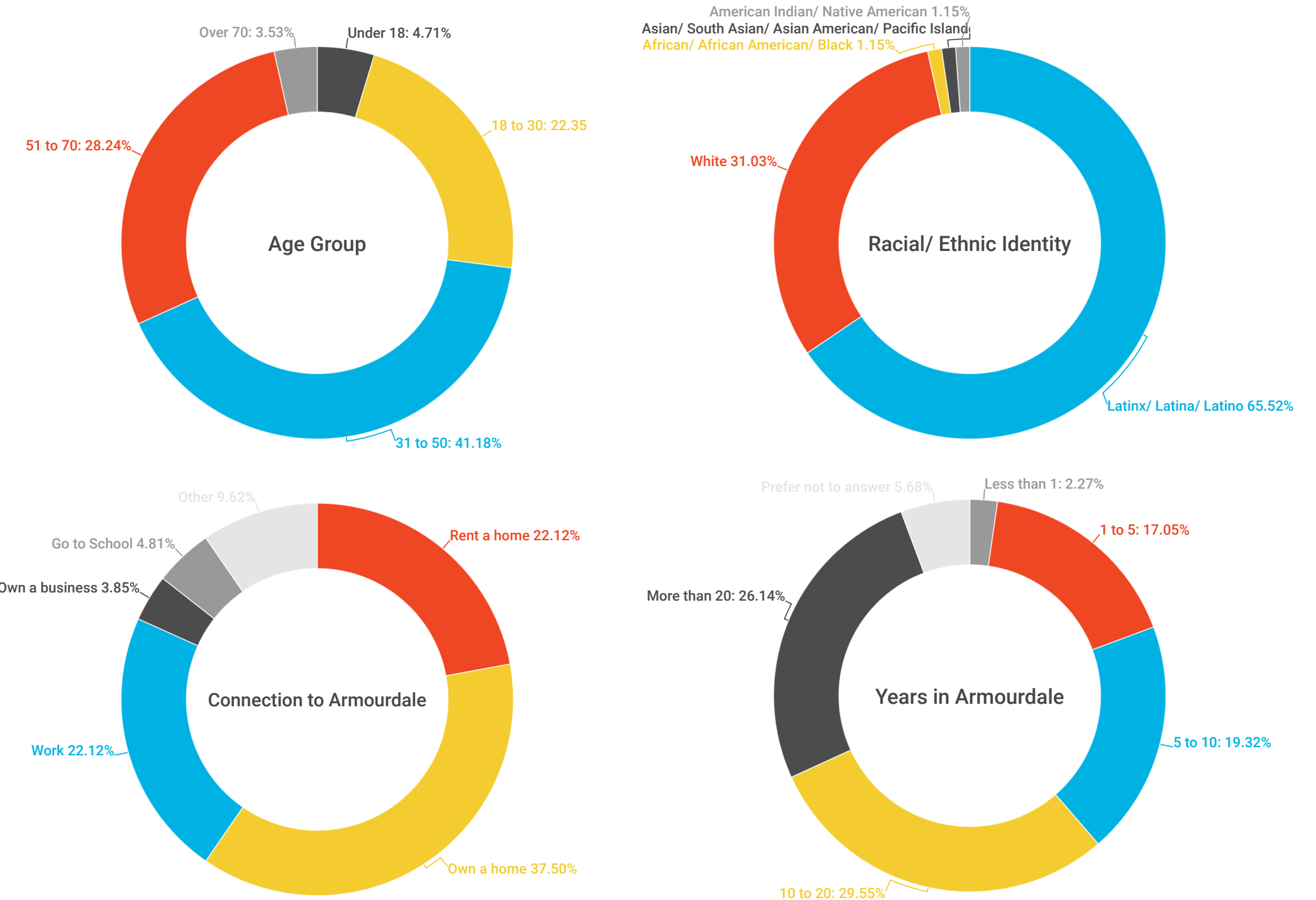
Because of the outreach teams efforts of going door to door with the survey, the comments and insights from residents is personal and verifiable.

In the debrief session with the outreach team, it was clear that residents were more open and responsive to a one-on-one conversation about the survey than they were completing it online. This also led to more in depth conversations about Armourdale and the planning process.

The following pages provide a synthesis and the planning teams initial takeaways from the answers received. The synthesis combines similar questions to arrive at commonalities found in the responses. To review answers to specific questions, please refer to the appendix.



92 TOTAL SURVEY PARTICIPANTS



FINDINGS: ASSETS

As challenging as the context and conditions in Armourdale are, this planning effort was built on a foundational understanding that the neighborhood has real assets, and that policy and planning recommendations must build upon those assets. Those assets are diverse and real, from a highly engaged group of community organizations to a close proximity to downtown and the river to opportunities to transform land use, zoning and development patterns to truly benefit both industry and the adjacent community. Starting from an understanding of local assets and how to build upon them is essential to not only craft strong planning recommendations, it also shifted the frame of the planning effort as a whole from a problem that needs to be solved to a foundation that can be built upon.

The survey asked residents for their opinions of these assets, especially the question “What is special, unique, or the most valuable aspect about living, working, or going to school within the Armourdale community?” More than anything else, Armourdale residents mentioned their community and family ties and the strength of their personal relationships, where 49% of participants selected “family and friends” and 36% selected “neighbors”. Other important assets included schools (45%), as well as social institutions and spaces like churches (24%) and parks (32%) that form such an important part of daily life.

Key Takeaways

How can we preserve and support Armourdale’s strong sense of **community** as well as reinforce its **identity** while leveraging its **location** in its proximity to Downtown Kansas City for future investment?

How can we support Armourdale’s **schools, parks,** and **businesses**?



Well, I grew up near the area and I currently work here. I love the culture, food and how it’s close to everything.

En el dia es un poco tranquilo los vecinos son buenas personas. Los restaurantes, las tiendas Mexicanas.

English: It’s a bit quiet during the day. The neighbors are good people. The restaurants, the Mexican shops.

Me gusta que la iglesia esta cerca y la escuela tambien. Y el parque de la calle 7.

English: I like that the church is close and the school too. And the park on 7th street.

FINDINGS: CHALLENGES

Challenges in Armourdale are a product of decades of neglect, disinvestment, and isolation. They vary greatly in terms of complexity and immediacy. This planning effort should take on both long and short-term challenges equally, as many of the issues—such as traffic safety and street, sidewalk, and lighting conditions— could be resolved through the provision of basic services. Meanwhile, there are more complex issues—such as safety, security, vandalism, and blighted properties— that will require a comprehensive strategy that operates on multiple fronts. Understanding the root of these issues from Armourdale residents is key to addressing them.

The survey asked residents about these challenges through two (2) questions:

- 1. “What are Armourdale’s biggest challenges?”
- 2. The open-ended question “What else would you like to share about challenges in Armourdale?”

Safety and security came up as the biggest concern in both questions, where 58% of survey participants voted for it in the multiple choice question. Many of the open-ended answers associated the lack of safety in Armourdale to the lack of activities for children and youth to keep them occupied. Another connection to the lack of safety was the presence of vacant properties in the neighborhood, which not surprisingly was selected by 32% of participants. Other concerns included, trash at 57%, vandalism at 50%, and floods at 37%.

Key Takeaways

How are lack of programming and activities, **vacant properties**, and poor **infrastructure** and **services** contributing to **vandalism, litter**, and the lack of **safety** in Armourdale?

What is the best strategy to implement **immediate, actionable** items, while building momentum towards **long-term** goals?



Llevo viviendo mas de 10 anos en Armourdale con mi familia no hemos tenido problemas con nadie, escuelas trabajos estan a nuestro alcance lo unico que nos de miedo en estos ultimos anos se ha escuchado mucho tiroteo y ha oido varios muertos es lo que nos preocupa a mi esposo y a mi por la seguridad de nuestros hijos, nos gusta andar en bicicleta a la orilla del rio hemos encontrado mucho vagabundo en nuestro recorrido me gustaria que hubiera un poco de vigilancia en ese lugar es mi parta favioria para caminar al aire libre.

English: I have been living in Armourdale for more than 10 years with my family, we have not had problems with anyone. Schools and jobs are within our reach. The only thing that scares us in recent years, we have heard a lot of gunfire and there have been several deaths, which is what worries us. My husband and I worry for the safety of our children, we like to ride a bicycle along the river bank, and we have encountered a lot of homeless people there. I would like there to be a little vigilance in that place. It is my favorite part of walking outdoors.

Faltan actividades para los ninos y adolescentes y las actividades que hay son caras y las familias de bajo recursos no pueden castearse las actividades.

English: There is a lack of activities for children and adolescents. And the activities that exist are expensive and low-income families cannot afford them.

FINDINGS: IDEAS FOR THE FUTURE

Determining what issues are most important to the community and recognizing its ideas for the future of Armourdale helped the planning process base its priorities and goals upon the community’s vision. Ranging from having a safer neighborhood to creating more accessible activities and programs, the findings are closely tied with ideas about preserving community assets and addressing challenges.

The survey asked residents about the issues most important to them and the ideas they have for the future of Armourdale through two (2) questions;

- 1. “What three community issues are most important to you?”
- 2. The open-ended question “What Ideas do you have for the future of Armourdale?”

Similar to questions about challenges, safety and security took top priority as they were selected by 72% of the survey participants in the multiple choice question. Reducing blight, graffiti, and trash was voted for by 56% of participants. And creating parks, trails, and recreation reached 28%. Many answers contained specific suggestions, including gymnasiums, pools, and a community center. Also similar to questions about challenges, many open-ended answers included specific programming suggestions, emphasizing the importance of creating activities for children and adolescents so as to keep them involved in positive things.

Key Takeaways

How can we address public **safety** issues through urban planning?

What kind of **activities, parks,** and **recreation** are Armourdale residents interested to see in their neighborhood?

How can we new **businesses** and **job opportunities** in Armourdale **serve** and **prioritize** its community?



” Me gustaria ver que haya mas actividades deportivas y artisticas para las jovenes y ninos para que se ocupen en cosas positivas.

English: I would like to see that there are more sports and artistic activities for young people and children so that they can occupy themselves in positive things.

” Que disminuya la delincuencia mas centros recreativos para los ninos como en otros lugares. Centro comunitario con alberca que haya mas motivacion para las familias. Como gimnacios. Equipos de soccer y otros deportes.

English: Let crime decrease, more recreational centers for children as in other places. Community center with pool that has more motivation for families. Like gymnasiums. Soccer and other sports teams.

” I think there is a need of more activities for children and teenagers like sports, theater, art, music, dance at low cost and accessible for all families. Parent advocacy groups that help families to educate them about their rights related to immigration, special education, discrimination... etc. Low cost mental health assistance.

WORKSHOPS + EVENTS

The planning team hosted several workshops and community events over the course of the planning process. The first workshop explored community health and wellness and was followed by a second workshop focused on economic development. The workshops created a platform for discussion between United Government staff, Armourdale residents and stakeholders.

While these initial workshops were hosted online due to COVID-19 protocols, the planning team hosted three (3) in-person community outreach events including a focus group meeting at John Fiske Elementary School, a public neighborhood block party at John Fiske Elementary School and a Master Plan Review and Planning Empowerment Open House at the Armourdale Community Center.

The public events were advertised through digital media, but also by posters and flyers distributed throughout Armourdale by the outreach team. Postcards were mailed to all Armourdale residences to promote the Master Plan Review and Planning Empowerment Open House.



John Fiske Elementary School
Block Party Poster (PORT)



Master Plan Review and Planning Empowerment Open House Poster (PORT)

Opposite: Armourdale Plan and Comment Stickies at the John Fiske Elementary School Block Party (PORT)

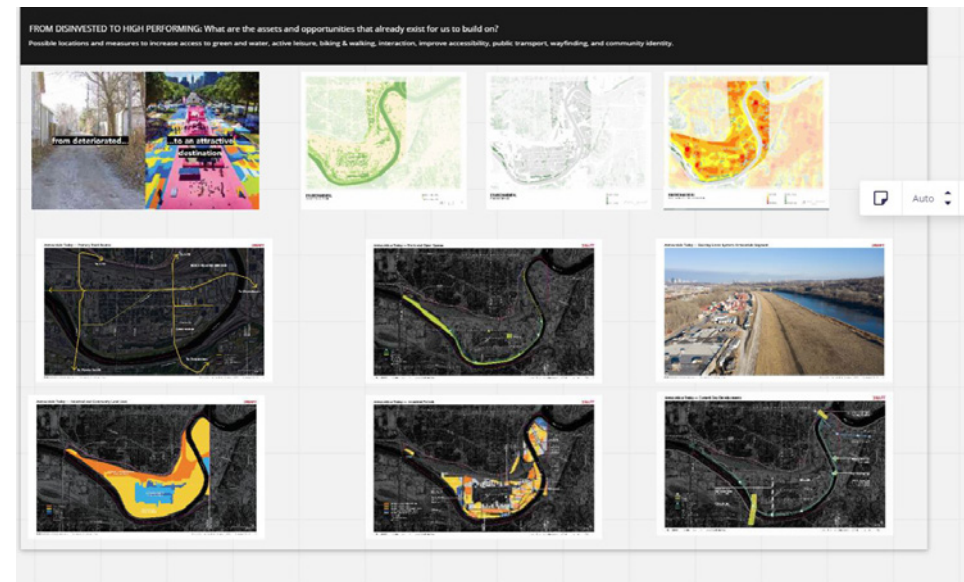


Health + Safety Workshop
March 29th, 2021 - Zoom + Miro Board

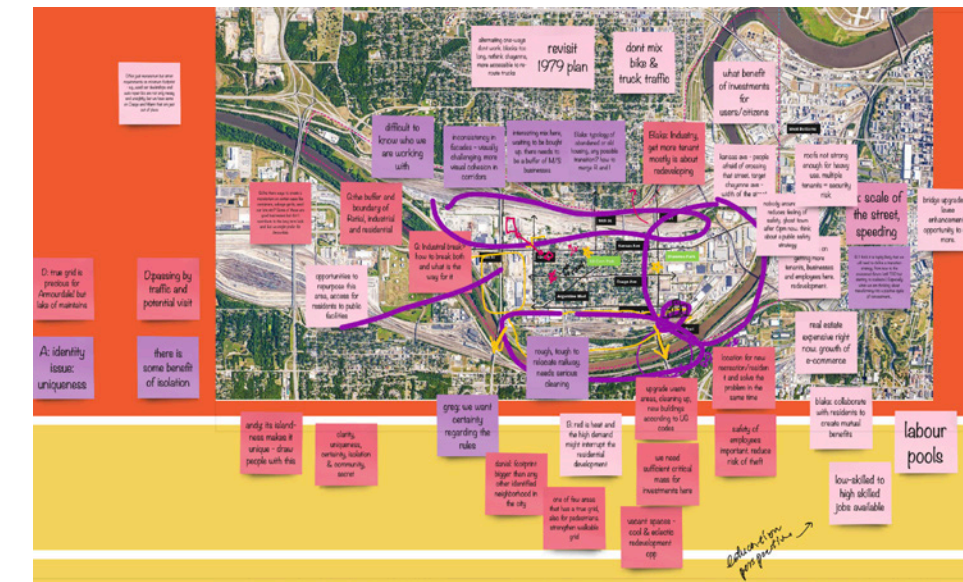
The workshop aimed to refine the community's understanding of the public health landscape in Armourdale, and to collectively review potential strategies and initiatives to improve public health and community quality of life. The session convened government and non-profit public health experts and Armourdale stakeholders to review public health issues and causalities; existing assets and future ambitions for improved public health; and possible actions to provide increased public health resources and outcomes. A detailed workshop summary report is included in [Appendix 1](#) of this report.

Community + Economic Development Workshop
June 8th, 2021 - Zoom + Miro Board

The workshop stimulated a dialogue between Armourdale residents, stakeholders, and UG's Economic Development Department related to economic prosperity in Armourdale. The conversation centered upon the historic and current economic forces shaping the relationship between industrial and residential uses in the neighborhood. Discussions spanned topics including: the quality, maintenance and future of Armourdale housing stock; vacant land turnover from residential to industrial uses; local job and training availability; as well as public space and walkability for employees and residents. A detailed workshop summary report is included in [Appendix 2](#) of this report.



Excerpt from Online Workshop Miro Board (MVRDV)



Excerpt from Online Workshop Miro Board (MVRDV)

Neighborhood Resident Focus Group
June 19th, 2021- John Fiske Elementary School

Following the two (2) Zoom and Miro Board workshops that convened UG staff, Armourdale residents and stakeholders, the UG staff and planning team hosted two (2) in-person events over back-to-back weekends at John Fiske Elementary School in Armourdale. The first event, held in the school gym, convened a small focus group comprised of Armourdale residents invited by the Outreach Team. In this more informal setting, an open dialog -- primarily in Spanish -- was focused around outlining a list of neighborhood resident priorities for the ongoing Armourdale Area Master Plan.



Armourdale Resident Focus Group Participants (Kim Portillo)

Neighborhood Block Party
June 26th, 2021 - John Fiske Elementary School

Following the Focus Group, the team hosted an Armourdale Block Party at the John Fiske Elementary School playground. The event was staffed by English and Spanish speaking members of the outreach and planning team to facilitate informal discussions around large neighborhood plans and image boards. Over two (2) hours, approximately 75 people visited the event (and ate nearly 100 hot dogs!). There was also a COVID-19 vaccination team at the event.



John Fiske Elementary School Playground + COVID Vaccination Tent (PORT)

ARMOURDALE

STRONG FUERTE

3. Armourdale Overview

Table of Contents *(Click Below for PDF Hyperlinks)*

Armourdale in Kansas City	40
Platting of Armourdale	42
Floodplain & High Ground	44
Armourdale Labor History	50
Community Change & Resilience	52
Current Land Use	58
Historic Population Decline	60
Community Profile	62
Armourdale Workforce	64
Public Health Analysis	66

ARMOURDALE IN KANSAS CITY

Armourdale sits just across the Kansas River from downtown Kansas City, Missouri and is separated from downtown Kansas City, Kansas by the extensive railroad tracks of the Union Pacific Yards and Interstate 70. It is uniquely positioned within the larger Kansas City metro – a hybrid residential / industrial neighborhood that is relatively cut off from its neighboring communities. The core of Armourdale is bordered on the north by I-70 and the railroad yards, both cutting east-west and dividing Armourdale from Strawberry Hill, Riverview, and Kensington.

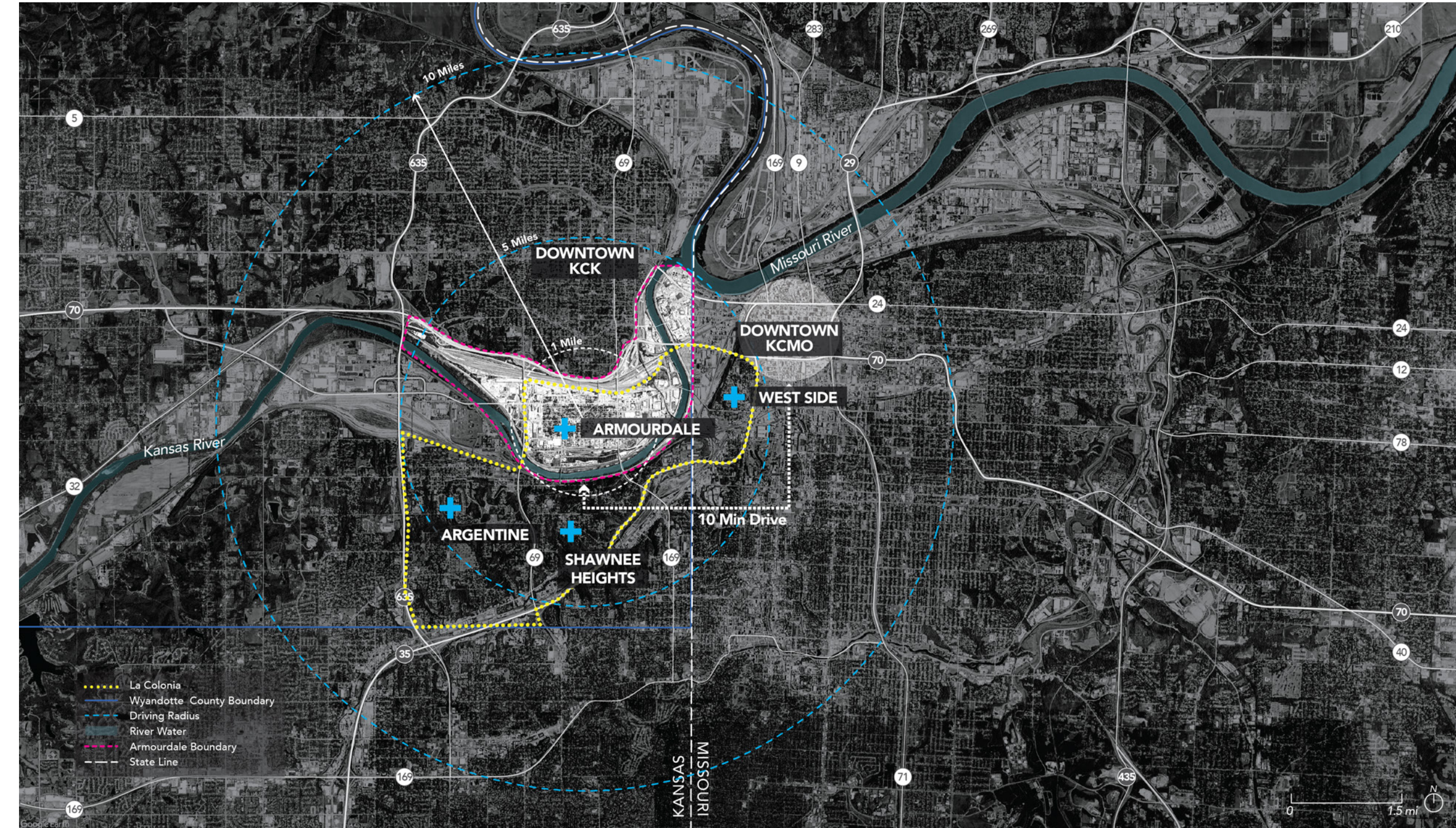
On the west, south, and east, the core of Armourdale is bordered by the Kansas River, whose confluence with the Missouri River resides at the far northern tip of the study area. The study area also includes the Kansas portion of the Historic West Bottoms.

Armourdale is distinguished by containing one of the only residential neighborhoods in the Kansas City area that lies in the historical floodplain of either the Kansas or Missouri Rivers. This, coupled with its relative isolation from other residential areas, results in an island-like quality for residents there. Armourdale is accessed from the east and west by Kansas Avenue and from the north and south by 7th Street and 18th Street Expressway. These major roads divide Armourdale and roughly bound the residential neighborhood. Kansas Avenue and Osage Avenue also have the highest concentration of commercial businesses in the district.

Opposite: Armourdale Position within Kansas City (PORT)

East of 7th Street, south of Osage Avenue, east of 14th Street, and north of Kansas Avenue is mostly industrial lots of various sizes. Many of these lots are distribution and storage facilities that take advantage of the district's proximity to I-70 and I-35, as well as downtown Kansas City Missouri. Armourdale is also home to a number of manufacturers, including a Sealy Mattress manufacturing building on the east side of the district.

On the east bank of the Kansas River is the Historic West Bottoms, an area of Wyandotte County that is adjacent to Kansas City, Missouri. The technical boundaries of this district include only the area within the state of Kansas, but it is contiguous with larger Missouri area of the Historic West Bottoms. This was the historic center of the Kansas City Stockyards. It includes a core of tall former warehouse that are currently being converted to lofts, restaurants, retail areas and other markers of an emerging mixed-use district. This includes the planned Rock Island Bridge, a project that will transform the existing railroad bridge over the Kansas River into a cultural destination complete with an event space and connection between the Kansas River levees on the east and west side of the river.

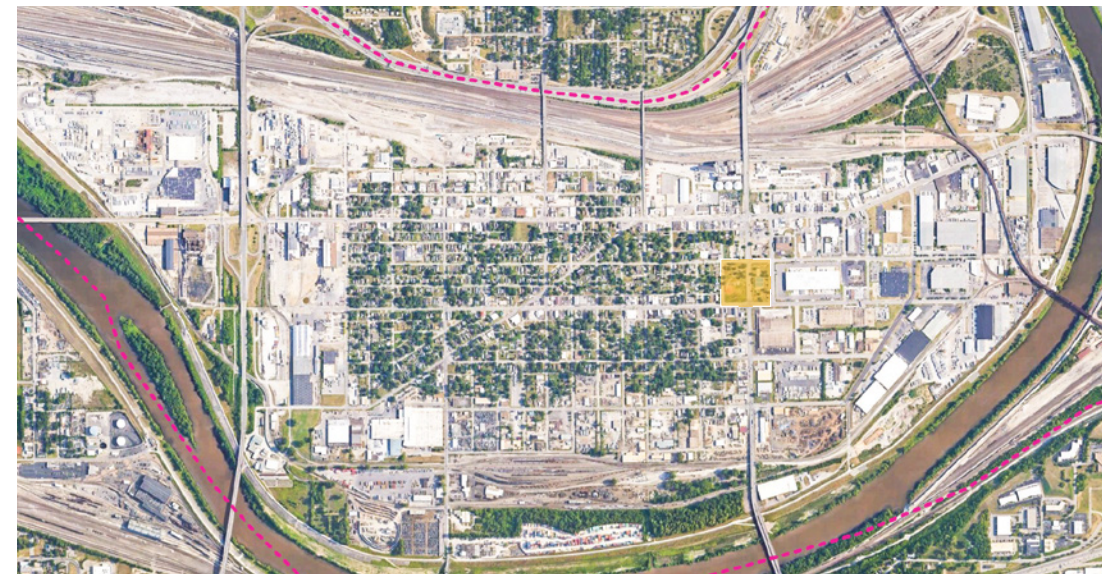


PLATTING OF ARMOURDALE

The original platting of Armourdale was in direct response to the poorly planned amalgamation of industry and housing in the Historic West Bottoms. What little housing there was in the West Bottoms surrounding the stockyards and railroad yards was generally of very low quality. The haphazard planning resulted in close proximity of squatters camps and tents, railroad infrastructure, and livestock yards and slaughterhouses.¹

The developers of Armourdale, Charles Francis Adams Jr and Charles F. Morse, were Boston-based businessmen that sought to expand across the Kaw River from the Historic West Bottoms. In 1879, seeking to avoid replicating the poor conditions of squatters huts in the West Bottoms, they commissioned William B. Knight to plat a more coherent town for workers in the adjacent stockyards and packing plants.² Knight's plan is more enlightened than most railroad company towns in the area, prioritizing shared common space like Shawnee Park and preserving the existing public school.³ Adams and his business partners simply platted the land into streets and sold the lots to individuals or builders. They built no infrastructure, sidewalks, sewage or water systems⁴. Even Shawnee Park had to be improved before it was usable.⁵

By 1882, Armourdale's population had grown to 1,500, including merchants and skilled laborers, and its surrounding industries focused primarily on the productive use of the byproducts of meat slaughtering, including a cooperage, soap factories, and dessicating works.⁶ The 1903 flood resulted in many of the middle-class residents fleeing to higher ground, and subsequent flood events did little to persuade them to return. The lack of basic infrastructure did little to support the people that did live there, and in the decades following the 1903 and 1908 floods, Armourdale became known for the poor quality of its housing and services. Immigrants fleeing the Mexican Civil War and poor quality of life in northern Europe still found homes there, and the nearby railroad yards and industrial areas still provided employment to low-skill laborers.⁷



Above: The Berry's Company 1910 Map, with Shawnee Park Highlighted (Missouri Valley Special Collections, Kansas City Public Library)

Below: Armourdale Today, with Shawnee Park Highlighted (Google Earth)

Opposite: Aerial View of Kansas City, 1885 (Missouri Valley Special Collections, Kansas City Public Library)



FLOODPLAIN AND HIGH GROUND

Armourdale sits at the confluence of the Missouri and Kansas Rivers, part of Mississippi River basin. The Missouri and Kansas Rivers were, for most of their recorded history, known for their large spring and summer floods, for their meandering river channel that moved freely across its floodplain, and for their massive transport of sediment.⁸

These hydrologic and geomorphological phenomena resulted in the flood pulse, in which the massive influx of water into the system from snowmelt or rainfall raised the height of the river to the point where it overflowed its channel, depositing sediment across the width of its floodplain. The flood pulse supported important ecological processes, including the deposit of particulate organic matter in the floodplain itself, the support of native plant species like cottonwood and willow that evolved to rely on rapid inundation, and species of fauna that rely on high plant and microbial density within the floodplain.⁹

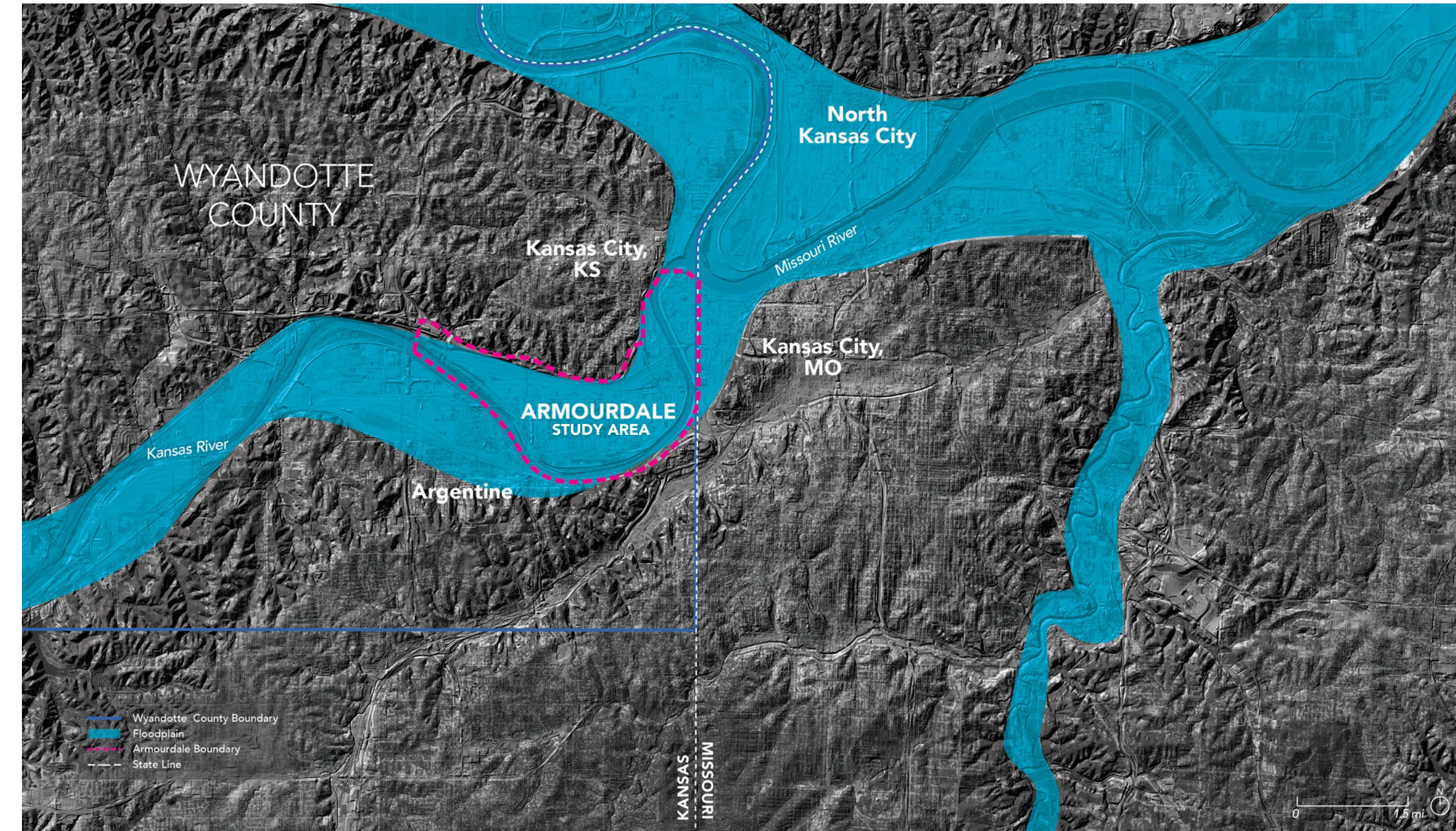
Armourdale was initially settled by the Wyandotte Nation, who had been forced from their native Ohio River Valley in 1843 into an area that was outside the nation's borders and considered unfit for settlement. The Wyandotte settled on the bluffs overlooking the river valley, and farmed the land in the floodplain.¹⁰ After the Civil War, as Kansas City became a hub for railroads and the cattle and other livestock they carried, the wide and flat floodplain became the logical site for railroad yards and industrial uses, which could be easily laid out in the wide, flat floodplain with little topography.



Above: 1903 Flood from 5th Street Looking North (Wyandotte County Museum)

Below: View of the Armourdale Floodplain, 1982 (Wyandotte County Museum)

Opposite: Floodplain and High Ground (PORT)

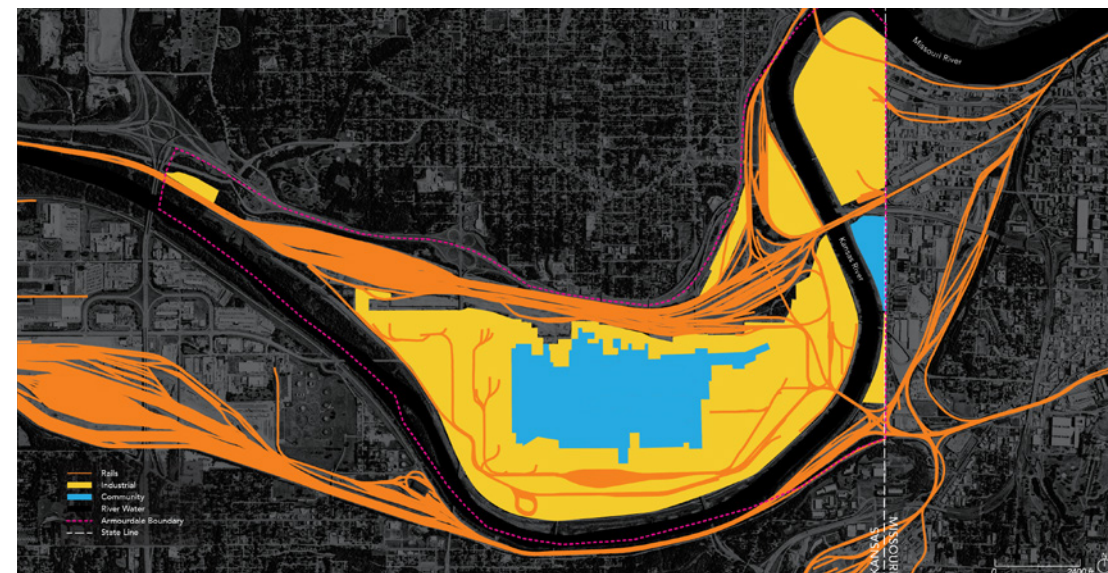
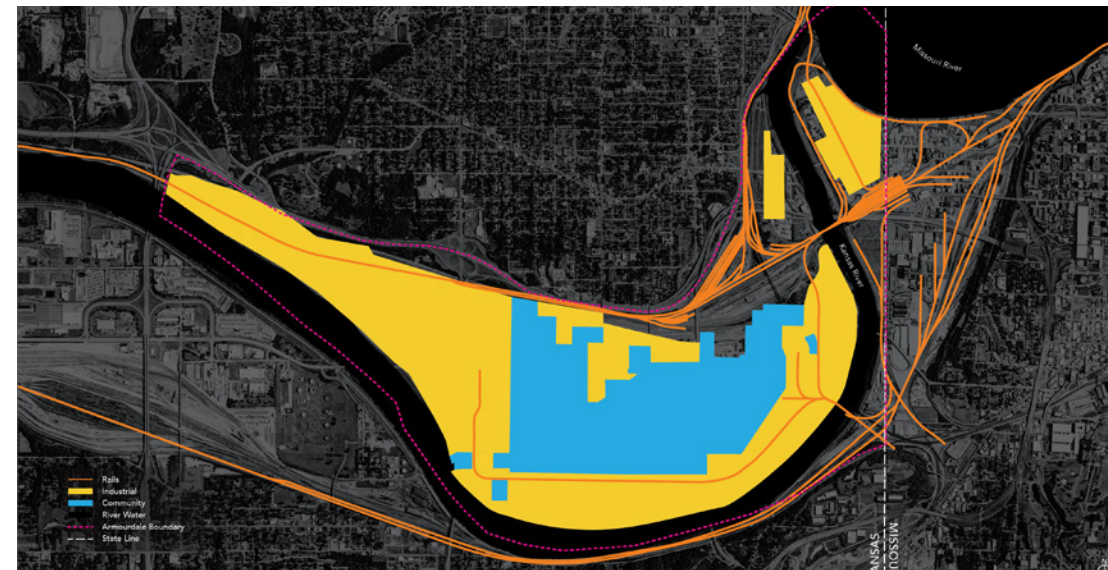


Downtown Kansas City, Kansas, and Kansas City Missouri and the residential neighborhoods that surrounded them mostly developed on the high ground – atop the bluffs and rolling hills outside of the floodplain – where residents were both further from the increasingly squalid districts around the stockyards and relatively safe from the spring and summer floods. This is where the majority of Kansas City’s parks, libraries, civic buildings, commercial districts, and residences were constructed. There were even efforts to turn the edge of the high ground opposite the stockyards, at the intersection of Summit and 10th Streets into an area known as the Palisades, complete with processional staircases and overlooks, that opened up onto a view of the stockyards below.

Those stockyards sat in a floodplain that was almost continuously flooded between 1870 and 1950. A devastating flood in 1903 led to Kansas City spending \$1.75 Million to widen the river channel and construct a system of dikes surrounding Armourdale. The belief at the time was that this system, locally controlled and locally funded, was sufficient to protect Armourdale and its industry, especially the rail links on which so much of Kansas City's economy depended.¹¹ The Kaw Valley Drainage District, under the authority of the State of Kansas, was founded to administer the new flood protections, and at the time Kansas City leaders thought the 1903 flood was an anomaly that they had adequately protected against.

By 1934, numerous smaller flood events that more or less continuously damaged Armourdale and the West Bottoms convinced local leaders that the millions of dollars they had spent on flood protection were not sufficient, and local leaders began lobbying Congress for federal money based on the economic importance of protecting the manufacturing and distribution networks within the floodplain.

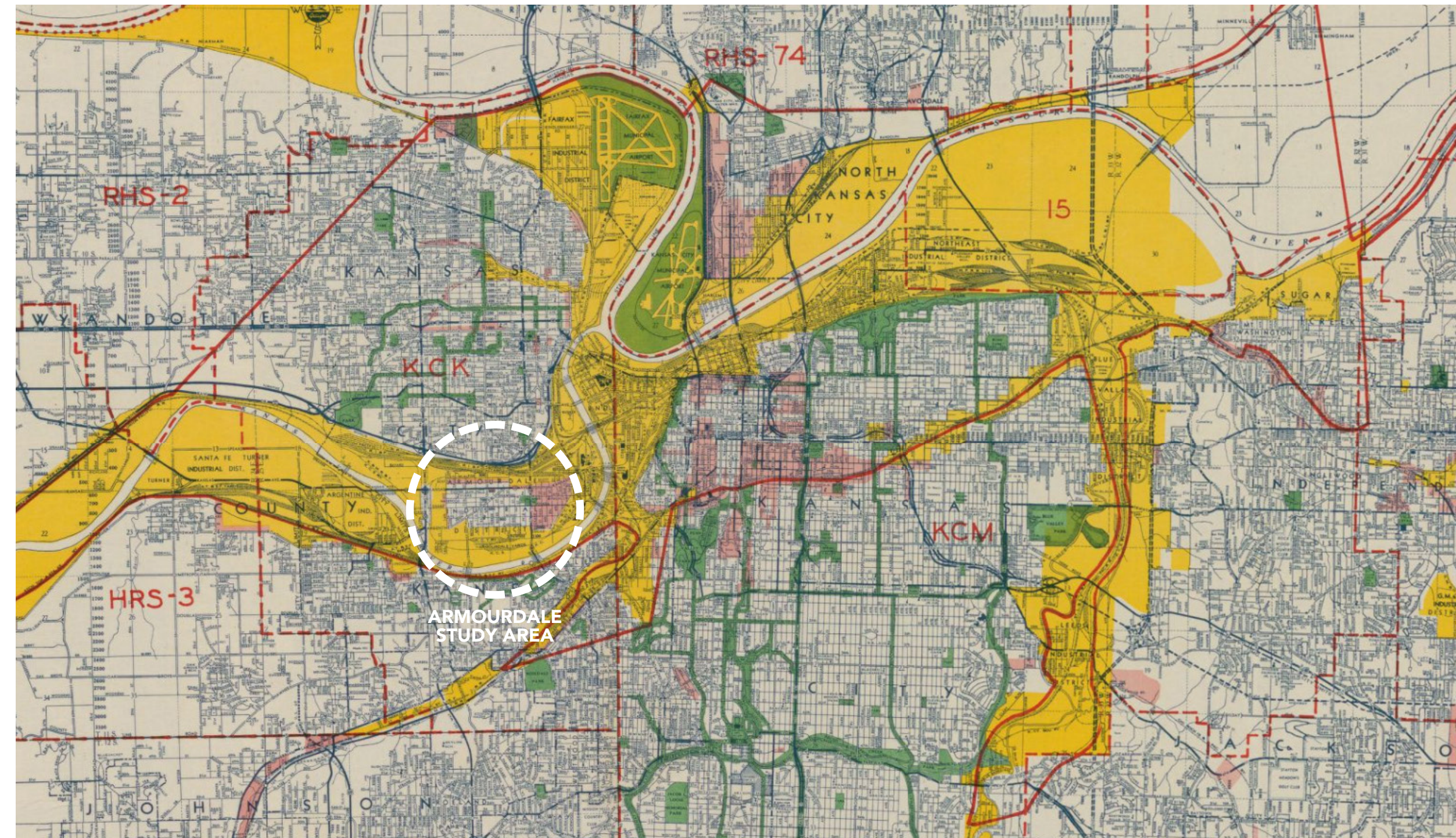
By 1938, Congress had passed two (2) Flood Control Acts nationalizing flood protection, and 1944 saw the adoption of the Pick-Sloan Plan, which proposed the wholesale re-engineering of the Missouri River basin.¹²



Above: Approximate Location of Railroads, Residential and Industrial Areas, 1888 (PORT)

Below: Approximate Location of Railroads, Residential and Industrial Areas, 2020 (PORT)

Opposite: Metropolitan Kansas City, Gallup Map (*Missouri Valley Special Collections, Kansas City Public Library*)

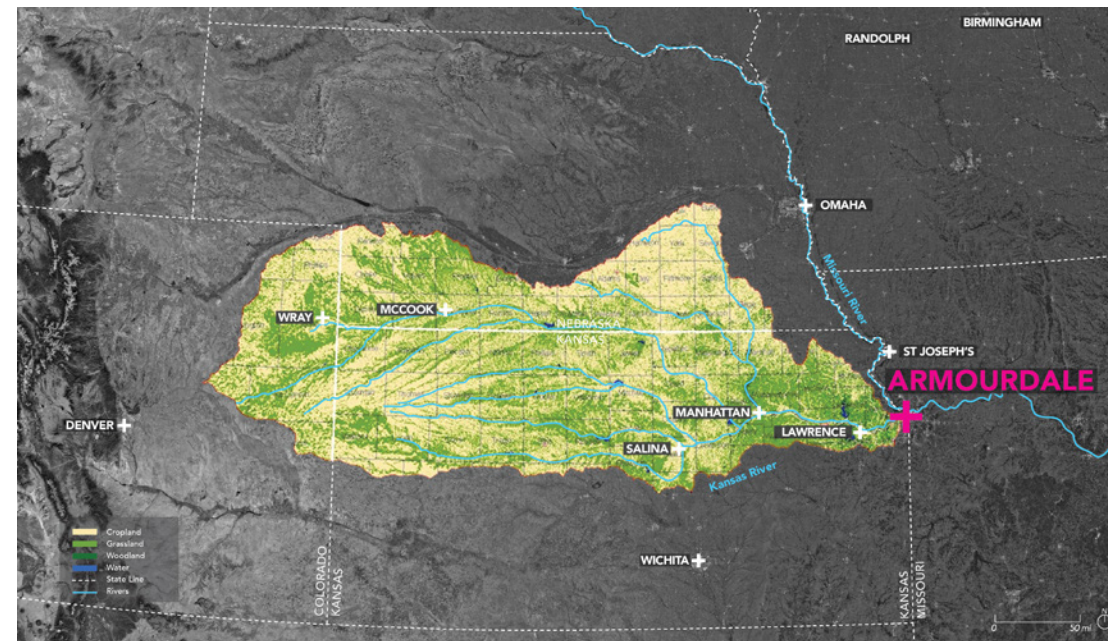


While the Pick-Sloan Plan was being implemented, the Kansas River overtopped its levees once again in 1951, producing the most extreme flooding event in the city's history and devastating Armourdale. The River's first overtopping came on July 13, 1951, just east of the Colgate-Palmolive plant, and within two (2) hours Armourdale was under between 12 and 30 feet of water. The existing levees actually served to trap floodwater in Armourdale, resulting in 18 Million tons of silt deposited throughout the flood area. Damages in Armourdale were estimated to be \$120 Million, which equates to approximately \$1.2 Billion today. Almost all its residents were evacuated, and most of the district's wood-frame homes were destroyed.¹³

The 1951 flood was no different than other flooding events that happened in the Kansas River Valley for millennia, but with the devastation of the stockyards, the displacement of Armourdale residents and the near-complete halt of commerce in the floodplain united civic support around flood protection and channelization of the river.¹⁴

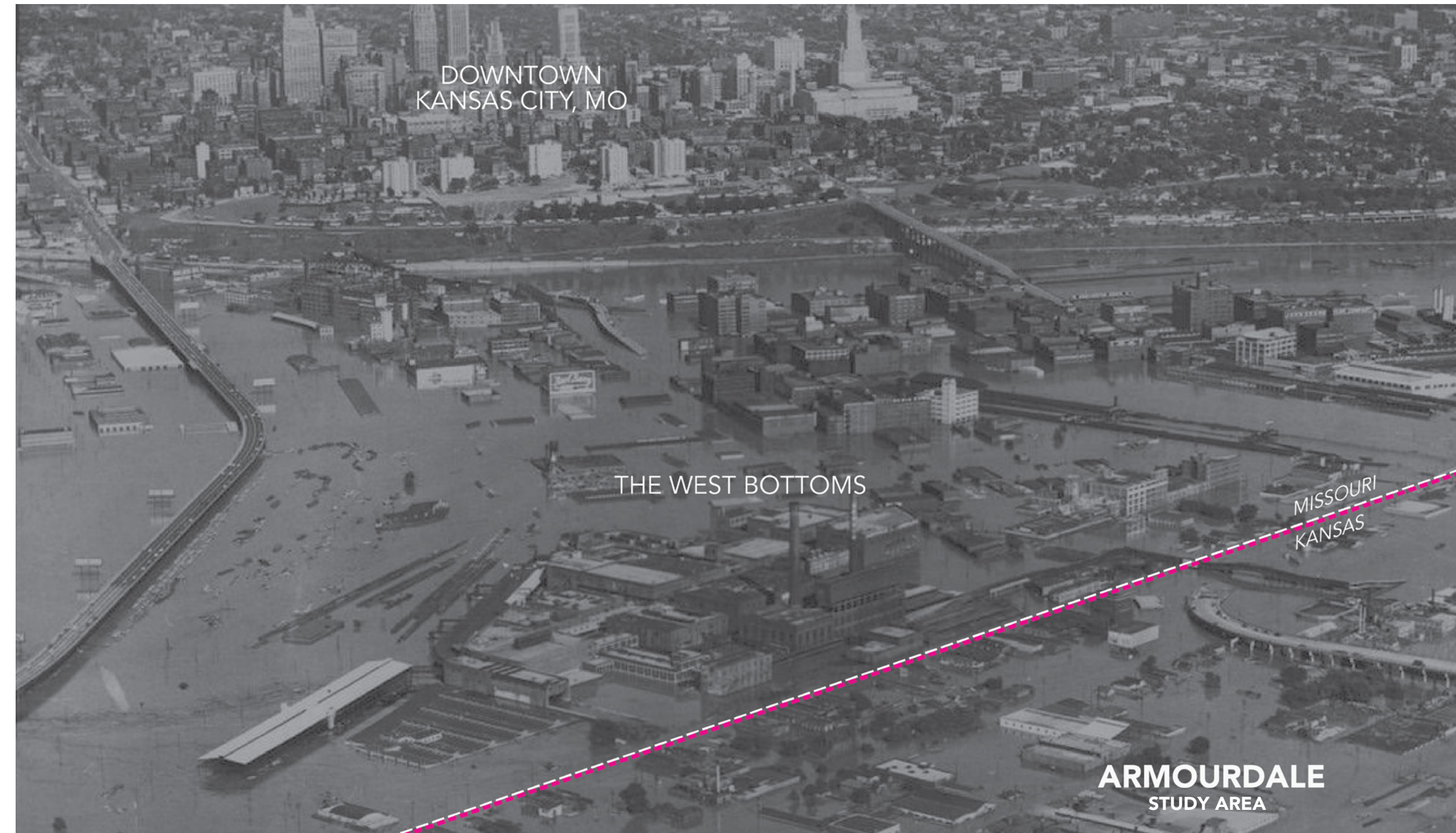
The channelization of the Kansas and Missouri Rivers had two (2) important ecological effects. The first was (with the creation of upstream dams to manage a consistent rate of flow) to disconnect the river from its floodplain, greatly reducing the amount of seasonal flooding that supported much of the floodplain's ecological productivity. The second was to change the nature of the river itself. No longer a relatively slow-moving and meandering channel that native species had evolved for, the Kansas and Missouri rivers became more fast-moving year round, and their waters ceased to support native species and instead became breeding grounds for invasive species like Asian Carp.¹⁵

The geomorphology of Kansas City and its division into clear areas of floodplain and high ground has affected every aspect of Armourdale use and history, from its initial occupation by displaced Native Americans to its reclamation by industry to its platting as an industrial town to its flooding and subsequent urban renewal. This history and geomorphology is essential to understanding Armourdale's past, present, and possible futures.



Above: Kansas River Watershed (PORT)

Opposite: Kansas River Flood, 1951 (Missouri Valley Special Collections, Kansas City Public Library)



ARMOURDALE LABOR HISTORY

The Kansas City Stockyards had experienced exponential growth in the decades that followed the fencing off of five (5) acres as a livestock pen by a group of local railroads in 1870. Armour built their first plant in 1874, an eight-building sprawling complex that immediately boosted Kansas City's production by a factor of 10. Those processing plants and the animal pens, railroads, and secondary processing facilities that serviced them had an almost insatiable desire for cheap, unskilled labor.¹⁶

At first, this labor was supplied by European immigrants, especially recent arrivals from Ireland, France, Germany, the Netherlands and Scandinavia. Plant managers began sending recruiters to eastern Europe, which resulted in a steady flow of workers from Russia, Bulgaria, Poland, Czechoslovakia, Slovenia, and especially Croatia. African Americans began arriving in large numbers in the 1870's, eventually comprising almost 25 percent of the meatpacking labor force by the early 20th century.¹⁷

Continuous pressure from meatpacking management to speed production and lower wages led to numerous union organizing efforts, the most successful of which was in 1917 when a cross-racial group of mostly women canners in Armourdale walked off the line, an effort that quickly grew to include laborers, railroad workers, and soap producers. The strikers quickly won a series of victories, and a similar strike in 1918 led to particular gains for black stockyard workers' equitable pay and hours.¹⁸

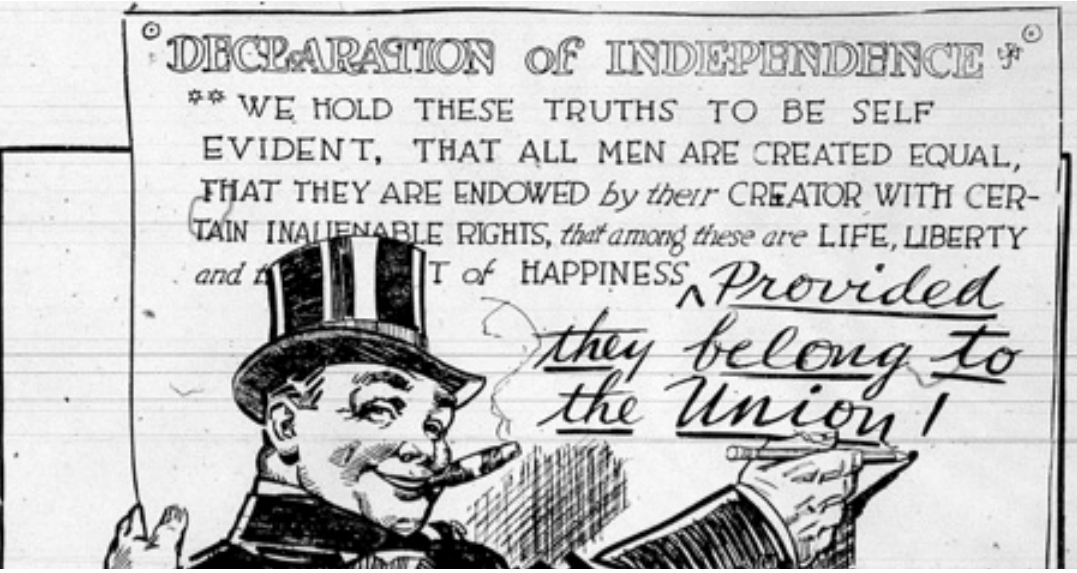
"In the first decades of the next century, the population continued to expand on a marked pace so that by 1920, Armourdale, following a pattern recognizable in more established eastern urban centers, was overcrowded, economically depressed, and lacking in proper sanitation. A federal official from the Immigration Commission toured the community's muddy streets and closely spaced residences and described it as a 'labyrinth of narrow, dirty passageways, flanked by the most non-descript sort of shacks.'"

--John Herron, "Making Meat: Race, Labor, And The Kansas City Stockyards," 2018



Above: Meatpackers, 1921 (Missouri Valley Special Collections, Kansas City Public Library)

Lower: Man Cleaning Stockyards (Missouri Valley Special Collections, Kansas City Public Library)



Above: Cudahy Strikers Marching to Shawnee Park, 1917 (The Post September 7, 1917, State Historical Society, microfilm)

Lower: Anti-Union Newspaper Advertisement, 1917 (State Historical Society, microfilm)

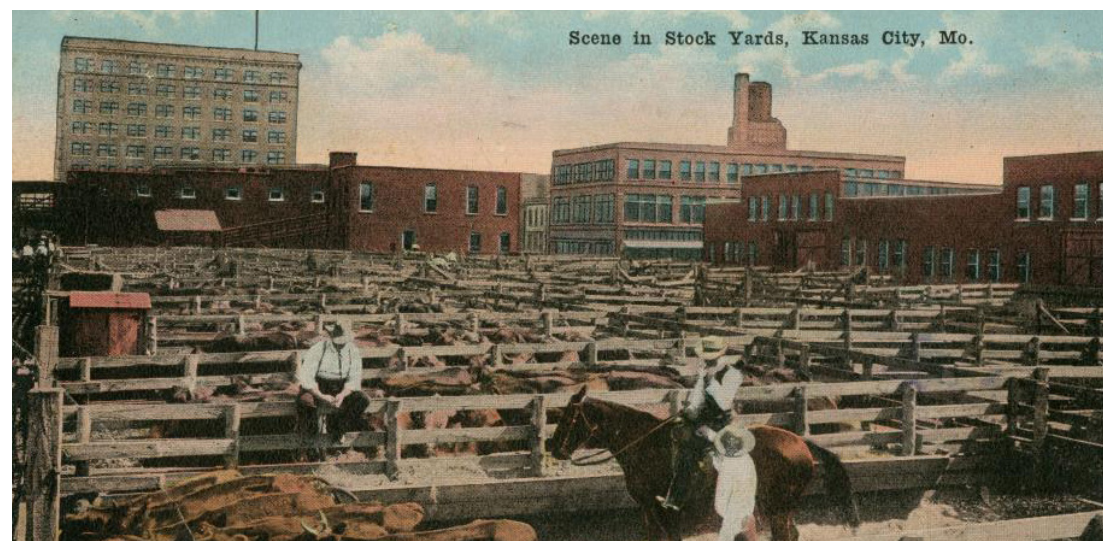
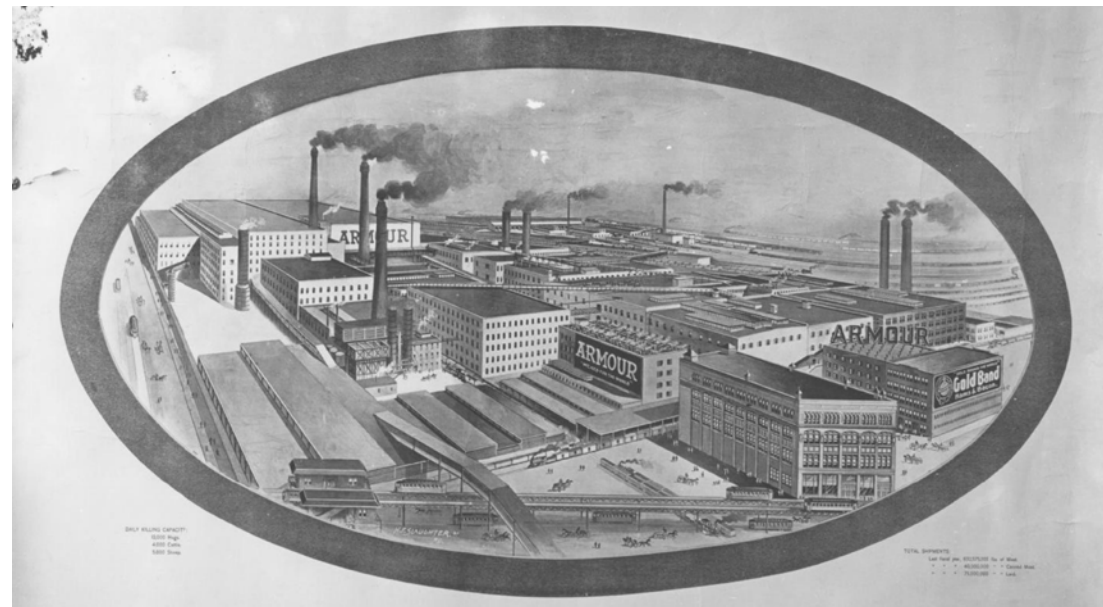
COMMUNITY CHANGE AND RESILIENCE

The history of Armourdale as a district is impossible to separate from the history of ongoing discrimination and redlining of the diverse, and growing Latino community that has lived there. Mexicans started immigrating to Kansas City in the 1910's after the Mexican Civil War, gravitating toward the West Side of Kansas City Missouri and the Argentine and Armourdale neighborhoods because of their proximity to both downtown (where Mexican Americans found work in the hospitality industry) and the Santa Fe and Union Pacific Railroad yards and the meatpacking and ice houses that surrounded them.¹⁹

As Mexican Americans moved into Armourdale in increasing numbers, they concentrated on the east side of 7th Street. At the time, the area's churches, schools and other institutions were heavily segregated. Even though St. Thomas Church served both Mexican Americans and white parishoners, Latinos were forced to attend at different hours, and the church parochial school moved its Latino students into the basement.²⁰

As early as 1937 there were concerns that the dwellings were not of sufficient quality, although less because of their habitability than their low property values did not support the cost of providing municipal services there. In the words of Frederic Robinson, who led the update of the Kansas City, Kansas Comprehensive Plan, "property values are beginning to depreciate, tax delinquencies are high, and the cost of governmental services is usually greater than the amount returned in taxes."²¹

In 1948 documents redlining the neighborhood, the reasons cited were "Since [1903] ... the community has drifted to an unsightly and ill-kept neighborhood housing industrial workers entirely, including a sprinkling of foreigners of lower income brackets and many Mexicans."²²



Above: Postcard of the Armour Packing Plant, 1901 (Missouri Valley Special Collections, Kansas City Public Library)

Below: Postcard of Cow Pens, West Bottoms Stockyards, 1921 (Missouri Valley Special Collections, Kansas City Public Library)



Above: Kansas City Aztecs, 1940

Below: Clearing a Field For a Baseball Diamond, 1926, (Missouri Valley Special Collections, Kansas City Public Library)



Above: No. 341 Streetcar Serving Armourdale and Downtown, date unknown, (Missouri Valley Special Collections, Kansas City Public Library)

Below: Children Playing Baseball, ND, (Missouri Valley Special Collections, Kansas City Public Library)

In response to this ongoing discrimination, Mexican immigrants started their own social institutions, from their own churches to their own fast pitch softball leagues. With few exceptions, Latinos were shut out of the company teams sponsored by Colgate-Palmolive, the unions, or others, so they started their own teams and leagues. Teams like the Aztecas, an all-female team based at a field later destroyed by the construction of the 7th Street aqueduct, were made up of Armourdale residents and would conduct regional tours to Iowa, Illinois, and other parts of the Midwest.²³

Stretching back as far as 1940, the Armourdale Neighborhood Council, a resident's group, was organizing volunteer, citizen-led cleanups, advocating for improved housing, and lobbying for restricting the growth of industry into the residential areas.²⁴

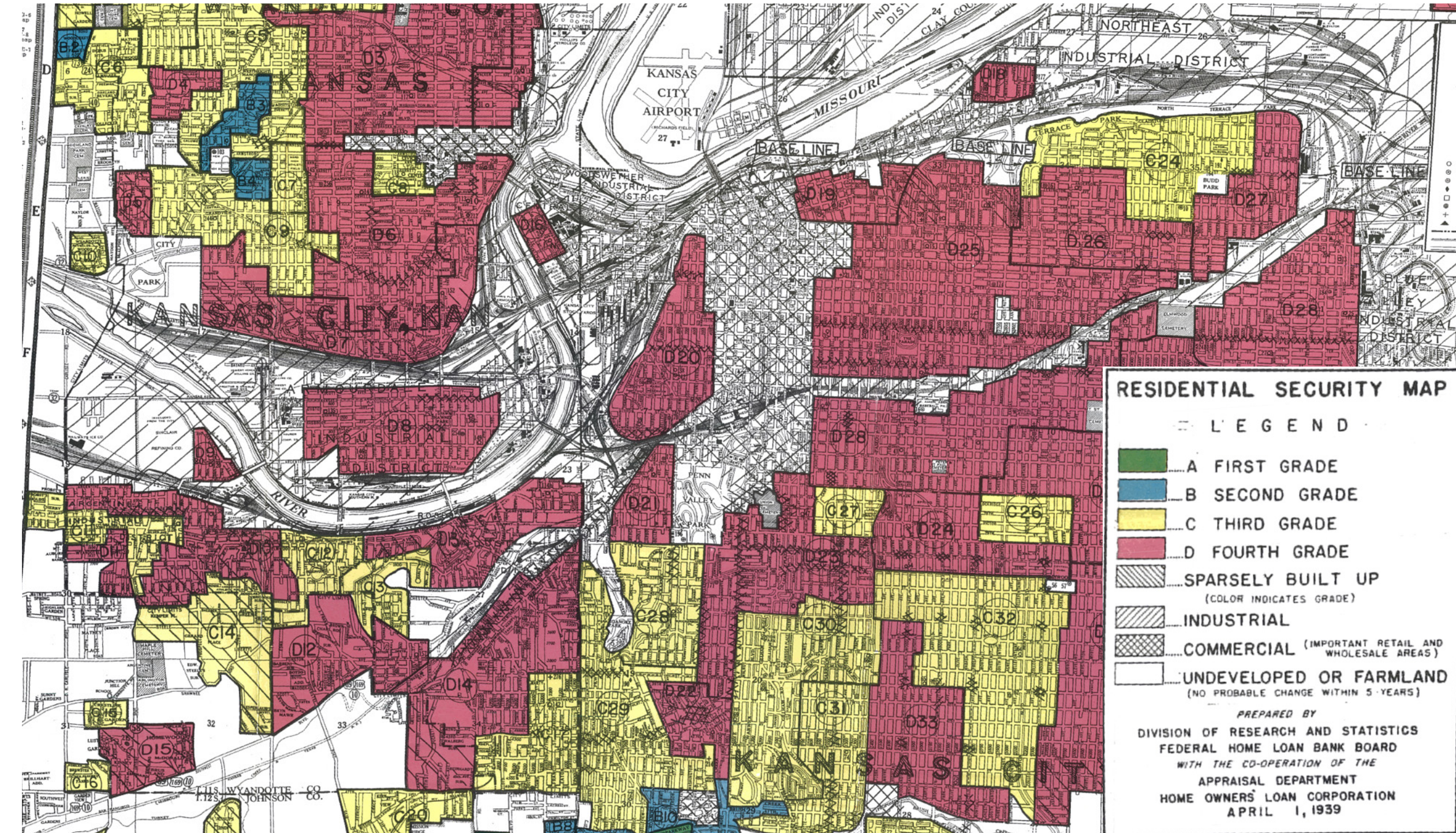
The 1951 flood was most devastating in the eastern half of the district, where most of the area's Mexican-American immigrants in the district lived.²⁵ Most residents in the district were evacuated with little clarity on when they would be allowed to return. Within weeks of the flood, Fred-eric Robinson, who had led the comprehensive planning effort and was still a consultant to the City Planning Commission, partnered with local architect John Maultsby on a redevelopment scheme to condemn almost the entire district and consolidate its residents into 21 evenly distributed 11-story apartment blocks.

This redevelopment plan was developed so quickly because the planners saw the period before the widespread return of residents as their window to complete a district-wide redevelopment of the entire area in one fell swoop.

“Prior to 1903 it was an attractive community of well-kept homes, when the flood of that year inundated most of them. Since then there have been no new homes erected and the community has drifted to an unsightly and ill-kept neighborhood housing industrial workers entirely, including a sprinkling of foreigners of lower income brackets and many Mexicans. The outer fringe, south of Miami and east of Packard, is virtually a slum section of old-run shacks. Negroes are found in the north portion. Considered as a whole, a cheap industrial workers’ area. Although houses are in poor repair, it would be poor business to rehabilitate institutionally-owned homes.”

--Description of Armourdale in Gallup's Inc, “Pocket Map of Greater Kansas City” 1938

Opposite: Detail of Gallup's Inc, “Pocket Map of Greater Kansas City” 1938 (Mapping Inequality: Redlining in New Deal America, University of Richmond Digital Scholarship Lab)



Over the concerns of residents and property owners, the Kansas City Redevelopment Authority voted to approve the plan barely three (3) weeks after the flood hit.²⁶ 10 days later, the City Planning Commission authorized the Redevelopment Authority to acquire and clear the project sites.²⁷

Eventually, the Redevelopment Authority’s ability to implement the plan would be curtailed by the State Supreme Court, but later urban renewal efforts proved to be successful.

In 1957, the entire area between Cheyenne and Osage Avenues east of Seventh Street was acquired and cleared. Eight-hundred residents of the neighborhood were relocated, and they city itself financed the construction of four (4) warehouses and industrial facilities on three (3) newly created superblocks.

A second urban renewal project in 1966, known at the time as Armourdale East, involved the clearance of any non-industrial parcels north of Osage and east of Fourth Street, the widening of streets and the installation of new sanitary and storm sewers to enhance industrial and commercial uses.

Finally, in 1972 the City Commission designated the entire Armourdale district for urban renewal. Despite community resistance, all residents that remained east of Seventh Street were relocated, the existing elementary school and other community facilities were cleared, and the properties were redesignated for industrial use.²⁸

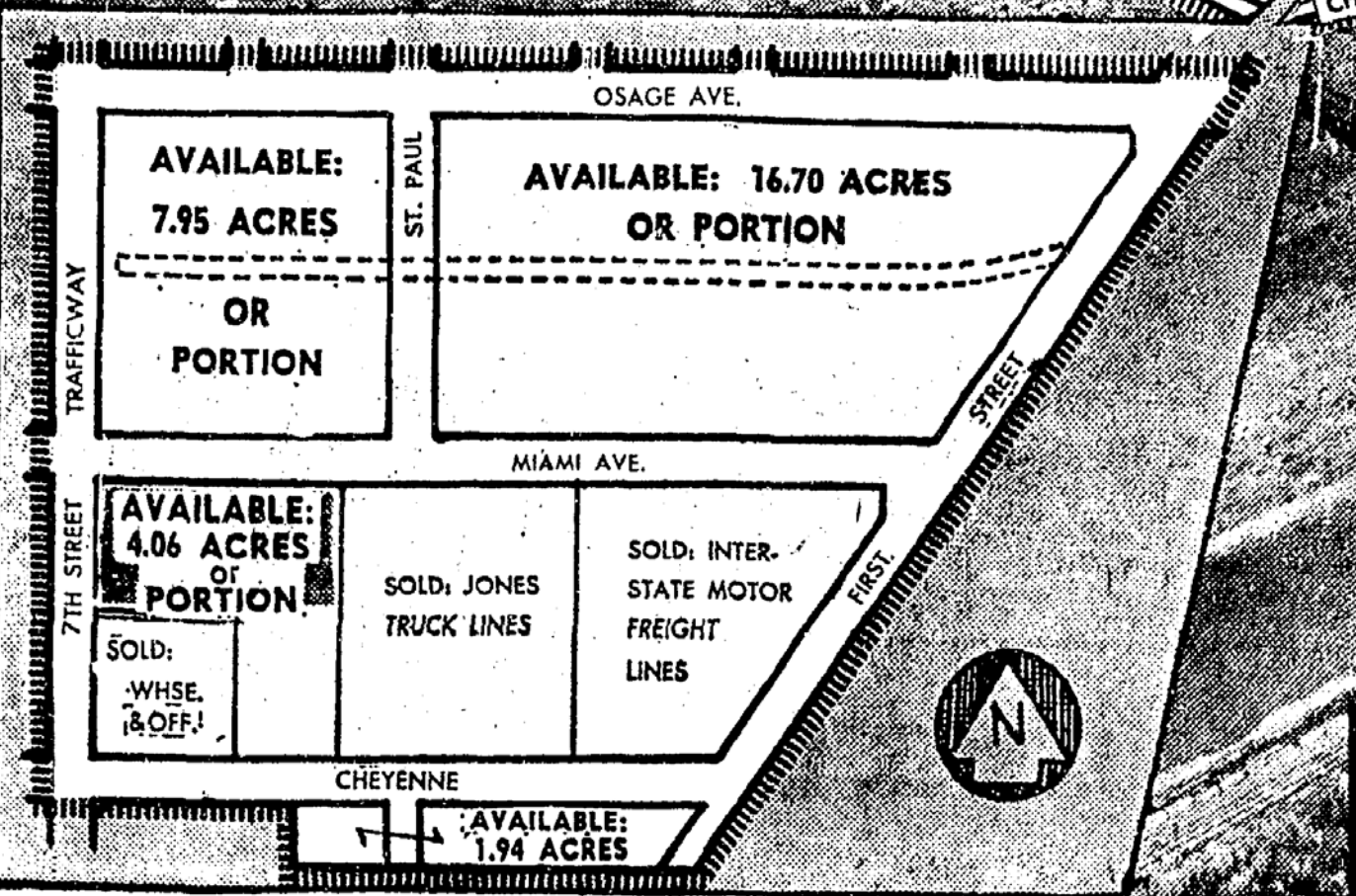
The 1979 Area Master Plan was supposed to give residents an official reprieve from the ongoing renewal efforts, but the community development resources promised to the residents dried up in a year and the city government has continued to grant variances to non-conforming uses within the residential areas.²⁹

“Hundreds of those same families would be summarily dislocated from Armourdale less than a decade later, when the city used Street Expressway for the development of an industrial business park. The project also prompted the local school district to demolish John J. Ingalls Elementary School, the city’s oldest operating school at the time, the site of which is occupied by a large industrial warehouse.”

--Danial Serda, “Finding Latin Roots: Hispanic Heritage in Kansas City” Kansas Preservation 33:3 (2011)



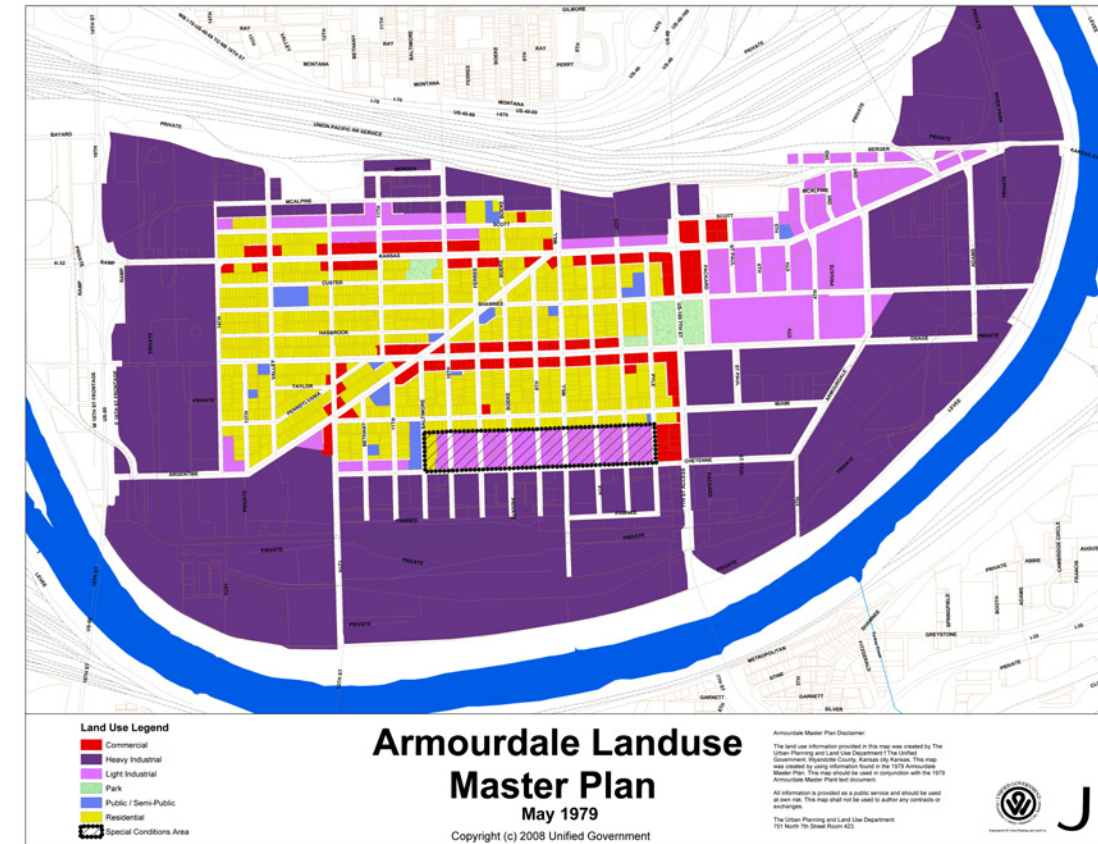
Above: Urban Renewal Authority Advertisement for Armourdale Industrial Park, Jan 6, 1963, p. 140



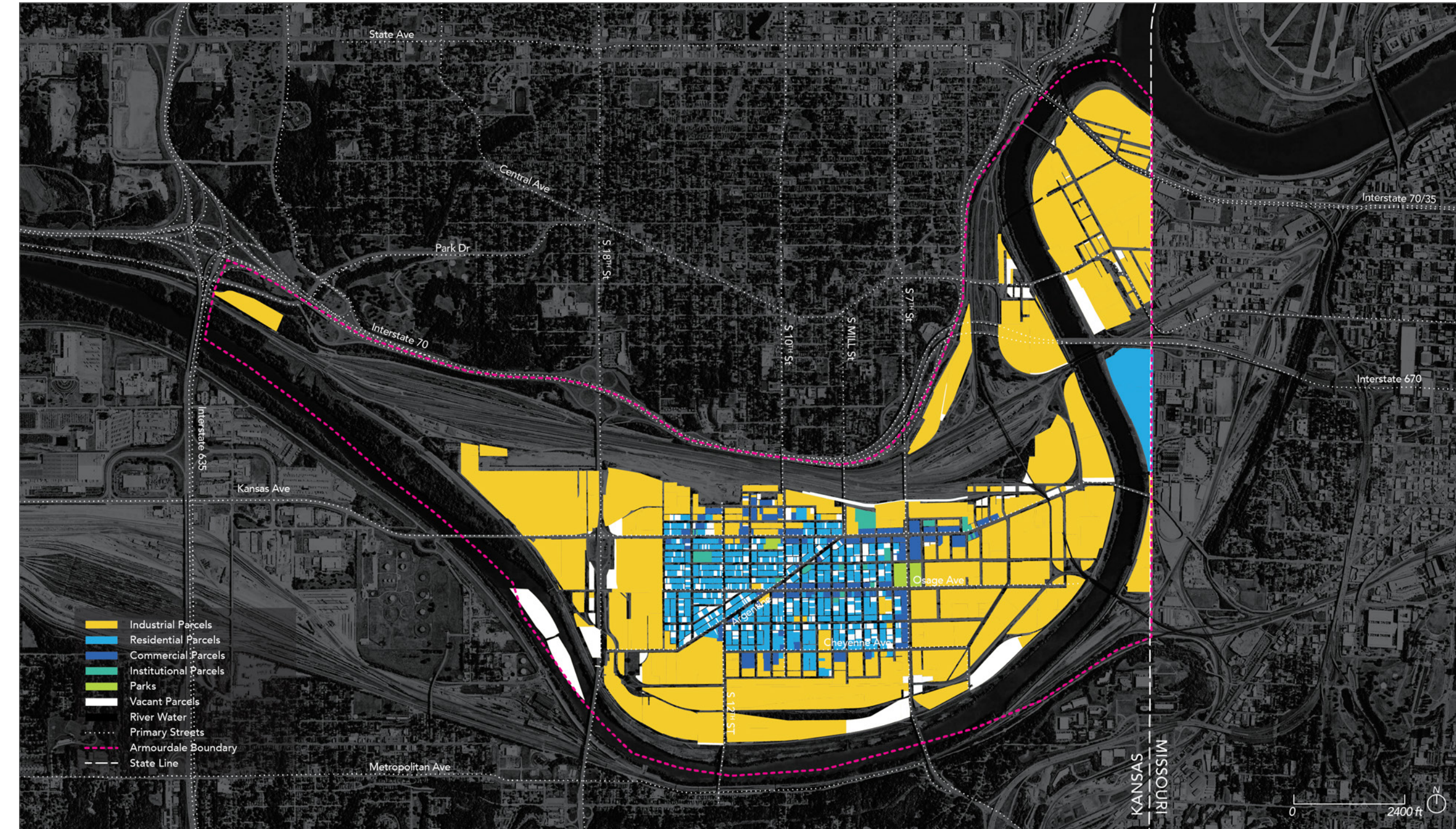
CURRENT LAND USE

Armourdale's Zoning was established during the creation of the 1979 master plan, which codified the urban renewal initiatives that displaced much of the Armourdale community east of 7th Street after the 1951 flood in favor of an expanded industrial district. The Armourdale community core is largely zoned as single-family residential parcels that follow the original platting of the district. Along Kansas and Osage many of the parcels have been zoned for commercial use. Outside of the residential core almost the entire district is zoned for light industrial use.

Although the 1979 plan was meant to codify the existing boundaries of Kansas Avenue, Cheyenne Avenue, 7th Street and 14th Street as the dividing line between residential and industrial uses, over time property owners would assemble and ad-hoc lobby for the rezoning of parcels for industrial uses within the residential zone. This is how the number of industrial parcels surrounded by residential homes proliferated.³⁰



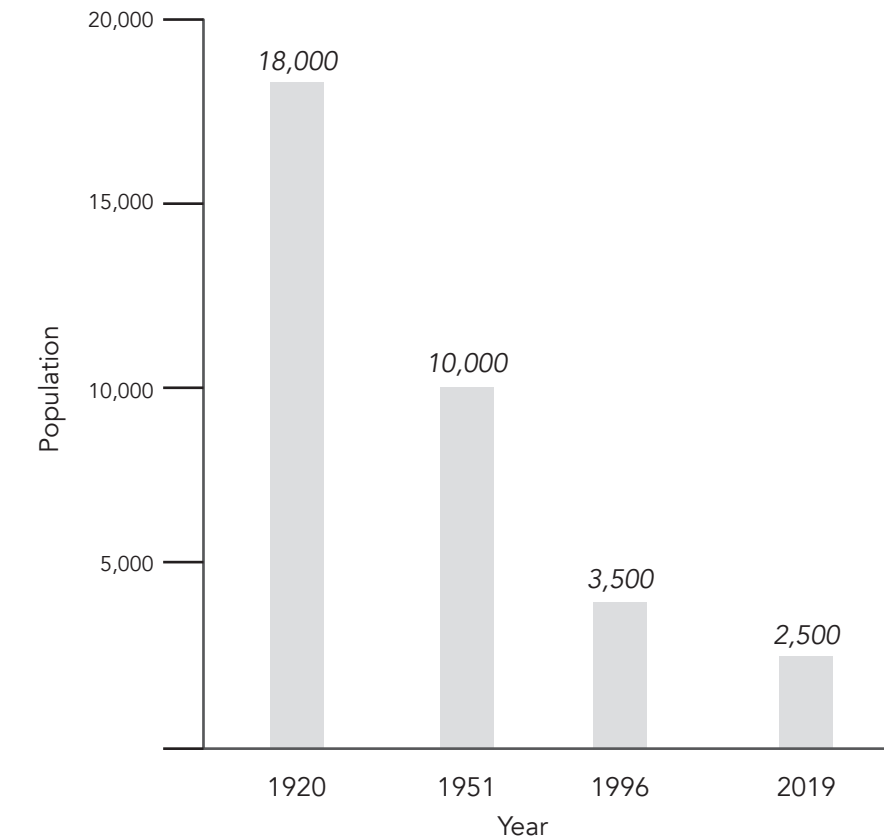
Armourdale Landuse Master Plan, May 1979



HISTORIC POPULATION DECLINE

The elevated level of vacancy in Armourdale's neighborhood core is at least partly the result of the district's decline in population during the latter half of the 20th Century. From its peak of 18,000 in the 1920's Armourdale's population fell to approximately 10,000 in 1951 then 3,500 in 1996³¹ and 2,500 today. While it is important to recognize that the district's undocumented population means this most recent number is likely an undercount, the district's loss of both residents and residential areas to urban renewal and population loss have had profound impacts on the residential, commercial, and community fabric.

Since the 1951 flood, Armourdale has not only lost nearly two-thirds of its population, it has also lost its major grocery store, many of its churches, one (1) of its elementary schools, its fast-pitch softball team, and numerous other formal and informal markers of social and civic life. Atypical for a mostly Latino neighborhood, Armourdale no longer has a Catholic church, and the clergy at Central United Methodist has for years offered Catholic services and ceremonies to serve the local residents.³²

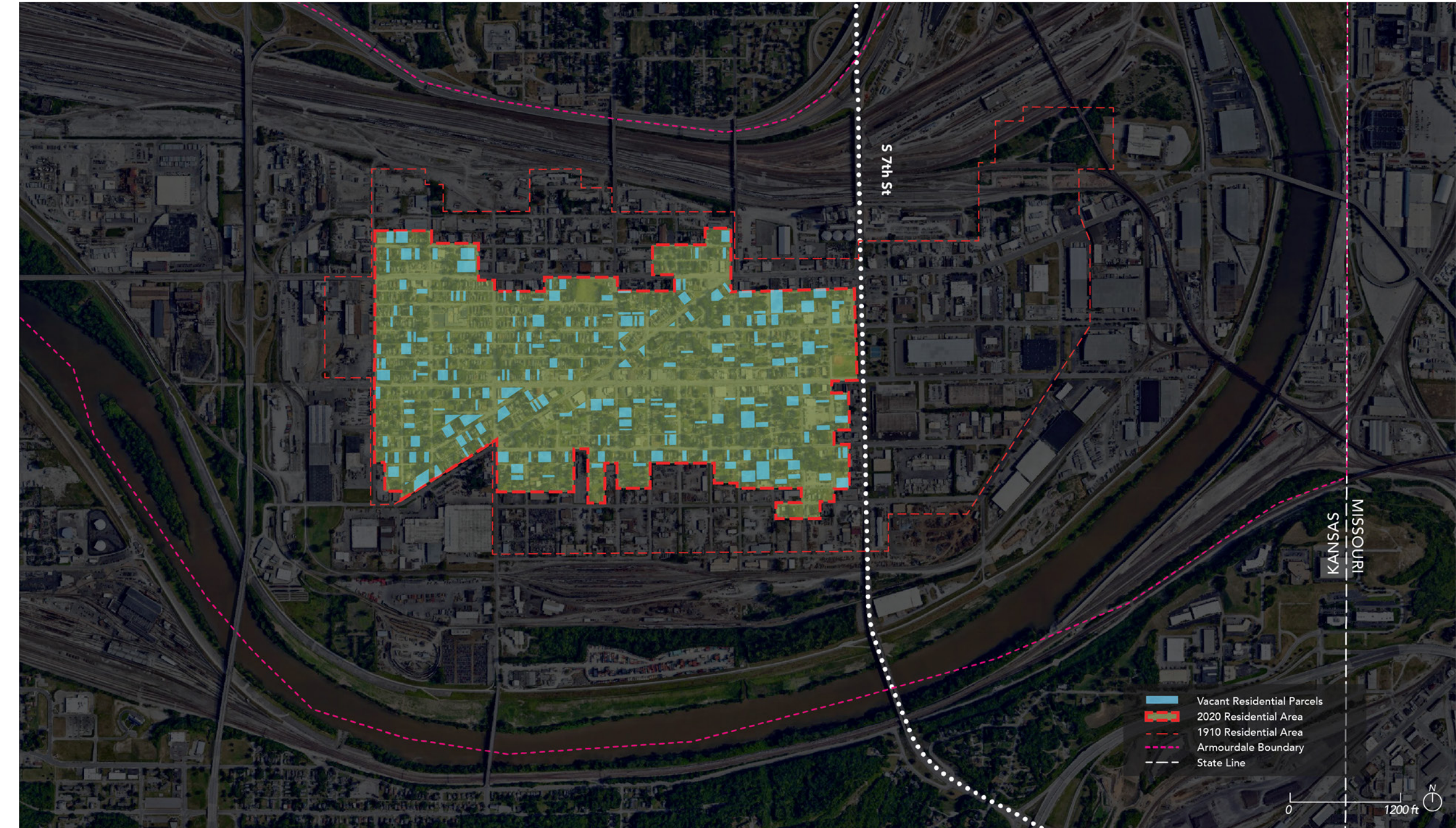


Decline in Armourdale Population, 1920-2020

Sources: Daniel Serda, "Planning, Community and Renewal: Harland Bartholomew Associates and the 1951 Armourdale Redevelopment Plan," p. 133; ACS 5-Year Community Survey 2019

Above: View at 14th and Pennsylvania, Looking North (PORT)

Opposite: Industrial, Commercial, Rail, and Residential Land Use (PORT)



COMMUNITY PROFILE

Armourdale is a residential community of more than 2,500 people³⁵ surrounded by a large industrial district that extends to the east side of the Kansas River. Since a large influx of Mexican immigrants began to arrive in 1910 and accelerated through the 1920's, the area has been a mixed neighborhood of white and Latino residents, although since the 1954 flood the neighborhood's population has steadily declined³⁶ while the proportion of Latino residents has steadily increased.

Armourdale has always been defined by the close proximity of its residences and the industrial areas served by the adjacent railroads and the Kansas City Stockyards. A 1919 report by the University of Kansas titled 'A City Within a City' summarized that the district's rapid growth and industrial character "offers people who come there to dwell a good place to work, but not a good place to live."³⁷

Homes were developed on narrow lots and had limited access to sewer or water connections.³⁸ The low assessed value of housing in Armourdale has persisted to this day – one of the most striking statistics is the median value of owner-occupied housing units. In Armourdale, the median value of owner-occupied houses is \$34,400, about one-third of the value for Wyandotte County³⁹ and less than one-sixth of the median value for the MSA as a whole.⁴⁰

Armourdale residents have significantly lower incomes and higher poverty rates, lower educational attainment and higher social vulnerability when compared to the Kansas City Metropolitan Statistical Area (MSA). The median household income in Armourdale is \$34,226,⁴¹ less than half of the \$70,215 median family income for the entire MSA.⁴² 26.9% of Armourdale residents, and 44% of children, are below the poverty line,⁴³ compared with 10% of residents and 15% of children in the MSA⁴⁴. More than half of Armourdale has less than a high school diploma, while only 14% have some college education or higher.⁴⁵ This is compared to 93% of residents in the MSA with a high school degree or higher, and 38% with a bachelor's degree or higher.

Armourdale is also home to a significant Latino community, which reflects the historical growth of the district as part of 'la colonia' – a loose amalgamation of Latino neighborhoods that were the epicenter of Mexican migration to the Kansas City metro area beginning in the 1910's. Today Armourdale is more than 70% Hispanic, with the remainder being White (24%) or of other races (5%).⁴⁶ 38% of the district is foreign-born⁴⁷ while more than half of households speak Spanish as their primary language at home.⁴⁸

54% LESS THAN HIGH SCHOOL DIPLOMA

29% HIGH SCHOOL DIPLOMA

14% SOME COLLEGE AND HIGHER

MEDIAN HOME VALUE

\$34,400

(for owner-occupied homes)

57% OWNED, 43% RENTED

MEDIAN HOUSEHOLD INCOME

\$34,226

49% OF AMI

TOTAL POP:

2,479

653/sq mile

71% HISPANIC

24% WHITE

5% OTHER

Source: U.S. Census Bureau, 2018

ARMOURDALE WORKFORCE

A key inquiry of the planning process was how the expansion of the industrial area has related to the employment of Armourdale residents. An analysis of census data by the Unified Government has shown that, by and large, people who work in Armourdale live elsewhere, and people who live in Armourdale work elsewhere.

According to the American Community Survey, the Armourdale district supports 8,213 jobs, 60% of which pay \$40,000 or more. More than half of these jobs are in Manufacturing (25.4%) and Transportation and Warehousing (29.5%) and they are by and large accessible to those workers with less than a Bachelor's degree (68% of workers have some college or an associate's degree.) However, only 13.6% of workers in Armourdale are Hispanic or Latino, and a miniscule 1.2%, 98 total workers, actually live in Armourdale.

The reverse picture is just as stark. According to the ACS, there are 992 employed people who live in Armourdale, yet all but 98 of them, more than 90%, work outside of the district. Those jobs pay less than jobs in Armourdale (75% earn less than \$40,000/year) and are split essentially evenly between Hispanic and non-Hispanic workers.

In short, of the more than 8,000 jobs in Armourdale, less than 100 are held by Armourdale residents. Although further analysis of community and workforce development issues is needed, creating more opportunities for Armourdale residents to work in Armourdale and Wyandotte County should be a goal of this planning effort.

Opposite: Keystone Automotive Industries in a Premier Investments Warehouse (PORT)

992 EMPLOYED PEOPLE WHO **LIVE** IN ARMOURDALE

25% EARN MORE THAN \$40,000/YR

48% HISPANIC OR LATINO

8,213 EMPLOYED PEOPLE WHO **WORK** IN ARMOURDALE

91% EARN MORE THAN \$40,000/YR

13% HISPANIC OR LATINO

98 PEOPLE WHO BOTH **LIVE** AND **WORK** IN ARMOURDALE

Source: U.S. Census Bureau, 2018



PUBLIC HEALTH ANALYSIS

A close examination of public health indicators by the Unified Government showed that Armourdale residents suffer worse health outcomes by almost every measure than both Kansas and the United States as a whole. These indicators point to both a lack of access to care and a broader picture that reinforces the effect of poverty and economic instability as a social determinant of health outcomes. Although this effort is still in its early stages, the Public Health Department's preliminary analysis points to access to quality care, access to health insurance, and the overall built environment and its safety concerns as some of the most important health issues facing Armourdale residents today.⁴⁹

Access to care is a challenge for almost all low-income communities across the country, but Armourdale's high proportion of Spanish-speakers, its undocumented and uninsured residents, and the relative inaccessibility of key health care providers all make access to care a particular challenge for residents. Residents often have more difficulty navigating the health care system, and access to advanced treatments for cancer and other complex conditions is often impossible to provide.⁵⁰ This lack of access to care is manifested in high rates of morbidity for diabetes (49.32 per 100,000) and kidney disease (41.1 per 100,000), which are one and a half (1.5) and two (2) times the respective death rates for those diseases for Wyandotte County. In the words of the UG Public Health Department, "these high rates point to mismanaged care where the patients were not receiving the care they needed or received it too late." The picture for dental care is similarly challenging. Adults over 65 with total teeth loss approached 29%, more than twice the rate of the United States and 1.5 times the rate of Wyandotte County, pointing to a high percentage of adults not receiving adequate dental care.⁵¹

3.4x

Higher Uninsured Rate for those 18+ Than United States

1.7x

Higher Uninsured Rate for those 18+ Than Wyandotte County

Although Armourdale currently has no health care clinics or doctor's offices, access to care is not solely limited to geographic proximity. The cultural appropriateness of care and ability to navigate the health care system are equally, if not more, important challenges for community organizers and health care professionals to tackle.⁵²

Access to adequate health insurance is also a major barrier for Armourdale residents. 41% of adult respondents reported having no current health insurance, almost double the rate of Wyandotte County (25%) and almost four (4) times the rate in the United States (12%.) Lack of health insurance can impact other health measures such as having an annual checkup or screenings. Almost all of the prevention measures, including cholesterol screening, mammography, cervical cancer screening, and blood pressure medication had low prevalence rates when compared to Kansas and the United States.⁵³

Finally, less acute, but still serious conditions like lack of sleep, obesity, physical inactivity and poor mental health are all higher in Armourdale than they are in Kansas or the United States. More than one-third of adults in Armourdale sleep less than 7 hours a night (37.1%), 44% of adults reported that they did no physical activity outside of work in the past month, and 16% of adults reported 14 days per month that their mental health was not good.⁵⁴ Obesity rates were also high (44%) albeit closer to the Wyandotte County average of 41%. These many overlapping health concerns including lack of sleep, lack of physical activity, and obesity and diabetes risk point to the detrimental effects of poverty, pollution, and an unsafe built environment have on mental and physical health in Armourdale.

1.8x

Higher Diabetes Prevalence than Wyandotte County

3.6x

Higher Motor Vehicle Accident Death Rate Than Wyandotte County

ARMOURDALE

STRONG FUERTE

4. A Future for Armourdale

Table of Contents *(Click Below for PDF Hyperlinks)*

A Century of Disinvestment	70
Armourdale Endures	71
Armourdale Strong / Fuerte	72
A Vision for Armourdale	74
Five Focus Areas	76
Focus Area 1: The Neighborhood Core	78
Focus Area 2: Commercial Corridors	106
Focus Area 3: The Industrial Ring	150
Focus Area 4: The Kansas River	168
Focus Area 5: The Historic West Bottoms	182
Implementation Matrix	196

A CENTURY OF DISINVESTMENT

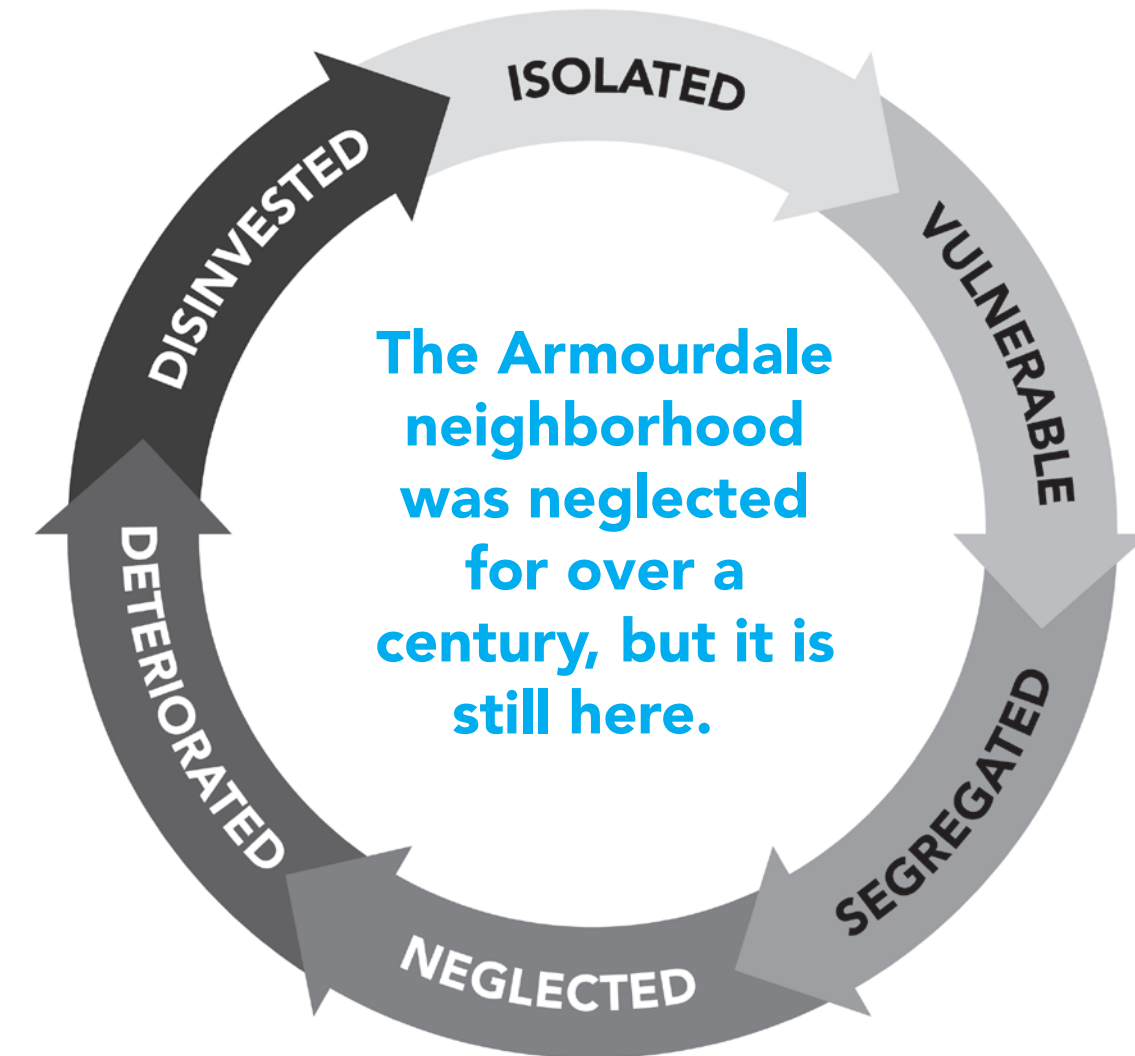
Armourdale must be understood through the lens of the forces that shaped it. Those forces have geological, hydrological, economic, social, racial, and ecological roots. Only by understanding those forces can we construct a more equitable and prosperous future for Armourdale.

First and foremost, Armourdale has been **ISOLATED** from the rest of Kansas City by the Kansas River, rail yards, freeways, as well as industrial areas that grew up around them. Because of its position in the floodplain of the Kansas River, Armourdale has been **VULNERABLE** to flooding since it was first platted in the late 1800's.

This vulnerability and the migration of large numbers of Mexican immigrants to the neighborhood beginning in the 1910's led to the **SEGREGATION** of the neighborhood, first within itself by the informal but enforced division of the district into white and Latino sections and then later as an entire neighborhood by the enforcement of redlining and discriminatory lending practices.

The redlining practices after the Second World War, coupled with repeated flood events in the early part of the 20th Century, led to Armourdale's infrastructure and public resources being increasingly **NEGLECTED** or converted to serve a growing industrial district. Existing resources like the storm sewer system **DETERIORATED**, and investments in the levee system, while protecting the neighborhood from catastrophic flooding, did little to improve the day to day lives of residents.

These forces combined to produce decades of **DISINVESTMENT** in Armourdale's residential areas and a rise in the economic vulnerability of its residents.

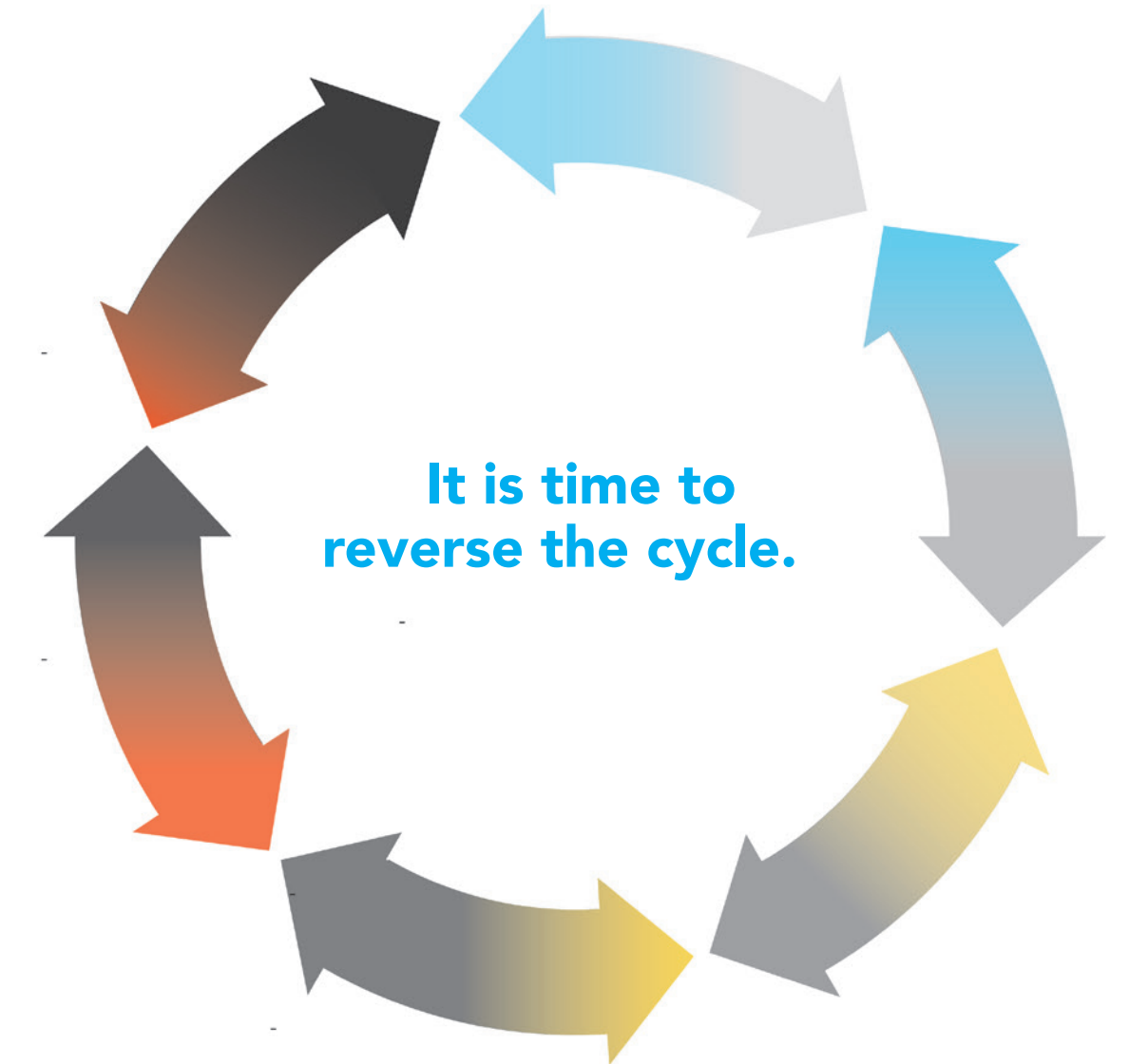


ARMOURDALE ENDURES

Armourdale has endured this cycle of disinvestment for over a century. For the last 70 years, Armourdale further persisted under the looming possibility that one day the entire residential neighborhood would be erased—not by flood, but by government decree.

This is the first Master Plan for Armourdale since 1979.

Armourdale is not destined to endlessly repeat the cycles of isolation and disinvestment that have defined its history until now. Armourdale now deserves the investment, equity and stability that has been withheld from it for over 100 years. This Master Plan is meant to empower the Armourdale Community and the Unified Government to create a healthier, more prosperous, and more equitable Armourdale.



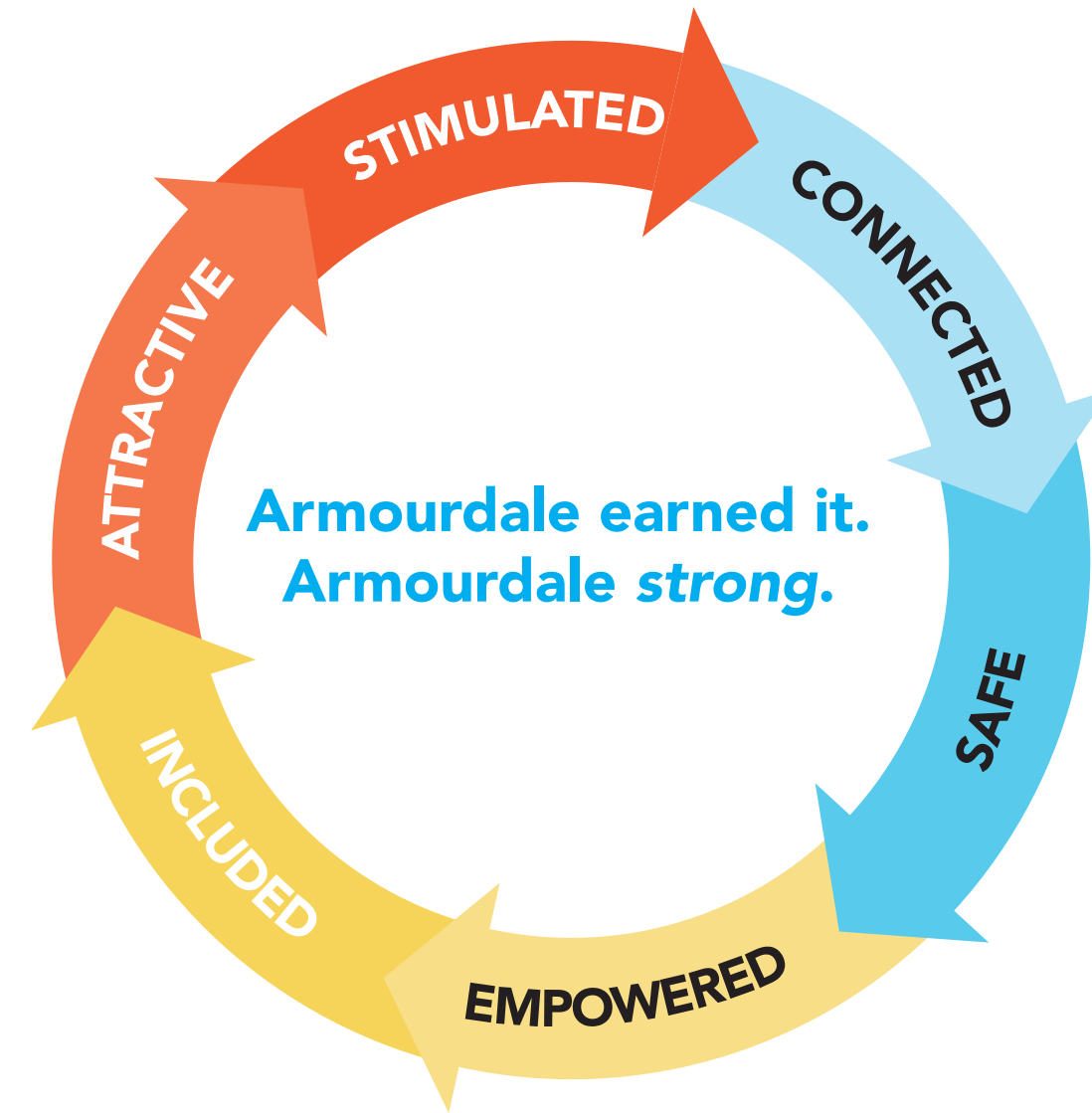
ARMOURDALE STRONG / FUERTE

Armourdale must become more **CONNECTED** to the rest of Kansas City and to the Kansas River, overcoming the historical, physical and psychological challenges caused by infrastructural and social isolation. Armourdale must become more **SAFE** to ensure the stability and long-term health of its residents.

The Armourdale community must become **EMPOWERED** to advocate for what it needs to the Unified Government, and to continuously organize itself to make sure it has access to those resources and investments.

This is not, however, just the responsibility of Armourdale residents. The Unified Government must ensure that Armourdale residents and community leaders are **INCLUDED** and that their interests are represented fully when major decisions that impact the future of the district are made.

These principles must be directed toward supporting investments that make Armourdale a more **ATTRACTIVE** home for current and future residents by improving their quality of life and the physical condition of the public realm and public resources. Taken together, these efforts will lead to a **STIMULATED** and dynamic future for the Armourdale area.



Armourdale deserves the resources and investment it has been historically denied.

The future is *Armourdale Strong*.

ARMOURDALE

STRONG FUERTE

A VISION FOR ARMOURDALE: ARMOURDALE STRONG / FUERTE

The neighborhood core of Armourdale has been underserved and under represented for decades despite the fact that it has persisted even after years of flooding, disinvestment, urban renewal, and displacement.

The goals of this Master Plan are to protect the existing residential fabric of Armourdale, improve the quality of life for Armourdale residents, and open up more opportunities for people to live in Armourdale.

The vision for Armourdale's future is *Armourdale Strong*.

A Stronger Community: The Master Plan prioritizes neighborhood-focused strategies for strengthening the Armourdale community for those that live in Armourdale, or will in the future. These strategies range from new housing, rent assistance, and job training, to community policing and after school programs.

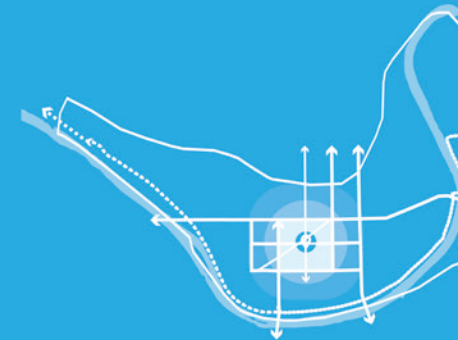
Stronger Connections: By focusing on the street corridors that serve the Armourdale neighborhood and connect it to Kansas City and beyond, the Master Plan aims to expand business opportunities along each corridor, create dense community-focused development that is walkable and scaled appropriately to the neighborhood, and increase the amount, quality, and performance of public space along each corridor.

Stronger Opportunities: Reversing the cycle of disinvestment begins with action! When the first new policy is adopted; when the first initiative is launched; or when the first shovel breaks ground--*action* will unlock new opportunities and a stronger Armourdale.

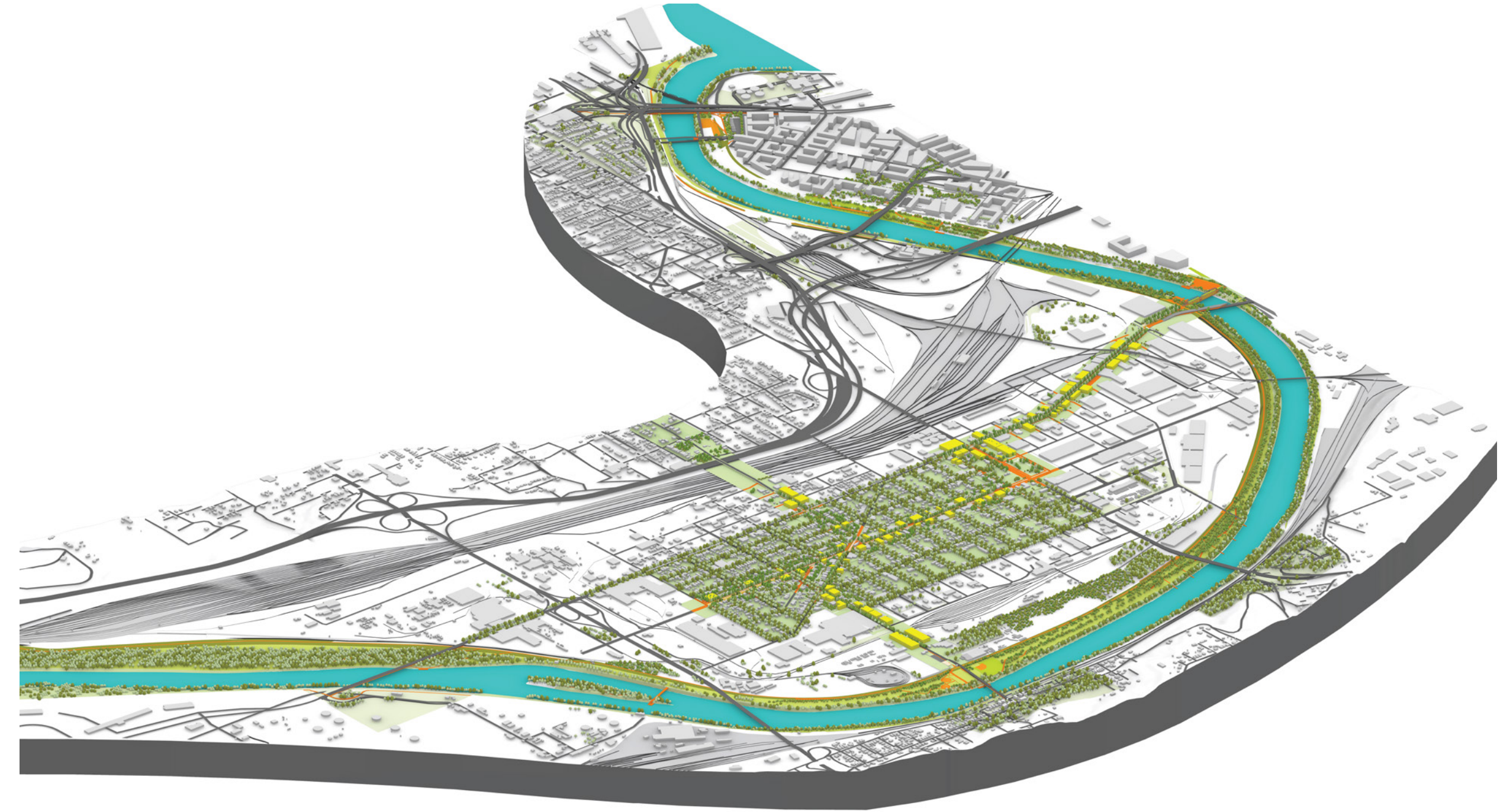
STRONGER COMMUNITY



STRONGER CONNECTIONS



STRONGER OPPORTUNITIES



FIVE FOCUS AREAS

The strategies and actions outlined in the Armourdale Area Master Plan are centered upon five (5) primary focus areas:

The Neighborhood Core:

Strategies and actions to direct resources - financial resources, human capital resources, and municipal resources - to serving the Armourdale community.

The Commercial Corridors:

Strategies and actions to direct investment and improvements along three (3) principal commercial corridors that form the community identity and future prosperity: 7th Street, Osage Avenue and Kansas Avenue.

The Industrial Ring:

Strategies and actions to guide the Industrial Ring become a net contributor to Armourdale's economic, environmental and social health as well as a site for the incubation of smaller, locally-owned businesses.

The Kansas River:

Strategies and actions to open up new opportunities for residents and visitors to enjoy the Kansas River as an everyday community resource.

The Historic West Bottoms:

Strategies and potential scenarios for redeveloping the Historic West Bottoms as a mixed-use district centered on the restored Kansas River.

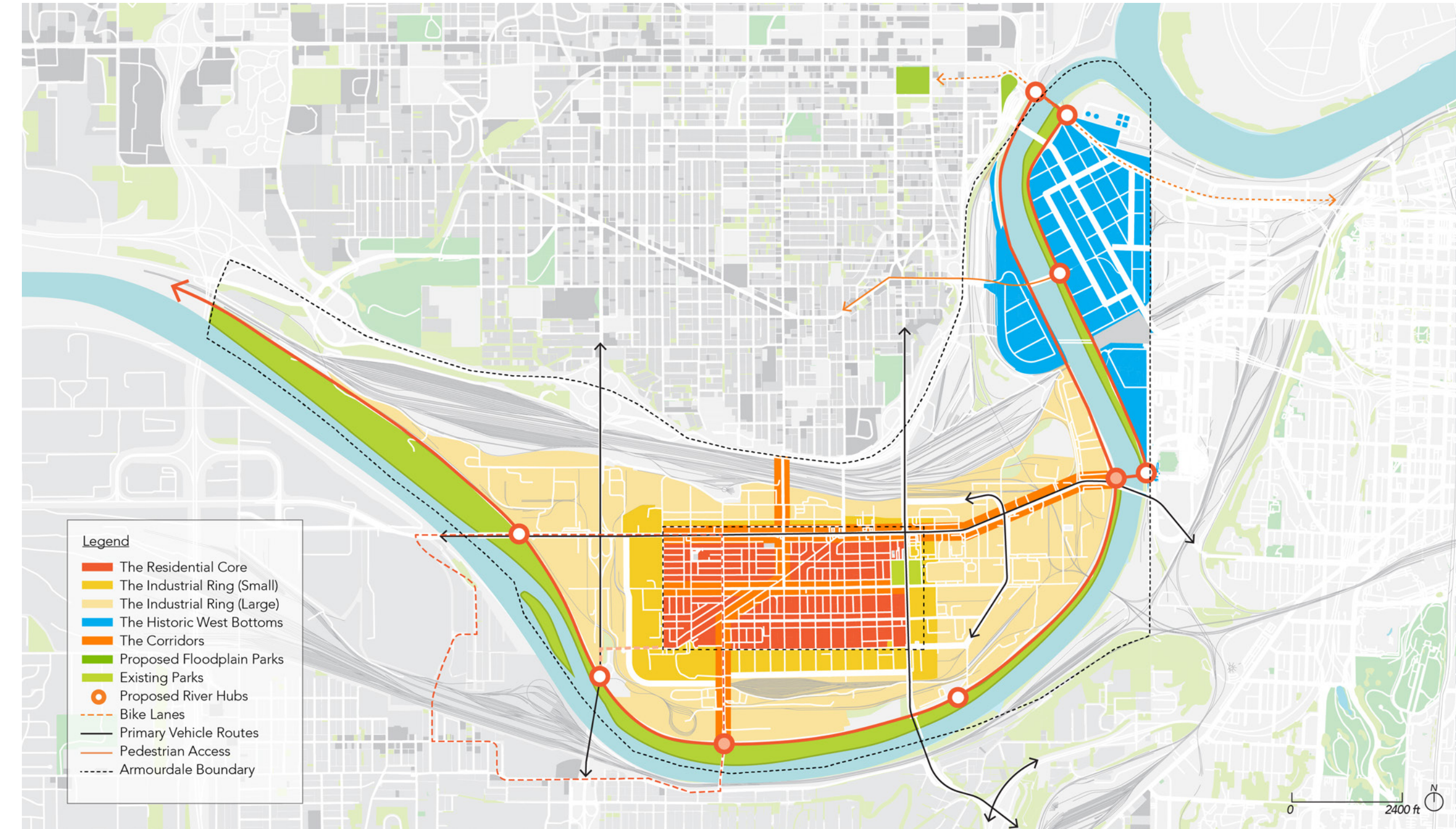
FOCUS AREA 1: THE NEIGHBORHOOD CORE

FOCUS AREA 2: THE COMMERCIAL CORRIDORS

FOCUS AREA 3: THE INDUSTRIAL RING

FOCUS AREA 4: THE KANSAS RIVER

FOCUS AREA 5: THE HISTORIC WEST BOTTOMS



FOCUS AREA 1: THE NEIGHBORHOOD CORE

The residential core of Armourdale is an area of primarily one-story single family homes that extends over approximately 350-acres between Kansas Avenue and Cheyenne Avenue on the north and south and 14th Street and 7th Street on the west and east. The area is served by a single school, John Fiske Elementary, Morse Early Childhood Education Center and two (2) public parks: Bill Clem Park at 10th Street and Shawnee Park on 7th Street.

Homes in Armourdale are generally on narrow and deep lots that reflect the original platting of the neighborhood in the 1870's, when the residential areas encompassed almost the entire Armourdale district. Since successive floods in the first half of the 20th Century decimated the neighborhood, there has been little widespread or systematic reinvestment or rehabilitation of the housing stock, and as a result the district as a whole has a wide range of levels of repair to its homes.

In summary, the neighborhood core of Armourdale has been underserved and under represented for decades, despite the fact that it has persisted even after years of flooding, disinvestment, urban renewal, and displacement. The resilience of the Armourdale community in spite of these challenges should be celebrated, and these recommendations should all be understood as directing resources - financial resources, human capital resources, and municipal resources - to serving the community that already exists and that will be there in the future.



Above: Houses and Apartment Buildings on Argentine Boulevard (Austin Eikermann)

Below: A House in the Armourdale Neighborhood Core (Austin Eikermann)



NEIGHBORHOOD CORE OVERVIEW: CURRENT CONDITIONS

The physical infrastructure and condition of the neighborhoods has similarly degraded. In some places, sidewalks remain covered by silt or topsoil. Because of the shallow grade across the district and the susceptibility of the storm sewer to back up, flooding across the district has become an ongoing problem even during moderate storm events. Even simple municipal services like street lighting are not always provided adequately, increasing a sense of physical insecurity and contributing to a community-wide perception of being a low priority for basic services.³³ This low level of service, as well as the district's position surrounded by industry, has likely contributed to the low value of owner-occupied housing here, and the relative lack of investment in rental properties by property owners.

These relatively low property values have reduced the barrier to entry for new populations, especially recent immigrants from Latin America. These immigrants are often looking to purchase property for their home or business, but with little personal equity and few financial services available to them, are often attracted to areas like Armourdale where they can buy homes or businesses with a modest upfront investment.³⁴ Anecdotally, many of the small businesses along Kansas Avenue and Osage Avenue are owned by these recent immigrants, who were attracted to Armourdale because of its existing Latino population, but more interested in buying in Armourdale than they were in Argentine or the west side of Kansas City, MO because of the low cost of land and low cost of living.



Above Top: Neglected Public Sidewalks (PORT)

Above Bottom: New Public Sidewalks (PORT)

Opposite: Assorted Houses in the Neighborhood Core (PORT)

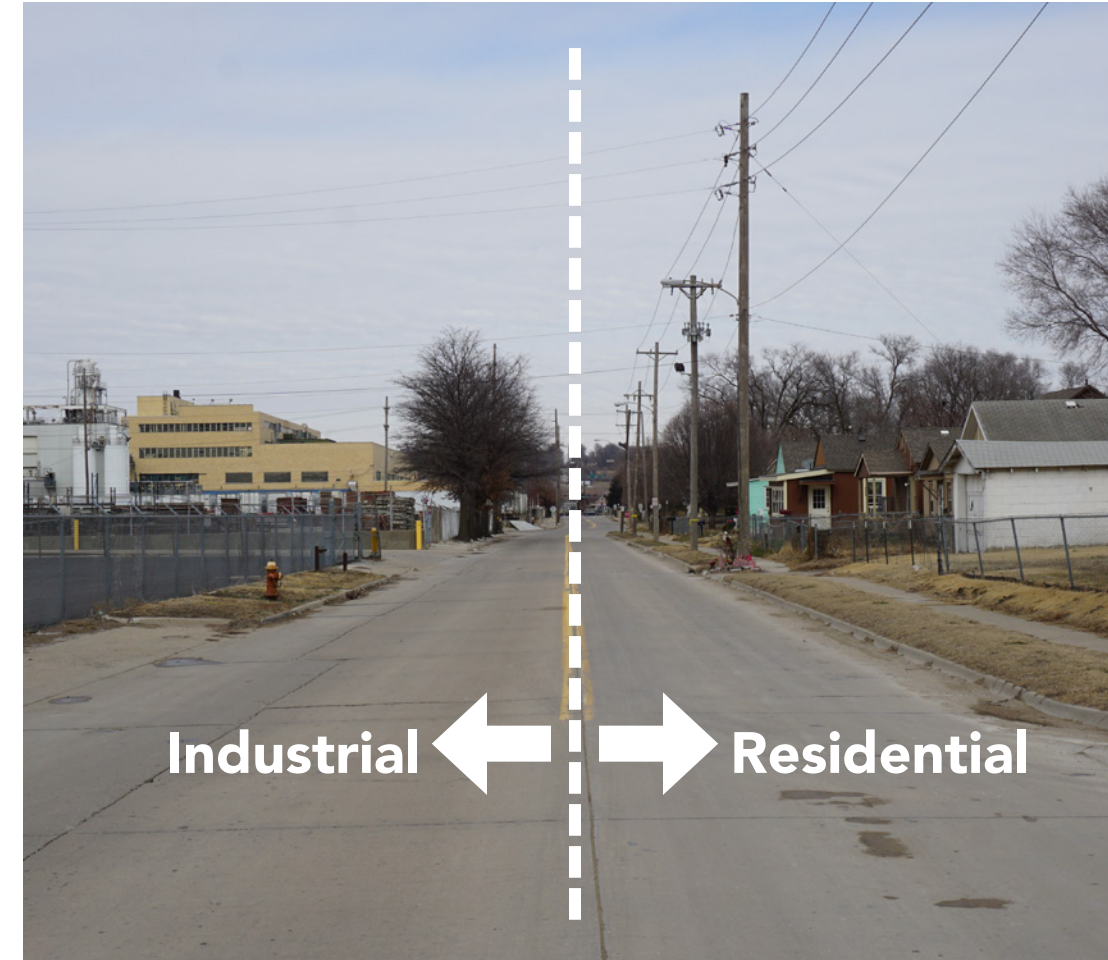


NEIGHBORHOOD CORE OVERVIEW: INDUSTRIAL ADJACENCY

The Armourdale neighborhood core is most characterized by its proximity between industrial areas and the historic low-density residential fabric. This residential fabric is predominantly one-story bungalows, many built between 1910 and 1940,⁵⁵ bounded between 7th and 14th streets on the east and west, and Kansas Avenue and Cheyenne Avenue on the north and south. This industrial encroachment of the residential neighborhood is most present north of Kansas Ave and south of Cheyenne Avenue.

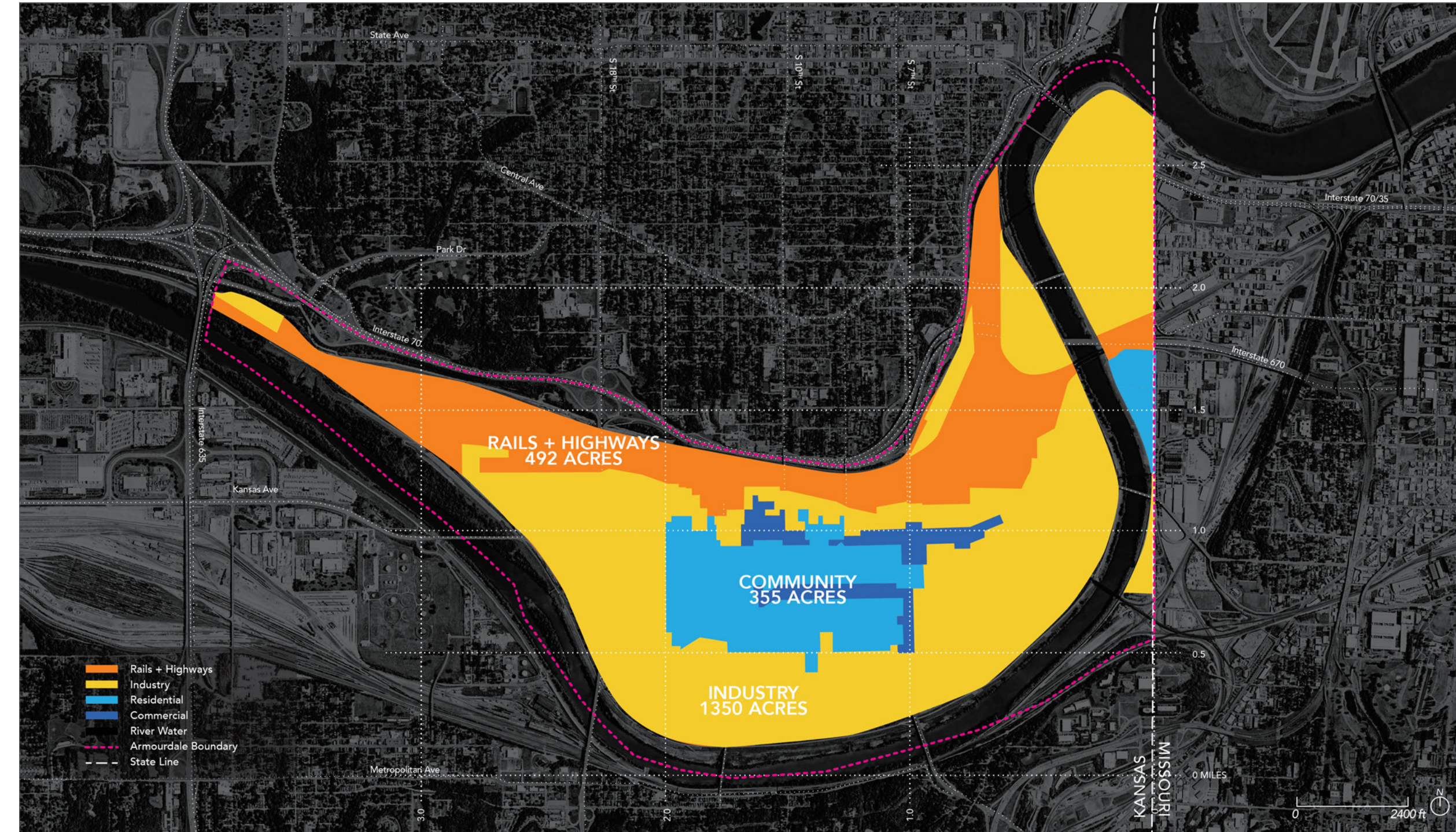
Kansas Avenue and Osage Avenue are commercial corridors with small-scale restaurants and retail businesses. Outside of these areas, the residential fabric gives way to low-density light industrial parcels and a few manufacturing facilities.

This hybrid residential-industrial character of the district is unique within Wyandotte County and to a broader extent within the larger Kansas City metro area, and demands an approach to district planning that hybridizes best practices for residential and industrial development and clarifies the relationship between the industrial and residential areas within the district.



Above: View at 14th and Pennsylvania, Looking North (PORT)

Opposite: Industrial, Commercial, Rail, and Residential Land Use (PORT)



NEIGHBORHOOD CORE OVERVIEW: COMMUNITY ASSETS

Community-based organizations like the Armourdale Renewal Association (ARA) and Cross-Lines play a major role in the civic life of the community. The ARA and its Executive Director Monica Mendez have made great strides organizing the local community and connecting them with resources in the Unified Government. Not only have they been instrumental in organizing and facilitating this planning effort, they also coordinate numerous programs to connect people with the resources they need throughout Armourdale and foster stronger connections between residents and the Armourdale business community.

For more than 60 years, Cross-Lines has played a major role in supporting the Armourdale community. Cross-Lines' work is focused on two (2) primary programs. The first is its hunger relief program. Cross-Lines serves about 60,000 meals every year out of their kitchen, including staff lunches for people on their way to work, and operates a food pantry. Second, they work closely with the local unhoused population to move as many people experiencing homelessness into stable housing as possible. Although about 25% of the people that take advantage of their meals program are experiencing homelessness, the remainder are people who are simply experiencing food insecurity who live in Armourdale or elsewhere in the area.⁵⁶

Beyond these formal organizations, there is a strong informal group of highly committed local organizers and informal networks that do everything from staffing the Cross-Lines community kitchen to find contractors to improve the homes of local residents.⁵⁷ These networks often include Armourdale residents, employees at Armourdale businesses, or highly engaged local church leaders like Pastor Gary Roellchen of Central United Methodist Church.

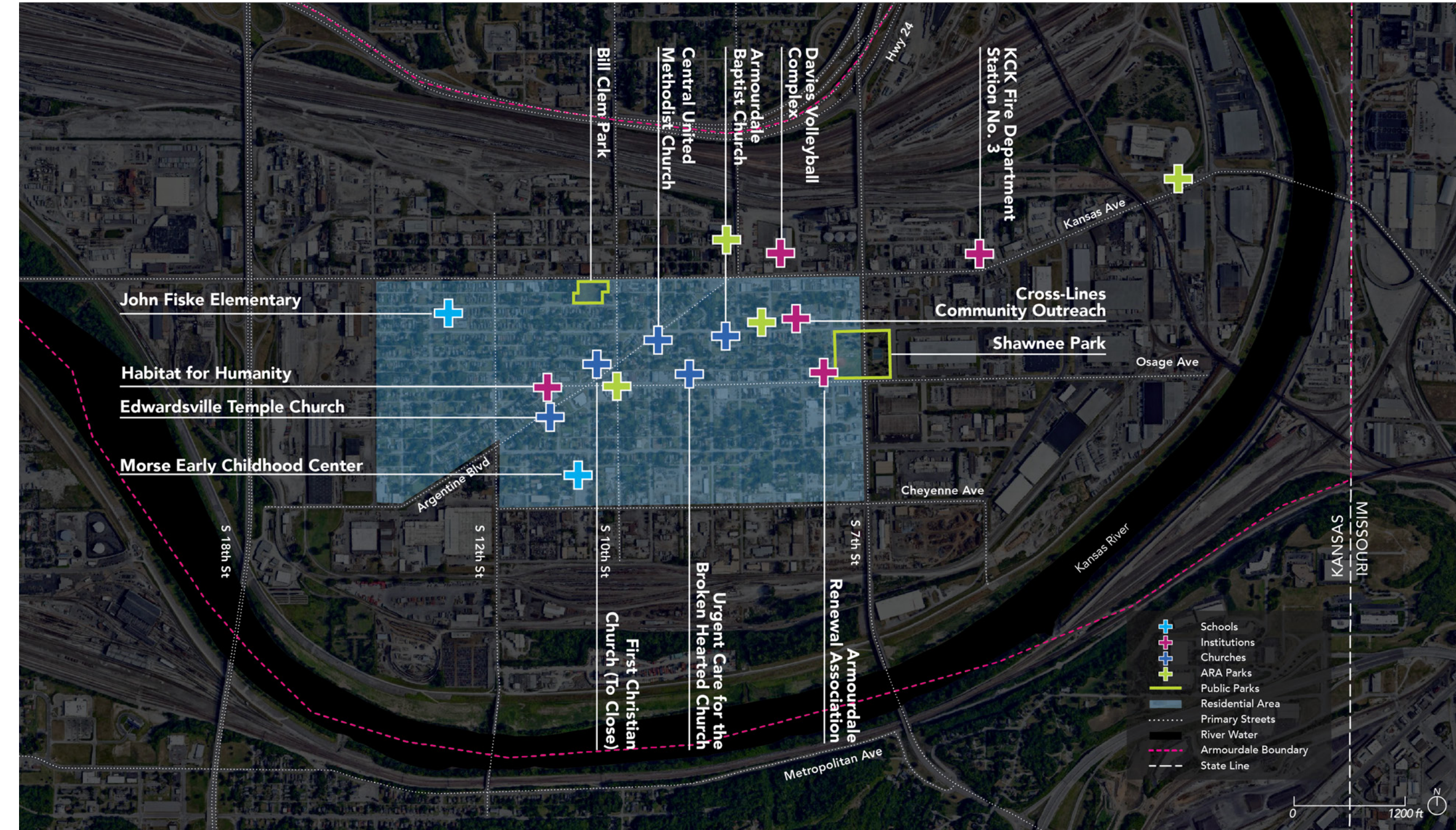
There are also numerous programs like Armourdale Rock, where local artist Jose Faus works with neighborhood kids to paint murals in (Armourdale Rock was responsible for the mural at 10th and Osage Avenue (pictured below)).⁵⁸

The Armourdale Renewal Association owns and was responsible for improving two (2) small parks in the district. The community center was, until the COVID-19 pandemic, a well-used resource, and the tutoring program is an opportunity for students and parents to come together.⁵⁹ Finally, community events like the fast pitch softball league, which periodically takes over Shawnee Park in the summer months, the Cross-Lines community barbeque and Cinco de Mayo routinely draw large crowds.⁶⁰ In fact, the community outreach survey consistently showed that Armourdale residents saw their neighbors, families, and the Armourdale community as the most important part of life in the Armourdale neighborhood.



Above: Mural at 10th Street and Osage Avenue Painted by Neighborhood Youth Led by Artist Jose Faus (Austin Eikermann)

Opposite: Civic Asset Map (PORT)



NEIGHBORHOOD CORE OVERVIEW: RECREATIONAL AMENITIES

Shawnee Park is an approximately 7.5 acre park at the intersection of 7th Street and Osage Avenue. It appears in the original platting of Armourdale from 1879 completed by Charles Francis Adams and Charles Morse, and was principally conceived as central town square or common, one of the hallmarks of town plans developed by Eastern-based planning consultants that were also implemented in places like Lawrence and Quindaro. Features were continuously added beginning in the 1890's with the bandstand and later supplemented by landscape features like paved promenades.⁶¹ These features can still be seen in the design of the park on the eastern side of 7th Street.

Historically, Shawnee Park has been one of the homes of the fast-pitch softball league that has such a rich history in the Armourdale, Argentine, and wider Mexican-American community in eastern Kansas. The softball field that occupies the southwest corner of the park is heavily used for games, and the park plays a central role in community life during these events.⁶² The park also includes a basketball court on the west side, a small veterans monument and a newly renovated playground.

The park is split in two by 7th Street, which in this location is a major arterial street with almost constant truck traffic from the numerous industrial parcels to the east, north, and west. Until the expansion of 7th Street and the construction of the 7th Street viaduct, Shawnee Park had been contiguous. The bisecting of the park by 7th street has effectively transformed the large contiguous central green into two (2) smaller parks. The amount of traffic on 7th Street further reinforces this physical and psychological divide, making pedestrian crossing between the two parks undesirable and unsafe.



Above: Shawnee Park Baseball Field (PORT)

Below: Unified Government 2021 Earth Day Clean-up Event at Shawnee Park (PORT)

Bill Clem Park

Bill Clem Park is a 1.75 acre neighborhood park that spans between Kansas and Custer Avenues near 10th Street. It has been recently renovated, with new playground equipment and picnic pavilions installed in 2019. The park is defined by a one-acre field at its center.. The park has been the site of some very successful programming by the Unified Government Parks Department, including a successful Movie in the Park night, which has activated the park that is otherwise only intermittently used. It has, however, had an established perception in the community of a lack of safety, especially at night. Although it is not clear how widespread this perception is and what could be done to address it, it has been articulated enough times and through enough different channels during this planning process that it deserves future study.

Dailey Park

Dailey Park is a secluded neighborhood park at the corner of S. Mill Street and Scott Street just west of the 10th Street Bridge. It includes park signage, benches, picnic tables and playground. The property is owned and maintained by the Armourdale Renewal Association.

Jed Jaedicke Memorial Park

Jed Jaedicke Memorial Park is a triangular parcel bound by Argentine Boulevard, Boeckle Street and Shawnee Avenue. The park consists mostly an open grass lawn area, but also has a small seating area with two (2) benches and a plaque memorial dedicated to Jed Jaedicke. The property is owned and maintained by the Armourdale Renewal Association.

Armourdale Gateway

The Armourdale Gateway is lawn and signage area located at the eastern end of Kansas Avenue featuring an illuminated stone gateway sign welcoming visitors to Kansas City, Kansas and the Armourdale Community.



Top: Shelters and Playground at Bill Clem Park (PORT)

Middle: Dailey Park (PORT) and Jed Jaedicke Park (Austin Eikermann)

Bottom: Armourdale Gateway (PORT)

NEIGHBORHOOD CORE POLICIES AND ACTIONABLE STRATEGIES

The goals of this Master Plan are to protect the existing residential fabric of Armourdale, improve the quality of life for Armourdale residents, and open up more opportunities for people to live in Armourdale.

To achieve these goals, this Master Plan adopts two (2) policies and proposes 14 actionable strategies for the Neighborhood Core of Armourdale.

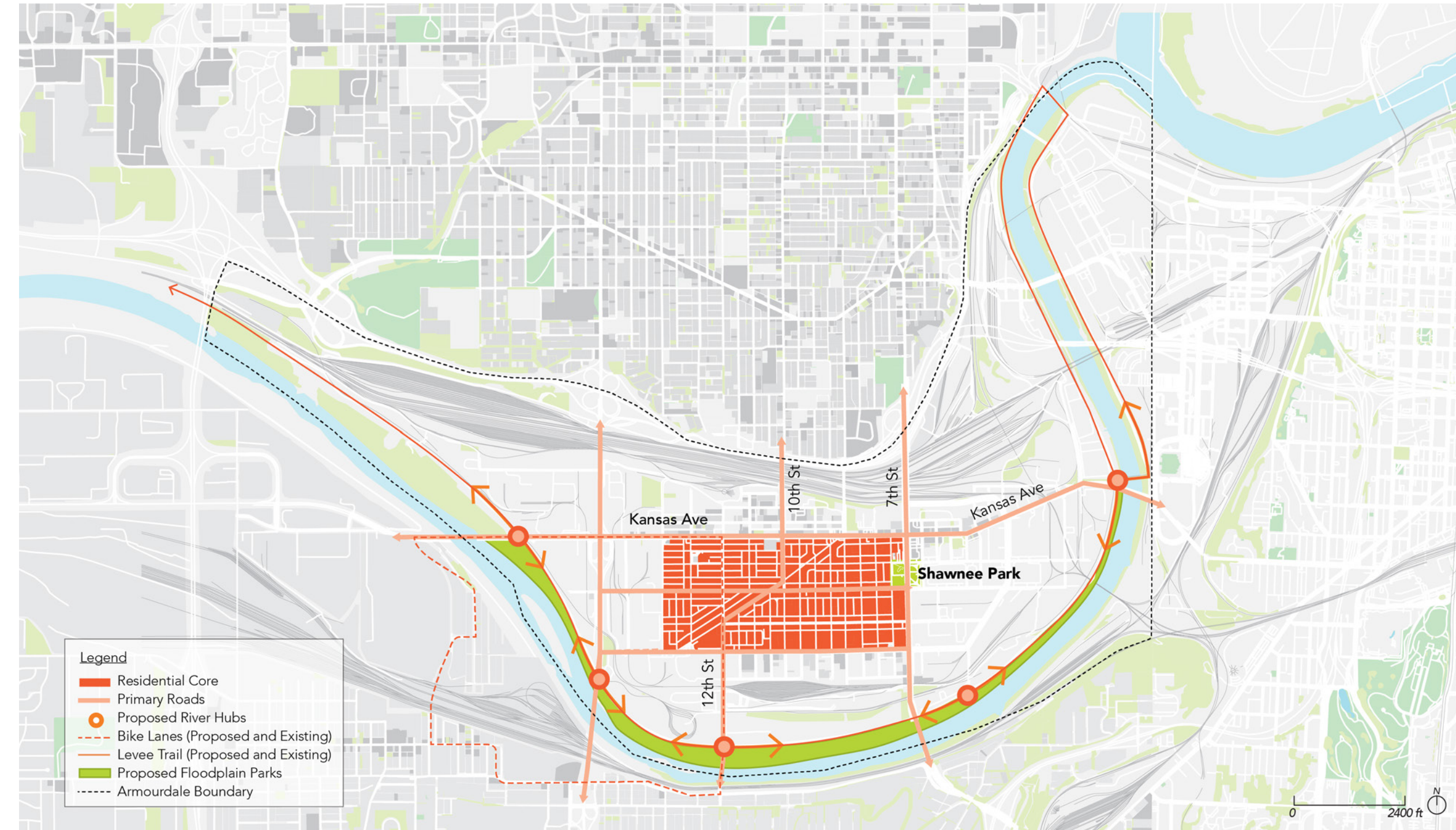
Neighborhood Core Policies:

Policy 1: The area of Armourdale between Kansas Avenue on the north, Cheyenne Avenue on the south, 7th Street on the East and 14th Street on the West should remain a residential neighborhood with neighborhood-scale commercial uses within it. There has always been an unproductive ambiguity about the future of the residential areas of Armourdale, and this policy should clarify that Armourdale should remain a residential neighborhood in the future.

Policy 2: The industrial uses within the Neighborhood Core should be phased out, to be replaced by quality, affordable housing. Based on the 1979 Master Plan these uses should never have been approved in the first place, and represent an ad-hoc and arbitrary approach to planning that stemmed from the ambiguity about the neighborhood's future. These industrial uses, many of which are surrounded on all four (4) sides by residences, detract from the value of resident's homes and the community character of the Neighborhood Core, and should be redeveloped as housing or community facilities.

Neighborhood Core Strategies

- Strategy 1:** Build New Infill Housing On Vacant Neighborhood Lots
- Strategy 2:** Convert Underutilized Industrial Sites Adjacent To The Neighborhood Core To New Housing Developments
- Strategy 3:** Implement Housing First Projects
- Strategy 4:** Expand Access To Fresh Food
- Strategy 5:** Increase Capacity of Armourdale Community-Based Organizations
- Strategy 6:** Increase Rental Assistance For Armourdale Residents
- Strategy 7:** Expand Access To Legal Aid And Other Tenant Services
- Strategy 8:** Pursue Code Inspection And Enforcement For Rental Properties
- Strategy 9:** Increase Community Policing Resources
- Strategy 10:** Expand Access To Quality Health Care
- Strategy 11:** Increase Armourdale Tree Canopy
- Strategy 12:** Sidewalk Installation And Repair
- Strategy 13:** Expand Youth Programming And After-School Activities
- Strategy 14:** Establish A Community Mural Program



STRATEGY 1:
**BUILD NEW INFILL HOUSING ON
VACANT NEIGHBORHOOD LOTS**

Goal: Increase opportunities for homeownership in Armourdale.

Context: Armourdale has a high vacant property rate. Recently more people have been moving to Armourdale for its affordability.

Site: Vacant or underutilized residential parcels in the Neighborhood Core.

Actions: The UG can transfer landbanked, vacant, and/or abandoned Armourdale neighborhood parcels to home builders or buyers. Further, the UG can study the consolidation of adjacent vacant parcels to support larger multi-family housing development projects.

Potential Partners:

The Armourdale Renewal Association can develop a list of potential home buyers and builders with community ties.

Cross-Lines Community Partners is the newest lead organization for the UG's Community Health Improvement Plan "Safe and Affordable Housing" sub-committee.

Habitat for Humanity should facilitate building single family homes on multiple lots.

The Unified Government SOAR Program and land bank should be able to rehabilitate existing homes and help Armourdale residents improve their own homes.

Funding: FHA loans and other first-time homebuyer incentives from the federal government should be targeted toward Armourdale residents.

Timeframe:

Year 1: Develop initial process for identifying eligible properties, recruitment of potential homebuyers and transfer of lots.

Year 2: Roll-out program more widely, develop contract with implementing agency.

Target: Ensure 80% of total industrial acreage within the neighborhood core is converted to residential use by 2031.

Priority:



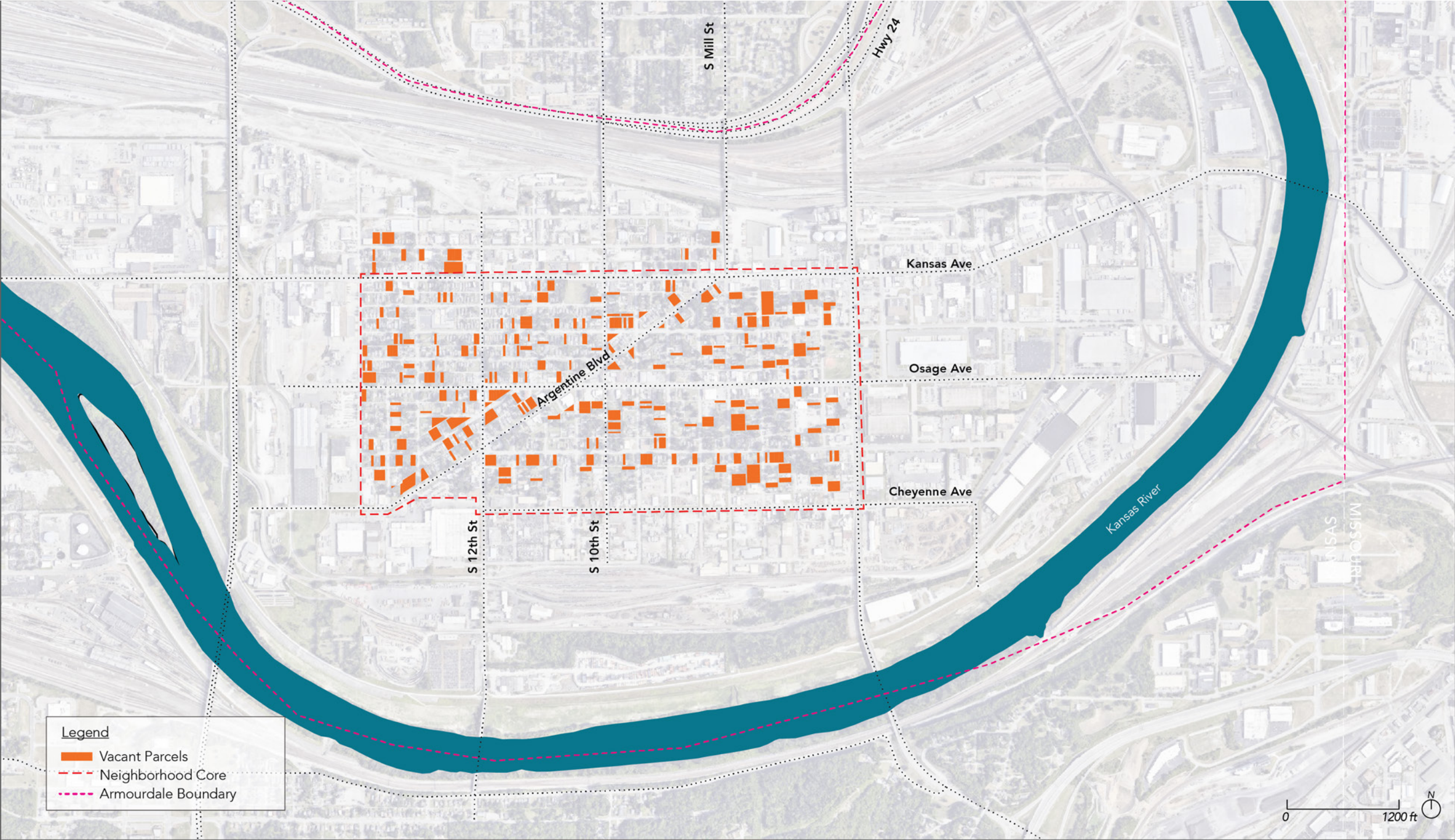
Cost:



STRATEGY EXAMPLE
**CONGO STREET INITIATIVE
DALLAS, TX**

A local community design center led a participatory design process to improve a block of privately owned homes. Funded in part by the local real estate council, the Congo Street Initiative (**ABOVE**) was a model for how to support a community through building new housing while keeping them in place in temporary housing on the same block while their homes were reconstructed. Design and construction quality were both high priorities for the program. This program also partnered with University of Texas Architecture students to both design and build the houses.

Opposite: Neighborhood Core Vacant Residential Parcels Map (PORT)



STRATEGY 2:
CONVERT UNDERUTILIZED
INDUSTRIAL SITES ADJACENT TO
THE NEIGHBORHOOD CORE TO NEW
HOUSING DEVELOPMENTS

Goal: Increase the amount of quality affordable housing in Armourdale.

Context: Armourdale has both a high homeless population and a number of underutilized industrial parcels wholly contained within the neighborhood core that were formerly residential parcels.

Site: Underutilized industrial parcels in the Neighborhood Core.

Actions: With increased capacity (Strategy 4) and UG support, The Armourdale Renewal Association, other community partners, and Habitat for Humanity, for instance, assess ownership and use(s) of underutilized industrial parcels adjacent to the neighborhood core to create a prioritized list of potential development sites. Facilitate acquisition of parcels with development partners.

Potential Partners:

The Armourdale Renewal Association can develop a list of potential home buyers and builders with community ties.

Habitat for Humanity can facilitate partnerships with developers and builders for affordable housing developments.

Cross-Lines Community Partners is the newest lead organization for the UG's Community Health Improvement Plan "Safe and Affordable Housing" sub-committee.

Livable Neighborhoods Task Force is Non-profit organization formed to develop strategies for building better neighborhoods.

Funding: Low Income Housing Tax Credits; Philanthropic Partners; Housing First Subsidies.

Timeframe:

Year 1: Develop initial process for recruitment of implementation partners and transfer of property. Conduct feasibility study for high-priority sites.

Year 2+: Roll-out program more widely and build on momentum of completed projects.

Target: Ensure 80% of total industrial acreage within the neighborhood core is converted to residential use by 2031.

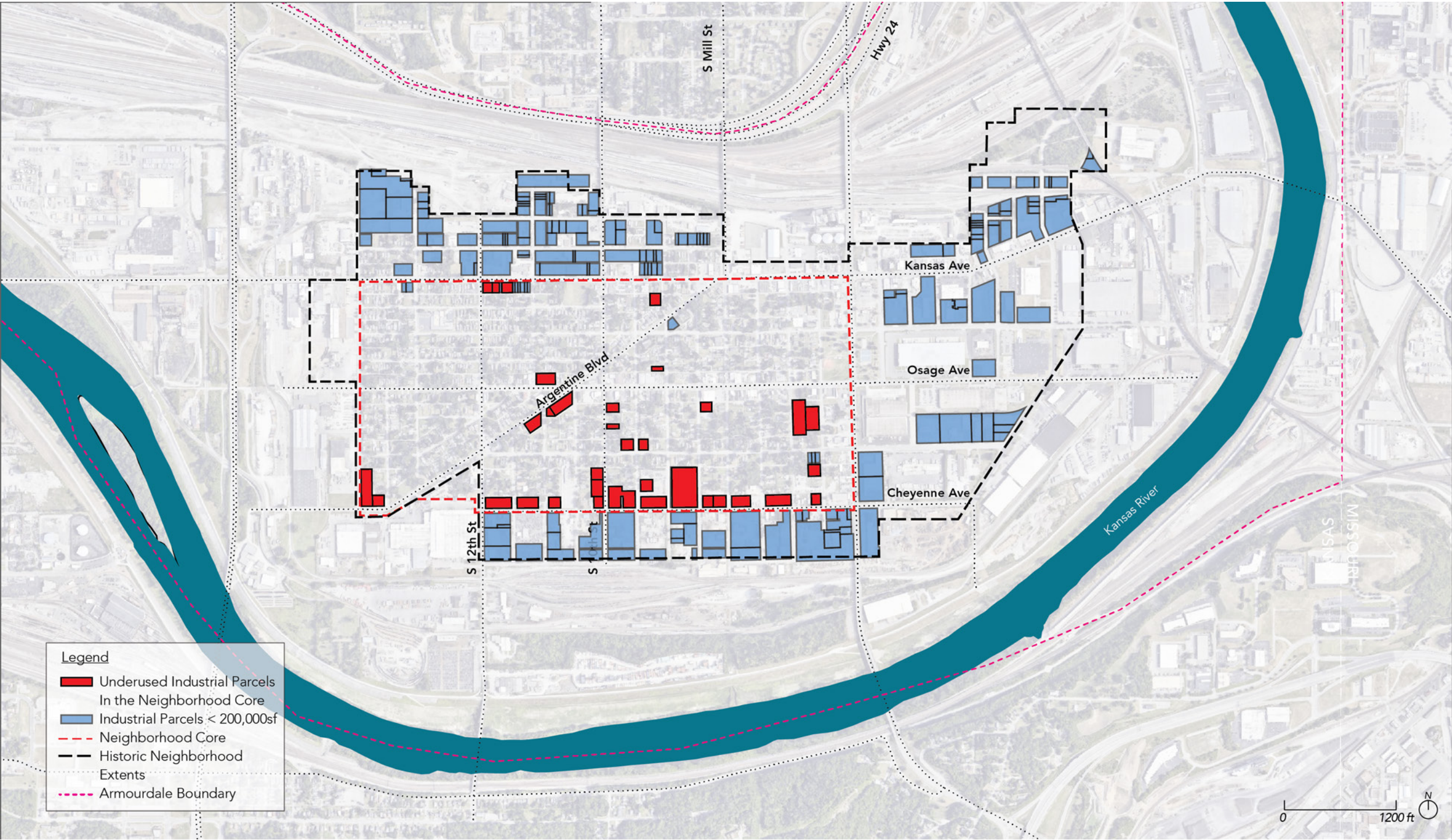


STRATEGY EXAMPLE
PROJECT ROW HOUSES
HOUSTON, TX

Project Row Houses (**ABOVE**) began as a series of artist residencies in vacant row homes in Houston's Third Ward. In latter phases, the nonprofit developed an adjacent lot into affordable housing and attached community spaces, ensuring that the residents of the neighborhood had ample places to live as the neighborhood gentrified.



Opposite: Neighborhood Core Underutilized Industrial Parcels Map (PORT)



STRATEGY 3:
IMPLEMENT HOUSING FIRST PROJECTS

Goal: Implement best practices for serving the homeless.

Context: Armourdale has a high homeless population; Kansas City, Kansas currently has no Housing First projects.

Location: Vacant residential lots or underutilized industrial parcels in the Neighborhood Core.

Actions: With increased capacity (Strategy 4) and UG support, community groups like the Armourdale Renewal Association can be tasked to collaborate with Cross-Lines and/or other local or national organizations that serve those experiencing homelessness to pursue implementing Housing First projects. Initial tasks include site assessment, acquisition, and financial proof of concept.

Potential Partners:
The Armourdale Renewal Association can develop a list of potential home buyers and builders with community ties.
Habitat for Humanity can facilitate partnerships with developers and builders for affordable housing developments.
Cross-Lines Community Partners is the newest lead organization for the UG’s Community Health Improvement Plan “Safe and Affordable Housing” sub-committee.
Livable Neighborhoods Task Force is Non-profit organization formed to develop strategies for building better neighborhoods.

Funding: Housing First Subsidies available through the Department of Housing and Urban Development (HUD).

Timeframe:
Year 1: Identify potential Housing First sites and recruit or expand the capacity of homeless-serving organizations.
Year 2: Acquire Phase 1 sites and issue RFP to local affordable housing developers or Community Housing Development Organizations (CHDO’s).
Year 3+: Implement first phase of Housing First projects.

Target: Implement two (2) Housing First projects in Armourdale by 2031.



STRATEGY EXAMPLE
COTTAGES AT HICKORY CROSSING
DALLAS, TX

The Cottages at Hickory Crossing **(ABOVE)** provides an innovative union of permanent housing and support services for 50 chronically homeless citizens in Dallas. The project serves as a model for sustainable urban living by maximizing open space, incorporating on-site solar energy technologies, and integrating rainwater collection. While also producing a durable return on investment, these green strategies and activities create a supportive, healthy, and inviting environment. This project was funded using the federal Housing First program, a national best practice that provides no-prerequisite housing to the homeless and co-locates their homes with supportive and wrap-around services like health care, mental health treatment and case management.



STRATEGY 4:
INCREASE CAPACITY OF ARMOURDALE
COMMUNITY-BASED ORGANIZATIONS

Goal: Increase the capacity of local organizations with local leadership to serve the Armourdale community and implement projects that benefit the community.

Context: Armourdale has a relative lack of community-based organizations, and existing organizations are often under resourced.

Actions: The UG and the Armourdale Renewal Association can work together to identify specific programs to increase their operational capacity, like AmeriCorps VISTA and Americorps National staff members. With increased capacity, resources can be devoted to: developing a philanthropy working group with members of the Kansas City Philanthropic Community specifically dedicated to Armourdale issues; pursue increased programming in Armourdale by high performing service organizations from elsewhere in KCK; and facilitate board and staff training and organization certification to help community-based organizations gain access to federal and state funding programs.

Potential Partners:
Cross-Lines Community Partners has been operating in Armourdale for decades and provides food and assistance to people affected by poverty. The *Armourdale Renewal Association* (ARA) is well-established in Armourdale and has built strong relationships with both the business and residential communities. The ARA is poised to lead numerous strategies and actions outlined in this report, but needs more resources, partners and personnel to carry them out.
El Centro is a Kansas City, Kansas based organization helping Latinos lead healthier lives; affect positive community change; attain increased knowlege and wealth; and help children develop a strong foundation for life-long learning.

Funding: Philanthropic and private funders; Federal programs like AmeriCorps VISTA and others.

Timeframe:
Year 1: Identify and fund specific programs to increase operational capacity, like AmeriCorps VISTA and Americorps National staff members.
Year 2+: Use increased capacity to build relationships, apply for grants, philanthropic support and other funding sources and initiatives that can increase annually for sustianed growth and capacity.

Target:
Significantly increase the resources available to Armourdale-based community organizations like the Armourdale Renewal Association on an annual basis.



STRATEGY 5:
EXPAND ACCESS TO FRESH FOOD

Goal: Improve Armourdale residents’ access to quality, fresh food.

Context: Some of Armourdale’s public health indicators - including high rates of heart disease and diabetes - point to a lack of fresh food availability for Armourdale residents. There is not a full-size grocery store in Armourdale.

Location: Armourdale Neighborhood Core.

Actions: With increased capacity (Strategy 4) and UG support, community groups like the Armourdale Renewal Association can lead fresh food initiatives, including: acquiring the former Paul’s Drive-In site on Osage Ave., for example, and developing it as a public farmer’s market site; partnering with community groups working on similar issues throughout Kansas City to expand access to fresh food; expanding the reach of the Cross-Lines community garden and food pantry; partnering with Armourdale food distribution businesses like Liberty Fruit; coordinate with a mobile fresh vendor like Dotte Mobile Grocer, that operates in Armourdale as well as other neighborhoods throughout KCK. Further, the UG Economic Development Department should actively recruit a regional or national grocery store to Armourdale.

Potential Partners:

Dotte Mobile Grocer can increase their regular presence in Armourdale.

Liberty Fruit can be approached to explore initiatives to leverage their access to fresh produce to contribute to healthy food resources for the Armourdale community.

Cross-Lines already provides daily meals through their community kitchen, and also maintains a community garden on 7th Street.

Funding: Funding for expanding access to fresh food could be tied to funding that supports outreach related to increasing access to health care. Long term, partnering with established food banks or other service providers will be more feasible than creating new programs.

Timeframe:

Year 1+: Establish partnerships for delivering fresh food with other organizations working on similar issues throughout Wyandotte County. Roll out programs gradually and increase their footprint as necessary.

Target: Increase the amount of fresh food available to Armourdale residents by 50% by 2024.

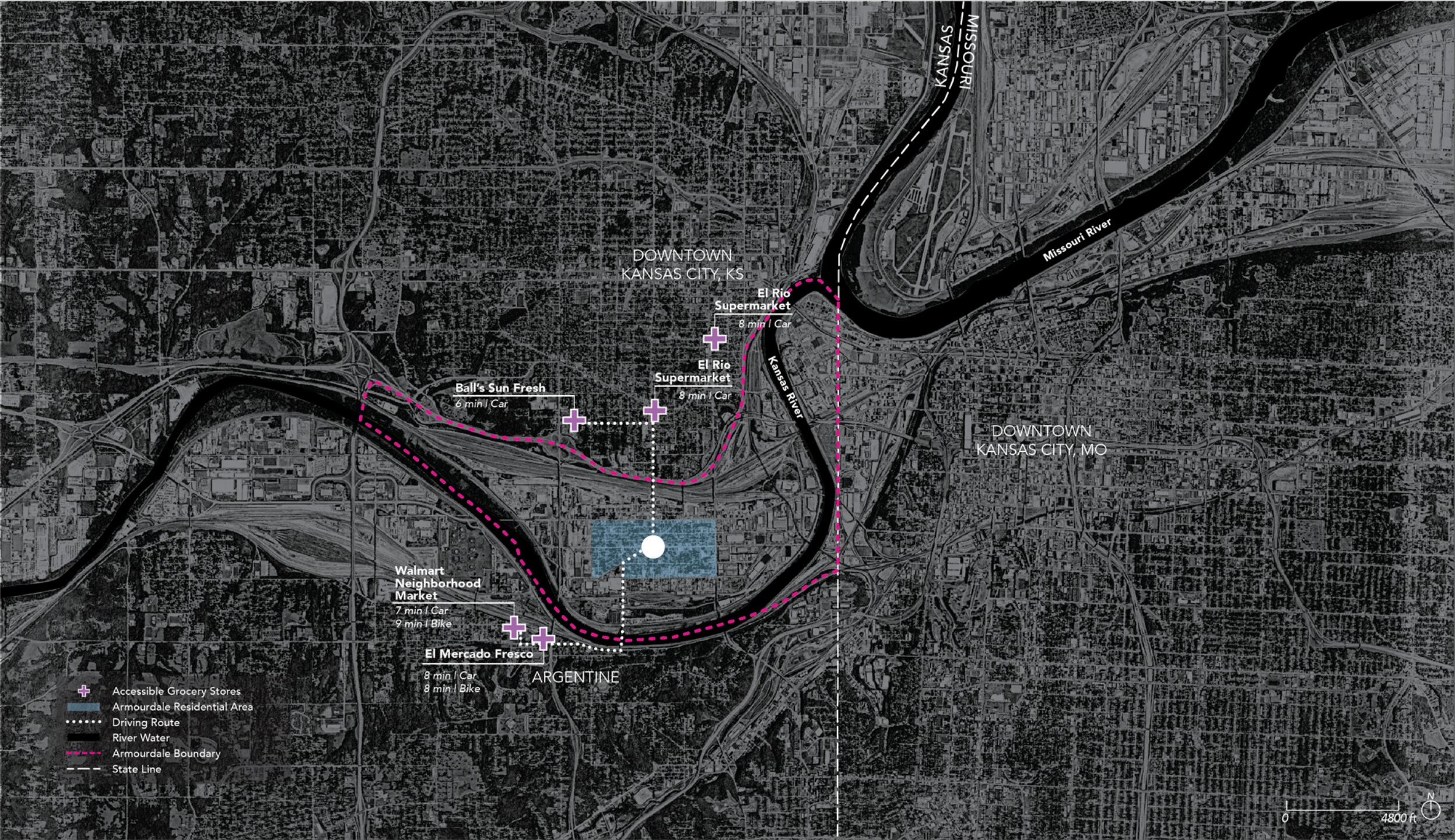


STRATEGY EXAMPLE
DOTTE MOBILE GROCER
KANSAS CITY, KS

The Dotte Mobile Grocer **(ABOVE)** is a community-run mobile market grocery store. It was designed with residents to serve food desert areas in Kansas City, Kansas. Under normal operations, the Dotte Mobile Grocer expects to provide affordable, fresh food to Wyandotte County residents at 15 regularly scheduled community locations, including Cross-Lines in Armourdale.



Opposite: Grocery Store Map (PORT)



STRATEGY 6:
INCREASE RENTAL ASSISTANCE FOR
ARMOURDALE RESIDENTS

Goal: Provide and increase the amount of rental assistance available to Armourdale residents.

Context: Armourdale’s residents are almost 50% renters, and majority Spanish-speaking, and likely are significantly rent-burdened.

Location: Renter-occupied residences in the Armourdale neighborhood core.

Actions: With increased capacity (Strategy 4) and UG support, community organizations like the Armourdale Renewal Association and El Centro should conduct a neighborhood-wide sweep of all Armourdale rental properties to recruit renters to the program and provide support for renters to enter the Kansas Emergency Rental Assistance Program (KERA).

Potential Partners:
Armourdale Renewal Association or El Centro should be contracted to conduct initial outreach and case management to recruit residents into the program.

Funding: Rental Assistance is available through The Coronavirus Aid, Relief, and Economic Security Act (CARES) and American Rescue Plan Act (ARPA), but initial recruitment and case management should be funded by private philanthropy or other discretionary dollars because of its high potential to leverage significant federal dollars.

Timeframe:
Year 1: Initial funding approach and outreach.
Year 2: Continued outreach if the program remains funded at the state level.

Target: Implement a community-wide push to support rental assistance for Armourdale residents.



STRATEGY 7:
EXPAND ACCESS TO LEGAL AID AND OTHER
TENANT SERVICES

Goal: Increase the accessibility and use of tenant services for Armourdale residents.

Context: Armourdale tenants are especially vulnerable to exploitative landlords because of the language barrier, lack of tenant education, undocumented status, and lack of access to legal services.

Location: Renter-occupied residences in the Armourdale neighborhood core.

Actions: With increased capacity (Strategy 4) and UG support, the Armourdale Renewal Association and other community partners like El Centro, should recruit local tenant’s rights organizations to conduct or begin outreach to Armourdale residents as part of a Rental Assistance strategy (Strategy 6) and recruit service providers, including case managers and bilingual pro bono attorneys to provide consulting services.

Potential Partners:
Cross-Lines Community Partners serves Armourdale residents through its food bank program and could be a first point of contact for renters.

Armourdale Renewal Association or El Centro should be contracted to conduct initial outreach and case management to get residents into the program, in parallel with the rental assistance programs (Strategy 6).

Kansas Legal Aid connects vulnerable Kansas City residents to legal services.

Funding: Philanthropic support for the initial outreach. Long term funding to be determined.

Timeframe:
Year 1+: Initial funding approach and outreach. Continued expansion of the program if funding allows.

Target: Significantly increase the number of Armourdale residents taking advantage of tenant support services.



STRATEGY 8:
PURSUE CODE INSPECTION AND
ENFORCEMENT FOR RENTAL PROPERTIES

Goal: Increase the safety of rental properties and reduce the number of blighted or under-maintained rental properties.

Context: Armourdale tenants are especially vulnerable to exploitative landlords because of the language barrier, lack of tenant education, undocumented status, and lack of access to legal services. Code violations are often not reported by tenants due to fear of eviction or retaliation.

Location: Renter-occupied residences in the Armourdale neighborhood core.

Actions: With increased capacity (Strategy 4), the Armourdale Renewal Association, in collaboration with El Centro and tenant’s rights organizations, can develop a program to facilitate rental property code inspection and enforcement by the UG on a case by case basis with respect to tenant concerns regarding documentation status or landlord retaliation.

Potential Partners:
Cross-Lines Community Partners serves Armourdale residents through its food bank program and could be a first point of contact for concerned renters.

Armourdale Renewal Association or El Centro should be contracted to conduct initial outreach and case management in partnership with the UG.

Kansas Legal Aid connects vulnerable Kansas City residents to legal services.

Funding: Philanthropic support for the initial outreach. Long term funding to be determined.

Timeframe:
Year 1: Initial funding approach and outreach.
Year 2: Continued expansion of the program if funding allows.

Target: Significantly increase the number of code compliance inspections for Armourdale rental properties.



STRATEGY 9:
INCREASE COMMUNITY POLICING
RESOURCES

Goal: Significantly increase the amount of community policing resources dedicated to Armourdale. Increase the police response rate for calls in Armourdale.

Context: Public safety in Armourdale is a widespread concern among Armourdale residents.

Location: The Armourdale neighborhood core, primarily.

Actions: The number of community policing officers in Armourdale should be increased from one (1) to two (2). The number of events and neighborhood briefings attended by Kansas City Kansas Police Department (KCKPD) officers and leadership should also be increased. The KCKPD should extend their Data-Driven Approach to Crime and Traffic Safety (DDACTS) to include Armourdale.

Potential Partners:
Armourdale Renewal Association has started a block captain program and should be the point of contact for Kansas City Kansas Police Department KCKPD outreach efforts.

Funding: KCKPD Budget; The United States Department of Justice offers funding opportunities to support law enforcement and public safety activities, including the Office of Community Oriented Policing Services (COPS) that is responsible for advancing the practice of community policing through information and grant resources.

Timeframe:
Year 1: Increase the number of community policing officers in Armourdale.
Year 2: Increase the number of community meetings attended by police officers and leadership to bi-monthly at least.

Target: Double the amount of community policing resources dedicated to Armourdale, and increase the number of contacts between KDK PD leadership and Armourdale community leaders.



STRATEGY 10:
EXPAND ACCESS TO QUALITY HEALTH CARE

Goal: Improve the health of Armourdale residents by increasing their access to quality, affordable health care.

Context: Armourdale has significantly higher morbidity and rates of heart disease, diabetes, and kidney disease than the rest of Wyandotte County, pointing to lower rates of health care access among Armourdale residents.

Location: The Armourdale neighborhood core.

Actions: The UG Public Health Department should: develop partnerships with local health care providers to launch clinics in Armourdale; increase the percentage of Armourdale residents participating in Medicaid and other federally-funded health care programs; develop a partnership with the University of Kansas Medical Center or similar health care provider to open a clinic within Armourdale; ensure Armourdale residents have easy access to specialty care at the University of Kansas Medical Center (UKMC) or another health care system.

Potential Partners:

UG Public Health Department has existing relationships with Kansas City area care providers like the UKMC and Kansas City-based philanthropic organizations with the mission to enhance access to health care.

Cross-Lines Community Partners currently assists with certain medical and dental emergencies through the Kansas City Medicine Cabinet program.

UG Transit Department is committing to an initiative to provide county-wide para-transit services and emergency medical trips.

Funding: Medicaid and other reimbursable should be enough to cover the development of a health and dental clinic in Armourdale, potentially as part of the redevelopment of one of the larger sites for housing. Other outreach programs should be funded either through reimbursements for wraparound services or as pilot projects by the philanthropic community.

Timeframe:

Year 1: During the outreach to Armourdale renters and others, conduct a survey of how Armourdale residents receive their health care and where they go to receive it. Support UG Transit Department initiative to provide county-wide para-transit services and emergency medical trips.

Year 2: Recruit a health care partner to begin outreach in the Armourdale community, with the long-term goal of developing a health care clinic in the area.

Year 3+: Develop an Armourdale-focused health care clinic and ensure that there is sufficient multi-lingual outreach to ensure Armourdale residents know about the clinic.

Target: Increase access and health care coverage among Armourdale residents by 50%. Lower the severity of the public health indicators by 50%.

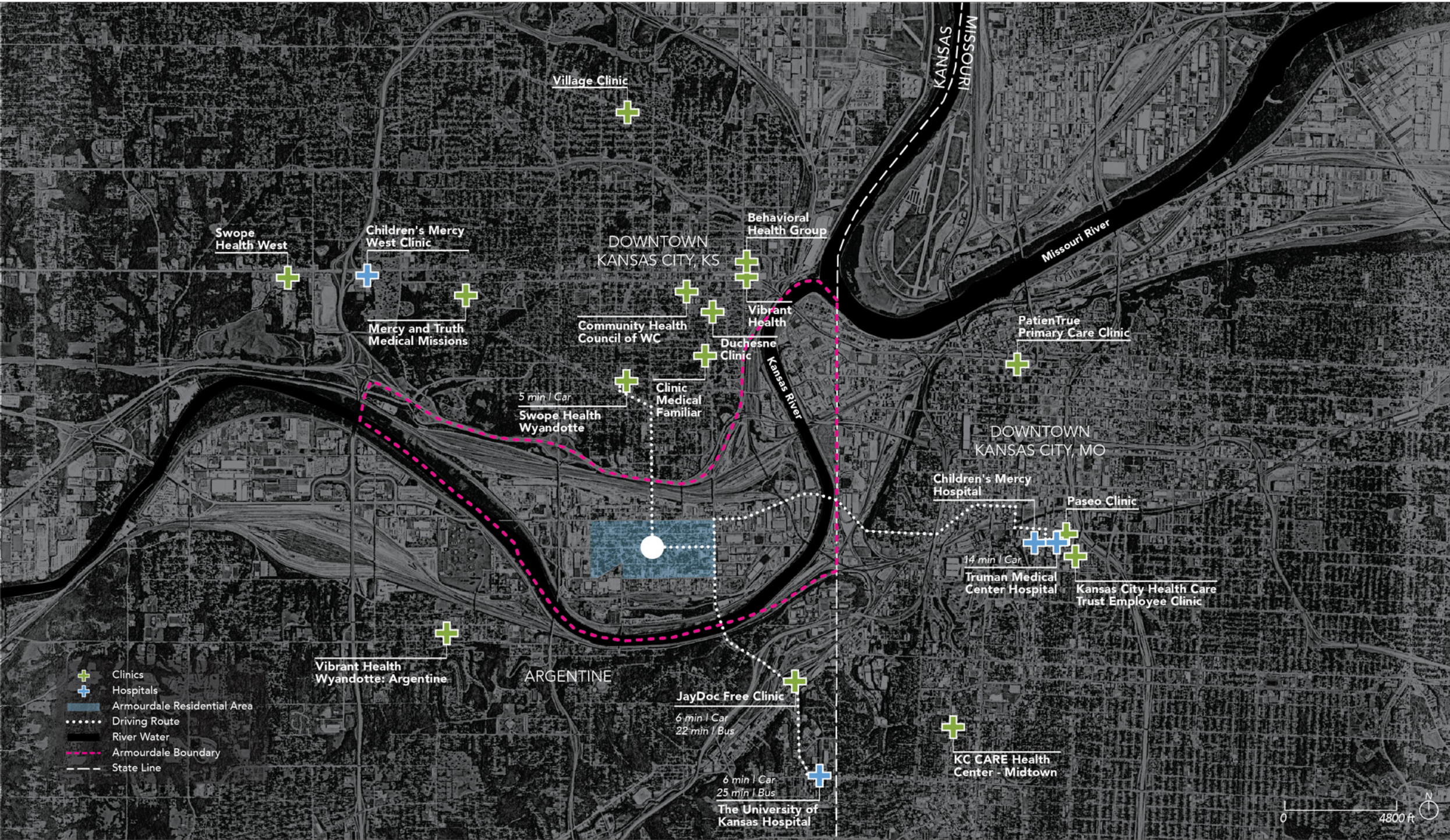
Priority:



Cost:



Opposite: Health Care Resources Map (PORT)



STRATEGY 11:
INCREASE ARMOURDALE TREE CANOPY

Goal: Improve the district’s overall canopy cover to reduce the urban heat island effect and raise property values across the district.

Context: While some areas of Armourdale are densely planted, areas with significant industrial parcels or with vacant lots often lack street trees.

Location: The Armourdale neighborhood core, primarily.

Actions: With increased capacity (Strategy 4) and UG support, community organizations like the Armourdale Renewal Association can develop an inventory of potential tree sites throughout the neighborhood core and recruit neighborhood business and residents as tree sponsors. The UG Parks and Recreation Department and Public Works Department can source and install trees during the spring and fall each year. Tree planting can coincide with a long-term bilingual educational campaign to help residents water and care for the trees.

Potential Partners:

The mission of the *Heartland Tree Alliance* is to engage people of the Greater Kansas City region to take action and advocate for a healthy community forest by educating people about all the critically important benefits created by urban trees, why these trees need extra care, and the proper ways to give them that care.

Funding: Planting street trees is relatively inexpensive and so can likely be drawn from the general fund. The UG Hollywood Casino fund is a potential resource for new tree planting as a public health initiative. Private philanthropic resources can also support outreach and education.

Timeframe:

Year 1: Establish a list of sites and potential neighborhood business and residents interested in sponsoring a tree.

Year 2+: Continue to plant trees extensively in bi-annual cycles.

Target: Add 100 new street trees in Armourdale by 2026.



STRATEGY 12:
SIDEWALK INSTALLATION AND REPAIR

Goal: Improve the sidewalks and pedestrian infrastructure throughout Armourdale.

Context: Armourdale has a significant number of cracked, broken or missing sidewalks.

Location: The Armourdale neighborhood core, primarily.

Actions: The UG Public Works Department can develop an inventory of sidewalks in Armourdale and a five-year plan for sidewalk installation and replacement to be performed by the Public Works Department or contractors.

Potential Partners:

Armourdale residents and local community groups may organize to clear and restore existing historic brick sidewalks or petition property owners to repair or install new accessible sidewalks. Armoudale businesses may partner to share sidewalk installation and general paving expenses.

Funding: Municipal general fund or federally-funded transportation projects.

Timeframe:

Year 1: Develop a sidewalk inventory and schedule for repair.

Year 2+: Begin sidewalk repair projects.

Target: Complete replacement or installation of all problematic sidewalks by 2026.



STRATEGY 13:
EXPAND YOUTH PROGRAMMING AND
AFTER-SCHOOL ACTIVITIES

Goal: Increase the number and participation in after-school activities among Armourdale youth.

Context: According to census data, nearly a quarter of Armourdale residents are under 18 years old. During the COVID-19 pandemic youth programming and after school activities were severely curtailed.

Location: The Armourdale Community Center, John Fiske Elementary School, Shawnee Park, Bill Clem Park, Daley Park and the Kansas River.

Actions: With increased capacity (Strategy 4) and UG departmental support, the Armourdale Renewal Association can: recruit local youth programming and service organizations to introduce youth programming in Armourdale; partner with John Fiske Elementary to co-locate after school programming at John Fiske Elementary, the Armourdale Community Center, or the multiple Armourdale parks; develop summer activities for Armourdale youth in Armourdale parks in partnership with local youth recreation organizations like the Police Athletic League of KC or Major League Baseball Youth Academy; and work with the rowing, cycling or fishing groups/clubs to expand Armourdale youth activities on the Kansas River.

Potential Partners:

John Fiske Elementary School is located in the Neighborhood Core and is the only elementary school in Armourdale.

Kansas City Boat Club is located near the Rock Island Bridge and wants to expand its outreach to Armourdale residents. Examples of similar groups around the United States include Row New York (rownewyork.org), Philadelphia City Rowing (philadelphiacityrowing.org) and STEM to Stern Rowing (stemtosternrowing.org).

UG Parks and Recreation Department administers the Armourdale Community Center and all public parks.

Armourdale Renewal Association owns and maintains Dailey Park in Armourdale and their institutional mission includes youth programming.

Funding: After school programs programs are funded by Kansas After School Enhancement Grants available through the Kansas State Department of Education. The Kauffman Foundation also funds after school programs.

Timeframe:

Year 1: Recruit seed funding from potential area funders and recruit organizations to John Fiske Elementary and the Armourdale Community Center.

Year 2+: Continue to expand programming as funding and timing allows.

Target: Increase the number of youth activities in Shawnee Park, Bill Clem Park, Dailey Park and the Armourdale Community Center.



STRATEGY 14:
ESTABLISH A COMMUNITY MURAL PROGRAM

Goal: Increase opportunities for community expression and identity in Armourdale.

Context: Armourdale already has a number of community murals, and community murals can celebrate local Armourdale identity and culture.

Location: Appropriate building facades throughout Armourdale.

Actions: With increased capacity (Strategy 5) and UG support, community organizations like the Armourdale Renewal Association can establish an Armourdale mural program by: recruiting property owners with blank facades to participate; develop relationships with artists willing and interested in working closely with the community to create the murals; establish a philanthropic fund to support the creation of the murals as a full set, rather than as one-off projects; partner with youth organizations doing after school or other programs to design and implement the murals; coordinate with the UG to secure necessary sign permits for all murals.

Potential Partners:

Artist *Jose Faus* partnered with neighborhood youth to create a mural in Armourdale and may be interested in organizing further murals.

Educator, historian and writer *Gene Chavez* expressed interest in participating in an Armourdale mural program.

Funding: Mural programs are generally funded through a combination of public art funding and private philanthropy.

Timeframe:

Year 1: Recruit property owners with potential mural sites and secure funding for first phase of projects.

Year 2+: Begin implementing mural projects and continue to develop a pipeline of potential sites.

Target: Install three (3) murals per year through 2031.

Priority:



Cost:



STRATEGY EXAMPLE
MURAL ARTS PROGRAM
PHILADELPHIA, PA

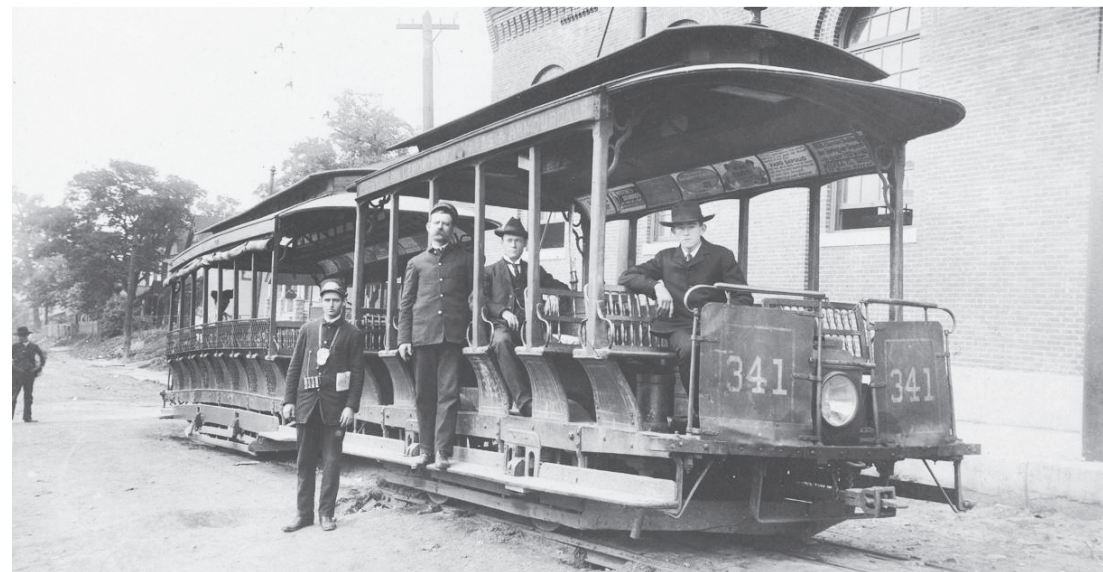
The Mural Arts Program (**ABOVE, “The Only Way Out is Through”**) in Philadelphia is one of the country’s longest-serving and best-established community mural programs. Begun as a way to activate and establish community pride using the city’s blank facades, the program has evolved into a quasi-city agency, responsible for workforce development, community organizing and engagement, and youth programming.

FOCUS AREA 2: COMMERCIAL CORRIDORS

Armourdale's commercial corridors are centered around Kansas Avenue, 7th Street and Osage Avenue. These corridors historically functioned as vibrant, walkable retail streets served by an extensive city-wide streetcar system. After years of decline, they currently have little continuous character and are affected by vacancy, a mix of inappropriate industrial and non-commercial uses, and often have little shade or space for pedestrians or visitors.

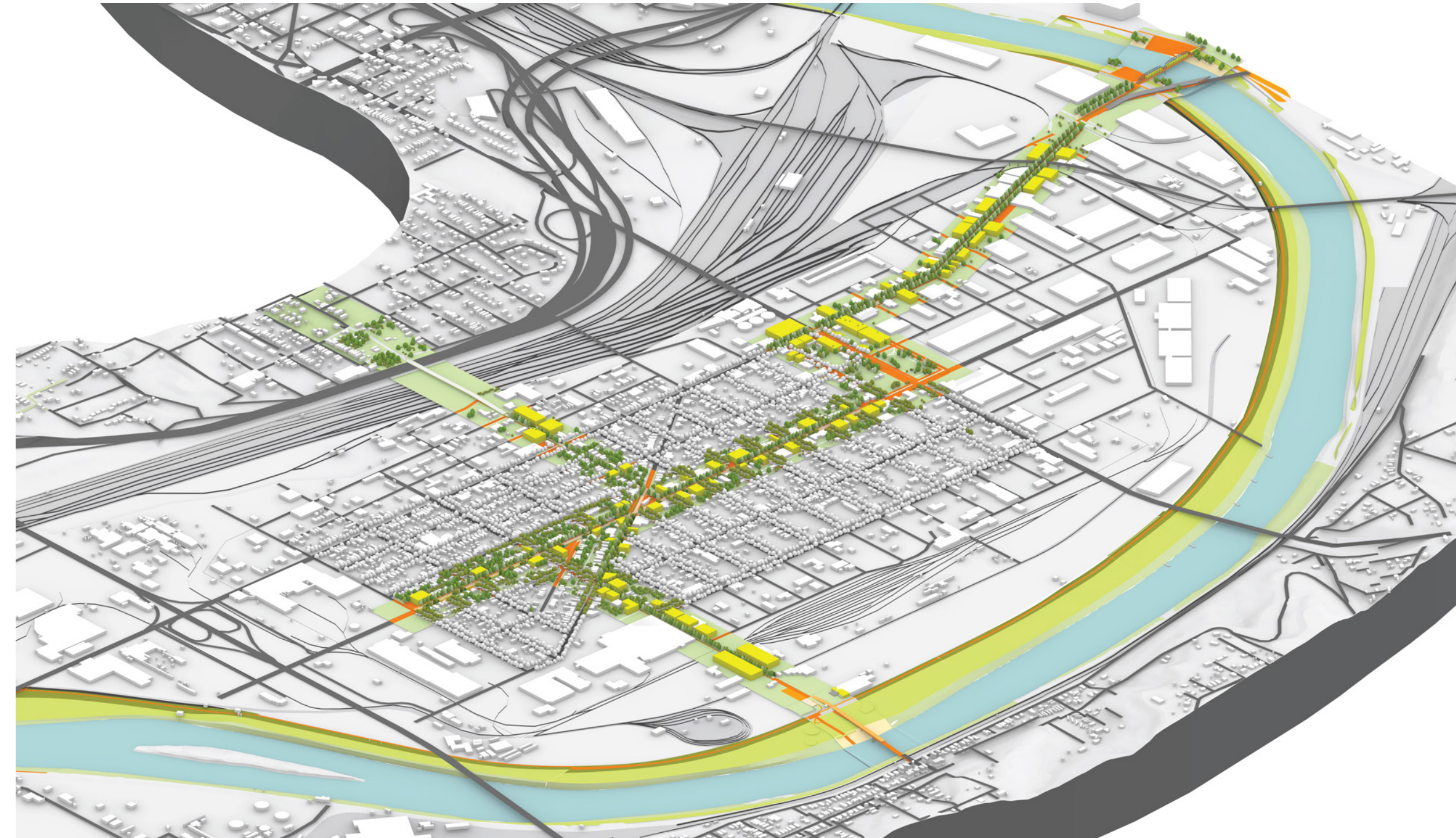
While almost all corridor buildings have street frontages that reflect various historical eras, today most businesses service a car-based customer base. Traffic lanes are unnecessarily wide, building setbacks and parking in front of buildings are common, and there are numerous vacant lots along each corridor. Further, numerous additional factors deter pedestrian use, including high-voltage power lines hovering over tree-less segments of poorly maintained (or non-existent) sidewalk often blocked by illegally parked cars, adjacent to crumbling curbs and clogged stormwater drains. Streetlights are also commonly out for extended periods of time.

Armourdale's bus service is limited to three (3) routes that run north-south along 7th, 10th and 12th Streets. There is currently no east-west public transit access, although the RideKC plan does call for Kansas Avenue to be a future bus route to connect downtown Kansas City, Missouri with Armourdale. Most bus stops are located by signage only, with no shelter available and sometimes without adjacent sidewalks. There are a number of bike lanes throughout Armourdale, and the ongoing development of the Levee Trail offers an opportunity to connect along the entire riverfront. As part of the KDOT-led reconstruction of the 18th Street Expressway Bridge there is also a planned bicycle loop between Armourdale and Argentine along 12th Street and Kansas Avenue.



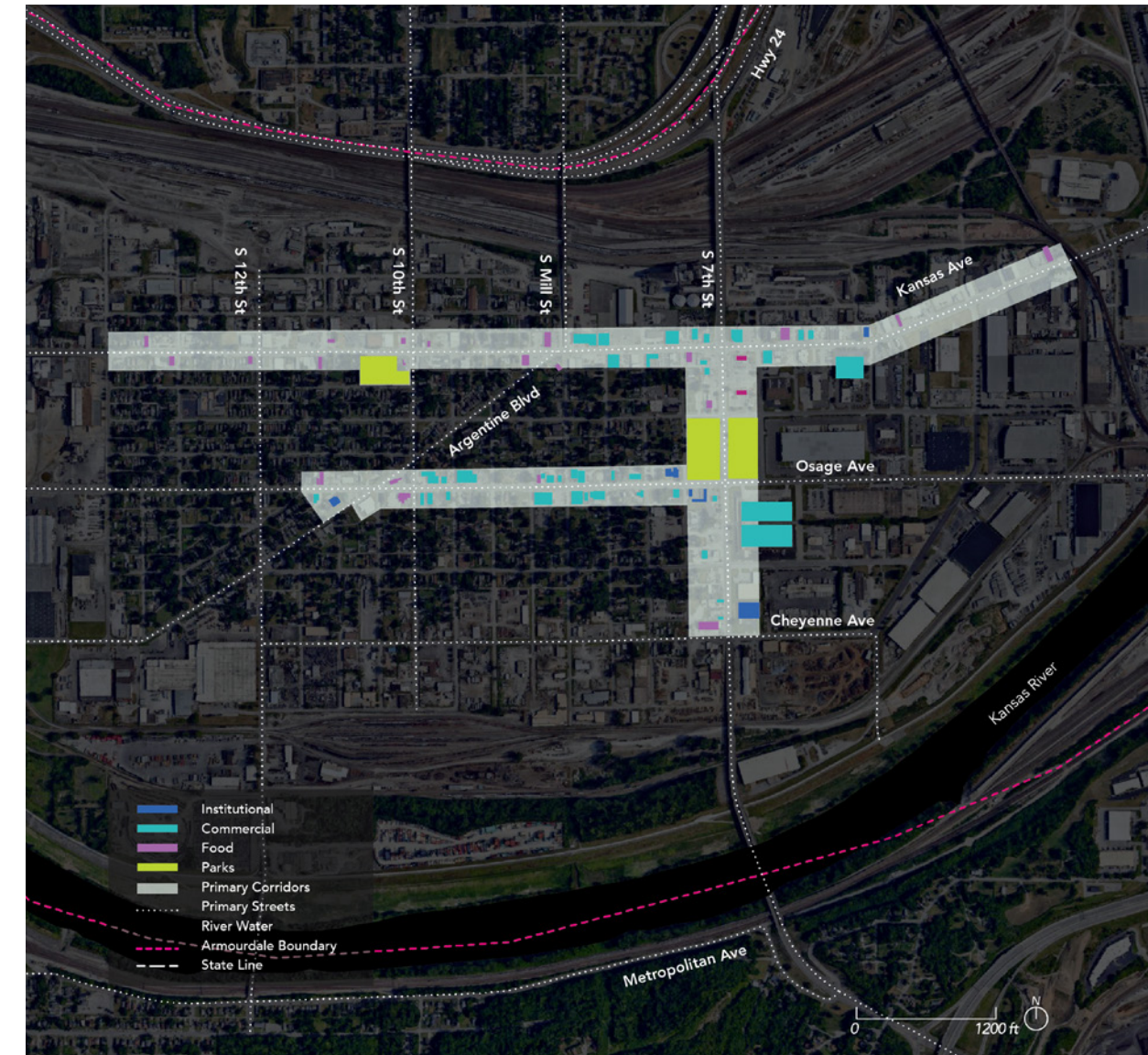
Above: Osage Avenue Facing East from Argentine Boulevard (William Frederick)

Below: Armourdale Street Car (Kansas City Public Library)

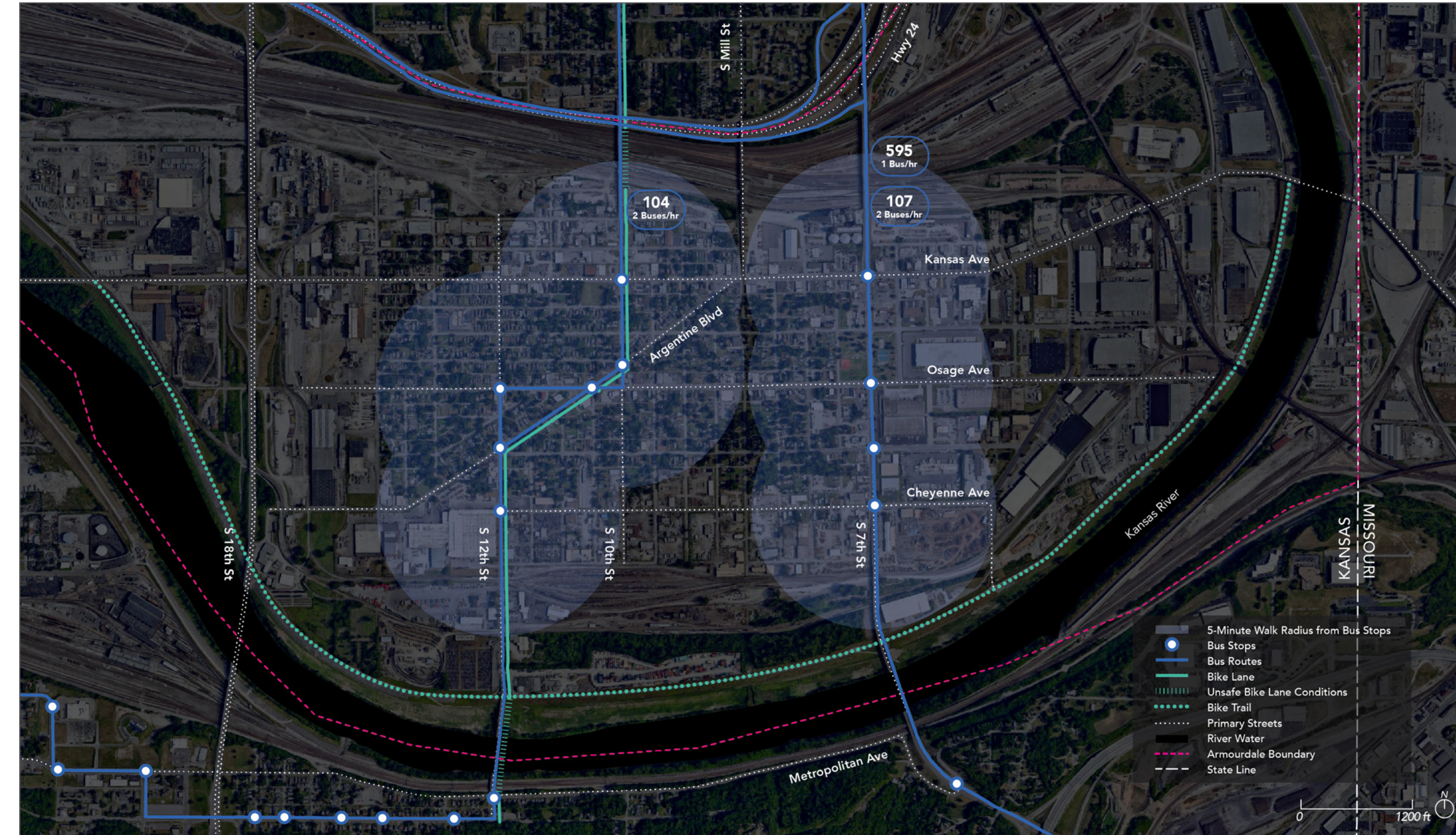


COMMERCIAL CORRIDORS OVERVIEW: CURRENT CONDITIONS

Armourdale's commercial corridors feature a wide variety of small grocery and convenience stores, dining establishments, small-scale auto repair, sales, installation, and other neighborhood businesses. Most of these cater to the district's Latino population, advertising their services in Spanish and English. While heavy truck use will most likely continue to characterize large existing thoroughfares like 7th St, and Kansas Ave. to a slightly lesser extent, Osage Avenue on the other hand, located in the geographic heart of the Armourdale neighborhood core, has the potential to once again become the focal point of the neighborhood as a walkable retail street defined by local retail, restaurants and new mixed-use buildings.



Above: Armourdale Commercial Cores (PORT)
Left: Assorted Restaurants on Kansas Ave. and Osage Ave. (PORT)
Opposite: Armourdale Bus Service Routes. (PORT)



CORRIDOR FLOODING AND STORMWATER INFRASTRUCTURE

Stormwater and periodic flooding are longstanding problems in Armourdale. Despite the upcoming investments in pump stations as part of the levee improvements scheduled to be implemented in 2021 and beyond, the issues plaguing Armourdale infrastructure stem more from the site's topography and challenging geology than from the ability to remove water and redirect it back over the levee system.

Situated in the floodplain of the Kansas River, Armourdale has very little natural topography to convey stormwater to the Kansas River. This also means that when water does flow, it flows slowly enough for the settlement of any particulate matter that runs off the surface. In an area like Armourdale, where dust and debris regularly settle on the roads, this means that inlet points, catch basins, and other stormwater conveyance features quickly become saturated and must be mechanically cleared before stormwater can flow through them again.⁶³ This has resulted in a proportionally higher number of work orders for storm cleanout in the study area, represented in the map to the right, than for similar facilities elsewhere in Wyandotte County.



Above: Flooding on Kansas Ave. During Rain Event (YouTube)

Below: Standing Water in Armourdale (William Frederick)

Opposite: Frequently Inspected Inlets Map (PORT)

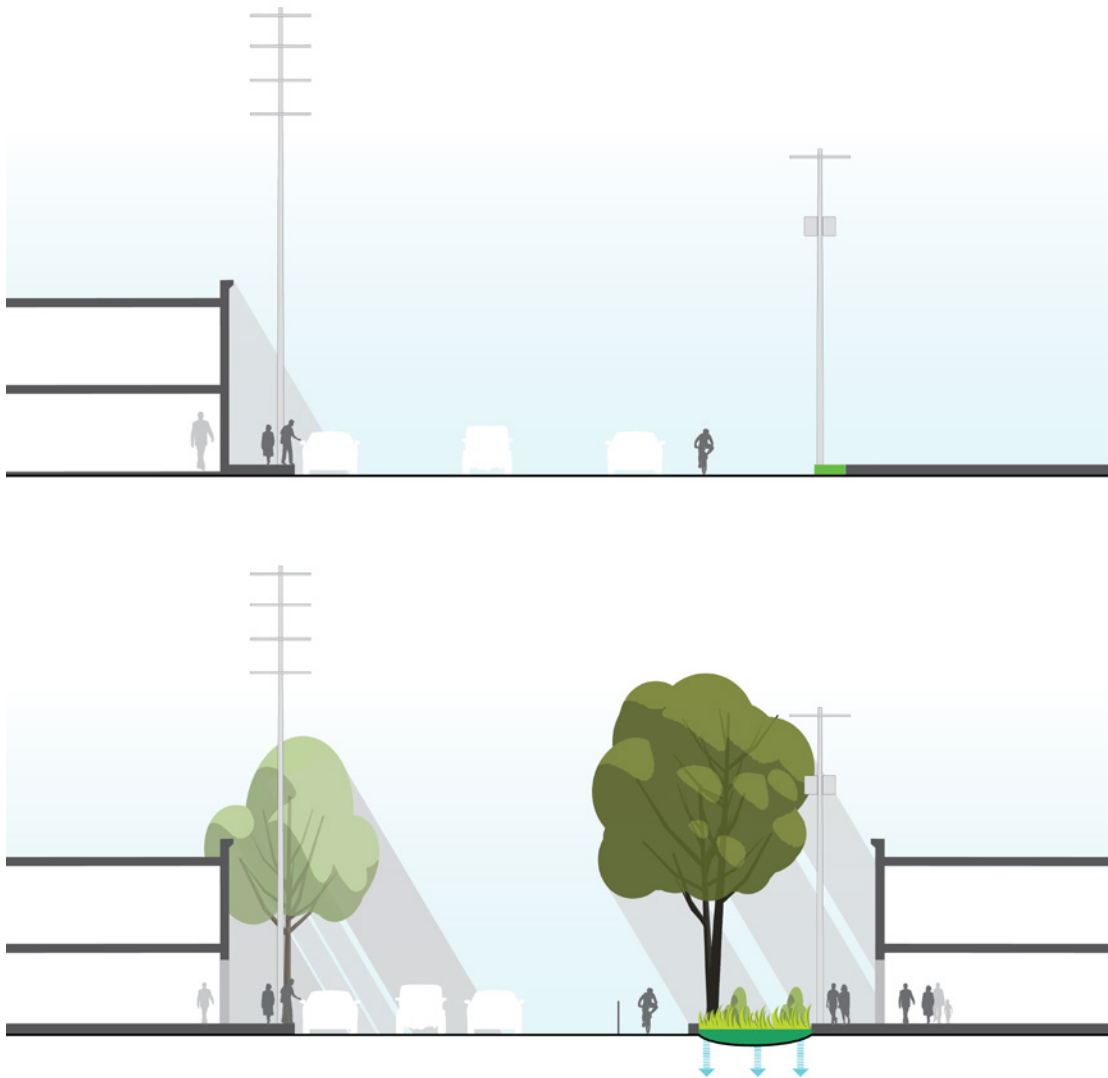


The Unified Government was recently awarded a Water Infrastructure Finance and Innovation Act (WIFIA) loan from the Environmental Protection Agency (EPA) as part of a \$152 million investment in its stormwater infrastructure. Many of the priority projects in that package serve Armourdale and its surrounding communities, including separation of combined sewer systems and incorporation of green stormwater infrastructure principals.

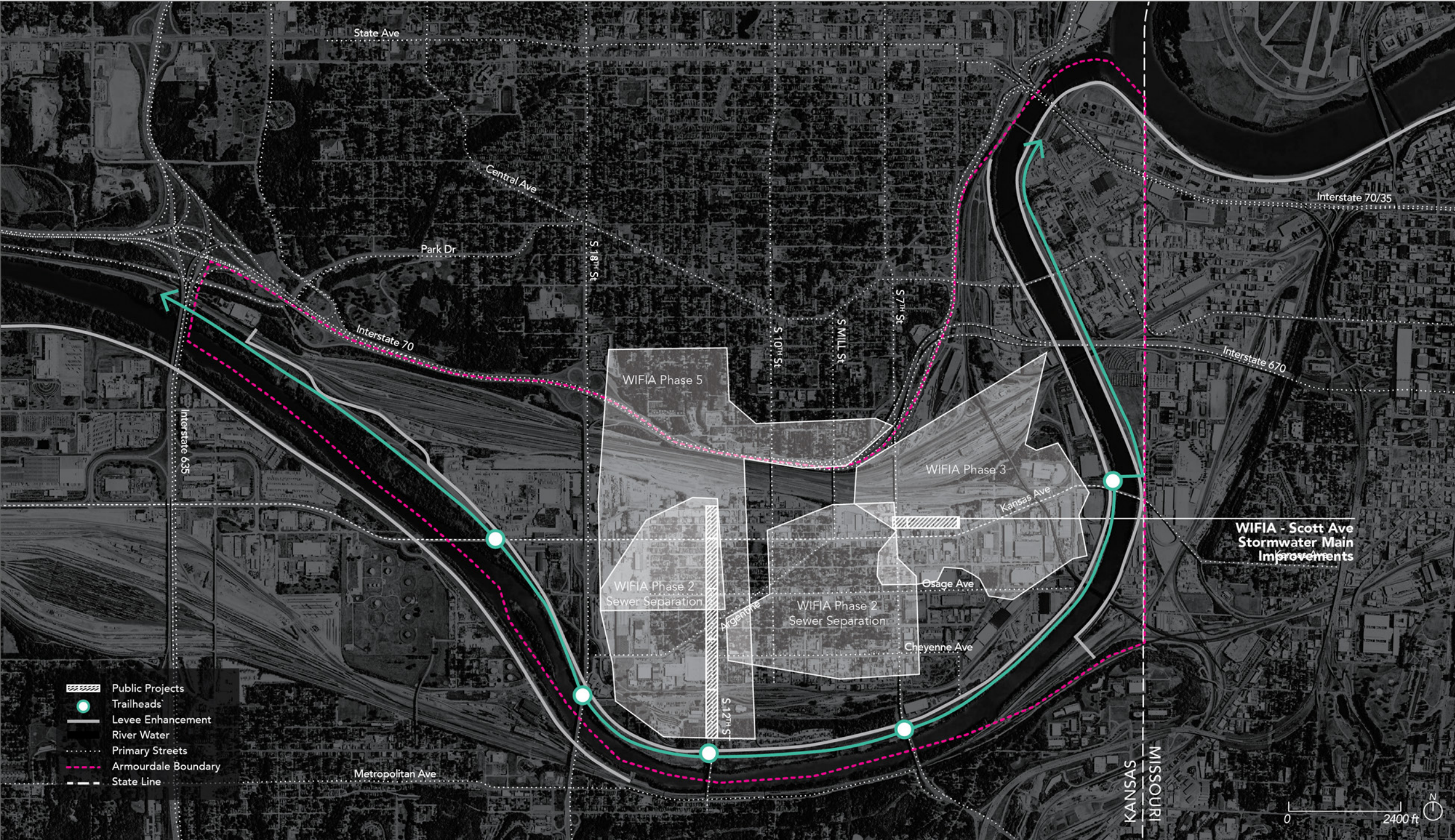
Those projects include two (2) areas where the Unified Government plans to increase capacity of the existing stormwater infrastructure to alleviate street flooding. ARMO-3 is concentrated on Scott Avenue east of 7th Street as well as the intersection of 7th Street and Kansas Avenue, and its plan is to “capture and convey” the five (5) year, 24 hour storm flooding event below ground to alleviate street flooding.

The second, ARMO-5, concerns the flooding of 12th Street from McApline Avenue to the Kansas River. Its goal is to replace the existing brick sewer system that conveys both stormwater and sewer flows with a new stormwater pipe and inlet capacity. The plan also calls for the separation of stormwater and sewer systems in Armourdale itself. The Phase 1 sewer separation will be concentrated around Kansas Avenue west of 18th Street, and Phase 2 will be concentrated on the residential core of Armourdale.⁶⁴

The upcoming Army Corps of Engineers (USACE) Levee Enhancement project will raise the levees by four (4) feet to meet the increasing pressure and intensity of the spring and summer floods. New pump stations and repairs will further enhance Armourdale’s water management infrastructure. Like the WIFIA improvements, the levee project is an opportunity to incorporate public realm improvements in and around the levees themselves. These ‘betterments’ include the establishment and opening of the Levee Trail, the provision of parking and other access points, amenities, benches, and wayfinding.



Above: Existing Osage Avenue Street Profile
Below: Proposed Osage Avenue Street Profile with Green Stormwater Infrastructure Improvements
Opposite: WIFIA Loan Investments Map (PORT)



COMMERCIAL CORRIDOR POLICIES AND ACTIONABLE STRATEGIES

The Master Plan calls for investment and improvements along Armourdale’s three (3) principal commercial corridors. The first of these is a north-south corridor leading south from 10th Street over the rail yards, to Argentine Boulevard and then further south on 12th Street over the Kansas River. The second corridor is Osage Avenue in the heart of the Neighborhood Core, and the third is the segment of Kansas Avenue beginning at the intersection of 7th Street extending east to the Rock Island Bridge.

The goal for the investment in the commercial corridors is to enhance business opportunities along each corridor, create dense development that is walkable and scaled appropriately to the neighborhood, and increase the amount, quality, and performance of public space along each corridor. The planning team also identified two (2) corridors of significant importance that should be developed along similar lines: Kansas Avenue west of 7th Street, and Cheyenne Ave.

The Master Plan adopts five (5) policies and proposes five (5) strategies to be implement across each corridor.

Corridor Policies:

Policy 1: Improvements to stormwater infrastructure should emphasize Green Stormwater Infrastructure improvements, including raingardens, swales, and infiltration areas to both increase the amount of infiltration and provide Armourdale with additional tree canopy and green space.

Policy 2: Improvements to these corridors should reduce the width of traffic lanes to 12 feet maximum and parking spaces to 8 feet maximum and use the additional width to install dedicated or separated bike lanes.

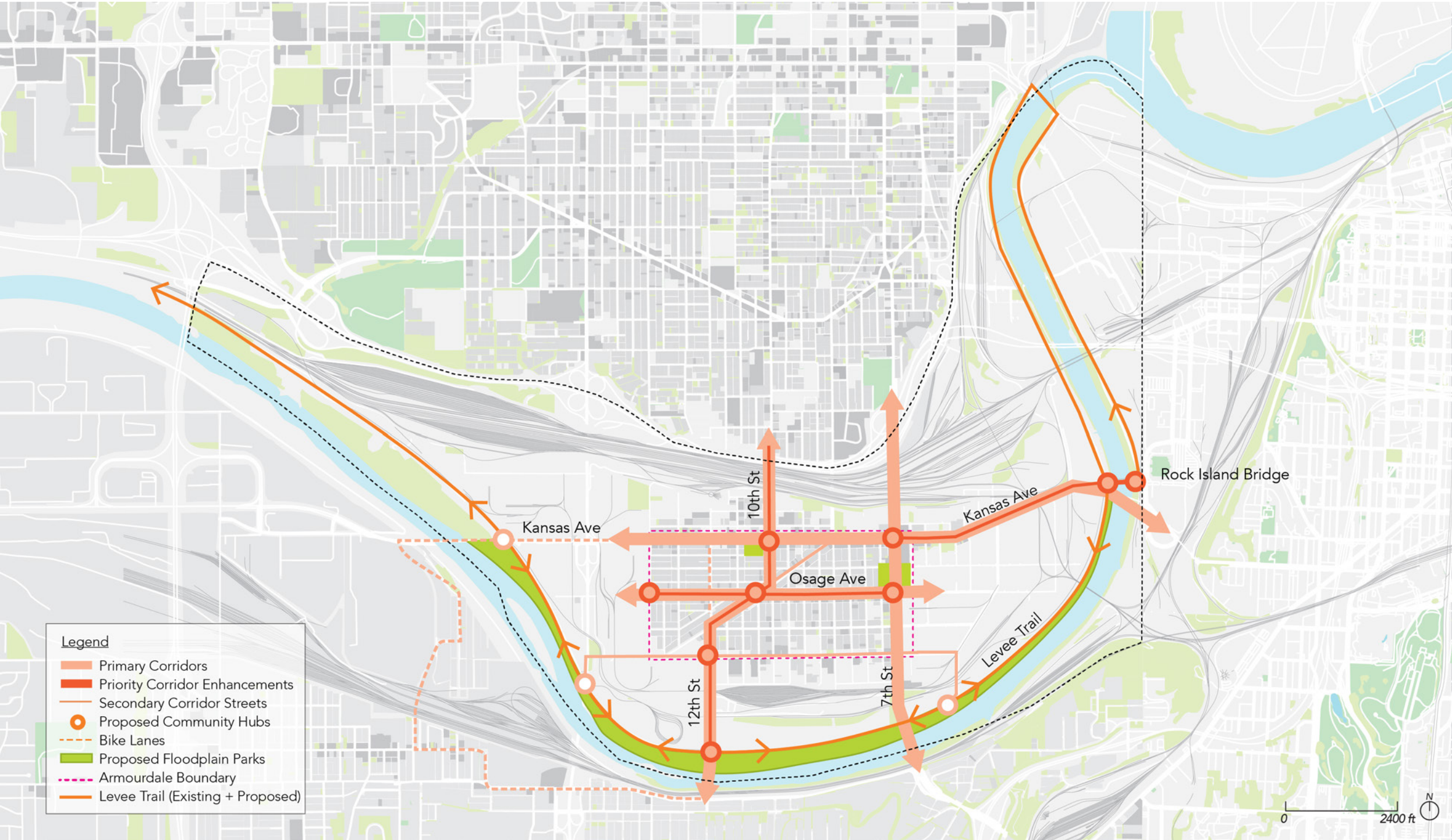
Policy 3: Improvements to the corridors should include protected bike lanes throughout the length of the corridors, and separated bike lanes as part of the 18th Street Bridge Reconstruction.

Policy 4: Building setbacks along the corridor should be eliminated. Eliminating building setbacks will create a more walkable, neighborhood-scale corridor. If parking is necessary for a particular use, it should be behind the building or development in accordance with multi-family, mixed-use and/or commercial design guidelines.

Policy 5: The UG should support a green alley pilot project in Armourdale. A majority of Armourdale alleys are not paved. In conjunction with new mixed-use or multi-family development projects, necessary alley improvements should pilot green infrastructure and stormwater retention implementation practices.

Corridor Strategies:

- Strategy 1:** Create More Public Open Spaces
- Strategy 2:** Connect to the Rock Island Bridge
- Strategy 3:** Expand Corridor Infill and Adaptive Reuse Mixed-Use Development
- Strategy 4:** Close Osage Avenue to Large Trucks and Generally Enhance Corridor Pedestrian Safety
- Strategy 5:** Provide Accessible Armourdale Bus Stop Platforms and Install Bus Stop Shelters



12TH STREET, ARGENTINE BOULEVARD AND 10TH STREET CORRIDOR

The 12th and 10th Street Corridor, including a segment of Argentine Boulevard that links 12th and 10th Streets, forms the main north-south connection between central Kansas City, Kansas; Armourdale; and Argentine to the south. The 18th Street Bridge that spans the Kansas River between Armourdale and Argentine is scheduled to be replaced and possibly realigned.

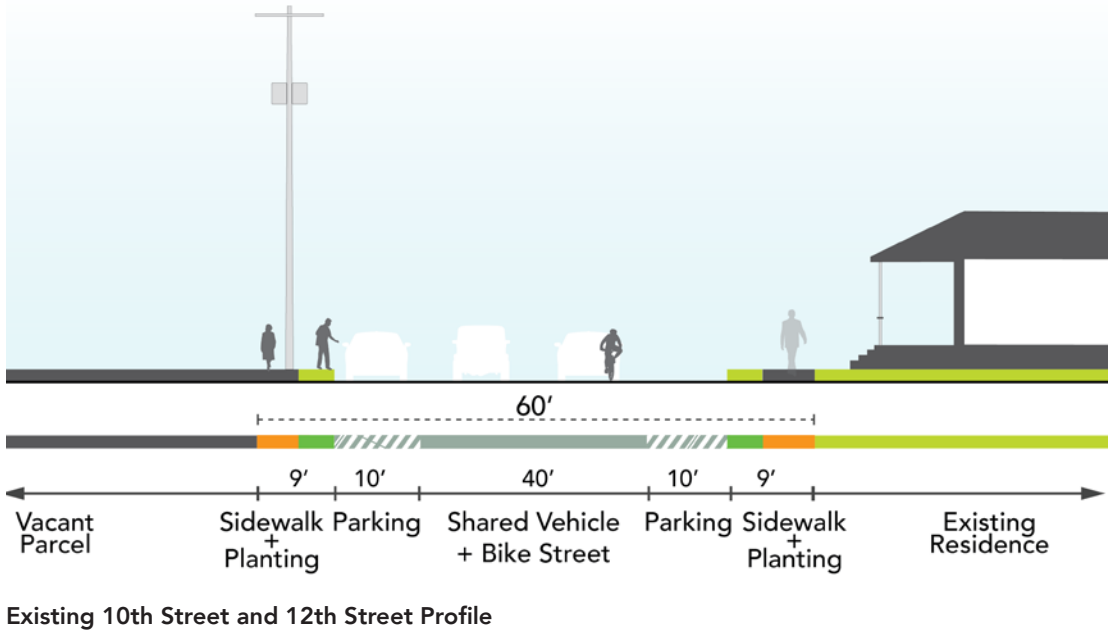
Although not a Unified Government-led project, this is an opportunity to strengthen pedestrian connections between Armourdale and Argentine, as well as provide access to the Levee trail where possible. The Kansas Department of Transportation (KDOT) is consulting with the UG on bicycle and pedestrian improvements within the project area that extend down Kansas and 12th Avenues and connect to themselves through Argentine.⁶⁵

Therefore, the 12th/10th Street corridor will be partially reconstructed using resources from the WIFIA loan program and partially during the planned reconstruction of the 18th Street Bridge led by KDOT. As a result, the improvements to this corridor include creating a protected bike lane along its entire length.

This approach will be supplemented by increasing the amount of green stormwater infrastructure along the corridor, principally through the implementation of planted infiltration beds. This will serve several goals simultaneously. First, it will absorb more rainwater, reducing flooding of adjacent streets and homes. Second, it will increase the value of adjacent property. Additionally, it will lessen the urban heat island effect through increasing the amount of canopy trees along the corridor, thereby providing more pedestrian-focused placemaking opportunities centered upon ecological habitat.

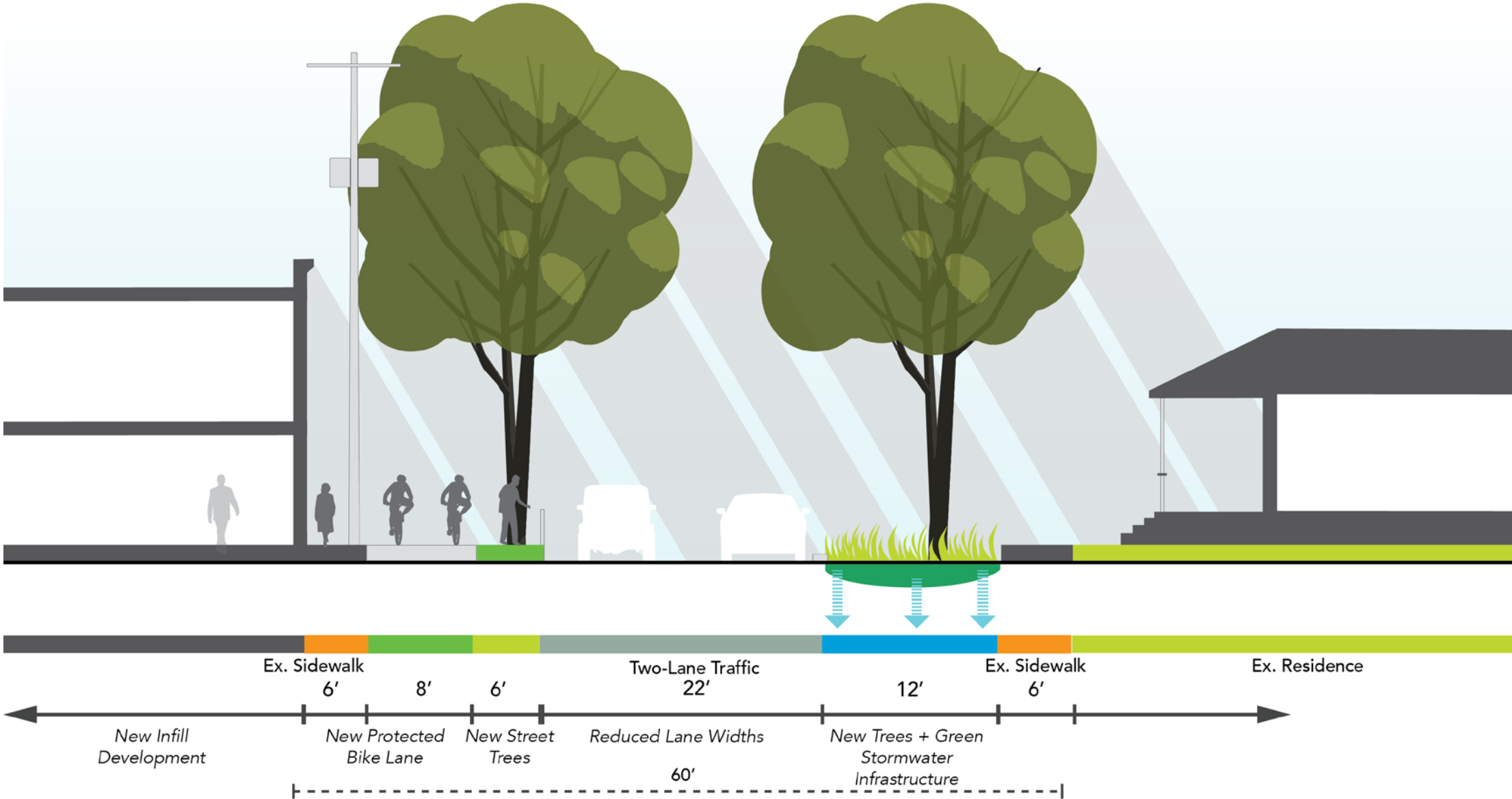
Corridor Actions:

- Action 1:** Create protected bike lanes.
- Action 2:** Implement green stormwater infrastructure and public space projects.
- Action 3:** Create more density along corridors by minimizing building setbacks and developing underused parcels.



Existing 10th Street and 12th Street Profile

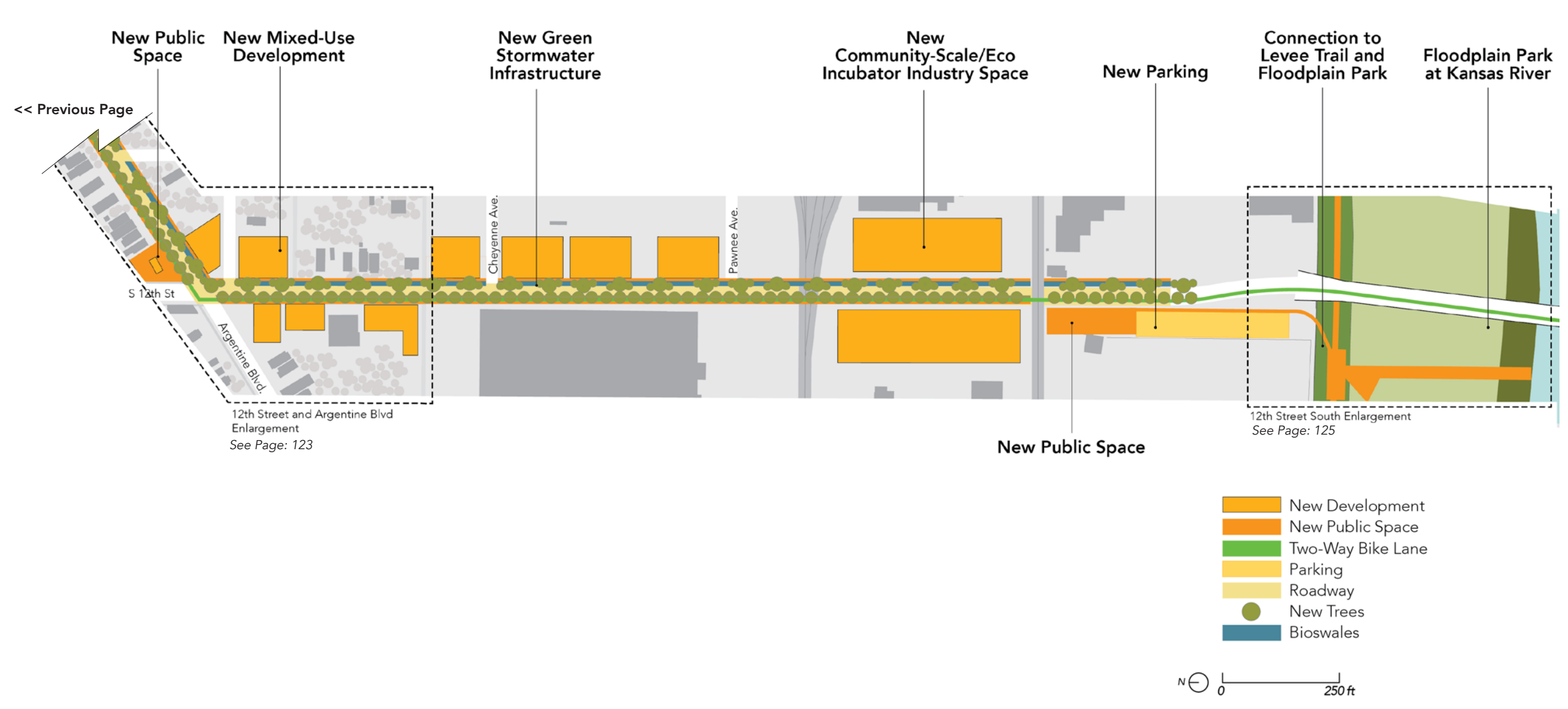
Proposed Typical 10th Street + 12th Street Street Profile



10th Street and Argentine Boulevard



Argentine Boulevard + 12th Street



10th Street, Argentine Boulevard and 12th Street Corridor Sub-Area:
10th Street - North

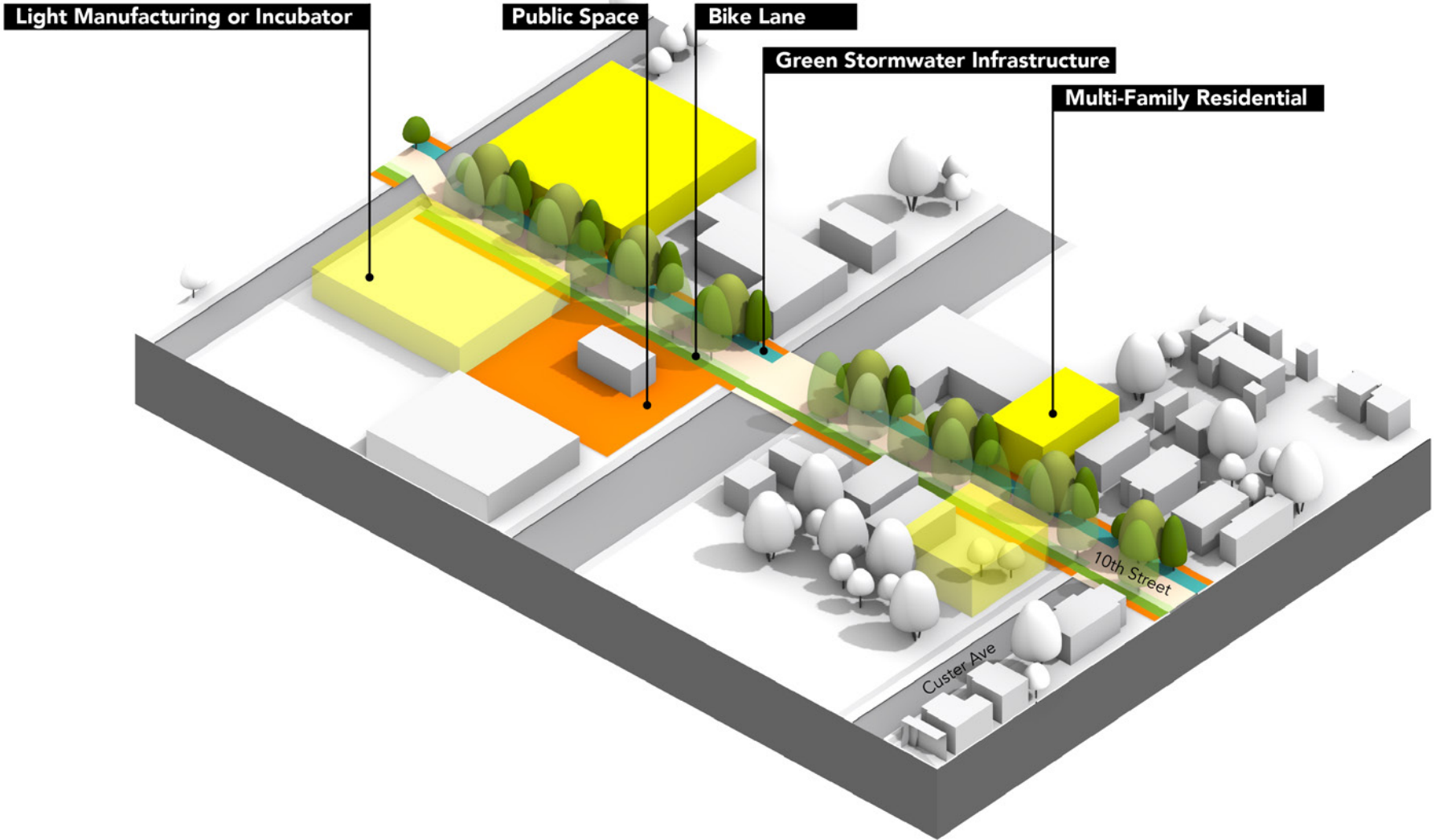
This northern section of the corridor runs south from the 10th Street Bridge through a primarily industrial and mixed use district until it reaches Kansas Avenue. This area is dominated by large setbacks and vacant lots. These vacant lots should be redeveloped as mixed-use lots with a commercial or neighborhood character, in addition to the investments made in the streetscape itself.

Further, there are opportunities to develop new coop, incubator, maker-spaces or light manufacturing buildings based upon eco-district principles, as appropriate. These new business types can diversify Armourdale’s retail and commercial base and provide local venues for Armourdale resident entrepreneurs.



Above: View of 10th Street north of Kansas Avenue (PORT)
Below: Aerial View of Kansas Avenue and 10th Street (Google Earth)

10th Street - North - 3D-Model Enlargement



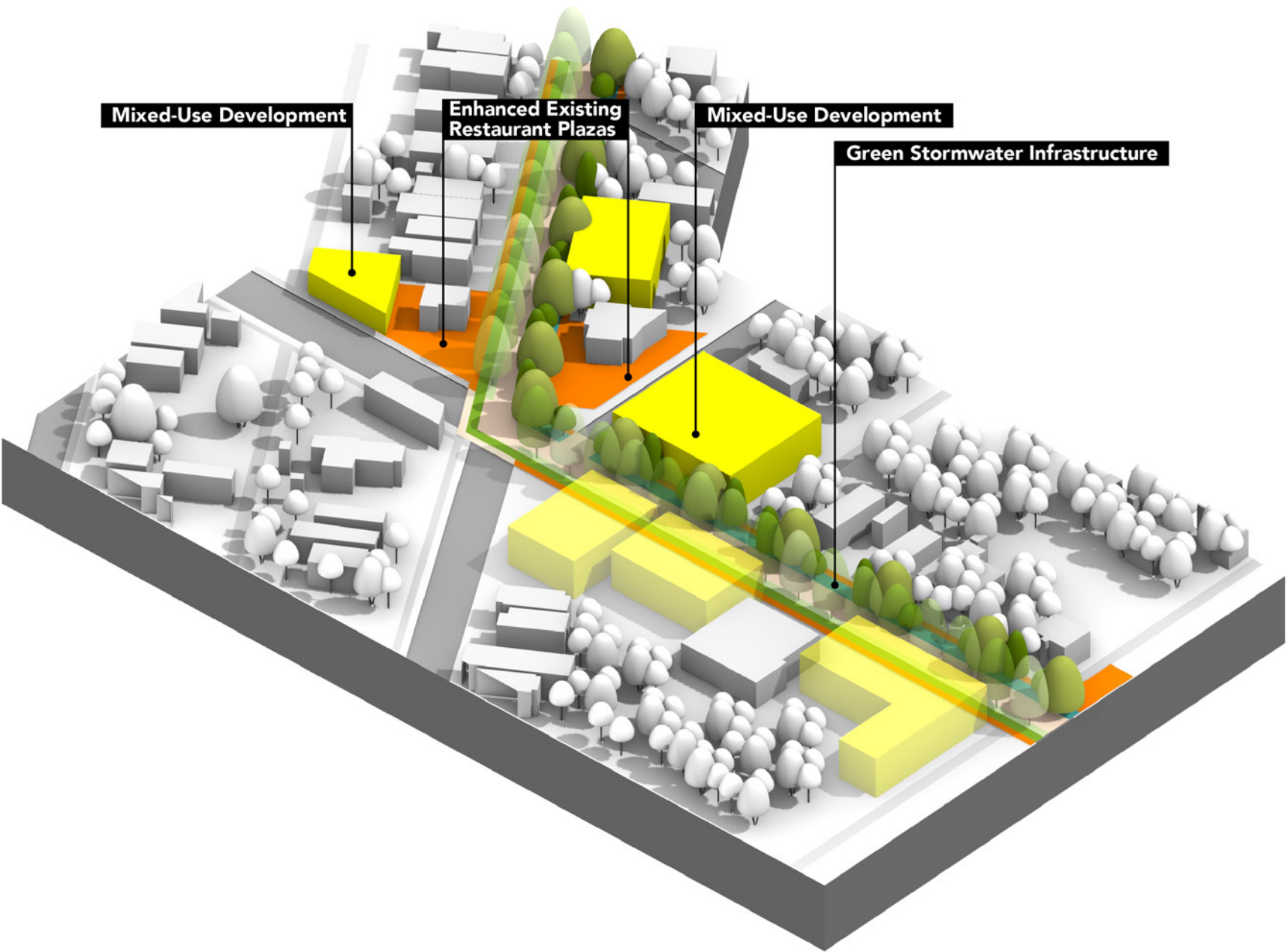
10th Street, Argentine Boulevard and
12th Street Corridor Sub-Area:
12th Street and Argentine Boulevard

The intersection of 12th Street and Argentine Boulevard, where this corridor turns south, is capped by two (2) existing restaurants with large parking lots that dominate the street edge. In addition to installing green stormwater infrastructure in these areas and creating the separated bike lane, this Master Plan proposes partnering with businesses to devote some of their parking areas to outdoor dining or other format of accessible public space to create a stronger community focal point at this dynamic intersection.



Above: View of Argentine Boulevard and 12th Street (PORT)
Below: Aerial View of Argentine Avenue and 12th Street (Google Earth)

12th Street and Argentine Boulevard 3D-Model Enlargement



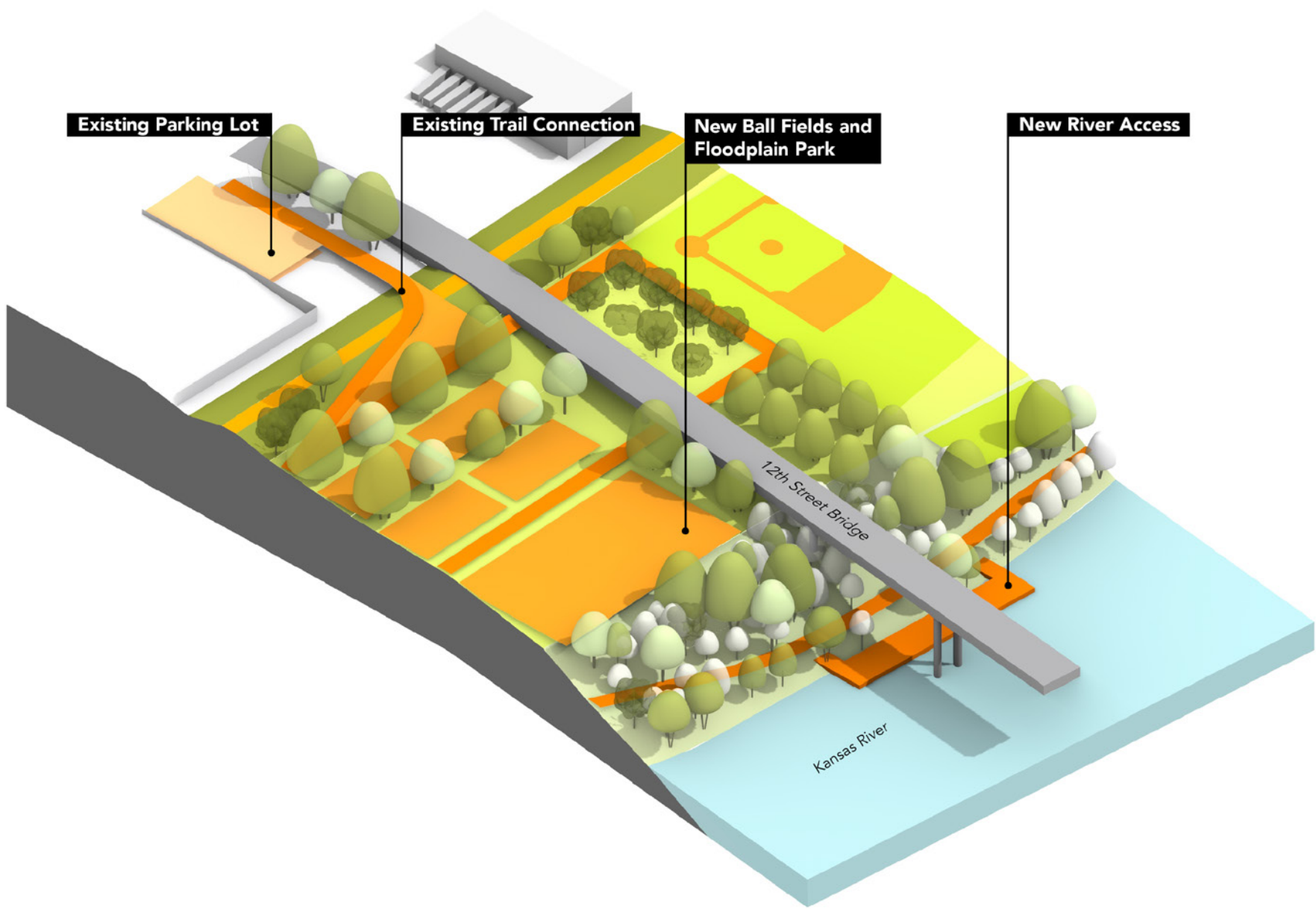
10th Street, Argentine Boulevard and
12th Street Corridor Sub-Area:
12th Street - South

At this point, the corridor intersects with the 12th Street Community Hub along the Kansas River. This Master Plan proposes acquiring or leasing the underutilized parking lot adjacent to 12th Street as a parking lot for the community hub, which will include playing fields, water access and connections to the levee trail. The separated bike lane will at this point become a protected bike lane that crosses the 12th Street Bridge to Argentine.



Above: View of Underused Private Parking Lot Adjacent to Levee Trail (PORT)
Below: Aerial View of 12th Street Bridge and the Kansas River Floodplain (Google Earth)

12th Street - South - 3D-Model Enlargement



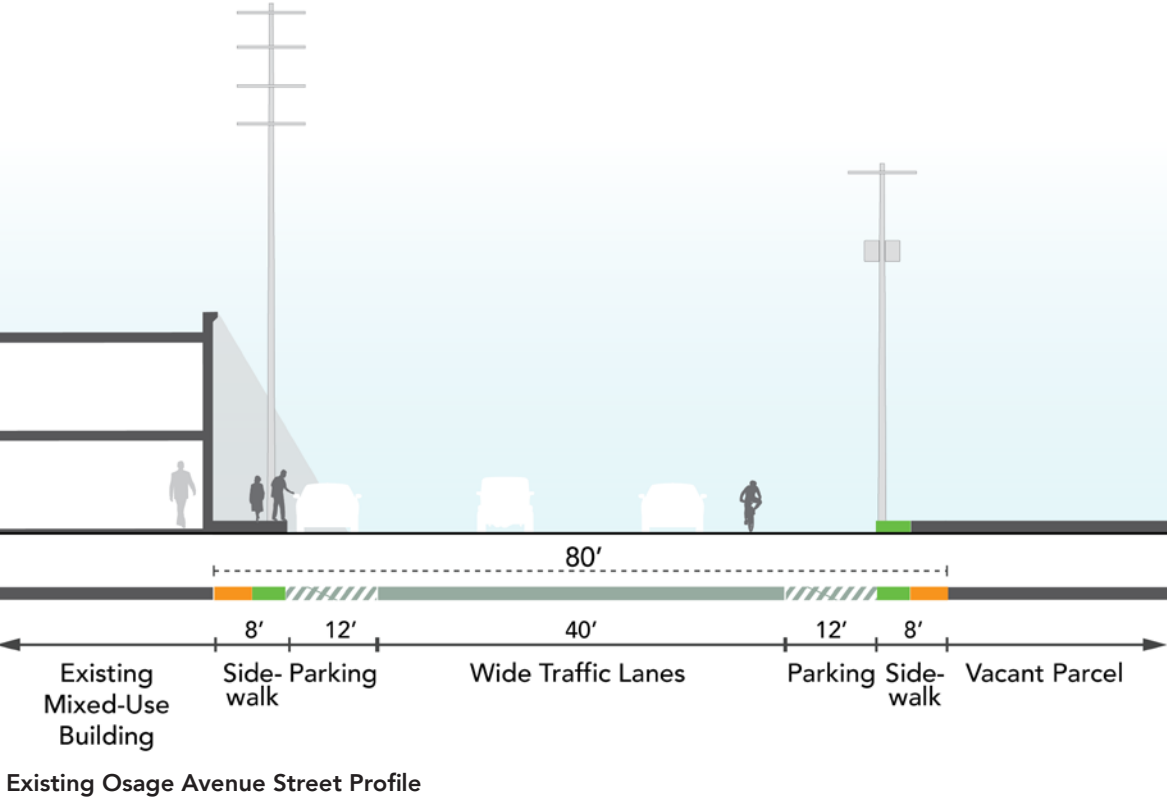
OSAGE AVENUE CORRIDOR

Osage Avenue is the main commercial street at the heart of Armourdale, and offers the best opportunity to invest in public space, green stormwater infrastructure, and canopy trees in the Neighborhood Core. Osage Avenue is only two (2) lanes of traffic with parking on both sides, but its current paved roadway and sidewalk width of 80 feet is much wider than necessary. Further, because of the generous road dimension, Osage Avenue is often used by heavy east-west truck traffic as an alternative to Kansas Avenue. The large trucks add unnecessary noise, oversized vehicle traffic, and pollutants to the neighborhood core. This Master Plan calls for diverting this truck traffic and reclaiming much of this paved area for pedestrian and stormwater improvements, including a protected bike lane along its entire length.

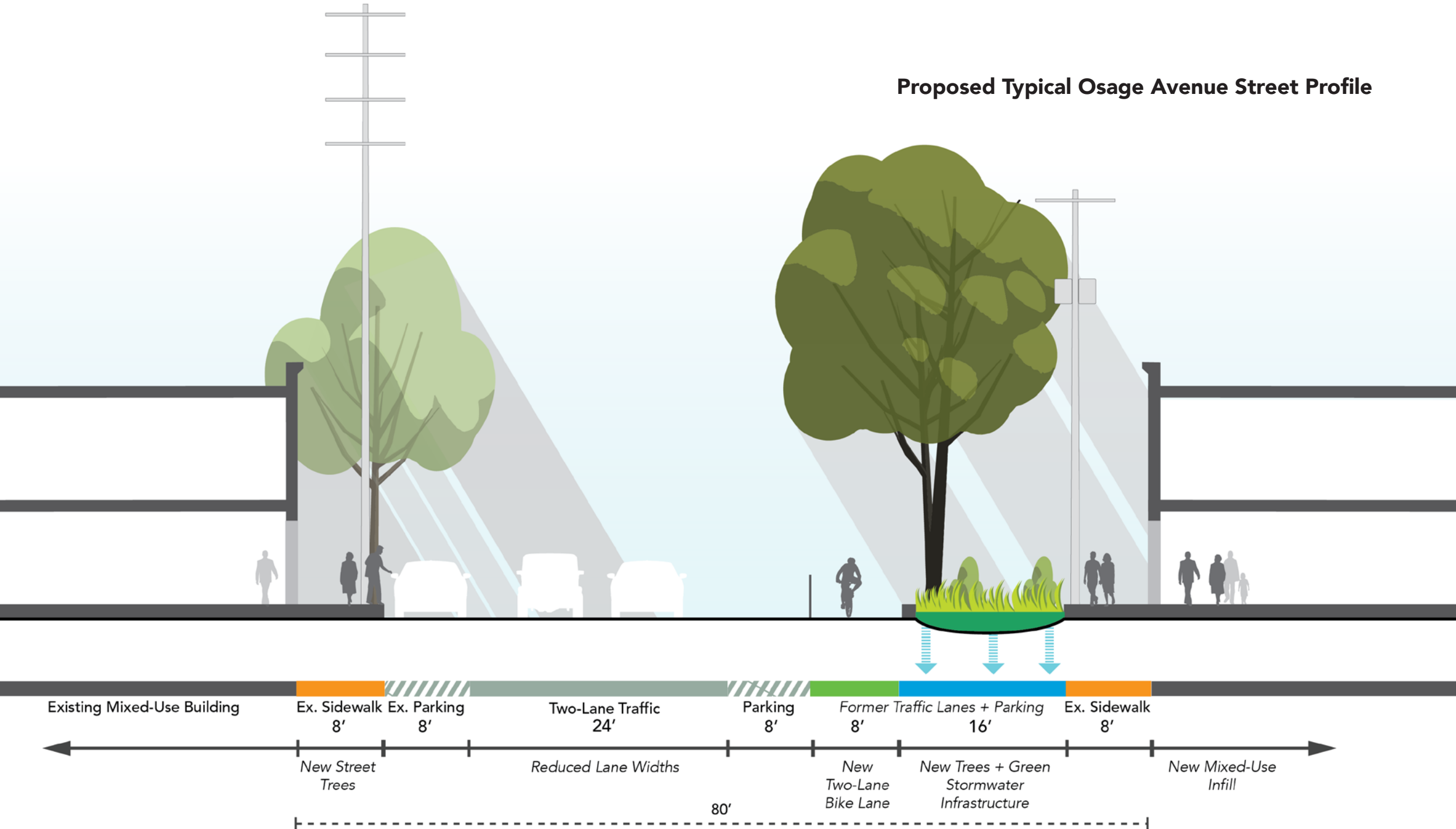
The Osage Avenue should be anchored by two (2) public realm strategies. The first is to invest in the public space outside the Armourdale Community Center extending east through Shawnee Park to 7th Street. This space can serve as a gateway to the neighborhood core of Armourdale, but also support Community Center programming. It should also celebrate the significance of Shawnee Park and its historic importance to Armourdale, including its Mexican-American baseball heritage. The second public realm strategy is to explore the reuse of the former Pauls Drive Inn canopy structure and parking area for a temporary community market.

Corridor Actions:

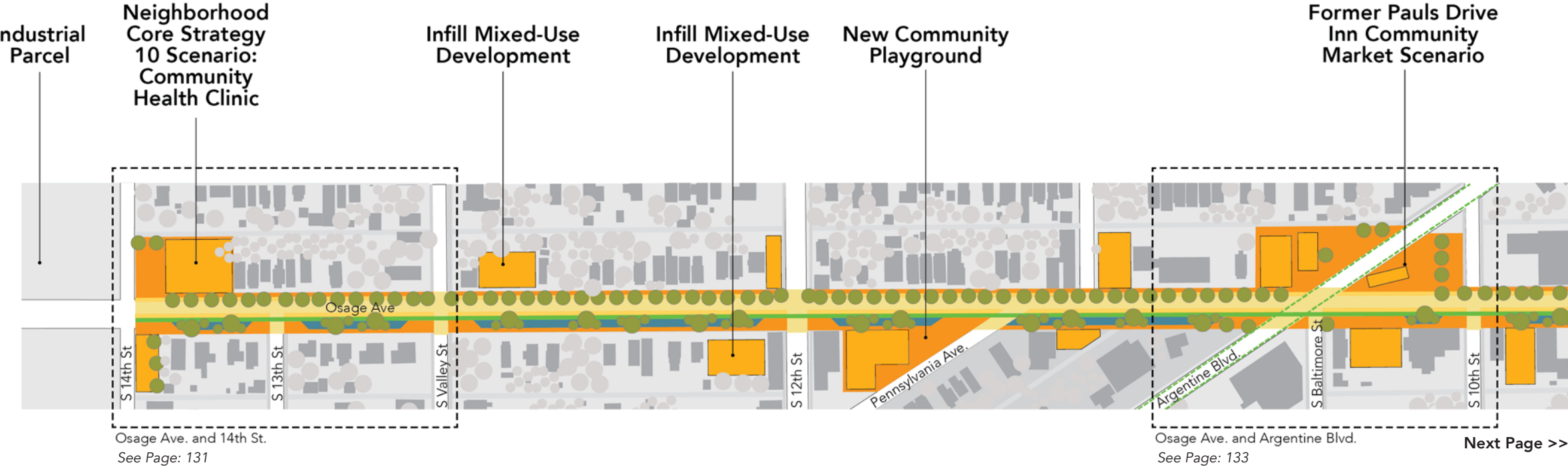
- Action 1:** Narrow the space for vehicles and divert heavy trucks away from Osage Avenue.
- Action 2:** Implement green stormwater infrastructure, street tree and public space projects.
- Action 3:** Create more density along corridors by minimizing building setbacks and developing underused parcels.



Proposed Typical Osage Avenue Street Profile



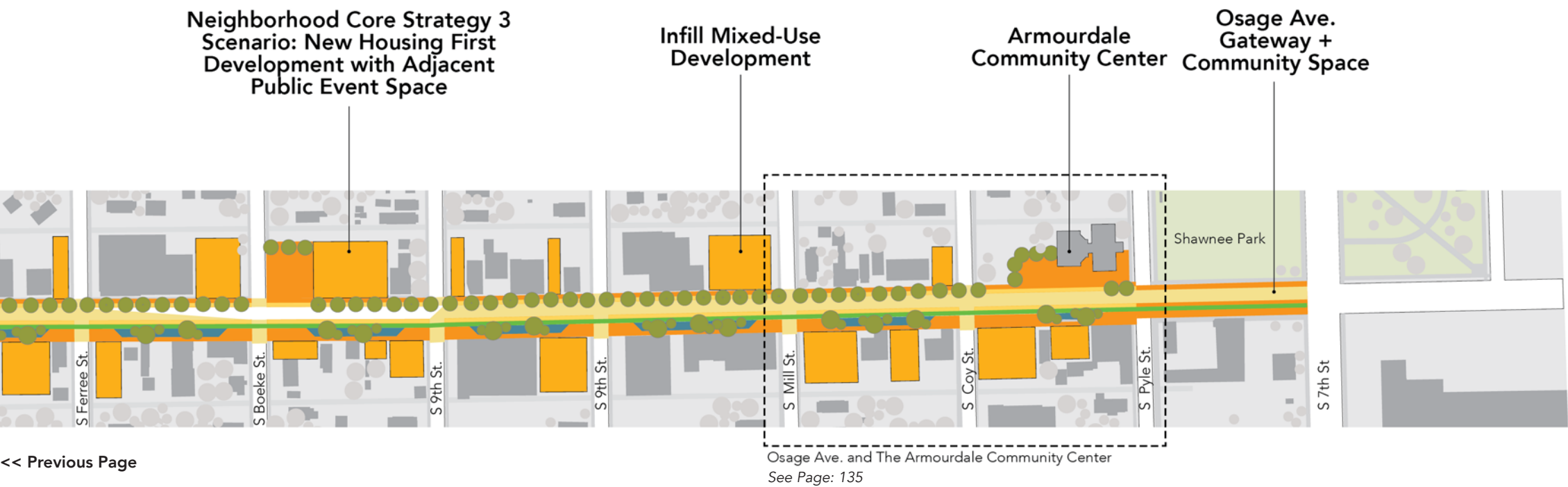
Osage Avenue Corridor - West



- New Development
- New Public Space
- Bike Lane
- Parking
- Roadway
- New Trees
- Bioswales



Osage Avenue Corridor - East



- New Development
- New Public Space
- Two-Way Bike Lane
- Parking
- Roadway
- New Trees
- Bioswales



Osage Avenue Corridor Sub-Area:
Osage Avenue - East

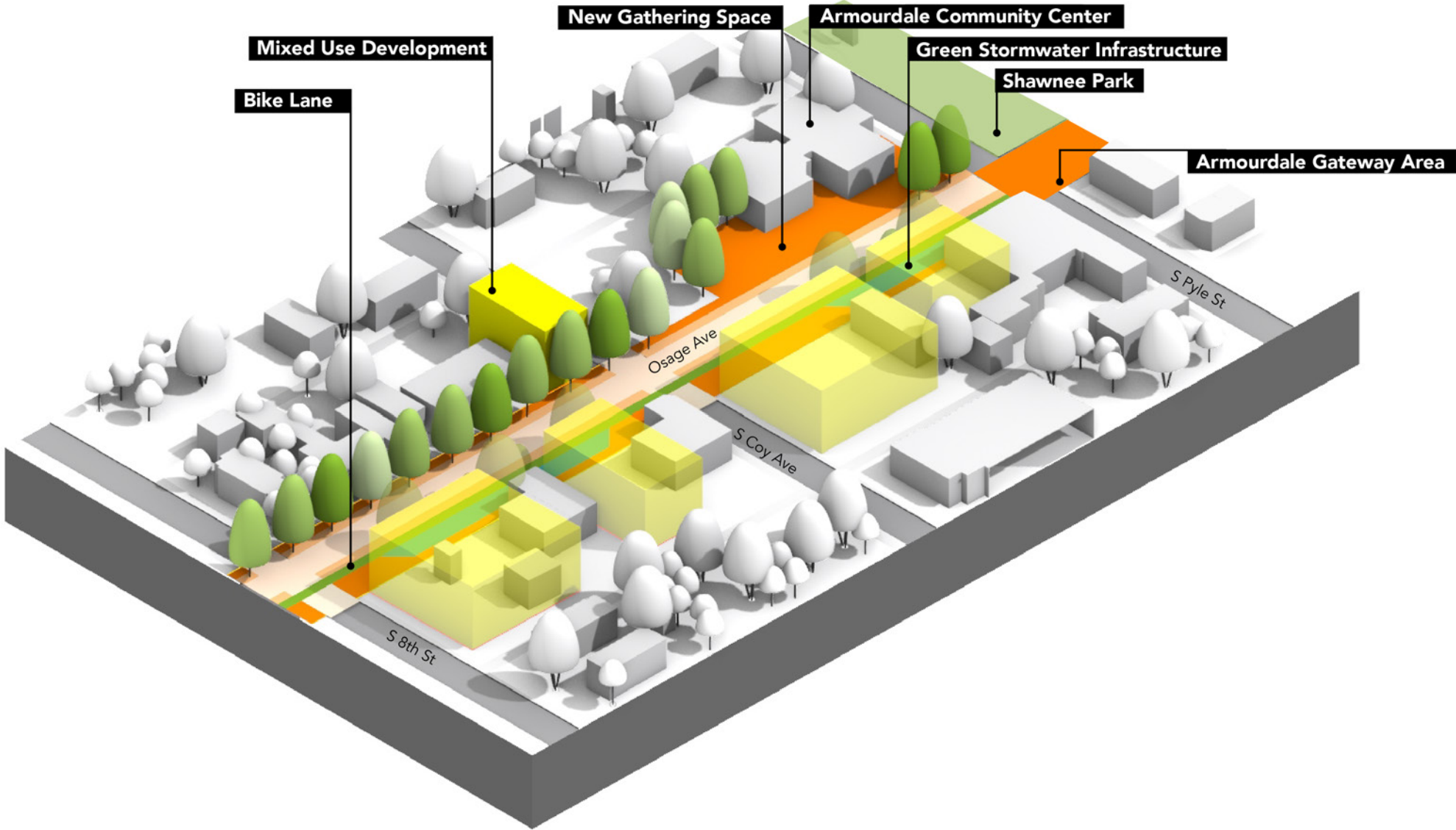
The east end of the Osage Avenue Corridor includes the Armourdale Community Center and several vacant properties that are appropriate for mixed use commercial / residential development. This Master Plan calls for redesignating several of these properties for mixed-use development, as well as for investing in new public space around the Community Center to allow for more daily use and the ability to stage outdoor events.

The public space outside the Armourdale Community Center extending east through Shawnee Park to 7th Street can also serve as a gateway to the neighborhood core of Armourdale. If developed as an Osage Avenue Gateway, for instance, it could celebrate the significance of Shawnee Park and its historic importance to Armourdale, including its Mexican-American baseball heritage.



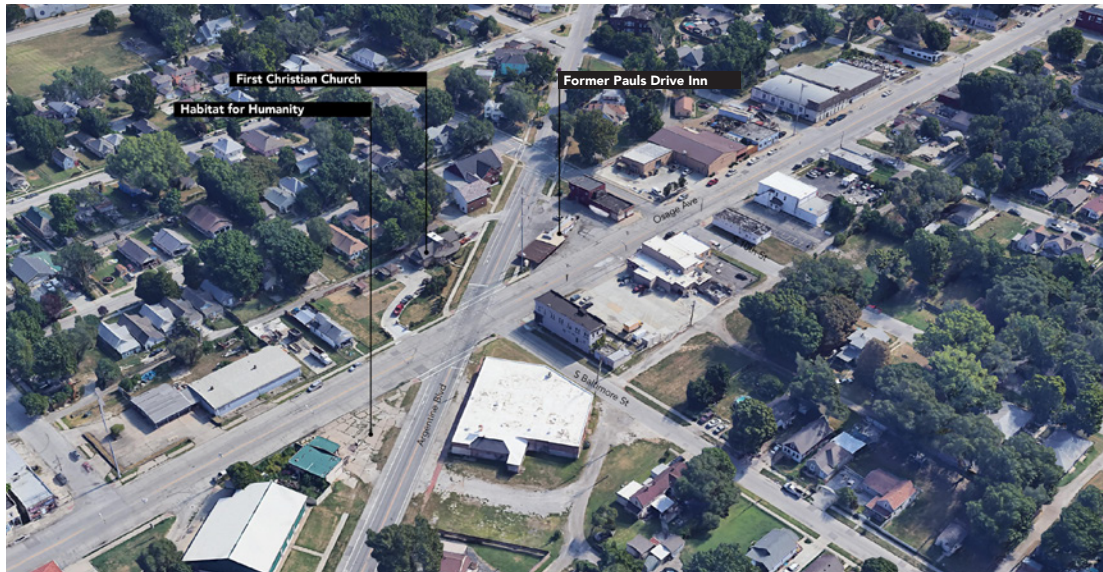
Above: View of From Armourdale Community Center Looking West
Below: Aerial View of Armourdale Community Center and Osage Avenue

Osage Avenue - East - 3D-Model Enlargement



Osage Avenue Corridor Sub-Area:
Osage Avenue - Central

The central section of Osage Avenue is also where the 10th / 12th Street Corridor intersects with the Osage Avenue corridor via Argentine Boulevard. At this intersection, this Master Plan calls for exploring the reuse of the former Pauls Drive Inn canopy structure and parking area for a temporary community market. Pauls Drive Inn is a beloved local landmark that recently closed and this strategy will allow the Unified Government to not only renovate and preserve an important piece of local heritage, but also create a new resource to serve the Armourdale community.



Above: View of the Closed Pauls Drive Inn Restaurant Canopy and Parking Area (PORT)
Below: Intersection of Argentine Boulevard and Osage Avenue (Google Earth)

Osage Avenue - Central - 3D-Model Enlargement



Osage Avenue Corridor Sub-Area:
Osage Avenue - West

The west end of Osage is bordered by large-scale industrial parcels at 18th Street. The vacant lots at the corner of Osage and 14th Street are utilized here to illustrate a scenario where similarly scaled vacant spaces on Osage Avenue in the Neighborhood Core are converted to a community health clinic. In this scenario, there is ample room to include public space to create a west gateway ‘end cap’ to the Osage Avenue Corridor.



Above: View of Vacant Lots at the Edge of The Neighborhood Core Where Osage Avenue Meets 14th Street (PORT)
Below: Aerial View of 14th Street and Osage Avenue (Google Earth)

Osage Avenue - West - 3D-Model Enlargement



KANSAS AVENUE CORRIDOR

Kansas Avenue offers the only east-west connection through Armourdale that also connects with the Historic West Bottoms and downtown Kansas City, Missouri. It connects the Neighborhood Core of Armourdale to the Rock Island Bridge, and is also used to service many of the industrial properties in the Industrial Ring, especially those east of 7th Street.

Kansas Avenue should be reconstructed to reflect this dual identity as both an important community connection and an important thoroughfare for Industrial Ring heavy truck traffic. As there is already ample parking in the area, this Master Plan calls for the elimination of parking along Kansas Avenue where feasible, and the corresponding widening of sidewalks, increased tree planting, and new dedicated bike lanes.

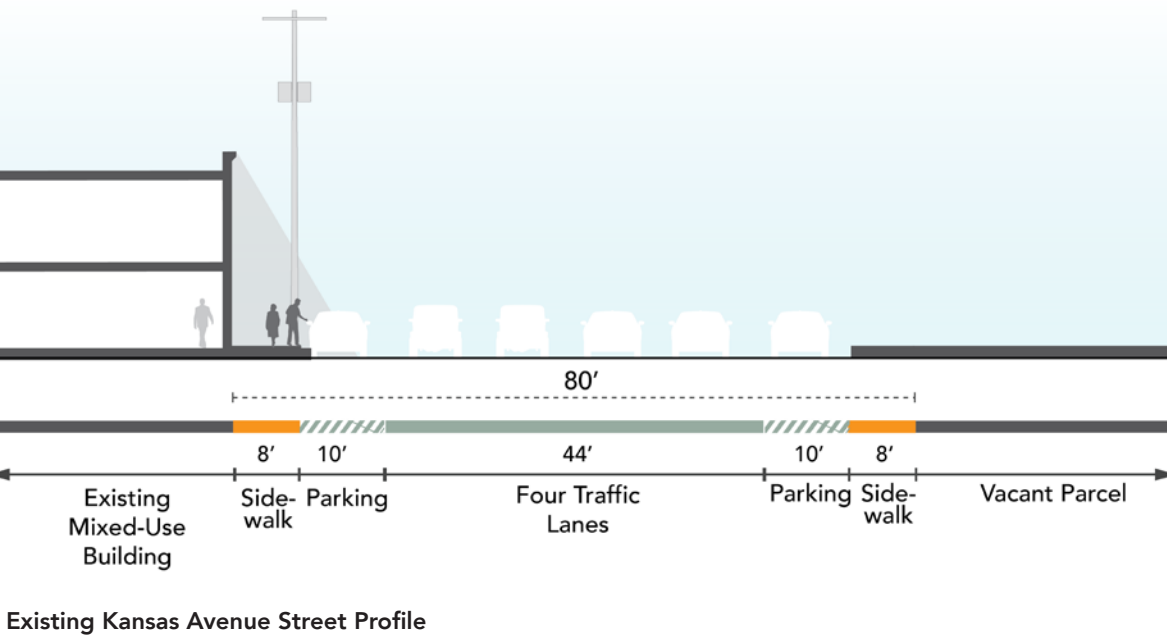
This Master Plan also calls for the densification of the corridor, reducing setbacks and re-designating many of the adjacent parcels to mixed-use commercial areas. These recommendations should also extend west of 7th Street to the Kansas River in subsequent phases of development.

Corridor Actions:

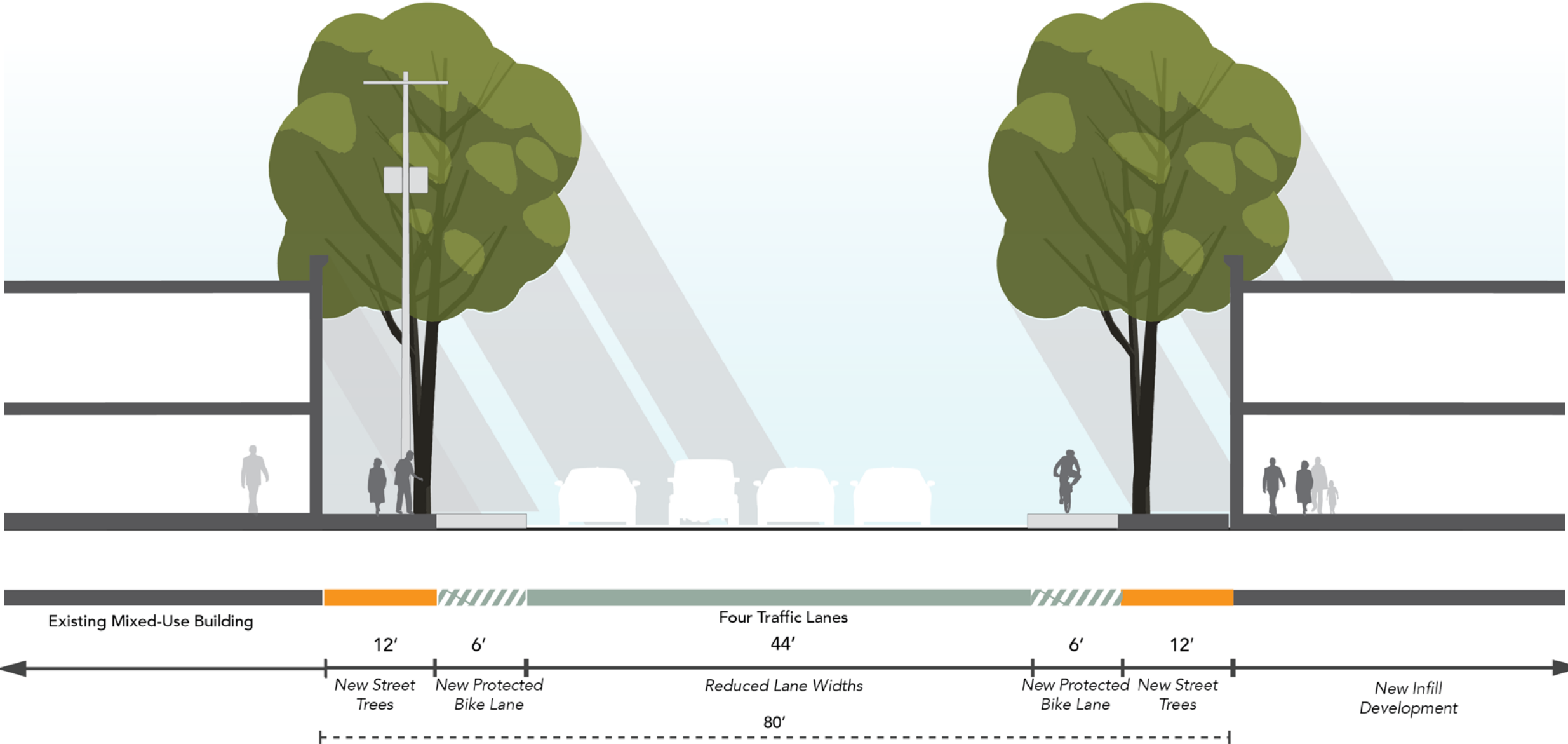
Action 1: Widen sidewalks where feasible and add bike lanes.

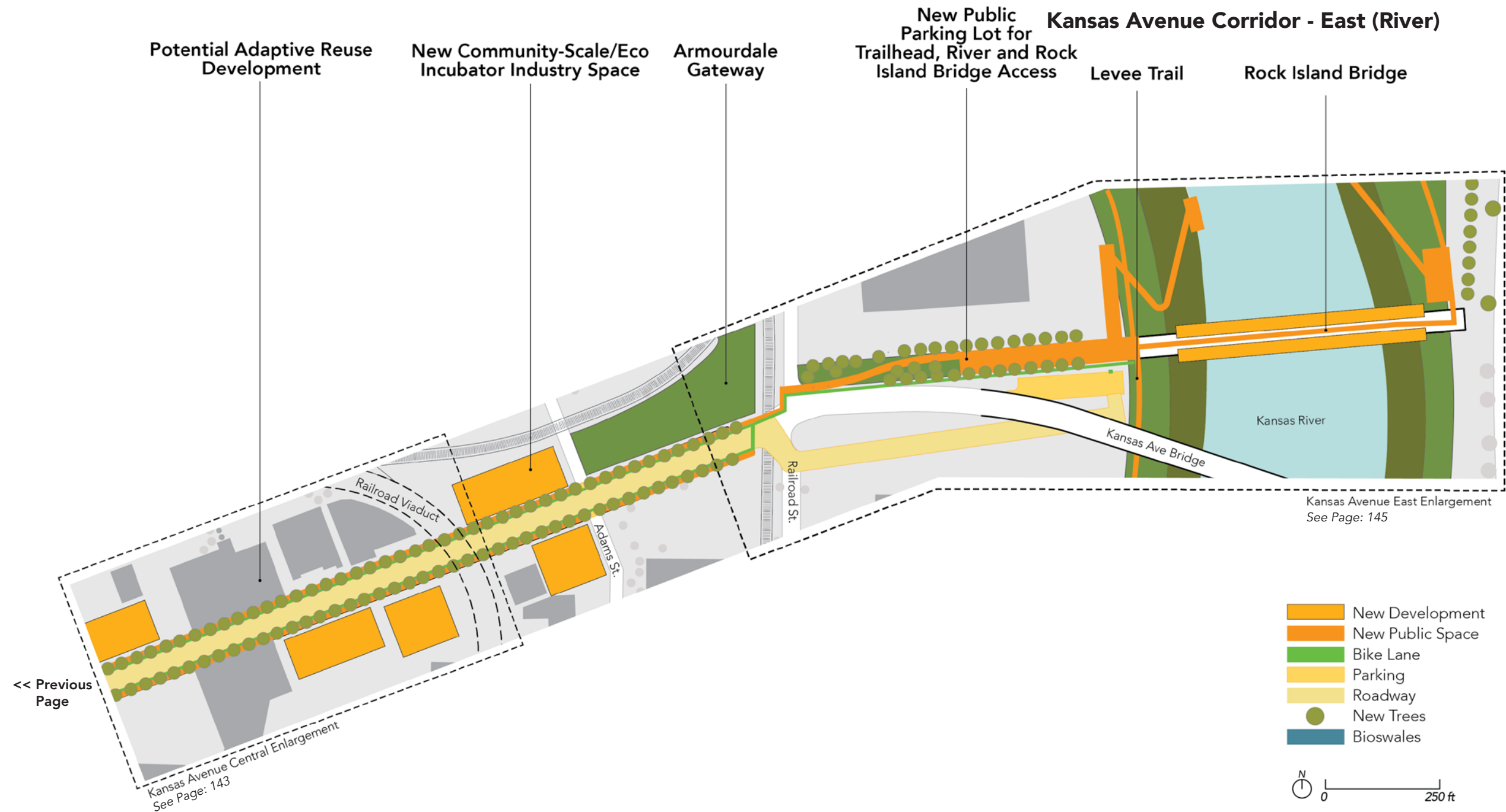
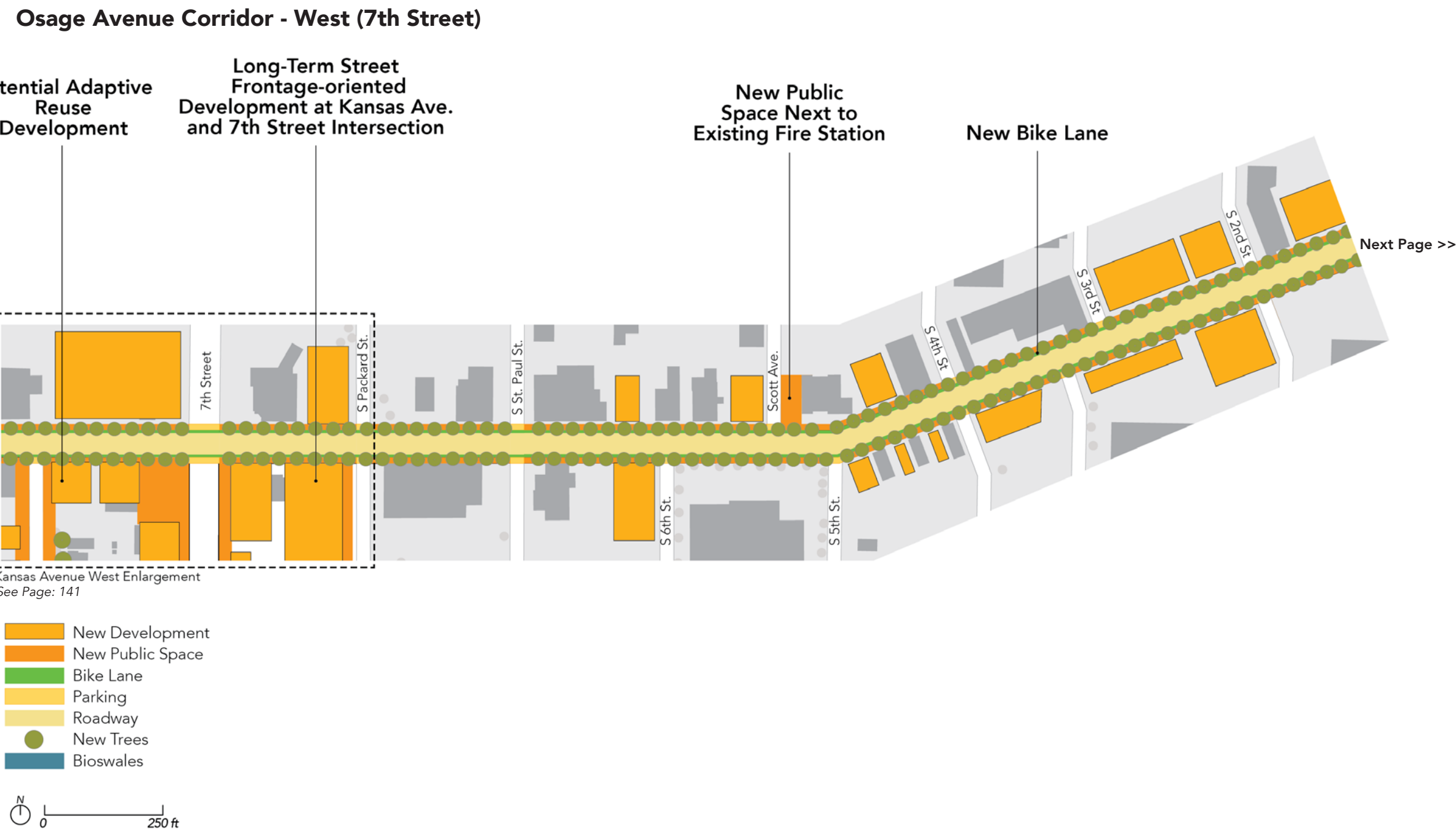
Action 2: Connect the Neighborhood Core to the Kansas River.

Action 3: Create more density along corridors by minimizing building setbacks and developing underused parcels.



Proposed Typical Kansas Avenue Street Profile





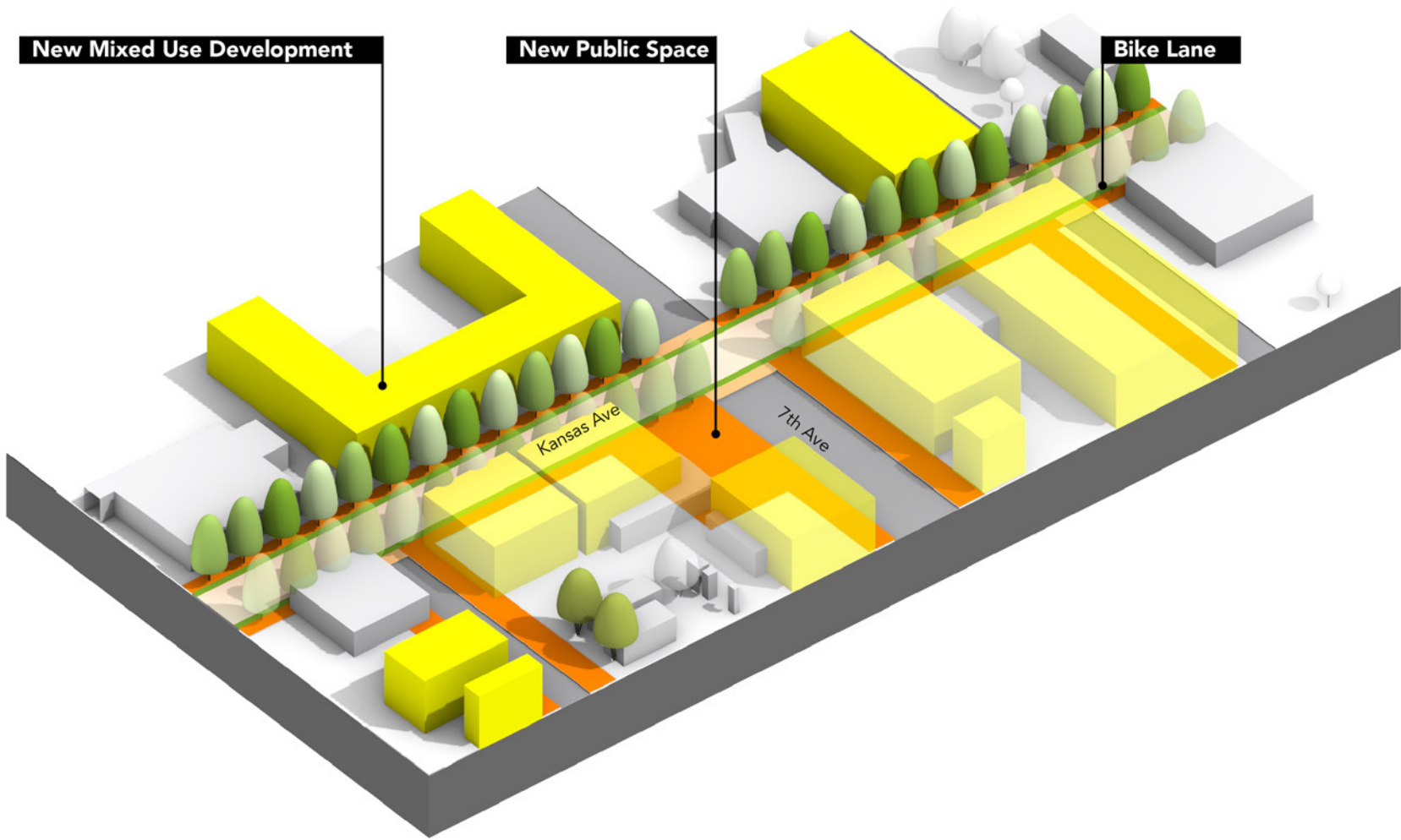
Kansas Avenue Corridor Sub-Area:
Kansas Avenue - West (7th Street)

The western end of the Kansas Avenue corridor is dominated by large commercial parcels geared toward automobile traffic. This corner is the gateway to the Armourdale neighborhood from points north and should be re-planned to reduce setbacks and enhance pedestrian and bicycle safety. Commercial properties should be re-oriented to the street with parking behind, and industrial properties should be re-oriented to serve a mix of uses.



Above: View of the Intersection of 7th Street and Kansas Avenue, Facing West (PORT)
Below: Aerial View of the Intersection of 7th Street and Kansas Avenue (Google Earth)

Kansas Avenue - West (7th Street) - 3D-Model Enlargement



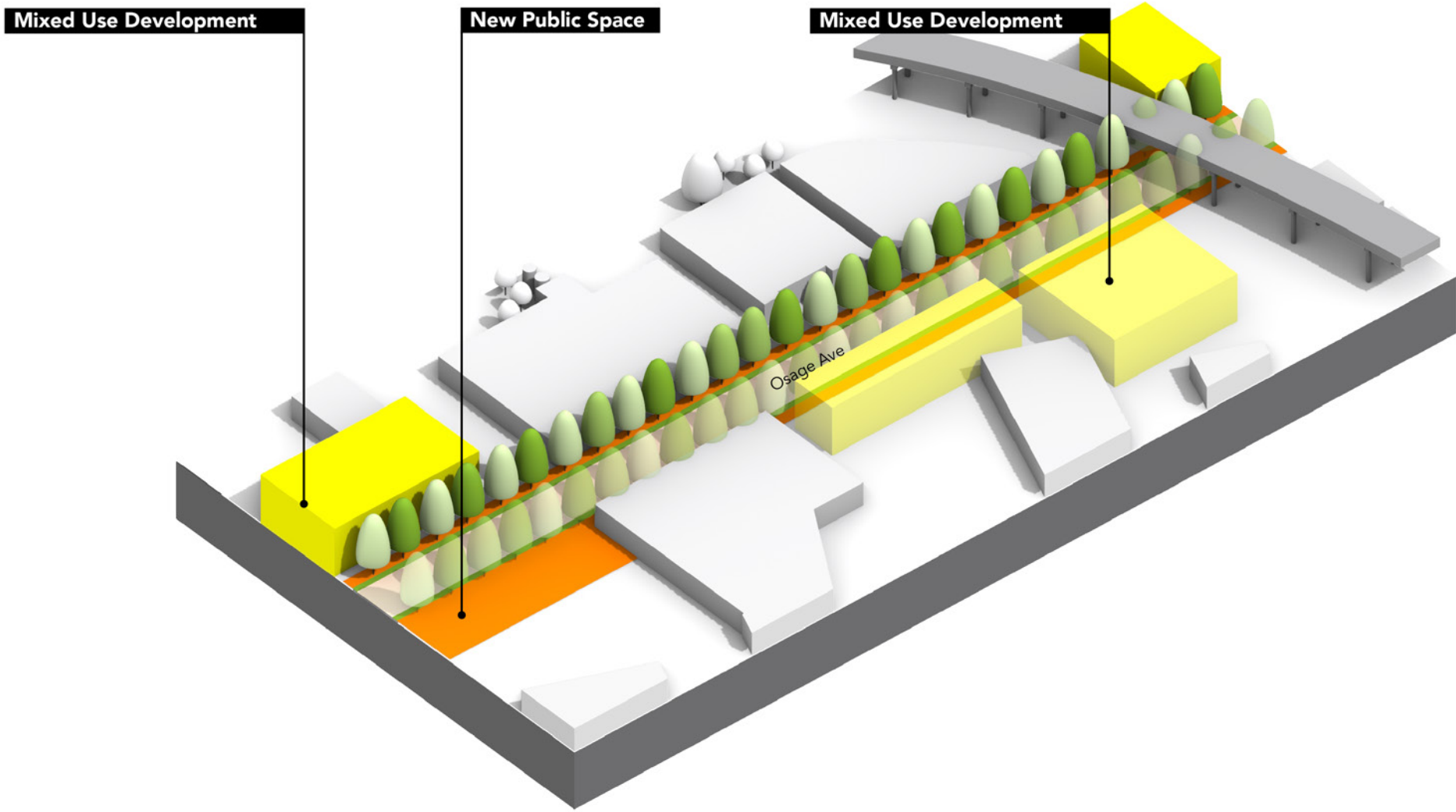
Kansas Avenue Corridor Sub-Area:
Kansas Avenue - Central

The central stretch of Kansas Avenue includes several historic structures with limited setbacks that are ripe for redevelopment. The large scale parking lots and underused industrial spaces between them should also be densified and redirected to combine dense residential and commercial development. Investment in this segment of Kansas Avenue east of 7th street will strengthen Armourdale’s link to the Historic West Bottoms, The Rock Island Bridge and the Kansas River.



Above: View Facing East Along Kansas Avenue (PORT)
Below: Aerial View of the Central Section of Kansas Avenue (Google Earth)

Kansas Avenue - Central - 3D-Model Enlargement

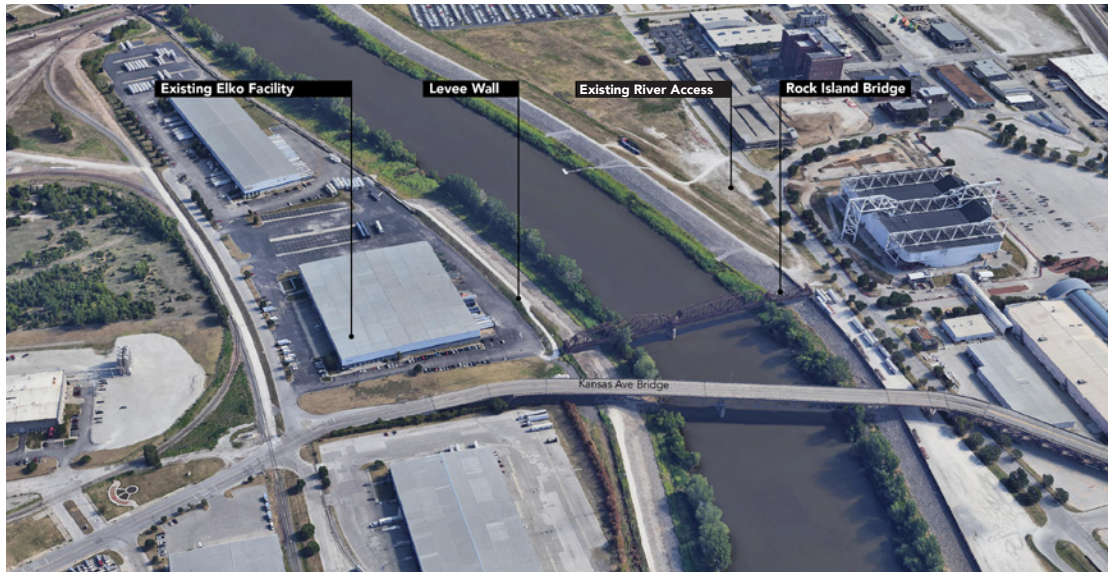


Kansas Avenue Corridor Sub-Area:
Kansas Avenue - East

At the eastern end of the Kansas Avenue Corridor, Kansas Avenue crosses the Kansas River to Kansas City, Missouri (KCMO), but the Kansas Avenue corridor effectively terminates at the Rock Island Bridge. Planning for a privately operated entertainment, bar and restaurant venue that utilizes the existing bridge structure is currently underway.

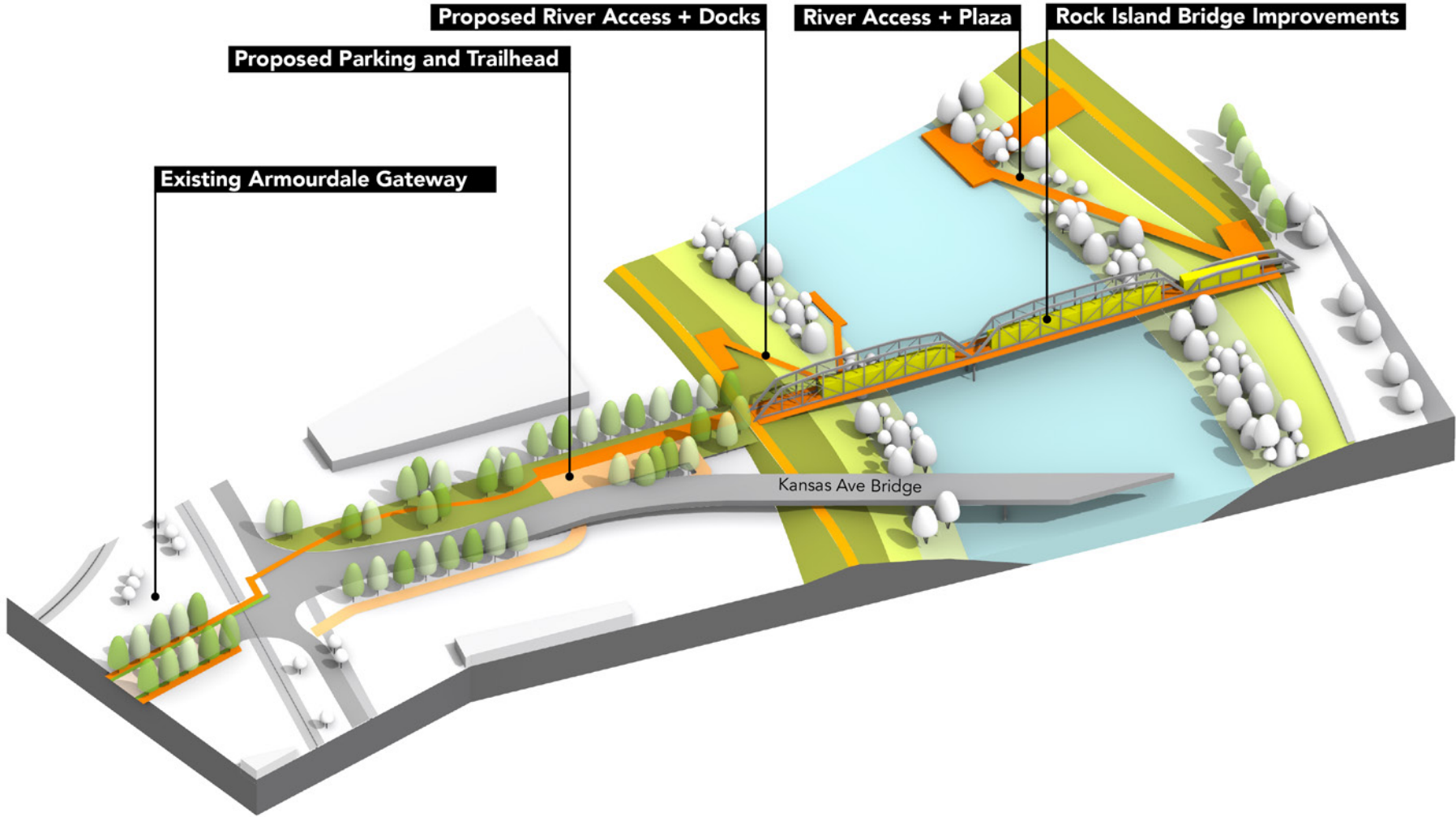
The scope of betterment projects under development by the Unified Government to be located adjacent to the Rock Island Bridge and implemented during the levee enhancement construction project include a new parking lot, trailhead, parking, and riverfront overlook venue. These betterments will together form part of the ‘Rock Island Bridge Community Hub’ described in the River section.

Improvements to the corridor itself in the section should include the connection of the separated bike lane to the Rock Island Bridge, the extensive planting of canopy trees to provide shade, and wayfinding and other improvements to help the public navigate this relatively industrial area of the district.



Above: View of a Premier Investments Warehouse and Planned Levee Trailhead Parking Lot Location at the Base of the Kansas Ave. Bridge (PORT)
Below: Aerial View of the Kansas Avenue Bridge, Rock Island Bridge and The Kansas River (Google Earth)

Kansas Avenue - East - 3D-Model Enlargement



STRATEGY 1:
CREATE MORE PUBLIC OPEN SPACES

Goal: Offer a greater amount and variety of public space to Armourdale residents, businesses and visitors.

Context: Armourdale has two (2) well-used but underinvested UG-managed parks - Shawnee Park and Bill Clem Park - and three (3) small spaces owned by the Armourdale Renewal Association: Dailey Park, Jed Jaedicke Memorial Park, and the Armourdale Gateway.

Location: Numerous underutilized spaces along Neighborhood Core Corridors, including the former Pauls Drive Inn restaurant space at Argentine Boulevard and Osage Avenue and spaces near The Armourdale Community Center and Shawnee Park.

Actions: The UG and ARA can develop a site acquisition strategy for the unowned parcels and issue an RFP to develop design concepts that be used for fundraising. The UG may commission studies for UG-owned properties like Shawnee Park, rhe Armourdale Communtiy Center and adjacent roadway areas at any time.

Potential Partners:

Unified Government Parks and Recreation and Urban Planning and Urban Design should be the primary or secondary developer for the new public spaces, in coordination with the Armourdale Renewal Association.

Funding: Grant funding for the project could be acquired from state or philanthropic insitutions with a mission to support public open space projects for underserved communities, historically significant sites, or both.

Timeframe:

Year 1: Develop an RFP for programming and concept design for two (2) or three (3) spaces; develop an acquisition strategy for the parcels, if needed; apply for funding for the design process.

Year 2+: Receive fuding and conduct spatial planning and design process with community input. Construct new spaces and build on momentum to pursue future public space projects.

Target: Develop at least two (2) new public spaces along Osage Avenue by 2031.



STRATEGY 2:
CONNECT TO THE ROCK ISLAND BRIDGE

Goal: Establish a clear connection between the Neighborhood Core and the Rock Island Bridge.

Context: The Rock Island Bridge will be a new, unique destination space along the Kansas River, but it lacks a clear connection to the Neighborhood Core of Armourdale.

Location: Kansas Avenue East of 7th Street.

Actions: Using state or federal transportation dollars, redevelop Kansas Avenue to provide dedicated bike lanes and shaded pedestrian areas for its entire length from 7th Street to the Rock Island Bridge. Implement the levee betterments providing parking and access at the Rock Island Bridge itself.

Potential Partners:

The Unified Government Public Works Department is leading the levee enhancement and betterment project and is also responsible for roadway enhancement implementation projects. Because Kansas Avenue is a state highway, the *Kansas Department of Transportation* (KDOT) would also be a project partner.

Flying Truss is developing the Rock Island Bridge and should offer support for any efforts to connect their project to the Neighborhood Core.

Funding: State or federal transportation funding.

Timeframe:

Year 1: Pursue funding for Kansas Avenue bike, pedestrian and stormwater infrstrucutre upgrades. Commence design and construction based upon available funding and project development timelines.

Target: Complete construction of a bike and pedestrian oriented segment of Kansas Avenue from 7th Street to the Kansas River by 2026.



STRATEGY 3:
EXPAND CORRIDOR INFILL AND ADAPTIVE REUSE MIXED-USE DEVELOPMENT

Goal: Increase the density and amount of mixed residential and commercial development along the corridors.

Context: What little mixed-use development exists in Armourdale is spread out along Kansas and Osage Avenue. Prior to flood damage and decades of disinvestment, Armourdale commercial corridors were occupied by a critical mass of two-story retail buildings. Some of these buildings remain and can by renovated, while numerous vacant lots are available for new contextually-scaled mixed-use buildings with ground floor retail and residential apartments above.

Location: Numerous underutilized spaces along Neighborhood Core Corridors, including the former Pauls Drive Inn restaurant space at Argentine Boulevard and Osage Avenue and spaces near The Armourdale Community Center and Shawnee Park.

Actions: The UG Economic Development Department and the ARA can encourage the acquisition of vacant and underused parcels along the corridor by developers interested in creating dense, community-oriented, mixed-use development. Development review and permitting will ensure new buildings add street frontage to increase the walkability and density of the Neighborhood Core.

Potential Partners:

Unified Government Economic Development Department can target, build relationships, and encourage new investment in Armourdale by Kansas City-based developers with a strong track record of implementing successful neighborhood-scale mixed-use development projets.

The Armourdale Renewal Association can develop a list vacant parcels and a list of potential developers, investors and builders with community ties.

Funding: Funding would be through private investment or acquired from state or philanthropic insitutions with a mission to support community development projects in underserved communities.



Above: Historic Mixed-Use Building in Armourdale’s Neighborhood Core
(Austin Eikermann)

Timeframe:

Year 1: Develop initial process for recruitment of development partners and transfer of the property, as needed. Conduct a feasibility study for high-priority sites. Rigorously pursue one (1) to two (2) initial projects.

Year 2+: Build on momentum of ongoing or completed projects to encourage continued investment.

Target: Construct a new mixed-use building or renovate a mixed-use building on each block of Osage Avenue by 2026.



STRATEGY 4:
CLOSE OSAGE AVENUE TO LARGE TRUCKS AND GENERALLY ENHANCE CORRIDOR PEDESTRIAN SAFETY

Goal: Reduce the speed of cars traveling along the corridors; enhance pedestrian and bicycle safety. Close Osage Avenue to large truck traffic.

Context: Cars routinely speed along all the major Armourdale streets because of their width and the distance between traffic lights and stop signs. Large trucks routinely use Osage Avenue as an alternative to Kansas Avenue, causing unnecessary noise, pollution and bike/ pedestrian conflicts.

Location: All Armourdale corridors, prioritizing Osage Avenue and the neighborhood core.

Actions: Ban heavy truck traffic on Osage Avenue as soon as feasible. Implement corridor roadway enhancement projects outlined in the Master Plan in conjunction with anticipated stormwater infrastructure enhancement projects. Narrowing roadways and introducing street trees will inherently slow down speeding cars.

Potential Partners:

Unified Government Public Works Department administers the municipal roads and will be primarily responsible for implementation

Funding: State or federal transportation infrastructure funding. Green stormwater infrastructure loan programs and implementation projects should be aligned with road narrowing and bike/ped enhancements. KDOT will help fund the 12th Street Corridor enhancements because it is part of the 18th Street bridge reconstruction project.

Timeframe:

Year 1+: Pursue funding for Osage Avenue corridor bike, pedestrian and stormwater infrastrucutre upgrades. Commense design and construction based upon available funding and project development timelines.

Target: Complete construction of one (1) key corridor segment enhancement project by 2025.

Priority:



Cost:



Vandalized Speed Limit Sign in the Neighborhood Core (Austin Eikermann)

STRATEGY 5:
PROVIDE ACCESSIBLE ARMOURDALE BUS STOP PLATFORMS AND INSTALL BUS STOP SHELTERS

Goal: Increase the number of accessible bus stops and quantity of sheltered bus stops in Armourdale.

Context: KCATA is upgrading bus shelters in the area, but many Armourdale bus stops are not currently accessible. In fact, numerous Armourdale bus stops consist of signs attached to light poles in grass lawn areas without sidewalk access.

Location: Existing bus stop locations in Armourdale along 12th Street, Argentine Boulevard, 10th Street and 7th Street.

Actions: Assess existitng bus stop locations and accessibility. Prioritize upgrades for accessibility and shelter based upon ridership numbers.

Potential Partners:

Unifed Government Transit Department and the Kansas City Area Transportation Authority (KCATA) maintain bus stops and bus service, respectively.

Funding: UG Transit Department, KCATA and State Transporation Funds (STP).

Timeframe:

Year 1: Coordinate with the UG Transit Department to initiate bus stop projects.

Year 2+: Secure annual budget for bus stop updgrades and shelter installation.

Target: All bus stop locations in Armourdale should be sidewalk accessible by 2024.

Priority:



Cost:



RideKC Bus Stop on 7th Street in Armourdale (Austin Eikermann)

FOCUS AREA 4: THE INDUSTRIAL RING

Originally incorporated as a company town, Armourdale has always been home to both industry and the residences of the workers that live there. Armourdale is also home to a diverse array of light and heavy industrial firms, from manufacturing to logistics and distribution to small-scale firms like auto body shops, storage yards, and equipment rental. It also includes a number of scrap yards, rendering plants, and other industries that should not be located close to residential neighborhoods because of the effects of their byproducts or pollution on resident quality of life.

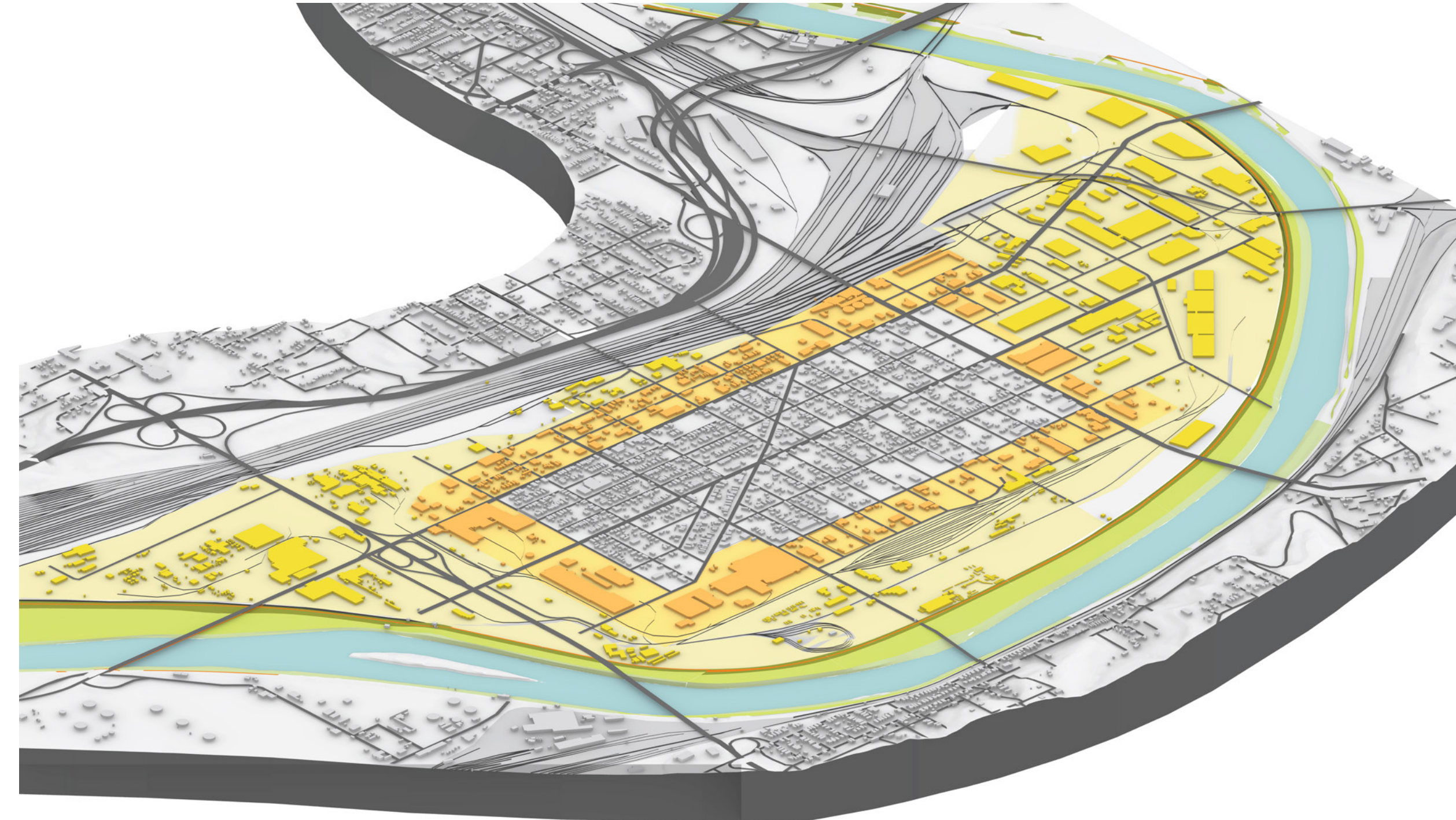
Armourdale is rendered a site of environmental inequality, where people who live and/or work there are disproportionately subject to industrial pollution and environmental hazards. The fact that a significant number of Armourdale's population are recent immigrants and lack access to environmental policy making, leaves this community especially vulnerable to environmental racism.

In recent years, and especially after the 1951 flood, people who work in Armourdale have become increasingly isolated from people who live there. According to the most recent American Community Survey, only 1% of people who work in Armourdale also live in Armourdale. Further, driven by "market dynamics," industry has continued to expand towards the residential core of Armourdale during the past century—risking its community's health and contaminating its live, work, and play spaces.



Above: Kaw Power Station Municipal Plant on Kansas Avenue in Armourdale (PORT)

Below: Historical Aerial Photo of the Proctor and Gamble Plant Located Adjacent to the Uncle Sam Oil Refinery That Became The Site of the Kaw Power Station Municipal Plan in 1954 (Kansas City Public Library)



INDUSTRIAL RING OVERVIEW: LOGISTICS AND MANUFACTURING

Armourdale's position close to downtown and between the intersection of two (2) major highways makes it a desirable location for businesses that perform last-mile distribution, transport materials between different points in the Kansas City metropolitan area or need large spaces for manufacturing or other operations. There are also numerous points in Armourdale proper that are rail-accessible, which is not a widely available service in the region, and access to the labor pool throughout Wyandotte County the Kansas City metro area are why the district remains competitive for various industrial and distribution uses.⁶⁶

The day to day activities of NTS trucking offer a good example of why Armourdale has the amount and type of industrial activity that it does. More than half of NTS's business is a standing contract to deliver flour from the Grain Craft Mill on Silver Avenue to the Kellogg's bakery in Fairfax, five (5) miles north. Six times a day, an NTS driver picks up a trailer of flour, drives it north on 7th Street through Armourdale, drops it off at Kellogg's, and drives the empty trailer back to Grain Craft, resulting in 35 trips through Armourdale every day.⁶⁷

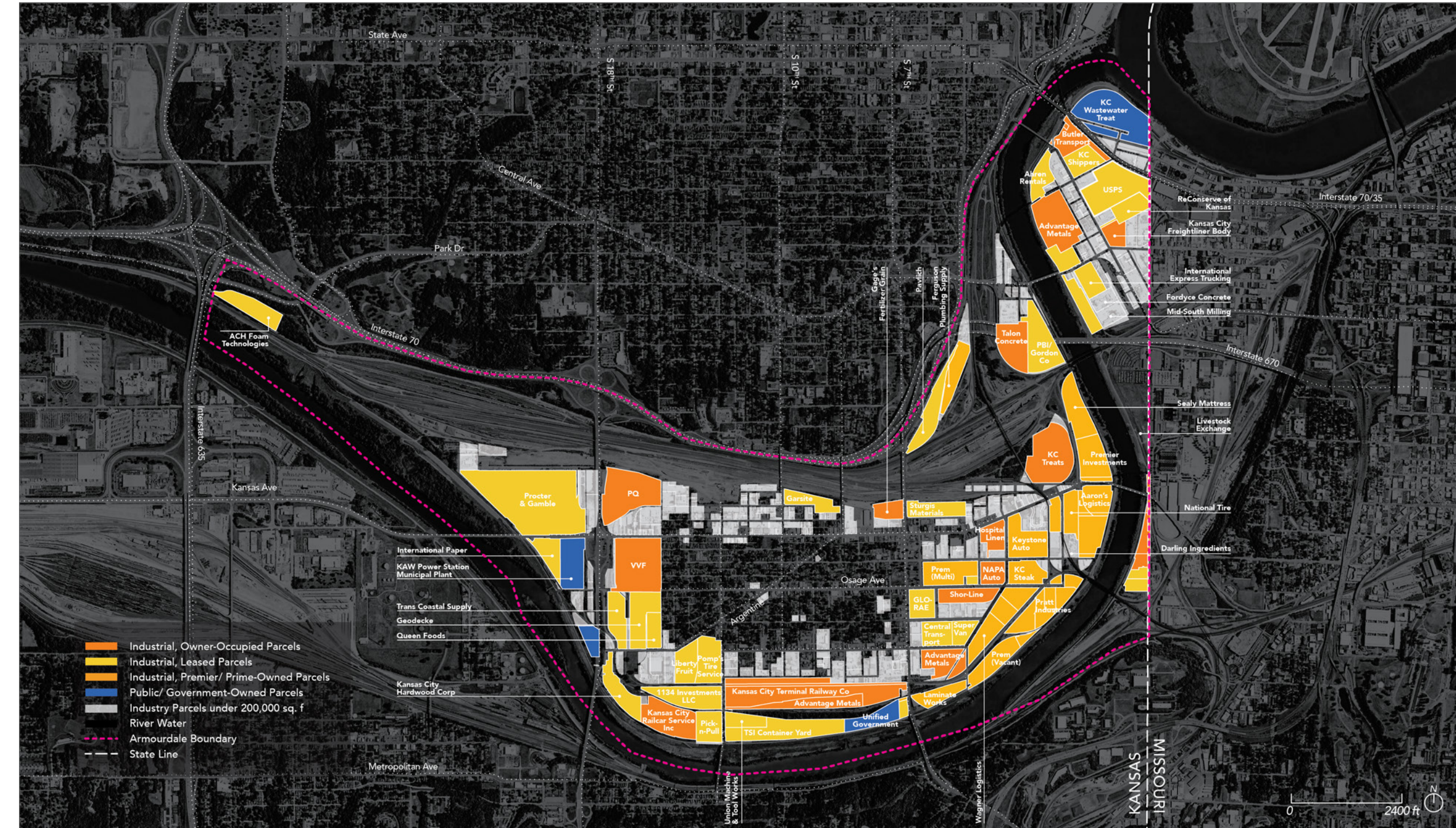
Armourdale has a much smaller stock of the historic factory or stockyard buildings that have recently been renovated into lofts or other residential uses. Armourdale industrial buildings tend to be the large, one-story modern box warehouses that are the "bread and butter" of contemporary industry. When properties are newly converted to industrial use, this tends to be because of the acquisition and consolidation of parcels over a longer period of time, or when older outdated industrial structures are purchased and new buildings take their place.⁶⁸



Above: Kansas Avenue Facing East Toward Downtown Kansas City, Missouri (PORT)

Below: Elevated Freight Rail and Trucking Lot at Darling Ingredients (PORT)

Opposite: Industrial Parcel / Land Use Map (PORT)



INDUSTRIAL RING OVERVIEW: UNDERUTILIZED PARCELS

A large number of underutilized parcels are scattered throughout both the residential and the industrial areas of Armourdale. In the industrial areas, these parcels are generally smaller in size, with simple shed buildings. They are distinguished mostly because they store all manner of industrial products, often used, outside with limited apparent activity. These materials can be everything from car axles and pallets to fire extinguishers and truck tires.

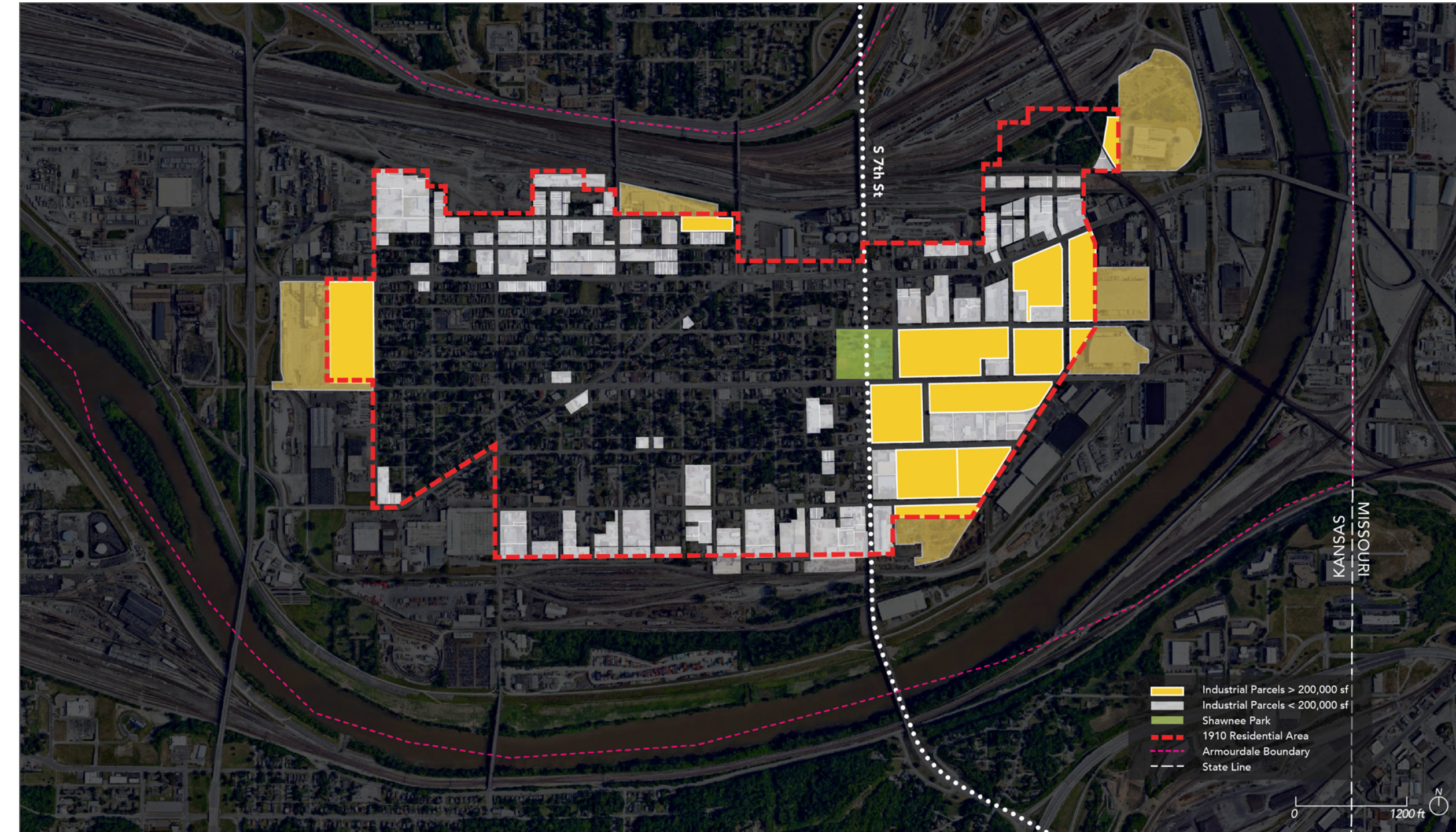
Vacant and underutilized residential parcels also extend throughout the core of the Armourdale community. These vacant parcels present long-term challenges for the stability and economic strength of the neighborhood as a whole. Vacant properties can collect trash, become overgrown, and contribute nothing to the tax base or the safety of the community. Gaps in the residential fabric can lead to areas that feel less safe. A district-wide strategy for addressing these properties and promoting residential infill will go a long way towards strengthening the future of the community.

In general, these underutilized parcels contribute little to the overall health and viability of Armourdale, and a district-wide approach for directing them toward more productive residential or commercial uses will be important for ensuring that Armourdale is a productive, vibrant community and jobs center.



Above: Material Storage Lots in Armourdale (PORT)

Opposite: Shrinking Residential Footprint (PORT)



CONTAMINANTS, BROWNFIELDS AND POLLUTION

Driven by “market dynamics”, industry has continued to expand towards the residential core of Armourdale during the past century— risking its community’s health and contaminating its live, work, and play spaces.

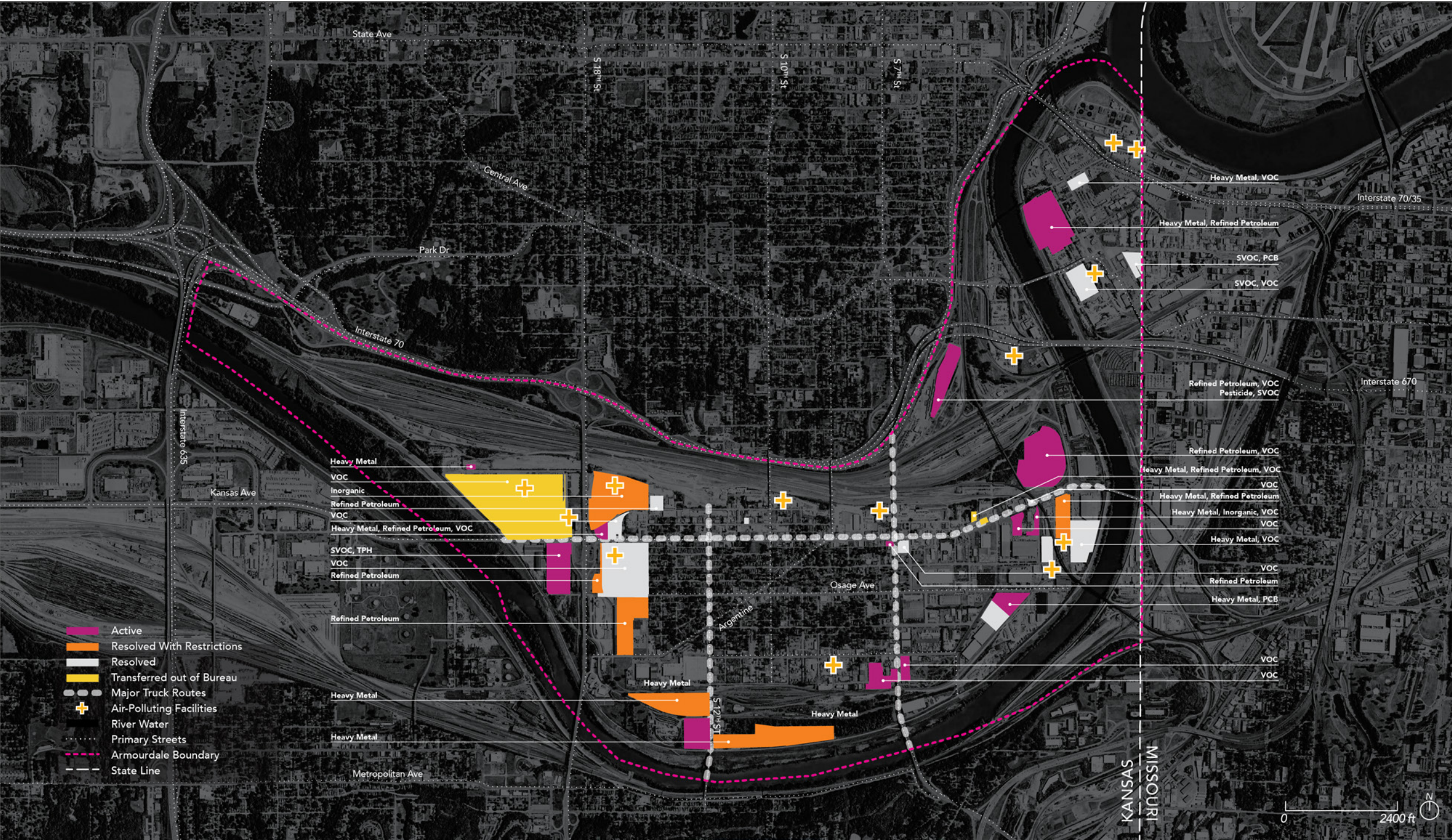
While there isn’t sufficient evidence that directly correlates Armourdale’s poor health data to contamination and pollution data, it is safe to conclude that these contaminants and poor air quality pose a threat to the community’s health and wellbeing. This planning effort’s recognition of this inequality will help build momentum for supporting existing organizations and efforts to clean up and mitigate pollution, as well as empower the community to push against future industrial exploitation and encroachment.

Both government and non-profit organizations are making efforts to identify sources of pollution and contamination. In addition to monitoring air pollution at different locations in Armourdale (among other neighborhoods in Kansas City), CleanAirNow enables and empowers youth and adults to organize, lead, and advocate for their communities.⁶⁹

The Kansas Department of Health and Environment (KDHE) identifies sites of environmental interest and categorizes them as: contaminated, formerly contaminated, or that have been evaluated for contamination. This map includes sites identified by the Bureau of Environmental Remediation, which responds to environmental emergencies and manages environmental contamination through pollution source control, containment, or remedial action.⁷⁰ The map does not include data linked to spills, storm water runoff, tanks, or wastewater treatment.

The map on the following page also shows major truck routes, which cut through Armourdale’s residential core and are considered major air pollutants, specifically of particulate matter that diminishes the body’s immune system. Additionally, it shows that heavy metals, volatile organic compounds (VOCs), and refined petroleum are the most prominent contaminants in Armourdale. While some of these cases have been resolved, the majority of them either remain active or are resolved with restrictions.

Opposite: Pollution + Contaminants Map (PORT)



INDUSTRIAL RING POLICIES AND ACTIONABLE STRATEGIES

This Master Plans’ goals for the Industrial Ring are first and foremost to help the Industrial Ring become a net contributor to Armourdale’s economic, environmental and social health. Armourdale was central to Kansas City’s emergence as a national transportation and manufacturing center over a century ago due to its abundant rail access and proximity to the Kansas and Missouri Rivers. Armourdale now has the opportunity to utilize technologies that leverage access to these geographic and infrastructural resources to launch a new era of sustainable research, manufacturing, and logistics. Because armourdale’s Industrial Ring is comprised of a diversity of light and heavy industries, it is difficult to unify recommendations for such a diversity of uses. The policies and strategies this Master Plan outlines recognize several general principles that might be applied across the district.

The Master Plan adopts three (3) policies and proposes six (6) strategies to implement across The Industrial Ring.

Industrial Ring Policies:

Policy 1: Industries that have severe externalities such as pollution (airborne, water, noise, odor, or other) should be discouraged in the Industrial Ring, and the Unified Government should work with firms that are already there to relocate elsewhere.

Policy 2: Business development in Armourdale should be built on its natural advantages - principally its proximity to both downtown KCK and KCMO. Businesses that are simply for the long-term storage of materials should be de-emphasized or encouraged to relocate, and businesses that serve both downtowns should be prioritized.

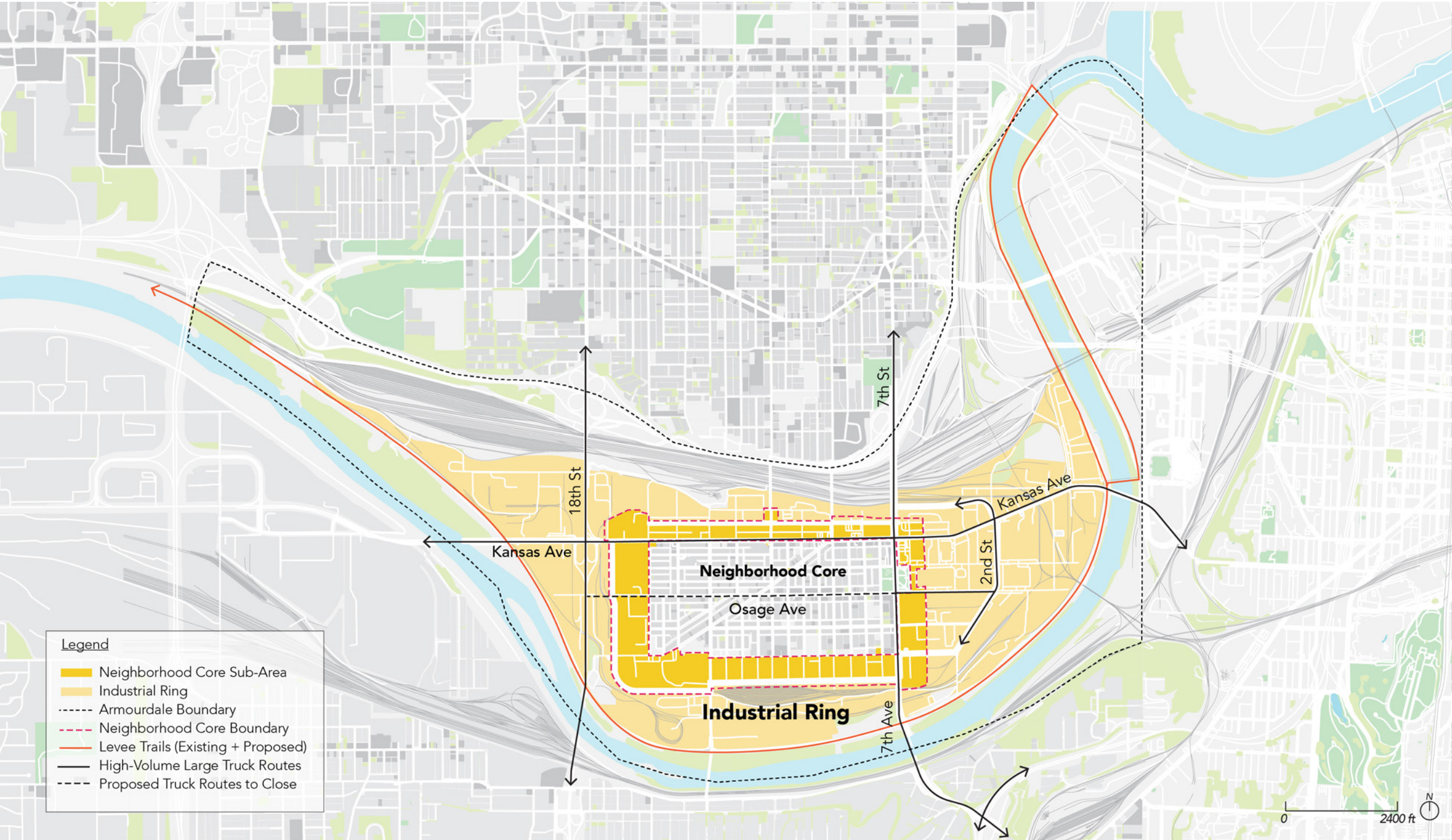
Policy 3: Armourdale businesses are encouraged to develop relationships to the Armourdale community and seek to employ

Armourdale residents. Very few Armourdale residents work at businesses in Armourdale, and the Unified Government should partner with Kansas City Kansas Community College and Armourdale businesses to create educational and job training pipelines specifically for Armourdale residents.

Industrial Ring Strategies:

The infrastructure of the industrial ring itself must be made more efficient by following sustainable industrial use guidelines demonstrated by emerging development models like Eco-Districts, for example. From requiring greater stormwater retention and infiltration to encouraging a greater mix of uses to increase the density of the district itself, planning new development must follow best practices for industrial buildings in urban environments. Armourdale should become a site for the incubation of smaller, locally-owned businesses that need greater flexibility or smaller spaces than those commonly available.

- Strategy 1:** Pilot and Incentivize High-Performing Industrial Parcels
- Strategy 2:** Reduce Impact of Low-Density Commercial and Industrial Parcels Along Commercial Corridors
- Strategy 3:** Create Dense, Mixed-Use Commercial and Industrial Parcels
- Strategy 4:** Expand Access to UG Business Recruitment Services
- Strategy 5:** Expand the Amount of Space Available to Small- and Medium-Sized Businesses
- Strategy 6:** Recruit New Businesses to Armourdale That Thrive on Proximity to Downtown KCK and KCMO



STRATEGY 1:
PILOT AND INCENTIVIZE HIGH-
PERFORMING INDUSTRIAL PARCELS

Goal: Industrial parcels in Armourdale should be net-contributors to the social, economic, and environmental health of the district.

Context: Armourdale’s Industrial Ring is comprised of a diversity of light and heavy industries that have an overall negative environmental impact on the Armourdale Neighborhood Core and broader Kansas City.

Location: The approximately 1400-acres of industrial zoned parcels in Armourdale.

Actions: Incentivize new and existng industrial parcels to capture and allow for the infiltration of their stormwater, rather than allow it to run off into the already overburdened storm sewer system. Encouraged techniques include minimizing the amount of hardscape and installing extensive tree planting to minimize the urban heat island effect. Addressing these issues will also increase the Armourdale tree canopy, provide additional green space for recreation (ie: work breaks and/or lunch breaks), and generally support Armourdale livability initiatives.

Potential Partners:
The *Armourdale Renewal Association* can partner with leading Armourdale businesses and stakeholders like *Premier Investments* to incrementally work toward enhancing the ecological performance of their extensive property holdings. The *UG Economic Development Department* can recruit new industrial businesses to Armourdale that have a strong track record of leading-edge sustainable site development and operation practices.

Funding: Local, state and national grant funding and tax credits are available for implementing sustainable capital improvements.

Timeframe:
Year 1: Create inventory of existing industrial parcels, assess feasibility and interest. Recruit new industries.
Year 2+: Facilitate grant acquisition and implementation.

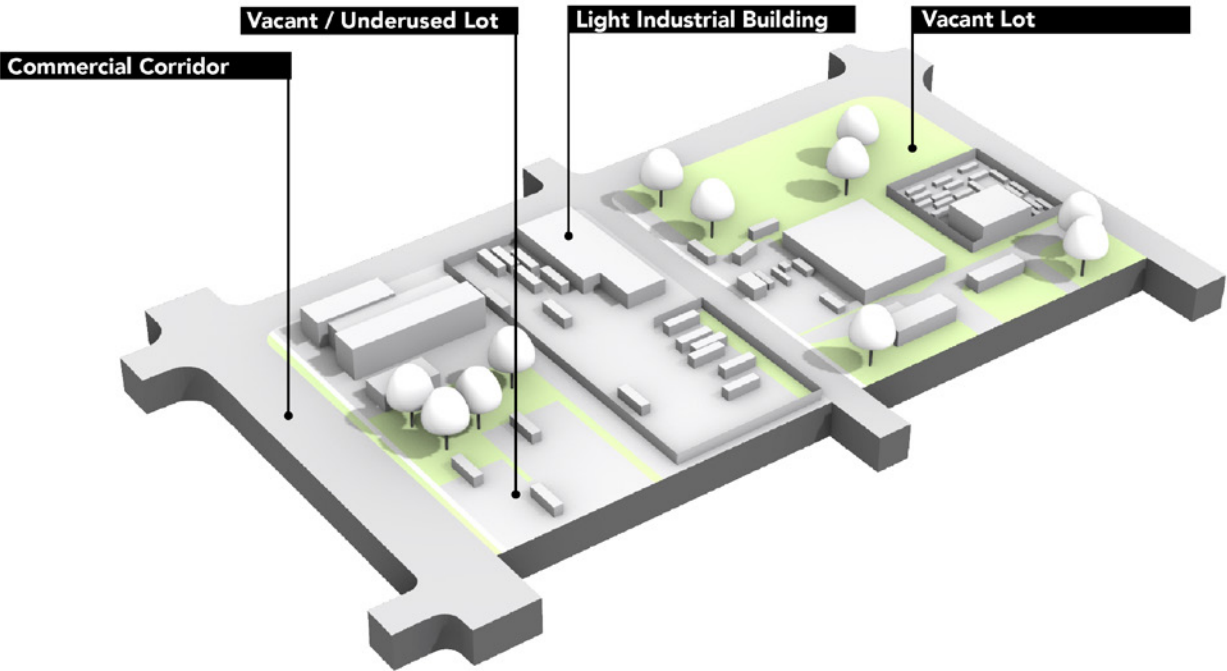
Target: Develop at least two (2) pilot or example enhancement projects by 2026.

Priority:

LowerHigher

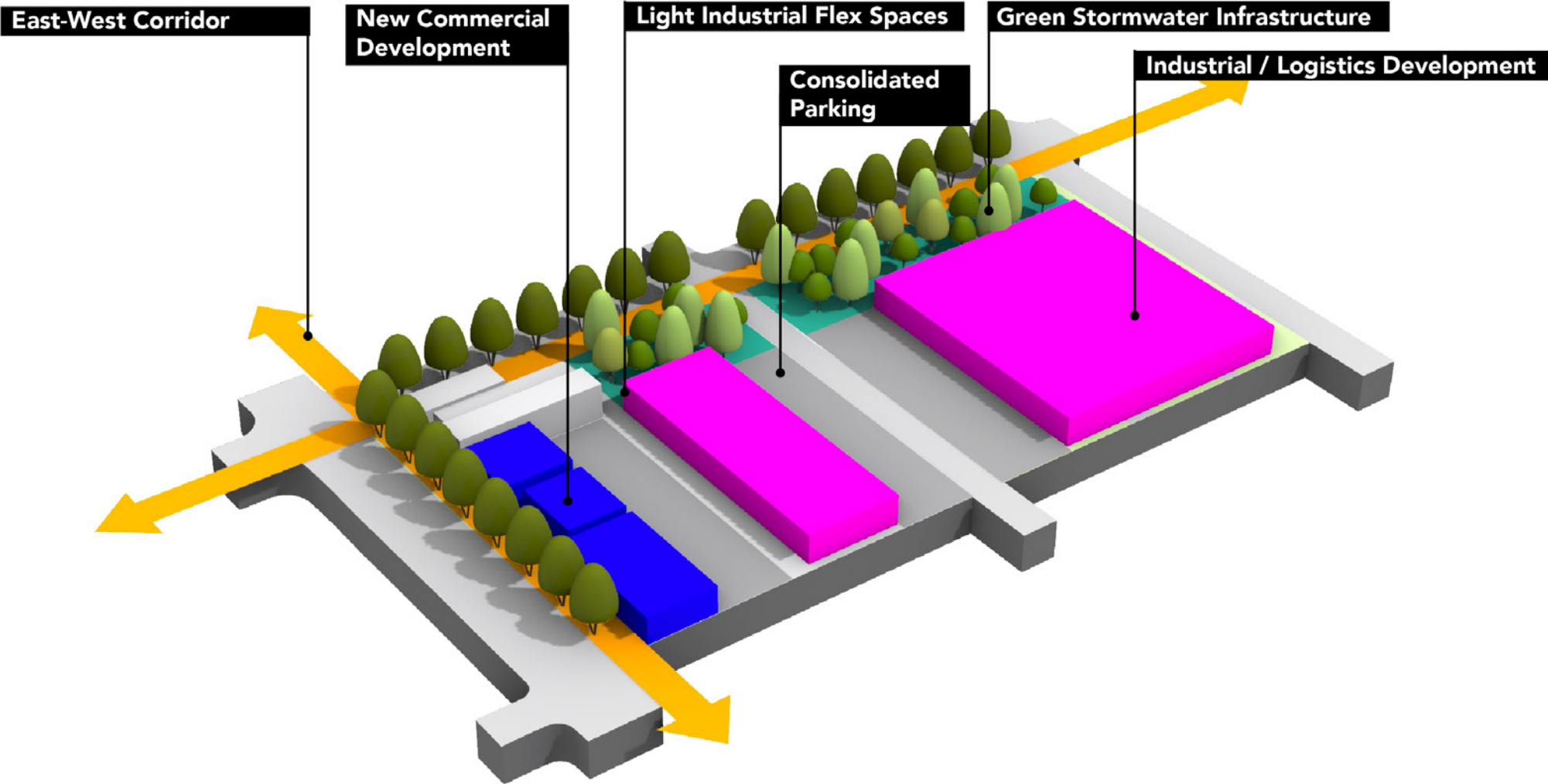
Cost:

LowerHigher



Above: Rendering of Typical or Low-Performing Industrial Parcels in Armourdale (PORT)

Exampe of High-Performing Industrial Parcel Layout



STRATEGY 2:
REDUCE IMPACT OF LOW-DENSITY
COMMERCIAL AND INDUSTRIAL
PARCELS ALONG COMMERCIAL
CORRIDORS

Goal: To increase density and walkability of commercial corridors.

Context: A majority of new commercial and industrial development along commercial corridors in Armourdale is low-density and suburban in format, typically consisting of a single building or structure surrounded by a large parking lot. This prioritizes private automobiles and trucking over pedestrians and limits the potential for a more dense urban fabric in Armourdale.

Location: Primarily commercial and industrial businesses located on Kansas Avenue, Osage Avenue, Cheyenne Avenue and 7th Street.

Actions: Enforce guidelines for new commercial and industrial development projects that include active commercial building frontages and minimal setbacks along major corridors, especially those corridors forming the boundary between the Neighborhood Core and the Industrial Ring.

Potential Partners:
The UG Department of Planning and Urban Design can enforce compliance with design guidelines through use and zoning approval processes for new development.

Timeframe:
Year 1+: Enforce design guidelines for applicable development projects on a case-by-case basis. Build on momentum and promote implemented examples.

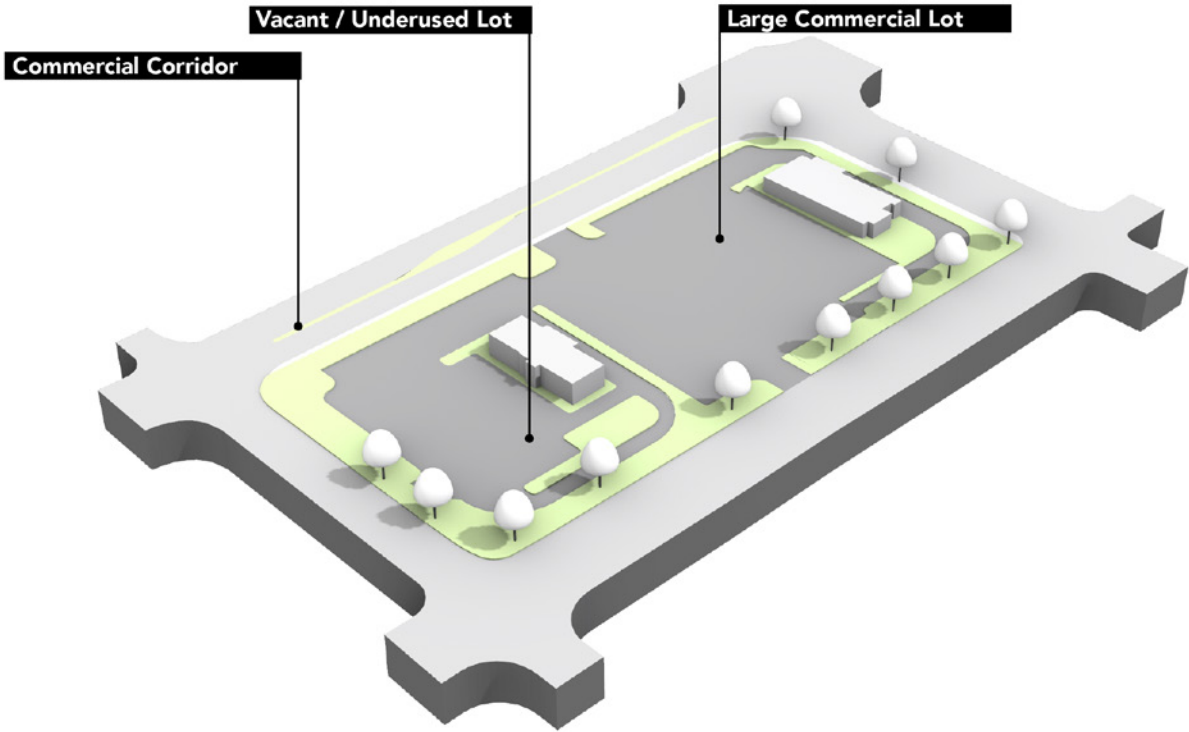
Target: Develop at least one (1) new corridor development meeting design guidelines by 2026.

Priority:

LowerHigher

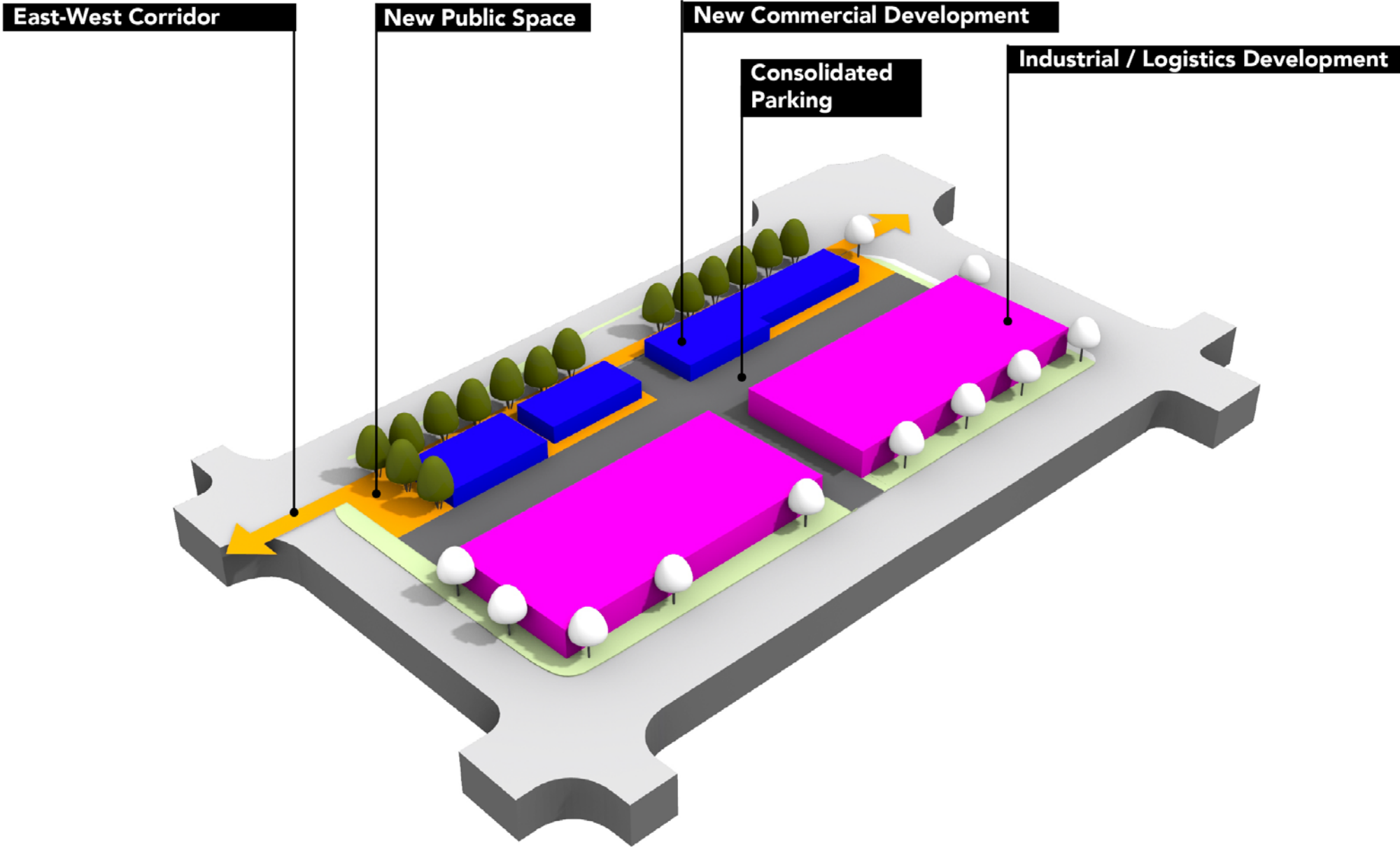
Cost:

LowerHigher



Above: Rendering of Typical Low Density Commercial Parcel in Armourdale (PORT)

Example of Commercial or Industrial Development with Corridor Frontage and Interior Parking Lot Layout



STRATEGY 3:
CREATE DENSE, MIXED-USE
COMMERCIAL AND INDUSTRIAL
PARCELS

Goal: Develop B-P Planned Business Park developments in Armourdale.

Context: Many industrial parcels in Armourdale, particularly surrounding the Neighborhood Core, are low-value storage spaces enclosed by chain-link fences. As the Neighborhood Core grows, these parcels should be developed with more density, street frontage, and with a greater mix of commercial and light industrial uses by following the B-P Planned Business Park zoning code.

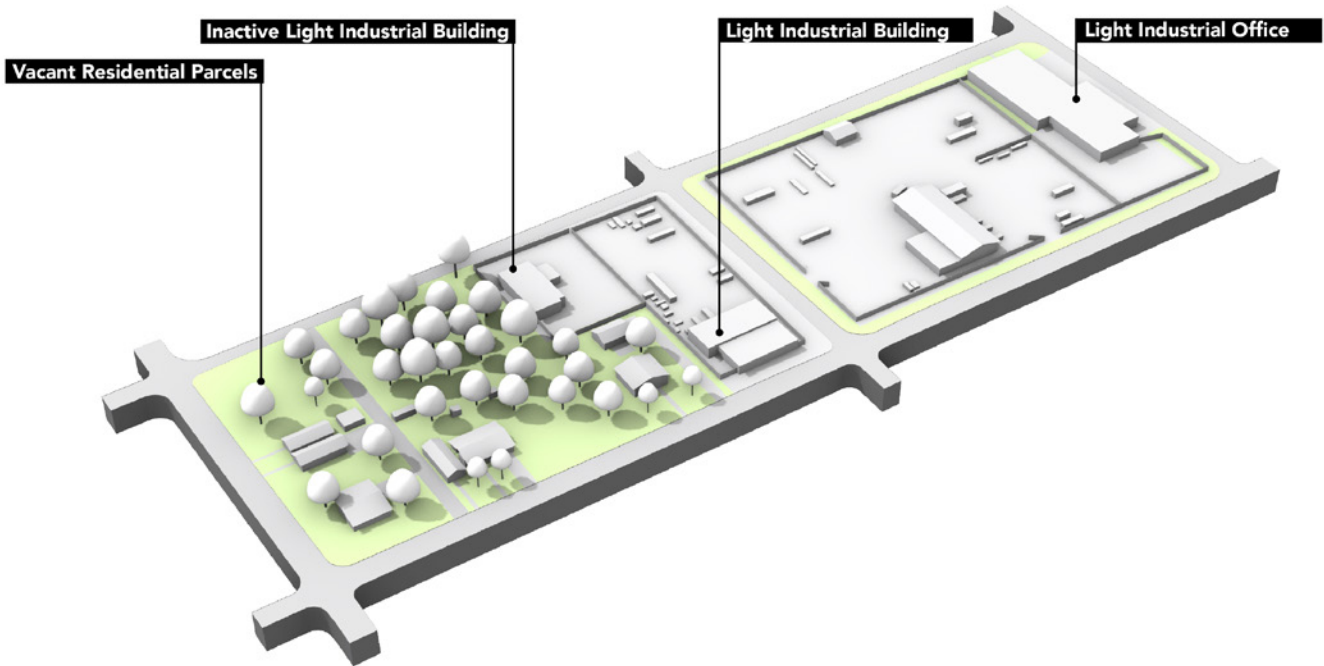
Location: Primarily commercial and industrial businesses located at the perimeter of the Neighborhood Core.

Actions: Study the B-P Planned Business Park Land Use designation and zoning and consider amending it to lessen the requirements for adjacent transportation routes and other requirements that might be a barrier to development in Armourdale. Encourage new development to follow the B-P Planned Business Park zoning guidelines.

Potential Partners:
The *UG Department of Planning and Urban Design* can enforce compliance with design guidelines through use and zoning approval processes for new development, while the *UG Department of Economic Development* can guide appropriate businesses and developers to these opportunity sites in Armourdale.

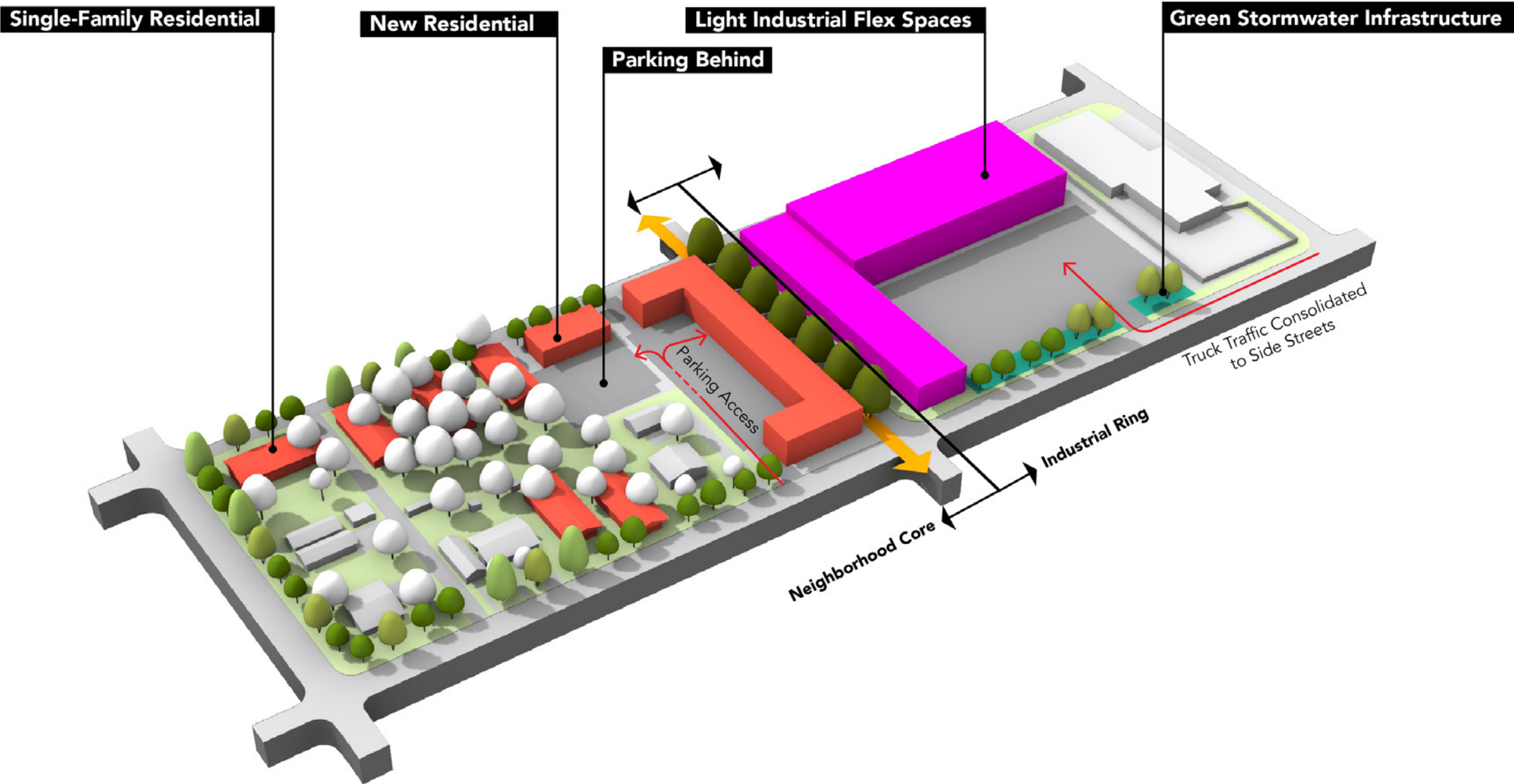
Timeframe:
Year 1+: Encourage and enforce B-P Planned Business Park design guidelines for applicable development projects on a case-by-case basis. Build on momentum and promote implemented examples.

Target: Develop at least one (1) new corridor development meeting design guidelines by 2026.



Above: Rendering of Typical Low Density Commercial Parcel Adjacent to the Neighborhood Core in Armourdale (PORT)

Example of Planned Business Park Development (Purple) Adjacent to New Multi-Family Residential



STRATEGY 4:
EXPAND ACCESS TO UG BUSINESS RECRUITMENT SERVICES

Goal: Create more opportunities for Armourdale residents and small business owners to open and expand their businesses in Armourdale.

Context: Armourdale has a growing population of small-scale entrepreneurs, many of whom are recent immigrants or new to the area, that are attracted by Armourdale’s inexpensive land and access to downtown.

Location: Primarily commercial and industrial businesses located on commercial corridors the perimeter of the Neighborhood Core.

Actions: Create a Spanish-speaking outreach program to support local businesses; create a locally-owned business working group that can be a conduit between the UG and target businesses in the area and recruit Spanish-speaking entrepreneurs to serve as mentors to Armourdale residents seeking to open or expand businesses.

Potential Partners:
Unified Government Economic Development Department and Wyandotte Economic Development Council should leverage its business recruitment and development expertise to target entrepreneurs that are interested in locating in Armourdale.

Armourdale Renewal Association should create the small business working groups; become outreach partners to local business owners; and form mentorship programs and host activities that directly impact Armourdale business owners and residents.

Funding: The ARA should work with the Unified Government to secure funding for the initial outreach.

Timeframe:
Year 1+: Develop a working group of local business owners and a pipeline of potential entrepreneurs to target. Begin recruitment and roll-out the mentorship program.

Target: Significantly increase the number of locally-owned Armourdale businesses receiving assistance and support from the Unified Government by 2024.



STRATEGY 5:
EXPAND THE AMOUNT OF SPACE AVAILABLE TO SMALL- AND MEDIUM-SIZED BUSINESSES

Goal: Create more opportunities for Armourdale residents and small business owners to open and expand their businesses in Armourdale.

Context: Wyandotte County in general lacks the kind of ‘in-between spaces’ of 15,000 to 25,000 square feet that small firms need to grow.

Location: Primarily commercial and industrial buildings located on commercial corridors the perimeter of the Neighborhood Core.

Actions: Study the B-P Planned Business Park land sse designation and zoning and consider amending it to lessen the requirements for adjacent transportation routes and other requirements that might be a barrier to development in Armourdale. Work with industrial developers to study the viability of neighborhood-scale industrial development, or hybrid industrial / commercial development.

Potential Partners:
Wyandotte Economic Development Council should lead the assessment of the market viability for smaller-scale industrial products.

Unified Government Planning and Urban Design Department should study the ‘Business Park’ designation and propose adjustments that could better serve the Armourdale context.

Armourdale Renewal Association should create the small business working groups and become outreach partners to local business owners.

Timeframe:
Year 1+: Study and amend the B-P Planned Business Park land use designation and zoning, as needed. Begin assessing the market for smaller-scale industrial or industrial / commercial uses.

Target: Significantly increase the number of active ‘in-between’ businesses operating in Armourdale by 2026.



STRATEGY 6:
RECRUIT NEW BUSINESSES TO ARMOURDALE THAT THRIVE ON PROXIMITY TO DOWNTOWN KCK/MO

Goal: Take advantage of the Industrial Ring’s proximity to downtown to recruit entertainment and lifestyle businesses.

Context: The Rock Island Bridge will be a new, unique destination space along the Kansas River, and the dynamics that make it viable - a compelling space and proximity to downtown - should apply to the rest of Armourdale. Breweries, distilleries, food service, climbing gyms, and music venues are all spaces that thrive in formerly industrial settings.

Location: Throughout the Industrial Ring but especially adjacent to the Corridors.

Actions: Develop a pipeline of small business owners or others looking to expand, relocate, or start new businesses. Develop a catalog of vacant or underutilized properties in Armourdale that could be easily repurposed.

Potential Partners:
Wyandotte Economic Development Council should leverage its business recruitment and development expertise to target entrepreneurs that are interested in locating in Armourdale.

Armourdale Renewal Association should create business and community connections to support new Armourdale businesses.

Timeframe:
Year 1+: Develop a working group of local business owners and a pipeline of potential entrepreneurs to target.

Target: Significantly increase the number of new businesses locating in Armourdale by 2026.



FOCUS AREA 4: THE KANSAS RIVER

The Kansas River has historically been ignored as an Armourdale asset and as an important part of the local ecology. A vast majority of investments to date associated with the River are related to catastrophic flood mitigation, rather than creation of cultural amenity, active recreation or ecological restoration projects. This is a missed opportunity to make the Kansas River central to the identity of both Armourdale and Kansas City.

However, Armourdale's long relationship to the Kansas River is on the cusp of major transformation as several projects will soon begin implementation simultaneously. Most significant is the raising of the Kansas River Levees by four (4) feet to meet the increasing pressure and intensity of the spring and summer floods. Led by the Army Corps of Engineers (USACE) this effort includes a parallel effort led by the Unified Government to introduce new public realm improvements in and around the levees themselves as part of the levee construction process. These 'betterments' include the establishment and opening of the Levee Trail, the provision of parking and other access points, amenities, benches, and wayfinding.

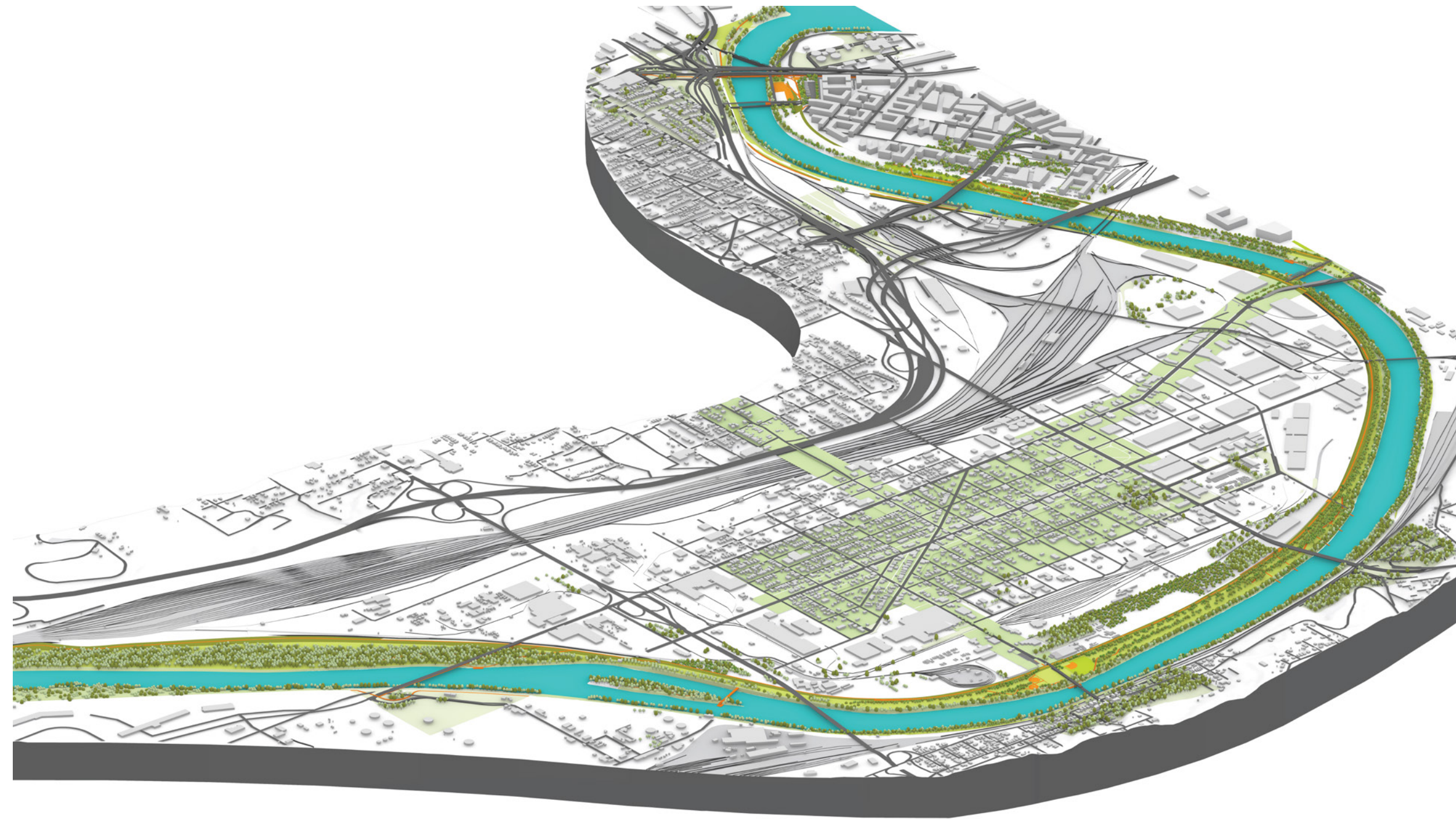
The second of these is the Rock Island Bridge, a privately-led project to transform the former Rock Island Railroad Bridge into a food and cultural destination, event space, and hub of activity. The Rock Island Bridge will also be supported by public parking on both the east and west sides of the Kansas River and include a public trail linking the Levee Trail from the west to the east sides of the Kansas River.

In anticipation of the initial levee enhancement and associated betterments, this Master Plan calls for additional investment in the Kansas River to build its ecological health and its service to the Armourdale and Kansas City community.



Above: Aerial Photo of Armourdale and the Kansas River, Facing East (PORT)

Below: Aerial Photo of the Kansas River and Adjacent Levee, Facing East (PORT)



KANSAS RIVER POLICIES AND ACTIONABLE STRATEGIES

First and foremost, this Master Plan aims to increase access to the Kansas River so it may become everyday community resource. This means thinking of the river as more than just a way to move water from one place to another. The river and its floodplain as parks, fishing spots, hiking trails, recreational fields, and other assets. The plan calls for improved access from the Armourdale community to and along the Kansas River. Although the forthcoming levee improvements will have access points to the levee trail, this Master Plan calls for significantly investing in and expanding them. The Master Plan also includes strategies to improve the ecological health of the Kansas River through restoring native ecologies in the existing floodplain. This will benefit river and provide increased recreational opportunities for Armourdale and the rest of Kansas City.

The Master Plan adopts one (1) policy and proposes four (4) strategies to implement related to the Kansas River.

Kansas River Policy:

Public access to the Kansas River should be guaranteed. Private development must always allow access through its property to the river, and the levee trail itself must be fully open to the public. Every new project adjacent to the levee will provide levee trail and River access to the public.

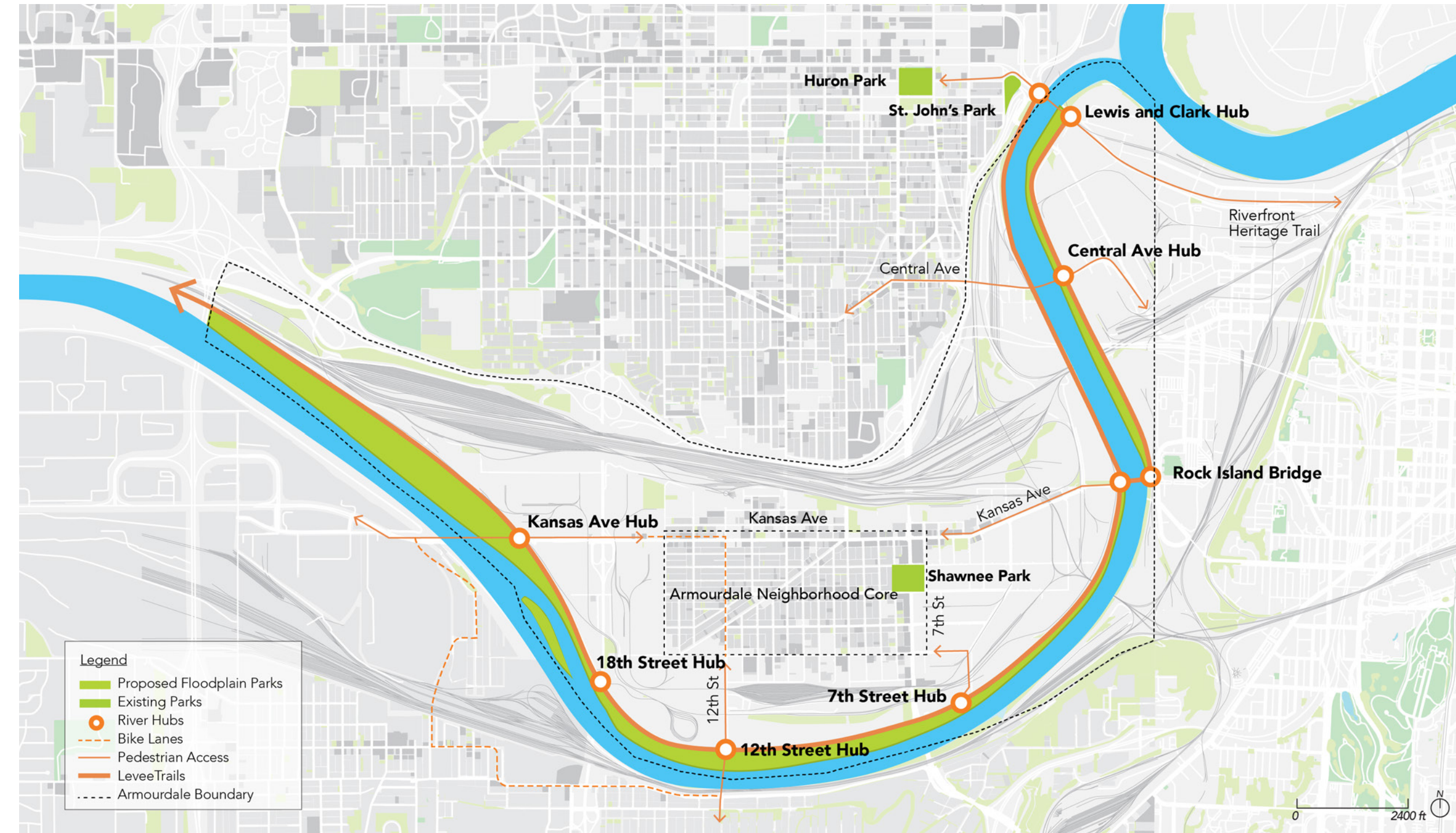
Kansas River Strategies:

The Master Plan calls for investing in a number of key sites where the community can access the Kansas River. These Community Hubs will be more than just a trailhead and a welcome sign. They should be robust public facilities with parking, water access, trail access, and other amenities. Some are already moving forward through innovative public-

private partnerships, like the Rock Island Bridge. Others, like the Central Avenue Hub, should be considered in tandem with the master planning of the West Bottoms. Whatever the next step in their development, each Community Hub should be developed over the next ten years so that it has been built out by 2031.

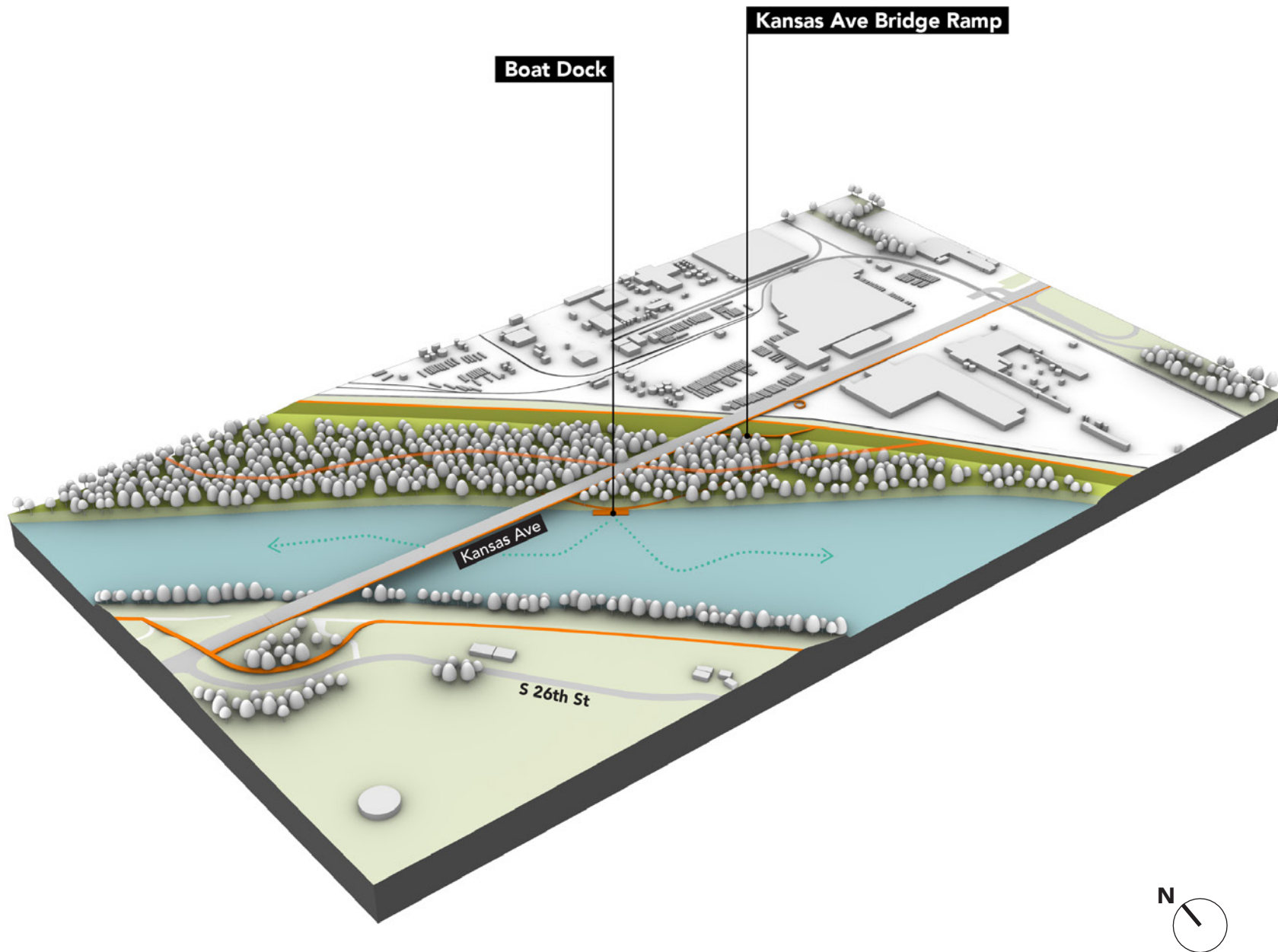
The floodplain of the Kansas River itself should be improved. For too long, the floodplain has been scoured of all ecological and community value. Public access, ecological health, and community use have all been sacrificed to move water as efficiently as possible from one point to another. Beginning with a pilot project and later continuing across the floodplain, the ecology of the Kansas River should be improved through best practices environmental restoration. There should be trails, boat and canoe ramps, fishing spots, sports fields and other amenities in the floodplain.

- Strategy 1:** Increase Access to the Kansas River Through the Industrial Ring
- Strategy 2:** Create a Master Plan for the Kansas River
- Strategy 3:** Implement a Kaw River Restoration Pilot Project Toward Enhancing the Ecological Health of the Kansas River
- Strategy 4:** Work With Community Groups to Expand Programming and Recreational Opportunities Along and on the Kansas River



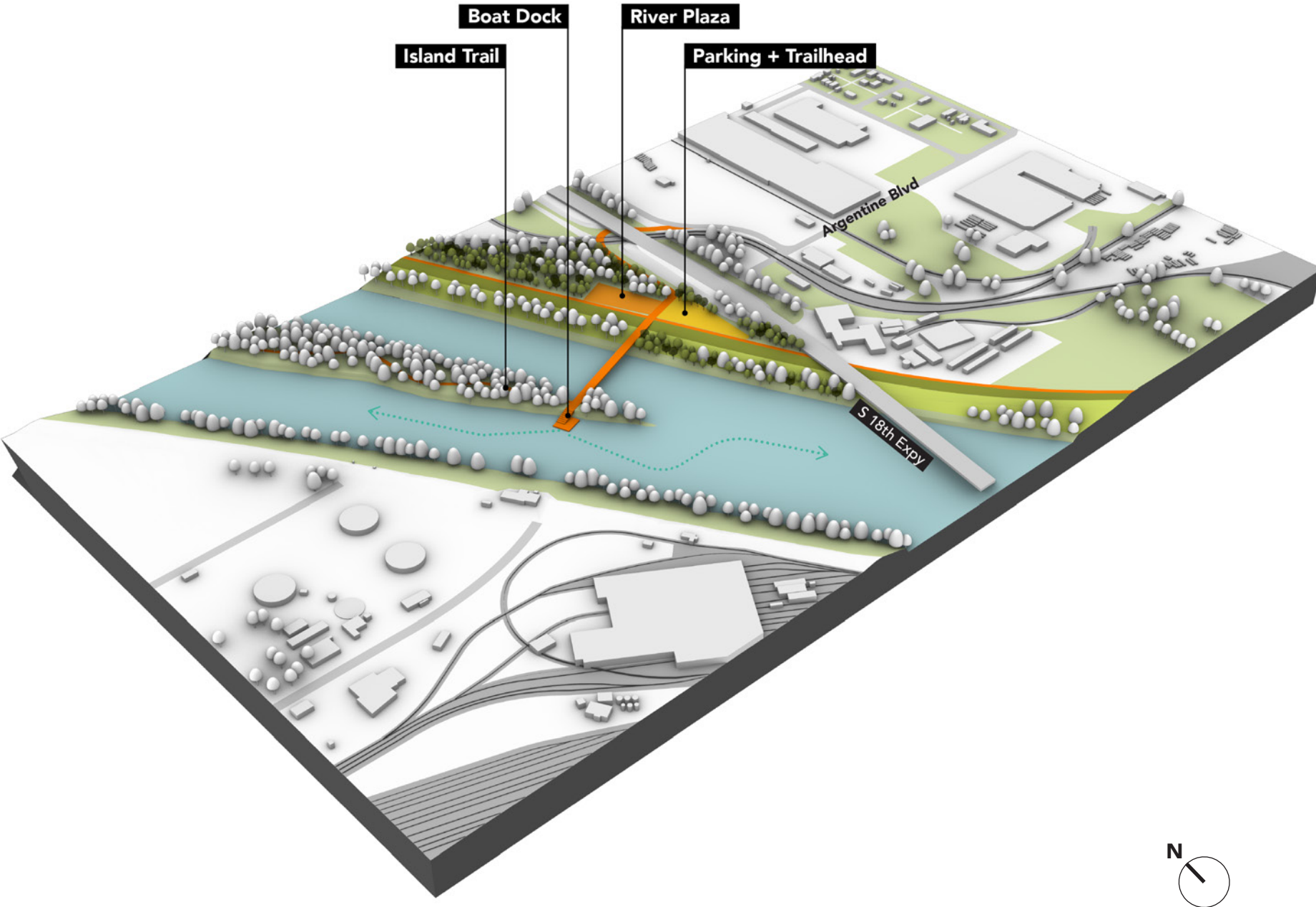
Kansas Ave Community Hub

The Kansas Avenue Community Hub should be considered as part of the reconstruction of the 18th Street Bridge, a Kansas Department of Transportation Project (KDOT) that is also includes installation of a bike loop from Armourdale across the Kansas River at Kansas Avenue and 12th Street. The Kansas Avenue Community Hub has the lightest touch of any of the hubs. It is primarily an access point from the Kansas Avenue Bridge and its bike lane to the Levee Trail. This Master Plan also calls for the installation of a trail through the floodplain of the Kansas River extending to the north west of the site. This area is already well-forested, and a nature trail would offer opportunities for bird-watching and easy walking. There is also a simple water access point for fishing or launching a canoe. This Community Hub should be planned and constructed as part of the 18th Street Bridge Reconstruction.



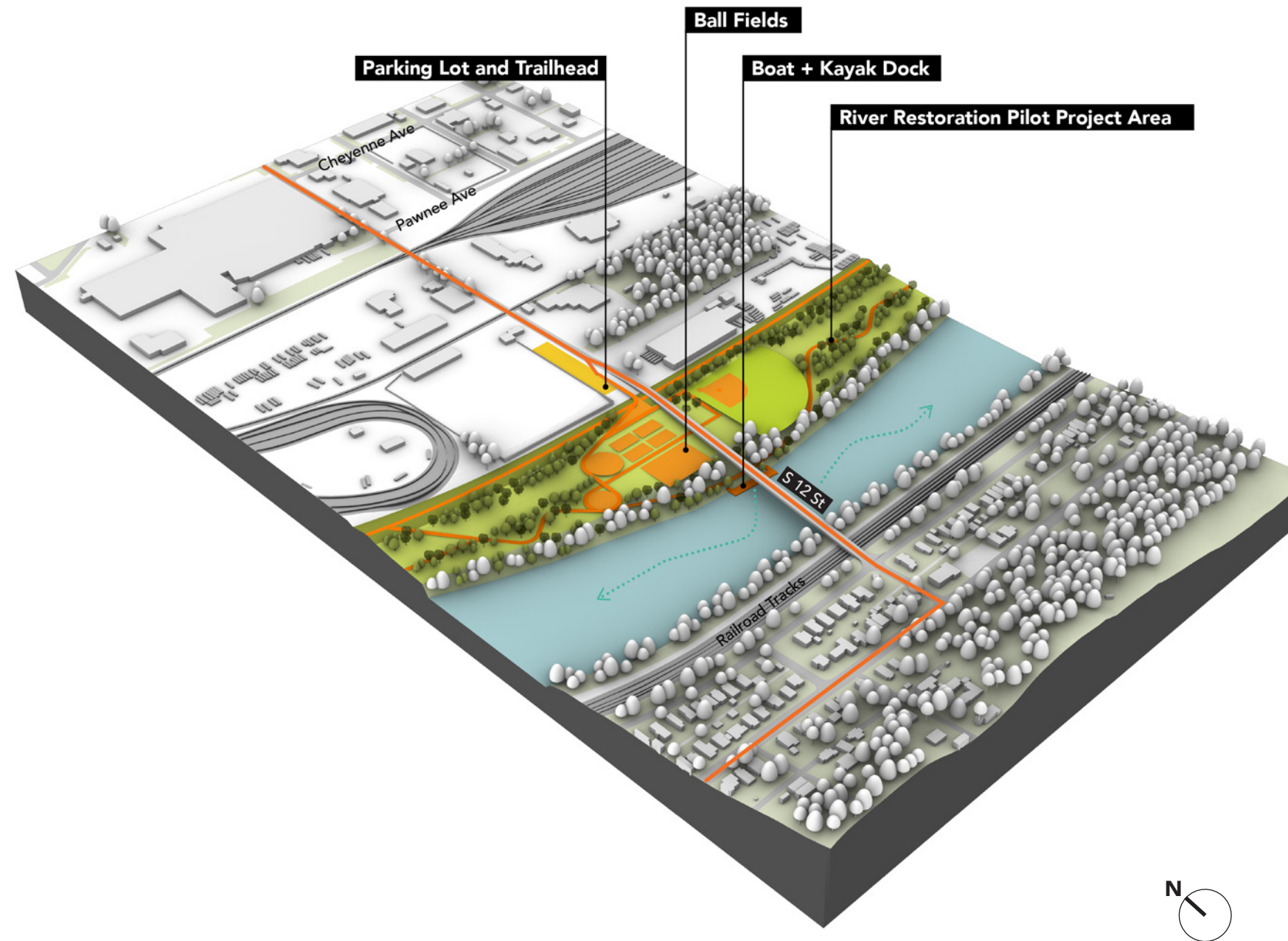
Kaw Island Bridge Community Hub

The Kaw Island Bridge Community Hub primarily includes new access points, parking, and modest community amenities to allow Armourdale residents and others to access the Kansas River. A more aspirational or long-term strategy depicted calls for a new bridge connecting to the currently inaccessible island in the Kansas River. 'Kaw Island' is a low-lying island within the floodplain that would offer plentiful river access, fishing and walking opportunities. Implementation of this hub should be studied as part of the reconstruction of the 18th Street Bridge.



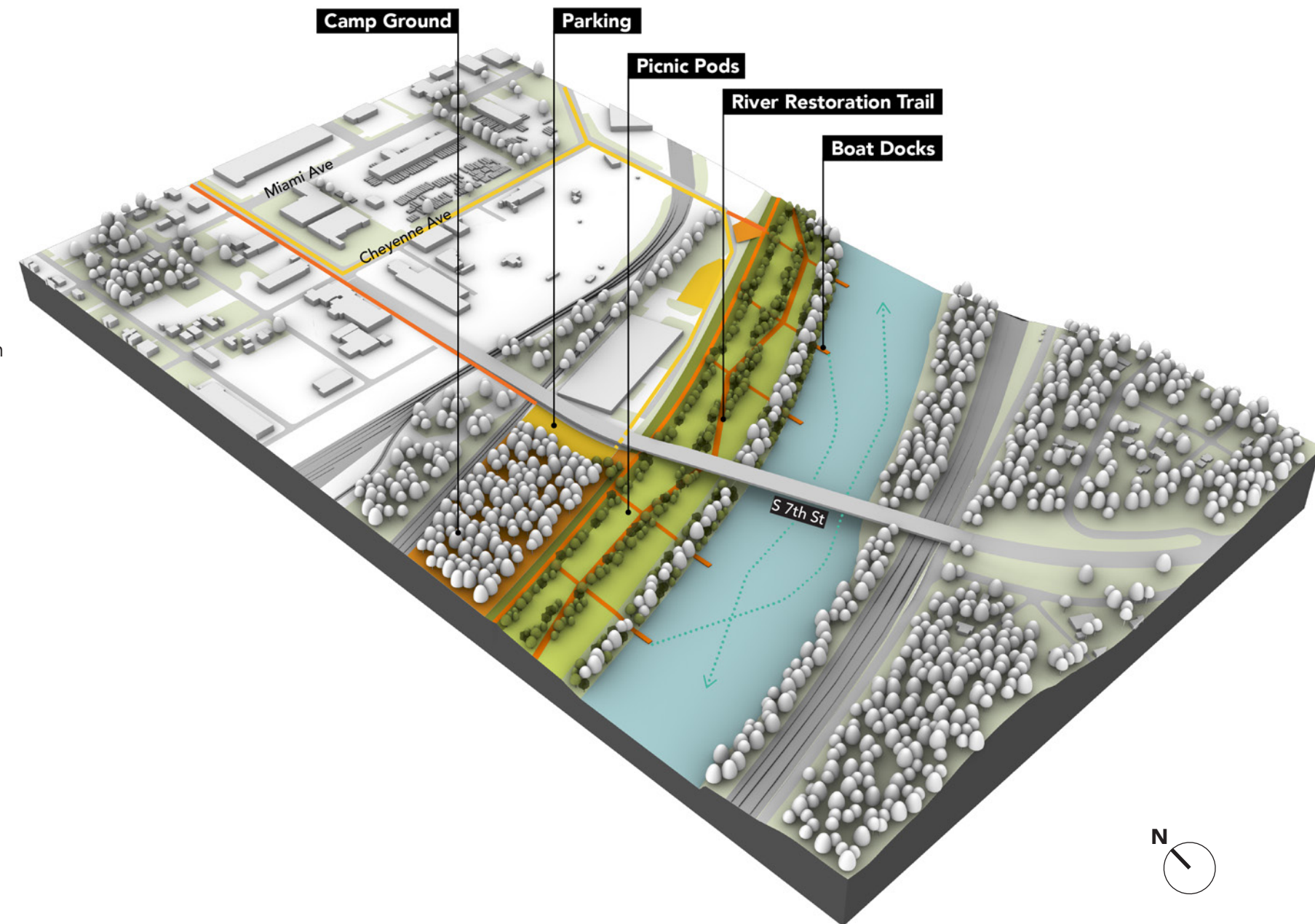
12th Street Community Hub

The 12th Street Community Hub is one of the most intensively programmed hubs within this Master Plan. With simple, direct, at-grade access up 12th Street to the Armourdale Neighborhood Core and a wide floodplain, the 12th Street Community Hub should become a primary destination for recreation, trail and river access. This Master Plan calls for the creation of a new softball field, a number of basketball and small-scale soccer fields, as well as picnic areas and new points for river access. The Kansas River floodplain is also at its widest point here, making the 12th Street Community Hub the perfect place to pilot Kansas River ecological restoration projects conforming to best practices for ecological restoration of floodplains. The Hub layout also includes regrading of the floodplain to create more topographic variety and more areas that can periodically flood to mimic the natural ecology that existed here before the channelization of the river. This project should be studied and funded and implemented through the 18th Street Bridge reconstruction proposed by KDOT.



7th Street Community Hub

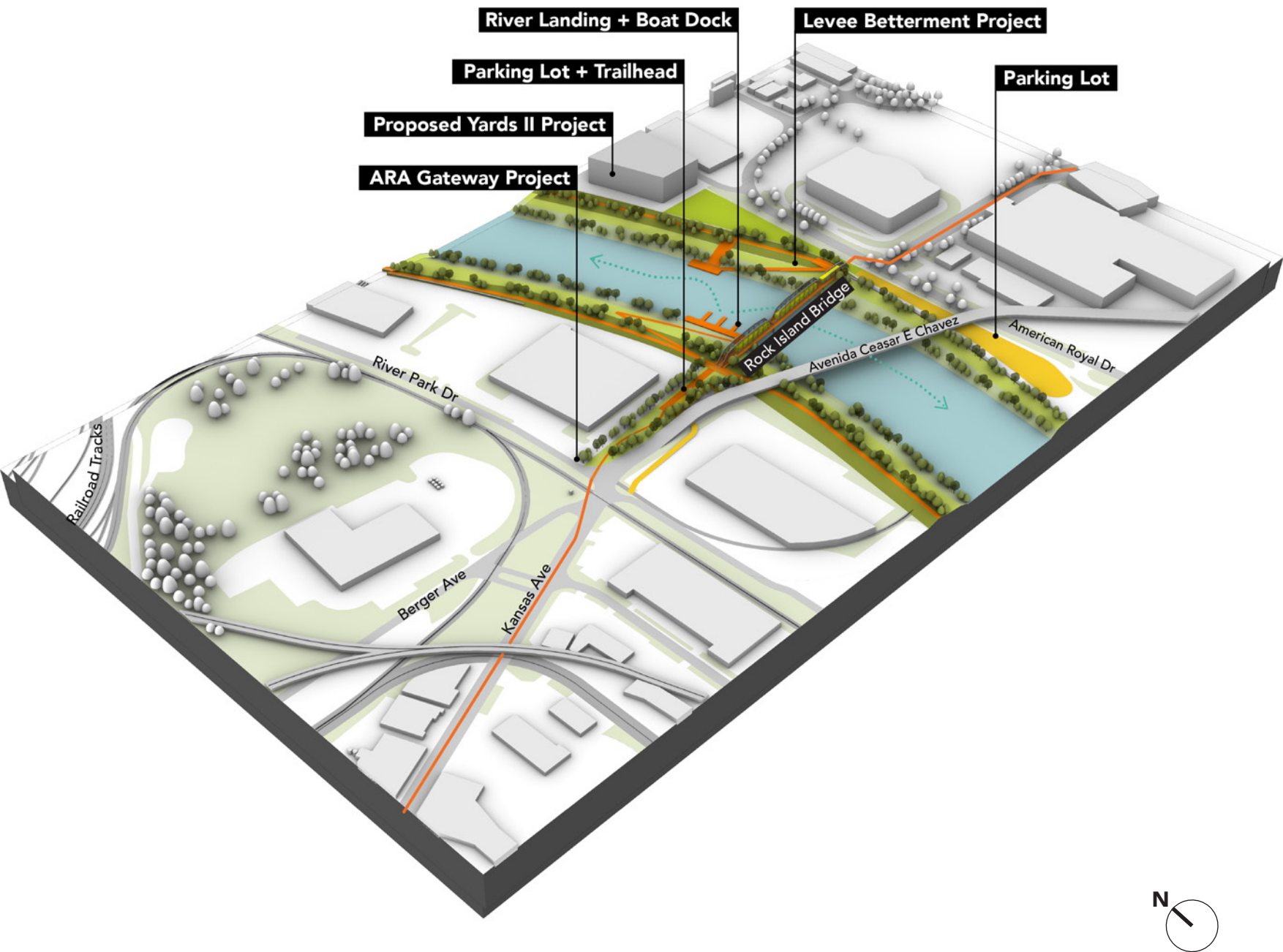
There is no existing at-grade connection along 7th Street to the Levee Trail and the 7th Street Bridge is not conducive to providing safe pedestrian and bike access. Therefore, the Master Plan calls for studying the creation of an at-grade pedestrian connection next to the 7th Street Bridge. This would connect to the city-owned parcel adjacent to (but still behind) the levee, which would be incorporated into a proposed Floodplain Park. Vehicle access would extend to 5th Street, where leasing a private, underused parking lot next to an at-grade connection would also provide easy (albeit less intuitive access.) The floodplain here is almost as wide as 12th Street, so it would see a similar ecological restoration strategy. This Master Plan also calls for the creation of areas for barbecuing and community events. These would be spaced widely enough to take advantage of the full width of the floodplain and connected with a floodplain walking path. This is another potential site for the Kaw River Restoration Pilot Project.



Rock Island Bridge Community Hub

The Rock Island Bridge is the centerpiece of an ongoing public-private partnership creating a destination space along the Kansas River. This project is ongoing, and the recommendations here reflect the current recommendations and plans developed as part of the levee enhancements and betterments coordinated by the Unified Government.

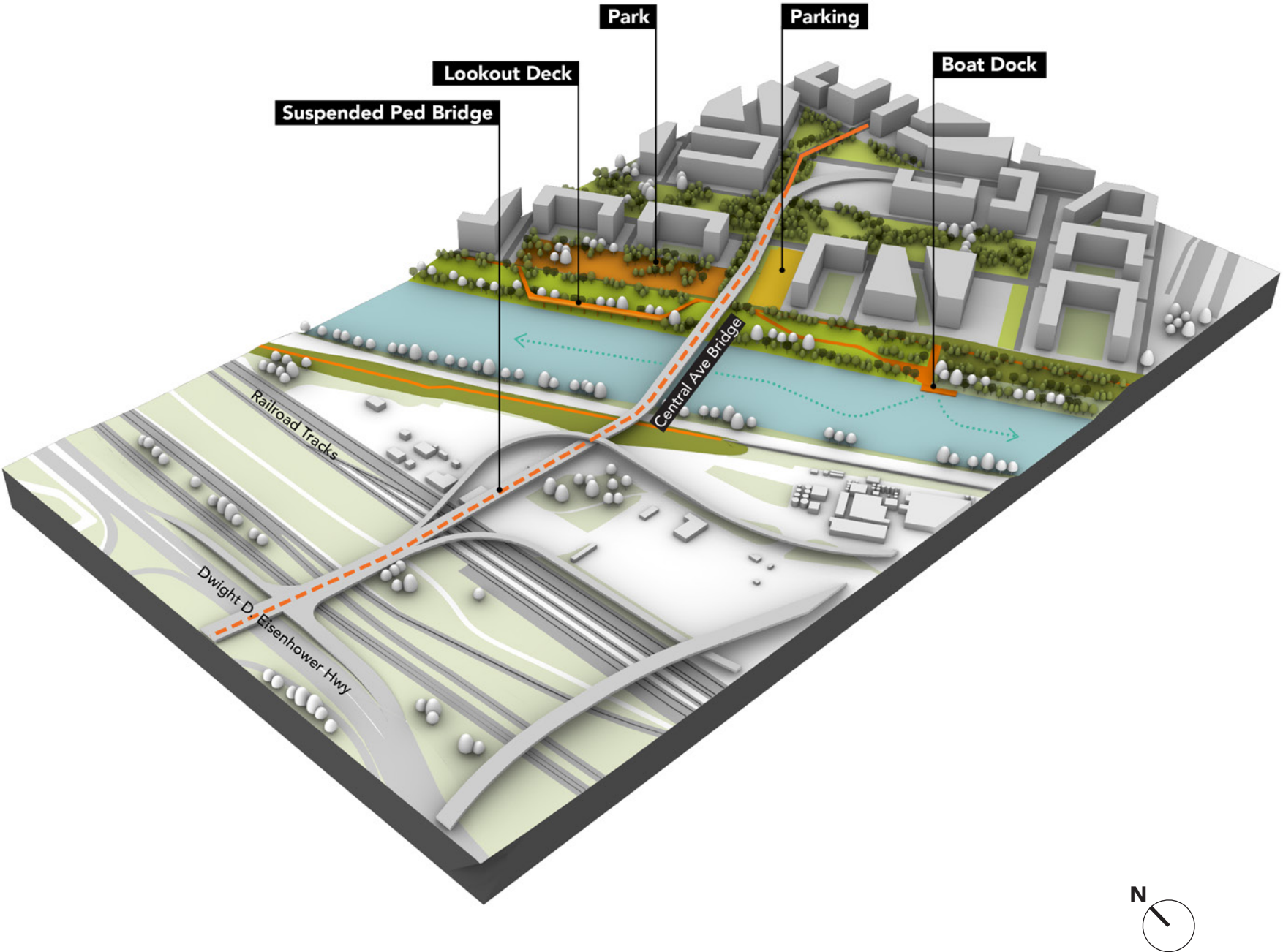
This community hub is oriented to create a special experience for Kansas City residents. Visitors will be able to dine or attend events on the bridge, access the water and Levee Trail from this hub. There will be parking on both sides of the river, and this space will also connect to a planned public park between the Rock Island Bridge and the proposed Yards II project.



Central Ave Community Hub

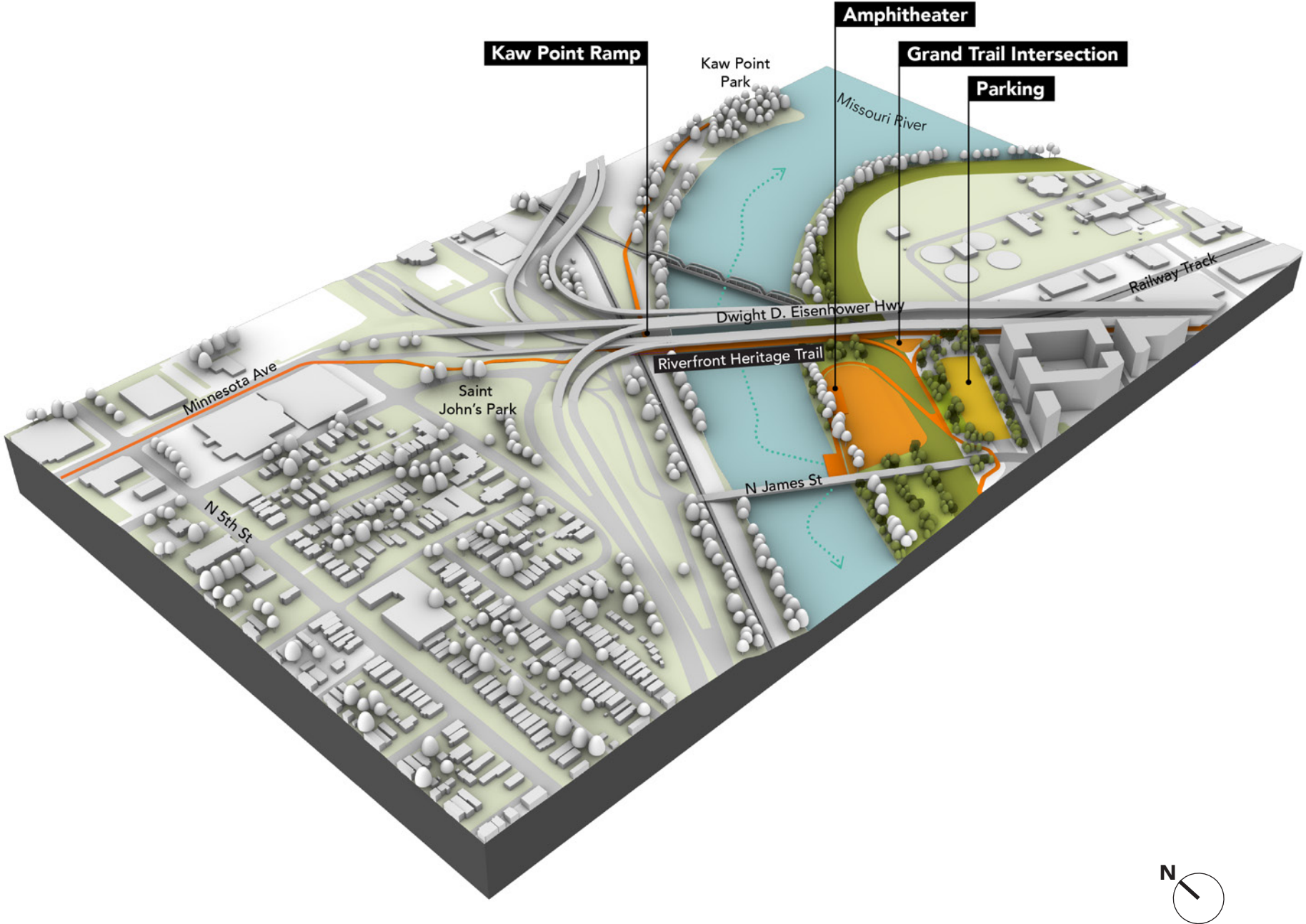
The Central Avenue Community Hub is the central hub for the future development of the West Bottoms District. It should connect to the West Bottoms development both at grade along Central Avenue, as well as connect to the Central Avenue bridge, which is currently at the end of its planned lifespan. The bridge is currently being studied for possible conversion to solely pedestrian and bicycle use.

The West Bottoms configuration depicted here anticipates one potential future urban configuration scenario for the West Bottoms. This area of the West Bottoms should be the subject of a future master plan study that will also elaborate the redesign and reconstruction of the east bank of the Kansas River to include public access; generous plazas; areas for gathering; restoration of the river bank; and other developments to center the West Bottoms on the river itself.



Lewis and Clark Community Hub

The Lewis and Clark Community is also central to future development of the West Bottoms District. It connects directly to the River Heritage Trail as well as the crossing point to downtown Kansas City, Kansas. This Master Plan calls for placing a large event venue with the bridge as a backdrop, along with generous parking, restoration of the river bank, and other developments to center the West Bottoms on the river itself. KDOT is currently planning to rebuild portions of bridge viaducts over the Kansas River which will ideally provide opportunities to incorporate riverfront improvements outlined here.



STRATEGY 1: INCREASE ACCESS TO THE KANSAS RIVER THROUGH THE INDUSTRIAL RING

Goal: Increase the amount of public access points and routes from the Neighborhood Core to the Kansas River through the Industrial Ring.

Context: Numerous streets, especially those adjacent to bridges over the Kansas River, appear to be closed off or incorporated into the private parcels adjacent to them. Armourdale also has a number of underutilized rail road tracks, and an inventory of vacant or underutilized track that might be converted to trails, leased, or otherwise made available for public use to offer better access to the Kansas River.

Location: Throughout the Industrial Ring, but with strong links to the Neighborhood Core.

Actions: Study any existing public right of ways that might have been privatized on an ad-hoc basis. Complete land ownership assessment and access enhancement feasibility study.

Potential Partners:
Unified Government Planning and Urban Design Department should take the lead on this initiative by compiling land ownership information and assessing feasibility.

Timeframe:
Year 1+: Complete land ownership assessment and access enhancement feasibility study.

Target: Open at least (2) new routes to access the Kansas River levee trails that align with the completion of the levee enhancement project.

STRATEGY 2: CREATE A MASTER PLAN FOR THE KANSAS RIVER

Goal: Develop a metro-scale vision for the Kansas River, focusing on recreation, ecological restoration and expression of the Kansas River's history and nationally significant legacy.

Context: The Kansas River has not been seen as an ecological resource or central to the identity of Kansas City.

Location: Throughout the Industrial Ring, but with strong links to the Neighborhood Core.

Actions: Work with the Mid-America Regional Council (MARC) and communities adjacent to Wyandotte County to develop the scope and funding stream for the Master Plan. Issue an RFP for Master Plan development no later than 2022.

Potential Partners:
Unified Government Planning and Urban Design Department should take the lead on this initiative, specifically researching the process related to national designation by the United States Department of the Interior.

The Mid-America Regional Council would be an important partner for developing a regional vision for the Kansas River.

The Kaw River Drainage District administers the Kansas River floodplain and should be involved in any planning project.

Funding: The project maybe eligible for funding sources related to pursuing the project for national designaton by the United States Department of the Interior.

Timeframe:
Year 1: Develop the scope and funding source for the RFP.
Year 2+: Complete master plan process and begin implementation projects.

Target: Develop a Master Plan by the end of 2024.

STRATEGY 3:
IMPLEMENT A KAW RIVER
RESTORATION PILOT PROJECT TOWARD
ENHANCING THE ECOLOGICAL HEALTH
OF THE KANSAS RIVER

Goal: Develop a pilot project for the ecological restoration and community use of the Kansas River.

Context: The Kansas River is an underutilized recreational and cultural asset that is also in need to ecological improvement. A restoration pilot project will implement best practice, natural river restoration strategies to help clean the Kaw River while also providing new community River access and recreational venues.

Location: Throughout the Industrial Ring, but with strong links to the Neighborhood Core.

Actions: Develop an RFP for the project for issuing by the end of 2021 or beginning of 2022.

Potential Partners:
Unified Government Planning and Urban Design Department should take the lead on this initiative.
The Kaw River Drainage District administers the Kansas River floodplain and should be involved in any planning project.

Funding: UG funding sources dedicated to environmental initiatives.

Timeframe:
Year 1: Develop the scope and funding source for an RFP.
Year 2+: Complete planning process and begin implementation the pilot project. Utilize ecological data and use statistics to inform long term river access and ecological restoration projects.

Target: Pilot project construction completed by 2023.



STRATEGY EXAMPLE
TRINITY RIVER PROJECT
HOUSTON, TX

The Trinity River Project (**ABOVE**) is the restoration of an U.S. Army Corps of Engineers-administered floodplain adjacent to downtown Dallas. Led by Michael Van Valkenburgh and Associates, this project not only maintains the Trinity River’s viability as a floodplain, it also restores much of the native floodplain ecology and weaves through substantial public amenities like playgrounds and walking paths. This project transforms a previously underused and underloved area into a world-class public park at the center of Dallas.

STRATEGY 4:
WORK WITH COMMUNITY GROUPS
TO EXPAND PROGRAMMING AND
RECREATIONAL OPPORTUNITIES ALONG
AND ON THE KANSAS RIVER

Goal: Develop more opportunities for Armourdale residents to experience the Kansas River.

Context: Armourdale residents by and large do not have a relationship with the Kansas River. This is due to years of limited river access and a general lack of recreational river use in Kansas City.

Location: Proposed River Hubs and other spaces along the Kansas River.

Actions: Work with Armourdale community groups to develop potential programming opportunities along the waterfront. Recruit recreation and other organizations that center their activities on the river with links to funding partners that support these activities or pilot project initiatives.

Potential Partners:
Kansas City Boat Club would be a good partner to expand programming for Armourdale Youth. According to the Kansas City Boat Club, “a more permanent boathouse facility is key to increased participation and more people on the water in rowing shells, kayaks and canoes.”
Armourdale Renewal Association would be a partner in programming along the river.
The Rock Island Bridge / Flying Truss would be a good partner for sharing resources to draw activity to the River.

Funding: Private foundations or planning grants.

Timeframe:
Year 1+: Working with local youth groups and community organizations like the ARA, start holding cleanups, recreation opportunities and other activations along the riverfront.
Year 2+: Stage activation events along the riverfront in parallel with the master planning process and implementing the pilot project.

Target: Consistent, monthly or more frequent activations of the riverfront, especially in parallel with the planning for the pilot project outlined in Strategy 3.



FOCUS AREA 5: THE HISTORIC WEST BOTTOMS

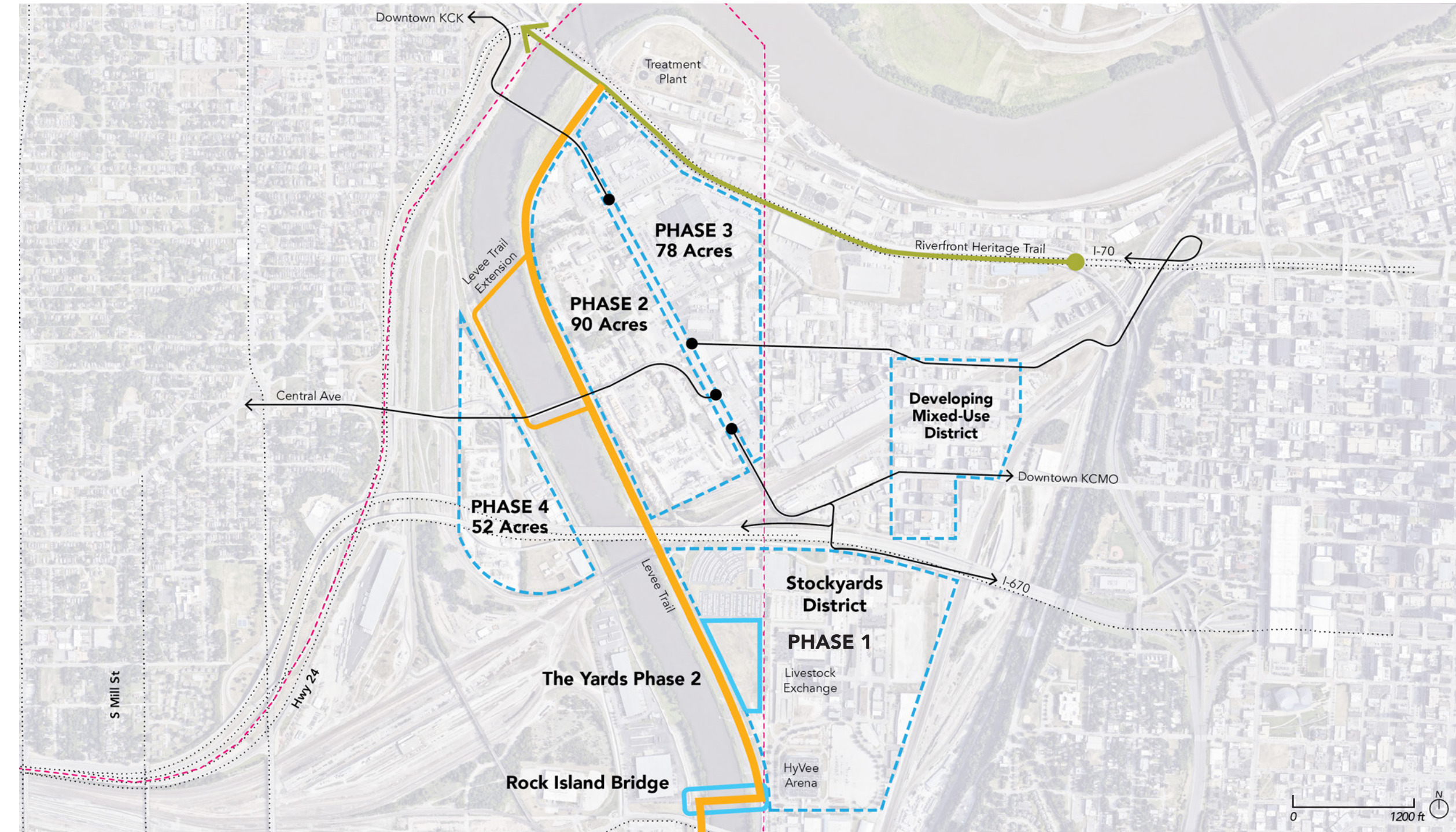
The Historic West Bottoms generally refers to several overlapping areas that span the Missouri-Kansas border between the Kansas River, the Missouri River, and the bluffs overlooking the district to the east on which the core of Kansas City Missouri lies. This area was historically the heart of the Kansas City stockyards, and contains the historic livestock exchange building as well as numerous remnant multi-story former industrial buildings. Although referred to by multiple names, including the Stockyard District (referring to the area south of I-670) and the Central Industrial District (the area east of the Kansas River that is not in Missouri), for clarity's sake this document will refer to the entire district as the Historic West Bottoms. This district also spans both Kansas and Missouri, and much of what is discussed below is outside of this project's formal study area. Nonetheless, the district feels contiguous and should be analyzed as a whole, rather than as separate parts.

The Historic West Bottoms is a district undergoing rapid change. With the growth of downtown Kansas City, Missouri and an existing building stock well suited for adaptive reuse, the area closest to downtown has seen recent development into a hybrid entertainment and residential district. This growth has been centered around two main clusters. The first – also known as the Historic West Bottoms – includes the area between 12th Street and Forrester Road extending as far as the State Line Road in Missouri. This area has seen extensive redevelopment and new construction of lofts and artist studios, and has some entertainment destinations and hospitality businesses scattered throughout it. The second cluster of development – known as the Stockyard District – is south of I-670 centered around Genesee and Wyoming Streets and includes the historic Livestock Exchange building and HyVee Arena (formerly Kemper Arena). This area has numerous restaurants and galleries, a winery, and other destinations, and will soon be adding additional residential units on the Kansas side of the State Line Road along the Kansas River.



Above: Historic West Bottoms Building Stock (PORT)

Bottom: The Rock Island Bridge (PORT)



As a rapidly developing mixed-use district, the Stockyards District is highly dependent on the amenities it can offer potential residents and the audience that its entertainment and hospitality destinations will attract. Central to this effort are improvements to the Kansas River Levee Trail, which offers residents an outdoor experience along the river that isn't available in other parts of the Kansas City region.⁷¹ The potential to use the riverfront experience as an anchor for Kansas City residents and visitors has the most potential for near-term success in this area, where the Rock Island Bridge is under development and where the Kansas City Boat Club has operated from for years. There are also numerous ongoing public improvement projects in the area, from the improvements to the levee trail to the development of the Rock Island Bridge itself.

As a district, however, the Historic West Bottoms is far from built out, and even in the areas where residential and commercial development has taken hold there are large areas of empty or industrial properties that do little to add to (or actively detract from) the district's future as a mixed-use area of residential and commercial spaces. In the Kansas area of the district north of 670 there is almost no residential or commercial development at all, and the economics of development mean that this area, if it does see the kind of transformation happening in the Stockyards district to the south, will experience that cycle after the rest of the district does so. Nevertheless, the Historic West Bottoms is a neighborhood in transition where its industrial past is making way to an exciting, dense, walkable future for residents and businesses alike.

The stretch of the Kansas River between the Rock Island Bridge and the I-670 Viaduct is on the cusp of transformation, especially on the east side of the river. This transformation includes several large-scale projects being implemented simultaneously.

The first of these is the raising of the Kansas River Levees by four (4) feet to meet the increasing pressure and intensity of the spring and summer floods. Led by the Army Corps of Engineers (USACE) this effort includes a parallel effort led by the Unified Government to include public realm improvements in and around the levees themselves. These 'betterments' include the establishment and opening of the Levee Trail, the provision of parking and other access amenities, benches, and wayfinding.

The second of these is the Rock Island Bridge, a project to transform the former Rock Island Railroad Bridge into a food and cultural destination, event space, and hub of activity. The Rock Island Bridge will also be supported by public parking on both the east and west sides of the Kansas River and include a public trail linking the Levee Trail from the west to the east sides of the Kansas River.

The Flaherty-Collins project on the east side of the Kansas River just north of the Rock Island Bridge, The Yards II, will include public access to the Levee Trail, the eventual expansion of this mixed-use district to the north and public facilities between it and the Rock Island Bridge.

Finally, the recently proposed Aerial Lift project proposes to link the two Kansas City downtowns -- and the Historic West Bottoms between them -- in order to build common investment and access to a wealth of cultural attractions, the Kansas River, arena events, and jobs.



Above: The Yards Front Facade (The Yards)

Below: The Yards Courtyard (The Yards)



Above: Aerial Lift Project (SOM)

Below: The Rock Island Bridge Looking East to Hy-Vee Arena (Flying Truss)

HISTORIC WEST BOTTOMS POLICIES AND ACTIONABLE STRATEGIES

The West Bottoms encompasses the historic stockyards area east of the Kansas River. Primarily industrial in character, it is adjacent to two developing mixed-use districts. The Missouri portion of the Historic West Bottoms is an area with historic building fabric that has slowly been adapted into apartments, offices, breweries, and other amenities. The Stockyards District is a rapidly growing area around the historic Livestock Exchange building and includes the Yards II development and the Rock Island Bridge.

This Master Plan proposed redeveloping the Historic West Bottoms as a mixed-use district centered on the restored Kansas River. It proposed developing a specific Master Plan for the Historic West Bottoms itself, which would study the future land use, market products, and financing strategies for the district. The three (3) proposals included in this Master Plan are meant to show the range of potential scenarios for the future of the district, but are studies only. A final decision for the future of the district should be the product of the Historic West Bottoms Master Plan itself.

The three (3) scenarios presented in this Master Plan use the Kansas River as the central spine for development. Each district should be oriented to the Kansas River, and the river itself and its banks should be restored to make their public realm central to the identity of the Historic West Bottoms. The first scenario calls for a mixed-use district of residential and commercial uses with generous public realm for the local community. The second scenario calls for the creation of destination spaces financed using Sales Tax and Revenue (STAR) bonds. The third scenario calls for a combined logistics and innovation hub centered on commercial uses.

For the purposes of this Master Plan, the Historic West Bottoms is divided into four 'phases' that are reasonably-sized areas for development. The District Plan should address each area but that phasing is not set in stone. The Stockyards District, encompassing The Yards II development and the Rock Island Bridge, is Phase 1. Phase 2 encompasses the area north of the railroad tracks and between James Street and the Kansas River. Phase 3 includes everything east of James Street. Phase 4 includes the area between I-70 and the Kansas River.

The Master Plan adopts two (2) policies and proposes two (2) strategies to implement related to the Historic West Bottoms.

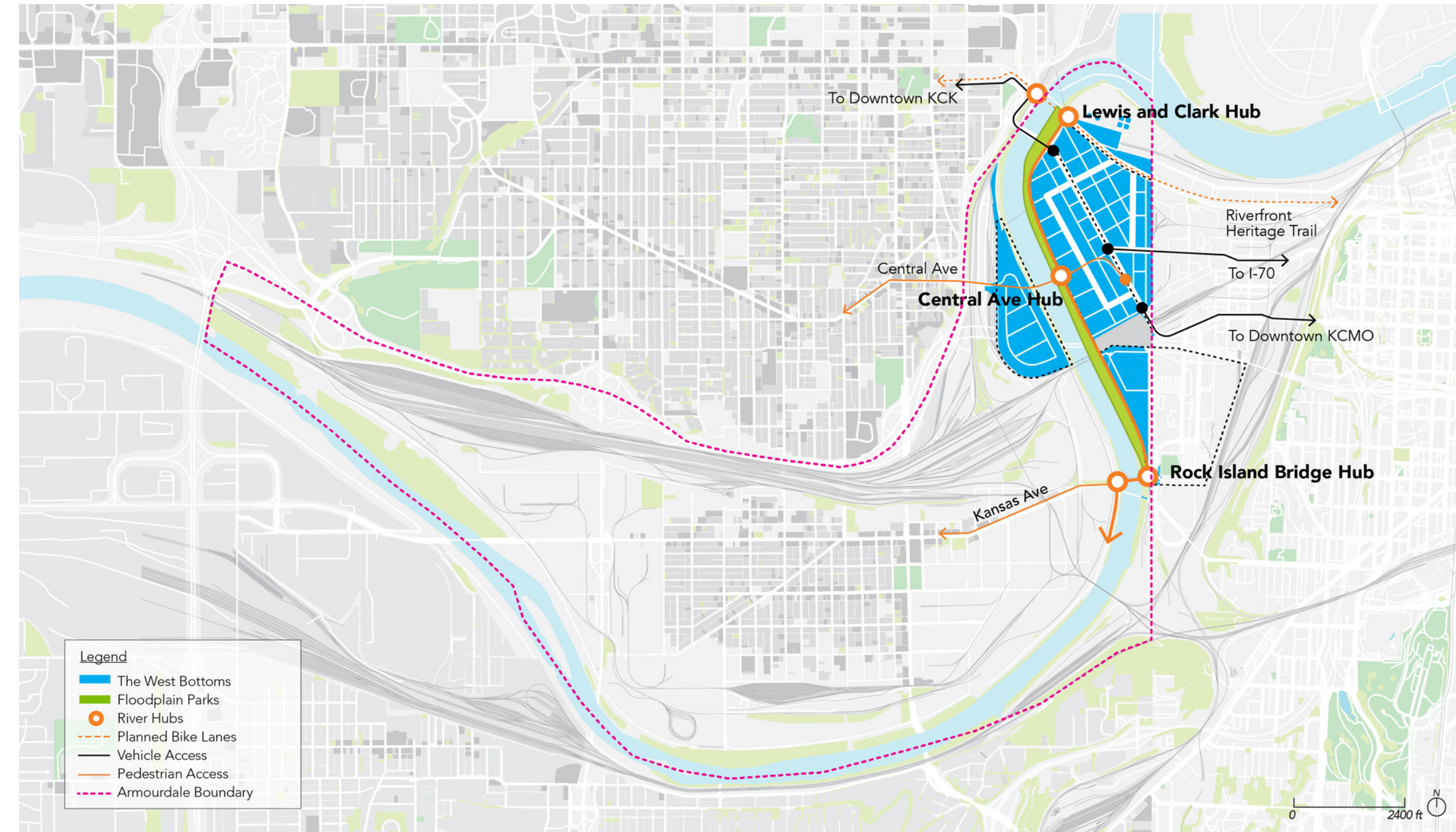
Historic West Bottoms Policies:

Policy 1: Improve the edge of the Kansas River with public realm amenities. No matter what the future of the Historic West Bottoms itself, the Kansas River and its banks should be improved with robust public realm enhancements, including water access, public plazas, green spaces, and amenities for the general public.

Policy 2: Revenue from the development of the Historic West Bottoms should support improvements to public parks, facilities, and other projects that benefit the Armourdale Neighborhood Core.

Historic West Bottoms Strategies:

- Strategy 1:** Create a Master Plan for The Historic West Bottoms
- Strategy 2:** Convert the Central Avenue Bridge to Ped/Bike Use
- Strategy 3:** Continue Development of the Aerial Lift Project



HISTORIC WEST BOTTOMS SCENARIO 1: MIXED USE DISTRICT

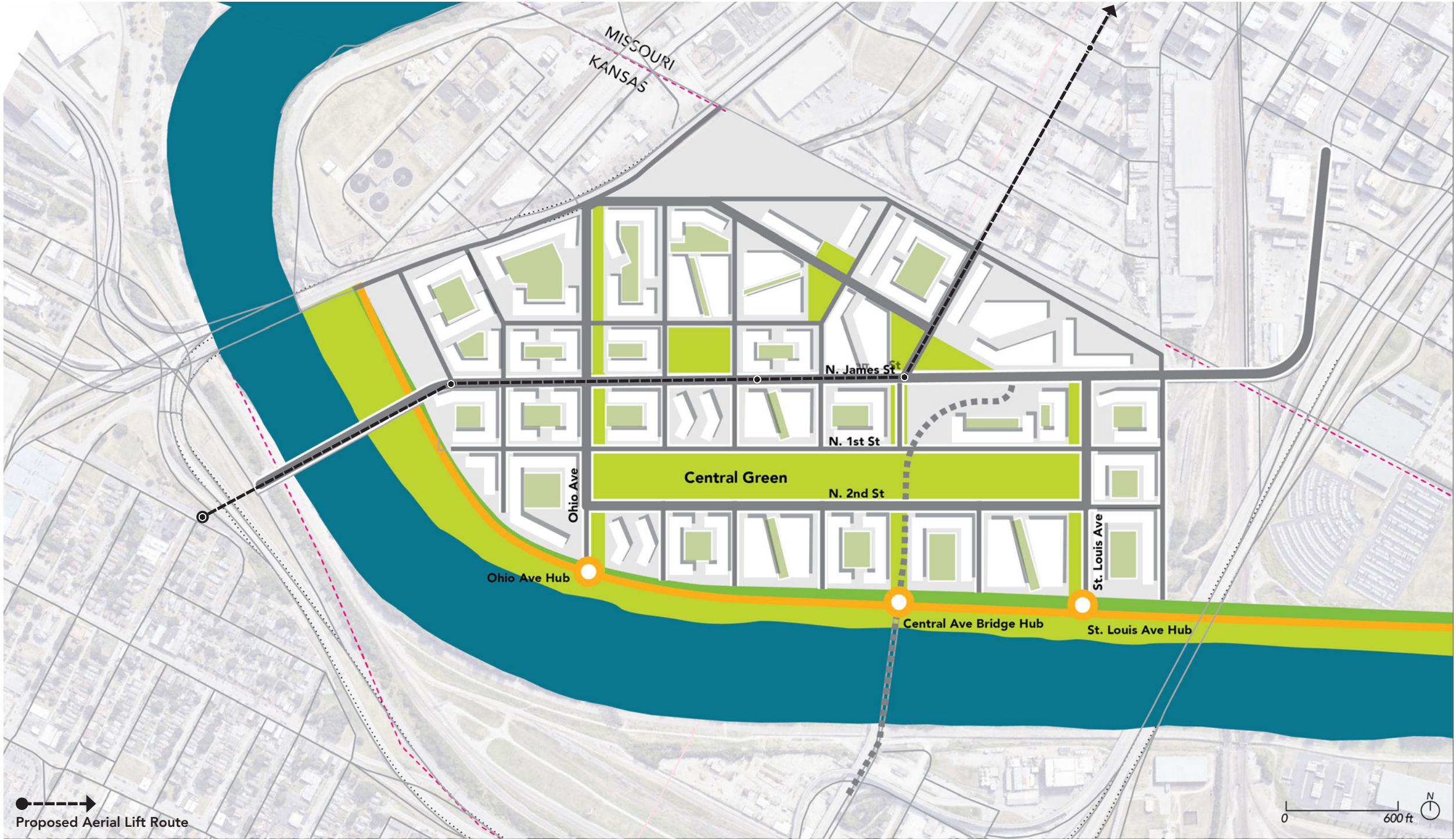
The first scenario calls for the creation of a mixed-use district comprised primarily of residential, commercial, and some entertainment uses. New residential districts like this rely on creating a distinct district identity. With more than 1 mile of riverfront, this district should rely an improved edge to the Kansas River with a wide diversity of walking paths, river access points, plazas, overlooks, and other amenities to create a truly special experience on the Kansas River.

This district also has generous new public realm areas within the district itself. The Central Green is a large open space that could be programmed and offer numerous passive and active recreation opportunities. There are numerous wide boulevards connecting the easternmost area of the district directly with the Kansas River. Finally, this district includes two of the Community Hubs described in the previous chapter.



STRATEGY EXAMPLE RIVER NORTH DISTRICT NASHVILLE, TN

The River North District **(ABOVE)** is a new neighborhood in Nashville, Tennessee that is currently under development. The site's current uses are, similar to the Historic West Bottoms, a mix of industrial and logistics areas. The master plan calls for a mix of residential and office uses, but its most important lesson for the Historic West Bottoms is that it prioritizes improvements to the riverfront as central to the identity and viability of the district.



HISTORIC WEST BOTTOMS SCENARIO 2: RIVERFRONT DESTINATION

The second scenario calls for the creation of a new destination district adjacent to the Kansas River, surrounded by extensive mixed-use development. Financed using Kansas’ unique STAR bonds, which rely on sales tax revenue for destination or tourism projects, this scenario could accommodate a number of destinations within its large central space.

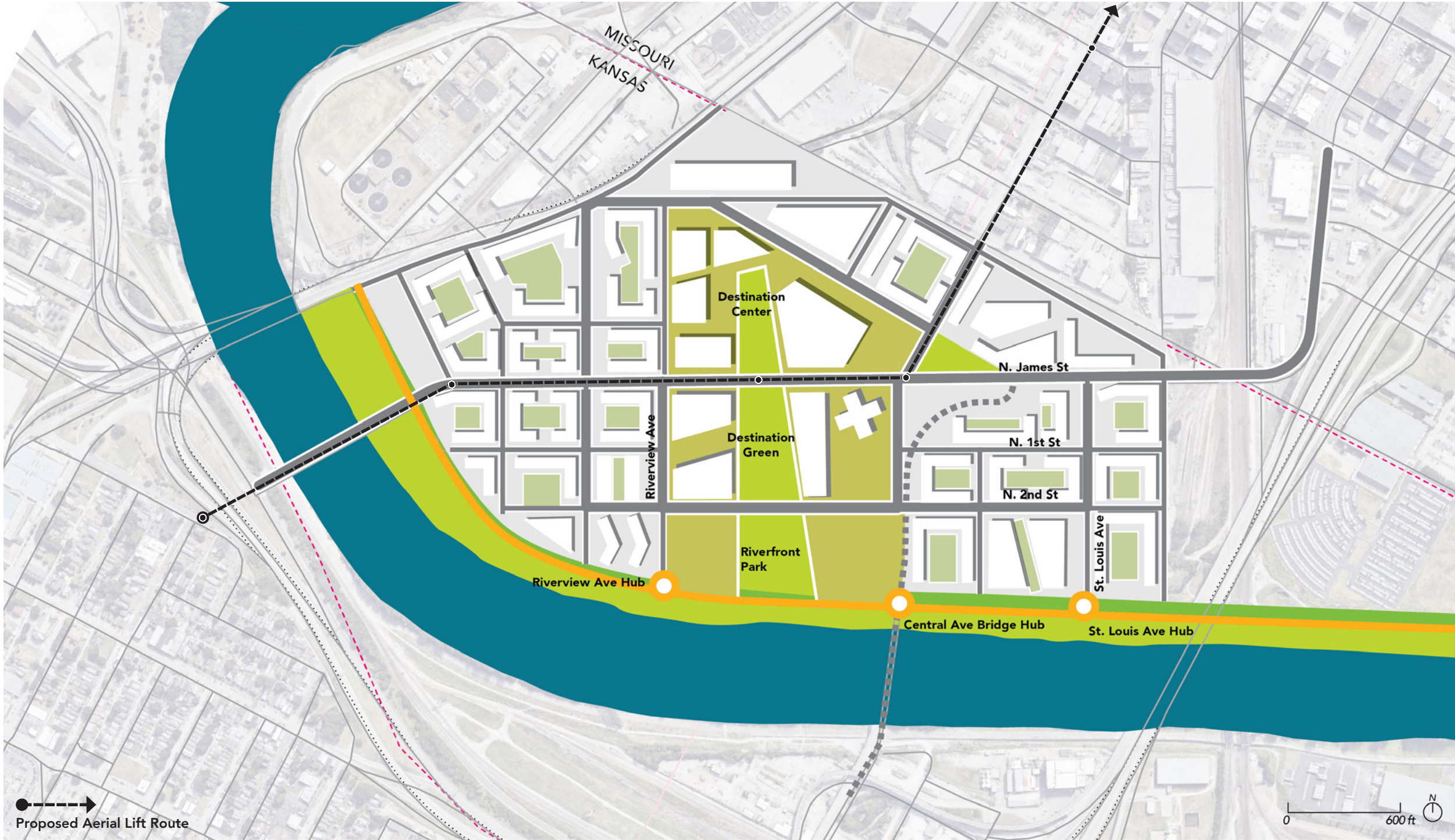
Like Scenario 1, the creation of this destination relies on generous new public realm amenities to form the identity of the district. There are new walking paths, plazas and amenities along the riverfront. The heart of the project is the ‘Destination Green,’ a large public open space bordered by the destination facilities themselves.

Although the precise types of destinations themselves have not been studied, potential venues include performing arts, stadia and retail. However, this plan has the flexibility to accommodate a number of potential types of destinations as part of an overall Master Plan.



STRATEGY EXAMPLE EAST BANK DISTRICT WICHITA, KS

The East Bank District **(ABOVE)** is a new destination district adjacent to the Arkansas River in Wichita. It includes some residential and mixed-use areas, but its principal uses are for a new performing arts venue, convention center, and hotels. Like the West Bottoms, its identity is centered on the Arkansas River. This project is in the planning phase, but its current plans call for the financing of the project using STAR Bonds.



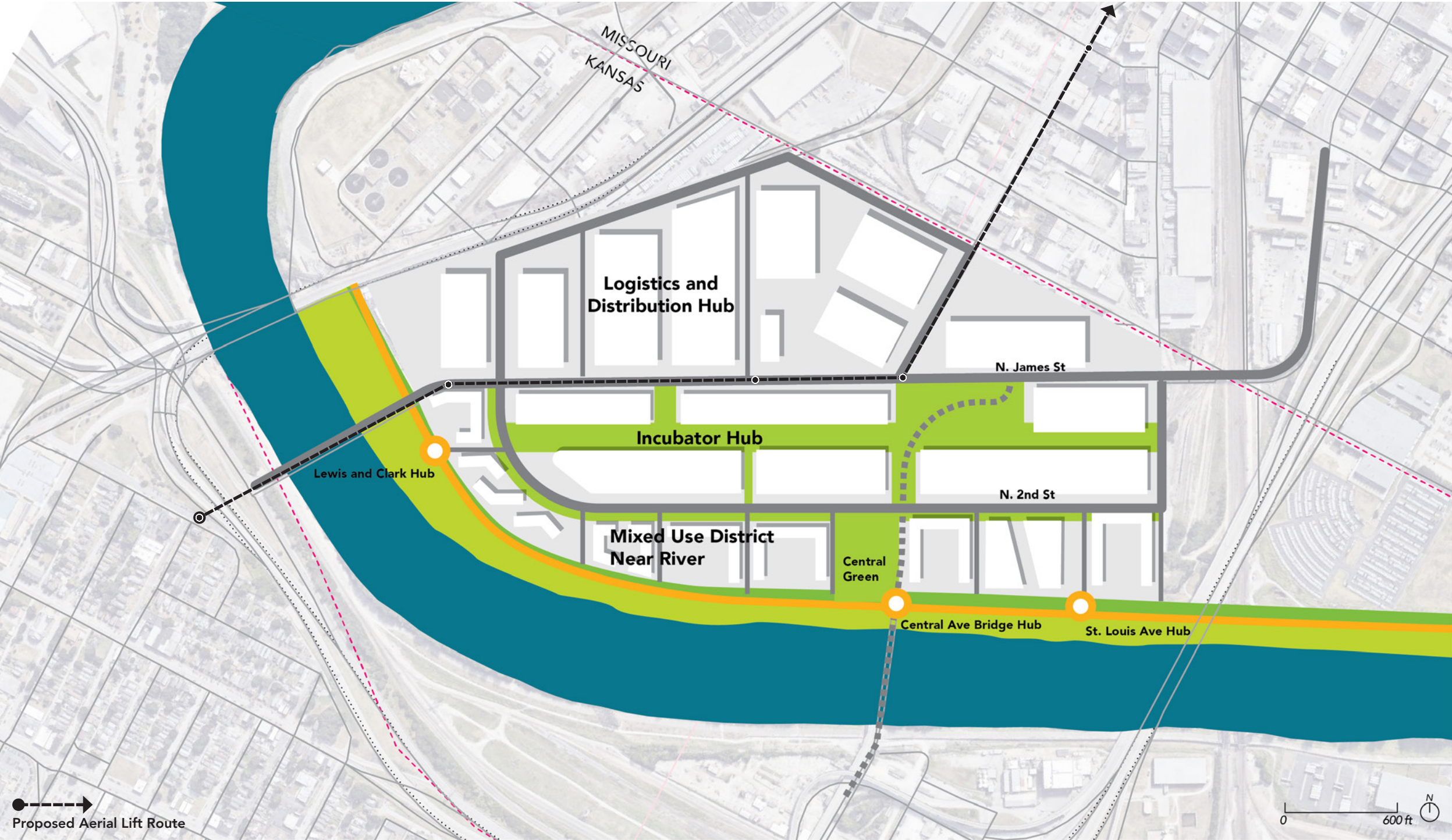
HISTORIC WEST BOTTOMS SCENARIO 3: LOGISTICS AND INDUSTRIAL HUB

The third scenario calls for the creation of a new incubation and logistics hub within the heart of the West Bottoms, with a smaller mixed use district comprising a balance of commercial residential uses adjacent to the Kansas River. The Incubator Hub could offer large, flexible spaces to research start up or other companies that need a combination of light industrial and office space. The logistics and distribution hub would take advantage of the West Bottoms’ proximity to Downtown KCK and KCMO to build significantly more warehouse and ‘last mile’ distribution than is currently available elsewhere in the area.



STRATEGY EXAMPLE
SCHIPHOL TRADE PARK
AMSTERDAM, NL

The Schiphol Trade Park **(ABOVE)** is a combination of distribution hub and office park located near the Schiphol Airport in Amsterdam. It combines an innovative water management strategy with commercial office space and large-format industrial and logistics buildings.



STRATEGY 1:
CREATE A MASTER PLAN FOR THE
HISTORIC WEST BOTTOMS

Goal: Develop a district-wide Master Plan to guide the development of the Historic West Bottoms for the next ten years.

Context: As a rapidly changing district, the Historic West Bottoms needs smart, high-level planning to ensure the Kansas City community takes full advantage of the opportunity.

Location: The Historic West Bottoms

Actions: Develop the scope and funding stream for the Master Plan and issue an RFP by 2023.

Potential Partners:

Armourdale Renewal Association should be the community partner in developing any future district plan for the Historic West Bottoms.

Unified Government Planning and Urban Design Department should take the lead on this initiative, specifically leading the development of an RFP for the Master Planning process and subsequent development of the Master Plan.

Funding: UG funded with support from any applicable planning grants.

Timeframe:

Year 1: Develop the scope and funding source for the RFP.

Year 2+: Issue the RFP and begin the planning process followed by implementation of priority projects.

Target: Develop a Master Plan by the end of 2024.

Priority:



Cost:



STRATEGY 2:
CONVERT THE CENTRAL AVENUE BRIDGE
TO PEDESTRIAN AND BICYCLE USE

Goal: Provide a dedicated bicycle and pedestrian connection from downtown Kansas City, Kansas to the Historic West Bottoms.

Context: The Central Avenue bridge is nearing the end of its useful life and there is currently not the demand for traffic in the area to justify replacing it.

Location: The Historic West Bottoms

Actions: Develop the scope and funding stream for the planning process and issue an RFP by 2022.

Potential Partners:

Armourdale Renewal Association, KDOT and the Central Avenue Betterment Association should be partners in the planning process.

Unified Government Planning and Urban Design Department should take the lead on this initiative, specifically leading the development of an RFP for the bridge pedestrianization design process and subsequent implementation.

Funding: UG funded with support from any applicable partners like KDOT or the Central Avenue Betterment Association

Timeframe:

Year 1: Develop the scope and funding source for the RFP.

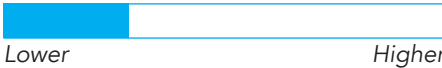
Year 2+: Issue the RFP and begin the planning process followed by implementation of priority projects.

Target: Develop a bridge renovation plan by the end of 2022.

Priority:



Cost:



STRATEGY 3:
CONTINUE DEVELOPMENT OF THE
AERIAL LIFT PROJECT

Goal: Pursue catalytic and transformational transportation infrastructure projects the Historic West Bottoms and the Kansas City Metro Area.

Context: A proposal to link downtown Kansas City, KS and downtown Kansas City, MO via gondola or aerial lift, titled 'Connect KC' was developed by the UG Planning and Urban Design Department in 2020.

Location: The Historic West Bottoms, Downtown Kansas City, KS, Downtown Kansas City, MO

Actions: Develop the scope of an RFP to advance the initial proposal through a more detailed feasibility study and master planning process.

Potential Partners:

Unified Government Planning and Urban Design Department should take the lead on this initiative and will be tasked with building a broad base of stakeholders and project partners.

Funding: Transportation and economic development grants.

Timeframe:

Year 1: Develop the scope and funding source for the RFP.

Year 2+: Issue the RFP and begin the planning process.

Target: Develop an Aerial Lift Master Plan by the end of 2023.

Priority:



Cost:



STRATEGY EXAMPLE
CONNECT KC AERIAL LIFT PROJECT
KANSAS CITY, KS AND KANSAS CITY, MO

The Connect KC Aerial Lift Project (**ABOVE**) initiated by the UG Planning and Urban Design Department and studied by HR&A Advisors and Skidmore, Owings & Merrill, explores an aerial link between the two Kansas City downtowns -- and the Historic West Bottoms between them -- in order to build common investment and access to a wealth of cultural attractions, the Kansas River, arena events, and jobs.

IMPLEMENTATION MATRIX

FOCUS AREA 1: THE NEIGHBORHOOD CORE

#	STRATEGY	PRIORITY	EST. COST	POTENTIAL LEAD PARTNERS			
01:	Build New Infill Housing On Vacant Neighborhood Lots	Higher	\$100k +	Government	Private	Neighborhood	Community Organizations
02:	Convert Underutilized Industrial Sites To New Housing Developments	Lower	\$100k +	Government	Private	Neighborhood	Community Organizations
03:	Implement Housing First Projects	Higher	\$100k +	Government	Private	Neighborhood	Community Organizations
04:	Expand Access To Fresh Food	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
05:	Increase Capacity of Armourdale Community-Based Organizations	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
06:	Increase Rental Assistance For Armourdale Residents	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
07:	Expand Access To Legal Aid And Other Tenant Services	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
08:	Pursue Code Inspection And Enforcement For Rental Properties	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
09:	Increase Community Policing Resources	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
10:	Expand Access To Quality Health Care	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
11:	Increase Armourdale Tree Canopy	Lower	\$50k +	Government	Private	Neighborhood	Community Organizations
12:	Sidewalk Installation And Repair	Lower	\$100k +	Government	Private	Neighborhood	Community Organizations
13:	Expand Youth Programming And After-School Activities	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
14:	Establish A Community Mural Program	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations

FOCUS AREA 2: THE COMMERCIAL CORRIDORS

#	STRATEGY	PRIORITY	EST. COST	POTENTIAL LEAD PARTNERS			
01:	Create More Public Open Spaces	Lower	\$100k +	Government	Private	Neighborhood	Community Organizations
02:	Connect to the Rock Island Bridge	Lower	\$100k +	Government	Private	Neighborhood	Community Organizations
03:	Expand Corridor Infill and Adaptive Reuse Mixed-Use Development	Higher	\$100k +	Government	Private	Neighborhood	Community Organizations
04:	Close Osage Avenue to Large Trucks and Enhance Corridor Safety	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
05:	Provide Accessible Bus Stop Platforms and Install Bus Stop Shelters	Higher	\$50k+	Government	Private	Neighborhood	Community Organizations

IMPLEMENTATION MATRIX

FOCUS AREA 3: THE INDUSTRIAL RING

#	STRATEGY	PRIORITY	EST. COST	POTENTIAL LEAD PARTNERS			
01:	Pilot and Incentivize High-Performing Industrial Parcels	Lower	\$100k +	Government	Private	Neighborhood	Community Organizations
02:	Reduce Impact of Low-Density Parcels Along Commercial Corridors	Lower	\$100k +	Government	Private	Neighborhood	Community Organizations
03:	Create Dense, Mixed-Use Commercial and Industrial Parcels	Lower	\$100k +	Government	Private	Neighborhood	Community Organizations
04:	Expand Access to UG Business Recruitment Services	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations
05:	Expand Space Available to Small- and Medium-Sized Businesses	Higher	\$50k+	Government	Private	Neighborhood	Community Organizations
06:	Recruit Businesses to Armourdale That Thrive on Proximity to Downtown	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations

FOCUS AREA 4: THE KANSAS RIVER

#	STRATEGY	PRIORITY	EST. COST	POTENTIAL LEAD PARTNERS			
01:	Increase Access to the Kansas River Through the Industrial Ring	Lower	\$100k +	Government	Private	Neighborhood	Community Organizations
02:	Create a Master Plan for the Kansas River	Higher	\$100k +	Government	Private	Neighborhood	Community Organizations
03:	Implement a Kaw River Restoration Pilot Project Toward Enhancing the Ecological Health of the Kansas River	Higher	\$100k +	Government	Private	Neighborhood	Community Organizations
04:	Work With Community Groups to Expand Programming and Recreational Opportunities Along and on the Kansas River	Higher	\$0 - \$50k	Government	Private	Neighborhood	Community Organizations

FOCUS AREA 5: THE HISTORIC WEST BOTTOMS

#	STRATEGY	PRIORITY	EST. COST	POTENTIAL LEAD PARTNERS			
01:	Create a Master Plan for The Historic West Bottoms	Higher	\$100k +	Government	Private	Neighborhood	Community Organizations
02:	Convert the Central Avenue Bridge to Ped/Bike Use	Higher	\$100k +	Government	Private	Neighborhood	Community Organizations
03:	Continue Development of the Aerial Lift Project	Higher	\$100k +	Government	Private	Neighborhood	Community Organizations

198

ARMOURDALE

STRONG FUERTE

199

5. Future Land Use Plan

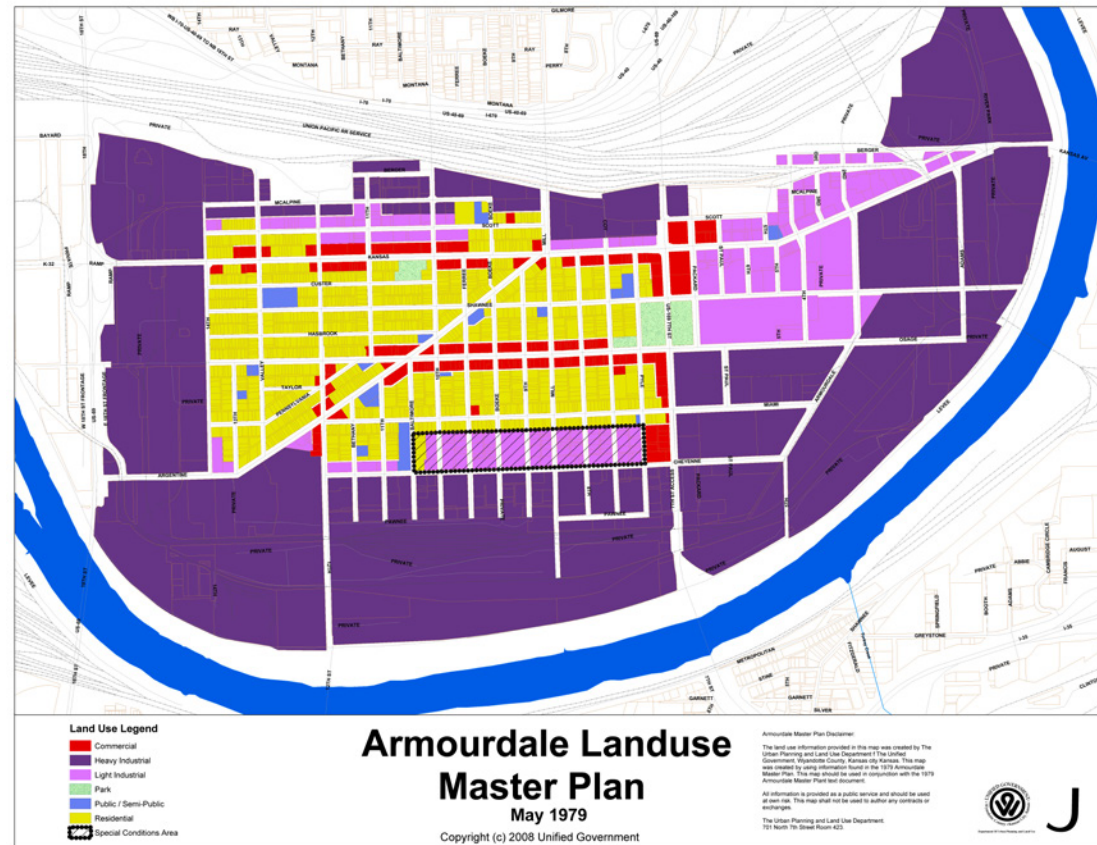
Table of Contents *(Click Below for PDF Hyperlinks)*

Future Land Use Plan	200
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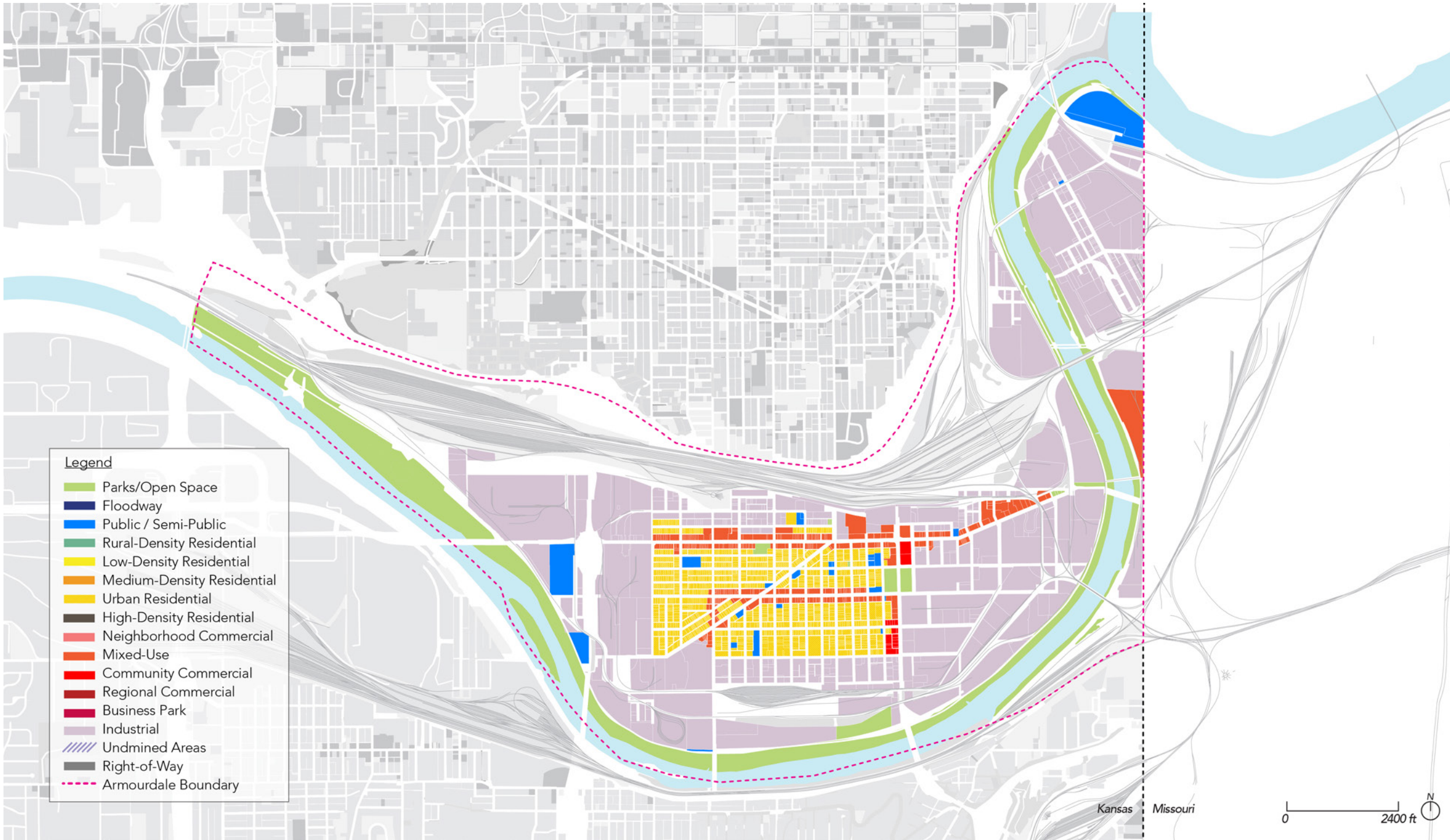
FUTURE LAND USE PLAN

Armourdale’s zoning was established during the creation of the 1979 Master Plan, which codified the urban renewal initiatives that displaced much of the Armourdale community east of 7th Street after the 1951 flood in favor of an expanded industrial district. The goals of this Master Plan are to protect the existing residential fabric of Armourdale, improve the quality of life for Armourdale residents, and open up more opportunities for people to live in Armourdale.

The Future Land Use Plan prioritizes neighborhood-focused strategies for strengthening the Armourdale community for those that live in Armourdale, or will in the future. By focusing on the street corridors that serve the Armourdale neighborhood and connect it to Kansas City and beyond, the Land Use Plan aims to expand business opportunities along each corridor, create dense community-focused development that is walkable and scaled appropriately to the neighborhood, and increase the amount, quality, and performance of public space along each corridor.



Armourdale Landuse Master Plan, May 1979



ENDNOTES

1 Serda, 60-63
2 Serda, 60-63
3 Serda, 68
4 Serda, 67.
5 Ordinance Book, City Clerk's Office, City of Kansas City, Kansas, 1882
6 Elmer, A City within a City, p 8.
7 Elmer 33-35.
8 National Academy of Sciences, Missouri River Ecosystem, 54.
9 National Academy of Sciences, Missouri River Ecosystem, 60-61.
10 Serda, 55-56.
11 Manuel C. Elmer, "Armourdale: A City Within a City," Bulletin of the University of Kansas, Vol. XX, June 15, 1919 No. 12. Transcript. P. 9
12 Kara Evans Flinn, "Devestation and Controversy: A History of Floods in the West Bottoms" The Kansas City Public Library, KC History, August 11, 2014.
13 Serda, 87.
14 Flinn.
15 National Academy of Sciences, Missouri River Ecosystem, 62-68.
16 John Herron, "Making Meat: Race, Labor, and the Kansas City Stockyards," The Kansas City Public Library, <https://pendergastkc.org/article/making-meat-race-labor-and-kansas-city-stockyards>, Accessed April 20, 2021.
17 Herron.
18 Herron.
19 Interview with Chavez.
20 Interview with Gene Chavez, February 8, 2021
21 Kansas City, Kansas, City Planning Commission, The comprehensive city plan, Kansas City, Kansas. Harland Bartholemew and Associates, city planning consultants (Kansas City, Kan.: The Commission, 1942), quoted in Serda, 78.
22 Gallup's Inc, "Pocket Map of Greater Kansas City," 1938, Accessed through Mapping Inequality: Redlining in New Deal America, University of Richmond Digital Scholarship Lab, <https://dsl.richmond.edu/panorama/redlining/#loc=12/39.105/-94.597&city=greater-kan-sas-city-mo&area=D8>, Accessed April 20, 2021.
23 Interview with Chavez
24 Serda, 87.
25 Serda, 92
26 Serda, 98-101.
27 Serda, 104.
28 Serda, 133-135.
29 Serda, 135.
30 Serda Interview.
31 Serda, 133.
32 Interview with Pastor Gary Roellchen, Central United Methodist Church, February 15, 2021.
33 Interview with Commissioner Brian McKiernan, February 4, 2021.
34 Interview with Gene Chavez, February 8, 2021.
35 Census Tract 426 Profile, Census Reporter. Source: ACS 2019 5-year. <https://censusreporter.org/profiles/14000US20209042600-census-tract-426-wyandotte-ks/>, Accessed April 12, 2021
36 "Armourdale-CID: Existing Conditions (Draft)," Unified Government of Wyandotte County and Kansas City Kansas Economic Development Department, January 11, 2021, p. 61

37 Manuel C. Elmer, "Armourdale: A City Within a City," Bulletin of the University of Kansas, Vol. XX, No 12, June 15, 1919. P. 91.
38 Elmer, 34.
39 Census Tract 426 Profile, Census Reporter.
40 Kansas City, MO-KS Metro Area Profile, Census Reporter.
41 Census Tract 426 Profile, Census Reporter. Source: ACS 2019 5-year. Accessed April 12, 2021
42 Kansas City, MO-KS Metro Area Profile, Census Reporter. Source: ACS 2019 1-year. <https://censusreporter.org/profiles/31000US28140-kansas-city-mo-ks-metro-area/>, Accessed April 12, 2021
43 Census Tract 426 Profile, Census Reporter.
44 Kansas City, MO-KS Metro Area Profile, Census Reporter.
45 Census Tract 426 Profile, Census Reporter.
46 Census Tract 426 Profile, Census Reporter.
47 Census Tract 426 Profile, Census Reporter.
48 63% of adults and 61% of children speak Spanish as their primary language at home according to the ACS 2019 5-year survey, although the margin of error for this data is more than 10% of the total value.
49 Unified Government Public Health Department, "Armourdale Key Issues," February 10, 2021.
50 Interview with Irene Caudillo, Executive Director, El Centro, during Armourdale Public Health and Safety Workshop, March 22, 2021.
51 Unified Government Public Health Department.
52 Interview with Dr. Erin Corriveau, University of Kansas Medical Center, Armourdale Public Health and Safety Workshop, March 22, 2021.
53 Unified Government Public Health Department.
54 Armourdale Neighborhood Profile, KC Health CORE, https://dashboards.mysidewalk.com/neighborhoods_ks/armourdale, Accessed April 16, 2021.
55 "Armourdale-CID: Existing Conditions (Draft)," Unified Government of Wyandotte County and Kansas City Kansas Economic Development Department, January 11, 2021, p. 46
56 Interview with Susila Jones, Executive Director, Cross-Lines, January 25, 2021.
57 Interview with Kevin Hooper, General Manager, and Brandon McNeely, Sales, NTS Trucking, April 15, 2021.
58 Roellchen Interview.
59 Roellchen Interview.
60 Roellchen Interview.
61 Serda, 75.
62 Interview with Jones.
63 Interview with Robert Anderson, Asset Manager, Unified Government Department of Public Works, February 15, 2021.
64 US EPA WIFIA Program Letter of Interest, provided by the Unified Government Department of Public Works, February 11, 2021 and supplemented with interview with Sarah Shafer, CMIP Program Manager, UG Department of Public Works, March 18, 2021.
65 Kansas Department of Transportation, "18th Street Replacement Study: KDOT Project No. 69-105 KA-4881 01," August 2019.
66 Interview with Blake Willhite, Premier Investments, February 3, 2021.
67 Interview with Kevin Hooper, General Manager, and Brandon McNeely, Sales, NTS Trucking, April 1, 2021.
68 Interview with Willhite.
69 CleanAirNow. <http://cankc.org/about-us/>
70 Kansas Department of Health and Environment. <https://www.kdheks.gov/ber/index.html> Specific Identified sites information can be found at Kansas Department of Health and Environment, Bureau of Environmental Remediation's website https://keap.kdhe.state.ks.us/BER_ISL/. Site-specific air pollution data can be found at the United States Environmental Protection Agency's website <https://www.epa.gov/enviro/icis-air-search>
71 Interview with Bill Haw, March 9, 2021.

ARMOURDALE

STRONG FUERTE

Appendices

Table of Contents *(Click Below for PDF Hyperlinks)*

Appendix 1: Public Health and Safety Workshop Report	207
Appendix 2: Economic Development Workshop Report	221
Appendix 3: Full Survey Results Report	247
Appendix 4: Clear Air Now Report	261

ARMOURDALE
STRONG FUERTE

Appendix 1: Public Health & Safety Workshop Report

WORKSHOP BACKGROUND

This project seeks to generate a collective vision for the future of Armourdale. To understand and leverage the potential of Armourdale’s community and stakeholders, three interdisciplinary workshops represent a crucial part of phases 1 and 2 of the project:

- Workshop #1: Public Health & Safety
- Workshop #2: Economic Development

The following summary aims to document and draw conclusions and recommendations from Workshop #1: Public health and safety. This workshop took place on the 29th of March, 2021 following all precautions and recommendations of social distancing, due to the COVID 19 pandemics. The meeting was held in a video-conference format, and supported by an online white-board web-app for sketching and note taking.

Workshop # 1: Public Health & Safety

The Goals of this workshop were to gain a more complete understanding of the public health landscape in Armourdale, and to collectively develop potential strategies and initiatives to improve public health and community quality of life. In summary, it focused on:

- Stimulating dialogue
- Refining our initial findings & understanding of the existing public health issues and causalities
- Identifying existing assets and future ambitions for public health
- Outline possible actions and next steps to improve public health

	ATTENDEE	TITLE	AFFILIATION
PARTICIPANT	Juliann Van Liew	Director	UG Public Health Dept
	Cathy Harding	President & CEO	Wyandotte Health Found.
	Susila Jones	Executive Director	Cross-Lines
	Gunnar Hand	Director	UG Planning&Urban Design
	Dr. Erin Corriveau	Deputy Medical Officer	Health Forward Foundation
	Karen Dehais	Evaluation and Learning Officer	UG Police Department
	Jesus Casas	Community Policing Officer	El Centro
	Irene Caudillo	President / CEO	Armourdale Renewal Association / Former Board Member
	Archie Smith	Former ARA Board Member	UG Department of Planning and Urban Design
	Kim Portillo	Long Range Planner	UG
	Brian McKiernan	Commissioner, District 2	UG Public Health Dept
	Wesley McKain	Community Health Supervisor	Reach Healthcare Foundation
FACILITATOR	Dawn Downes	Senior Program Officer	UG Parks and Rec
	David Morales	Armourdale Resident	UG Public Works
	Carmen Oropeza	Assistant Director	
	Sarah White		
	Halina Zarate	Urban Design Project Leader	MVRDV
	Brandon Biederman	Senior Associate	PORT
	Nick McClintock	Associate	PORT
	Rula Zuhour	Designer	PORT
	Kristina Knauf	Associate	MVRDV
	Tom Meyer	Americorps VISTA	PORT
	Andrew Moddrel	Partner	PORT

Workshop methodology: From... To!

In the general analysis of Armourdale, PORT urbanism identified six challenges for the area: isolation, vulnerability, segregation, neglect, deterioration and disinvestment. These challenges are interrelated, forming a vicious cycle that gradually exacerbates conditions in Armourdale.

The workshop therefore focused on how to turn this “downward spiral” to an “upward spiral”. It aims at collectively identifying opportunities that can be derived from existing challenges in order to strategize action towards a positive, healthy future for Armourdale.

Based on initial findings of the public health analysis, we identified 3 of the 6 opportunities as focus topics for public health:

- From Isolated to Accessible
- From Vulnerable to Safe
- From Disinvested to Stimulated



Workshop structure

The workshop was structured into 3 parts. In each part, a collective introduction was followed by breakout sessions in small groups to facilitate an open dialogue. Each breakout group focused on 1 of the 3 challenges and opportunities relevant for public health. After each breakout session, there was opportunity to regather and share thoughts and observations on each topic in the larger group.

Three Parts

- Part 1: Feedback on initial findings: Presentation of our initial public health analysis & understanding, feedback session around the questions “What stood out?” and “What did we miss?”
- Part 2: Assets and ambitions: Session based on mapping and listing existing assets based on each participant’s knowledge of Armourdale and identifying future ambitions for improved public health outcomes.
- Part 3: Vision and action plan: Strategizing a short-term and long-term action plan, listing possible actions, places for interventions, stakeholders, suitable mechanisms and potential for funding

Three Focus Groups

The groups focused on 3 opportunities that address the existing conditions of Public Health & Safety in Armourdale:

- From Segregated to Accessible (focus topics: infrastructure barriers, missing links to the neighbors, access to health care, access to food)
- From Vulnerable to Safe (focus topics: pollution, crime, accidents, flood risk)
- From Disinvested to Stimulated (focus topics: street-scape, urban green, Kansas River, ownership & land-use)

PUBLIC HEALTH CONCLUSIONS

First impressions about Public Health and Safety in Armourdale were based upon 3 main sources: The UG’s Public Health Department Data Analysis; The testimony of the resident Monica Mendez, who is also the executive director of the Armourdale Renewal Association; and the Urban Site Analysis drafted, which can be viewed later in this document. Combining these findings and insights, the following key issues that seem to were identified as effecting Public Health in Armourdale:



1. Access to care, health insurance and prevention:

There are no health care facilities in Armourdale. Without a doctor, dentists, or other health service providers close-by, residents are less likely to obtain treatment for illnesses or chronic diseases. High rates of diabetes, kidney disease and tooth loss indicate mismanaged care, patients either not receiving care at all or too late. The data analysis shows low prevalence rates of prevention measures and low health insurance coverage.

2. Access to healthy food: Access to healthy food is of local interest and could be enhanced by strengthening corner shops, bringing a big grocer that can sell affordable products, and a farmers market. There is also interest in creating a community garden. There is one near Cross Lines, but the produce is only used by “The Kitchen”. Currently, there are no major grocery stores providing healthy nutrition in Armourdale.

Related issues: Infrastructure barriers, missing links to the neighbors

3. Accidents & safety of the built environment:

The high motor vehicle accident death rate indicates need for increased safety for drivers and pedestrians that circulate in Armourdale. The wide streets have a lot of traffic, which make people feel afraid of car accidents.

4. Pollution & environmental impact on health:

There are high rates of cancer, asthma, mental health and sleep deprivation in Armourdale, compared to other communities in Kansas City. No clear causal relationship between these indices and the social and environmental conditions in the area could be identified. The workshop and further analysis need to examine potential ties with socio-economic stress (employment, affordability, crime, reoccurring flooding), pollution and noise.

Related issues: Crime, flood risk

5. Quality of built environment and activities:

The youth of Armourdale lacks opportunities to encourage active living and healthy eating. After school there are not many options or places for activities. The community lacks stimulus or interest to engage in community meetings (offering gifts and lunch can be effective, but not art or culture). Elements of the built environment that act as a source of Public Health issues are streets and parks. The fragmentation of Shawnee Park causes underutilization of public green. More comfortable and attractive sidewalks, complete streets, bike paths and parks are needed to stimulate activity and reduce the currently very high levels of Obesity, Diabetes and Physical Inactivity.

Related issues: Kansas River isolation and underutilization for leisure, Ownership and qualitative use of (vacant) residential and industrial plots

1. Access to Care

1.7x

Higher Diabetes Disease Death Rate, 1.8x higher Kidney Disease Death Rate than Wyandotte County

High death rates of treatable diseases point to mismanaged care where the patients no care too late or not at all. Without access to care, residents are less likely to receive treatment for their illnesses or chronic diseases.

1. Health Insurance & Prevention

41.3%

of 18+ respondents reported having no current health insurance coverage. US: 12.2% and Wyandotte: 24.8%.

More than 40% of respondents reported having no current health insurance coverage. Almost all of the prevention measures had low prevalence rates (cholesterol screening, mammography, cervical cancer screening, blood pressure medication, dentist visits) when compared to Piper, Wyandotte, and the US.

2. Access to Healthy Food

0x

larger grocery stores offer healthy food at a walkable distance.

Armourdale is a “food desert”.There is a 1.8x higher diabetes prevalence than in Wyandotte County. Can diabetes and obesity be reduced by bringing healthy food to Armourdale?

3. Safety of Built Environment

3x

More motor vehicle accident deaths than in Wyandotte (65.76 per 100k vs. 18.5 per 100k)

The motor vehicle accident death rate is very high in Armourdale. The data shows an increased need for traffic safety.

Source: UGPHD and Design Team Analysis

4. Environmental Impact on Health

32.3%

Higher cancer death rates than Wyandotte (230.15 Armourdale vs. 173.90 Wyandotte), 57% higher mental health rates compared to the U.S. average (19.9% Armourdale vs. 12.7% U.S.) 15.7% more people in Armourdale sleep <7h than the U.S. average)

High rates of cancer, mental health and sleep deprivation. Do higher levels of socio-economic stress, pollution and noise cause those rates in Armourdale?

5. Quality of Built environment, Activities and Nutrition

41.9%

Physical inactivity rate - twice as high as in Piper and ca. 75% higher than the U.S. average.

43.5% Obesity rate, ca. 40% higher than the U.S. average.

Obesity and Physical Inactivity are very high in Armourdale. Is the built environment - lack of accessible sidewalks, bike paths, leisure and sport areas - to blame?

PART 1: FEEDBACK ON INITIAL FINDINGS

What stood out? What did we miss?

After presenting our initial findings on public health, this was the group’s feedback on the various topics:



Infrastructure Barriers: Transportation issues are something that was not mentioned. They can form a barrier to access healthcare. Also, a lack of transportation options prevents access to the food stores outside of Armourdale that offer healthy nutrition.

Missing Links with Neighbors: Armourdale doesn’t look like a residential area. Driving through all you see is industry. It is setup perceptually of industry is first. This perception of Armourdale not being residential leads to the perception of disinvestment and disconnect.

Poor Access to Healthcare: Poor health isn’t necessarily a result of access. Just adding a clinic in the area may not trigger change. Healthcare is often not accessed because of the cost—getting a bill prevents people from going to receive care. Many people here live life long in poverty, with long-term health conditions. There is a need for more trust and communication, e.g. service staff that is culturally similar and helps to overcome language barriers. Inform how to access health care as a low-income resident, overcome.

Food Desert: No food groceries in the area is a true issue. There are fast food facilities but no places offering healthy foods and produce. Cross Lines is trying to deal with this on their end but sometimes there is a stigma with free food. In June Cross Lines is setting up a model that is more like a grocery store (versus a pre-made box), and offering breakfast and lunch as take away. Cross Lines is the only community garden in the area.

Other Feedback: Include input from the community for what the solutions might be and what their needs are.

Flood risk: Not discussed.

Pollution: There is no documented cause-effect relationship between pollution and diseases. Public Health issues are closely related to getting access to care, either because of practicalities such as having health insurance coverage, or influenced by subjective reasons such as feel like they are being taken seriously. There was surprise in the group about the environmental public health risks, but the impressions seem accurate according to participant’s experience.

Crime: From a business standpoint, little crime is noted (Argentina). There is a large homeless population to the west, but no crime issues with them. However, there is concern for that population. Can we create opportunities that the homeless population is comfortable using?

Traffic Accidents: Not discussed in detail. General take away: there needs to be more organizing in the community around this issues.

Other Feedback: There is lots of deferred maintenance of public infrastructure within Armourdale.

Family care, across the river to the south, lacks a CMO and direction.

There could be a variety of factors that prevent access to care - transportation, nearby family etc. There is a larger story to the data. The hardest task is identifying and getting care to undocumented people diagnosed with cancer. Existing medical facilities will not serve undocumented populations. We have a hard time with our community and partners with that issue, cancer mostly. But also other conditions that require ongoing care are all an issue. Can we use Mill Levy funds for care? Need to get buy-in from the community and elected. But the issue is having more needs than resources. What are the demographics and has information been gathered from neighbors? Amongst other, we found that roughly 50% live below poverty line, have low access to care. PORT has just begun the survey process.

Kansas River / Flood Risk: The levee creates a disconnect, look for opportunities to inter-link this master-plan with the Levee and River Development Master plan. Link to the levee for more recreational amenities. Additionally, there are many floods in the area that need to be addressed.

Streets: Industrial uses are a barrier to walkability in Armourdale.

Squares: Shawnee Park is very important to the community, but it is now cut in half by 7th St. As the Eastern part is not very accessible, the Western edge of Shawnee Park is more heavily used. The community has asked repeatedly for push-lights to access the East side safely.

Ownership and Responsibility / Land-Use: Reopen opportunities for development and combine development with infrastructural investments to improve walkability (public space upgrades).

What Stood Out? Health insurance issues, diabetes rates, cancer rates, lack of health centers and access to healthy food.

Other Feedback: Health statistics and the huge disparity makes one think about what is life like for people who live in Armourdale. Lower-income people stayed here mostly, we need to focus on them. How to balance their needs with ideas for recreation and Armourdale becoming a destination? Residents need support in this master plan. Help people now, not just in the future.

Armourdale has the lowest ratings in the county, we need to change the perception of the neighborhood.

The EPA has collected data on Armourdale and Argentina.

On Osage, there has been speculation on large poles and wires affecting health.

This scheme illustrates aspects highlighted most in the feedback session. The bigger the square, the more the respective issue was emphasized. Main conclusions of this first part are:

- The relationship of poverty and public health needs to be investigated in more depth, also linking it to cultural aspects and services for better long-term care and prevention
- The group sees opportunities in linking infrastructure upgrades to development strategies
- Access to healthy food is indeed a major issue
- The topic of public transportation needs to be included in care and food strategies
- The perception and identity of Armourdale as a community needs to be strengthened in the context of the neighborhood but also city- and county-wide

Poverty

What is life like for people in Armourdale?

Poverty/costs biggest issue for lack of care, not physical access

50% below the poverty line

Focus on low income groups

Help NOW, not just in the future

Create opportunities for homeless population in the west

Supporting undocumented with needs for ongoing care is the biggest issue

Access

Lack of access to care stood out

Improve transportation to/from care facilities

Visibility

Change the perception of Armourdale

Industry first? Drive-through neighborhood. No visibility and perception of the residential neighborhood

Link Infrastructure and Development

Deferred maintenance of public infrastructure

Mill Levy Funds?

Re-connect Shawnee Park

Many floods

Levee as barrier but also opportunity for recreation

Industrial uses are barriers for walkability

Create opportunities to link infrastructure and development

Food

Lack of access to food stood out

Food desert IS an issue

Only 1 community garden - Cross Lines.

Stigma of free food

Health Conditions & Care

Insurance issues, cancer and diabetes rates stood out

Environmental risks stood out

Healthcare that looks like me, culturally similar

Inform how to access health care as a low-income resident

No public hospital facility

Breakdown the language barrier and make healthcare more culturally comfortable.

Osage - wires impacting health?

Check EPA data on environmental conditions

Connecting people to services

PART 2: ASSETS & AMBITIONS

What are the existing assets and ambitions for future improvements of Public Health in Armourdale?

FROM ISOLATED TO ACCESSIBLE

Existing Infrastructure: Amenities such as restaurants and retail is organized along Kansas Avenue, but there is conflict with truck traffic. The Levee trail is an asset, but not yet much used by Armourdale Residents. Osage Avenue is an asset for a potential commercial corridor revitalization.

Links to Neighbors: Kansas Avenue, 7th Street, 12th street - key connection to neighboring destinations, but not friendly to biking or public transportation

Access on foot to the river feels like trespassing, and is not inviting the use of this asset as a place for the community or for physical activity

Poor Access to Healthcare: Its not about bringing in a clinic, there are pre-conceptions about accessing health care and having to pay a unfordable bill for the service. Local residents can be an asset as staff of leaders in which the community trusts and feels represented by.

Existing bus and mini van routs can be an asset- check if they stop by these public health centers or if the route should change; check how easy and quick it is to get to key destinations

Food Desert: There is only one community garden, Cross-lines, but there is stigma towards free food.

Urban farming could be an asset if empty plots could host such programs, but it also requires community training and care to cultivate it Liberty Fruit in the south is an asset to be leveraged for healthy food supply, or a fresh food market destination.

FROM VULNERABLE TO SAFE

Pollution: There is no documented cause-effect relationship between industrial land-use pollution and diseases, but the large warehouses and industries are visually unappealing and a barrier to active living. There is a concern about visual pollution in Osage Ave, related to the aerial power lines.

Crime: The perception of crime has been rising and the residents do not see the presence of police in their communities. The community policing staff (UG Police department) in an asset, that exists to be a filter between community leaders and the local district commanders. Community policing works but only if you put the resources behind it, and Officer Casas does not have much support. As the perception of crime has risen, the ability for the district to communicate through those officers became more difficult. Community leaders are a great asset but need support and more resources.

Traffic Accidents: Kansas Avenue and 7th Street have a great conflict between pedestrians and truck traffic, being perceived as dangerous for walking. The 12th street feels extremely dangerous to walk or bike, exposed to motor vehicles. Shawnee park is a great public asset for the community but it is divided by a road. A pedestrian walk-over (preferably over a push-light) could help enhance crossing safety.

Flood Risk: Existing budgets for infrastructure maintenance are an asset, but they do not include storm-water management costs. Delay and deferral of public infrastructure maintenance in Armourdale are a challenge.

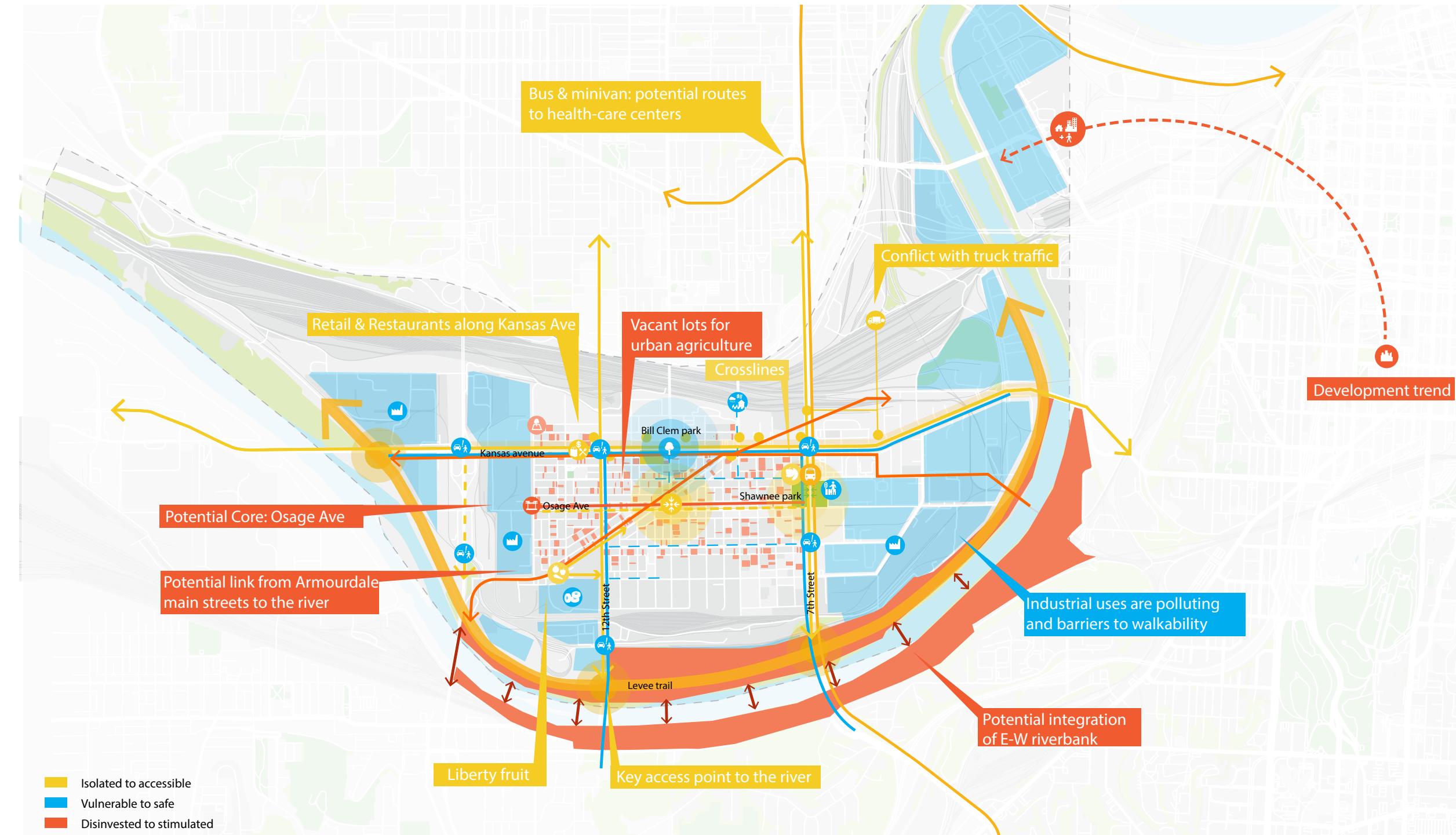
FROM DISINVESTED TO STIMULATED

Streetscape and Built Environment: The Levy investments can be an asset and provide funding and stamina for open space & way-finding enhancements and better E-W connection. Industrial program is an asset to the city, but a barrier for the community, concerning walkability and attractiveness of the built space. Osage avenue is an asset for a potential centrality, and its built space quality can be enhanced by, for example, eliminating aerial power lines.

Urban Green: Shawnee Park is an asset to the community, and could be enhanced by being an integral piece, so kids could access safely all of its parts without the dangerous street crossing. Currently the western part is more frequently used. The organization Cross-lines is an asset to support the community's green and healthy food access. There is potential of using public open space and green for orchards and edible gardens, and the community would be a fundamental asset in maintaining them. Bill Clem Park is an underused asset due to the community's safety perception.

River Role: The river is an asset for activity attraction, and presents potentials in activating both West and East banks, capitalizing on the ongoing opportunity generated by the Levee trail enhancements. There is a real estate development pressure coming from KC-MO, that could help bring program and people from East to West of the river. The Kansas River Group is an asset to help define pick-up points and connections to trail heads and amenities, promoting a better linkage to the neighborhood.

Ownership and Responsibility: Community-run organizations fighting food deserts can be an asset to reprogram or activate vacant plots.



PART 3: VISION & ACTION PLAN

Which short-term and long-term actions can be taken to reach the vision for Armourdale?



Vision
A New Downtown: a new destination along Osage Avenue, hosting new business and fresh-food providers, safe to walk without conflict with heavy truck traffic.

Linked and Better River and Parks: enhanced access to Shawnee Park in its integrity. Safe and active Bill Clem park. Inviting and vibrant riverbank. Enhanced configuration of streets to favor pedestrian and bike use.

Health Routes: direct public transportation connections to public health-care facilities through re-routed bus and minivan lines and stops. Stronger trust on the health-care system, insurance coverage, information about costs, ethnic representativity in the care staff.

Fresh Food Abundance: offer of affordable healthy food through large grocery stores, the establishment of a fresh food market, and enhancement of the potential of Cross-lines and Liberty Fruit for local provision.

Short term actions:
Policy incentives to attract business to locate and stay in Armourdale, Redesign of streets and public space to enhance walkability & biking, Re-route of buses and minivans serving 7th St to connect to healthcare, Establish farmers market, Invite Liberty Fruit to help

Long term actions:
Incentive larger local businesses to invest in the local community
Connect multiple actors and assets ("break down silos")
Combat poverty as a barrier to the access to health and jobs
Re-purpose vacant plots for food production, cultivated by community

Vision
Monitored & Informed: a community that is aware about the interrelation between pollution and public health, and has transparent and effective access to information
Reduced Crime: a community that is seen and heard, with balanced coverage of district commanders
Enhanced Ped/bike safety: a mobile and active community, that does not feel threatened by car and truck circulation
Infra Adapted for Climate Change: a neighborhood protected from storm-water and river floods

Short term actions:
Investigate and integrate existing pollution data in Armourdale from different sources, identify how it affects life quality and potential enhancements in sharing and receiving of information
Reduce police officer's coverage area, hire more officers
Traffic management & activity distribution adjustments in Kansas Avenue, 7th street, and 12th street; add a push-light or walk-over to access both sides of Shawnee Park
Catch-up on infrastructure maintenance including storm-water

Long term actions:
Enhance community awareness about pollution and public health, do the necessary interventions in the built space and land use to enhance life quality
Built space interventions in Bill Clem Park for better safety perception
Redesign streets for reduced car accidents
Allocate budget for storm-water infrastructure enhancement projects

Vision
Re-linked Shawnee Park: one full park, not divided in two
Re-programmed vacant plots: a neighborhood with no underutilized land, in which vacant plots can serve the community with edible gardens, orchards and trees, that are collectively run by residents
Linked River and community: a river and riverbank that can be used for resident transportation and leisure, for visitors, business
Re-envisioned Ownership & Responsibility: a community of reprogrammed plots taken care and maintain by the local residents. A place to live where residents are enable to re-parcel plots to extend their property for social/green functions.

Short term actions:
Walkover connecting both sides of Shawnee Park
Policy change allowing use of vacant plots for urban agriculture
Define clear access points to the Levee trail and the amenities that could better serve the community there (engagement process)

Long term actions:
Strengthen integrity of Shawnee Park
Re-plot vacant land in close proximity, reprogram for urban green or housing, promote narrow plot housing design
Locate amenities on both sides of the river, capitalize on the development trend coming from KC-MO to activate river activities.

OPPORTUNITY	WHAT NEEDS TO BE DONE?	WHO TO INVOLVE?	MECHANISMS	ONGOING EFFORTS	RISKS
1. Osage Ave as Downtown	Adapt Osage Avenue as a destination for retail, restaurants, groceries, people	Residents and local businesses owners, KCK chamber, ARA	Reprogramming of activities along Osage avenue, removing of aerial power lines, street design&furniture	Armourdale Area Master Plan	Not having community buy-in, not having the voice of the community represented
2. Linked & Better River and Parks	Change the how attractive and safe streets are perceived, parks and riverbank	UG (Bill Clem park, Shawnee park, 12th street, Kansas Avenue and 7th), Kansas River Group	Redesign of streets for safer traffic and stimulated walkability, public space design & maintenance	Infrastructure maintenance budget	Sustain long term funding
3. Health Routes	Re-route bus lines and minivans to create direct& fast access to important healthcare facilities	Transportation Authority in charge of the local bus line along Kansas Avenue	Adapt existing bus and mini van lines and stops	Diverse funding sources	Perception of high healthcare costs preventing residents to seek assistance, low insurance coverage
4. Fresh food Markets	Establish a local farmers markets, local production of fresh food, attract a major grocery stores	Cross-lines Community outreach and Food distribution center, Liberty Fruit	Tax incentives, policy change to allow the use of empty plots for urban agriculture, local ownership	Cross lines food pantry	Perception of free or low cost food, maintain large grocers on the long term
1. Monitor & Limit Pollution	Investigate the interrelation between Pollution and Public health, existing info, sharing effectiveness.	EPA, Public Health department and Irene Caudillo	Use local organizations as a conduit to facilitate communication between the UG and the Community	EPA data collection along Armourdale and Argentine ave	Making data available on a website is not enough, residents have to receive and understand info
2. Reduce crime	Increase policing, promote public space enhancements in Bill Clem Park	Community leaders and local district commanders	Hire more community officers, reduce community officer's coverage area, more resources	?	Secure resources to increase policing and make residents feel watched-out for and heard
3. Enhance Ped/Bike Safety	Prioritize walking and cycling in Kansas Avenue, 7th street, 12th street; connect Shawnee Park sides	UG (Bill Clem park, Shawnee park, 12th street, Kansas Avenue and 7th), local residents, schools, initiatives	Redesign main streets for pedestrian and bike friendliness, create safe crossings, signal residential area	Local residents requests for push-lights or cross walks for safety Shawnee park	Conflict with Industrial use demanding for heavy lead vehicles and intense traffic
4. Infra Adaptation for Climate Change	(To be further discussed) Realize maintenance of local infrastructure, allocate budget for storm-water	(To be further discussed)	(To be further discussed)Storm-water Infrastructure Maintenance & Enhancement Projects	(To be further discussed)mention about \$54mi for public infra maintenance	(To be further discussed) Deferring maintenance and not allocating a share for public space enhancement
1. Re-link Shawnee Park	Connect Shawnee park sides	Local business and community groups			Sustain affordability of Armourdale neighborhood, avoid gentrification
2. Re-program Vacant Lots	Re-purpose vacant lots be used for food production or be offered to some residents to extend their plots	UG planning department, residents, community leaders	Community leadership to relief the municipality from maintenance, re-plot and leverage for housing		
3. Link River with Community	Enable for multiple use: active mobility, leisure, grow businesses & community on levee trail heads	Real estate developers pushing from KC-MO side, runners, bikers, levee trail master plan		Procter & Gamble gift to build legacy monument on west side trail-head close to their plant	

The fields highlighted in strong colors represent elements that resonated in multiple discussion groups

SYNTHESIS & RECOMMENDATIONS FOR PUBLIC HEALTH

What resonates across all topics?

Across the different workshop session and groups, some challenges, assets, visions and actions coincided. It is possible to perceive the interrelation between the three topics used to frame the discussion (From Isolated to Accessible, From Vulnerable to Safe, from Disinvested to Stimulated). These “universal” ambitions can be summarized by 3 main action groups:

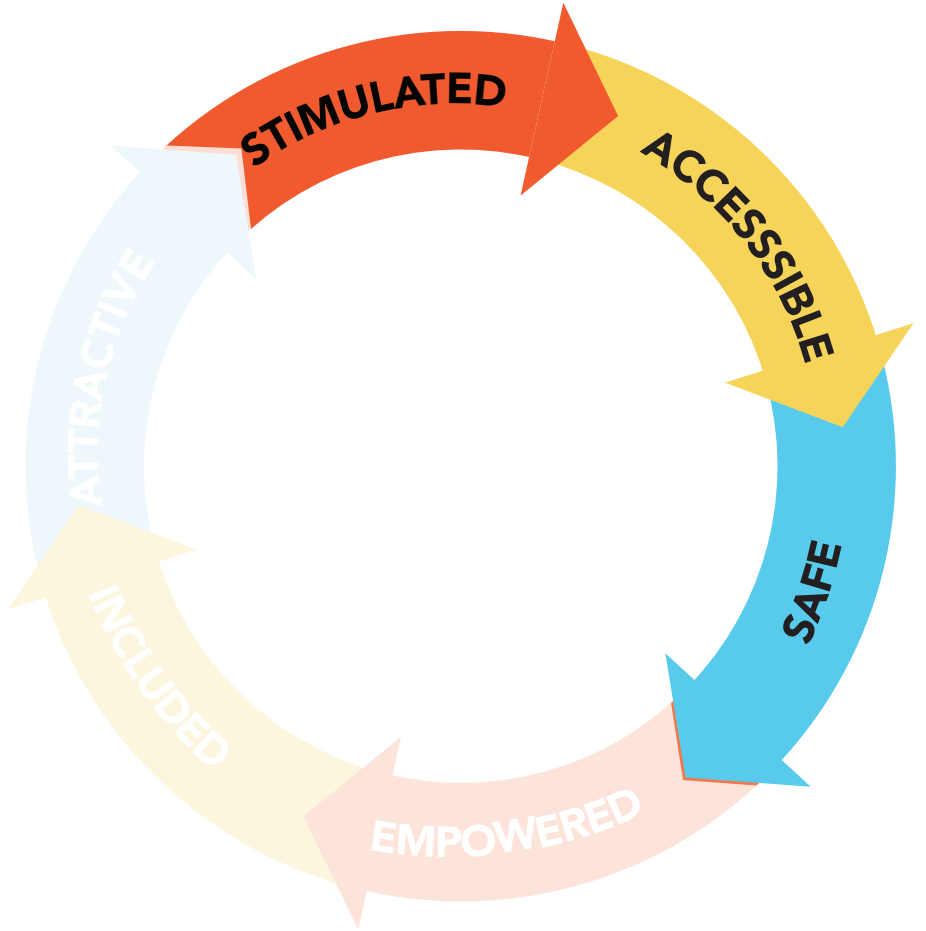
- Reconnect
- Reprogram
- Empower

Part of an integral approach

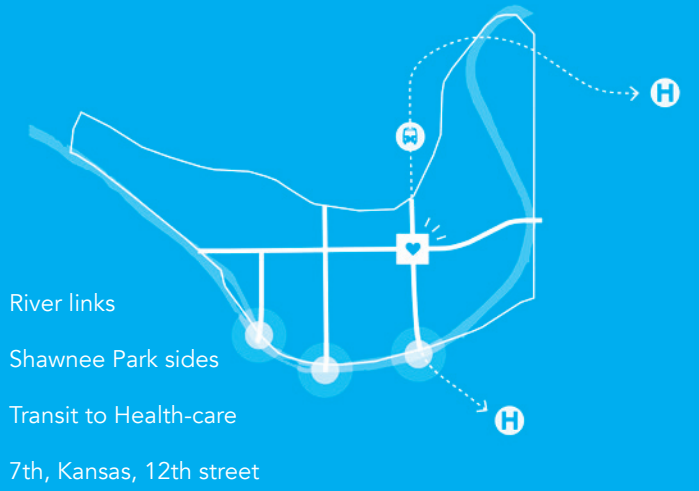
To effectively turn the vicious cycle of challenges in Armourdale into an virtuous cycle of opportunities, it is crucial to understand the interdependence between them. Only with an integral approach is it possible to thoroughly strategize the steps for the transformation towards a positive, healthy future of Armourdale.

Whereas Workshop #1 covered several of the topics that influence on three main challenges, much is still to be explored during subsequent steps of the Armourdale Master Plan effort, in conjunction with the local community.

Following the same “From...To” methodology, the challenges that contribute for Armourdale’s current condition of a segregated, neglected and deteriorated neighborhood are the subject of discussion in Workshop #2: Economic Development and Market Analysis of Armourdale.

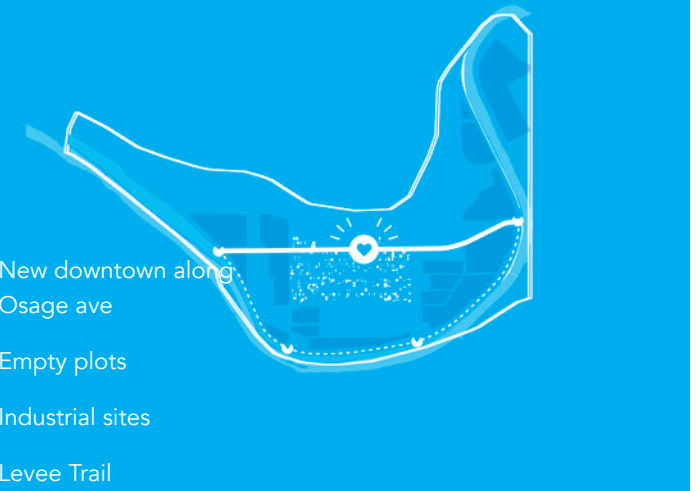


RECONNECT!



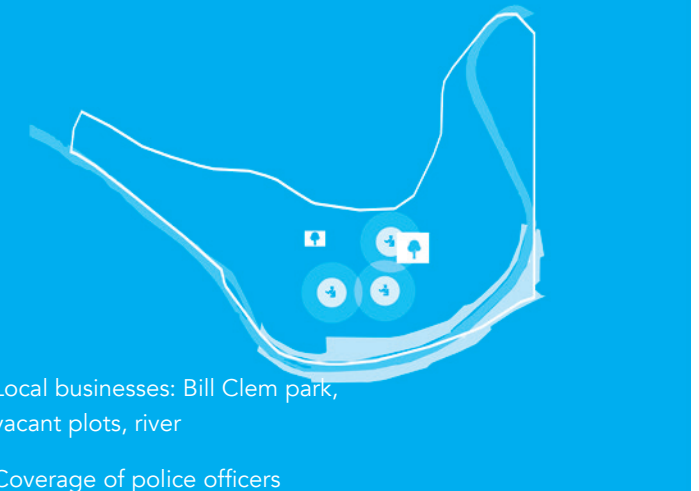
- Adapt public transportation lines and stops for direct and fast access to healthcare
- Redesign mobility & land use integration on Kansas avenue, 7th street and 12th street
- Make links to the river readable and inviting, connecting the community to the river
- Re-integrate Shawnee Park is divided sides
- Connect people to information, by monitoring and effectively informing residents about public health and pollution

REPROGRAM!



- Create policy support for reprogramming vacant plots for urban green, food production and social functions
- Identify polluting industrial uses and promote the transition to clean and double-purposed uses that serve the local community
- Diversify the program and functions of the river to strengthen its role for resilience, active living and leisure, and activate levee heads as a destination for amenities and local businesses
- Reprogram activities along Osage Avenue to configure a new downtown, attractive to large grocery shops and local businesses

EMPOWER!



- Promote engagement and co-design of the area’s transformations (such as levee connection plans, downtown relocation, reprogramming of plots into urban agriculture)
- Build trust within the community by increasing the representation of Hispanic, Latino and Spanish speaking staff in healthcare
- Enhance safety perception by increasing the number of community officers interacting with the residents
- Collaborate with local business and initiatives to activate public spaces such as Bill Clem Park, river trail heads and to create vibrancy in the new destination within Armourdale

ARMOURDALE
STRONG FUERTE

Appendix 2: Economic Development Workshop Report

WORKSHOP BACKGROUND

Workshop Summary Provided by MVRDV: This project seeks to generate a collective vision for the future of Armourdale. To understand and leverage the potential of Armourdale’s community and stakeholders, three interdisciplinary workshops are a crucial part of phases 1 and 2 of the project:

- Workshop #1: Public Health & Safety
- Workshop #2: Economic and Community Development
- Workshop #3: Master Plan Strategy: Focus Group Input

The following summary aims to document and draw conclusions and recommendations from Workshop #2: Community and Economic development. This workshop took place on the 8th of June, 2021 following all precautions and recommendations of social distancing, due to the COVID 19 pandemics. The meeting was held in a video-conference format, and supported by an online white-board web-app for sketching and note taking.

Workshop #2: Community and Economic Development

The Goals of this workshop were to gain a more complete understanding of the public health landscape in Armourdale, and to collectively develop potential strategies and initiatives to improve public health and community quality of life. In summary, it focused on:

- Stimulating dialogue
- Bring business and community leaders together
- Define potential futures for the district
- Identify opportunities for collaboration between business and community leaders

	ATTENDEE	TITLE	AFFILIATION
PARTICIPANT	Greg Kindle	Director	Wyandotte Economic Development Council
	Blake Willhite	Director	Premier Investments
	Monica Mendez	Executive Director	Armourdale Renewal Association
	Daniel Serda	KC CUR Project Manager	LISC
	Alicia Gaytan	Manager and resident	McDonalds
	Archie Smith		Universal Construction
OBSERVER	Shaya Lockett	Small Business Coordinator	UG Economic Development Department
	Carmen Oropeza	Resident	UG Delinquent Property Division
	Jenna Hillyer		
	Gunnar Hand	Director	UG Department of Planning and Urban Design
	Monica Velasco	Urban designer	MVRDV
	Brian McKiernan	Commissioner	UG
FACILITATOR	Tom Burroughs	Commissioner	UG
	Kim Portillo	Long Range Planner	UG Department of Planning and Urban Design
	Tom Meyer	VISTA	UG Department of Planning and Urban Design
	Melissa Bynum	Commissioner	UG
	Kristina Knauf	Associate	MVRDV
	Andrew Moddrell	Partner	PORT
	Ping-Yi Hung	Assistant designer	MVRDV
	Nick McClintock	Associate	PORT
	Emilie Koch	Senior project leader	MVRDV

Workshop methodology: From... To!

In the general analysis of Armourdale, PORT urbanism identified six challenges for the area: isolation, vulnerability, segregation, neglect ion, deterioration and disinvestment. These challenges are interrelated, forming a vicious cycle that gradually exacerbates conditions in Armourdale.

The workshop therefore focuses on how to turn this “downward spiral” to an “upward spiral”. It aims at collectively identifying opportunities that can be derived from existing challenges in order to strategize action towards a positive, healthy future of Armourdale.

Based on initial findings of the urban and economic analysis, we identified three of the six opportunities as focus topics for community and economic development:

- From Segregated to Empowered
- From Neglected to Included
- From Deteriorated to Attractive



Workshop structure

The workshop was structured into two parts. In each part, a collective introduction was followed by breakout sessions in small groups to facilitate an open dialogue. After each breakout session, there was opportunity to regather and share thoughts and observations on each topic in the larger group.

Two Parts

- Part 1: Feedback on current conditions: Presentation of our initial analysis & understanding, feedback session around the question “What did we miss?”, “What is your current situation in Armourdale?”, “How can residents and businesses collaborate on shared goals?”
- Part 2: Shared goals and potential for collaboration: Session based on sharing, listing and mapping existing issues and assets, individual goals and potential places and formats for collaboration based on participants’ backgrounds and development interests.

Two Groups

For the two parts, the workshop participants were split into two groups to allow direct dialogue in breakout rooms. Each room was composed of participants of diverse backgrounds in order to discuss the topics and questions outlined above in detail and from various (economical and community-oriented) perspectives.

CURRENT CONDITIONS AND CASE STUDIES

Our first impressions about community and economic development in Armourdale are based on the Urban Site Analysis by PORT Urbanism. It reveals that there is a segregation between residential and industrial areas that seems to hinder qualitative development of the district. Despite the diversity of small businesses and a broad range of productive larger ones, the spatial potential of the land they occupy as well as the strategic potential for collaboration to improve issues of mutual interest is not exhausted. During this workshop, we therefore presented below case studies to inspire the dialogue between the diverse Armourdale stakeholders, and to examine collectively: How can residents, businesses and the public sector collaborate on shared goals to create a positive outlook for Community and Economic development of Armourdale?

FROM SEGREGATED

TO EMPOWERED

How can we bring more opportunities to Armourdale residents? Could we apply participatory budgeting processes in Armourdale?

The case of Floriade Almere, Growing Green Cities, illustrates how municipal maintenance budgets can be redistributed to fund local initiatives that deliver public benefit on private and public plots. The case of Rotterdam Luchtsingel City Lab shows that the public sector can initiate ideas competitions for urban upgrades - in this case the selected proposal was a bridge connecting scattered and underused public spaces - and how these initiatives can be realized through crowd funding/ participatory budgeting processes.

How can we grow the community while keeping it affordable and accessible?

Can we support infill and collective development in Armourdale? There are several ways to enable inclusive growth of neighborhoods. The Student Hotel, Maastricht for example offers affordable spaces and onboarding services for new arrivals, short stay, youth/students. The project Schoonschip in Amsterdam illustrates sustainable models for collective private development. The Incremental Housing in Santiago de Chile as well as the subsidized DIY lots in Rotterdam are examples for offering affordable basic accommodation that offer opportunities for self-initiated, flexible growth.

FROM NEGLECTED

TO INCLUDED

How can Armourdale leverage underused spaces to create new opportunities for the local community? Could Armourdale attract and mix non-polluting business into its existing fabric to create a thriving environment the community is proud of?

The creative manufacturing industry is hip today, clean production and creative culture is integrated visibly into urban neighborhoods again without separation of functions, as the example of the Freitag factory in Zurich shows. This increases the diversity of job opportunities in the vicinity of residential areas, adding to more attractive and inclusive neighborhoods. Another example, the Rotterdam Maker Space illustrates how small businesses can be offered shared spaces and facilities within larger plots or buildings, integrating small scale crafts with smart, clean and innovative production processes in the city.

How can businesses support education and job creation? Could local businesses create mutual benefits by supporting local social and educational programs?

Community programs such as "Hotspot Hutspot", "Overloed in Overschie" and "Oma's Recept" in Rotterdam can link local food production to multi-generation education and health, creating jobs and new career opportunities in and with vulnerable communities. Other Dutch governmental programs stimulate collaboration of private companies with local social projects, offering e.g. lunch catering and support staff.

FROM DETERIORATED

TO ATTRACTIVE

How can industry be a net contributor to local environmental health? Could local businesses contribute to the community, boosting Armourdale's spatial, environmental and economic attractiveness?

In the Schiphol Trade Park development, a business and logistics park close to Amsterdam, all companies contribute to an "area fund" to finance a pleasant, sustainable and healthy working environment, collectively creating and maintaining a flagship site for innovative companies. Here, flexible industrial plots are created where sustainability and operational efficiency are key. Double use outdoor spaces and roofscapes as well as water collection, cleaning and -reuse and the production of sustainable energy in this green business park is stimulated by public guidelines and the area fund.

How can we create a proud & attractive riverfront community together? Can Armourdale give space to its community and its river?

MVRDV's project (Y)our Glasgow develops urban acupuncture projects inspired by community ideas as part of the larger masterplan strategy. The National Dutch project Space for the River integrates local community needs in water management projects. It creates more space for rivers along (former) levees to allow for larger water buffers, while adding leisure facilities and connections to adjacent riverfront communities.



Santiago de Chile, incremental housing: affordable basics & flexible DIY growth



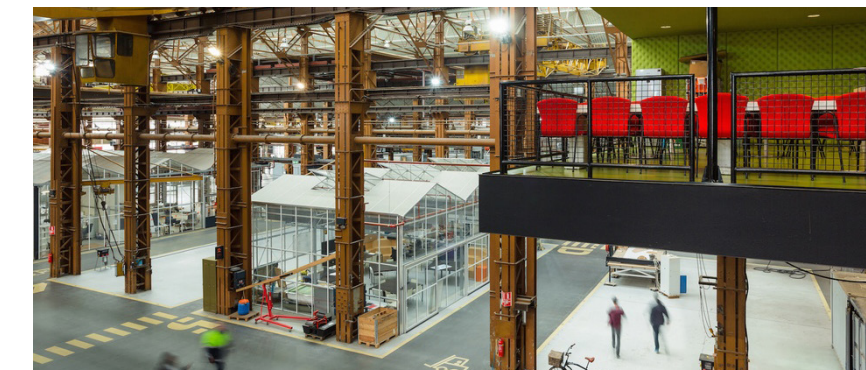
Floriade Almere: repurposing municipal maintenance budgets for local initiatives



Rotterdam Luchtsingel: building bridges through crowd funding



Freitag Factory in Zürich: clean urban manufacturing



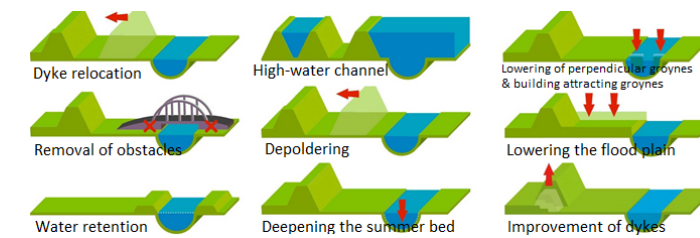
Rotterdam Maker Space: shared spaces for small businesses offered in larger industrial buildings



"Hotspot Hutspot", "Overloed in Overschie" & "Oma's Recept" in Rotterdam: Programs linking local food production with education, health & job creation.



Schiphol Trade Park Amsterdam: Contributions to an "area fund" finance a pleasant, sustainable and healthy working environment - a flagship site for companies.



Room for the River, The Netherlands: more space for rivers, while adding leisure facilities and connections to riverfront communities.

PART 1: FEEDBACK ON CURRENT CONDITIONS



Quality, Maintenance And Future Of Housing: The quality of the housing stock in the area is poor. Many homes are salvaged homes built in the late 1970ies. As the area has been indicated as an “industrial district” by leaders of urban renewal efforts since the 1903 flood (aside from 1979’s plan of the ACA, Armourdale Citizens for Action, that respected the residential core), there is no feasible economic expectation for home owners. Opportunities for loans for home improvements have been limited after programs in the 1980ies. A large number of residents rent. Many newcomers arrive here, renting for 8-10 years. Property owners take advantage of those families, offering them houses in poor conditions for relatively high rental prices, and making them believe they will be able to buy those houses on a word to word contract. Renters often dont know their rights. How can they be assisted and home owners motivated to maintain their buildings? Additionally, there are few to no options for senior retirement in the area. Many seniors are forced to relocate.

Vacant Plots: Vacant plots are driven by speculation. Industrial property owners buy them, hoping to rezone residential plots to (heavy) industry. As plots are small and scattered, it is difficult to gather parcels to redevelop. Without redevelopment, upgrades of open spaces are not happening. As the future landuse situation is unclear, many lots remain vacant. This decade-long pattern led to neglect and intrusion of industrial use into the residential area. East of 7th Street and around Argentine, many residents have been removed or relocated already.

Industry vs. residents - need for clarity: The lack of investment perspective fuels the vicious cycle of deterioration of the residential community and restricts industrial upgrades. The participants feel a lack of public support and security for investments. A clear political decision is needed that delivers a strong message about the future of this area: will it be purely industrial or mixed residential+industrial? Based on this, it is crucial to establish & follow clear policies. The co-existence of the community with industries feels very normal to long-time residents. How can we leverage this to create a strong future for & with Armourdale?



Job Balance & Education: Only ca. 1% of residents of Armourdale work in the area - should more locals work here? Industrial companies are in close proximity to (potential) workforce in this area. Many high wage jobs are created by companies located in Armourdale. But a high percentage of employees indeed comes from outside (even outside the county). Local companies wish to address this inflow-outflow gap at neighborhood level, to change the dynamic and help locals move into better jobs. Armourdale could become a place for a strong community to work and live together again. However, there are two issues for employers. Firstly, many locals lack efficiency of English and legal status. Secondly, there is a lack of education of local workforce. Access to training is needed. Which programs are there and how can we bring them to Armourdale residents? The example of a growing Business ESL program through KCK Community College is mentioned. They work closely with Crosslines and Catholic Charities on case management/wrap around services. There is a need to keep expanding these programs.

Champions/Communication Platform: Work related language barriers and legal status issue are concerning. There are programs to educate people who rent homes in Armourdale. Participants suggest to an immigration lawyer is needed to enable them to protect their rights.

Additionally, there is a need to have communication in Spanish. As a third of the local population doesn't speak English, they don't know how to access programs. A neighborhood communication platform and/or champions within community to spread the word could be useful.

Opportunities for Transformation: Turning circles and routing of some logistic routes are not efficient for larger trucks (North & West of the area). Participants see opportunities here to redevelop these areas as a “buffer zone”, with a more mixed scale of businesses and industries that don't require very large truck logistics. A more active conversation about the redeveloping power plant is needed.



Safety: Security of the neighborhood is a concern. Residents often hear gunshots. Thefts in the parking lots of industrial areas, reduce the safety of employees and attractiveness of local companies. Accessibility and wayfinding: The ease of access from highways is a positive asset for most industrial businesses. Turning circles and routing of some logistic routes are not efficient for larger trucks (North & West of the area). Semi truck traffic makes navigation and access difficult for staff. A rerouting of semi-trucks on a dedicated route would improve logistic flows. The access point by Proctor and Gamble is not easy to navigate. The wayfinding signage is inadequate.

Public Space Quality & Walkability for Employees and Residents: Making the area more walkable would help small businesses. It is a challenge of these businesses to create a friendly retail (Restaurant) area, as sidewalks and public spaces are missing. More public spaces for young people would be nice.

Many employees of the local McDonalds live in Armourdale but most stay in the restaurant on breaks, eating at company provided picnic tables or inside. Most are finished with the day by 5pm. Generally, people don't stay in the area after-hours. The community core of Armourdale with its restaurants and stores is geographically central to many (industrial) employees. Improving their experiences outside of the office in the surrounding areas and connections to the diversity of restaurants in downtown for break-time and after work would be interesting. Outdoor activities are popular with staff. Some companies have running clubs. Being able to safely and enjoyably run in Armourdale would be a positive. Industrial companies want more feeling of a qualitative business park area. There are efforts to redevelop the area East of 7th Street for efficient industrial uses. It is difficult to gather parcels to redevelop and upgrade the open space.

River: According to residents, the River doesn't feel far away, but the spaces around the levee trail access points are unfriendly. An access point at the mid-point of the arc of the levee trail would be necessary.

This scheme illustrates aspects highlighted most in the feedback session. The bigger the square, the more the respective issue was emphasized. Main conclusions of this first part are:

- The lack of a clear public position about the future of Armourdale - fully industrial or mixed residential-industrial - is causing investment insecurity and fuels deterioration
- Both, business owners and residents see potential in collaboration
- Vacant plots and maintenance of housing need to be addressed
- Communication and education need to be addressed to change the dynamics of the job market on the neighborhood scale
- Safety, public space quality and walkability are highlighted by all participants as crucial challenges for Armourdale

Industry & Residential:
Need for a clear future vision

Simply decide what this area will be, deliver a strong message!

Need to establish & follow clear policies.

Massive structural issues regarding the housing stock:
1. no investment anticipation
2. lack of residential improvement
3. poor quality of housing

Home owners are not investing in maintenance but ask high rental prices. Renters often don't know that they have rights.

Many plots remain vacant due to speculation and insecurity.

No options for senior retirement in the area

Businesses have difficulties in gathering & redeveloping parcels.

Transformation opportunities

Turning circles and routing of some logistic routes are not efficient (North-West)

Redevelop inefficient areas as “buffer zone” of more mixed scale industries that don't require very large truck logistics.

Safety

Theft from parking lots of business areas in the East are reduce feeling of safety for employees.

Residents often hear gunshots.

How to make it safer to move around in the neighborhood during breaks / after work hours?

River

The river doesn't feel far away, but spaces around levee trail access points are unfriendly.

An access point at the mid-point of the arc would be necessary.

Public space quality & walkability

Making the area more walkable would help small businesses in the community.

Proximity of larger companies to local restaurants. Improved sidewalks between them and friendly public realm around retail /restaurants can stimulate interaction.

Companies would like to create a feeling of an attractive business park in industrial areas, improving worker's experiences outside of the office.

Outdoor activities are popular with staff.

More public spaces for young people

Jobs, education, communication

Only 1% of residents of Armourdale work here as well. How can more locals work here?

Lack of English and legal status of potential local workers is a big issue.

Lack of education. Where are those programs & how can we bring them to Armourdale residents?

Enable locals to access training.

Companies are frustrated about the job force situation, looking to change the dynamic.

PART 2: SHARED GOALS AND POTENTIAL FOR COLLABORATION

What are ambitions and goals for future development of Armourdale and how could they create mutual benefits?



A Clear Future Identity

- Need to define a transition strategy from now to the envisioned future, into a positive cycle of reinvestment
- Understand the network of needs/desires/triggers to guide a mutually beneficial direction, match private investment with public funding
- Public announcement of projects is needed, creating certainty needed for investments in property
- With a broader vision and governance the investment can be spread and new investments be steered
- Identify unique identity of Armourdale: there is some benefit of its isolation, its island-ness makes it unique - draw people with this. Armourdale's footprint is bigger than any other identified neighborhood in the city. what can that mean for its future identity?
- Armourdale is one of few areas that has a true grid, also for pedestrians. Strengthen the walkable grid and revisit the 1979 plan.

Strong Community Core

- Many older residents have left the neighborhood (aged out), while Armourdale has potential to support older communities. Understand what are the barriers to aging-in-place.
- Cost of housing, elementary school and ability to make DIY improvements attract people. Leverage that.
- WyCo has Neighborhood Revitalization Act with tax rebate for new construction or rehab, credit goes to increase of valuation. How can this incentive be marketed within Armourdale?
- Make a real main street, consolidate old high street structures that have more potential than Kansas Avenue.

Easier Communication

- Difficult to identify players and collaboration opportunities, no notification system in place. Create a more robust communication network for business-to-business and UG-to-business communication, a forum to connect people and ideas.
- Conversations about co-locating, how business owners view their district and the future have only regarded KCK as a whole. Organize such conversations with Armourdale-located businesses.

Jobs Close to Home

- Business owners seek collaboration with residents for mutual benefits There are low-skilled to high skilled jobs available. Create education perspective and labour pools.

Less Division, More Mix

- Rethink the zoning system, landuse division creates barriers.
- Identify benefits of investments for users/citizens.
- Small businesses are looking for spaces in Armourdale. Integrate cool ideas that attract people without killing existing companies that already invested. Livability is key for co-habitation of businesses and residences.
- Bring (back) uses that are done outside of Armourdale. The Community Center e.g. is available for this. As event sizes are eclipsing available event spaces, can other spaces be (temporarily) used?
- Define locations for S/M sized businesses: interesting mix of plots in the West/North, waiting to be bought up. Create mixed buffers here of S/M businesses, redefine the boundaries of retail, industrial and residential.
- Tackle outdoor storage as a barrier to cohabitation of businesses
- Opportunities to mix more: bridge upgrades, levee enhance ments.
- Building on 18th is purposed for heavy industry but 18th is difficult to access by big trucks - repurpose the building, potential for retail here.
- For mixed-use to be viable, residential demand needs to be higher. Create sufficient critical mass for investments, focus on getting more tenants, businesses and employees here, redevelop some parts.
- Can incentives be offered to small businesses, similar to those offered to large corporations from outside?
- Create a moratorium on certain uses like containers, salvage yards, used car lots etc. Some are good businesses but don't contribute to the long term look and feel envisioned for Armourdale.
- Set strict requirements for minimum footprints, e.g. for used car dealerships and auto repair.

Green Business Park

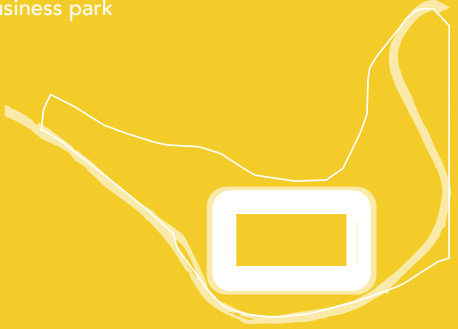
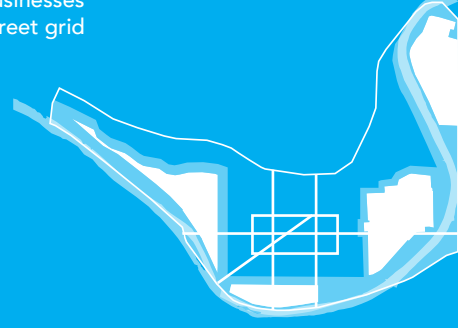
- Parts of the area are too hazardous for residents. When redeveloping industrial/business areas, upgrade waste deposits, clean up, develop new buildings according to UG codes.

Attractive Public Realm

- Projects shown in the case studies regarding public space up grades are often based on PPP's or participatory funding.
- Consider public space/ pedestrian friendly aspect in concrete public investments.
- Maximize public access to levees.
- Create an area that is more of an experience, enhance business attraction.
- The true grid is precious for Armourdale, focus on its maintenance. Don't just consider the benefits of the street framework for the businesses but also for locals.
- Inconsistency in facades along Kansas Avenue. Create more visual cohesion in corridors.
- Can we bring back the idea of creating a walking trail through and around the east-of-7th part of Armourdale to offer a better connection to commercial areas?

Safety

- Nobody around the business areas, ghost town after 6pm now, reduced feeling of safety. Need for a public safety strategy.
- Safety of employees is important. Reduce the risk of theft. Mixing business areas more with new recreational functions/ residents can solve the problem.
- Scale of the streets and speeding are an issue, people are afraid of crossing Kansas Avenue. Don't mix bike and truck traffic. There are currently no plans to make bridges more pedestrian friendly. Can this be addressed?
- Alternating one-ways don't work, as the blocks are too long. Target and rethink Chayenne, to make it more accessible to re-route trucks.

SHARED GOALS	OPPORTUNITIES	POSSIBLE LOCATIONS
A clear future identity	• Create and communicate a clear and strong plan and unique identity for the future of Armourdale • Define where to keep & develop industrial building stock, residential areas, mixed use • Define a transition strategy from now to the envisioned future, into a positive cycle of reinvestment • Develop clear policies and governance models to inspire and spread investment	• Identity of Armourdale as a whole • Community core + mixed "buffer" around it 
Strong Community core	• Increase critical mass and diversity of residents and smaller businesses and thus of investments • Support home owners in maintenance • Inform renters of their rights & support new collaboration models between them and owners for upgrades • Offer places and purpose to seniors	
Easier communication	• Create a central physical (Communit Center?) and online (also anonymous) platform for exchange of initiatives, information on legal issues, training programs and local job offers in different languages • Create a neighborhood buddy program for newcomers, linking them to English speakers • Organize conversations with Armourdale-located businesses about the future of the district and co-locating	
Jobs close to home	• Create labour pools • Create education perspective for locals, make trainings accessible • Create a program linking local companies to young residents and seniors	• Mixed "buffer" and surrounding business park 
Less division, more mix	• Rethink zoning and boundaries between industries and residents • Create mixed-use buffer zones for S/M sized businesses • Reuse vacant spaces, stimulate mix of uses and double-use of spaces/roofs/buildings where possible • Develop an in-depth transition strategy for how to create opportunities for residential uses, DIY, S/M scale businesses and mixes thereof on vacant plots and in unused buildings • Attract new small businesses and programs that are currently used outside of Armourdale • Offer incentives to small businesses, similar to those offered to large corporations • Define clear areas where to keep and upgrade an efficient industrial building stock • Regulate: create a moratorium of undesired functions/spaces & set requirements for sizes of companies/plots	
Green business park	• Stimulate redevelopment of industrial/business areas to contribute to a productive and attractive green river park, upgrade waste deposits, clean soil/air/water, and develop new buildings according to UG codes and latest sustainability standards	• River park and embedded businesses • Street grid 
Attractive public realm	• Create additional public access points to the levee trail (central bend of river), link them to walkable street corridors • Enhance business attraction: embed larger businesses in a green river park with new recreational functions for the whole district. Stimulate upgrades of public spaces around and buildings of small local community businesses. • Maintain, improve walkability and highlight the street grid as a characteristic feature of Armourdale	
Safety	• Upgrade bridges and main streets to be more pedestrian friendly, with dedicated lanes for trucks, bikes, pedestrians • Reduce crime in parking lots by adding light and mixed use where possible to stimulate 24/7 activity • Re-think logistic routes, create a separate and efficient (turning circles/less conflict with other traffic) access for trucks	

WORKSHOP CONCLUSIONS

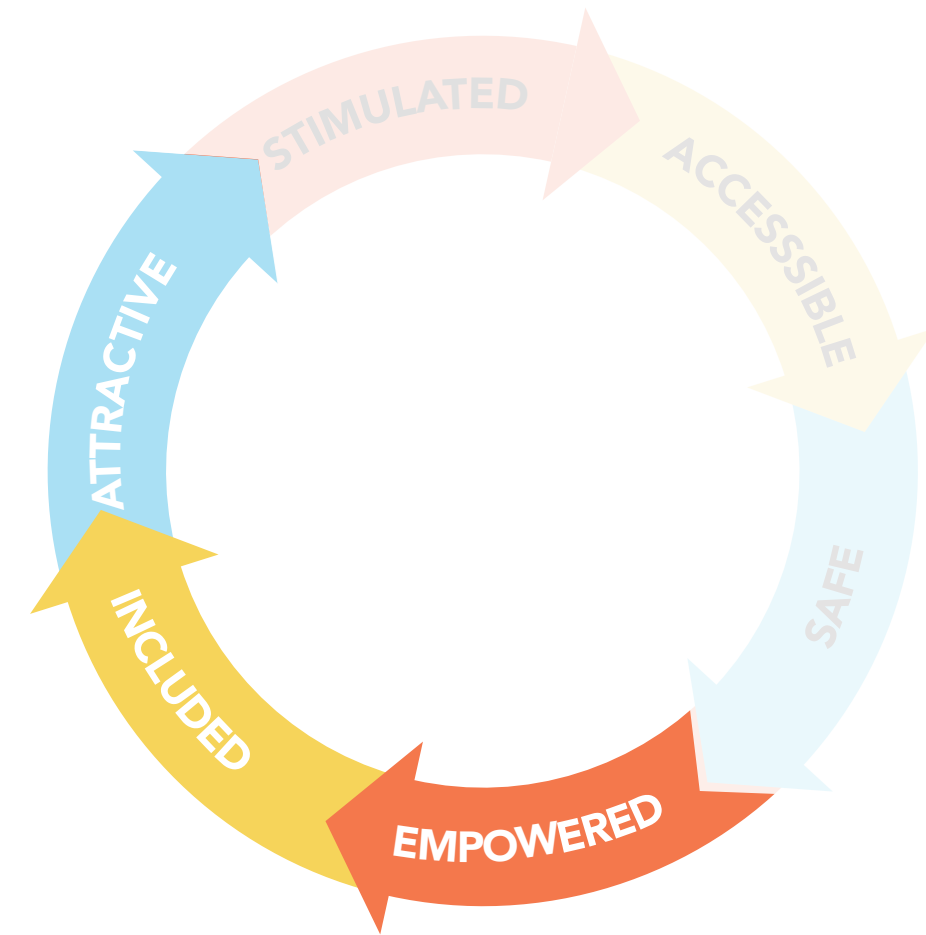
What resonates across all topics?

Across the different workshop parts and groups, some shared ambitions were integral to the three topics used to frame the discussion. The overarching needs for the future of Armourdale are:

More Clarity: in order to create positive economic and community development, it is most crucial to have clarity about the future character and landuse of the area. The workshop showed that there is strong potential for a fruitful mix of residents and businesses. A clear vision for this model needs to be communicated and guided by clear policies by the UG in order to create security for investments. Basing this vision on the unique qualities of Armourdale can inspire local stakeholders to collaborate and contribute to its realization.

More Mix: the workshop participants confirmed the need and potential of the co-existence of residents and businesses in Armourdale. The discussion focused strongly on the need to re-think zoning, to attract and mix more small and medium scale businesses into the existing fabric for economic diversity and safety, to create opportunities for improvement of housing. This ambition calls for integral collaboration, a stronger communication between of stakeholders in the area: it calls for more mix of people. This requires a platform where they can come together, and are supported in creating cross-sector initiatives, new business and job opportunities.

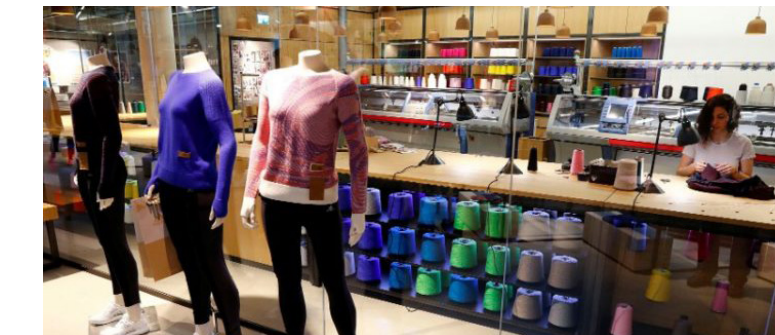
More Green: both residents and businesses see a high need and mutual benefits in upgrades of the public realm. A pleasant, safe and walkable street grid can make local retail more accessible to staff of large companies. Dedicated traffic lanes and a more mixed environment contribute to safety. Better public access to the levee trail, in combination with leisure activities for both employees and residents and upgrades of open spaces around larger industrial sites and have potential to form a sustainable “River business park” that attracts diverse users of the local community as well as visitors.



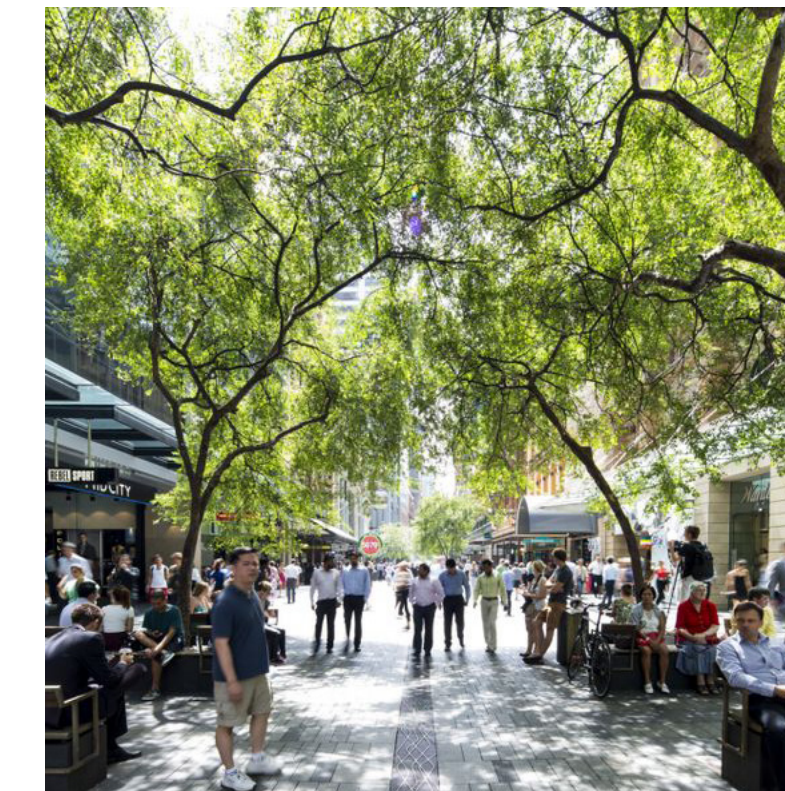
Clear Vision For The Community



More Mix



More Green



RECOMMENDATIONS FOR ARMOURDALE STRONG!

What does it mean for Armourdale to be strong? How can this be translated into a future vision for this unique district?

Armourdale - its businesses and community - has been created as an island within a river plain and has always been centered around the processing and production industry. With this in mind, how Armourdale develop a strong future identity, that inspires everybody to work towards to, hand in hand? Can this unique position bring forth a new future model for a productive, resilient community?

For us, Armourdale strong! means Armourdale redefining itself as a new type of *Productive City*, setting new standards for:

- Environmental productivity,
- Social resilience,
- Economic innovation.

The island-setting of Armourdale is another unique feature of its grown identity. Therefore, we believe that we need to strengthen the area from its core, its community, in order to set these new standards mentioned above. Our starting point that the residential community will be a key part of Armourdale in the long-

S scale: The Resilient Oasis

- The heart of Armourdale, the driver of social resilience
- A new central downtown where businesses can mix with residents
- Main corridors of its historic grid become walkable, safe, lively and green community streets that connect the heart to and across the river and surrounding business areas
- Housing upgrades, DIY additions and new models of housing, mixed use and collective open spaces/sports on vacant plots are stimulated by owners, UG, and realized through participation models
- Senior residences
- The community center becomes a multilingual platform to share business ideas, get legal advice, job offers, trainings
- English speaking residents volunteer to become buddies of newcomers and non-English speakers

Develop further:

- Spatial, regulatory, zoning, economic and participatory strategy for vacant plots
- Shared investment models for street upgrades

S+M scale: The Living Marketplace

- The flexible, lively buffer zone connecting the heart and large businesses - the core driver of economic innovation in Armourdale
- Collectively organized multilingual events invite newcomers, existing and new businesses to connect
- Existing companies in this zone are stimulated to share underused spaces for local initiatives, share facilities with smaller businesses
- Trainings and temporary events can be organized in shared buildings, on vacant or underused plots
- Plots that are inefficient for larger companies can be transformed into smaller plots or collective sites for small and medium sized businesses
- Locals and suitable regional initiatives are stimulated to set up clean urban production, crafts, start-ups, community oriented businesses here
- A mix with shortstay/student/DIY/creative makers' or business housing can activate this area beyond office hours, to increase safety

Develop further:

- Analysis of ownership and plot boundaries to identify exact location and potential for (future) flexibility of suggested mixed-use areas

term, next to local businesses, sets the tone for our future vision and strategy for the gradual transformation of Armourdale. Rather than focusing on the division between two seemingly incompatible groups of users, we suggest to change perspective - to highlight, leverage and stimulate the existing diversity within the community of residents and businesses to grow.

While guarding and enhancing its unique position embedded in the river, we suggest to create strategies for blurring the boundaries between different landuses and groups, for turning the binary "Avocado model" into a more flexible "Guacamole mix" that fosters environmental productivity, social resilience and economic innovation. In this model, we imagine local initiatives and users to spatially and organizationally mix and collaborate with each other and with new, carefully added partners that amplify the genius loci of Armourdale.

We suggest to base the Armourdale vision on creating **3 different mixes of scales, users and identities:**

L+XL scale: The Green Machine

- An efficient belt of clean L+XL business clusters embedded in a river park drives environmental productivity in Armourdale
- They contribute to cleaning and maintenance of the park, provide sustainable energy for own and the community's consumption
- The attractive, sustainable business park becomes the figurehead for Armourdale and provides buffer spaces for storm water, leisure functions for its employees, the community & Kansas City
- The street grid of the heart connects at several locations to the levee trail and the river park trail around the business clusters.
- A new, efficient logistic loop with dedicated truck lanes is integrated in the green park buffers in a way that does not hinder pedestrian and bike flows between community heart and river

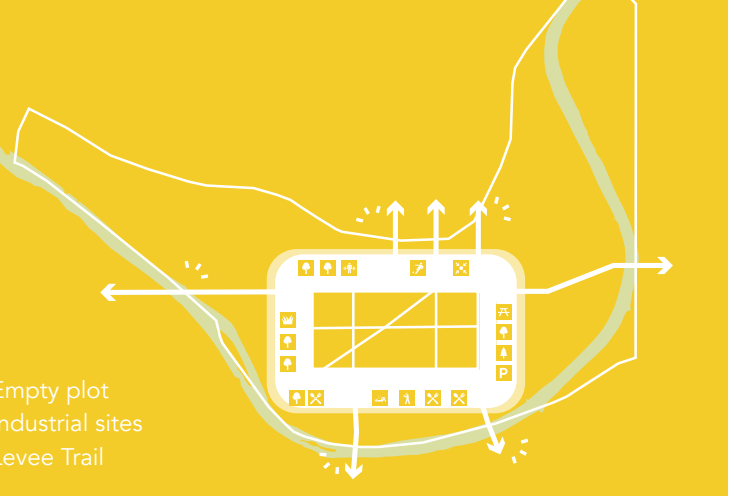
Develop further:

- Suitable locations for efficient logistics/ L/XL businesses
- Origin-destination analysis of current (logistic) traffic movements in Armourdale and on city/metropolitan scale
- Solutions for integration of dedicated logistics loop in the park

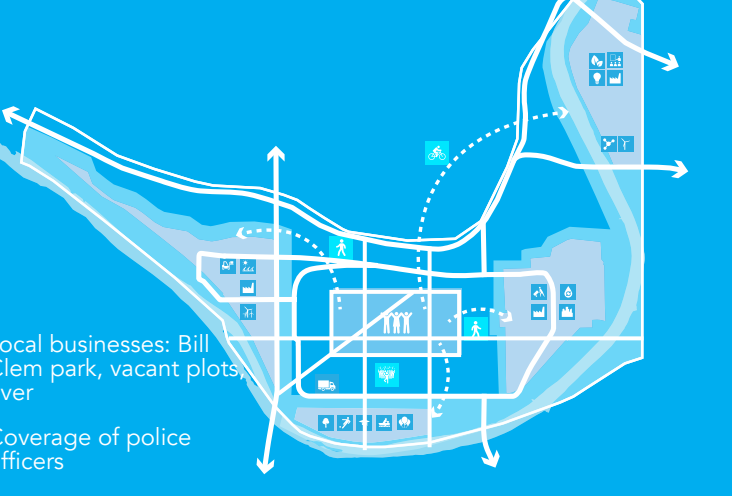
THE RESILIENT OASIS - S SCALE



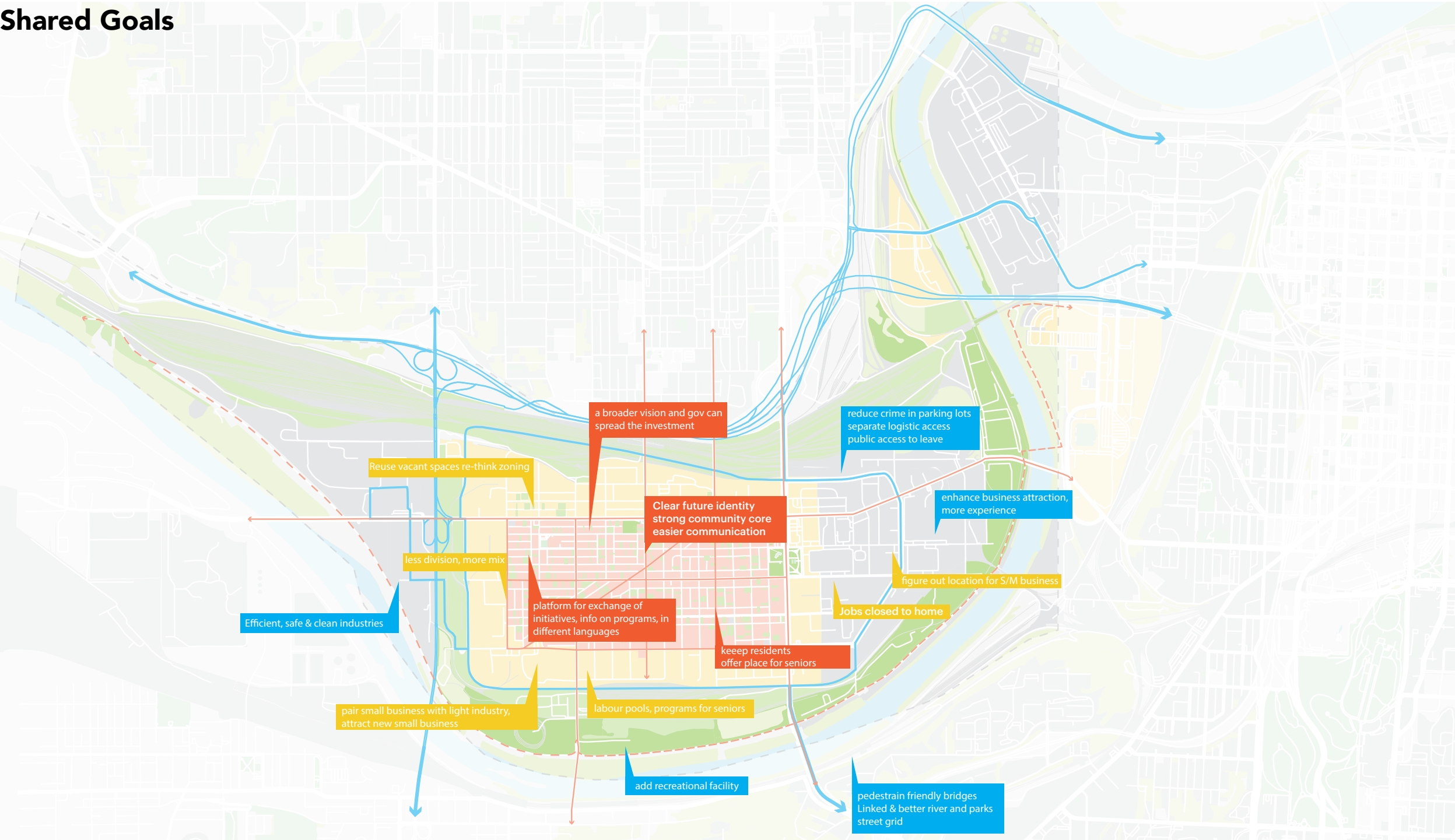
THE LIVING MARKETPLACE - S+M SCALE



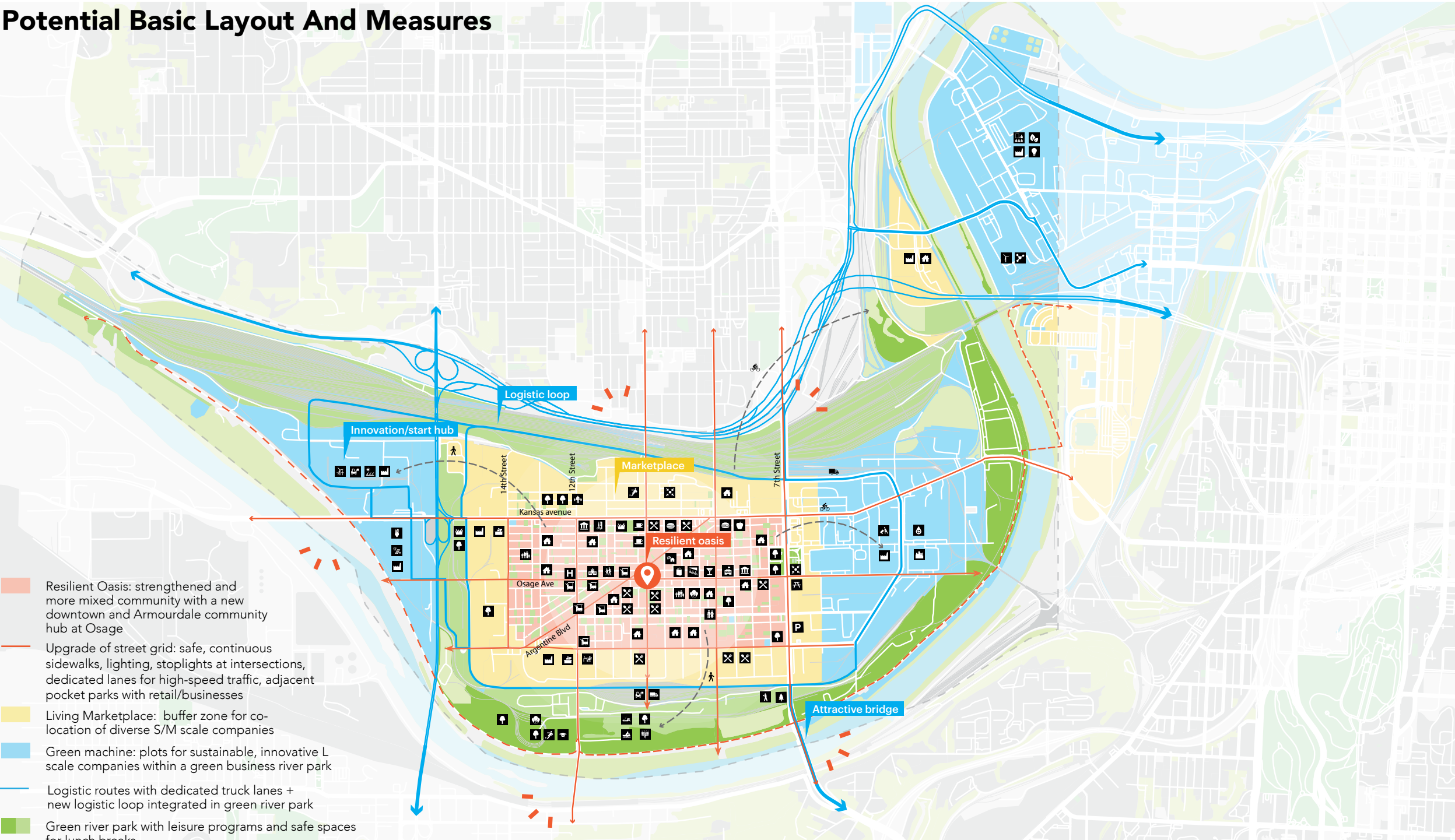
THE GREEN MACHINE - L+XL SCALE



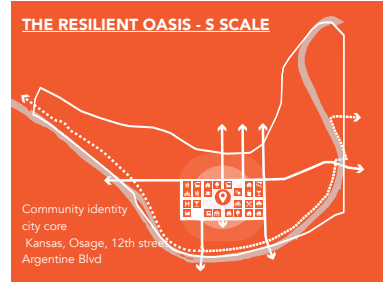
Shared Goals



Potential Basic Layout And Measures



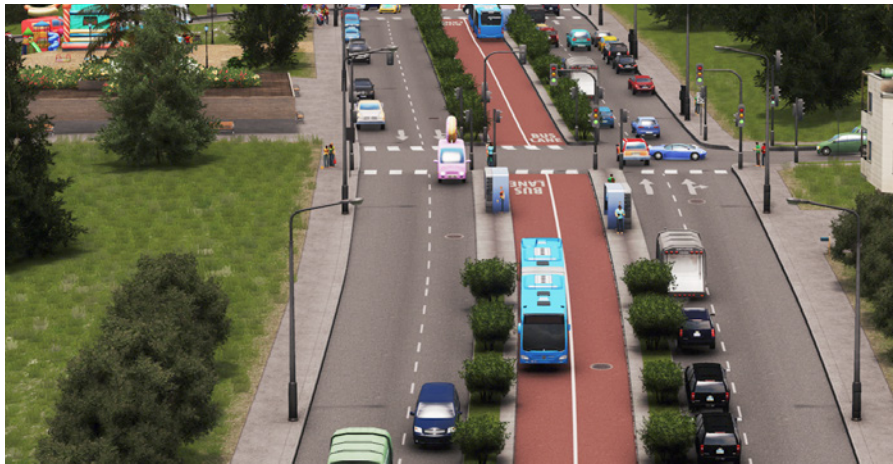
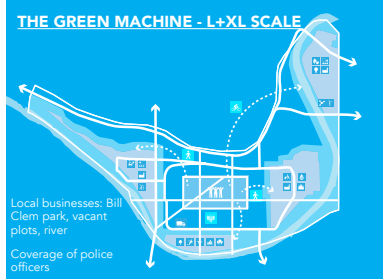
Moodboard “The Resilient Oasis”



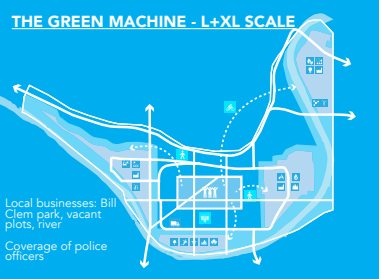
Moodboard “The Living Marketplace”



Moodboard “The Green Machine”: L+XL Businesses



Moodboard “The Green Machine”: River Park



NEXT STEPS TOWARDS A PRODUCTIVE CITY MASTERPLAN

As a basic approach to the masterplan, we suggest to elaborate 2 strategies that, hand in hand, answer the needs of the community as indicated in the workshops as well as stimulate the Productive City 2.0 that we envision Armourdale to become in the future:

1. A menu for productive co-creation:

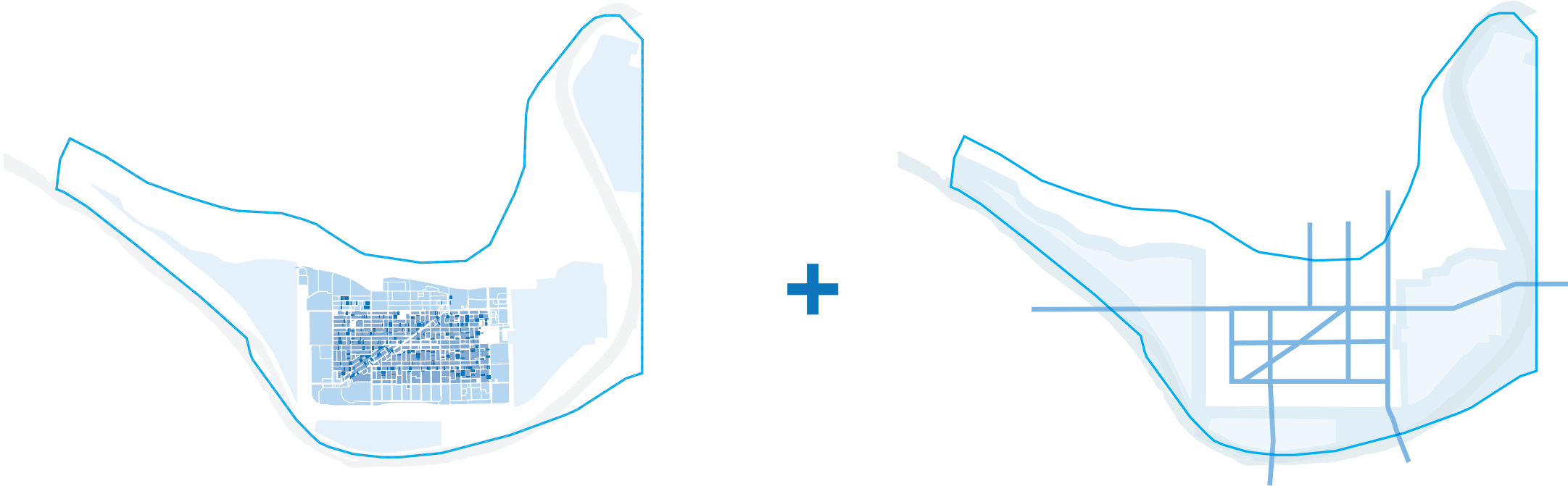
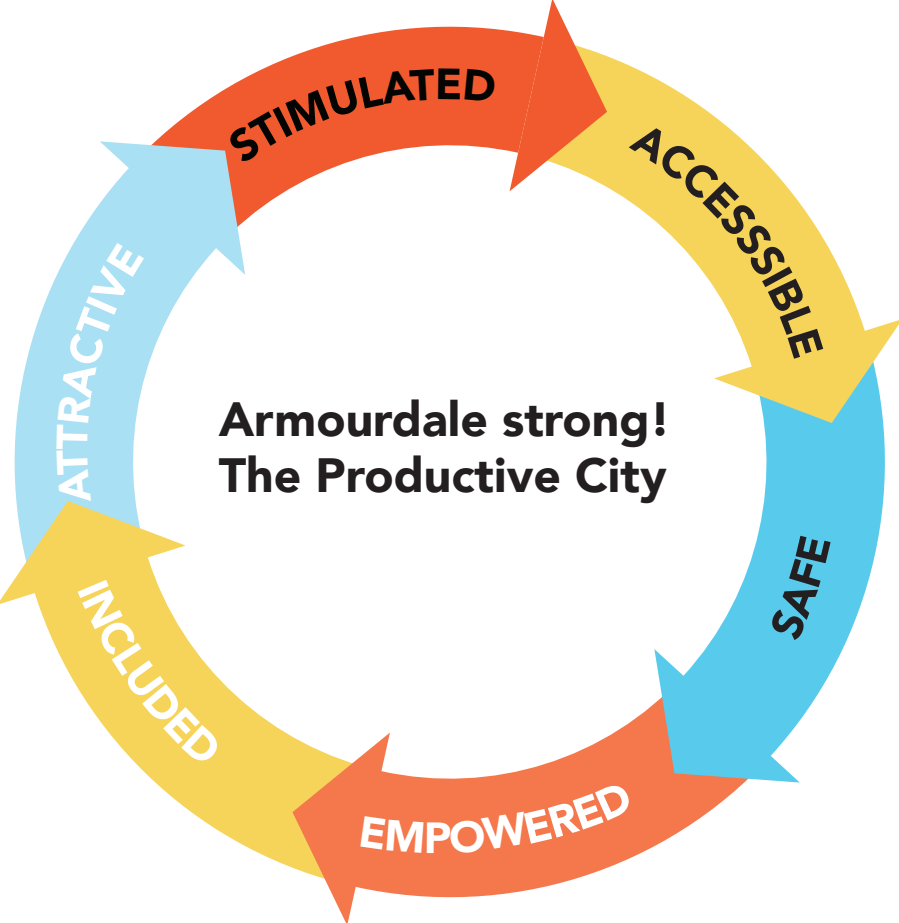
An inspirational catalogue of possible typologies, scales, collaboration models and strategies stimulating and empowering anti-gentrification growth and productive mixes, including:

- Analysis and illustrations of current and possible future ownership scenarios, historic grain and character of typologies
- Strategy for flexible re-zoning and repurposing of vacant plots as contributors to the productive city
- Quality guidelines and inspirational precedents for upgrades of existing residential and business buildings and new additions to the historic grid structure and buffer zone of the core community
- Concept for a physical and digital, multi-lingual information, collaboration and education platform
- Concept activation plan/event calendar for 365 collaboration and community/business events
- Mapping of potential governmental or stakeholder funded stimuli - subsidies, collaboration opportunities, non-monetary support, incentives for private upgrades and initiatives, participatory funding opportunities

2. A design and implementation plan for a livable framework

A design and implementation plan for a strong, resilient network of River Park and walkable grid design as a backbone of the Productive City 2.0:

- Resilient river park design, including a strategy for inclusion of current levee plans and possible future park extensions, measures for stormwater storage, leisure programs, levee trail connections and opportunities for local businesses to contribute to their activation
- Strategic proposal, inspirational precedents and quality guidelines for greening of efficient logistics/ L/XL business plots and their spatial integration as green business clusters in the River park and their contribution to sustainable upgrades of the environment and social activation of the park
- Analysis of traffic flows, origin-destination models, leading to proposals for a sustainable and safe integration and potential re-routing of logistic traffic
- Analysis and design for pleasant, safe, walkable and green corridors connecting the heart of the community with the River front and surrounding neighborhoods
- Implementation and phasing plan in collaboration with L/XL business partners and the UG



Menu for productive co-creation:

An inspirational catalogue of possible typologies, scales, collaboration models and strategies stimulating and empowering community-driver, anti-gentrification growth and productive mixes.

Livable Framework design

A design and implementation plan for a strong, resilient network of River Park and walkable grid design as a backbone of the Productive City 2.0.

ARMOURDALE
STRONG FUERTE

Appendix 3: Full Survey Results Report

SURVEY RESULTS

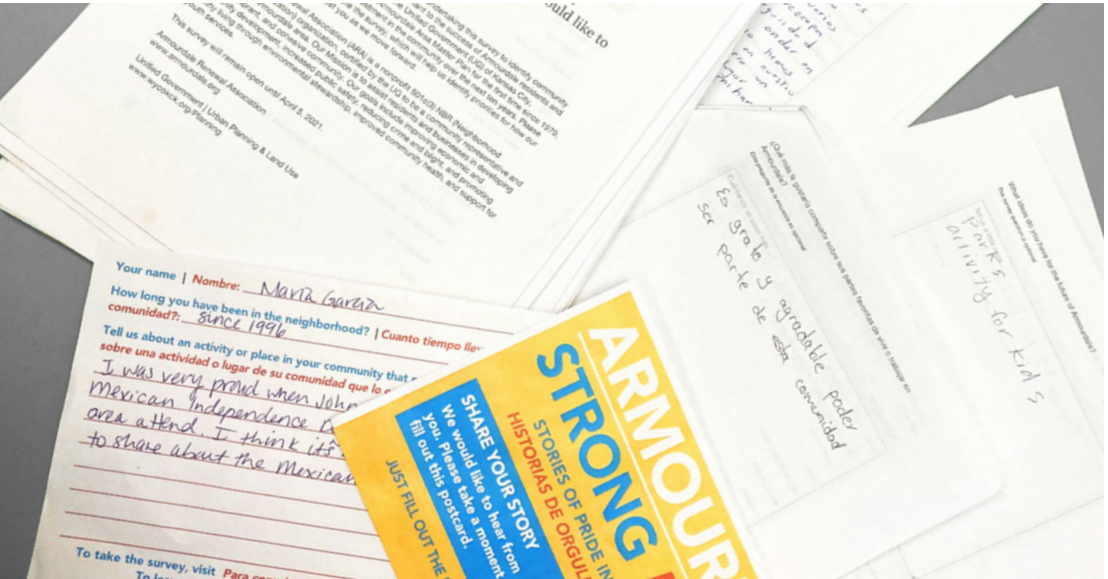
As part of the outreach campaign, PORT and Borderless Studio worked with the Armourdale Renewal Association to create a survey that covered a range of topics—from basic demographics to specific community challenges and issues. The questions were a mix of single-choice, multi-choice, and write in questions. The questions were tailored to target specific topics as well as provide room for open responses that the planning team may have not thought to ask.

The survey was provided both digitally and on paper. The former used an online platform that allowed users to answer the questions in English or Spanish. Results of both were combined and translated. The printed survey was primarily utilized by the outreach team as they met one-on-one with residents and small business owners of Armourdale and walked through each question of the survey.

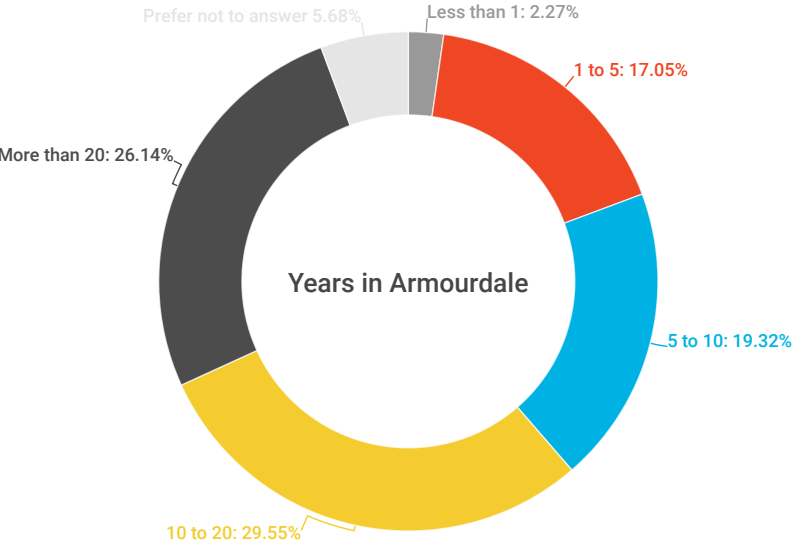
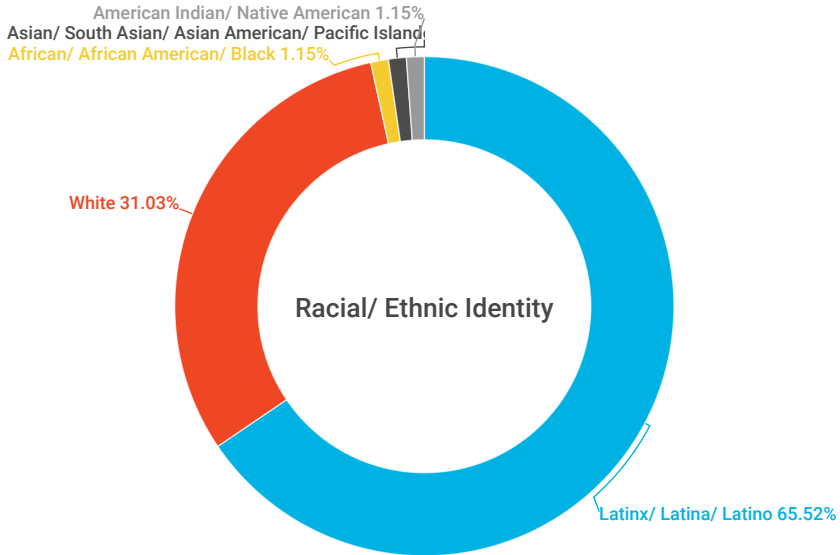
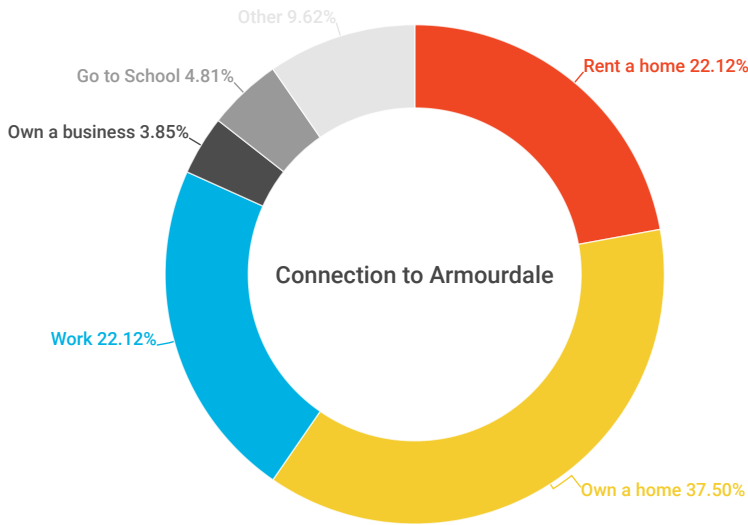
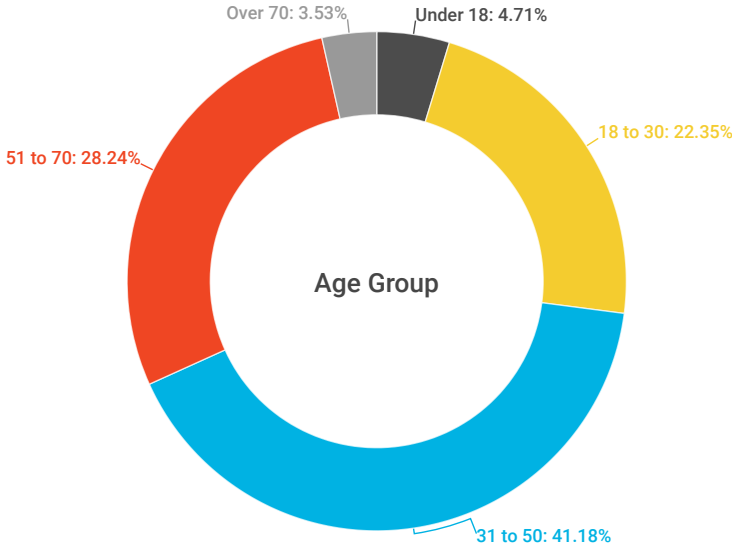
Because of the outreach teams efforts of going door to door with the survey, the comments and insights from residents is personal and verifiable.

In the debrief session with the outreach team, it was clear that residents were more open and responsive to a one-on-one conversation about the survey than they were completing it online. This also led to more in depth conversations about Armourdale and the planning process.

The following pages provide a synthesis and the planning teams initial takeaways from the answers potential be Armourdale Stakeholders. The synthesis combines similar questions to arrive at commonalities that were found in the responses. To review answers to specific questions, please refer to the appendix.

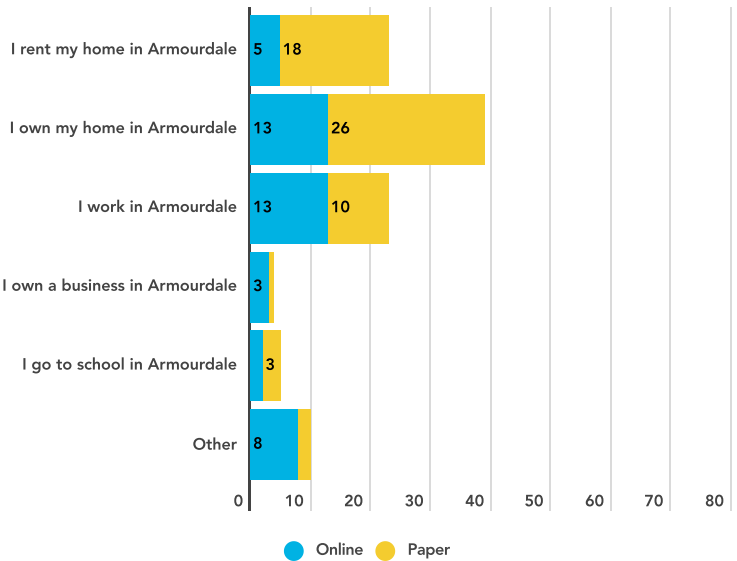


92 TOTAL SURVEY PARTICIPANTS



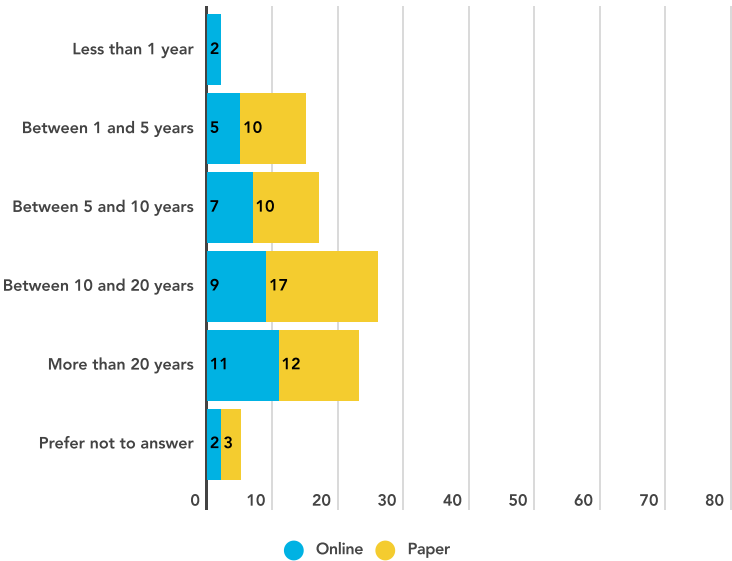
SURVEY RESULTS

1. How do you identify yourself in the community?



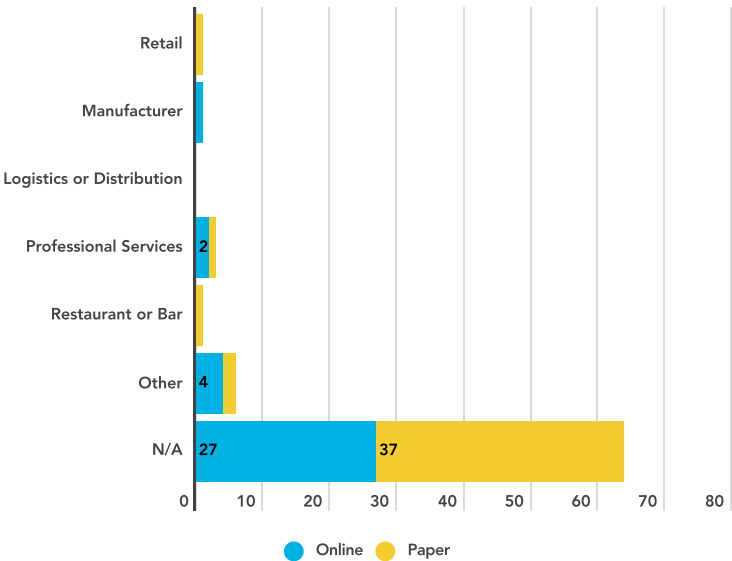
Entry	Online Votes	Paper votes	Total
I rent my home in Armourdale	5	18	23
I own my home in Armourdale	13	26	39
I work in Armourdale	13	10	23
I own a business in Armourdale	3	1	4
I go to school in Armourdale	2	3	5
Other	8	2	10

2. How long have you lived, worked, been a business owner, and/or gone to school in Armourdale?



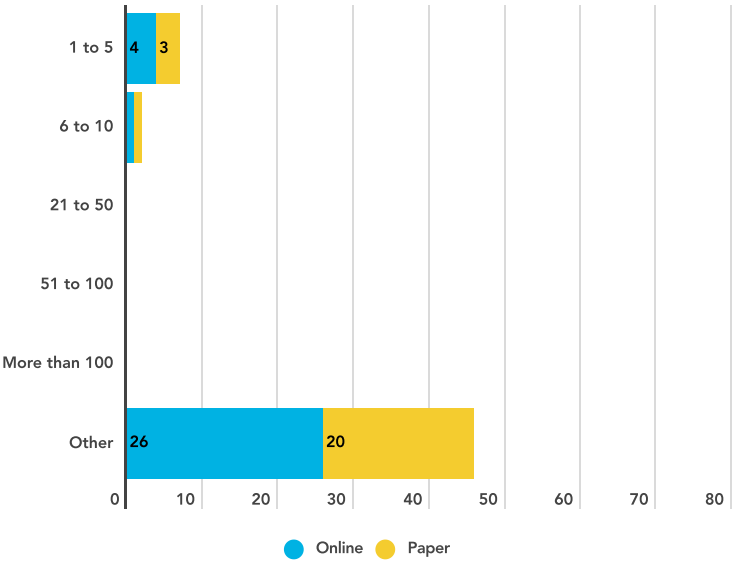
Entry	Online	Paper
Less than 1 year	2	0
Between 1 and 5 years	5	10
Between 5 and 10 years	7	10
Between 10 and 20 years	9	17
More than 20 years	11	12
Prefer not to answer	2	3

3. If you are a business owner, what type of business do you own?



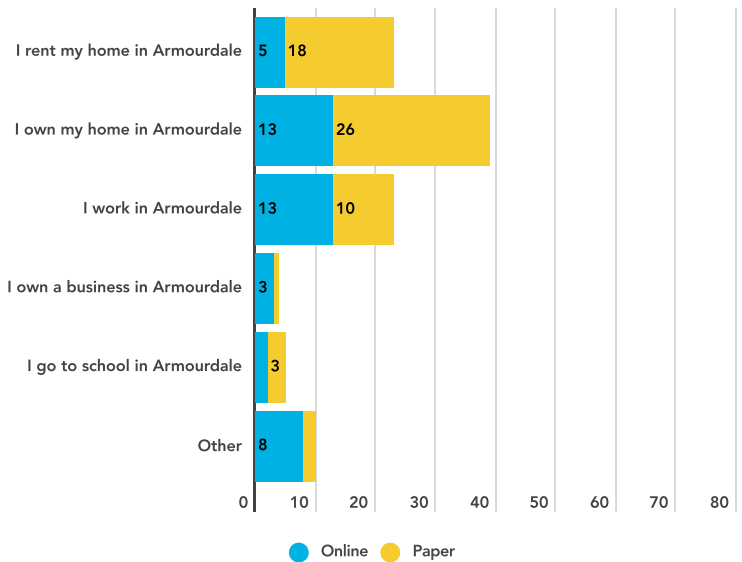
Entry	Online	Paper
Retail	0	1
Manufacturer	1	0
Logistics or Distribution	0	0
Professional Services (ie legal services, home or auto repair services, financial services, etc)	2	1
Restaurant or Bar	0	1
Other	4	2
N/A	27	37

4. If you are a business owner, how many persons do you employ?



Entry	Votes	Paper
1 to 5	4	3
6 to 10	1	1
21 to 50	0	0
51 to 100	0	0
More than 100	0	0
Other	26	20

5. How do you travel to work under normal circumstances?



Entry	Online Votes	Paper votes	Total
I rent my home in Armourdale	5	18	23
I own my home in Armourdale	13	26	39
I work in Armourdale	13	10	23
I own a business in Armourdale	3	1	4
I go to school in Armourdale	2	3	5
Other	8	2	10

6. What is your home or work address/location, or nearest cross street?

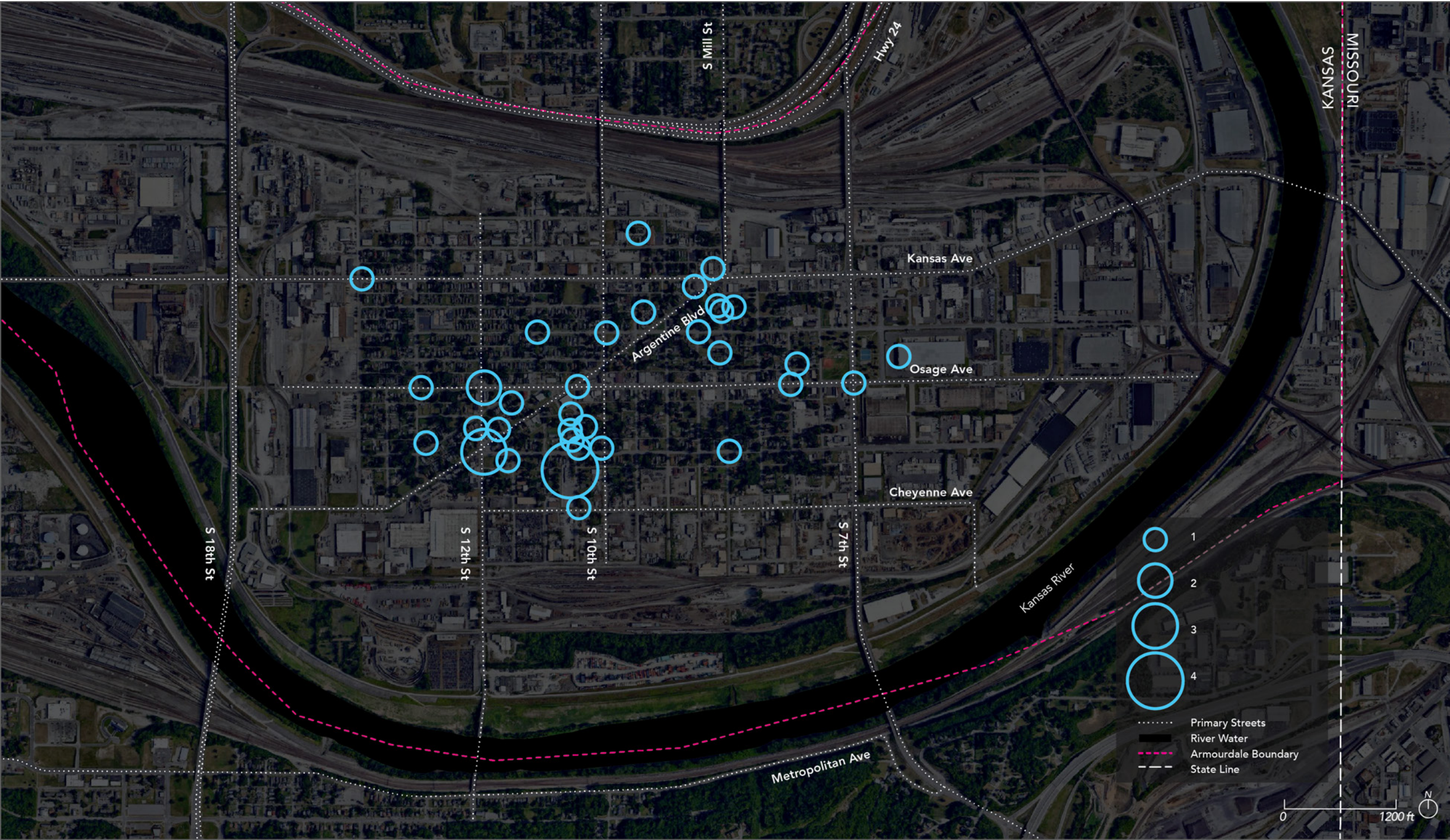
Survey Entries:

Online:

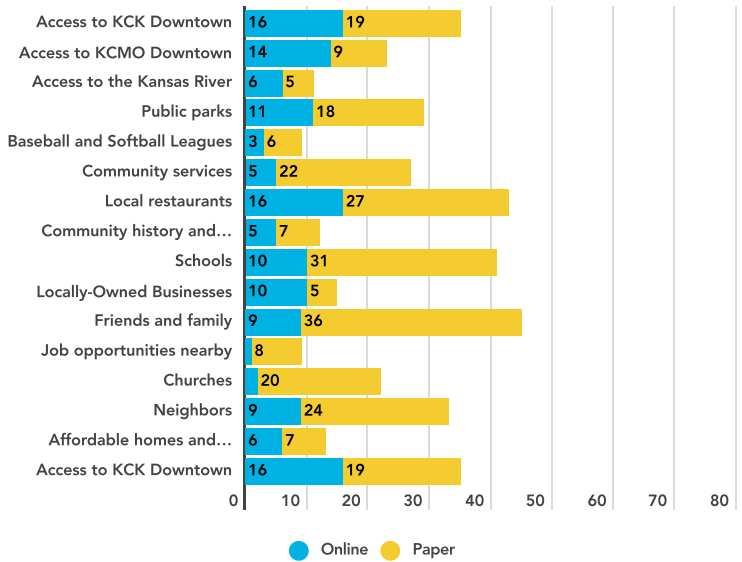
- 1121 Pennsylvania Ave
- 1207 Pennsylvania Ave, Kansas City KS, 66105
- 123 Test St.
- 2528 W47 Ave
- 47th Ave and Rainbow Blvd
- 7th and Osage
- 912 South Baltimore 66105
- Lee’s Summit, MO

Paper:

- 727 S Coy, 66105
- 912 S Baltimore Street 66105
- 1002 Miami Ave 66105
- Baltimore & Cheyenne
- Argentine Blvd
- Baltimore & Osage
- 621 S Mill Street
- 833 South Baltimore
- Kansas Ave
- 912 S. Baltimore
- 912 S. Baltimore KCKS 66105
- Morse Early Childhood Center KCKPS
- 1127 Miami KCKS 66105
- Kansas Ave
- 1250 Pennsylvania Ave KCKS 66105
- Miami and Mill
- 530 Osage Ave Kansas City, KS 66105
- Baltimore Miami
- 830 Kansas Ave KCKS
- 838 Baltimore 66105

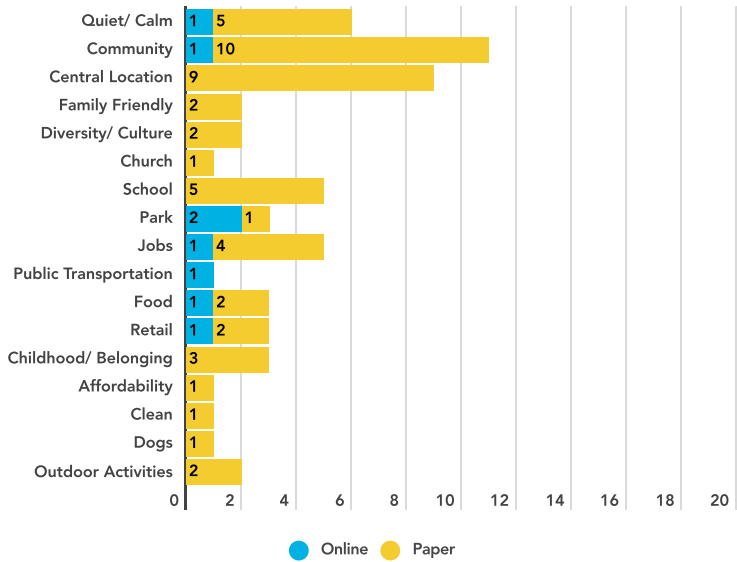


7. What is special, unique, or the most valuable aspect about living, working, or going to school within the Armourdale community?



Entry	Online	Paper	Total
Access to KCK Downtown	16	19	35
Access to KCMO Downtown	14	9	23
Access to the Kansas River	6	5	11
Public parks	11	18	29
Baseball and Softball Leagues	3	6	9
Community services	5	22	27
Local restaurants	16	27	43
Community history and character	5	7	12
Schools	10	31	41
Locally-Owned Businesses	10	5	15
Friends and family	9	36	45
Job opportunities nearby	1	8	9
Churches	2	20	22
Neighbors	9	24	33
Affordable homes and businesses	6	7	13

8. What else would you like to share about your favorite parts of living or working in Armourdale? Words mentioned:



Responses Included	Online	Paper	Total
Quiet/ Calm	1	5	6
Community	1	10	11
Central Location	0	9	9
Family Friendly	0	2	2
Culture/ Diversity	0	2	2
Church	0	1	1
School	0	5	5
Park	2	1	1
Jobs	1	4	5
Public Transportation	1		1
Food	1	2	3
Businesses	1	2	3
Childhood/ Belonging	0	3	3
Affordability	0	1	1
Clean	0	1	1
Dogs	0	1	1
Outdoor Activities	0	2	2

Survey Entries:

Online:

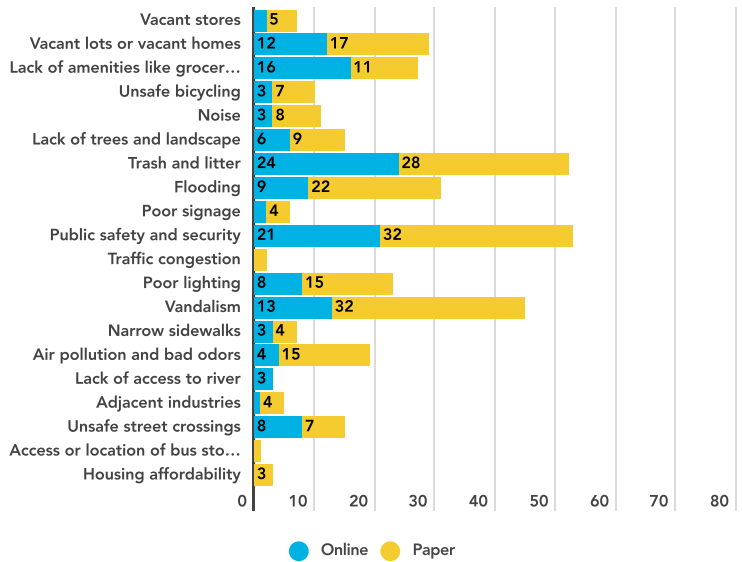
- A quaint neighborhood.
- Accessible parks
- Job opportunities
- Lots of things!
- Our employees can ride a bike or take a bus to get to work
- Public Parks, local retails, and local restaurants.
- The people are just nice

Paper:

- Very calm.
- Quiet.
- Convenient.
- The people watch for each other.
- Armourdale is the center of lots of local entertainment or businesses.
- The area is family friendly.
- Diversity and culture.
- I really enjoy walking through the neighborhood, especially the gravel alleyways between the houses. Walking near the RR tracks, over the 12th Street Bridge on down by the River trail is very relaxing and a nice break during my work day.
- Me gusta que la iglesia esta cerca y la escuela tambien. Y el parque de la calle 7. [Translation: I like that the church is close and the school too. And the park on 7th street.]
- The people in the community.
- En el dia es un poco tranquilo los vecinos son buenas personas. Los restaurantes, las tiendas mexicanas. [Translation: In the day it is a bit quiet and the neighbors are good people. The restaurants, the Mexican shops.]
- My husband has been living in Armourdale since he was little. Family memories. School is good.
- Well I grew up near the area and I currently work here. I love the culture, food and how its to close to everything.
- Comunidad. [Translation: Community.]
- Es tranquila la renta de trabajo accesible. Buenos vecinos. [Translation: Quiet. Affordable. Good neighbours.]
- Armourdale pede ser tranquilo pero hay veces muy intranquilo. Los vecinos son amables. [Translation: Armourdale can be quiet but there are times very restless. Neighbors are nice.]
- Ayudar-a limpiar calles recojer vasura se necesita alumbrado publico ques

- las calles esten bien alumbrados. [Translation: Help-clean streets collect trash street lighting is needed that the streets are well lit.]
- Todo esta cerca de donde vivo. [Translation: Everything is close to where I live.]
- Area limpia. [Translation: Clean area.]
- Todo esta cercanos. [Translation: Everything is close.]
- Todo es accesible y cercano. [Translation: Everything is accessible and close.]
- El centro de KCK. [Translation: Downtown KCK.]
- I like working with families and children.
- Nos llevamos bien con los vecinos. No hay conflictos y por las escuelas de los ninos. [Translation: We get along with the neighbors. There are no conflicts and for the children's schools.]
- Me gusta que ha habido mas desarrollo. La comunidad es unida y hay mas trabajo. [Translation: I like that there has been more development. The community is united and there is more work.]
- Dogs.
- Area tranquila. Hay parques cerca. Las escuelas de los ninos estan cera y el trabajo tambien. [Translation: Quiet area. There are parks nearby. The children's schools are close and so is work.]
- Everything is close.
- Llevo viviendo mas de 10 anos en Armourdale con mi familia no hemos tenido problemas con nadie, escuelas trabajos estan a nuestro alcance lo unico que nos de miedo en estos ultimos anos se ha escuchado mucho tiroteo y ha ouido varios muertos es lo que nos preocupa a mi esposo y a mi por la seguridad de nuestros hijos, nos gusta andar en bicicleta a la orilla del rio hemos encontrado mucho vagabundo en nuestro recorrido me gustaria que huberia un poco de vigilancia en ese lugar es mi parta favioria para caminar al aire libre. [Translation: I have been living in Armourdale for more than 10 years with my family, we have not had problems with anyone. Schools and jobs are within our reach. The only thing that scares us in recent years, we have heard a lot of gunfire and there have been several deaths, which is what worries us. My husband and I worry for the safety of our children, we like to ride a bicycle along the river bank, and we have encountered a lot of homeless people there. I would like there to be a little vigilance in that place. It is my favorite part of walking outdoors.]
- Es grato y agradable poder ser parte de esta comunidad. [Translation: It is pleasant and pleasant to be part of this community.]
- Friendly neighbors
- Estamos en el medio de todo. [Translation: We are in the middle of everything.]

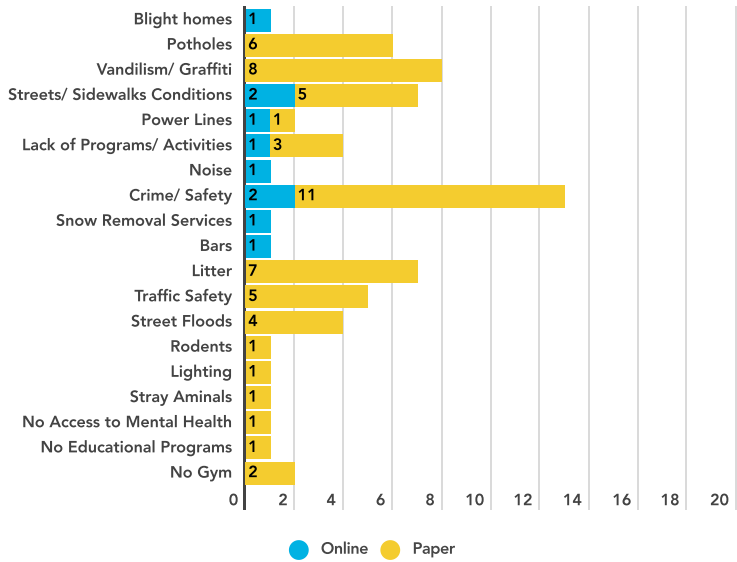
9. What are Armourdale’s biggest challenges?



252

Entry	Online	Paper	Total
Vacant stores	2	5	7
Vacant lots or vacant homes	12	17	29
Lack of amenities like grocery stores, pharmacies, etc	16	11	27
Unsafe bicycling	3	7	10
Noise	3	8	11
Lack of trees and landscape	6	9	15
Trash and litter	24	28	52
Flooding	9	22	31
Poor signage	2	4	6
Public safety and security	21	32	53
Traffic congestion	0	2	2
Poor lighting	8	15	23
Vandalism	13	32	45
Narrow sidewalks	3	4	7
Air pollution and bad odors	4	15	19
Lack of access to river	3	0	3
Adjacent industries	1	4	5
Unsafe street crossings	8	7	15
Access or location of bus stops and bus lines	0	1	1
Housing affordability	0	3	3

10. What else would you like to share about challenges in Armourdale? Words mentioned:



Responses Included	Online	Paper	Total
Blight homes	1	0	1
Potholes	0	6	6
Vandalism/ Graffiti	0	8	8
Streets/ Sidewalks Conditions	2	5	7
Power Lines	1	1	2
Lack of Programs/ Activities	1	3	4
Noise	1	0	1
Crime/ Safety	2	11	13
Snow Removal Services	1	0	1
Bars	1	0	1
Litter	0	7	7
Traffic Safety	0	5	5
Street Floods	0	4	4
Rodents	0	1	1
Lighting	0	1	1
Stray Aminals	0	1	1
No Access to Mental Health	0	1	1
No Educational Programs	0	1	1

Survey Entries:

Online:

- Blighted homes. Dilapidated and out of date streets and sidewalks. (On the topic of streets and sidewalks. When redoing a street the power lines need to be underground. Overhead power lines clutter up the skyline).
- Lack of programs.
- Lots of things.
- Noises, Crimes, and Public Safety.
- The streets need repair and are some are never plowed when it snows.
- There are some continuous shootings and that makes us Armourdale. Residents do not feel secure around our neighborhood.
- Too many bars.

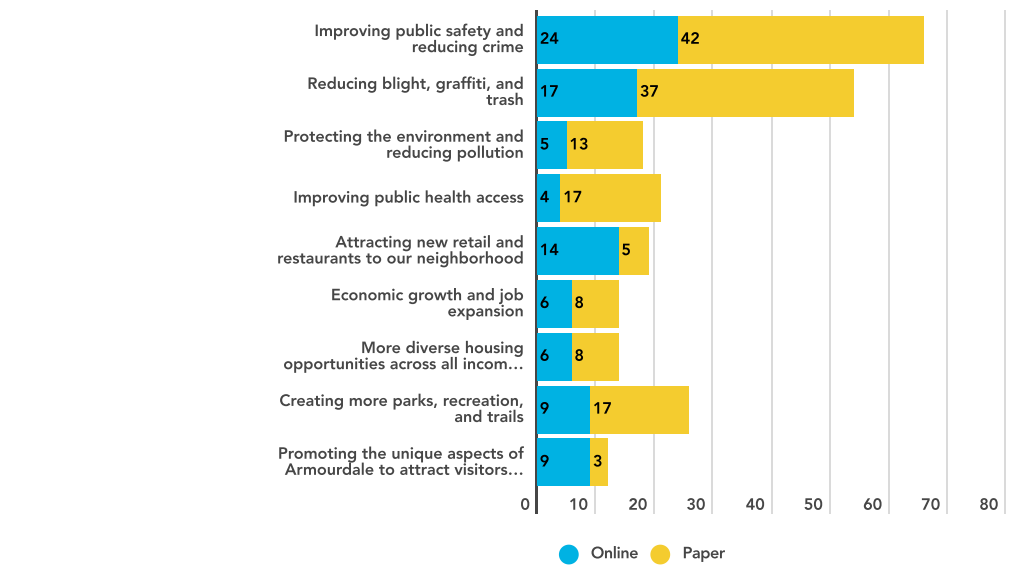
Paper:

- Streets, potholes.
- Vandalism.
- Pothole on Baltimore & Miami Street.
- I think that Armourdale faces a lot of challenges. Almost every block has vandalism done to it. A lot of shooting.
- A lot of shooting and trash.
- Trash, vandalism.
- Poor Roads!!!
- Crossing the RR tracks on 12th Street when the trains are hooking up.
- Mucho vandalismo, basura, se inundeas las calles. Y hay graffiti. Se escuchan mucho balazos. [Translation: Much vandalism, garbage, street floods. And there is graffiti. You hear a lot of gunshots.]
- Safety Concerns.
- Hay un local que es una cantina que se encuentra en las calles de 12 y Pennsylvania y de los miercoles al sabado se escucha mucho reloj y la gente maneja en sentido contrario con peligro de que vaya haber un accidente. Hay veces que se ven menores de edad. [Translation: There is a place that is a canteen that is located on 12th and Pennsylvania streets and from Wednesday to Saturday it is very relaxed and people drive in the opposite direction with the danger of an accident. There are times when minors are seen.]
- Trash.
- Maybe just the litter and landscape does need some work.
- Pothole, street trash, speed bumps on street.
- Invacion de roedores. Esta infestado de ratones por la basura al rededor. [Translation: Rodent invasion. It is infested with mice from the garbage around.]

- Que pongan mas atencion en las calles especialmente en la calle Miami acerca de un pozo enmedio de la calle. More attention on a pothole at Miami and Baltimore. It as been there for a long time. [Translation: That they pay more attention in the streets especially in Miami street about a well in the middle of the street. More attention on a pothole at Miami and Baltimore. It as been there for a long time.]
- Faltan actividades para los ninos y adolescentes y las actividades que hay son caras y las familias de bajo recursos no pueden castearse las actividades. [Translation: There is a lack of activities for children and adolescents and the activities that exist are expensive, which low-income families cannot afford.]
- Se inunda la calle de agua cuando llueve. Lamparas que funcionan. [Translation: The street is flooded with water when it rains. Lamps that work.]
- Speeding on streets.
- Tranquilo. [Translation: Calm.]
- Los fines de semana muchos carros speeding back and forth. Drug dealers across the street. [Translation: On the weekends many cars speeding back and forth. Drug dealers across the street.]
- Muy inseguro. [Translation: Very insecure.]
- Balaceras. Graffiti. [Translation: Shootings. Graffiti.]
- There are a lot of stray animals running around without owner supervision. I think there is a need of more activities for children and teenagers like sport, theater, art, music, dance at low cost, accessible for all families. Parent advocacy groups that help famillies to educate them about their rights related to immigration, special education, discrimination etc. Low cost mental health assistance.
- Hay vandalismo. Pandillas. Inundaciones en calles. [Translation: There is vandalism. Gangs Floods in streets.]
- Necesitamos seguridad, necesitamos parques seguros para nuestors hijos. [Translation: We need safety, we need safe parks for our children.]
- Que los fines de semana se escuchan muchas balaseras pr las noches. [Translation: That on weekends you hear many shootings at night.]
- No hay gyms. [Translation: No gyms.]
- Potholes.
- Construction- narrow roads
- Inundaciones en la calle Miami y Mill se va la luz sequido. En los postes de luz no hay suficiente iluminacion. [Translation: Floods on Miami and Mill streets go out of power. There is not enough lighting on the utility poles.]
- Seguridad para caminar cuando uno va con sus mascotas. [Translation: Safety to walk when you go with your pets.]
- Vandalism on properties
- No hay suficiente parques ni gimnasios. [Translations: Not enough parks or gyms.]

253

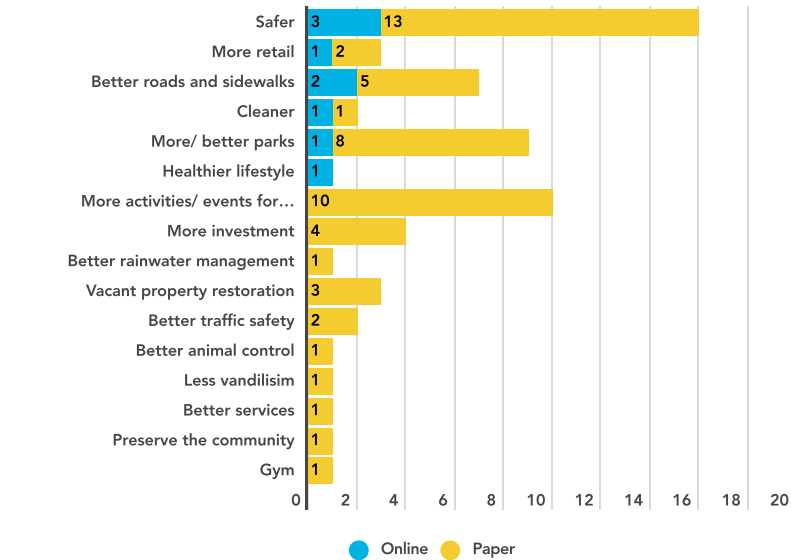
11. What three community issues are most important to you?



254

Entry	Online	Paper	Total
Improving public safety and reducing crime	24	42	66
Reducing blight, graffiti, and trash	17	37	54
Protecting the environment and reducing pollution	5	13	18
Improving public health access	4	17	21
Attracting new retail and restaurants to our neighborhood	14	5	19
Economic growth and job expansion	6	8	14
More diverse housing opportunities across all incomes levels	6	8	14
Creating more parks, recreation, and trails	9	17	26
Promoting the unique aspects of Armourdale to attract visitors and new businesses	9	3	12

12. What Ideas do you have for the future of Armourdale? Words mentioned:



Entry	Online	Paper	Total
Safer	3	13	16
More retail	1	2	3
Better roads and sidewalks	2	5	7
Cleaner	1	1	2
More/ better parks	1	8	9
Healthier lifestyle	1		1
More cultural and physical activities/ events for families		10	10
More investment		4	4
Better rainwater management		1	1
Vacant property restoration		3	3
Better traffic safety		2	2
Better animal control		1	1
Less vandilism		1	1
Better services		1	1
Preserve the community		1	1
Gym		1	1

Survey Entries:

Online:

- A safe neighborhood for all residents with good streets and lots of retail stores.
- Better, cleaner and safer parks. Cleaner and safer streets.
- Creating more parks
- Healthy lifestyles
- Safe environment.

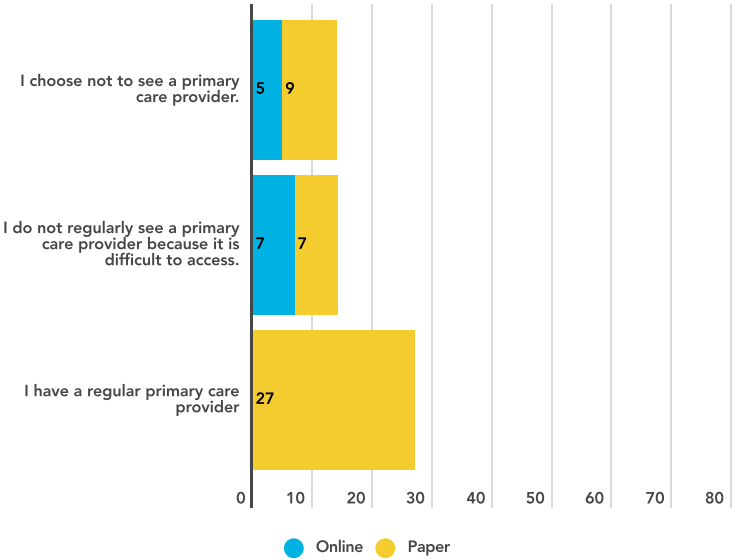
Paper:

- Parks, activities for kids.
- Kid activities.
- Parking is humble for businesses.
- Maintenance of the streets.
- Used to be rich here. The hood now. Better overall community. Safer. Cooperation with us and citizens. Small business to grow. More Investment
- Fixing the roads.
- Neighborhood restoration: 1) Vacant houses/businesses 2) Improved rain drainage 3) Environmental greenspace or structural separation 4) More useable green/park space 5) Improvement of sidewalks
- Que haya menos violencia. Que reduscan la velocidad los automobiles que no haya perros sueltos en la calle. [Translation: Let there be less violence. Let the cars that there are no loose dogs in the street slow down.]
- I want our children to be safe.
- Me gustaria ver que haya mas actividades deportivas y artisticas para las jovenes y ninos para que se ocupen en cosas positivas. [Translation: I would like to see that there are more sports and artistic activities for young people and children so that they can occupy themselves in positive things.]
- Properties get better.
- Maybe expanding the park to have more people walk around the area. That would help our store as well. Better sidewalks. Dog parks.
- More activities for kids.
- Que sei mejor la seguridad que haya mas parques por eventos deportivos para ninos y jovenes para que se mantengan ocupaods en cosas positivas. [Translation: That it is better the security that there are more parks for sporting events for children and young people so that they keep busy in positive things.]
- Vivir tranquilos sin vandalismo. [Translation: Live quietly without vandalism.]
- Mas actividades culturales y deportivas para los ninios y adolescentes. [Translation: More cultural and sports activities for children and adolescents.]
- Que disminuya la delincuencia mas centros recreativos para los ninos como

- en otros lugares. Centro comunitario con alberca que haya mas motivacion para las familias. Como gimnacios. Equipos de soccer y otros deportes. [Translation: Let crime decrease more recreational centers for children as in other places. Community center with pool that has more motivation for families. Like gymnasiums. Soccer and other sports teams.]
- Mas eventos comunitarios. Desfiles. [Translation: More community events. Parades.]
- Take care of the neighborhood.
- Parques. No adaptable Bill Clem. [Translation: Parks. Bill Clem is not adaptable.]
- Mas seguridad. [Translation: More security.]
- Vivir mas tranquilos. [Translation: Live more calmly.]
- Better access for community services. A cleaner Armourdale. Less crime. Less vacant houses.
- Me gustaria ver que las casas que estan desocupades esten quitadas. Que hubiera mas iluminacion en las calles. Mas seguridad. [Translation: I would like to see that the houses that are vacant are removed. That there was more lighting in the streets. More security.]
- Nosotros quisiernos sequiridad para nuestros hijos, areas bonitas para las familias. Necesitamos parques bonitos para nuestros hijos. [Translation: We want security for our children, beautiful areas for families. We need nice parks for our children.]
- Que sea un lugar mas seguro para la juventad y no aya muchas gangas cerca de la escuela de John Fiske. [Translation: Make it a safer place for the youth and there are not many bargains near John Fiske's school.]
- Crear mas eventos para ninos. [Translation: Create more events for children.]
- Better friendships.
- Being able to reconstruct without kicking residents out.
- Mejorar los parques para los ninos tener mas actividades para que ellos participen. [Translation: Improve parks for children have more activities for them to participate.]
- Activities for kids.
- Tener actividades para ninos en edad escolar para alejar los de vicios ya que estos son el futuro de Armourdale. Tener acceso al Rio pura poder caminar ha andar en bicicleta y seguridad. [Translation: Have activities for school-age children to ward off vices as these are the future of Armourdale. Having access to the Rio, being able to walk, has riding a bicycle and safety.]
- Roads fixed, security
- Hacer un gimnasio. [Translation: Make a gym.]

255

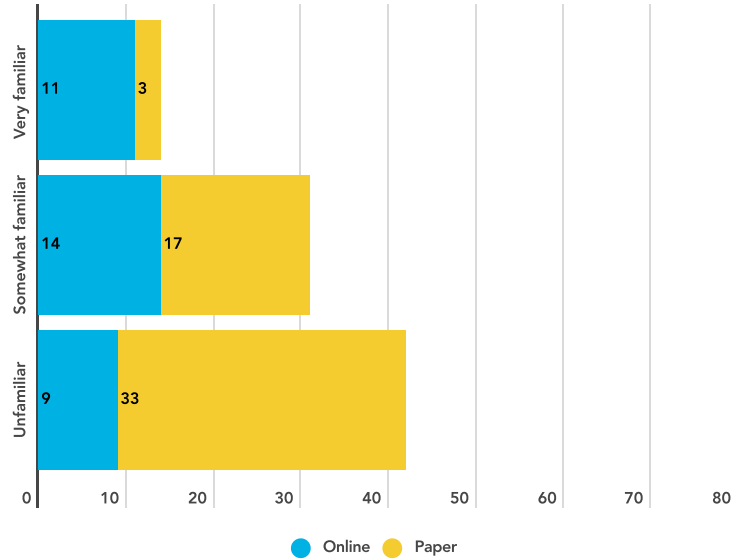
13. Do you regularly see a primary care provider and if so, what healthcare facility do you most commonly visit?



Entry	Online	Paper	Total
I choose not to see a primary care provider.	5	9	14
I do not regularly see a primary care provider because it is difficult to access.	7	7	14
My regular primary care provider is (please enter the healthcare facility name):	0	27	27

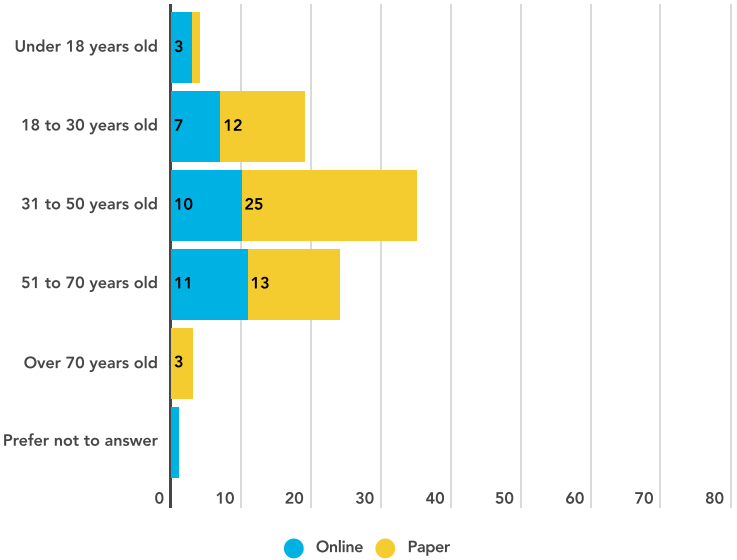
Health Care Provider	Online	Paper
Nick Gatz	0	1
Children Mercy hospital	0	1
Providence	0	1
KU Family Medicine	0	3
Olathe	0	1
Townhouse Family Practice	0	1
Vibrant Health	0	4
Bethany	0	6
Duschene	0	3
Samuel Rogers	0	1
Dr. Yolanda/Argentina	0	1

14. How familiar are you with Armourdale Renewal Association’s mission?



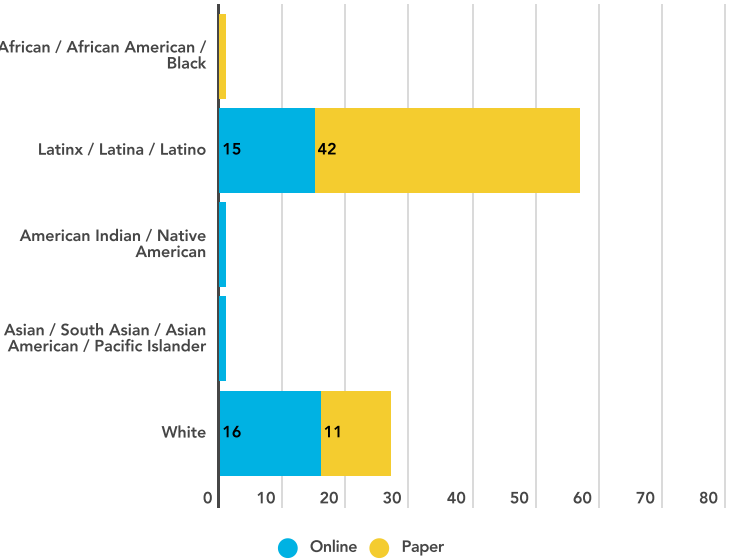
Entry	Online	Paper	Total
Very familiar	11	3	14
Somewhat familiar	14	17	31
Unfamiliar	9	33	42

22. What is your age group?



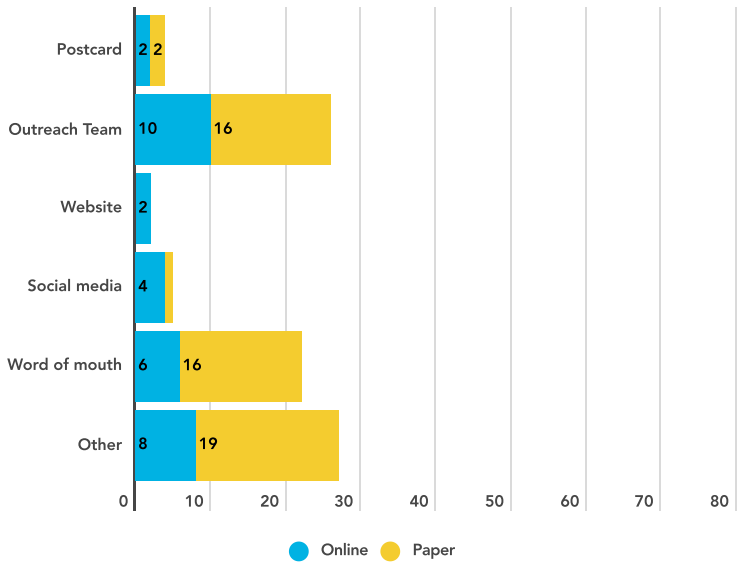
Entry	Online	Paper	Total
Under 18 years old	3	1	4
18 to 30 years old	7	12	19
31 to 50 years old	10	25	35
51 to 70 years old	11	13	24
Over 70 years old	0	3	3
Prefer not to answer	1	0	1

23. Choose an option that most closely matches how you identify.



Entry	Online	Paper	Total
African / African American / Black	0	1	1
Latinx / Latina / Latino	15	42	57
American Indian / Native American	1	0	1
Asian / South Asian / Asian American / Pacific Islander	1	0	1
Arab / Middle Eastern / North African	0	0	0
White	16	11	27
Multiracial / Biracial	0	0	0
Other	0	0	0
Prefer not to answer	0	0	0

24. How did you hear about this survey?



Entry	Online	Paper	Total
Postcard	2	2	4
Outreach Team	10	16	26
Website	2	0	2
Social media	4	1	5
Word of mouth	6	16	22
Other	8	19	27

ARMOURDALE
STRONG FUERTE

ARMOURDALE
STRONG FUERTE

Appendix 4: Clean Air Now Report

CleanAirNow Environmental Justice Recommendations:



Comments on the Armourdale General Plan

May 2021

CleanAirNow Environmental Justice Recommendations:

Comments on the Armourdale General Plan

May 2021



May 2021

Gunnar Hand
Director of Planning
Unified Government of Wyandotte County
Kansas City KS

RE: Recommendations and Comments on the Armourdale General Plan
Thank you for the opportunity to provide comment on the Armourdale General Plan. CleanAirNow is an environmental justice organization focused on air pollution in the Kansas City area. We work closely with fenceline communities to address concerns about noise, odors, toxic releases and other environmental exposures from the many and varied industrial facilities in and around Kansas City.

We would like to raise concerns and provide our expertise on the environmental exposures experienced by residents of the Armourdale Community in relation to the Armourdale General Plan.

In general, CleanAirNow would like to emphasize the following concerns with more detailed recommendations to be found in the attached document:

1. CleanAirNow considers Armourdale an environmental justice community. The history and disproportionate impacts of pollution on brown, indigenous, people of color (BIPOC) and low income communities living in Armourdale needs to be considered in Armourdale's General Plan.
2. Public participation is key to democracy as well as the achievement of environmental justice. A formal public participation process should be established and implemented for the Armourdale General Plan.
3. The cumulative impacts of the various pollutants and environmental exposures experienced in the Armourdale community must be considered in the Armourdale General Plan.
4. Through the Armourdale General Plan, Armourdale must establish goals of reducing pollution, reforming land use, and addressing the impacts of heavy truck traffic to advance environmental justice.
5. In every aspect of the Armourdale General Plan, health, climate change and the climate vulnerability of residents must be considered.

The Armourdale General Plan will be insufficient and incomplete without the input of community organizations and without considering the myriad, cumulative exposures experienced by the Armourdale community. Please see below for our full comment on the Armourdale General Plan and what needs to be considered for the future wellbeing of the community and the city. We have also attached relevant and pertinent literature for your review.

Sincerely



Beto Lugo Martinez
CleanAirNow

cc: Kimberly Portillo

Acknowledgements

Armourdale General Plan Recommendation: While we conducted the research for and writing of this report, we took a collaborative approach that included community members voices and organization partners in the design and draft review, to the completion of the report. The following are experts who provided and contributed to this report:

Brian Schacht CleanAirNow, Beto Lugo Martinez CleanAirNow,
California Environmental Justice Alliance [*SB 1000 Toolkit: Planning for Healthy Communities](#),
Genna Reed Union of Concerned Scientists, Casey Kalman Union of Concerned Scientists,
Elizabeth Friedman MD. MPH, Ivonne Gutierrez Genesis Child Care, Emily Olack
H.E.A.T Report of the Community Health Council, Elaine Geissel
Lourdes Vera Co-Coordinator @ [EDGI Environmental Data & Governance Initiative](#)
[scican.org](#) Science & Community Action Network

Special Thanks to Armourdale Community Air Monitor Hosts

Louise Lynch
Ivonne Gutierrez
Unified Government

Photo Credit
Armourdale Resident Sarah
Google Image with Resident Consent
Beto/CleanAirNow

Infographic Outreach Material
Ashley Jones

Disclaimer

This report was not funded or guided by any agency, CleanAirNow does not endorse the U.S. Environmental Protection Agency, or any local, county, state or federal government.

This Report is Available in Spanish.

INTRODUCTION

As the Armourdale General Plan steering committee works to develop a plan for the future of the neighborhood, CleanAirNow seeks to inform the plan with additional context related to our work.

About CleanAirNow

CleanAirNow is a grassroots environmental justice organization in Kansas City, and was initiated by community concerns around chemical industrial pollution, diesel emissions, hazardous toxic waste and environmental health inequities at the fenceline. From the start, CleanAirNow has sought to disrupt and dismantle the environmental racism that impacts communities in Kansas City and the surrounding region. We focus on building community power through environmental health education, equitable community-based research projects, and people-driven solutions in public policy. These fenceline communities are neighborhoods located near pollution sources in the form of noise, odors, chemical and toxin releases, legacy contaminants, or other forms of man-made pollution.

We have been conducting air monitoring studies in Kansas City, Kansas (KCK) since 2013. Originally, we focused on rail yards in KCK and Gardner/Egerton. We monitored diesel emissions and alerted residents, the EPA, and BNSF to levels that exceeded health thresholds. Our monitoring in 2013 detected high levels of diesel emissions surrounding the BNSF railyard in Argentine. In 2015, the EPA awarded us an Environmental Justice Small Grant to continue our air pollution monitoring and begin conducting public health training and advocacy. Under this program, we developed a 25-page training guide and trained over 300 community members.

This work prompted the EPA to conduct their own study called the Kansas City Transportation and Local-Scale Air Quality Study [1]. For this study, several stationary monitoring sites were placed throughout KCK, including one at the Bill Clem Park in Armourdale. While the EPA conducted their study we continued to deploy our air monitors in several locations throughout KCK. Both studies identified several occurrences of localized emissions that exceeded health thresholds [2] that have been linked to cardiovascular disease, respiratory disease, and premature death. One of our sites with exceeding levels was in the residential area of Armourdale [3], while another was at the St. Margaret's Apartments just north of Armourdale. This is likely a result of the high levels of industrial pollution from facilities in Armourdale.

We are continuing to conduct air monitoring studies throughout Kansas City, and have plans to expand our community-owned air monitoring network into Armourdale this year. This network provides us with the ability to continuously monitor particulate matter at the neighborhood level with permanent monitors. This work has allowed us to build and advance environmental justice in KCK.

ENVIRONMENTAL JUSTICE CONCERNS

Fenceline communities of color, indigenous peoples and tribal nations, and immigrant communities throughout the U.S., have disproportionately experienced some of the greatest environmental burdens and their related health problems. This inequity is the result of many factors: inappropriate zoning and negligent land use planning, intersecting structural inequalities, failure to enforce proper zoning or regular inspections, deed restrictions and other discriminatory housing and lending practices, limited political and economic power among certain demographics, the prioritization of business interests over public health, development patterns that tend to concentrate pollution and environmental hazards in certain communities. Combined with a lack of economic resources and unjust policy making, these

fenceline communities, or environmental justice communities as described by EJ organizations, continue to face significant barriers to their overall health, livelihood, and sustainability.

Fenceline communities are the communities that are experiencing the most intense impacts from man-made environmental pollution. They are often situated next to industrial sources of pollution and are disproportionately inhabited by people of color and the working poor [4][5][6]. It is common for many members of fenceline communities to be employed by the same industries that are poisoning their families. Community members are put in a precarious situation, where they are forced to choose between economic survival and the health of their families. Additionally, residents in fenceline communities are often unable to relocate. This is because the property value of homes in fenceline communities is often dramatically lower due to their proximity to such intense sources of industrial pollutants. This makes it nearly impossible to sell their homes at a price that will enable them to purchase property elsewhere.

In the fight against such threats, communities across the United States have confronted environmental racism and injustice through coordinated campaigns that amplify their voice in the decisions that affect their lives. These efforts have resulted in significant benefits, such as the removal of stationary or mobile sources of pollution; the creation of restrictions or prohibitions on new polluting sources; and investments such as parks, affordable public transportation, and affordable housing. These localized assets highlight another important aspect of environmental justice: while it is important to identify the problems and areas that are unfairly impacted by cumulative burdens, EJ is also about gaining equitable access to environmental benefits, investments, and other resources for low-income communities and communities of color. Such benefits can address the uneven distribution of amenities along race and class lines that reflect long legacies of racism and discrimination in land use planning and development.

As a result of these local EJ campaigns, which have contributed to the larger movement for environmental justice over time, the United States Environmental Protection Agency (US EPA) Agency adopted definitions for environmental justice to guide their EJ-focused policymaking: The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, and commercial operations or policies [7]. By looking at the history of Armourdale, it becomes clear it is an environmental justice community. [SB 1000 Toolkit: Planning for Healthy Communities Section 1.4 pg.4](#)

HISTORY OF ARMOURDALE

The Armourdale neighborhood in Kansas City, Kansas, is nestled between the Missouri and Kansas Rivers. The region was originally home to Indigenous peoples, abolitionists, and immigrants among many others, producing a diverse neighborhood that has undoubtedly contributed to its rich history [8].

In 2010, Armourdale had a population of 5,488 [9]. The overwhelming majority of the region's inhabitants (76%) identify as people of color. With respect to the type of residence, there are 1,623 homes in the region. On the contrary, there are 1,915 housing units in the region [9]. Further, the median household income for this neighborhood is \$31,600 [10]. In comparison, neighboring regions such as Turner, Muncie, Shawnee Heights, Strawberry Hill, Argentine, and Rosedale all ranked above the median household income of Armourdale.

Armourdale, a densely populated region, is home to many different types of industries, namely, the administrative industry. The administrative industry is comprised of "administrative, support, and waste management services" such as recycling facilities [10]. A recent estimate indicates that 11.6% of the Armourdale population is employed by the administrative industry. On one hand, the presence of the administrative industry equates to employment opportunities for Armourdale residents. On the other hand, this is troubling because waste management services are notorious polluters [11]. Workers employed by the administrative industry and those who reside in Armourdale are at increased risk of developing diseases caused by air pollution [12].

Armourdale also contains several sites that are regulated by the EPA under various laws. Figure 1 below was generated using the EPA tool NEPAassist (<https://www.epa.gov/nepa/nepaassist>). It shows all facilities that are currently regulated by laws such as the Clean Air Act (CAA), Resource Conservation and Recovery Act (RCRA), and the Clean Water Act (CWA). While there are only a few dozen markers on the map, many markers actually represent multiple facilities. Once accounted for, the map shows 194 different polluting facilities. While not all are violating environmental laws individually, the question of cumulative impacts plays a large role, considering exposure from these pollutants from stationary sources as well as pollution from unrecorded mobile sources.

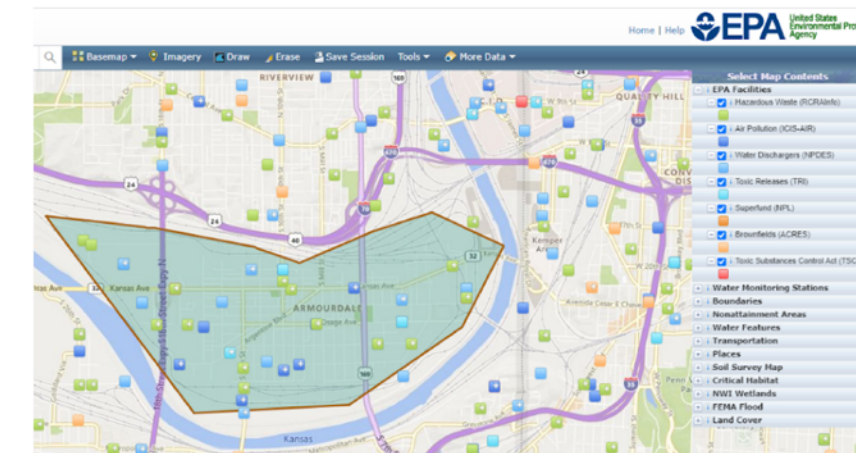


Figure 1: Polluting Facilities in Armourdale

The 2014 H.E.A.T study [13] showed a stark difference between people in Armourdale and those in other parts of Wyandotte County. Most notably, the average age at death, as seen in Figure 2, is lower in Armourdale than for residents in other parts of the county. While difficult to say why this is for sure, underlying health issues from long term exposure to pollutants may very well play a role. Residents can expect a lifespan up to 22 years shorter. It is important that we include these residents in conversations about what is going to happen in their own community.

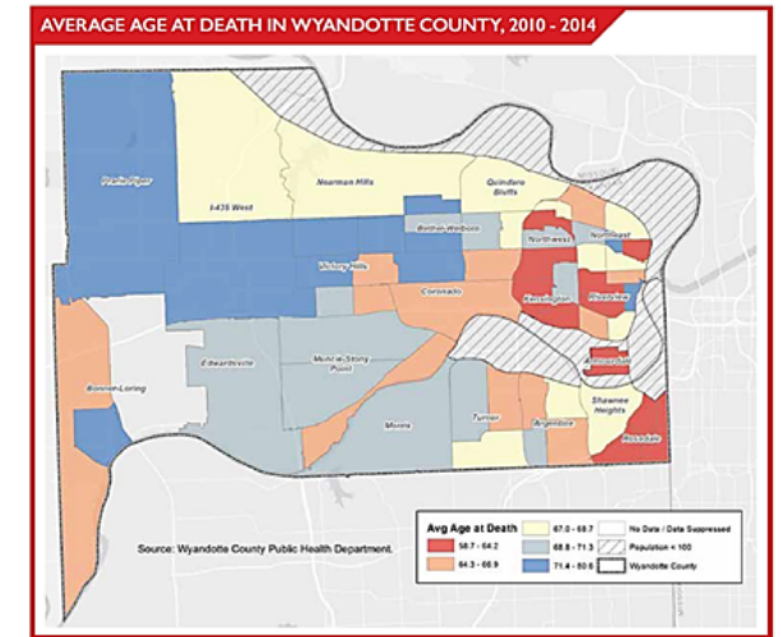


Figure 2: Average age of Death in Wyandotte County from 2014 H.E.A.T. Report

FORMAL PUBLIC PARTICIPATION AND COMMUNITY ENGAGEMENT PLAN

Formal public participation allows fenceline community members to have a say in decisions that will directly impact the health and well-being of them, their families, and their neighbors. Community engagement is a key environmental justice principle that involves communities most impacted by pollution, toxins, and other environmental problems. This engagement is important because residents bring knowledge, information, and ideas from firsthand experiences dealing with environmental issues on the ground that governing bodies may not be aware of or anticipate.

When designing a strategy, it is important to keep in mind the “spectrum” of possible engagement processes with stakeholders. The International Association of Public Participation (IAP2)® developed a Public Participation Spectrum®, which presents the possible types of engagement along a spectrum of increasing public involvement and decision-making, from simply informing to building community power. This details the types of engagement along the entire spectrum. When planning for EJ, one of the most meaningful forms of community engagement is “building community power,” where historically marginalized communities lead and have ownership over the planning process and its outcomes. Engagement at higher levels along the spectrum moves voices of community members to the forefront and is important to the general plan process because community members are holders of local knowledge and listening to their voices can lead to better and more effective planning decisions.

Two key requirements for implementing such a strategy are to: 1) The allocation of sufficient time and opportunities for engagement. To avoid rushing the process and tokenizing community participation, this approach promotes capacity building so that community stakeholders can provide meaningful feedback and decisions; and 2) The prioritization of a sufficient budget. Maintaining an adequate budget for meaningful community engagement is important for promoting equitable access and achieving high-quality public participation. [*SB 1000 Toolkit: Planning for Healthy Communities Section 4.1pg.36](#)

The steering committee leading the Armourdale Master Plan has created an ecosystem of engagement for the public leading up to the development of the plan. The first round designed to inform the plan consists of an online survey and the second is an open-ended voicemail box where members of the community can leave messages that will be transcribed. PORT has also hired four community members to assist with direct community outreach, soliciting input from their neighbors and posting flyers in small businesses. These initial outreach activities described in a March 19, 2021 steering committee meeting seem designed to solicit positive feedback about community experiences and we are concerned that the survey may not fully capture the scope of the Armourdale community's concerns, resulting in a plan (and future development projects) that will not adequately benefit the residents who are bearing the burden of economic, social, and environmental inequities, including disparate pollution exposure.

The failure to create decision making structures that incorporate meaningful participation in environmental justice communities is a longstanding problem. To a create a more transparent and meaningful form of public participation, we recommend the following:

RECOMMENDATIONS

1. The survey design method, questions, responses, and information on respondents is documented prominently on the General Plan's website. The transcribed, anonymized messages on the voicemail box should also be made public.
2. A formal process for submitting public comments should be made available on the General Plan's website. This should be open as the plan is developed and comments should be actively solicited at every stage of development. The team may also consider including responses to each comment in the final report.
3. Positive stories solicited on the Armourdale Strong website can be incorporated in the plan but must be balanced by the inclusion of specific concerns of community members.
4. The creation of a General Plan should not be the end of community input on these issues. The Unified Government in partnership with the Mid-America Regional Council should charter an Environmental Justice committee that can advise the Kansas City government regularly on actions that can be taken to address inequities in the community.

AIR POLLUTION

Addressing air pollution concerns is a fundamental part of achieving environmental justice. Fenceline communities like Armourdale often experience air pollution from multiple sources, making community members more susceptible to the associated health risks. Air pollution can cause many serious health risks such as, cardiovascular disease [15], cancer [16], as well as neurological and reproductive disorders. The identification of sources, types, and quantities of pollution is important and necessary to determine appropriate solutions. Although air quality is just one type of pollution exposure, improving air quality through the reduction of specific contaminants is critical to the health and well-being of all people and the environment.

While the EPA requires states to regulate several criteria air pollutants under the Clean Air Act, there are still thousands of unregulated pollutants with severe health implications to frontline communities. One of the biggest contributors to these unregulated pollutants in KCK is diesel exhaust from the transportation sector.

Two markers for diesel exhaust include elemental carbon (EC) and black carbon (BC). By sampling for these pollutants, we can assess whether or not there are localized occurrences of high levels of diesel exhaust that may cause chronic illnesses, hospitalizations, and premature deaths. Several studies have taken place in Armourdale that have identified levels of BC and EC that exceeded health thresholds.

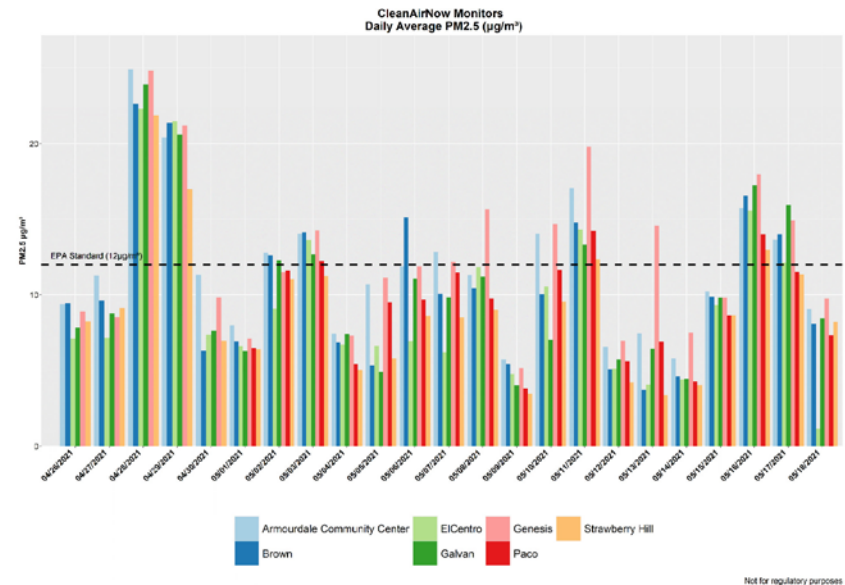


Figure 3: PM_{2.5} levels in KCK as recorded by community air monitors - Armourdale Genesis Monitor

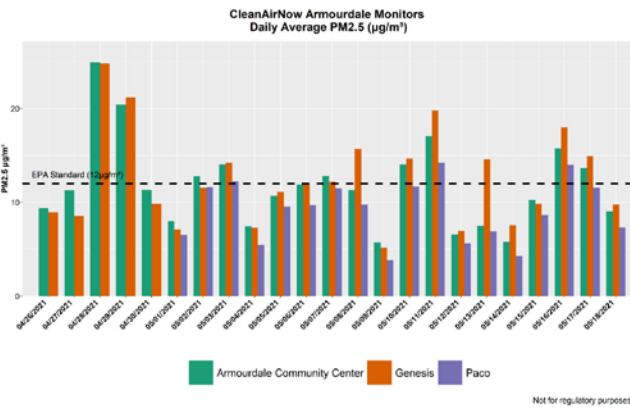


Figure 4: PM_{2.5} levels at Armourdale Community Center, Genesis, and Paco sites as recorded by community air monitors - Armourdale Genesis Monitor

Between 2015 and 2017, CleanAirNow sampled for EC on five different occasions and found one of them to be dangerously high. In the same study, the nearby St. Margaret's Apartments exceeded the health threshold four out of eight times. CleanAirNow organized and at our request the EPA conducted its own study after analyzing the results from our study. It too found exceedances at their Bill Clem stationary site in both BC and EC, 12% and 7% of the time they sampled, respectively. These localized occurrences are often compounded due to the current meteorological conditions and are more likely to occur in colder months.

The Clean Air Act requires monitoring of six Criteria Air Pollutants: ground-level ozone, particulate matter, carbon monoxide, lead, sulfur dioxide, and nitrogen dioxide [17]. There are currently 5 EPA monitors in the Kansas City Area monitoring criteria air pollutants and 2 monitoring hazardous air pollutants [18]. However these monitoring networks have been shown to be insufficient for measuring local and short-term spikes in air pollution [19]. The sampling done by CleanAirNow that detected the health threshold exceedances were not reported by the EPA monitors in Kansas City.

RECOMMENDATIONS

1. Do not permit the building of new, or expansion of existing, industrial facilities that are emitting air pollutants in Armourdale.
2. Enforce federal and state air pollution standards at existing facilities.
3. Create a notification system for the public to inform them when air pollution is particularly bad in Armourdale. This should be based on weather patterns that may exacerbate the community's exposure to harmful air pollutants.
4. Immediately begin transitioning warehouses and facilities to zero emissions and set a goal for when this should be accomplished; CleanAirNow can help in setting those goals.

TRANSPORTATION

Living and working closely to major traffic ways and other sources of transportation and mobile source pollution has shown to have adverse health effects on individuals such as cardiovascular disease [20], respiratory disease [21], and premature death [22]. A study done in 2014 found mobile source pollutants such as black carbon and nitrogen oxides may not return to background levels until approximately between 200 - 300m from their emission source [23]. Armourdale has increased amounts of truck and locomotive traffic due to its proximity to major traffic corridors, railyards, and industrial facilities.

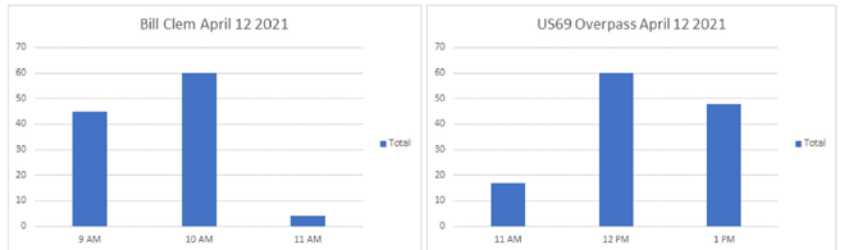


Figure 5, 6: Fossil Fuel Truck Counts on Kansas Ave (refer to Appendix A for Black Carbon Monitoring April 12, 2021)

On April 12, 2021 CleanAirNow conducted a truck count in Armourdale, shown in Figures 5 and 6. We counted at two different locations for two hours each. The first location was at Bill Clem Park and we counted trucks that passed the intersection of Kansas Avenue and 10th St. (both streets with residential houses on them). We counted 149 trucks for an average of 1.24 trucks per minute between 9am – 11am. The second location we counted at was the area around US69 and Kansas Avenue. Between 11:45am – 1:45pm we counted 415 trucks for an average of 3.46 trucks a minute.

As noted in the "Air Pollution" section of this document, high levels of air pollutants related to the transportation sector have been detected in Armourdale over the course of several studies and several years. Mobile source pollution in the area is a great risk to the health of residents in Armourdale. Because of this, CleanAirNow makes the following recommendations for the transportation sector in Armourdale.

RECOMMENDATIONS

1. Create specific truck routes that avoid residential areas. Create new trafficways in needed areas so that trucks can easily avoid passing through streets that have families living on them.
2. Require zero emissions trucks, especially those that are only used locally. Priority should be given to environmental justice communities. During our truck count there were several trucks that made multiple passes by us. This leads us to assume they are only driving in and around Armourdale.
3. Prohibit trucks from idling.
4. Begin working now towards zero emissions facilities in Armourdale. Facilities operating in Armourdale should be required to produce no new emissions and pollutants.

- 5. The General Plan should prioritize zero emission fleet vehicles, medium & heavy duty trucks, equipment and supporting infrastructure at goods movement hubs, warehouses and along freight corridors.
- 6. Electrify new and existing warehouses to operate zero emission yard trucks, forklifts etc.

SCRAP METAL RECYCLING FACILITIES

Scrap metal originates from end-of-life-products, structures, construction and demolition debris, or out-of-specification metal products that are recycled to recover their metal content. Scrap metal recycling facilities include feeder yards, dismantlers, and facilities with a metal crusher, baler, or shredder. Scrap metal can be sourced from discarded appliances, vehicles, electronic waste (e-waste), metal pieces generated from machining operations, and other metal-containing wastes. Regardless of whether it is being recycled, scrap metal should be managed in a way that does not cause a release of its hazardous constituents to air, soil, or water.

Armourdale has over 15 combined auto dismantlers, junk yards, and metal recycling facilities, many which are fenceline to residential dwellings. Of these, Advantage Metal Recycling is the only recycling facility currently reporting to the EPA [24]. Most recycling facilities in Armourdale are unregulated, unregistered with EPA, KDHE, UG or any agency tasked to monitor such facilities. This leads to ineffective inspections, enforcement, and non-compliance.



Image 1: Advantage Metals Recycling Facility in Armourdale (Google Earth)

A community member noted:

"I am not comfortable eating food from my own garden because my plants and garden have yellow fine particulate on them." This yellow particulate can be associated with metal crushing. Community members having no one to provide a complaint to makes it a challenge to the already poisoned community.

Other community voices:

When we report flooding and illegal dumping to the UG, their response has been "What do you expect, you live in Armourdale, there is nothing we can do."

Examples:

Advantage Recycling has two facilities in the area, which are of air and water pollution concerns from community voices mentioned above. The following images were taken in February and dust and other particles can be seen rising above the scrap yard.



Image 2, 3, 4: Images of yellow/orange particulate in Armourdale, Episodic Event on February 1, 2021

Another environmental justice concern are auto dismantlers facilities that have a history of polluting the environment: [Auto Dismantler Kansas City CleanWaterAct](#) [25].

No crushing, smashing, baling or reduction of metal shall be conducted on the premises unless it is conducted without producing substantial amounts of air pollution. Noise emanating therefrom, as measured from any point on adjacent property, shall be no more audible than the noise emanating from ordinary street traffic and from other commercial or industrial uses measured at the same point on the said adjacent property. Any property used for automobile dismantling yards, junk yards, scrap metal processing yards or open air storage of used materials, used equipment and used machinery shall not cause a release of its hazardous constituents to air, soil, or surface water and ensure that their treatment of the waste from these facilities is adequately protective of human health and the environment.

RECOMMENDATIONS

- 1. Recommend reviewing or updating [Kansas Junkyard and Salvage Control Act](#)[26] for compliance and land use designations, prior to the completion of the General Plan.
- 2. Enact new legislation: [New law to regulate scrap metal dealers](#) [27].
- 3. Identify facilities which are not registered or in compliance to any regulatory agency, not operating on expired permits, conditional use permits, etc.
- 4. Make it a priority to enclose such facilities or add protective barriers, fenceline to residences and a land use zoning consideration and clean up with a distance more than 2500 feet from a residential dwelling.
- 5. No new recycling facilities allowed to operate in Armourdale city limits.
- 6. Air monitoring at the fenceline.

LAND USE

Among the proposed actions from the 1979 Armourdale Land Use Plan was that the city not approve any non-residential zoning and development which could be hazardous to human health or safety, result in the loss of habitable housing units, emit excessive noise, odor or other nuisances, or present a visually detrimental impact to the residential areas [28]. Despite this recommendation made over forty years ago, the Armourdale community continues to face these realities and the area is still dominated by industrial use.

Historically, residential segregation has played a major role in the development of the Kansas City Metropolitan Area. On the Kansas side, this contrast is apparent today in comparing Johnson County suburbs (which rank among the most desirable in the nation) with the residential areas of Wyandotte County, which are interspersed among the industrial areas. This distribution perpetuates urban inequality, with low-income communities suffering from pollution and heat island effects, which contribute to higher health adversity outcomes.

Urban Greening can promote physical activity through the beautification of existing surface infrastructure and through new infrastructure, such as community gardens. Separate from traditional recreational facilities, urban green spaces allow areas for informal and formal recreation. Urban greening also has environmental benefits: it can help reduce impacts of climate change by mitigating heat waves, has storm water management benefits, and can also reduce exposure to air contaminants.

General Plan policies to support urban greening can include Identifying specific green infrastructure projects located in Armourdale, promoting collaboration with community-based organizations in developing and maintaining programming, encouraging the planting of street trees and other landscaping, and identifying vacant lots and underutilized public land that can be turned into neighborhood-run community gardens.

While we support creating more green space it is **important that it complements more serious actions to address community needs. It should also not be used as the primary means of creating change through an environmental justice lens.** Many of the public spaces in Armourdale are coupled with industrial and mobile source pollution. For example, the community center often has trucks idling outside, and as we saw with our truck count, Bill Clem Park is consistently passed by diesel emitting trucks. Bill Clem was also the site of the EPA stationary monitoring during the KC-TRAQS Study that recorded several occurrences of high levels of air pollutants [1].

CLIMATE CHANGE

It is imperative that the impacts of climate change be evaluated for the Armourdale community as authors prepare the General Plan and consider a future for residents and businesses. Local governments and planners can measure climate vulnerability for local communities, including Vulnerable or EJ Communities, through a process called a vulnerability assessment. By doing this it can determine the climate-related hazards in the community (under both current and future conditions), and how these hazards may change over time. Federal resources, such as the [U.S. Climate Resilience Toolkit](#) [29], can help with this process. There may also be local and regional resources available. Identify populations. A vulnerability assessment can help to select the specific populations present in the community that may be harmed by these hazards, including different populations that are considered vulnerable populations. It considers age, physical and mental health, employment, citizenship status, and other socioeconomic factors. Finally, this assessment should lead to an analysis of potential impacts. Using scientific research,

relevant reports and studies, and discussions with community members, it should assess how severe each climate change effect will be for different demographics of the population.

[*SB 1000 Toolkit: Planning for Healthy Communities](#)

ARMOURDALE PLAN FOR CHEMICAL AND CLIMATE DISASTERS

Due to the location of the industrial corridor in the West Bottoms along the Kansas River, residents of the Armourdale area are at greater risk of exposure to chemical emergencies, from railcars, tanker trucks on the highways and fixed chemical manufacturing, mixing and storage facilities. Prevailing westerly winds and the topography of the valley can push chemical releases from the Argentine district into Armourdale.

Emergency planning, including education of at-risk communities, is critical to reduce the public health impacts of a chemical emergency. Preparedness must include both evacuation and shelter-in-place plans for communities that might be impacted.

There are a number of "Tier 2" facilities in this industrial corridor which report a list of their hazardous materials to EPA and the Local Emergency Planning Committee(LEPC) of MARC. Emergency Planning and Community Right-to-Know (EPCRA) gives communities the "right to know" the chemical hazards, that includes port facilities and operations, chemical trains, bomb trains, hazardous material liquified natural gas by rail that might impact their [homes, schools and workplaces](#). The community members can best identify high-risk locations, such as work sites, schools, nursing homes, hospitals, day care centers, etc.

Risk Management Plan/Chemical Disasters

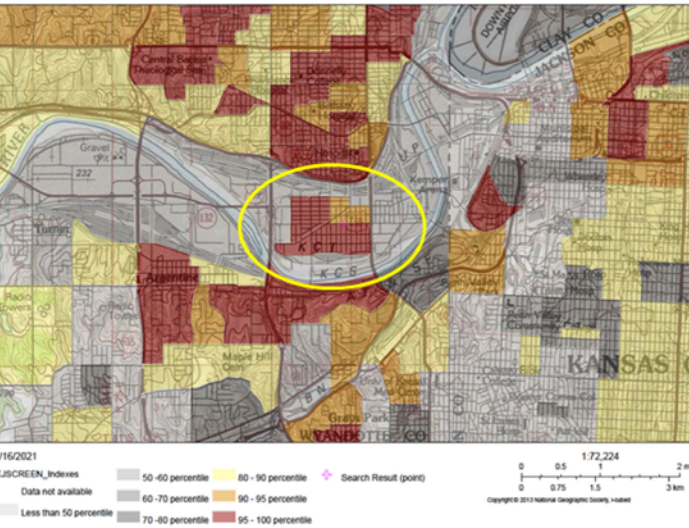


Figure 7: Environmental Justice (EJ) Screening Index Map, showing the high index of EJ needs in central Armourdale due to chemical disaster risk.

Example:

A table-top drill was implemented by the LEPC at Harcros Chemicals several years ago. As a result of the drill, community education and creation of an industrial awareness group were proposed, primarily led by the Health Department of the Unified Government of Wyandotte Co. Little, if anything, has been done to date.[30]

RECOMMENDATIONS

- 1. Stakeholders in the Armourdale area should have an opportunity to meet with U.G. Dept. of Health officials and the LEPC to help develop a comprehensive plan for chemical emergencies in the West Bottoms.
- 2. Community education should focus on awareness, communication, and reaction strategies, in English and in Spanish, using "trusted" spokespersons (teachers, religious leaders, medical officials, promotoras, community organizers, etc.)
- 3. Funding for these efforts could be obtained from the industrial partners in the West Bottoms and/or from LEPC grants from the Kansas Division of Emergency Management [Kansas Adjutant General's Department - Hazardous Materials Preparedness Grant \(HMEP\)](#) ([kansastag.gov](#))[31]

CONCLUSION

With the Armourdale General Plan, the Kansas City government has an opportunity to follow through on decades-old recommendations of improving quality of life for Armourdale residents and to trigger actions and policy changes that can help advance environmental justice. To do this, the Unified Government and steering committee members must first ensure that the community is given opportunities to meaningfully inform the plan and institute other pathways for participation in the decision making processes moving forward. The plan must also consider the legacy of industrial development and air pollution from stationary and mobile sources in the Armourdale community and include recommendations for improving air quality and associated health outcomes and being more proactively transparent with residents. It must also incorporate the realities of climate change vulnerability in any planning scenarios, ensuring that those who stand to be most affected by the impacts of climate change, communities of color and low-income communities, are protected. Armourdale residents deserve nothing less than to have equitable access to investments that will benefit them economically and improve their quality of life and that of future generations.

Appendix A: Community support for recommendation

I. List of Armourdale community members involved in drafting of this recommendation:

<u>Ivonne Gutierrez</u>	<u>Jana Gutierrez</u>	<u>05-08-21</u>
NAME	SIGNATURE	DATE
<u>Aura M Siquero</u>	<u>Aura Siquero</u>	<u>5-4-21</u>
NAME	SIGNATURE	DATE
<u>Maria Lucero</u>	<u>Maria Lucero</u>	<u>05-04-21</u>
NAME	SIGNATURE	DATE
<u>Yadira DeLaFuente</u>	<u>Yadira DeLaFuente</u>	<u>05-09-21</u>
NAME	SIGNATURE	DATE
<u>Elena Nuñez</u>	<u>Elena Nuñez</u>	<u>05-04-21</u>
NAME	SIGNATURE	DATE
<u>Angelica Ramirez</u>	<u>Angelica Ramirez</u>	<u>05-04-21</u>
NAME	SIGNATURE	DATE
<u>Eric Salazar</u>	<u>Eric Salazar</u>	<u>05/04/21</u>
NAME	SIGNATURE	DATE
<u>Faviola Villa</u>	<u>Faviola Villa</u>	<u>5/5/21</u>
NAME	SIGNATURE	DATE
<u>Magali Zarate</u>	<u>Magali Zarate</u>	<u>5/5/21</u>
NAME	SIGNATURE	DATE
<u>Monica Cruz</u>	<u>Monica Cruz</u>	<u>5/5/21</u>
NAME	SIGNATURE	DATE
<u>Luis Alvarado</u>	<u>Luis Alvarado</u>	<u>5/5/21</u>
NAME	SIGNATURE	DATE
<u>Jana Gutierrez</u>	<u>Jana Gutierrez</u>	<u>05-05-21</u>
NAME	SIGNATURE	DATE
<u>Cesar Ramos</u>	<u>Cesar Ramos</u>	<u>05-05-21</u>
NAME	SIGNATURE	DATE
<u>Karin Navas</u>	<u>Karin Navas</u>	<u>5-7-21</u>
NAME	SIGNATURE	DATE
<u>Vanessa Ibarra</u>	<u>Vanessa Ibarra</u>	<u>05-10-21</u>
NAME	SIGNATURE	DATE

Ivonne Gutierrez	Angelica Ramirez	Luis Alvarado
Aura Siquero	Eric Salazar	Jesus Gutierrez
Maria Lucero	Faviola Villa	Cesar Ramos
Yadira DeLaFuente	Magali Zarate	Karin Navas
Elena Nuñez	Monica Cruz	Vanessa Ibarra

II. The undersigned residents of Kansas City, Kansas metropolitan area support these comments:

<u>Cammy Colton</u>	<u>George Groneman, J.D.</u>	<u>Mike Lundgren, M.S.</u>
66223	66112	Biology, Exercise Physiology
		66205
<u>Deanna Pucci</u>	<u>Ken Schefter</u>	<u>Martha Schwartz</u>
66207	66062	66205
<u>Mike Vanlandingham</u>	<u>DK Weamer, Ph.D. candidate</u>	<u>Jon Wood</u>
66203	Environmental Studies,	66207
	Nutrition	
	66203	
<u>Helen Yeomans</u>	<u>Ronald Yeomans, M.D.</u>	
66212	Gynecology	
	66212	

III. The undersigned residents of Kansas City, Missouri metropolitan area support these comments:

<u>Sami Aaron</u>	<u>Robin Zeplin</u>	<u>Martha Childers</u>
64114	64114	64112
<u>Janice Dannhouser</u>	<u>Billy Davies, J.D.</u>	<u>Jesse DeMartino</u>
64154	64108	64111
<u>Dana Lentz</u>	<u>Casey O'Malley</u>	<u>Dawson Sims</u>
64151	64114	64081
<u>Elizabeth Smith</u>	<u>Jennifer Withee</u>	<u>Amrita Burdick, M.A.</u>
64138	64152	Health Science Librarian
		64111
		<u>Additional comment:</u> Living only
		three blocks from State Line Rd.
		on the Missouri side of the state
		line, I have an interest in
		reducing pollution on the
		Kansas side and firmly support

IV. Local organizations in support of these comments:

El Centro, Inc.

Appendix B: Supplementary Data

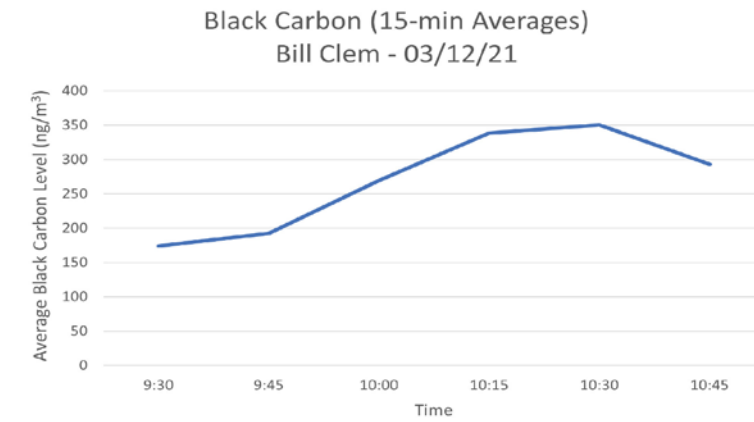


Figure 8: Bill Clem Black Carbon 15-minute averages during Fossil Fuel Truck Count 3/12/21 Kansas Ave.

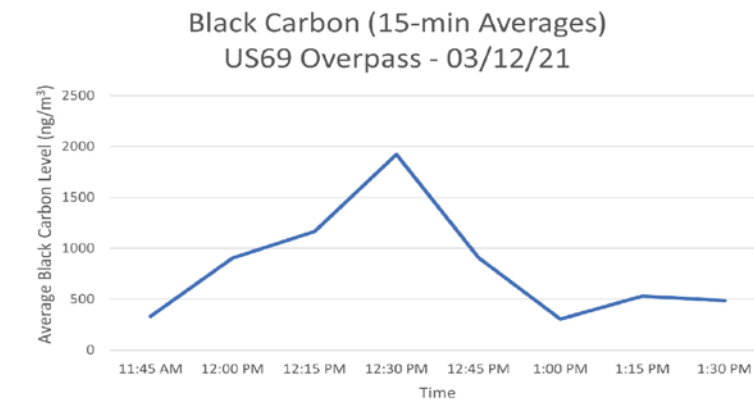


Figure 9: US 69 Overpass Black Carbon 15-minute averages during Fossil Fuel Truck Count 3/12/21 Kansas Ave.

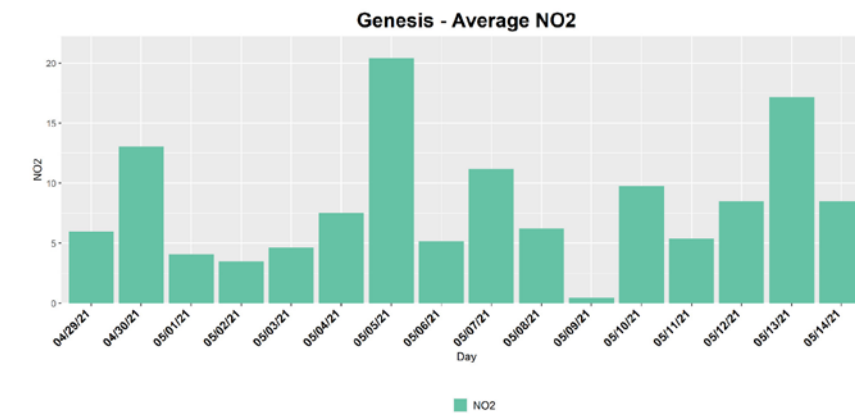


Figure 10: Armourdale Nitrogen Dioxide (NO₂) averages over two weeks. 4/29/21 - 05/14/21

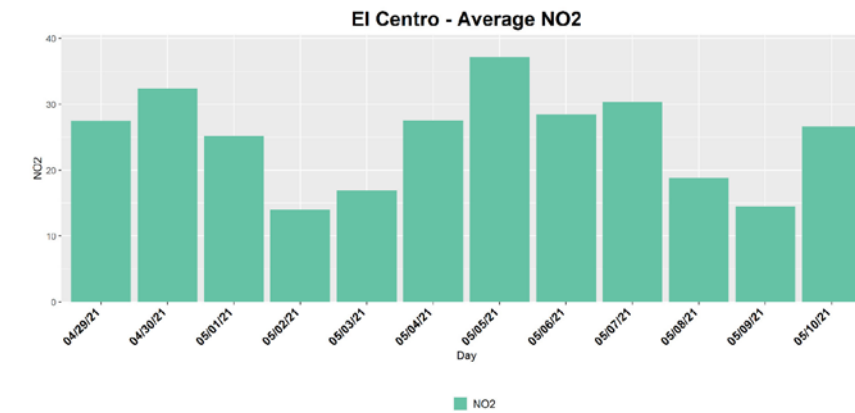


Figure 11: Minnesota & 7th Street Trfy. Nitrogen Dioxide (NO₂) averages over two weeks. 4/29/21 - 5/10/21

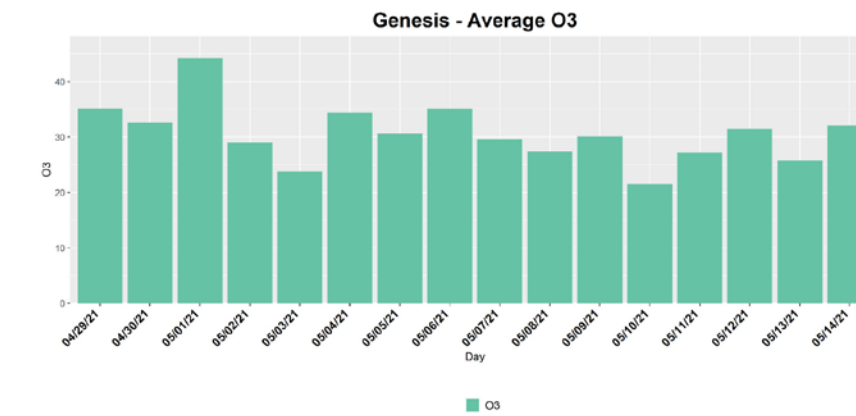


Figure 12: Armourdale Ozone (O₃) averages over two weeks. 4/29/21 - 5/14/21

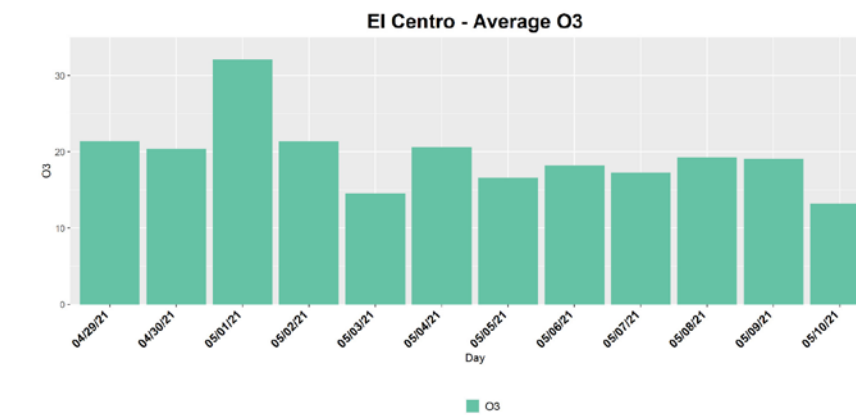


Figure 13: Minnesota Ave & 7th Street Trfy. Ozone (O₃) averages over two weeks. 4/29/21 - 5/10/21

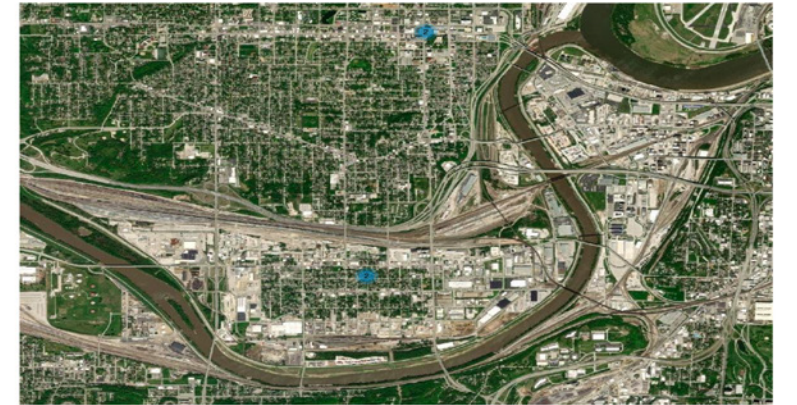


Figure 14: CleanAirNow Community Based Air Monitoring Network - NO2 and Ozone

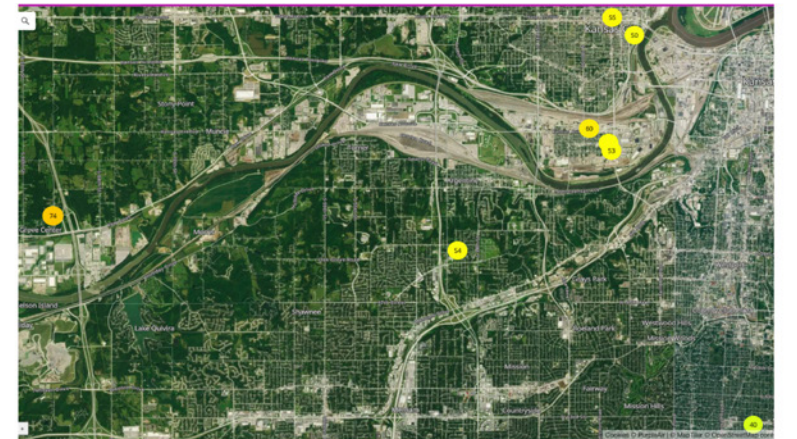


Figure 15: CleanAirNowCommunity Based Air Monitoring Network - PM2.5



Figure 16: Spanish Infographic “Why Participate in the General Plan” Page 1

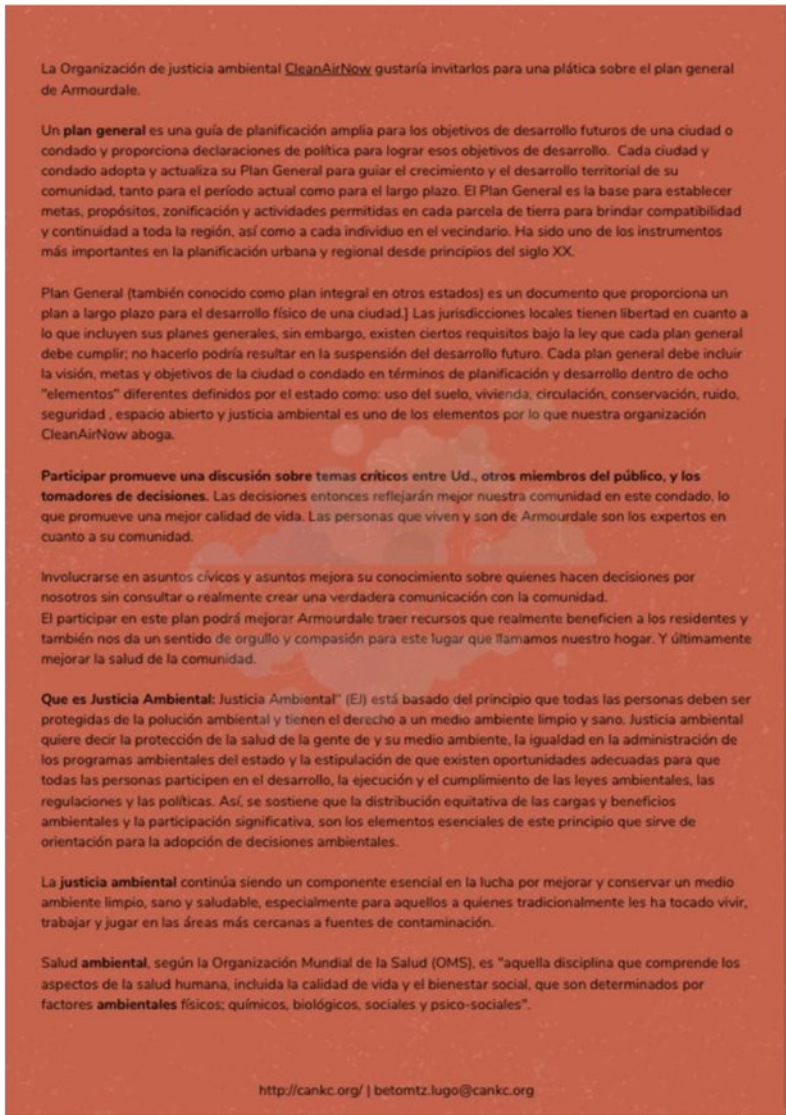


Figure 17: Spanish Infographic “Why Participate in the General Plan” Page 2

Works Cited

In order of appearance

- Kimbrough, S.; Krabbe, S.; Baldauf, R.; Barzyk, T.; Brown, M.; Brown, S.; Croghan, C.; Davis, M.; Deshmukh, P.; Duvall, R.; Feinberg, S.; Isakov, V.; Logan, R.; McArthur, T.; & Shields, A. The Kansas City Transportation and Local-Scale Air Quality Study (KC-TRAQS): Integration of Low-Cost Sensors and Reference Grade Monitoring in a Complex Metropolitan Area. Part 1: Overview of the Project. *Chemosensors*, 7(2), 26. (2019).
- Volland, C. (2016). Analysis of EC and Health Studies to Assess Threshold Effect Level. https://drive.google.com/file/d/1rR_6BAe3colPKSmnzF9cW05icLqsl8us/view
- Volland, C. (2020). Community-Based Air Quality Monitoring of the Kansas & Missouri River Valley in Kansas City, Kansas, Final Report. <https://drive.google.com/file/d/154ziPRPHAZGKslcxlp7fl200Kc70WHCl/view>
- Bullard, R. D. (2008). *The quest for environmental justice: Human rights and the politics of pollution*. San Francisco: Sierra Club Books.
- United States Environmental Protection Agency (US EPA). Environmental Equity: Reducing Risk for All Communities. Vol 1. [PDF]. June 1992. Retrieved from: https://www.epa.gov/sites/production/files/2015-02/documents/reducing_risk_com_vol1.pdf
- United States Environmental Protection Agency (US EPA). Environmental Equity: Reducing Risk for All Communities. Vol 2. [PDF]. June 1992. Retrieved from: https://www.epa.gov/sites/production/files/2015-02/documents/reducing_risk_com_vol2.pdf
- United States Environmental Protection Agency (US EPA). Learn About Environmental Justice. 2020. Retrieved from: <https://www.epa.gov/environmentaljustice/learn-about-environmental-justice>
- Unified Government of Wyandotte County/Kansas City, Kansas. City-Wide Master Plan. (n.d.) [PDF].
- United States Environmental Protection Agency (US EPA). EJSCREEN Census 2010 Summary Report [PDF]. 2010.
- Industries in Armourdale, Kansas City, Kansas (Neighborhood). *Statistical Atlas: The Demographic Statistical Atlas of the United States*. (n.d.) Retrieved from <https://statisticalatlas.com/neighborhood/Kansas/Kansas-City/Armourdale/Industries>
- United States Environmental Protection Agency (US EPA). Pollution Prevention and Waste Management. January 2021. Retrieved from <https://www.epa.gov/trinationalanalysis/pollution-prevention-and-waste-management>
- Njoku, P. O., Edokpayi, J. N., & Odiyo, J. O. Health and Environmental Risks of Residents Living Close to a Landfill: A Case Study of Thohoyandou Landfill, Limpopo Province, South Africa. *International journal of environmental research and public health*, 16(12), 2125. 2019. <https://doi.org/10.3390/ijerph16122125>
- Norris D.; Baek M. Health Equity Action Transformation (HEAT) Report for Wyandotte County. (2014).
- International Association for Public Participation. (2021). *Public Participation Pillars* [Brochure]. Retrieved from: https://cdn.vmw.com/www.iap2.org/resource/resmgr/Communications/A3_P2_Pillars_brochure.pdf

13. United States Environmental Protection Agency (US EPA). Linking Air Pollution and Heart Disease. 2020. Retrieved from: <https://www.epa.gov/scienmatters/linking-air-pollution-and-heart-disease>
16. Turner, M. C.; Andersen, S. J.; Baccarelli, A.; Diver, W. R.; Gapstur, S. M.; Pope, C. A.; Prada, D.; Samet, J.; Thurston, G.; Cohen, A. (2020). Outdoor air pollution and cancer: An overview of the current evidence and public health recommendations. *CA: A Cancer Journal for Clinicians*, 70(6), 460-479. doi:10.3322/caac.21632
17. United States Environmental Protection Agency (US EPA). Overview of the Clean Air Act and Air Pollution. 2020. Retrieved from: <https://www.epa.gov/clean-air-act-overview>
18. <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=5f239fd3e72f424f98ef3d5def547eb5&extent=-146.2334,13.1913,-46.3896,56.5319>
19. Carlson, A., Jácome, M., Weese, J., Willis-Esqueda, C., & Hairapetian, A. (2019, December 18). The clean air Act's blind Spot: Microclimates and Hotspot pollution by Ann Carlson. Retrieved April 22, 2021, from <https://www.uclalawreview.org/the-clean-air-acts-blind-spot-microclimates-and-hotspot-pollution/>
20. Grahame, T. J., & Schlesinger, R. B. (2009). Cardiovascular health and particulate vehicular emissions: A critical evaluation of the evidence. *Air Quality, Atmosphere & Health*, 3(1), 3-27. doi:10.1007/s11869-009-0047-x
21. Health Effects Institute (HEI). (2010). *Traffic-Related Air Pollution: A Critical Review of the Literature on Emissions, Exposure, and Health Effects* (Rep. No. Special Report 17). Boston, MA: Health Effects Institute.
22. United States Environmental Protection Agency (US EPA). Report to Congress on Black Carbon EPA-450/R-12-001. 2012.
23. Fujita, E. M.; Campbell, D. E.; Arnett, W. P.; Johnson, T.; & Ollison, W. (2014). Concentrations of mobile source air pollutants in urban microenvironments. *Journal of the Air & Waste Management Association*, 64(7), 743-758.
24. <https://echo.epa.gov/detailed-facility-report?fid=110032747847>
25. <https://www.epa.gov/ks/pick-n-pull-auto-dismantlers-kansas-city-llc-inc-clean-water-act-public-notice>
26. https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burRow/PDF_Files/KSA%20Control%20Act.pdf
27. <https://www.kansas.gov/government/legislative/supplemental/2008/CCRB2035.pdf>
28. Pintar, G. A., Peel, D. E., Hanks, L. K., Hauber, R. G., Speise, S. A., & Parker, J. L. (1979). *Armourdale Landuse Master Plan* (United States, Wyandotte County Unified Government, Urban Planning and Land Use Department). Kansas City, Kansas: Unified Government.
29. U.S. climate RESILIENCE TOOLKIT. (2020, December 30). Retrieved April 22, 2021, from <https://toolkit.climate.gov/tool/acis-climate-maps>
30. <http://kansas.sierraclub.org/wp-content/uploads/2017/09/HarcrosChemicalsSCcomments.pdf>
31. [Kansas Adjutant General's Department - Hazardous Materials Preparedness Grant \(HMEP\) \(kansastag.gov\)](#)

ARMOURDALE
STRONG FUERTE

October 19, 2021
Letter of Support
Armourdale Area Master Plan



Dear Board of Commissioners,

I am writing from the Kansas City Design Center to offer full support for the adoption of the Armourdale Master Plan as a critical step toward improving the quality of life and economic development of the Armourdale area.

The Kansas City Design Center (KCDC) is a non-profit partnership among local civic leaders, professional designers, and the architecture and planning programs at the University of Kansas and Kansas State University. The mission of the KCDC is to promote design excellence of Kansas City's built environment through education and public service. We do this by serving the professional and civic communities of Kansas City through our urban design studio which focuses on design innovation, thought leadership, resiliency, environmental stewardship, and social and racial equity and inclusion.

In late 2019, Gunnar Hand, with the support of Mayor Alvey, contacted us about conducting a vision study of the riverfront area of Kansas City, Kansas ahead of the master planning initiative. The main purpose of the project was to generate a vision study and urban design proposal for the creation of an inhabitable, pedestrian-oriented, continuous public realm that connects the Kansas City, Kansas and West Bottoms area across the Kansas River into an urban whole. In doing so, the project offered a perspective for rethinking the industrial urban landscape and the idea of urban infrastructure towards the creation of a more inclusive, shared public realm. It was understood that the process would complement the analytical data generation and visualization for the support of the Armourdale area master plan, and throughout the vision study, the challenges, potentials, and opportunities often closely aligned with those of the PORT urbanism uncovered through the development of the master plan.

PORT's proposed Master Plan was not only guided by stellar research, but also through careful, in-depth community engagement to determine what was needed by the residents, businesses, and visitors to Armourdale. The resulting plan provides an in-depth guide for investment in Armourdale through detailed strategic initiatives, collaborative partnerships, and a focus on equity and sustainability which has long been absent in the area. Additionally, the plan also investigates ways to reconnect the Armourdale area to and across the river, linking to public realm and green space amenities that would greatly benefit the existing population and also encourage economic growth.

By adopting the Armourdale Master Plan, the board of commissioners will be implementing a plan that was designed with the resident's health as the focus, and which, ultimately, was made for and under the guidance of those whom it will most greatly effect. The KCDC adamantly recommends the plan's adoption and is excited to advocate for the strategies and opportunities outlined in the Armourdale Area Master plan, which are supported by the outcomes of the KCDC Industrial Riverfront Vision Study.

Sincerely,

A handwritten signature in black ink, appearing to read "Vladimir Krstic", with a stylized, looping flourish at the end.

Vladimir Krstic
Academic Programs Director and Professor
Kansas City Design Center
1018 Baltimore Avenue, Kansas City, MO 64105



We build strength, stability, self-reliance and shelter.

October 19, 2021

Unified Government Board of Commissioners
701 N. 7th St.
Kansas City, KS 66101

Dear Board of Commissioners,

As President and CEO of Habitat for Humanity of Kansas City, I wish to express my support for the recommendation to approve the Armourdale Area Master Plan. We know that it is a well thought out plan that engaged residents, non-profit partners, and stakeholders that we support.

As a partner in the planning process, we know that this will address vacancies in our community and create affordable home ownership opportunities for residents. Additionally, it will promote health and wellness – a benefit for all.

Habitat KC believes in revitalizing communities and empowering individuals through home ownership. We look forward to the new housing for Armourdale residents and are proud to be a partner in this plan.

Sincerely,

A handwritten signature in dark ink, appearing to read "Pat Turner". The signature is fluid and cursive, with a long horizontal stroke at the end.

Pat Turner
President and CEO
Habitat for Humanity of Kansas City

Claudine Sanders
CSTK, Inc.
400 Shawnee Avenue
Kansas City, KS 66105

October 20, 2021

WyCo UG
Commissioners

Dear WyCo UG:

I am a long time resident of WyCo and also a 25 year worker in Armourdale and am writing in support of the Armourdale Master Plan.

I understand that some in our community have voiced concern over the possibility of removing semi truck access to Osage Avenue that will accommodate residential walking access, affecting the businesses that these vehicles afford access to, as well as the somewhat heavily leaning upgrades to levy access. One of the biggest issues they face though, is the dire need for infrastructure upgrades to the drainage in Armourdale, so that resident's homes stop flooding with each heavy rain.

However, in my opinion, the residents of Armourdale would benefit from both the Osage Avenue non-semi access and levy trail upgrades greatly, with one benefitting residential safety and the other providing healthy and fun family activities.

I urge you to move forward with all of the Master Plans of recent years in WyCo!

Yours sincerely,

Claudine Sanders

Parker, Janet

From: Gene T Chavez <gtchavez45@gmail.com>
Sent: Wednesday, October 20, 2021 9:25 PM
To: Portillo, Kimberly
Cc: Parker, Janet
Subject: Letter of Support

October 20, 2021

I am writing in support of the Wyandotte County Planning Commission's unanimous approval of the Armourdale Area Master Plan. As a member of the Board of Trustees of the Wyandotte County Historical Society, and member of the Armourdale Area Master Plan steering committee,

This plan was the product of a collaborative engagement process and has the support of Armourdale community members. I wholeheartedly endorse the plan approved by the Planning Commission.

Sincerely,

Gene T. Chavez, Ed.D., Community Historian
(913) 206-2936



October 21 2021

To: Board of Commissioners

Regarding the Armourdale General Master Plan

CleanAirNow is a grassroots environmental justice organization in Kansas City, and was initiated by community concerns around chemical industrial pollution, diesel emissions, hazardous toxic waste and environmental health inequities at the fenceline. We support the plan only when the recommendations are embedded into the plan and to be taken seriously.

From the start, CleanAirNow has sought to disrupt and dismantle the environmental racism that impacts communities in Kansas City and the surrounding region. We focus on building community power through environmental health education, equitable community-based research projects, and people-driven solutions in public policy. These fenceline communities are neighborhoods located near pollution sources in the form of noise, odors, chemical and toxin releases, legacy contaminants, or other forms of man-made pollution.

CleanAirNow submitted detailed comments and recommendations. And on behalf of the community members struggling with environmental hazards and cumulative impacts of pollution that affect public health, we expect the commission and the Unified Government to take these recommendations seriously. This living document should be revisited often and we will make ourselves available as we envision an equitable future for all.

1. CleanAirNow considers Armourdale an environmental justice community. The history and disproportionate impacts of pollution on brown, indigenous, people of color (BIPOC) and low income communities living in Armourdale needs to be considered in Armourdale's General Plan.
2. The cumulative impacts of the various pollutants and environmental exposures experienced in the Armourdale community must be considered in the Armourdale General Plan.
3. Through the Armourdale General Plan, Armourdale must establish goals of reducing pollution and eliminating pollution, reforming land use, and addressing the environmental health inequities that exist.

4. In every aspect of the Armourdale General Plan, health, climate change and the climate vulnerability of residents must be considered.

The Armourdale General Plan would have been insufficient and incomplete without the input of community organizations and without considering the myriad, cumulative exposures experienced by the Armourdale community.

Thank you for the opportunity to participate in this process, we look forward to collaborating in other community led projects in the near future.

Sincerely



Beto Lugo
Executive Director
CleanAirNow
betomtz.lugo@cankc.org



Staff Request for Commission Action

Tracking No. 211079

Full Commission Meeting Date: 10/28/2021

Committee: Economic Development & Finance

Date of Standing Committee Action: 10/11/2021
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/22/2021	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> A resolution approving the waiving of certain fees associated with new construction of single-family homes and duplexes on vacant properties east of 78 th Street for two years in order to spur new development.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Resolution Approving Waiving of Infill Housing Fees				

RESOLUTION NO. R-_____

**A RESOLUTION APPROVING THE WAIVING OF CERTAIN FEES RELATED TO
INFILL HOUSING EAST OF 78TH STREET IN KANSAS CITY, KANSAS**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”) believes that it is essential to stimulate the development of residential housing for the benefit of the community and to raise the tax base; and

WHEREAS, the Unified Government believes that it is especially important to stimulate the development of new infill residential housing on vacant lots in the urban areas of Kansas City, Kansas; and

WHEREAS, in order to promote the construction of new infill housing on vacant lots east of 78th Street, the Unified Government believes that it is necessary and desirable to waive certain fees related to new construction.

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

Section 1. That the following fees (as they may be amended from time to time) are waived for a period of two (2) years from the date of this Resolution for any new residential (single-family and duplexes) infill housing east of 78th Street in Kansas City, Kansas where existing sewer systems are already in place:

- a. Building Permit Fee - \$400 for homes 3,000 sf or less and \$450 for homes over 3,000 sf
- b. Electrical Permit Fee - \$70 (average)
- c. Mechanical Permit Fee - \$70 (average)
- d. Plumbing Permit fee - \$70 (average)
- e. Driveway Permit fee - \$55
- f. Sewer Connection Fee - \$960
- g. Lateral Sewer Connection Fee - \$500

Section 2. That the provisions of this Resolution shall not apply to new subdivisions and other areas of the City where existing sewer connections have not already been built.

Section 3. That Unified Government staff is directed to track key performance indicators to measure the success of the fee waivers, including: (1) the number of homes built; (2) population count; (3) the number of new commercial developments in the area, and (4) crime rate statistics.

Section 4. That the County Administrator, Economic Development Director, Director of the Neighborhood Resource Center, the Director of Public Works and all other employees and agents of the Unified Government are authorized to take all actions and to approve all instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 5. This Resolution will take effect and be in full force from and after its passage by the Board of Commissioners.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF OCTOBER 2021.**

Attest:

Unified Government Clerk

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

**PLANNING & ZONING AND
REGULAR SESSION
AUGUST 26, 2021**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, August 26, 2021, with eleven members present via Zoom: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner Third District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. The following officials were also in attendance: Doug Bach, County Administrator; Melissa Sieben, Alan Howze, and Bridgette Cobbins, Assistant County Administrators; Misty Brown, Chief Legal Counsel; Wendy Green and Jeffrey Conway, Assistant Counsel; Patrick Waters, Deputy Chief Counsel; Janet Parker, Administrative Assistant; Alley Porter, Commission Liaison; Bryon Toy, Lead Planner; Gunnar Hand, Director of Planning and Urban Design; Jud Knapp, Interim Land Bank Manager; Katherine Carttar, Director of Economic Development; Ashley Hand, Director of Strategic Communication; Kathleen VonAchen, Chief Financial Officer; Juliann VanLiew, Director of Health Department; Brett Deichler, Interim UG Clerk; Carol Godsil, Deputy UG Clerk.

Mayor Alvey said before I call the meeting to order, I want to announce that due to COVID-19, many and most are attending remotely via Zoom, by phone and perhaps on site. All participants joining by phone should mute their phones when not speaking to avoid background noise.

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

Due to COVID-19 requirements, the public is allowed to participate by Zoom or submit comments by email prior to the meeting and those comments will be included in the record of the meeting. The public also has an opportunity to provide comments from the lobby of the Municipal Office building.

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

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

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

Mayor Alvey asked the Clerk, are there any revisions to tonight's agenda? **Brett Deichler, Interim Unified Government Clerk**, said there were no revision to tonight's agenda, Mayor.

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

PLANNING AND ZONING CONSENT AGENDA

Mr. Deichler read the statement, required by law, governing the Planning and Zoning portion of the meeting.

Mr. Deichler asked if any member of the Commission wished to disclose any contact with proponents or opponents on the agenda at this time. **Commissioner Philbrook** said I have COZ2021-022 and COZ2021-023. On 022 pro and against, and on 23 against. **Commissioner Kane** said ponents of COZ2021-023. **Commissioner Bynum** said contact with proponents of COZ2021-022; contact with opponents of COZ2021-023.

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

Mayor Alvey asked, does any member of the Commission, the County Administrator, or public wish to set aside any item on the Planning and Zoning Consent Agenda? If an item is not set-aside, all items on the Planning and Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission. Staff, do you have any? **Gunnar Hand, Director of**

Planning and Urban Design, said staff would request both plan reviews, PR2021-019 and 020 be removed from the Consent Agenda.

Mayor Alvey asked, do any of the applicants have any items to remove? I have a note here that Ahmad Almarbu, for A2 Change of Zone 2021-023. Is he here to request that to be removed? Staff, are you able to remove that for him if he's not here? **Mr. Hand** said if the applicant's not here to plead his case, I don't think staff is going to do it. He said he would be here, though.

Mayor Alvey asked, Legal, do you have an opinion on this. This is just complicated when we're doing Zoom calls. **Misty Brown, Chief Counsel**, said I would agree with Mr. Hand. If the applicant's not here to set aside the item, then I don't see how we could hear his side of the story. I would ask the Clerk's Office, are we sure there's no one else on the call; if this applicant is on there or in the wings?

Mayor Alvey said, Mr. Almarbu. **Mr. Deichler** said, Mayor and Legal, we do not see that name on either side, on the attendees list, obviously not on the panelist as well. Looking through the list here, I do not see anyone else that would fall or has contacted us under that domain. **Mr. Hand** said, again, I'm reviewing the attendees list and I don't see his designer on it either.

Mayor Alvey said, so we have one item that's been pulled. That is, two items, PR2021-019 and PR2021-020.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the Planning and Zoning Consent Agenda, excluding the set-asides.** Roll call was taken on the motion and there were ten "Ayes," McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

CHANGE OF ZONE APPLICATION

ITEM NO. 1 – 21989... COZ2021-022 - CURTIS PETERSEN WITH POLSINELLI

Synopsis: Change of Zone from A-G Agriculture District to CP-3 Planned Commercial District for construction of Camping World at 1201 North 98th Street, submitted by Gunnar Hand, Director of

August 26, 2021

Planning and Urban Design. The applicant has also requested a Change of Zone from A-G Agriculture District to CP-3 Planned Commercial District in order to allow for the construction of a Camping World sales facility, which will be used to sell recreation vehicles (RVs). The Planning Commission voted 6 to 0 to recommend approval of Change of Zone COZ2021-022, subject to:

- 1) The revised site plan, building elevations, and renderings do not demonstrate compliance with the Commercial Design Guidelines. If a deviation is not approved (Deviation Approved) by the City Planning commission, the following sections of the Commercial Design Guidelines must be met in the Final Plat:
 - a. Section 27-575(b)(3)b - No more than 80 percent of the off-street parking may be located in the front of the development if more than 80 percent is in front then the number of landscape islands will be increased by 50 percent;
 - b. Section 27-576(c)(1) - Commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of a building; and,
 - c. Section 27-576(c)(2) - In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of at least three of the following techniques: a. Divisions or breaks in materials; b. Building offsets (projections, recesses, niches); c. Window bays; d. Separate entrances and entry treatment; or e. Variation in rooflines;
- 2) If a deviation is not approved (Deviation Approved) by the City Planning commission, the position of the building must be moved, so that the proposed building is closer to the North 98th Street right-of-way. Per Section 27-575(f)(3), the building must be fronting the public right-of-way;
- 3) Fencing along the parcel boundary and within the parcel shall meet all Commercial Design Guidelines requirements, per Section 27-575(g) and Section 27-577;
- 4) These City Planning Commission cases are being heard in conjunction with BOZA2021-018. The following are conditions for BOZA2021-018 and are stated here for reference only, as COZ2021-022 is solely a rezoning from A-G Agriculture District to CP-3 Planned Commercial District, and PLAT2021-022 is a preliminary plat for one (1) commercial lot:
 - a. Provide sufficient landscaping along the property boundary lines;
 - b. A building permit is required for a permanent structure greater than 120 square feet;
 - c. Only those signs permitted in this division shall be granted a sign permit;
 - d. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward;
 - e. Driveways must be constructed and/or updated to comply with Section 27-575(a). If the Change of Zone to A-G Agriculture District is not granted, all new or updated 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. ADA compliant parking proximate to the entrance must be installed;
 - g. 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;

- h. Any business shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same parcel and be compliant with all applicable local ordinances screened from view in accordance with all applicable ordinances;
 - i. The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable; and,
 - j. Site improvements that include land disturbance activity on greater than 1 acre of surface area of land shall require a land disturbance permit;
- 5) The landscape plan must comply with all landscaping and screening requirements of the CDGOD, per Section 27-577. The only exception to landscaping compliance is any variance requested from BOZA2021-018 that is granted;
 - 6) All exterior lighting, whether mounted on the building or installed in the parking lot shall 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;
 - 7) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
 - 8) A building permit is required. Please contact the Building Inspection Department to begin that process;
 - 9) Incorporate Management Best Practices into revised site plans and construction techniques, as per the Wyandotte County Conservation District letter;
 - 10) The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable;
 - 11) 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 – Sect. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/ Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspection Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
 - 12) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve Change of Zone Application COZ2021-022, subject to the stipulations.**

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

August 26, 2021

ITEM NO. 2 – 21990...COZ2021-023 - AHMAD ALMARBU WITH OLIVE LLC

Synopsis: Change of Zone from R-1 Single Family and C-1 Limited Business Districts to CP-2 Planned General Business District for a proposed gas station and convenience store at 8919 Leavenworth Road, submitted by Gunnar Hand, Director of Planning and Urban Design. The applicant wants to rezone the property from C-1 Limited Business and R-1 Single Family Districts to CP-2 Planned General Business District to demolish an existing building and construct a 3,435 square foot convenience store/gas station with eight fuel pumps on 0.95 acre at 8919 Leavenworth Road. The Planning Commission voted 6 to 0 to recommend denial of Change of Zone COZ2021-023 due to traffic and safety concerns:

Planning and Urban Design Comments:

General Planning:

1. A Master Plan Amendment from Low Density Residential to Neighborhood Commercial must be filed. Submit the application with the Final Development Plan.
Applicant Response: Understood.
2. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.
Applicant Response: Understood.
3. Per Business Licensing Division: a. If approved, tenant will need to file and maintain a current occupation tax application.
Applicant Response: Understood.
4. What are the proposed hours of operation for convenience/gas station?
Applicant Response: Daily from 6:00 AM to 11:00 PM.
5. What time will trucks fill the underground storage tanks?
Applicant Response: Typically, between 9:00 AM and 2:00 PM – a specific time can be requested.
6. Parking lot shall be repaved and striped. Applicant Response: Provided.
7. Sec. 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.
Applicant Response: Provided.
8. Sec. 27-575(e)(3) Parking located between front of building and street right-ofway must provide an additional twenty (20) feet of landscaped area in addition to the required setback.
Applicant Response: Provided.
9. Sec. 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements.
Applicant Response: Provided.
10. Sec. 27-575(d)(9) To the maximum extent possible, there shall be pedestrian circulation from the perimeter of the site to the principal customer entrance to all buildings. Within the site, there shall be pedestrian connections provided to all pedestrian activities, including transit stops, street crossings, open space, building and store entry points, and adjacent pedestrian systems.
Applicant Response: A sidewalk connection from 89th Terrace to the building will be provided.

August 26, 2021

11. Sec. 27-575(d)(11) Internal pedestrian walkways within the parking lot or drive area must be distinguished from other surfaces.

Applicant Response: Pavement striping will be provided.

12. Sec. 27-575(d)(13) Site design should integrate and facilitate access to public transit.

Applicant Response: Sidewalk from the store to the public sidewalk will be provided

Building Architecture:

1. Sec. 27-576(c)(1) Commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of the building.

Applicant Response: Building design will meet all the design requirements. Quality materials, elements, and detailing will be on all four (4) sides of the building.

2. Sec. 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than forty-five (45) feet in length should be divided into increments of no more than forty-five (45) feet through the facades. This can be achieved through combinations of at least three (3) of the following techniques:

- a. Divisions or breaks in materials;
- b. Building offsets (projections, recess, niches);
- c. Window bays;
- d. Separate entrances and entry treatments; or
- e. Variation in rooflines.

There is a separate entry on the west elevation and elevations indicate building offsets, although the site plan does not indicate articulation on the building. The elevations depict two (2) primary building materials, brick, and stucco.

Much of the building is true stucco, which is listed as an approved exterior building material, however, the intent of the guidelines is ensure that good design incorporates and combines design theme, building façade materials, colors, roof, and equipment.

Applicant Response: All four sides of the building will incorporate variations in approved materials, colors, rooflines, and building projects. The roof equipment will be screened on all four sides.

3. Sec. 27-575(f)(2) Building should be located in such a manner as to minimize conflicts between pedestrians and automobiles.

Applicant Response: Provided.

4. Sec. 27-575(f)(3) Buildings should be oriented primarily to the street. The building should be orientated towards the northeast corner of the site, closer to North 89th Terrace and Leavenworth Road. The pumps and canopy could be oriented on the west side of the building, whereas the building can be on the within twenty-five (25) feet of Leavenworth Road to comply with the CP-2 setbacks. See the redline markup of the landscape plan.

Applicant Response: The current proposed site layout is the only way the project will function. Due to the slope of the topography, the entry has to be located as far north along 89th Terrace as possible. The building has to be placed toward the south of the property to allow for enough parking and fuel truck turning radius around the pump canopy, as well as to maintain visual surveillance for staff to monitor the gas pumps.

Staff Response: The applicant seeks a deviation from the Commercial Design Guidelines regarding the location and orientation of the building, gas pumps and off-street parking in proximity to Leavenworth Road and 89th Terrace.

5. Gas canopy columns shall be wrapped in masonry.

Applicant Response: Provided

Landscaping and Screening

1. Keep existing full growth trees along Leavenworth Road and along the east property line.
Applicant Response: Provided.
2. All screening is to be maintained to minimize impacts of conflicting uses.
Applicant Response: Provided.
3. Sec. 27-466(g) Trees are required at not less than one (1) per 7,000 square feet of site area. Six (6) foot high architectural screening in combination with a landscaped buffer area is to be provided alongside and rear property lines common to or across an alley from residentially zoned property. The architectural screen can either be fencing or landscaping. The fence shall be comprised of wood with masonry columns every thirty-two (32) feet running.

Per Sec. 27-277(a)(5) Landscaping shall exceed the typical code requirements by a least 75 percent. The site for the proposed development is 0.95 acres, ten (10) trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lots zoned CP-2 Planned General Business District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands.

Applicant Response: Provided.

Staff Response: The privacy fence shall extend south from the northernmost parking stall along the east property line and continue west along the south property line to the edge of pavement. The masonry columns on the fence shall match the brick on the building. Trees and shrubs shall be installed on the outside of the fence, facing the single-family homes and residential zoning.

4. Sec. 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements forty (40) feet wide or greater. This requirement may be reduced to twelve (12) feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curblin of a private easement.
Applicant Response: Provided.
5. Sec. 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of thirty (30) inches at maturity.
Applicant Response: Provided.
Staff Response: Install a small retaining wall (less than three and one-half feet (3-½) feet) north of the fuel tanks and plant additional shrubs and trees in the landscape buffer to screen vehicle headlights from residences across Leavenworth Road.
6. 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.
Applicant Response: Provided.
7. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every thirty (30) feet of street easement or frontage.

b. Street trees should be planted no closer than fifty-five (55) feet and no more than sixty-five (65) feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Understood.

8. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted.

Applicant Response: Understood.

9. All landscaping shall be irrigated.

Applicant Response: An irrigation system will be incorporated.

10. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and the trash enclosure.

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

Applicant Response: Provided.

11. BPU transformer pad shall be completely screened on three (3) sides with six (6) foot junipers setback (3) feet from the pad and ten (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.

Applicant Response: Provided.

12. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view the parapet.

Applicant Response: Provided.

13. Mechanical equipment or other utilities whether on the ground or mounted on the building shall be screened from public view. The screening shall either be dense landscaping with a minimum of six-foot (6) evergreens or an architectural wall constructed from the same materials as the main building.

Applicant Response: Understood.

14. Sec. 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.

In addition to vertical glare, lighting may not cast horizontally on adjacent properties.

Applicant Response: All exterior lighting will be down directional only.

15. All lighting whether mounted on the building or installed in the parking lot shall have 90-degree cutoff fixtures. Additionally, this includes lighting installed underneath the canopy.

Applicant Response: All exterior lighting will be down directional only.

Signage:

Shall comply with the sign code.

August 26, 2021

Applicant Response: All signage will comply with the sign code.

Planning Engineering Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None.
- B) Items that are conditions of approval:
 - 1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None.

Action: Commissioner Kane made a motion, seconded by Commissioner Philbrook, to deny Change of Zone Application COZ2021-023. Roll call was taken and there were ten "Ayes," Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 3 – 21991...COZ2021-024 - RON WU

Synopsis: Change of Zone from R-1 Single Family District to R-2 Two Family District for an existing duplex at 609 and 611 South 75th Street., submitted by Gunnar Hand, Director of Planning and Urban Design. The applicant wants to amend the City Wide Master Plan from Low Density Residential to Medium Density Residential to purchase the property, which is being used as a duplex and correct the zoning of the property to reflect the use. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone COZ2021-024, subject to:

1. File a Master Plan Amendment from Low Density Residential (City-Wide Master Plan) to Medium Density Residential (City-Wide Master Plan) that corresponds with the rezoning petition;
2. Please refer to the approved tree list (in the attachments). Trees shall be planted in the front yard. Prior to planting, call a utility location service to mark utilities;
3. If rented, a rental license from Rental Licensing shall be obtained for two (2) dwelling units; and,
4. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve Change of Zone Application COZ2021-024, subject to the stipulations. Roll call was taken and there were ten "Ayes," Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

August 26, 2021

ITEM NO. 4 21992...COZ2021-025 – RON WU

Synopsis: Change of Zone from R-1 Single Family District to R-2 Two Family District for an existing duplex at 617 and 619 South 75th Street, submitted by Gunnar Hand, Director of Planning and Urban Design. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone COZ2021-025, subject to:

1. File a Master Plan Amendment from Low Density Residential (City-Wide Master Plan) to Medium Density Residential (City-Wide Master Plan) that corresponds with the rezoning petition;
2. Please refer to the approved tree list (in the attachments). Trees shall be planted in the front yard. Prior to planting, call a utility location service to mark utilities;
3. If rented, a rental license from Rental Licensing shall be obtained for two (2) dwelling units; and,
4. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve Change of Zone Application COZ2021-025, subject to the stipulations.**

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

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 21993...SP2021-026 - LOYD A. CLAY

Synopsis: Special Use Permit for the Temporary Use of Land to park salt plow trucks at 7852 Leavenworth Road, used for a commercial business at a residential property, submitted by Gunnar Hand, Director of Planning and Urban Design. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit SP2021-026, subject to:

1. All vehicles and equipment shall continuously be properly licensed, registered, and operable;
2. Vehicles are to be stored on the property from late March to late November – off-season;
3. Trucks shall be parked on an improved surface of asphalt or concrete;
4. While no tires are disposed of on-site, any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;

5. There is enough parking on site to park four (4) trucks in addition to the vehicles needed for the residents of the property, however, any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27- 466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
6. Vehicle repairs are not allowed to be done on the property. If vehicles are to be repaired, they must be taken to a repair shop. This Special Use Permit is only to park salt plow trucks on the property;
7. Trucks are not allowed to be washed on the site to prevent contaminated water from getting into East Marshall Creek;
8. If conditions are not adhered to, this Special Use Permit may be brought to the Unified Government Board of Commissioners for revocation;
9. Temporary Use of Land Special Use Permits have a maximum duration of two (2) years. If approved, the applicant will have two (2) years to find a permanent solution for the proposed use. This is the last renewal to store salt plow trucks on the property;
10. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
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.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve Special Use Permit Application SP2021-026 for two years, subject to the stipulations.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

ITEM NO. 2 – 21988...SP2021-061 - JEFFREY E. HOLLINSHED

Synopsis: Renewal of a Special Use Permit (SP-2019-16) for live entertainment at 2003 1/2 to 2005 North 5th Street, submitted by Gunnar Hand, Director of Planning and Urban Design. The Planning

August 26, 2021

Commission voted 6 to 0 to recommend approval of Special Use Permit SP2021-061 for five (5) years, subject to:

1. Plant three (3) trees between the north façade of the building, north along North 5th Street towards Parallel Avenue (list of approved street trees are in the attachments);
2. Submit a sign permit application and scaled and dimensioned drawing of the mural on the north façade of the building to the Department of Planning and Urban Design;
3. The coffee shop and dining area has thirty-two (32) seats and closes at 11:00 PM on Thursday, Friday, and Saturday. The music performed by local artists will be ambient and not a dance club or lounge. Work with USD 500 to offer opportunity for student musicians;
4. Hours of operation is Thursday and Saturday 5:00 PM – 11:00 PM and Sunday 11:00 AM – 5:00 PM;
5. Alcohol can be served on the premises, but must comply with regulations regarding total food sales exceeding alcohol sales;
6. An ID card reader shall be provided as alcohol is served on the premises
7. Any illumination that results from a live entertainment event shall not be seen or otherwise impact adjacent residential uses;
8. Doors and windows shall remain closed when live entertainment is being performed;
9. If there is an incident that the authorities are notified by the owner/manager, and the patron is promptly removed;
10. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
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; and,
12. Subject to approval, 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 Kane made a motion, seconded by Commissioner Philbrook, to approve Special Use Permit Application SP2021-061 for five years, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

August 26, 2021

VACATION APPLICATION

ITEM NO. 1 – 21994...VAC2021-009 - WIL ANDERSON WITH BHC RHODES

Synopsis: Vacation of an electrical utility easement at 5917 North 123rd Street and record a separate electrical easement for the existing electrical lines, submitted by Gunnar Hand, Director of Planning and Urban Design. The Planning Commission voted 6 to 0 to recommend approval of Vacation VAC2021-009, subject to:

1. 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;
2. The County Surveyor makes separate technical review of the vacation documents and submits comments directly to the preparer of the vacation;
3. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable; and,
4. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve Vacation Application VAC2021-009, subject to the stipulations. Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Walters.

PLAN REVIEW APPLICATIONS

Mayor Alvey said the next two set asides will be heard together. D1 and D2 are Plan Review Applications PR2021-019, PR2021-020. Mike Sanders, with Nampara Properties, for preliminary and final plan review for an office warehouse with the initial use being the laydown area at 4501 Douglas Avenue and 4605 Shearer Road. The Planning Commission recommended approval for both items. I’d ask staff to make some opening remarks.

ITEM NO. 1 – 21995...PR2021-019 - MIKE SANDERS WITH NAMPARA PROPERTIES, LLC

Synopsis: Preliminary and Final Plan Review for an office warehouse with the initial use being the laydown area at 4501 Douglas Avenue, submitted by Gunnar Hand, Director of Planning and Urban Design. The Planning Commission voted 6 to 0 to recommend approval of Plan Review PR2021-019, subject to:

- 1) The proposed office and warehouse building will require its own Final Development Plan;
- 2) Per Section 27-469(c)(2), no equipment, material or vehicles, other than operable motor passenger cars, may be kept, parked, stored or displayed closer than 25 feet to a street line unless such area is screened from the street by a solid fence or other obstruction, set back not less than six feet from the street line and not less than three feet in height;
- 3) Per Section 27-469(c)(3), all accessory materials and products that have been previously used, such as lumber, steel, and other metals and concrete products shall be totally screened from view from off the premises. Yards for junk, inoperable vehicles, or salvage storage are not permitted in this district;
- 4) When in the course of proposed or future development it becomes necessary to maintain the slope against the south property line, a new or reinforced retaining wall will need to be constructed. If a retaining wall is necessary for the laydown area, retaining wall calculations are required to be submitted as part of this application. If the wall will be built with the building, calculations must be submitted as part of the Final Development Plan. The existing rock/shale cliff should be preserved and enhanced with landscaping to maintain separation;
- 5) Noise level will not exceed 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;
- 6) The laydown area may be asphalt millings, however the drive aisles to get to the storage pads must be paved with concrete or asphalt. The entire parcel, not including ground cover and storm water detention cannot be wholly covered with asphalt millings. The applicable paving requirements within the Zoning Code are regulated by Section 27-675. If the applicant will not or cannot comply with an allowed or alternative paving scheme as provided by the Unified Government, then the applicant must request a variance from Section 27-675; Applicant is responsible for ensuring that all contractors are issued all necessary permits from the Unified Government departments, including right-of-way and electrical permits;
- 8) If approved, the applicant will need to file and maintain a current business occupation tax application with this office;
- 9) The laydown area may be asphalt millings, however the drive aisles to get to the storage pads must be paved with concrete or asphalt. The entire parcel, not including ground cover and storm water detention cannot be wholly covered with asphalt millings. Per Section 27-675(a): "All parking, loading and maneuvering areas except those serving single-family dwellings or agricultural uses shall be graded and surfaced with a permanent bituminous or concrete pavement. The minimum such surface shall be two (2) inches of asphalt over six (6) inches of compacted gravel. The Unified Government Engineer shall determine acceptable alternatives. All parking spaces shall be clearly marked. All improvements shall be designed and constructed as necessary to prevent dust, erosion, excessive water flow across streets or adjoining property, and to control traffic. A less but dust-free standard of improvement may be permitted by the Unified Government Engineer for industrial storage yards used exclusively for inoperable vehicles, parts, building materials, supplies and equipment of heavy construction equipment and not for parking, loading, or maneuvering." The

accepted and approved alternative by the Planning and Urban Design and Public Works Departments is asphalt millings for storage laydown pads for the explicit placement of equipment and materials, whereas the drive aisles that lead to these pads shall be paved with either concrete or asphalt. This standard precedes the current Director of Planning and Urban Design and Public Works County Engineer dating back to the late 2000s;

- 10) Per Section 27-676(a), a parking lot with 26 to 50, the total parking spaces require at least two (2) ADA-compliant parking spaces. The current parking plan shows 43 total parking spaces, three (3) of which are ADA-compliant. Parking must comply with this plan;
- 11) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
- 12) The Final Plan Review must include a revised parking plan that demonstrates pedestrian access, including sidewalks and walkways across the parking lot, and sidewalks along Douglas Avenue and South 45th Street for future connectivity. The applicant must state how they have or will comply with the following Circulation sections of the Commercial Development Guidelines Overlay District, as found in the Staff Comments and Suggestions section of this report: Sections 27-575(d)(4), (7)c, (8), (9), (10), and (12);
- 13) The applicant must state how they have or will comply with the following Parking sections of the Commercial Development Guidelines Overlay District, as found in the Staff Comments and Suggestions section of this report: Sections 27-575(e)(1), (2), (4), (5), (6), and (8);
- 14) If the applicant may submit revised building elevations as part of a future Preliminary and Final Plan Review. Any submitted building elevations must with the following Building Elements sections of the Commercial Development Guidelines Overlay District, as found in the Staff Comments and Suggestions section of this report: Sections 27-575(f)(1) and (5), and Section 27-576(h)(2);
- 15) Per Section 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. All screening materials must be well maintained at all times;
- 16) The landscape plan must comply with the following requirements, as found in the Staff Comments and Suggestions section of this report: Section 27-466(g), and Sections 27-577(a)(5), (b)(2), (b)(3), (c), (d)(1), and (e);
- 17) As part of the DRC submittal for building permit for the laydown yard, a revised plan should demonstrate additional shrubbery along the east (front) boundary line, in line with or just to the west of the proposed trees, in order to soften the visible impact of the proposed building and the parking lot;
- 18) Sec. 27-700(b)(3) Districts M-1, M-2, and M-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 15 feet in width improved with a six (6) foot architectural screen adjacent to the property line and one row of shade trees spaced not more than 40 feet on center and one row of large shrubs spaced not more than eight (8) feet on center;
- 19) Per Section 27-575(c), the following standards must be met during the redevelopment of the property:
 - a. Where possible, new development should maintain the natural topography of the existing site. Extensive grading (more than 70 percent of the site) or unusual site improvements are strongly discouraged; and,

- b. Site drainage patterns shall be designed to prevent surface drainage from collecting on and/or flowing across pedestrian areas;
- 20) The applicant must undertake the following steps to mitigate the effects of site development and construction:
 - a. 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,
 - b. 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;
- 21) Retain and preserve the existing rock/slate cliff to the west;
- 22) A building permit is required. Please contact the Building Inspection Division at (913) 573-8620 to begin that process;
- 23) Per Section 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 (1) foot-candle as measured from said property line;
- 24) All lighting, whether mounted on the building (future) or in the parking lot shall have 90-degree cutoff fixtures;
- 25) 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,
- 26) 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.

Case	
PR2021-019	
Petitioner	Address
Mike Sanders, With Nampara Properties	4501 Douglas Avenue Kansas City, Kansas 66106
Synopsis	
The applicant, Mike Sanders with Nampara Properties, LLC, is requesting a Preliminary and Final Plan Review for an office warehouse with the initial use being a laydown area on 2.13 Acres.	

and

August 26, 2021

ITEM NO. 2 – 21996... PR2021-020 - MIKE SANDERS WITH NAMPARA PROPERTIES, LLC

Synopsis: Preliminary and Final Plan Review for an office warehouse with the initial use being the laydown area at 4605 Shearer Road, submitted by Gunnar Hand, Director of Planning and Urban Design. The Planning Commission voted 6 to 0 to recommend approval of Plan Review PR2021-020, subject to:

1. The 30,000 square foot office and warehouse building will require its own Final Development Plan;
2. The exterior portion of the building where the office is located shall comply with the Commercial Design Guidelines;
3. Sec. 27-211(j) In the event that a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or a section thereof and shall so notify the Unified Government in writing, or in the event the landowner shall fail to commence, as evidenced by receipt of building permits and start of construction, the planned development within eighteen (18) months after final approval has been granted or in the case of subsequent phases each shall be initiated within twenty-four (24) months of issuance of a certificate of occupancy on the entire preceding phase or the plan will be considered abandoned, then in either event such a final approval shall terminate and shall be deemed null and void unless such time period is extended by the Planning Commission upon written application by the landowner. Wherever a final plan or section thereof has been abandoned as provided in this section, no development shall take place on the property until a new development plan has been approved;
4. Sec. 27-469(c)(2) No equipment, material or vehicles, other than operable motor passenger cars, may be kept, parked, stored or displayed closer than twenty-five (25) feet to a street line unless such area is screened from the street by a solid fence or other obstruction, set back not less than six feet from the street line and not less than three feet in height;
5. 5. Sec. 27-469(c)(3) All accessory materials and products that have been previously used, such as lumber, steel, and other metals and concrete products shall be totally screened from view from off the premises. Yards for junk, inoperable vehicles, or salvage storage are not permitted in this district;
6. The existing slope and vegetation on the western and south property lines shall be preserved and enhanced as the residences will be in plain view of the laydown yard and future building site. This tree line effectively screens the laydown area and future building site from the single-family homes to the west. The applicant has stated that the existing slope and trees along the south and west lines have been left in place above the proposed retaining walls;
7. Sec. 27-700(b)(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 (wood or metal privacy fence with masonry columns every 32 feet running) adjacent to the property line and one (1) row of shade trees not spaces more than forty (40) feet on center and one row of large shrubs spaced not more than eight feet on center. The landscaping on the south and west property line shall be enhanced to meet this code. In order to ensure that the residences are protected from having to look down on the storage yard and industrial building (future), the privacy fence with masonry columns every thirty-two

- (32) feet running shall be installed between the retaining wall and the existing vegetation (abutting the property lines) on the south and west slopes;
8. Significant landscaping shall be installed behind the residences on the western property line that currently have overgrown vegetation against the fence line;
 9. Street trees along Shearer Road shall be installed during construction of the laydown storage area;
 10. 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;
 11. All lighting, whether mounted on the building or installed in the parking lot shall 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. In addition to vertical glare, lighting may not cast horizontally on adjacent properties; and,
 12. The laydown area may be asphalt millings, however the drive aisles to get to the storage pads must be paved with concrete or asphalt. The entire parcel, not including ground cover and storm water detention cannot be wholly covered with asphalt millings.
- Sec. 27-675(a) All parking, loading and maneuvering areas except those serving single-family dwellings or agricultural uses shall be graded and surfaced with a permanent bituminous or concrete pavement. The minimum such surface shall be two (2) inches of asphalt over six (6) inches of compacted gravel. The Unified Government Engineer shall determine acceptable alternatives. All parking spaces shall be clearly marked. All improvements shall be designed and constructed as necessary to prevent dust, erosion, excessive water flow across streets or adjoining property, and to control traffic. A less but dust-free standard of improvement may be permitted by the Unified Government Engineer for industrial storage yards used exclusively for inoperable vehicles, parts, building materials, supplies and equipment of heavy construction equipment and not for parking, loading, or maneuvering.
- The accepted and approved alternative by the Planning and Urban Design and Public Works Departments is asphalt millings for storage laydown pads for the explicit placement of equipment and materials, whereas the drive aisles that lead to these pads shall be paved with either concrete or asphalt. This standard precedes the current Director of Planning and Urban Design and Public Works County Engineer dating back to the late 2000s.

Gunnar Hand, Director of Planning and Urban Design, said both of these cases are within the Industrial Park. It's the one just west of 635, between Metropolitan and Gibbs Rd., sort of. They're owned by the same property owner; being developed at the same time. Both are also proposing essentially an office warehouse, but a temporary laydown yard, outdoor storage and materials, which is allowed by right in the zone.

Staff's been working with the applicant in regard to screening of adjacent residentially zoned properties. We did, in further detail, review both cases. The 4501 Douglas Rd., staff would simply request that we add additional landscaping and screening for the residentially zoned properties across from Douglas to the north and west, and that it be built similar to and the timing similar to the other

project located at 4605 Shearer Rd.; that we do those improvements initially in the first phase, i.e for the laydown yard, not just for a future development.

We wanted to correct the 4501 Douglas Ave., to have the same sort of landscaping screening requirements as the other project. Then, for both, staff is requesting that we max out the time that we would allow for a laydown yard as the intended use is supposed to be office and warehouse. This industrial development does have sort of heightened standards associated with it that sort of does not discourage, or does not prevent, but certainly would discourage kind of a laydown operation in the long term. So we would ask the maximum of—we spoke with the applicant of 10 years be applied for a laydown yard. That should give them ample time to find a future development and developer moving forward.

There would be two additional conditions for PR2021-019. One for landscaping, one for this maximum amount of time to have the temporary laydown yard. Then the other one would just be that maximum time the PR2021-020 would have. We would request a maximum time for the laydown yard to be a 10-year period as well. With that, we'd have to take any questions regarding the cases.

Mayor Alvey said since this is my neighborhood, I'm just going to ask what we're achieving here is the folks who live on that ridge above the Industrial Park will have what is laid down and stored in that laydown yard, will be screened from view in anticipation that ultimately it would be developed as a warehouse or industrial space, correct? **Mr. Hand** said correct. **Mayor Alvey** said okay.

Mayor Alvey asked, is the applicant here.

Mike Sanders, Nampara Properties, LLC, said Mr. Mayor can you hear me. **Mayor Alvey** said I initially just want to say thank you, Mr. Hand and Mr. Toy, with the staff. They've been excellent to work with. Everything he said I think elucidates exactly where we are on this project. The highest and best use for this property clearly is as a warehouse and/or building space.

From a development side we have to be able to cash for the lot improvements and the site and pad site improvements. Ergo the 10 year timeframe. I think as everyone's familiar with, Mr. Mayor, you're familiar with the area. A significant challenge with the grade, underlying rock. It's expensive

to get those pad sites ready and so this will allow us the opportunity to improve the pad site and then ultimately bring in someone for a warehouse and/or building structure in that area.

I can tell you, it's on the market now. If we get the pad sites ready, there is a lot of interest so we don't expect to wait that 10-year stretch. But in working with our lending institution, we would need that in order to secure the financing to move the project forward. But, once again, thank you and I'll certainly answer any questions anyone has.

Mayor Alvey said sounds like you're good with this. **Mike Sanders** said yes, sir. **Mayor Alvey** asked any questions or comments from the commissioners?

Mayor Alvey said I'll now open the public hearing. Is there anyone present in opposition? **Mr. Deichler** said seeing none.

Mayor Alvey asked, is there anyone present in support? **Mr. Deichler** said seeing none, as well.

Mayor Alvey asked, have we received any written communications? **Mr. Deichler** said we have not.

Mayor Alvey said I will now close the public hearing and entertain a motion.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Philbrook to approve.**

Misty Brown, Chief Counsel, asked, if I may, may I clarify, Commissioner Markley? I believe we need to vote separately on each item here. So, are you moving for approval for PR2021-019 with the stipulations by Mr. Hand? **Commissioner Markley** said well, technically, Commissioner Burroughs, I think got in ahead of me, but I will make that motion with the stipulations from Gunnar Hand, for 2021-019. That's first on our agenda so we'll go with that one first. So that includes the two stipulations, one for the time period and one for the landscaping, right Gunnar, right? **Mr. Hand** said yes, that's correct.

Action: Commissioner Markley made a motion, seconded by Commissioner Philbrook to approve Plan Review Application 2021-019, subject to staff's stipulations and the two stipulations stated by Gunnar Hand (landscaping and 10-year maximum for temporary laydown yard).

Mr. Deichler asked, Counselor, real quick. Does that stipulation change the vote? What would be the passing vote for that? **Ms. Brown** said that we will take eight since we're changing the Planning Commission's recommendations.

Roll call was taken on the motion and there were ten "Ayes," McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

Action: Commissioner Markley made a motion, seconded by Commissioner Philbrook to approve Plan Review Application PR2021-020, subject to the stipulations with the added stipulation for the time period as previously stated by Gunnar Hand (landscaping and 10-year maximum for temporary laydown yard). Roll call was taken and there were ten "Ayes," McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

MISCELLANEOUS - ORDINANCES

ITEM NO. 1 – 21997...AN ORDINANCE

Synopsis: An Ordinance rezoning property at 88 South 7th Street Trafficway (COZ2021-014) from R-1(B) Single Family District to R-2(B) Two Family District, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-104-21**, "An ordinance rezoning property hereinafter described located at approximately 88 South 7th Street Trafficway in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to R-2(B) Two Family District." **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken and there

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

ITEM NO. 2 – 21998...AN ORDINANCE

Synopsis: An Ordinance rezoning property at 2716 and 2718 South 53rd Street (COZ2021-010) from R-1 Single Family District to RP-2 Planned Two Family District, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-105-21**, “An ordinance rezoning property hereinafter described located at approximately 2716 and 2718 South 53rd Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to RP-2 Planned Two Family District.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 3 – 21999...AN ORDINANCE

Synopsis: An Ordinance rezoning property at 3860 Bell Crossing Drive (COZ2021-008) from R-1 Single Family District to A-G Agriculture District, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-106-21**, “An ordinance rezoning property hereinafter described located at approximately 3860 Bell Crossing Drive in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 4 – 211000...AN ORDINANCE

Synopsis: An Ordinance vacating right-of-way at 5837 Leavenworth Road (VAC2021-005), submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-107-21**, “An ordinance vacating A tract of land being located in Section 35, Township 10, Range 24, in Kansas City, Wyandotte County, Kansas being more particularly described as follows: Commencing at the Northwest corner of Lot 18, Brenner Heights Acres, a subdivision as recorded in the Office of the Recorder, Wyandotte County, Kansas; thence South 87° 27' 06" West, a distance of 145.02 feet; thence North 01° 33' 38" West, a distance of 217.00 feet; thence South 65' 24' 05" West, a distance of 28.96 feet; thence South 01° 33' 38" East, a distance of 74.86 feet; thence along a curve to the right, tangent to the preceding course, having a radius of 700.00', an arc distance of 131.58 feet; thence North 88° 26' 22" East, a distance of 38.98 feet, returning to the Point of Beginning. Tract contains 6,167.93 sq. ft. Located at approximately 5837 Leavenworth Road, Kansas City, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 5 – 211001...AN ORDINANCE

Synopsis: An ordinance vacating an alley at 415 and 417 Stine Avenue (VAC2021-007), submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-108-21**, “An ordinance vacating a Tract of land being a part of a publicly dedicated alley, to be vacated, bounded on the North by the South lines of Lots 18-22; bounded on the East by the extension of the East line of Lot 22; bounded on the South by the North line of Lot 17; bounded on the West by the extension of the West line of Lot 18, all in Block 3, POTOMAC HEIGHTS, a subdivision in the City of Kansas City, Wyandotte County, Kansas, as surveyed on June 8, 2018, by Steven S. Shafer, LS-852 of BHC, and being more particularly described by metes and bounds as follows: (Note: For course orientation, the bearings in this description are based on the East Right-of-Way line of South Fifth Street, having a bearing of North 02° 12'

23" West, as determined by Global Positioning System observations, and referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.) BEGINNING at the Southwest corner of said Lot 18; Thence North 87° 47' 48" East, 125.00 feet, on the South Line of said Lots 18 through 22, to the Southeast corner of said Lot 22; Thence South 02° 12' 23" East, 16.00 feet, on the Southerly prolongation of the East line of said Lot 22, to the Northeast corner of said Lot 17; Thence South 87° 47' 48" West, 125.00 feet, on the North line of said Lot 17, to the Northwest corner of said Lot 17; Thence North 02° 12' 23" West, 16.00 feet, on the Northerly prolongation of the West line of said Lot 17, to the POINT OF BEGINNING, said Tract containing 2,000 square feet or 0.0459 acres. Subject to an easement to all existing utilities. Located at approximately 415 and 417 Stine Avenue, Kansas City, Kansas.”

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

ITEM NO. 6 – 211002...AN ORDINANCE

Synopsis: An Ordinance authorizing a Special Use Permit (SP2021-049) for continuation of a performance auto service shop at 1110 Merriam Lane, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-109-21**, “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, for continuation of a performance auto service shop at 1110 Merriam Lane.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 7 – 211003...AN ORDINANCE

August 26, 2021

Synopsis: An Ordinance authorizing a Special Use Permit (SP2021-054) for continuation of a Short-Term Rental/AirBnB at 3846 and 3848 North 123rd Street, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-110-21**, “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, for continuation of a short-term rental/Airbnb at 3846 and 3848 North 123rd Street.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 8 – 211004...AN ORDINANCE

Synopsis: An Ordinance authorizing a Special Use Permit (SP2021-039) for a Short-Term Rental/AirBnB at 4449 Rainbow Boulevard, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-111-21**, “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, for a short-term rental/Airbnb at 4449 Rainbow Boulevard.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 9 – 211005...AN ORDINANCE

Synopsis: An Ordinance authorizing a Special Use Permit (SP2021-042) to keep two (2) cows on the property at 734 South 76th Street, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-112-21**, “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, to keep two cows on the property at 734 South 76th Street.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 10 – 211006...AN ORDINANCE

Synopsis: An Ordinance authorizing a Special Use Permit (SP2021-053) for a Home Occupation Short-Term Rental/AirBnB at 11827 Marxen Road, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-113-21**, “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, for a home occupation short-term rental/Airbnb at 11827 Marxen Road.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook made a motion to approve to approve the ordinance.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 11 – 211007...AN ORDINANCE

Synopsis: An Ordinance authorizing a Special Use Permit (SP2021-058) for continuation of a Homestead Montessori Farm school within a residence at 3800 Weaver Court, submitted by Gunnar Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-114-21**, “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, for continuation of a Homestead Montessori Farm school within a residence at 3800 Weaver Court.” **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to**

approve the ordinance. Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

PLANNING AND ZONING NON-CONSENT AGENDA

No items of business

Mayor Alvey said that concludes the Planning and Zoning portion of tonight’s meeting. We’ll now move to the regular portion of our agenda. 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.

REGULAR CONSENT AGENDA

Does any member of the Commission or County Administrator wish to set aside any item on the Regular Consent Agenda? If an item is not set aside, all items on the Regular Consent Agenda will be voted on by one vote.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Philbrook, to approve all items as submitted.**

Mayor Alvey asked, any discussion? Seeing none, roll call.

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

ITEM NO. 1 – 21963... RESOLUTION: ELIGIBLE FINANCIAL INSTITUTIONS AND DESIGNATING AUTHORITY

Synopsis: A resolution designating Unified Government (UG) depositories and eligible institutions for purposes of receiving UG funds for investment and receiving requests for bids for investment of its idle funds, submitted by Rick Mikesic, Director of Revenue/County Treasurer; and Andrea Parra, Deputy County Treasurer. On August 9, 2021, the Economic Development and Finance Standing

August 26, 2021

Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-54-21**, “A resolution establishing financial institutions and designating authority to certain Unified Government to take actions with respect to those eligible financial institutions.” **Commissioner Ramirez made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 2 – 21970...RESOLUTION: 4TH AMENDMENT TO THE DOWNTOWN CAMPUS DEVELOPMENT AGREEMENT

Synopsis: A resolution adopting the 4th amendment to the Downtown Campus Development Agreement which better defines some requirements, reduces the square footage of the Reardon Center, prioritizes the distribution of CID proceeds, and extends the drop dead date, submitted by Katherine Carttar, Director of Economic Development. On August 9, 2021, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-55-21**, “A resolution adopting the fourth amendment to Downtown Campus Development Agreement with Lanier United, LLC.” **Commissioner Ramirez made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 3 – 21971...RESOLUTION: THE 4TH AMENDMENT TO THE KC FOODIE PARK DEVELOPMENT AGREEMENT

Synopsis: A resolution approving the 4th amendment to KC Foodie Park Development Agreement to primarily extend planning and construction deadlines, submitted by Katherine Carttar, Director of

Economic Development. On August 9, 2021, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve, and forward to full commission.

Action: **RESOLUTION NO. R-56-21**, “A resolution adopting the fourth amendment to KC Foodie Park Development Agreement with KC Foodie Park, LLC d/b/a Scavuzzo’s Food Service Company.” **Commissioner Ramirez made a motion, seconded by Commissioner Philbrook, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 4 – MINUTES

Synopsis: Minutes from regular sessions of April 29 and July 1, 2021; and special sessions of July 15 and 29, 2021.

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

ITEM NO. 5 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated August 12 and 19, 2021.

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

PUBLIC HEARING AGENDA

No items of business

STANDING COMMITTEES' AGENDA

August 26, 2021

ITEM NO. 1 – 211010...RESOLUTION: HISTORIC PRESERVATION FUND GRANTS

Synopsis: A resolution approving the following two project agreements with the Kansas Historical Society, State Preservation Office, relating to Historic Preservation Fund Grants, submitted by Gunnar Hand, Director of Planning and Urban Design. On May 3, 2021, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve, and forward to full commission.

- Downtown KCK Historic Commercial District in the amount of \$21,000, \$12,500 of which will be paid by the State with federal grant funds and the local match coming from both the Planning and Urban Design long-range planning budget in combination with in-kind contributions.
- Downtown KCK Historic Churches Multiple Listings Designation in the amount of \$30,000, \$18,000 of which will be paid by the State with federal grant funds and the local match coming from both the Planning and Urban Design long-range planning budget in combination with in-kind contributions.

Gunnar Hand, Director of Planning and Urban Design, said about two or three months ago, we came to you with the request to pursue two historic preservation fund grants through the State Historic Preservation Office. We have received those funds in award because the state technically recognized the State Historic Preservation Office as a municipality. It's not simply a contract that Mr. Bach can sign. We actually have to go through an inner jurisdictional agreement which requires a full board of commissioners' votes. This is to accept the two grants we have previously been awarded for both a Downtown Historic District, a Commercial District, and a Downtown Historic Churches Multiple Listings Grant, which we hope to execute over the next six to nine months.

Mayor Alvey said, Commissioner McKiernan, you chaired the committee. Any additional comments? **Commissioner McKiernan** said no, Mr. Mayor. I think the Committee was in support, certainly of the original request for the grants. I certainly will support this agreement with the state.

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

Action: **RESOLUTION NO. R-57-21**, "A resolution approving two project agreements with the Kansas Historical Society, State Preservation Office, relating to Historic Preservation Fund Grants, Project Agreements HPF 2021-10033 and HPF 2021-

August 26, 2021

10036.” **Commissioner Johnson made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ADMINISTRATOR'S AGENDA



ITEM NO. 1 – 21972...ORDINANCE/RESOLUTION: ACCEPTING AND ALLOCATING THE AMERICAN RESCUE PLAN ACT (ARPA) LOCAL FISCAL RECOVERY FUNDS

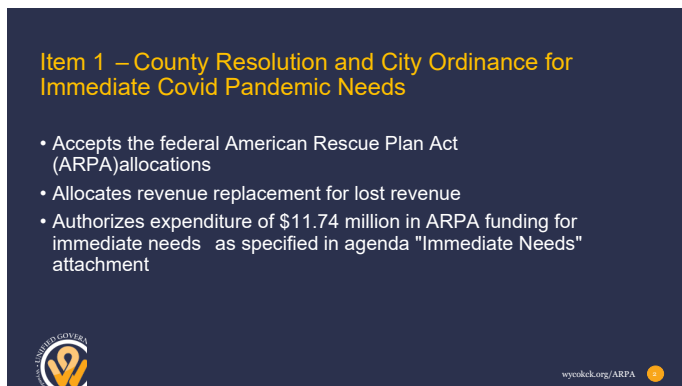
Synopsis: An ordinance and resolution accepting the federal American Rescue Plan Act allocations to the City of Kansas City, Kansas of \$55,383,872 and to the County of Wyandotte, Kansas of \$32,132,644, per the Unified Government's Grant Policy, presented by Kathleen VonAchen, Chief Financial Officer. Discussed at the August 12, 2021 Commission Special Session.

Mayor Alvey said Item No. 1 is an ordinance and a resolution accepting and allocating Rescue Plan Act Local Fiscal Recovery Funds for the City and County. As we begin this, I'll move this to Mr. Bach, but just recall, this is the immediate needs for seeking the fund. The Commission did receive communication from community members in an email today. I want to assure everyone that this is for immediate funding and that those things can be considered at a later date. So, Mr. Bach will explicate that in further detail.

Doug Bach, County Administrator, said before you this evening is something that we've had out in front of the Commission about a month and a half ago. We started to prep a couple of different areas where we felt like there was some immediate funding needs in relation to the American Rescue Plan Funding that has been allocated to the Unified Government. However, there is also the most

August 26, 2021

significant portion of this money, which is still remaining, that the Commission will be able to continue to take public input for and work through what they believe their priorities to be.



What I'll highlight this evening is that we have a couple of different ordinances in play. Item No. 1, that's on your agenda tonight, is a county resolution and a city ordinance because we are accepting this money as a county jurisdiction and as a city. These ordinances, resolutions accepts the federal money for the American Rescue Plan, so we needed to formally take that action by the governing body to accept it from the federal government.

We also allocate revenue replacement for lost revenue. I believe Ms. VonAchen forwarded additional information to the Commission on this this week, but it's also one we've gone through, the formula, to show how we lost money in our—through 2021 into 2022, but we show in those previous years how we've lost money and how we can put that money back into this year's budget from the ARPA money.

Then it does an expenditure and authorizes expenditure of \$11.74M to go toward that category of immediate needs. It does not allocate the remaining money which will still be in place for Commission to go through and consider input from the public. As you go through the coming months you can make those decisions for that additional money. You can elect to spend or allocate some of that money in a couple of weeks. You could wait a couple of months, or you can spend a couple of years deciding how you want to spend that additional ARPA money.

This money that we've highlighted is when we've gone through the previous presentation to give you details, and I'll talk a little bit more about that tonight. So that's the first action that's on your agenda item.

Item 2 – County Resolution to Prevent Housing Insecurities

- Authorizes \$1.8 million to address and prevent housing insecurities
- Funding will be administered by local non - for -profit agency or agencies for distribution throughout Wyandotte County



3

wyandotte.org/ARPA

1

The second one, Item No. 2, we've had fair amount of consideration or notion made from the Commission that they would like us to authorize money to go for housing and securities in our community. This places a \$1.8M in that fund so it'll be considered separately. I'll talk more about—and we have more details on that to discuss when we get to that item, but I think this is being done at a recommended level we believe is consistent with where we issued money for this funding last year when we got into CARES Act.

Item 1: ARPA Immediate Needs



wyandotte.org/ARPA

1

Scope of Report



Focus Area	Proposed Allocation
Public Health	\$5.95 M (51%)
Reduce Negative Economic Impact	\$2.38 M (20%)
Disproportionately Impacted Communities Assistance	\$1.07M (9%)
ARPA Grant Support	\$422K (4%)
Online Processing & Technology Investment	\$1.93M (16%)
Total Immediate Needs Request	\$11.74 M
	County City
	\$8.8 M \$2.94 M



IMMEDIATE NEEDS
The report outlines the multitude of proposals developed by various Unified Government departments.

wyandotte.org/ARPA

3

August 26, 2021

To go into more detail on Item No. 1, this is the—as I said, the money that we had presented to you before provides about \$6M for public health. It goes after negative economic impact. This proportionately impacted communities, our grant support money and then online processing and technology investments. So the total is \$8.8M that's allocated to the county from the ARP revenue and \$2.94M that's allocated from the city. As they noted, this still leaves a significant amount of money well over \$30M that's there for ARPA money to be considered in the future after we move immediate needs money and money into lost revenue for the Commission to work through and consider.

The following slides are the ones we showed you two weeks ago. I can go through those in great, in more detail and have staff explain them again, if the Commission would like. We also submitted a booklet to you, going through and really having a detailed page with each of these areas. Mayor, I will take your pleasure. If you would like us to go into detail again on this, or I can recommend approval of, or recommend that you consider this for approval tonight?

Mayor Alvey said we had the presentation two weeks ago; had it in our hands for two weeks. I've not received any more, but again, this is an opportunity to dig into a particular item.

Commissioner Bynum said the ordinance is—the first item is simply accepting the two different pots of money, correct, and not the deep dive into the immediate needs? **Mayor Alvey** said no. It is, in fact, approving what was presented two weeks ago and there was a separate move for what was asked for which was the housing and securities. **Commissioner Bynum** said okay. **Mayor Alvey** said what was presented two weeks ago is part of the resolution. **Mr. Bach** said it accomplishes all three of these things, Commissioner, that are on the screen now. **Commissioner Bynum** said I see, okay. Thank you for that clarification, I appreciate that.

Commissioner Bynum said well, the question that I have revolves, I guess, partly around this and partly around the balance of the work that we will do to allocate the remaining funds down the road. But I had asked a week or so ago if there was any way for us to have a listing of all stimulus funds that had come to the Unified Government and gone directly to specific departments, such as FEMA dollars to Emergency Management, our CARES Act money that we allocated last year. We know that CDBG received funding in a separate allocation, if you will. The reason I asked for that is because I am looking at a document that speaks to a supplemental allocation of American Rescue

Plan Funding in the amount of \$3.197M, that is to speak directly to people experiencing homelessness or at risk of homelessness. I guess what I'm trying to express is, it's hard for me to make these decisions when I don't seem to have the full picture of all the available dollars. I hope that question makes sense.

Is anyone on our meeting tonight able to speak to me and the rest of us about what we know about a HUD pass-through of Home investment partnership dollars that are speaking directly to people experiencing homelessness or at risk of homelessness, with a supplemental allocation to our city of \$3.197M? It's a really important part of this conversation which is why I had asked for the breakdown of the variety of dollars; what departments they went to or will come to and their uses.

Melissa Sieben, Assistant County Administrator, said I do have the information in front of me. I'm going to speak to what I can. Commissioner Bynum, you may have to guide me through a little more detail what you're looking for, but as far as the American Rescue Plan dollars that we've received, those were Home dollars. They're not ESG, which is Emergency Solution and they're not Community Development Block Grants. **Commissioner Bynum** said correct. Are they coming through ARPA? **Ms. Sieben** said those are ARPA Home dollars and we have had multiple meetings cancelled with HUD that are supposed to be giving us guidance. We are waiting guidance but the total amount you did speak to, the \$3.197M, is an accurate number.

Commissioner Bynum said so they are Home investment partnership program dollars. **Ms. Sieben** said correct. **Commissioner Bynum** said and the rest of that, I understand, is to help communities address homelessness. **Ms. Sieben** said correct. **Commissioner Bynum** said to the best of my ability to understand this, I'm going to guess that those dollars are going to sit in our Community Development Department. Would that be fair? **Ms. Sieben** said yes, that's where those dollars come into, is through HUD, and directly into our Community Development Program.

We also have remaining dollars from the CARES Act. Those total just over \$4M that haven't been allocated yet. About \$2.1M in CDBG dollars and another \$2.39M in Emergency Solutions. They're out there to be drawn down on the CARES because we have the guidance there. Some of that, we obviously have been working in some of those subgroups on that combined total on how we can impact homelessness and homelessness related issues. **Commissioner Bynum** said okay.

I really appreciate that. The point of all of my questions is simply this. I do not have a problem agreeing to the resolution that's in front of us, but I'm asking that we all keep in front of us

August 26, 2021

the notion that with an injection of revenue like this that we've never seen before, we have this amazing opportunity to really take a problem that impacts every corner of this community and put in a structure that solves it with our community partners. I'm just going to stress it over and over and over again. I won't stop talking about it, but now I'm hearing not only \$3.197M, but other CARES Act money that could potentially go to the same thing. We have an opportunity to actually make a huge leap forward for many struggling residents in our community and I won't stop bringing it up, but I will support this resolution.

Commissioner Ramirez said I just want to echo the words of what Commissioner Bynum was just saying. I just have a couple of questions. More, I'd say a couple, about the \$1.8M that we are going to allocate. Is that going to be considered an immediate need or is that coming out of the remaining funds that we have from our ARPA? **Mayor Alvey** said could I ask, Commissioner Ramirez, that's a great question. Right in front of us we have Item No.1 and then the second item regarding homelessness is Item No. 2. We are doing those separately. **Commissioner Ramirez** said I apologize; I did not know we were there. **Mayor Alvey** said no problem. **Commissioner Ramirez** said I will save my question for when we get to Item No. 2.

Commissioner Philbrook said thank you, Commissioner Bynum, for bringing up the additional planning that has been talked about to create housing and wraparound services for those who are housing challenged, is what I want to call it, because some of them are on the precipice and some are already there, but to create a structure that allows us to deal with that in the future. Thank you for mentioning those funds, Commissioner Bynum. Thank you so much for that.

Mayor Alvey said, again, I'm going to ask Commission, let's deal with Item No. 1 first and come back to Item 2 after we have taken a vote on Item 1.

Commissioner Johnson said the only point I want to make, Mayor, is the excess funds and all the things that were discovered or discussed and identified by Ms. Sieben. Will there be opportunity for the community to weigh-in on those funds somehow or another? I guess my concern is that they will be allocated and the community, nor maybe even us on the Commission, will be aware of those allocations. I just want to understand the process.

August 26, 2021

Mr. Bach said our thought was, we're trying to get the final guidelines out of the state so we can come forward to the governing body with some informed information. Previously, we'd come before the Administration and Human Services Committee. We thought we would bring that up in the next session just to begin to explain to them where we're at, showing where some of the guidelines are and then we can get some input. We could layer these on, too, in addition with the other ARPA discussions.

A little bit different in the way we look at these. Typically, our Community Development funds that are restricted to certain areas, we've taken before Administration and Human Services so that was initially where I was thinking to recommend to bring it forward but we were still looking for our guidelines before we were going to start to set it out. I think we will be bringing that up in September, I believe was our goal for that, Melissa? **Ms. Sieben** said we actually, we have two things happening right now.

First of all, we've just submitted our annual plan. The governing body approved that in the last couple of weeks. These dollars, the ARPA dollars are allocated so they're available when we get guidance to use. That's number one. Two, we are doing a five-year plan and we're going about the process of going to be hiring our consultant, putting out an RFP for that. That is a community inclusive process. Any processes that are going on now such as—I know there are a few governing body members who've been meeting with some of our continuum of CARE folks related to housing and homelessness issues. Those folks will be able to participate in that.

Ultimately, what I'm hoping is, working with the Health Department, working with Planning and Community Development, along with the governing body, that we can bring forward a plan that, as all of us are hoping, leverages everything to get the maximum bang for our buck when it comes to addressing these issues for our community. This will not happen without a community engagement. Those CARES dollars were allocated already. Some of it isn't being drawn down. We will have an opportunity, especially you, as the governing body, on any reallocation of those that would go toward the needs that have been discussed over the last couple of meetings related to homelessness.

Action: **Commissioner Johnson made a motion to approve as submitted.**

Commissioner Ramirez asked, do we have to take these individually since it's a resolution and ordinance? **Mayor Alvey** said no.

August 26, 2021

Action: **ORDINANCE NO. O-115-21 and RESOLUTION NO. R-58-21**, “An ordinance and resolution for the acceptance of federal funds by the Unified Government of Wyandotte County/Kansas City, Kansas under the American Rescue Plan Act, and the allocation of funds for revenue replacement necessitated by COVID-19 and for other non-revenue replacement eligible uses, and for the approval of funds to be used for immediate needs to fight the spread of COVID-19.” **Commissioner Ramirez seconded the motion to approve as submitted.** Roll call was taken and there were ten “Ayes,” McKiernan, Ramirez, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend.

ITEM NO. 2 – 211011...RESOLUTION: ALLOCATING FUNDS FOR HOUSING INSECURITY AND OTHER ASSISTANCE AS PART OF THE AMERICAN RESCUE PLAN ACT, LOCAL FISCAL RECOVERY FUNDS

Synopsis: A resolution for the allocation of \$1,850,000 in Local Fiscal Recovery Funds received by Wyandotte County, Kansas, to be used to address and prevent housing insecurities and other negative economic impacts due to Covid-19 as part of the American Rescue Plan Act, presented by Kathleen VonAchen, Chief Financial Officer. In response to Commissioner discussion during the August 12, 2021 ARPA Workshop.

Doug Bach, County Administrator, said this item is laid out. It was one that was brought to our attention in the last meeting with the commissioners that we need to focus more on this, so we reached out to community partners to determine funds that they thought they really identified that they think they could use four or five million dollars in this area for temporary assistance. It could run over the next five months.

Recognizing that you all have a lot of comparison to do in looking at priorities of this versus other areas where you may want to spend the additional or allocate the additional ARPA money. We took a look at what we did last year from our CARES funding allocation. As the committee went through, they, of course, the agencies had requested more money than we allocated than last year. They came to an agreement that we would allocate \$1.8M for these emergency housing needs.

Thus, we thought this would be a good amount to come back to you all and would allow us to move forward over the next couple of months while the Commission evaluates the priority of where

you want to spend all the undesignated ARPA money at this point. This money would be put out through the oversight of the Health Department. We would have it administered by our local non-for-profit agencies who would then distribute the money out to smaller agencies as we did last year. There were 12 different non-for-profits that received it and a couple of larger agencies that over saw it from an administrative perspective and they recorded and did all the reporting back through them. We would stand for any questions the Commission may have or additional comments.

Commissioner Townsend said, thank you, Mr. Administrator, for the presentation. You answered questions that I had about who was going to administer this and how the \$1.85M as a number came forward. I understand this was based on money distributed under the CARES Act by some of our partners for this type of expenditure, so I appreciate that.

A couple of other questions. Will renters, those people who rent homes or those people who owe a mortgage, be the only ones who can apply for this assistance, or could landlords also come forward and ask that they receive help from this money? That's first question. **Mr. Bach** said, Commissioner, I believe the program, as we laid out last year, allowed for landlords to be able to help renters apply for this money so it would be available as their administer from that prospective. I would also look to Ms. VanLiew or VonAchen that might have additional information or clarification on that.

Juliann VanLiew, Director of Health Department, said the intent for the vast majority of this funding is to go to residents themselves who are struggling. We are not prohibited from allowing, in terms of the regulations we put into place for landlords or owners to access this funding as well. That's an administrative call that we could make on our end. The previous round of CARES funding was really geared toward those individuals and families in the community and not toward the landlords.

Mr. Bach said I'm going to clarify. I want to make sure I was answering—wasn't it set out so a landlord could apply on behalf of a tenant? **Ms. VanLiew** said I'm not positive about that but I do know a lot of the 12 non-profits that were administering this, do work directly with landlords. So, I think that happens in coordination with one another. That's something we could proactively include as part of this particular batch of funding if the interest is there.

Commissioner Philbrook asked, can I make a suggestion? **Commissioner Townsend** asked, can you hold that for just a minute, Commissioner, while I finish and ask a question, while I still have the floor? Thank you. I would just encourage, while we're looking at this, to be as expansive as we could. I mean the objective, of course, is to keep residents in their dwellings, but it's also to make sure that those who may hold the mortgage not be placed in a situation themselves that causes financial strain. As I look at what this is doing across the country, I've seen examples of that as well. I mean ultimately, the money needs to go to whoever the landlord is or the mortgage holder. I'm just hoping that we can locally, when we make that call, keep that in mind.

The other question I have was, can any of this money be applied to utility shutoffs? **Ms. VanLiew** said absolutely. This really is designed to be an emergency pot of money that is for all wraparound services related to housing. We're getting the question a lot of, isn't KERA taking care of these needs that people have. Well, KERA has very strict stipulations around it. It can't be used to pay mortgages; it can't be paid to pay moving costs or emergency hotel stays if people just need somewhere for a couple of days to go.

This pot, this \$1.8M, the way we're designing it is to be incredibly unrestrictive. It will be allocated to the 12 agencies likely that we used for the CARES funding, although that's also a point of debate and allowing them to use really a broad discretion in terms of what constitutes an immediate housing emergency or crisis for a resident, which, of course, would include utilities as well. **Commissioner Townsend** said, again, a broad construct of what it means for housing, and I am supportive of that.

For clarification also. This \$1.85M, this is in addition to those or part of the monies that we just approved in the proceeding ordinance. **Ms. VanLiew** said that is correct. There's a few real small pieces of money in the immediate needs that were just shy of \$12M that you just voted on. Those are funds really devoted to ensuring staff time at some local agencies to support administering this cash assistance. This \$1.85M is completely separate from what you just voted on. **Commissioner Townsend** said okay.

I appreciate staff and administration going back and looking at that in regard to a request that I know I made and some of the other commissioners about meeting such a basic and an immediate need. This is truly a situation and could prevent citizens from going into that homelessness void we just talked about. So I am very supportive of this and would move to approve, so I'll get that in now.

Action: **Commissioner Townsend made a motion to approve.**

Commissioner Ramirez said my first question is more of a clarification from what Commissioner Townsend's previous and last question. I know that part of the reasoning that we have this \$1.8M is because of not providing enough for a nonprofit and part of that immediate needs was that \$500,000 that we had just approved. Is that coming off of what you were saying, Juliann? Is that going to be more of administrative cost or is that in addition to this \$1.8M? **Ms. VanLiew** said that's in addition to this \$1.8M. The way I'm approaching that other \$500,000 and, of course, this is at the purview of Commission as well, is if there's a lot of other immediate and emergency needs that fall outside the housing round. There are food related needs, there are medical bill related needs, there are legal costs needs, and so the idea was that the other half million could be for other nonprofits who aren't working specifically on housing but are still meeting emergency needs. **Commissioner Ramirez** said okay, great, and thank you for that clarification.

I wanted to make sure that—because I know I had some members ask, community members ask me if that was in addition to or separate. So thank you for the clarification of that. I guess from what I'm hearing, my first original question that I had asked, if this \$1.8M is from immediate needs pot or is it from the remaining ARPA funds pot? **Ms. VanLiew** said it's from the remaining ARPA funds pot. **Commissioner Ramirez** said okay, great. Thank you, and I'm in complete support of this. It's, again, like I said last time, it's a first step. It's a good step forward. We have a lot of money remaining so that gives us a lot of room to make real change in our community. Again, I just want to second and thank Commissioner Bynum for her words and comments.

Commissioner Burroughs said, Juliann, the question I would have is somewhat in reference to what Commissioner Ramirez asked. The administration of those dollars by those agencies, is there a set cost for the administration? **Ms. VanLiew** said I think for the CARES fund, we did allow for up to, I believe, and I have to verify, but up to a 10% administrative kind of fee, if you will, for them to help administer. They can also—part of what worked really well for the CARES funding is that these organizations, those 10 to 12, had to submit an application to United Way that they vetted to make sure that they had capacity to actually administer these dollars. In those applications to United Way, they could also request a small portion of that funding go to, say, you know I need to allocate \$75,000 for a full-time staff member to actually work this program for the next year or something like that.

There is allowance for some overhead but there's also allowance for actually supporting staff time because so much of what we are hearing from staff is that folks can't access KERA because that need administrative support to do so, and our nonprofits are overwhelmed because they don't have enough staff that could supply that support. The intent is that the \$1.85M includes finances for those organizations to provide that administrative support. **Commissioner Burroughs** said great, thank you.

I think it's very important that these agencies understand that we need to get these dollars out. It's one thing for them to have them and sit on them or work through the process slowly because they don't have the ability to get those out, so that was my concern. I really appreciate that comment and I encourage our agencies that are fortunate enough to receive these dollars, get them out to the community. Get them to those that are in need so that we can see the return on that investment. Thank you, Juliann. **Ms. VanLiew** said absolutely. That's why I'm advocating to use the same method as we used for CARES because all these mechanisms are set up. All these agencies are in the United Way system to receive money from them. So really, if passed tonight, this money could be on the ground within the next couple of weeks if we did our part at the UG to get it into the hands of United Way quickly.

Commissioner Philbrook said thank you, Juliann, for saying what you did about using the past structure that we did with the CARES committee. I know that they're just anxiously waiting for that money and as soon as we can get it to United Way, then United Way will get it dispersed to the—through the appropriate mechanisms because all of these are still in place and some of the agencies have not let their folks go because they know that they were going to have to work somehow to take care of the community. I want to thank everybody for helping get this done. I want to thank Doug Bach, especially. Thank you so much, Doug, for coming forward and understanding that this is an emergency and it's not something we can put off for several months because these folks, some of these folks are already in the streets. Thank you so much for understanding my emotion from that last meeting. It's still there but I want to thank everybody.

Commissioner Bynum said can I just clarify. Are we suggesting that the entirety of the \$1.85M would go to the United Way for administration, if you will, a disbursement I guess? **Ms. VanLiew** said that's the recommendation that I'm bringing forward. You're certainly welcome to throw out

other ideas and if there are other agencies. Really, truly, the administrative burden of this is pretty great. I think if worked—if time is really of the essence and is one of our primary motivators here, I would advocate for sending it all that way just because they can get out a lot quicker. **Commissioner Bynum** said I wouldn't disagree beyond just making sure that we have relationships in place, if you will, between our United Way and the agencies that are, indeed, the boots on the ground. I know that several do. As long as we can confirm that our boots on the ground folks can access the funding through that, I'm fine. **Ms. VanLiew** said absolutely. I share your concern.

The agencies we went through last time are the agencies that have proven their commitment to Wyandotte County for decades. They're your Avenue of Life, your Catholic Charities, your Friends of Yates, your Mount Carmel Redevelopment, all of those standard organizations that have stayed in Wyandotte and seen a lot of our population through. So, we really are relying on those tried and trusted organizations that know our community best. **Commissioner Bynum** said okay, great. Thank you so much.

Action: **RESOLUTION NO. R-59-21**, "A resolution for the allocation and approval of local fiscal recovery funds to be used for addressing and preventing housing insecurities and other negative economic impacts due to COVID-19 as part of the American Rescue Plan Act." **Commissioner Burroughs seconded the motion to adopt the resolution.** Roll call was taken and there were nine "Ayes," McKiernan, Ramirez, Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend. (Commissioner Kane encountered technical difficulties, therefore, unable to vote.)

COMMISSIONERS' AGENDA

No items of business

Mayor Alvey said that concludes the portion of our regular meeting. We are adjourned in that capacity. Now, I'll call back to order as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

August 26, 2021

Mayor Alvey asked, does any member of the Commission or County Administrator wish to set-aside any item on the Land Bank Consent Agenda? If an item is not aside, all items will be voted on by one vote.

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

ITEM NO. 1 – 21967... LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager. On August 9, 2021 the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

A. New Construction - Single Family Homes - 17 Total

1. Senitria Monk – 15 homes
 - i. 1901 N. Hallock St. - 140514
 - ii. 1928 N. Hallock St. - 140532
 - iii. 1930 N. Hallock St. - 140531
 - iv. 1913 N. Hallock St. - 140518
 - v. 1902 N. Hallock St. - 140543
 - vi. 1925 N. Hallock St. - 140524
 - vii. 1920 N. Hallock St. - 140535
 - viii. 512 Parallel Pkwy. - 140501
 - ix. 1910 N. Hallock St. - 140539
 - x. 1923 N. Hallock St. - 140523
 - xi. 1917 N. Hallock St. - 140520
 - xii. 1914 N. Hallock St. - 140537
 - xiii. 1900 N. Hallock St. - 140544
 - xiv. 1919 N. Hallock St. - 140521
 - xv. 1932 N. Hallock St. - 140530
 - xvi. 1907 N. Hallock St. - 140516
 - xvii. 1909 N. Hallock St. - 140517
 - xviii. 1906 N. Hallock St. - 140541
 - xix. 1904 N. Hallock St. - 140542
 - xx. 1926 N. Hallock St. - 140533
 - xxi. 1908 N. Hallock St. - 140540
 - xxii. 1903 N. Hallock St. – 140515
 - xxiii. 1924 N. Hallock St. – 140534

August 26, 2021

2. Rick Worner – 2 homes

Requesting 6 lots for 2 homes. This is to give flexibility if some of the lots are unbuildable the developer will build on the next buildable lot. The Land Bank proposes an option on all 6 but will only deed 2 parcels for the new homes.

- i. 1950 N. Valley St. - 213721
- ii. 1948 N. Valley St. - 213720
- iii. 1944 N. Valley St. - 213719
- iv. 1942 N. Valley St. - 213718
- v. 1936 N. Valley St. – 098900
- vi. 1934 N. Valley St. – 098901

B. New Construction – Eddie Guinn - (Single Family Homes – 8, Townhomes – 25, Commercial – 3)

1. Single family homes – 8

- i. 1342 Lafayette Ave. - 157803
- ii. 1338 Lafayette Ave. - 157806
- iii. 1340 Lafayette Ave. - 157802
- iv. 1336 Lafayette Ave. - 157807
- v. 1326 Lafayette Ave. - 157811
- vi. 1322 Lafayette Ave. - 157812
- vii. 1314 Lafayette Ave. - 157814
- viii. 1320 Lafayette Ave. - 157813

2. Townhomes -25, Commercial -3

The 3 commercial buildings are for healthcare, a bank, and office/community space.

- i. 1514 Stewart Ave. - 158023
- ii. 1522 Stewart Ave. - 158027
- iii. 1406 Stewart Ave. - 158015
- iv. 1610 Stewart Ave. - 158120
- v. 1306 Stewart Ave. - 158003
- vi. 1302 Stewart Ave. - 158001
- vii. 1404 Stewart Ave. - 158014
- viii. 1300 Stewart Ave. - 907204
- ix. 1502 Stewart Ave. - 158021
- x. 1414 Stewart Ave. - 158019
- xi. 1500 Stewart Ave. - 158020
- xii. 1412 Stewart Ave. - 158018
- xiii. 1408 Stewart Ave. - 158016
- xiv. 1312 Stewart Ave. - 158006
- xv. 1322 Stewart Ave. - 158010
- xvi. 1516 Stewart Ave. - 158024
- xvii. 1304 Stewart Ave. - 158002
- xviii. 1508 Stewart Ave. - 158022
- xix. 1410 Stewart Ave. - 158017
- xx. 1310 Stewart Ave. - 158005
- xxi. 1326 Stewart Ave. - 158012
- xxii. 1318 Stewart Ave. - 158008
- xxiii. 1520 Stewart Ave. - 158026

- xxiv. 1324 Stewart Ave. - 158011
- xxv. 1308 Stewart Ave. - 158004
- xxvi. 1314 Stewart Ave. – 158007

C. New Construction – Multi Family Homes – 12 Units

- 1. Ervinco LLC – 2 Duplexes
 - i. 7548 Lathrop Ave. - 215804
 - ii. 700 N. 75th St. - 928942
- 2. Bart Maffry 8 Unit Row Houses
 - i. 824 Freeman Ave. – 082345
 - ii. 826 Freeman Ave. - 082344
 - iii. 830 Freeman Ave. - 082343
 - iv. 832 Freeman Ave. - 082342
 - v. 834 Freeman Ave. - 082341
 - vi. 838 Freeman Ave. - 082374
 - vii. 840 Freeman Ave. – 082340

D. New Construction - Commercial – 2

- 1. Kenthedo Robinson – Community Theater
 - i. 1342 Lafayette Ave – 157803
 - ii. 1945 N. 7th St. – 095142
 - iii. 1943 N. 7th St. – 095143
 - iv. 1941 N. 7th St. – 095145
 - v. 1941 R N. 7th St. – 095144
 - vi. 651 Troup Ave. – 095299
 - vii. 649 Troup Ave. - 095141
- 2. Mike Payne – Neighborhood Convenience Retail Center – 3 Storefronts
 - i. 1135 Quindaro Blvd. – 106315
 - ii. 1137 Quindaro Blvd. – 906609
 - iii. 1139 Quindaro Blvd. – 906610

E. New Construction – Garage – 1

- 1. Jesus Leyva
 - i. 919 Cleveland Ave. – 157928

Staff Advisory Board – the home already has 2 lots and can build garage on the current property.

On August 9, 2021, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

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

August 26, 2021

ITEM NO. 2 – 21968...LAND BANK PROPERTY TRANSFERS

Synopsis: Request consideration of the following Land Bank transfers, submitted by Jud Knapp, Interim Land Bank Manager. On August 9, 2021 the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees

A. Yard Extensions 1 Total

Megan Summers

o 26 S. Minnie St. - 139828

Unbuildable lot

B. Property Transfers 1 Total

Turtle Hill

o 1308 N. 6th St. – 081966

Unbuildable lot

Expanding current park

On August 9, 2021, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

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

PUBLIC ANNOUNCEMENTS

MAYOR ALVEY

ADJOURNED THE MEETING AT 8:01 P.M.

August 26, 2021

Brett A. Deichler, PMP | CPM
Unified Government Clerk

mbb

August 26, 2021

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

SPECIAL SESSION, THURSDAY, OCTOBER 14, 2021

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, October 14, 2021, with seven members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Walters, Commissioner Seventh District; and Alvey, Mayor/CEO, presiding. Townsend, Commissioner First District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; and Philbrook, Commissioner Eighth District; were absent. The following officials were also in attendance: Doug Bach, County Administrator; Misty Brown, Chief Legal Counsel; Brett Deichler, Interim Unified Government Clerk; Alan Howze and Melissa Sieben; Assistant County Administrators; Renee Ramirez, Director of Human Resources; Shakeva Christian, Manager in Human Resources; and Jeff Fisher, Executive Director of Public Works; Debbie Jonscher, Deputy Chief Financial Officer; Chief Michael Callahan, Fire Department; and Colonel Daniel Soptic, Sheriff's Department; Henry Couchman and Susan Alig, Senior Attorney's.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Johnson, Walters, Bynum, Burroughs, McKiernan, Ramirez, Alvey.

AMENDED NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, October 14, 2021, at 5:00 p.m. in the 5th floor conference room for an Executive Session regarding Labor Negotiations. I will also note that there are four commissioners absent from tonight's Special Session, so there will not be the Quarterly Review of the County Administrator.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in

such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Alvey said I'll entertain a motion for Executive Session regarding Labor Negotiations.

Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, for the Commission to go into Executive Session until no later than 6:25 p.m. to discuss matters relating to employer/employee negotiations regarding the status and future direction of labor negotiations as permitted under the Kansas Open Meetings Act; and that staff designated by the County Administrator be present to participate in the discussion, and that we reconvene in open session at 6:25 p.m. here in the 5th floor conference room. Roll call was taken on the motion and there were six "Ayes," Johnson, Walters, Bynum, Burroughs, McKiernan, Ramirez.

Present for the Executive Session regarding the status and future direction of Labor Negotiations 5:05-6:25 p.m.: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Walters, Commissioner Seventh District; and Alvey, Mayor/CEO presiding. **Staff present:** Doug Bach, County Administrator; and Misty Brown, Chief Legal Counsel, Alan Howze and Melissa Sieben, Assistant County Administrators; Renee Ramirez, Director of Human Resources; Shakeva Christian, Manager in Human Resources; Jeff Fisher, Executive Director of Public Works; Debbie Jonscher, Deputy Chief Financial Officer; Chief Michael Callahan, Fire Department; and Colonel Daniel Soptic, Sheriff's Department.

Mayor Alvey adjourned the Executive Session at 6:25 p.m.

Commissioner McKiernan made a motion, seconded by Commissioner Bynum, for the Commission to go into Executive Session until no later than 6:50 p.m. to consult with our attorneys and to discuss matters, confidential matters, related to pending claims and litigation as permitted under the Kansas Open Meetings Act; and that staff designated by the County Administrator be present to participate in the discussion, and that we reconvene

in open session at 7:00 p.m. here in the 5th floor conference room. Roll call was taken on the motion and there were six “Ayes,” Johnson, Walters, Bynum, Burroughs, McKiernan, Ramirez.

Present for the Executive Session regarding confidential matters related to pending litigation 6:25-6:50 p.m.: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Walters, Commissioner Seventh District; and Alvey, Mayor/CEO presiding. **Staff present:** Doug Bach, County Administrator; Misty Brown, Chief Legal Counsel; Henry Couchman and Susan Alig, Senior Attorney’s.

**MAYOR ALVEY ADJOURNED
THE MEETING AT 6:50 p.m.**

Brett Deichler
Interim Unified Government Clerk

dt



Unified Government Clerk's Office

Brett A. Deichler, PMP | CPM
Interim Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Brett Deichler
Interim UG Clerk

Date: October 14, 2021

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

mbb

Attachment

Weekly Business Material for October 14, 2021

1. PUBLIC NOTICE:

Alandon Tow, 6224 Kansas Avenue, held a public auto auction on October 5, 2021 at 10:00 a.m.

Action: Received and filed.

2. COMMUNICATION:

Brett Deichler, Interim UG Clerk, listing bids received on October 13, 2021, for Project ID B#32114 – Liquid Aluminum Sulfate for WPC.

Action: Received and filed. Copies previously forwarded to County Administrator, Public Works and Legislative Auditor.

3. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 12, 2021:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Jennifer L Eakright	Police/Animal Services	9/30/21	Program Tech I
Matthew R Kleinmann	Health	9/30/21	Special Health Project Coordinator
Destiny C Marquez	Police	10/14/21	Auxiliary Officer
Tamika P Ross	DA's Office	9/30/21	Intern

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Alex M Bruce	Police	10/7/21	Sergeant	Captain
James E Bush	Police	10/7/21	Sr Patrolman I	Sergeant
Shenee Davis-Kross	Police	10/7/21	Sergeant	Captain
Kevin W Fithian	Police	10/7/21	Sr Detective	Captain
Kelly L Herron	Police	10/7/21	Asst Police Chief	Deputy Chief/Colonel
Mariah N Hickerson	Police	10/7/21	Sr Patrolman	Sergeant
Raymond P Nunez Jr.	Police	10/7/21	Major	Asst Police chief
Brittanie M Pruitt	Police	10/7/21	Captain	Major
Michael D Steele	Police	10/7/21	Sr Patrolman	Sergeant
William K Wallace	Police	10/7/21	Captain	Major
Carl L Webb	Police	10/7/21	Sergeant	Captain
Megan E Wilcox	Police/Animal Services	10/7/21	Prof Asst	Admin Coordinator

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Serena R Armenta	Sheriff	10/3/21	Correctional Specialist
Mallory A Baker	Finance/Treasury	9/24/21	Fiscal Support Assistant
Ariadna Carvajal-Varela	Finance/Treasury	9/21/21	Fiscal Support Assistant
Colin Duffy	Legislative Auditor	10/1/21	Senior Manager

Tanya E Gambrell	Parking Control	9/27/21	Admin Supt Specialist
Howard E Kemper	Sheriff	10/13/21	Deputy
Monica L Lewis	Finance/Treasury	10/5/21	Fiscal Support Assistant
Stephanie M Moore	Econ Dev	9/24/21	Management Analyst
Martin M Ntonjira	PW/Engineering	10/11/21	Lead Eng/Proj Mgr
Nicolle D Smith	Sheriff/Juv	10/16/21	Juv Care Worker I

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Cecilia D Answeron	Comm Development	9/2/21	Program Supervisor
Robert C Anderson	PW	9/16/21	Asset Manager
Becky J Arwine	DA's Office	8/19/21	Admin Supt Specialist
Brian A Briones	PW/Street	10/6/21	General Laborer
Cheyenne R Grube	DA's Office	8/19/21	Admin Supt Specialist
Kang B Her	Aging	9/16/21	Program Specialist
Diana L Jimenez	PW	9/16/21	Program Coordinator
Ashley A Lause	Health	9/30/21	Manager
Yvette D Miller	Comm Development	9/2/21	Program Coordinator
Joseph D Monslow	Comm Development	9/2/21	Program Supervisor
Mary H Reyes	DA's Office	8/19/21	Admin Supt Specialist
Jennifer L Schmitendorf	Comm Development	9/2/21	Program Coordinator
Willie M Williams	Health	9/30/21	Admin Supt Assistant
Tyszu D Woolridge	DA's Office	9/2/21	Admin Supt Specialist

Section VII - Reclassifications

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Bonnie J Bloesser	HR	10/14/21	Mgt Analyst	Sr HR Partner
Michelle Eskina	HR	9/30/21	Mgt Analyst	Sr HR Partner
Stasha M Ferguson	HR	10/14/21	Prof Asst	HR Partner
Emma C Lee	HR	10/14/21	HR Analyst	HR Partner
Amanda T Mejia	HR	10/14/21	Admin Supt Spec	Admin Coordinator
Erin D Riley	HR	10/14/21	HR Analyst	HR Partner
Shawna E Riley	HR	10/14/21	HR Analyst	HR Partner
Courtney R Sachen	HR	10/14/21	HR Analyst	HR Partner
Monica S Tyrrell	HR	10/14/21	HR Analyst	HR Partner
Marion D Wimberly III	HR	10/14/21	Mgt Analyst	Sr HR Partner
Vacant	Health	9/13/21	Prof Asst	Prog Coordinator
Vacant	Health	9/13/21	Manager	Deputy Director
Vacant	Health	9/13/21	Prog Supervisor	Enviro Compliance Sueprvisor

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Sir Schad L Hampton	Parks/Rec	ACD code change effective 1/1/21
Nancy J Laughlin	PW/WPC	Certification pay effective 8/10/21
Stephen C Owen	Police	Out of class pay effective 9/22/21
Peter Schwab	Parks/Rec	ACD code change effective 1/1/21

Action: Received and filed. Copy previously forwarded to Payroll.

4. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 14, 2021:

Section III - Separation

Name	Department/Division	Eff. Date	Job Title
Douglas B Hereford	Fire	10/17/21	Master Fire Driver

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
David Coleman III	B&L	9/2/21	Fac. Maint Specialist
Mike S Jones	B&L	9/2/21	Fac. Maint Specialist
Toby T Vertz	B&L	9/2/21	Fac. Maint Specialist

Action: Received and filed. Copy previously forwarded to Payroll.

5. TRAVEL REQUESTS:

Jonathan Bond, Daniel Everhart, George Holt and Amber Freeman, Sheriff's, travel to Topeka, KS, October 14 – 15, 2021, to attend the Command Presence – Find'em, Hire'em, Keep'em Training, Employee Training & Travel.

Angela Garrison, Criminal Investigations Div/Special Investigations Unit, travel to Tampa, FL, October 29 – November 7, 2021, to attend the Cold Case/No-Body Homicide Investigation Training, Employee Training & Travel.

Marcus Johnson and Jennifer Morris, Sheriff's – Detention, travel to Mulvane, KS, November 1 – 5, 2021, to attend the Kansas Sheriff's Assn. 2021 Conference, Employee Training & Travel.

Chris O'Neill, Police VCTF, travel to Washington, DC, October 13 – 17, 2021, to attend Police Week, SLETF.

Joseph Yarsulik, Police Department/Criminal Intelligence, travel to New York, NY, November 9 – 11, 2021, to attend the Operation Sentry Conference, meals only.

Action: Approved by County Administrator's Office and received and filed.

6. CERTIFICATE OF INSURANCE:

ABC Professional Tree Services, Inc.

Action: Referred to License.

7. BUSINESS BONDS:

Electrical Contractor's Bonds
Browning Electric, LLC
EasTex Tower, LLC

Turners Electric, LLC

Mechanical/HVAC Contractor's Bond
Centreal Industrial Sheet Metal Works

Plumber's Bonds

DMC Service, Inc.

Ronnie McGarrah dba Rodriguez Construction and Underground, Inc.

Action: Referred to License.

8. CONTINUATION CERTIFICATE:

Electrical Contractor's Bond
Greenway Electric, Inc.

Action: Referred to License.

9. CANCELLATION NOTICE:

Electrical Contractor's Bond
Kurt Hungerford DBA KLH Electric

Plumber's Bond
Pierpoint Plumbing, LLC

Action: Referred to License.



Unified Government Clerk's Office

Brett A. Deichler, PMP | CPM
Interim Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Brett Deichler
Interim UG Clerk

Date: October 21, 2021

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

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Attachment

Weekly Business Material for October 21, 2021

1. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Reissue?</u>	<u>Date Issued</u>	<u>AMOUNT</u>	<u>FUND / ACD</u>	<u>Vendor Name/Number</u>	<u>Reason for void (dropdown)</u>
896740	No	10/15/2021	\$ 250.00	99097392325444	PSI #25258	Wrong Invoice Number
890704	Yes	6/4/2021	\$ 122.83	790 2118	Sandoval, Irene #9249P	Stale dated
892403	Yes	7/9/2021	\$ 88.61	790 2113	Rose, Tyree Maurice #0923A	Lost Warrant
			\$ 13.33	160 2125		
891563	Yes	6/25/2021	\$ 7290.00	160 19900015280	Jackson County Dept of Corrections & Detentions #19285	Stale dated

Action: Received and filed.

2. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 19, 2021:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Matilde Espino	Police	10/14/21	Prof Progs Asst
Marilyn J Jacobs	Sheriff	10/14/21	Clerk
David M Mendoza	PW/WPC	10/14/21	General Maint Worker
Alexander J Murder	PW/WPC	10/14/21	General Maint Worker
David L Ornelas	Sheriff/Admin	10/14/21	Court Security Officer
James E Williamson II	Comm Corr	10/14/21	Prof Progs Asst

Section II-Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Richard H Peters	Police	10/7/21	Sr Master Patrolman	Police Sergeant

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Bryan L Henderson	PW/Street	10/15/21	Operations Supervisor
Guadalupe F Mendoza	Parks/Rec	7/4/20	Caretaker

Section VII - Reclassifications

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Adam M Browne	Legislative Auditor	10/14/21	Sr Manager	Manager
Reed J Patridge	Legislative Auditor	10/14/21	Law Enforcement Legislative Auditor	Law Enforcement Legislative Auditor
Thomas L Wiss	Legislative Auditor	10/14/21	Legislative Auditor	Legislative Auditor
Paul A York	Legislative Auditor	10/14/21	Audit Coordinator	Program Coordinator

Vacant PIN 6066	Legislative Auditor	10/14/21	Auditor	Auditor
Vacant PIN 6883	Legislative Auditor	10/14/21	Sr Manager	Program Supervisor
Vacant PIN 6064	Legislative Auditor	10/14/21	Auditor	Auditor

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Alexzander Q Andrews	Fire	ACD code change efft. 8/6/21
John Boling	Health	ACD code change efft. 8/5/21
Khou Herr	Health	ACD code change efft. 9/30/21
Sonia Lopez	Health	ACD code change efft. 9/30/21
Anthony A McDaniel	Parking Control	Out of grade pay from oc code 2210 to 221 and rg/stp efft. 10/6/21
Rebecca Sandow	Finance	ACD code change efft. 6/1/21
Jennifer Stewart	Health	ACD code change efft. 10/14/21
Vacant PI 6355	Health	ACD code change efft. 9/30/21

Action: Received and filed. Copy previously forwarded to Payroll.

3. PERSONNEL ACTION COMMUNICATION, DATED OCTOBER 21, 2021:

Section II - Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Clayton E McCombs	PW/Street	10/14/21	Equipment Operator II	Equipment Operator III
James A Petty	PW/Street	10/14/21	Equipment Operator I	Equipment Operator II
Andrew H Roddy	PW/Engineering	10/14/21	Operations Superintendent	Program Supervisor
Joshua R Terry	PW/WPC	10/14/21	Plant Operator I	Construction Worker III
Christopher E. Traffis	PW/Street	10/14/21	Equipment Operator II	Equipment Operator III

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Marcus T Johnson	Sheriff/Adult	11/2/21	Deputy
Michael J Lopez	Sheriff/Adult	11/2/21	Deputy
Carol R McCord	Sheriff/Adult	10/24/21	Deputy
Suzanne M Schwab	Finance/Treasury	10/29/21	Fiscal Supt Assistant
Luke J Slupski	Sheriff/Adult	10/3/21	Deputy
Elton M Towne	Sheriff/Adult	10/3/21	Deputy
Myrtle E Williams	Sheriff/Adult	10/15/21	Deputy

Action: Received and filed. Copy previously forwarded to Payroll.

4. CLAIMS FOR DAMAGES:

Brandon Byers, 10338 Sloan Ave., alleging stolen rear tire and lug nuts from vehicle on October 11, 2021.

Ashley Collette and Keil Kelly, 5020 Conser St. Apt. 179, Overland Park, KS, alleging internal infection due to spay surgery on dog from KCK Animal Services on August 19, 2021.

James Thompson, 7105 Washington St., Kansas City, MO, alleging paint damage on vehicle from Street Department on August 30, 2021.

Action: Received and filed. Copies previously forwarded to Legal.

5. MOTION TO SET ASIDE:

Unified Government vs. Derek Hadley, Case No. 2020-PT-000002.

Action: Received and filed. Copy previously forwarded to Legal

6. TRAVEL REQUESTS:

Michelle Angell, KCKPD, travel to Boston, MA, June 4 – 24, 2022, to attend the SMIP, Employee Training & Travel.

Wendy Green, Legal, travel to Fort Lauderdale, FL, December 1 – 3, 2021, to attend the IAAO Legal Seminar, Employee Training & Travel.

Karl Oakman, KCKPD, travel to Irving, TX, November 2 – 5, 2021, to attend the 2021 TEXOMA HIDTA Executive Media Relations Training, Employee Training & Travel.

Action: Approved by County Administrator's Office and received and filed.

7. APPLICATIONS FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

James W. Hendricks DBA Danny's Bar & Grill, 10940 Parallel Pkwy., Suite Q
Willie Kanippie, LLC/William W. Hutton DBA Johnnie's on 7th, 55 S. 7th St.

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 211076

Full Commission Meeting Date: 10/28/21

Committee: Economic Development & Finance

Date of Standing Committee Action: 10/11/21
(If none, please explain):

Publication Required: Yes 11/4/2021

<u>Date:</u> 10/13/2021	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> An ordinance approving a Community Improvement District (CID) in the area of N. 98th St. and Parallel Parkway to assist in the construction of a new Fairfield Inn and a resolution approving a Development Agreement between the Unified Government and Legend Hotel, LLC. The CID would add an additional 1.5% sales tax for visitors to the hotel and would be used to reimburse up to \$1,528,714 in construction costs.				
<u>Action Requested:</u> Conduct public hearing, adopt resolution, approve ordinance				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Resolution Adopting Legend Hotel Development Agreement, Development Agreement between Unified Government and Legend Hotel LLC - final revised version, Legend Hotel CID Ordinance				

RESOLUTION NO. R-____-21

**A RESOLUTION ADOPTING THE DEVELOPMENT AGREEMENT
BETWEEN THE UNIFIED GOVERNMENT AND LEGEND HOTEL, LLC**

WHEREAS, Legend Hotel, LLC (“**Developer**”) owns and desires to design, develop and construct a hotel on, and redevelop the approximately 1.23+/- acres of land (the “**Project**”) generally located at Southeast corner of the intersection of 98th and Parallel Parkway in Kansas City, Kansas; and

WHEREAS, on July 23, 2021, Developer submitted a petition (the “**CID Petition**”), requesting the formation of a community improvement district (the “**CID**”) on their property and the imposition of a one percent (1.50%) tax on the sale of tangible personal property at retail and rendering or furnishing of services in the CID (the “**CID Sales Tax**”) in accordance with K.S.A. 12-6a26 *et seq.* (the “**CID Act**”); and

WHEREAS, on September 9, 2021, an initial public hearing was heard on the creation of the Legends Hotel CID. The public hearing was adjourned until October 28, 2021, for further discussion.

WHEREAS, the Governing Body has determined that it is advisable to enter into the Development Agreement, attached hereto as **Exhibit A** (the “**Development Agreement**”) with Developer.

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

Section 1. The Governing Body hereby approves the Development Agreement in substantially the form attached hereto.

Section 2. The Mayor is hereby authorized to execute the Development Agreement in the name of the Unified Government, and the County Administrator and other officials and representatives of the Unified Government, including special counsel, are hereby further authorized and directed to take such actions and to execute any other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. This Resolution shall be effective upon adoption by the Governing Body.

**ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS
THIS 28th DAY OF OCTOBER, 2021.**

ATTEST:

Unified Government Clerk

(Seal)

EXHIBIT A

Development Agreement

[To be attached.]

DEVELOPMENT AGREEMENT

(Legend Hotel CID)

THIS DEVELOPMENT AGREEMENT (this “**Agreement**”) is entered into as of the Effective Date by and between the **UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**, a municipal corporation organized and existing pursuant to the laws of the State of Kansas as a consolidated city–county having all the powers, functions and duties of a county and a city of the first class (the “**Unified Government**”), and **Legend Hotel, LLC**, a Kansas limited liability company, and its successors and assigns (“**Developer**”). The Unified Government and Developer are sometimes hereinafter collectively referred to as the “**Parties**,” and each a “**Party**.”

RECITALS

WHEREAS, Developer owns or will own, and desires to design, develop, construct a hotel on, and redevelop the approximately 1.23+/- acres of land (the “**Project**”) generally located at Southeast corner of the intersection of 98th and Parallel Parkway in Kansas City, Kansas, as legally described on **Exhibit A** and generally depicted on **Exhibit B** attached hereto (the “**District**”); and

WHEREAS, on July 23, 2021, Developer submitted a petition (the “**CID Petition**”), attached hereto as **Exhibit C**, requesting the formation of a community improvement district (the “**CID**”) on the District and the imposition of a one percent (1.50%) tax on the sale of tangible personal property at retail and rendering or furnishing of services in the CID (the “**CID Sales Tax**”) in accordance with K.S.A. 12-6a26 *et seq.* (the “**CID Act**”); and

WHEREAS, on September 9, 2021, an initial public hearing was heard on the creation of the Legends Hotel CID. The public hearing was adjourned until October 28, 2021, following the public notice and hearing procedures set forth in the CID Act, the Unified Government created the CID and approved the imposition of the CID Sales Tax through the adoption of Ordinance No. O-_____-20 of the Unified Government, which ordinance is attached hereto as **Exhibit D**; and

WHEREAS, the Parties agree that the Project is not financially feasible without the public financing described in this Agreement, and enter into this Agreement to provide the necessary financing for the Project.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1 DEFINITIONS AND RULES OF CONSTRUCTION

1.1 Rules of Construction. For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires, the following rules of construction will apply in construing the provisions of this Agreement:

- A. The terms defined in this Agreement include the plural as well as the singular.
- B. All accounting terms not otherwise defined herein have the meanings assigned to them, and all computations herein provided for will be made, in accordance with generally accepted accounting principles.

- C. All references herein to “generally accepted accounting principles” refer to such principles in effect on the date of the determination, certification, computation or other action to be taken hereunder using or involving such terms.
- D. All references in this Agreement to specified “Sections,” “Subsections” and other subdivisions are to be the designated Sections and other subdivisions of this Agreement as originally executed.
- E. The words “herein,” “hereof” and “hereunder” and other words of similar import refer to this Agreement as a whole and not to any particular Section, Subsection or other subdivision.
- F. The Section, Subsection and other headings herein are for convenience only and will not affect the construction or interpretation hereof.
- G. The representations, covenants and recitations set forth in the foregoing recitals, and the ordinances referenced therein, are material to this Agreement and are hereby incorporated into and made a part of this Agreement as if they were fully set forth in this Section 1.1(G).

1.2 Definitions of Words and Terms. Capitalized words used, but not otherwise defined, in this Agreement will have the meanings set forth in the Recitals to this Agreement or they shall have the following meanings:

- **“Action”** has the meaning set forth in **Section 9.1**
- **“Agreement”** means this Agreement, as the same may be amended from time to time.
- **“Applicable Laws and Requirements”** means any applicable constitution, treaty, statute, rule, regulation, ordinance, order, directive, code, interpretation, judgment, decree, injunction, writ, determination, award, permit, license, authorization, directive, requirement or decision of or agreement with or by Governmental Authorities.
- **“Certificate of Project Costs”** means a certificate relating to Project Costs in substantially the form attached hereto as **Exhibit E**.
- **“Certificate of Substantial Completion”** means a certificate evidencing Substantial Completion of the Project, in substantially the form attached hereto as **Exhibit F**.
- **“CID”** means the community improvement district created over the District by the Unified Government in accordance with the CID Act.
- **“CID Act”** means the community improvement district act contained in K.S.A. 12-6a26 *et seq.*
- **“CID Administrative Service Fee”** means a fee payable to the Unified Government as provided in **Section 4.5** hereof, equal to 1.0% of all CID Sales Tax Revenue.

- **“CID Collection Period”** means either the period of time ending twenty-two (22) years after the commencement of the CID Sales Tax, or the date on which the CID Cap is met, whichever is sooner.
- **“CID Cap”** means \$1,528,714.00 (One Million Five Hundred Twenty Eight Thousand Seven Hundred Fourteen Dollars and NO cents), which shall be the maximum amount of CID Sales Tax Revenue that Developer is eligible to receive, subject to any such reduction for failure to meet the goals set forth in Section 9.5 of this Agreement. Once Developer has received an amount equal to the CID Cap in reimbursements for CID Costs, the parties understand and agree that the CID Collection Period shall terminate and Developer’s access to the CID Sales Tax Revenue shall thereafter terminate.
- **“CID Costs”** means all Project Costs (as defined in the CID Act) eligible for disbursement to Developer pursuant to the CID Act and this Agreement, and payable from the revenues derived from the CID Sales Tax, including necessary reserves, capitalized interest and costs of issuance. For purposes of this Agreement, Developer’s attorneys’ fee, engineering, architectural fees and fees for other professional services, land acquisition costs and the cost of constructing the sidewalk from the hotel to the U.S. Soccer National Performance Center shall not be eligible as reimbursable CID Costs.
- **“CID Sales Tax”** means the 1.50% community improvement district sales tax to be imposed within the CID pursuant to the CID Act for the CID Collection Period.
- **“CID Sales Tax Revenue”** means all revenues received by the Unified Government from the CID Sales Tax, as set forth in **Section 4.1**.
- **“CID Sales Tax Fund”** means the Legends Hotel Sales Tax Fund, created pursuant to the CID Act and **Section 4.2** hereof.
- **“City”** means the City of Kansas City, Kansas.
- **“Construction Plans”** means plans, drawings, specifications and related documents, and construction schedules for the construction of the Project, together with all supplements, amendments and corrections, submitted by Developer if required for the construction of the Project, and, if applicable, approved by the Unified Government, in accordance with this Agreement.
- **“County”** means Wyandotte County, Kansas.
- **“Developer”** means Legends Hotel, LLC, a Kansas limited liability company, and any successors and assigns approved or otherwise permitted in accordance with this Agreement.
- **“Developer Event of Default”** means any event or occurrence as defined in **Section 10.1**.
- **“District”** has the meaning set forth in the Recitals.
- **“Effective Date”** means the date the Agreement is executed by the Unified Government.

- **“Excusable Delay”** means any delay beyond the reasonable control of the Party affected, including: any delays to the Project Schedule; and any delays caused by or related to a: pandemic (e.g., COVID-19), epidemic, damage or destruction by fire or other casualty, power failure, strike, shortage of materials, unavailability of labor, financing, delays in the receipt of Permitted Subsequent Approvals as a result of unreasonable delay on the part of the applicable Governmental Authorities, adverse weather conditions such as, by way of illustration and not limitation, severe rain storms or below freezing temperatures of abnormal degree or abnormal duration, tornadoes, the inability of Developer to locate purchasers, tenants, or users in connection with any portion of the Project; caused by a contractor, subcontractor, or other third parties; and any other reasonable hindrance to Developer’s development of the Project provided such hindrance is not directly and solely caused by Developer, and any other events or conditions, including but not limited to any dispute or litigation interfering with or delaying the construction of all or any portion of the Project in accordance with this Agreement, which in fact prevents the Party so affected from discharging its respective obligations hereunder.
- **“Governmental Approvals”** means all plat approvals, re-zoning or other zoning changes, site plan approvals, conditional use permits, variances, building permits, architectural review or other subdivision, zoning or similar approvals required for the implementation of the Project and consistent with the Plans and this Agreement.
- **“Governmental Authorities”** means any and all jurisdictions, entities, courts, boards, agencies, commissions, offices, divisions, subdivisions, departments, bodies or authorities of any type of any governmental unit (federal, state or local) whether now or hereafter in existence.
- **“Parties”** means Developer and the Unified Government and their successors and assigns.
- **“Permitted Subsequent Approvals”** means the zoning and building permits and other governmental approvals customarily obtained prior to construction which have not been obtained on the Effective Date, which the Unified Government or other Governmental Authority has not yet determined to grant.
- **“Plans”** means any Site Plan, Construction Plans and all other Governmental Approvals necessary to construct the Project in accordance with Unified Government code, applicable laws of Governmental Authorities and this Agreement.
- **“Project”** has the meaning set forth in the Recitals.
- **“Project Area”** means the approximately 1.23+/- acres located at or about the Southeast corner of the intersection of 98th St. and Parallel Parkway, Kansas City, Wyandotte County, Kansas, as legally described on **Exhibit A** attached hereto.
- **“Project Budget”** means the estimated project budget for the Project, as set forth in **Exhibit G**.
- **“Project Costs”** means all costs associated with the Project authorized (whether by statute, policy, ordinance of the Unified Government or otherwise) for reimbursement to Developer including, but not limited to, financing fees and expenses, demolition costs,

utility and infrastructure improvement fees and costs, signage costs, landscaping costs, inspection and testing expenses, developer fees, structural costs, parking lot related costs, vertical improvement costs, tenant improvement or tenant allowance costs, and other costs required to complete and implement the Project in accordance with Applicable Laws and Requirements, whether or not such costs were undertaken by Developer, and including, as applicable, any CID Costs. For purposes of this Agreement, Developer's attorneys' fee, engineering, architectural fees and fees for other professional services, land acquisition costs and the cost of constructing the sidewalk from the hotel to the U.S. Soccer National Performance Center shall not be eligible as reimbursable Project Costs.

- **"Site Plan"** means, if applicable, the final site plan submitted by Developer to the Unified Government and approved by the Unified Government pursuant to applicable Unified Government ordinances, regulations and Unified Government code provisions, which may be approved as a whole or approved in phases or stages.
- **"Substantial Completion"** shall mean such time as all improvements contemplated in the Site Plan have been completed, as evidenced by the Developer's submission, and Unified Government acceptance, of a Certificate of Substantial Completion in accordance with Section 6.7.
- **"Unified Government"** means the Unified Government of Wyandotte County/Kansas City, Kansas.
- **"Unified Government Event of Default"** means any event or occurrence defined in Section 10.2.
- **"Unified Government Representative"** means the Mayor/CEO or County Administrator, and such other person or persons at the time designated to act on behalf of the Unified Government in matters relating to this Agreement.
- **"Unified Government Indemnified Parties"** has the meaning set forth in Section 9.1.

2 REPRESENTATIONS AND WARRANTIES

2.1 Representations of Unified Government. The Unified Government represents and warrants that it has full constitutional and lawful right, power and authority, under current applicable law, to execute and deliver and perform the terms and obligations of this Agreement, and this Agreement has been duly and validly authorized and approved by all necessary Unified Government proceedings, findings and actions. Accordingly, this Agreement constitutes the legal valid and binding obligation of the Unified Government, enforceable in accordance with its terms.

2.2 Representations of Developer. Developer makes the following representations and warranties, which are true and correct on the date hereof to Developer's actual knowledge:

- A. Due Authority. Developer represents and warrants that it has all necessary organizational power and authority to execute, deliver and perform the terms and obligations of this Agreement and to execute and deliver the documents required of Developer herein, and

such execution and delivery has been duly and validly authorized and approved by all necessary procedures. Accordingly, this Agreement constitutes the legal valid and binding obligation of Developer, enforceable in accordance with its terms.

- B. No Defaults or Violation of Law. The execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of the terms and conditions hereof, to the best of Developer's actual knowledge, do not and will not conflict with or result in a breach of any of the terms or conditions of any corporate or organizational restriction or of any agreement or instrument to which it is now a party, and do not and will not constitute a default under any of the foregoing.
- C. No litigation. No litigation, proceeding or investigation is pending or, to the actual knowledge of Developer, threatened against the Project, Developer, or any officer, director, member or shareholder of Developer that would adversely affect or impair the Project or the obligations of Developer under this Agreement. In addition, no litigation, proceeding or investigation is pending or, to the actual knowledge of Developer, threatened against Developer seeking to restrain, enjoin or in any way limit the approval or issuance and delivery of this Agreement or which would in any manner challenge or adversely affect the existence or powers of Developer to enter into and carry out the transactions described in or contemplated by the execution, delivery, validity or performance by Developer, of the terms and provisions of this Agreement.
- D. No Material Change. (1) Developer has not incurred any material liabilities or entered into any material transactions associated with the Project, other than in the ordinary course of business and except for the transactions contemplated by this Agreement, and (2) there has been no material adverse change in the business, financial position, prospects or results of operations of Developer, which could affect Developer's ability to perform its obligations pursuant to this Agreement from that shown in the financial information provided by Developer to the Unified Government prior to the execution of this Agreement.
- E. Governmental or Corporate Consents. To the best of Developer's actual knowledge, no consent or approval is required to be obtained from, and no action need be taken by, or document filed with, any governmental body or corporate entity in connection with the execution, delivery and performance by Developer of this Agreement, other than Permitted Subsequent Approvals and any authorizing resolutions made in connection with this Agreement.
- F. No Default. No Developer Event of Default has occurred and is continuing, and no event has occurred and is continuing which with the lapse of time or the giving of notice, or both, would constitute a Developer Event of Default in any material respect.
- G. Approvals. Except for Permitted Subsequent Approvals, to the best of Developer's actual knowledge, Developer has received and is in good standing with respect to all certificates, licenses, inspections, franchises, consents, immunities, permits, authorizations and approvals, governmental or otherwise, necessary to conduct and to continue to conduct its business associated with the Project and this Agreement as heretofore conducted by it and to own or lease its properties as now owned or leased by it. Except for the Permitted Subsequent Approvals, to the best of Developer's actual knowledge, Developer has obtained all certificates, licenses, inspections, franchises, consents, immunities, permits,

authorizations and approvals, governmental or otherwise, necessary to conduct and to continue to conduct its business associated with plans to acquire, construct, equip, operate and maintain the Project. Developer reasonably believes that all such certificates, licenses, inspections, franchises, consents, immunities, permits, authorizations and approvals, governmental or otherwise, which have not yet been obtained will be obtained in due course.

- H. Construction Permits. Except for the Permitted Subsequent Approvals, to the best of Developer's actual knowledge, all governmental permits and licenses required by applicable law to construct, occupy and operate the Project have been issued and are in full force and effect or, if the present stage of development does not allow or is not yet appropriate for such issuance, Developer reasonably believes, after due inquiry of the appropriate governmental officials, that such permits and licenses will be issued in a timely manner in order to permit the Project to be constructed.
- I. Compliance with Laws. To the best of Developer's actual knowledge, Developer is in compliance with all valid laws, ordinances, orders, decrees, decisions, rules, regulations, and requirements of every duly constituted governmental authority, commission and court applicable to any of its affairs, business and operations as contemplated by this Agreement.
- J. Other Disclosures. The information furnished to the Unified Government by Developer in connection with the matters covered in this Agreement are true and correct and do not contain any untrue statement of fact and do not omit to state any material fact required to be stated therein or necessary to make any statement made therein, in the light of the circumstance under which it was made, not misleading.
- K. Project. Developer represents and warrants that the Project Area is sufficient to construct the Project in this Agreement.

2.3 Developer's Acquisition of the Project Area. At the time that this Agreement is executed, Developer represents that, except for any associated public right-of-way adjacent to the District, it either has or is under contract to purchase legal fee simple title (or easements as the case may be) to all the necessary real property in the Project Area needed for construction of the Project.

3 FINANCING OF PROJECT COSTS GENERALLY

3.1 Unified Government's Obligation to Reimburse Developer. In consideration for Developer's agreement to construct the Project, and subject to available revenues and the terms of this Agreement, the Unified Government agrees to reimburse Developer for all of its CID Costs from CID Sales Tax Revenue. Subject to available revenues, Developer shall be reimbursed for Project Costs (1) from the CID Sales Tax Fund as funds are collected in the CID Sales Tax Fund (the "**Pay As You Go**" method), as further set forth in **Section 3.2** and **Section 4.2(B)**. The Parties agree that all reimbursement to Developer shall be made only on a Pay As You Go basis. The Parties further agree that the Unified Government shall have no obligation to reimburse Developer until funds are available in the CID Sales Tax Fund.

3.2 Pay As You Go Financing. For the Project Costs to be reimbursed to Developer on a Pay As You Go basis, the CID Sales Tax Revenue, as applicable, will be disbursed by the Unified

Government from the CID Sales Tax Fund, from time to time, but not more often than on a quarterly basis, to reimburse Developer for the applicable Project Costs. Target dates for quarterly distributions are April 30th, July 31st, October 31st, and January 31st. Except as otherwise provided in this Section 3, the CID Sales Tax Revenue, as applicable, shall be disbursed from the Unified Government to Developer if and to the extent that there are available funds in the CID Sales Tax Fund.

4 CID SALES TAX REVENUE

4.1 Reimbursement of CID Sales Tax Revenue. Subject to the terms and conditions of this Agreement and the CID Act, the Unified Government shall cause the imposition of the CID Sales Tax within the District on the date set forth in this Section 4.1. The resulting revenue from the imposition of the CID Sales Tax (the "**CID Sales Tax Revenue**") will be collected and applied to reimburse Developer for all of its CID Costs. The Unified Government hereby authorizes the levy of the CID Sales Tax and directs the Unified Government's clerk and staff to take all actions necessary to impose such CID Sales Tax with collection commencing on **January 1, 2023** (the "**CID Collection Start Date**"), or such other date selected by Developer and communicated to the Unified Government so long as such notice is provided not less than ninety (120) days prior to the CID Collection Start Date.

4.2 CID Sales Tax Fund.

A. **Creation of CID Sales Tax Fund; Deposit of CID Sales Tax Revenue.** During the existence of the CID, all CID Sales Tax Revenue generated within the District shall be deposited into a fund to be known as the Legends Hotel CID Sales Tax Fund (the "**CID Sales Tax Fund**"), which shall be established and administered by the Unified Government in compliance with this Agreement and Applicable Laws and Requirements.

B. **Disbursements from CID Sales Tax Fund.** All disbursements from the CID Sales Tax Fund will be made to reimburse Developer for CID Costs, including the payment of principal of and interest on any CID Obligations issued by the Unified Government to finance, in whole or in part, the Project. The Unified Government shall have sole control of the disbursements from the CID Sales Tax Fund. Such disbursements shall first be made to pay the CID Administrative Service Fee to the Unified Government pursuant to **Section 4.5**, then, after payment of the CID Administrative Service Fee, to reimburse Developer for CID Costs incurred by Developer.

4.3 CID Collection Period. The CID Sales Tax will be collected within the District for a period that commences on the date that the CID Sales Tax is imposed up to and concluding upon the date occurring either (1) twenty two (22) years thereafter or (2) upon the date that Developer reaches the CID Cap, whichever comes first (the "**CID Collection Period**"). At the end of the CID Collection Period, the Parties understand and agree that the CID and CID Sales Tax will terminate. Notwithstanding the foregoing or anything in this Agreement to the contrary, the Unified Government hereby agrees that Developer may terminate this Agreement at any time upon thirty (30) days prior written notice to the City. Upon such termination by Developer, the parties agree that the City shall take any and all action necessary to promptly terminate the CID and CID Sales Tax, and to cease collection of the CID Sales Tax as soon as reasonably possible, in accordance with the CID Act and other Applicable Laws and Requirements.

- 4.4 CID Annual Administrative Service Fee.** The Unified Government will collect the CID Administrative Service Fee on all CID Sales Tax Revenue. The CID Administrative Service Fee will be used to cover the administration and other Unified Government costs incurred for the duration of the CID Collection Period, and will be in addition to the costs identified in the Project Budget. The CID Administrative Service Fee may be paid at the same frequency as the CID distributions are paid to Developer from the CID Sales Tax Revenue deposited in the CID Sales Tax Fund, or as the proceeds of CID Obligations are disbursed to Developer, as applicable, and will be deemed a CID Cost. If CID Obligations have been issued and there are insufficient funds available in the CID Sales Tax Fund to pay the CID Administrative Service Fee, then such CID Administrative Service Fee will accrue and be paid to the Unified Government in full at such time as sufficient funds are available in the CID Sales Tax Fund. Developer may continue to use any surplus amounts of CID Sales Tax Revenue after all CID Costs have been reimbursed, for any purpose authorized by the CID Act. No interest or fees shall accrue or be charged on any unpaid CID Administrative Service Fee.

5 DEVELOPER REIMBURSEMENT PROCEDURES

- 5.1 Certificate of Project Costs.** All requests for payment or reimbursement of Project Costs shall be made in a Certificate of Project Costs in substantially the form attached hereto as ***Exhibit E***. Requests for payment of Project Costs shall be submitted by Developer to the Unified Government not more often than monthly. Developer shall provide itemized invoices, real estate contracts, receipts or other information reasonably requested, if any, to confirm that any such cost has been incurred by Developer, and shall further provide a summary sheet detailing the costs requested to be paid or reimbursed. Such summary sheet, including any attachments or supplements thereto, shall show the approximate date such cost was incurred and/or paid, the payee, a brief general description of the type of cost paid, and the amount paid. Developer shall provide such additional information as reasonably requested by the Unified Government to confirm that the such costs have been paid and qualify as Project Costs.
- 5.2 Inspection.** The Unified Government reserves the right to, upon reasonable notice to Developer, have its engineer or other agents or employees inspect all work in respect of which a Certificate of Project Costs is submitted, to examine Developer's records relating to all expenses related to the invoices to be paid, and to obtain from such parties such other information as is reasonably necessary for the Unified Government to evaluate compliance with the terms of this Agreement.
- 5.3 Review and Approval.** The Unified Government shall have thirty (30) calendar days after receipt of any Certificate of Project Costs to review and respond by written notice to Developer. If the submitted Certificate of Project Costs and supporting documentation demonstrates that: (1) the request relates to the Project; (2) the applicable expense(s) have been paid; (3) Developer is not in material default under this Agreement; and (4) there is no fraud on the part of Developer, then the Unified Government shall approve the Certificate of Project Costs and make, or cause to be made, payment or reimbursement from the CID Sales Tax Fund, or from the Proceeds of Obligations, as applicable, in accordance with this Agreement, within thirty (30) days following the Unified Government's approval of the Certificate of Project Costs. If the Unified Government reasonably disapproves the Certificate of Project Costs, the Unified Government shall notify Developer in writing of the reason for such disapproval within such thirty (30) day period. Approval of the Certificate of Project Costs will not be unreasonably withheld, conditioned, or delayed. The parties agree to engage

in non-binding mediation if there is a dispute as to the approval or denial of any Certificate of Project Costs prior to taking any further actions as allowed by law.

5.4 Right to Inspect and Audit. Developer agrees that, for up to one (1) year after completion of the Project, the Unified Government, with reasonable advance notice and during normal business hours, shall have the right and authority to reasonably review and audit from time to time, all of Developer's books and records relating to the Project Costs (including all general contractor's sworn statements, general contracts, subcontracts, material purchase orders, waivers of lien, paid receipts and invoices).

5.5 Limitation on Unified Government's Payment Obligations. Notwithstanding any other term or provision of this Agreement, the Unified Government's obligation to reimburse Developer for Project Costs shall be limited to monies in the CID Sales Tax Fund, and shall not be payable from any other source.

6 THE PROJECT

6.1 Scope of the Project. Developer shall construct, or cause to be constructed, a Project consisting of a new hotel with an indoor pool, fitness center, breakfast buffet, conference space of approximately 1,000 square feet, a sidewalk connecting the hotel to the U.S. Soccer National Performance Center, and other uses as more fully set in the CID Petition attached as **Exhibit C** hereto. The hotel shall have a franchise flag scale of "Upper Midscale" or higher as categorized by STR, Inc. during the first twenty (20) years of this Agreement.

6.2 Project Schedule.

- A. Subject to the terms and conditions of this Agreement, Developer will use reasonable efforts to construct, or cause to be constructed, the Project within twenty-four (24) months from the date that Developer has secured all final permits for the Project (the "Completion Date"). The completion of the Project shall be evidenced by the Developer's submission, and Unified Government acceptance, of a Certificate of Substantial Completion in accordance with **Section 6.7** of this Agreement.
- B. The Unified Government agrees to act in good faith and use its best efforts to timely process and review all Plans and consider the issuance of all necessary permits and other approvals, including building permits, rezoning approvals, preliminary and final plat approval, and all other permits or approvals which are required for Developer and businesses within the District to construct the Project. To the extent the Unified Government determines that any Plans or other documents or requests submitted by Developer for the Unified Government's approval are unacceptable, the Unified Government shall provide a written description detailing the portions of the Plans or documents that are unacceptable and provide Developer a reasonable opportunity to remedy, or cause to be remedied, the same.
- C. The Parties recognize and agree that market and other conditions may affect the Project Schedule. Therefore, the Project Schedule is subject to change and/or modification, with the prior written approval of the Unified Government, which shall not be unreasonably conditioned, delayed, or withheld, upon a showing by Developer of changed or adverse market or other conditions.

- 6.3 Project Budget.** Developer estimates that the costs associated with the Project are as set forth in **Exhibit G** attached hereto, it being acknowledged by the Parties that the Project Budget has been prepared prior to the issuance of construction permits and prior to final bids based on said issuance, and the Project Budget is, therefore, subject to change at Developer's discretion. Upon request of the Unified Government in connection with a Certificate of Project Costs, Developer shall provide a detailed sources and uses of funds for the Project Costs sought to be reimbursed pursuant to the Certificate of Project Costs.
- 6.4 Design of Project.** In order to further the development of the Project, the Unified Government hereby authorizes Developer to construct, or cause to be constructed, the Project according to the Plans approved by the Unified Government.
- 6.5 Construction Plans, Permits and Approvals.**
- A. Construction Plans. Developer shall submit Construction Plans for the Project for review and approval pursuant to Unified Government Code. Construction Plans may be submitted in phases or stages. Developer agrees that all construction, improvement, equipping, and installation work on the Project shall be done substantially in accordance with the Site Plan, Construction Plans and related documents to be approved by the Unified Government in compliance with Unified Government Code.
 - B. Construction Permits and Approvals. Before commencement of construction or development of any buildings, structures or other work or improvements, Developer shall, at its own expense, secure or cause to be secured any and all permits and approvals which may be required by the Unified Government pursuant to the Unified Government Code, or by any other Governmental Authorities having jurisdiction as to such construction, development or work. The Unified Government shall cooperate with and provide all usual assistance to Developer in securing these permits and approvals, and shall diligently process, review and consider all such permits and approvals as may be required by law.
 - C. Development Schedule. Developer shall commence construction of the Project in a good and workmanlike manner in substantial accordance with the terms of this Agreement. Developer shall cause the Project to be completed with due diligence, subject to Excusable Delay. Upon reasonable advance written notice by Unified Government to Developer, or Developer's general contractor shall meet with the Unified Government to review and discuss the design and construction of the Project in order to enable the Unified Government to monitor the status of construction and to determine that the Project is being performed and completed in substantial accordance with this Agreement.
 - D. Continuation and Completion. Subject to Excusable Delays, and except as otherwise agreed to by the Parties in writing, once Developer has commenced construction of the Project, or a particular phase of the Project as approved by the Unified Government, Developer shall not permit cessation of work on the Project or such phase of the Project for a period in excess of 60 consecutive days or 90 days in the aggregate without prior written consent of the Unified Government (provided that build out of spaces or other construction within a completed "shell", shall not be subject to this requirement).

- E. Antidiscrimination. Developer, for itself, its successors and assigns, and any contractor with whom Developer has contracted for the performance of work on the Project, agrees that in the construction, renovation, improvement, equipping, repair and installation of the Project provided for in this Agreement, Developer will not discriminate against any employee or applicant for employment because of race, color, creed, religion, age, sex, sexual orientation, gender identity, marital status, disability, national origin or ancestry.
- F. No Waiver. Nothing in this Agreement will constitute a waiver of the Unified Government's right to consider and approve or deny Governmental Approvals pursuant to the Unified Government's regulatory authority as provided by Unified Government Code and applicable state law. Developer acknowledges that satisfaction of certain conditions contained in this Agreement require the reasonable exercise of the Unified Government's discretionary zoning authority by the Unified Government's Planning Commission and Governing Body in accordance with Unified Government Code and applicable state law.

6.6 Rights of Access. Representatives of the Unified Government shall have the right of access to the Project, without charges or fees, at normal construction hours during the period of construction, upon reasonable written notice to Developer, for the purpose of ensuring compliance with this Agreement, including the inspection of the work being performed in constructing, renovating, improving, equipping, repairing and installing the Project; provided, however, that such representatives of the Unified Government, prior to any such access, shall check in with the on-site manager, and at all times while present at the Project, shall carry proper identification, insure their own safety assuming the risk of injury, and not interfere with the construction activity.

6.7 Certificate of Substantial Completion. Promptly after completion of the Project in accordance with the provisions of this Agreement, Developer shall submit a Certificate of Substantial Completion to the Unified Government. "**Substantial Completion**" shall mean Developer will have completed substantially all work with respect to the Project and provided all Certificates of Project Costs with respect to the Project (except those related to ongoing maintenance and repair or tenant improvement costs and expenses). The Certificate of Substantial Completion will be in substantially the form attached as **Exhibit F**. The Unified Government shall, within ten (10) business days following delivery of the Certificate of Substantial Completion, carry out such inspections as it deems necessary to verify to its reasonable satisfaction the accuracy of the certifications contained in the Certificate of Substantial Completion. The Unified Government's execution of the Certificate of Substantial Completion shall constitute evidence of the satisfaction of Developer's agreements and covenants to construct the Project to which the Certificate of Substantial Completion relates.

7 USE OF PROJECT

7.1 Operation of Project. The Project shall comply with all applicable building and zoning, health, environmental and safety codes and laws and all other Applicable Laws, rules and regulations. Developer will, at its own expense (or at the expense of Project tenants and users), secure or cause to be secured, any and all permits which may be required by the Unified Government and any other governmental agency having jurisdiction for the construction and operation of the Project.

7.2 Sales Tax Information.

- A. Developer agrees to cause all assignees, purchasers, tenants, subtenants or any other entity acquiring property or occupancy rights in the District to be obligated to provide to the County Administrator and the Finance Director along with submission to the Kansas Department of Revenue the monthly sales tax returns for their facilities in the District.
- B. To the extent it may legally do so, information obtained pursuant to this Section shall be kept confidential by the Unified Government in accordance with K.S.A. 79-3657.

7.3 Taxes, Assessments, Encumbrances and Liens.

- A. So long as Developer owns real property within the District, Developer will pay, or cause to be paid, when due (after any extensions, settlement of disputes, and appeals), all real estate taxes and assessments on the property it owns within the District. Nothing herein will be deemed to prohibit Developer from contesting the validity or amounts of any tax, assessment, encumbrance or lien, or to limit the remedies available to Developer in respect thereto. Developer and any other owners of real property in the District, as applicable, will promptly notify the Unified Government in writing of a protest of real estate taxes or valuation of Developer's or such other owner's property within the District in accordance with Applicable Laws and Requirements.
- B. Subject to the provisions of this Agreement (including Excusable Delay), Developer agrees to use commercially reasonable efforts to prevent mechanics' or other liens from being established or remaining against the Project, or the funds in connection with the Project, for labor or materials furnished in connection with any acquisition, construction, additions, modifications, improvements, repairs, renewals or replacements so made. However, Developer shall not be in default if mechanics' or other liens are filed or established and Developer contests (or causes to be contested) in good faith said mechanics' liens, and in such event may permit the items so contested to remain undischarged and unsatisfied during the period of such contest and any appeal therefrom. Developer hereby agrees and covenants to indemnify and hold harmless the Unified Government in the event any liens are filed against the Project as a result of acts of Developer, its agents or independent contractors.

7.4 Financing During Construction; Rights of Holders.

- A. **No Encumbrances Except Mortgages during Construction.** Notwithstanding any other provision of this Agreement, mortgages are permitted for the acquisition, construction, renovation, improvement, equipping, repair and installation of the Project and to secure permanent financing thereafter. However, nothing contained in this paragraph is intended to permit or require the subordination of general property taxes, special assessments or any other statutorily authorized governmental lien to be subordinate in the priority of payment to such mortgages.
- B. **Holder Not Obligated to Construct Improvements.** The holder of any mortgage authorized by this Agreement shall not be obligated by the provisions of this Agreement to construct or complete the Project or to guarantee such construction or completion. Nothing in this Agreement shall be deemed to construe, permit or authorize any such holder to devote the Project to any uses or to construct any improvements thereon, other than those uses or improvements provided for or authorized by this Agreement.

- C. **Notice of Default to Mortgage Holders; Right to Cure.** With respect to any mortgage granted by Developer as provided herein, whenever the Unified Government shall deliver any notice or demand to Developer with respect to any breach or default by Developer in completion of construction of the Project, the Unified Government shall at the same time deliver to each holder of record of any mortgage authorized by this Agreement a copy of such notice or demand, if the Unified Government has been requested to do so in writing by Developer. Each such holder shall (insofar as the rights of the Unified Government are concerned) have the right, at its option, within ninety (90) days after the receipt of the notice, to cure or remedy or commence to cure or remedy any such default and to add the cost thereof to the mortgage debt and the lien of its mortgage. Nothing contained in this Agreement shall be deemed to permit or authorize such holder to undertake or continue the construction or completion of the Project (beyond the extent necessary to conserve or protect the Project or construction already made) without first having expressly assumed Developer's obligations to the Unified Government by written agreement reasonably satisfactory to the Unified Government. The holder, in that event, must agree to complete, in the manner provided in this Agreement, that portion of the Project to which the lien or title of such holder relate, and submit evidence satisfactory to the Unified Government that it has the qualifications and financial responsibility necessary to perform such obligations.
- D. The restrictions on Developer financing in this Section are intended to and shall apply only to financing during the construction period for the improvements and any financing obtained in connection therewith. Nothing in this Agreement is intended or shall be construed to prevent Developer from obtaining any financing for the Project or any aspect thereof.

7.5 Covenant for Non-Discrimination.

- A. Developer covenants by and for itself and any successors in interest that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, sexual orientation, gender identity, marital status, age, disability, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the District, nor shall Developer itself or any person claiming under or through it establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees of the Project. Any such acts must be actual, intentional and proven discrimination by a court of law after any appeals.
- B. The covenant established in this Section shall, without regard to technical classification and designation, be binding for the benefit and in favor of the Unified Government, its successors and assigns and any successor in interest to the Project or any part thereof. The covenants contained in this Section shall remain for so long as this Agreement is in effect, or so long as Obligations are outstanding, whichever is longer.

8 ASSIGNMENT; TRANSFER

- 8.1 Transfer Generally.** Except as otherwise provided in this Agreement, the rights, duties and obligations hereunder of Developer may not be assigned, in whole or in part, to another entity, without the prior approval of the Unified Government County Administrator, which shall not be unreasonably withheld, conditioned or delayed, with the right to request an

appeal to the Unified Government Commission. Except as otherwise provided in this Agreement, any proposed assignee shall, by instrument in writing, for itself and its successors and assigns, and expressly for the benefit of the Unified Government, assume all of the obligations of Developer under this Agreement and agree to be subject to all the conditions and restrictions to which Developer is subject (or, in the event the transfer is of, or relates to, a portion of the District, such obligations, conditions and restrictions to the extent that they relate to such portion). Developer will not be relieved from any obligations set forth herein unless and until the Unified Government specifically agrees to release Developer. Notwithstanding anything herein to the contrary, (i) Developer shall have the right to assign all or any portion of its rights, title and interest in this Agreement to (i) a lender for purposes of securing financing, and (ii) any entity owned or controlled, directly or indirectly, by Developer or one or more of its principals (an "Affiliate Transfer"), both of which are permitted without the approval of the Unified Government. If requested by Developer or Developer's lender, the Unified Government hereby agrees to, and authorizes the Unified Government County Administrator, without the approval of the Unified Government Commission, to execute a consent and agreement to: (i) such collateral assignment; or (ii) specifically release Developer from any and all obligations assumed by the assignee in an Affiliate Transfer, upon receipt by the Unified Government of a fully-executed assignment and assumption agreement.

- 8.2 Tenants.** No tenant of any part of the District shall be bound by any obligation of Developer solely by virtue of being a tenant; provided, however, that no transferee or owner of property within the District except Developer shall be entitled to any rights whatsoever or claim upon the tax revenues as set forth herein, except as specifically authorized in writing by Developer and approved by the Unified Government.
- 8.3 Permitted Assignments/Transfers.** The foregoing restrictions on assignment in Section 8.1, and the restrictions in **Section 8.4**, shall not apply to (a) any security interest granted to secure indebtedness to any construction or permanent lender, or (b) the sale, rental or leasing of portions of the District for the uses permitted under the terms of this Agreement, all of which are permitted without any approval of the Unified Government or assumption on the part of the transferee.
- 8.4 Developer Reorganization or Transfer of Ownership.** Nothing herein shall prohibit Developer from forming additional development or ownership entities to replace or joint venture with Developer for the purpose of business planning. Nothing herein shall prohibit Developer from selling or transferring the Project or the District (or a portion thereof), or Developer's interest therein. The Parties agree and acknowledge that any rights of Developer hereunder to receive reimbursement for Project Costs run with this Agreement, and as such, any party to which this Agreement is assigned, sold, transferred or conveyed, whether in whole or in part, may (in Developer's discretion) also be assigned any and all rights with respect to reimbursement of Project Costs for those portions of the Project or District (or a portion thereof) assumed by such assignee. Additionally, any party entitled to receive reimbursement of Project Costs hereunder shall have the right, without the consent of the Unified Government, to assign such right to receive reimbursement of Project Costs to Developer as pay-as-you-go proceeds contemplated in this Agreement.

9 GENERAL COVENANTS

9.1 Indemnification of Unified Government.

- A. Developer agrees to indemnify and hold the Unified Government, its employees, agents and independent contractors and consultants (collectively, the **“Unified Government Indemnified Parties”**) harmless from and against any and all suits, claims, costs of defense, damages, injuries, liabilities, judgments, costs and/or expenses, including court costs and reasonable attorneys’ fees, resulting from, arising out of, or in any way connected with
- (1) Developer’s actions and undertaking in implementation of the Project or this Agreement,
 - (2) the negligence or willful misconduct of Developer, its employees, agents or independent contractors and consultants in connection with the management, design, development, redevelopment and construction of the Project; and
 - (3) any delay or expense resulting from any litigation filed against Developer by any member or shareholder of Developer, any prospective investor, prospective partner or joint venture partner, lender, co-proposer, architect, contractor, consultant or other vendor. The Parties further agree as follows:
- B. This **Section 9.1** shall not apply to negligence or willful misconduct of the Unified Government or its officers, employees or agents, nor to challenges to the Unified Government’s actions in considering and granting entitlements and permits, nor to any actions or disputes between the Unified Government and Developer.
- C. This **Section 9.1** includes, but is not limited to, any repair, cleanup, remediation, detoxification, or preparation and implementation of any removal, remediation, response, closure or other plan (regardless of whether undertaken due to governmental action) concerning any hazardous substance or hazardous wastes including petroleum and its fractions as defined in (a) the Comprehensive Environmental Response, Compensation and Liability Act (**“CERCLA”**; 42 U.S.C. Section 9601, et seq.), (b) the Resource Conservation and Recovery Act (**“RCRA”**); 42 U.S.C. Section 6901 et seq.), and (c) Article 34, Chapter 65, K.S.A. and all amendments thereto, at any place where Developer owns or has control of real property pursuant to any of Developer’s activities under this Agreement. The foregoing indemnity is intended to operate as an agreement pursuant to Section 107(e) of CERCLA to assure, protect, hold harmless and indemnify the Unified Government from liability.
- D. In the event any suit, action, investigation, claim or proceeding (collectively, an **“Action”**) is begun or made as a result of which Developer may become obligated to one or more of the Unified Government Indemnified Parties hereunder, any one of the Unified Government Indemnified Parties shall give prompt notice to Developer of the occurrence of such event.
- E. The right to indemnification set forth in this Agreement shall survive the termination hereof.

9.2 Insurance. During the Term, Developer shall maintain or cause to be maintained insurance with respect to the Project covering such risks that are of an insurable nature and of the character customarily insured against by organizations operating similar properties and engaged in similar operations (including but not limited to property and casualty, worker’s

compensation and general liability) and in such amounts as, in the reasonable judgment of Developer, are adequate to protect Developer and the Project.

- 9.3 Non-liability of Officials, Employees and Agents of the Unified Government.** With the exception of violations and application of the Unified Government Code of Ethics, no recourse shall be had for the reimbursement of the Project Costs or for any claim based thereon or upon any representation, obligation, covenant or agreement contained in this Agreement against any past, present or future official, officer employee or agent of the Unified Government, under any rule of law or equity, statute or constitution or by the enforcement of any assessment or penalty or otherwise, and all such liability of any such officials, officers, employees or agents as such is hereby expressly waived and released as a condition of and consideration for the execution of this Agreement.
- 9.4 Non-liability of Developer Representatives and Employees.** No shareholder, member, partner, officer, manager, director, employee, affiliate or representative of Developer shall be personally liable or obligated to perform the obligations of Developer pursuant to the provisions of this Agreement or for any Developer Event of Default or other default or breach of this Agreement by Developer.
- 9.5 LBE/MBE/WBE Employment Opportunity Goals.** Developer agrees to use its best efforts (as defined therein) to comply with the goals and provisions set forth on Exhibit H attached hereto and made a part hereof, in order to identify and provide employment opportunities for local businesses and contractors, women and local minority owned businesses in connection with the Project. Failure of Developer to reach the goals set forth in Exhibit H shall not constitute a Developer Event of Default as set forth in Section 10.1, however, the Parties agree that if the goals set forth in Exhibit H are not met then the CID Cap shall be reduced as set forth therein.

10 DEFAULTS AND REMEDIES

- 10.1 Developer Event of Default.** Except as further provided herein, and subject to Section 10.5, a “**Developer Event of Default**” shall mean a material default in the performance of any obligation or breach of any covenant or agreement of Developer in this Agreement (other than a covenant or agreement, a default in the performance or breach of which is specifically dealt with elsewhere in this Section), and continuance of such default or breach for a period of thirty (30) days after the Unified Government has delivered to Developer a written notice specifying such default or breach and requiring it to be remedied; provided, however, that if such default or breach cannot be fully remedied within such thirty (30) day period, but can reasonably be expected to be fully remedied and Developer is diligently attempting to remedy such default or breach, such default or breach shall not constitute a Developer Event of Default if Developer promptly, upon receipt of such notice, diligently attempts to remedy such default or breach and thereafter prosecutes and completes the same with reasonable due diligence and dispatch.
- 10.2 Unified Government Event of Default.** Except as further provided herein, and subject to Section 10.5, a “**Unified Government Event of Default**” shall mean a material default in the performance of any obligation or breach of any other covenant or agreement of the Unified Government in this Agreement (other than a covenant or agreement, a default in the performance or breach of which is specifically dealt with elsewhere in this Section), and

continuance of such default or breach for a period of thirty (30) days after there has been given to the Unified Government by Developer a written notice specifying such default or breach and requiring it to be remedied; provided, however, that if such default or breach cannot be fully remedied within such thirty (30) day period, but can reasonably be expected to be fully remedied and the Unified Government is diligently attempting to remedy such default or breach, such default or breach shall not constitute a Unified Government Event of Default if the Unified Government immediately, upon receipt of such notice, diligently attempts to remedy such default or breach and thereafter prosecutes and completes the same with due diligence and dispatch.

10.3 Remedies upon a Developer Event of Default.

- A. Upon the occurrence and continuance of a Developer Event of Default, the Unified Government will have the following rights and remedies, in addition to any other rights and remedies provided under this Agreement or by law:
 - (1) The Unified Government will have the right to terminate this Agreement, in which event the Unified Government will have no obligation to reimburse Developer for any amounts advanced under this Agreement or costs otherwise incurred or paid by Developer, provided, that the Unified Government will nevertheless continue to have the obligation to pay and/or reimburse Developer for any Project Costs for which Developer has, previous to such termination, submitted to the Unified Government, pursuant to Section 5 of this Agreement, which obligation to reimburse will survive the termination of this Agreement; or
 - (2) The Unified Government may pursue any available remedy at law or in equity by suit, action, mandamus or other proceeding to enforce and compel the performance of the duties and obligations of Developer as set forth in this Agreement, to enforce or preserve any other rights or interests of the Unified Government under this Agreement or otherwise existing at law or in equity and to recover any actual damages incurred by the Unified Government resulting from such Developer Event of Default; provided, however, that the maximum amount of damages shall be the amount of disbursements from the CID Sales Tax Fund paid to the Developer and in no event will the Unified Government be entitled to any special, consequential, or punitive damages, including without limitation lost tax revenues or lost profits, for any action arising from this Agreement or the transactions contemplated hereby.
- B. If the Unified Government has instituted any proceeding to enforce any right or remedy under this Agreement by suit or otherwise, and such proceeding has been discontinued or abandoned for any reason, or has been determined adversely to the Unified Government, then and in every case, the Unified Government and Developer will, subject to any determination in such proceeding, be restored to their former positions and rights hereunder, and thereafter all rights and remedies of the Unified Government will continue as though no such proceeding had been instituted.
- C. The exercise by the Unified Government of any one remedy will not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach. No waiver made by the Unified Government will apply to obligations beyond those expressly waived.

- D. Any delay by the Unified Government in instituting or prosecuting any such actions or proceedings or otherwise asserting its rights under this Section will not operate as a waiver or limitation of such rights in any way. No waiver in fact made by the Unified Government of any specific default by Developer will be considered or treated as a waiver of the rights with respect to any other default, or with respect to the particular default except to the extent specifically waived.

10.4 Remedies upon a Unified Government Event of Default.

- A. Subject to Developer's right to remedy or cure, upon the occurrence and continuance of a Unified Government Event of Default Developer will have the following rights and remedies, in addition to any other rights and remedies provided under this Agreement or by law:
 - (1) Developer will have the right to terminate Developer's obligations under this Agreement; and
 - (2) Developer may pursue any available remedy at law or in equity by suit, action, mandamus or other proceeding to enforce and compel the performance of the duties and obligations of the Unified Government as set forth in this Agreement, to enforce or preserve any other rights or interests of Developer under this Agreement or otherwise existing at law or in equity and to recover any damages incurred by Developer resulting from such Unified Government Event of Default; provided, however, that in no event will Developer be entitled to any special, consequential, or punitive damages, including without limitation lost tax revenues or lost profits, for any action arising from this Agreement or the transactions contemplated hereby.
- B. If Developer has instituted any proceeding to enforce any right or remedy under this Agreement by suit or otherwise, and such proceeding has been discontinued or abandoned for any reason, or has been determined adversely to Developer, then and in every case, Developer and the Unified Government will, subject to any determination in such proceeding, be restored to their former positions and rights hereunder, and thereafter all rights and remedies of Developer shall continue as though no such proceeding had been instituted.
- C. The exercise by Developer of any one remedy will not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach. No waiver made by Developer will apply to obligations beyond those expressly waived.
- D. Any delay by Developer in instituting or prosecuting any such actions or proceedings or otherwise asserting its rights under this paragraph will not operate as a waiver or limitation of such rights in any way. No waiver in fact made by Developer of any specific default by Developer will be considered or treated as a waiver of the rights with respect to any other defaults, or with respect to the particular default except to the extent specifically waived.

10.5 Excusable Delays. Neither the Unified Government nor Developer shall be deemed to be in default of this Agreement because of an Excusable Delay.

- 10.6 Legal Actions.** Any legal actions related to or arising out of this Agreement shall be instituted in the District Court of Wyandotte County, Kansas or, if federal jurisdiction exists, in the United States District Court for the District of Kansas.

11 GENERAL PROVISIONS

- 11.1 Mutual Assistance.** The Unified Government and Developer agree to take such actions, including the execution and delivery of such documents, instruments, petitions and certifications as may be reasonably necessary or appropriate to carry out the terms, provisions and intent of this Agreement and to reasonably aid and assist each other in carrying out said terms, provisions and intent.
- 11.2 Effect of Violation of the Terms and Provisions of this Agreement; No Partnership.** The Unified Government is deemed the beneficiary of the terms and provisions of this Agreement, for and in its own rights and for the purposes of protecting the interests of the community and other parties, public or private, in whose favor and for whose benefit this Agreement and the covenants running with the land have been provided. The Agreement will run in favor of the Unified Government, without regard to whether the Unified Government has been, remains or is an owner of any land or interest therein in the Project or the District. If this Agreement or the covenants herein are breached, the Unified Government will have the right, subject to **Section 10** hereof, to exercise all rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breaches to which it or any other beneficiaries of this Agreement and covenants may be entitled. Nothing contained herein shall be construed as creating a partnership between Developer and the Unified Government.
- 11.3 Time of Essence.** Time is of the essence of this Agreement. The Parties will make every reasonable effort to expedite the subject matters hereof and acknowledge that the successful performance of this Agreement requires their continued cooperation.
- 11.4 Amendments.** This Agreement may be amended only by the mutual consent of the Parties, as provided by law, and by the execution of a written amendment by the Parties or their successors in interest.
- 11.5 Agreement Controls.** The Parties agree that the Project will be implemented as agreed in this Agreement. This Agreement specifies the rights, duties and obligations of the Unified Government and Developer with respect to constructing the Project, the payment of Project Costs and all other methods of implementing the Project. Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations and discussions relative to the subject matter hereof and is a full integration of the agreement of the Parties.
- 11.6 Conflicts of Interest.**
- A. No member of the Unified Government's governing body or of any branch of the Unified Government's government that has any power of review or approval of any of Developer's undertakings shall participate in any decisions relating thereto which affect such person's personal interest or the interests of any corporation or partnership in which such person is directly or indirectly interested. Any person having such interest shall immediately, upon knowledge of such possible conflict, disclose, in writing, to the Unified

Government the nature of such interest and seek a determination with respect to such interest by the Unified Government and, in the meantime, shall not participate in any actions or discussions relating to the activities herein proscribed.

- B. Developer warrants that it has not paid or given and will not pay or give any officer, employee or agent of the Unified Government any money or other consideration for obtaining this Agreement. Developer further represents that, to its best knowledge and belief, no officer, employee or agent of the Unified Government who exercises or has exercised any functions or responsibilities with respect to the Project during his or her tenure, or who is in a position to participate in a decision making process or gain insider information with regard to the Project, has or will have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the Project, or in any activity, or benefit there from, which is part of the Project at any time during or after such person's tenure.

11.7 Term. Unless earlier terminated as provided herein, this Agreement shall remain in full force and effect and terminate upon the last day of the CID Collection Period. If this Agreement (or Developer's right to reimbursement of Project Costs with CID Sales Tax Revenue) is terminated prior to expiration of the CID Collection Period, the UG shall promptly terminate the CID and collection of the CID Sales Tax within the District in accordance with Applicable Laws and Requirements, notwithstanding anything herein to the contrary.

11.8 Validity and Severability. It is the intention of the parties that the provisions of this Agreement shall be enforced to the fullest extent permissible under the laws and public policies of the State of Kansas, and that the unenforceability (or modification to conform with such laws or public policies) of any provision hereof shall not render unenforceable, or impair, the remainder of this Agreement. Accordingly, if any provision of this Agreement shall be deemed invalid or unenforceable in whole or in part, this Agreement shall be deemed amended to delete or modify, in whole or in part, if necessary, the invalid or unenforceable provision or provisions, or portions thereof, and to alter the balance of this Agreement in order to render the same valid and enforceable.

11.9 Required Disclosures. Developer shall immediately notify the Unified Government of the occurrence of any material event which would cause any of the information furnished to the Unified Government by Developer in connection with the matters covered in this Agreement to contain any untrue statement of any material fact or to omit to state any material fact required to be stated therein or necessary to make any statement made therein, in the light of the circumstances under which it was made, not misleading.

11.10 Tax Implications. Developer acknowledges and represents that (1) neither the Unified Government nor any of its officials, employees, consultants, attorneys or other agents has provided to Developer any advice regarding the federal or state income tax implications or consequences of this Agreement and the transactions contemplated hereby, and (2) Developer is relying solely upon its own tax advisors in this regard.

11.11 Authorized Parties. Whenever under the provisions of this Agreement and other related documents, instruments or any supplemental agreement, a request, demand, approval, notice or consent of the Unified Government or Developer is required, or the Unified Government or Developer is required to agree or to take some action at the request of the other Party, such approval or such consent or such request shall be given for the Unified

Government, unless otherwise provided herein, by the Unified Government Representative and for Developer by any officer of Developer so authorized; and any person shall be authorized to act on any such agreement, request, demand, approval, notice or consent or other action and neither Party shall have any complaint against the other as a result of any such action taken. The Unified Government Representative may seek the advice, consent or approval of the Unified Government Commission before providing any supplemental agreement, request, demand, approval, notice or consent for the Unified Government pursuant to this Section.

11.12 Notice. All notices and requests required pursuant to this Agreement must be sent as follows:

To the Unified Government:

Unified Government Clerk
Municipal Building
701 North 7th Street
Kansas City, KS 66101
E-mail: bdeichler@wycokck.org

To Developer:

Legends Hotel, LLC
Attn: Vimal Ranat
11921 Gillette Street
Overland Park, KS 66213
E-mail: vimalranat@gmail.com
rubin.ranat@gmail.com

With a copy to:

Chief Counsel
Legal Department
Municipal Building
701 North 7th Street
Kansas City, KS 66101

With a copy to:

Josh Hill
Foulston Siefkin LLP
9225 Indian Creek Parkway
Suite 60
Overland Park, KS 66210

or at such other addresses as the Parties may indicate in writing to the other either by personal delivery, courier, or by registered mail, return receipt requested, with proof of delivery thereof, or by reputable overnight courier service. Mailed notices shall be deemed effective on the third day after mailing (or, in the case of overnight delivery, on the next business day); all other notices shall be effective when delivered. Notice may also be delivered by e-mail and when sent to the appropriate e-mail address(es) will be deemed effective on the business day delivered as evidenced by the delivery confirmation receipt retained by the sender, unless given after 5:00 p.m. in the receiving location, in which case such receipt shall be the next business day, provided that any emailed notice purporting to either terminate this Agreement or provide notice of an asserted failure, breach or default must be followed by a hard copy thereof given by one of the foregoing methods within one (1) business day thereafter unless receipt of such hard copy is expressly waived by a reply email from the recipient party in response to such notice email.

11.13 Kansas Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Kansas.

- 11.14 Counterparts.** This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.
- 11.15 Consent or Approval.** Except as otherwise provided in this Agreement, whenever the consent, approval or acceptance of either Party is required hereunder, such consent, approval or acceptance shall not be unreasonably withheld, conditioned or unduly delayed.
- 11.16 Cash Basis Law.** This Agreement is subject to the Kansas Cash Basis Law, K.S.A. 10-1101 et seq. and amendments thereto. This Agreement shall be construed and interpreted so as to ensure that the Unified Government shall at all times stay in conformity with such laws. Seller is obligated to only make payments under the Agreement as may lawfully be made from: (a) funds budgeted and appropriated for that purpose during the Unified Government's current budget year; or (b) funds made available from any lawfully operated revenue producing source.

THIS AGREEMENT has been executed as of the Effective Date.

**UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS**

By: _____
Name: David G. Alvey
Title: Mayor/CEO
Date: _____

ATTEST:

By: _____
Unified Government Clerk

(Seal)

LEGENDS HOTEL, LLC,
a Kansas limited liability company

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF _____)
) SS.
COUNTY OF _____)

BE IT REMEMBERED, that on this _____ day of _____, 2020, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, _____ of Legends Hotel, LLC, a Kansas limited liability company, who is personally known to me to be the same person who executed, in such capacity, the within instrument on behalf of and with the authority of said limited liability company, and such person duly acknowledged the execution of the same to be the free act and deed of said limited liability company.

WITNESS my hand and official seal.

Notary Public

My commission expires:

EXHIBIT A

Legal Description of District

All of Lot 8-B and Tract B, together with part of Lot 8-D, all of Schlitterbahn Vacation Village, Fourth Plat, a subdivision in Kansas City, Wyandotte County, Kansas, recorded as Document 2017R-07693, all lying in the Fractional North Half of Section 1, Township 11 South, Range 23 East, described as follows:

BEGINNING at the Northeast corner of Lot 8-B of Schlitterbahn Vacation Village, Fourth Plat, a subdivision in Kansas City, Wyandotte County, Kansas; thence South 04 degrees 31 minutes 11 seconds East, on the East line of said Lot 8-B, and on the East lines of Tract B and Lot 8-D, both of said Schlitterbahn Vacation Village, Fourth Plat, a distance of 508.48 feet to a point; thence South 85 degrees 28 minutes 49 seconds West, departing said East line, a distance of 160.37 feet to a point on the West line of said Lot 8-D; thence North 07 degrees 29 minutes 33 seconds West, on the West line of said Lot 8-D, a distance of 12.02 feet to a point of curvature; thence in a Northerly direction, continuing on said West line and on a curve to the right, having a radius of 2000.00 feet, through a central angle of 2 degrees 19 minutes 50 seconds, an arc distance of 81.35 feet to a point of tangency; thence North 05 degrees 09 minutes 43 seconds West, continuing on said West line, and on the West line of said Tract B and Lot 8-B, a distance of 422.62 feet to the Northwest corner of said Lot 8-B; thence North 88 degrees 01 minute 07 seconds East, on the North line of said Lot 8-B, a distance of 6.85 feet to a point; thence North 88 degrees 00 minutes 23 seconds East, continuing on said North line, a distance of 161.61 feet to the POINT OF BEGINNING, containing 84,639 Square Feet or 1.9430 Acres, more or less.

EXHIBIT B

Map Depiction of District



EXHIBIT C

CID Petition

PETITION FOR THE CREATION OF A COMMUNITY IMPROVEMENT DISTRICT

To: Board of Commissioners,
Unified Government of Wyandotte County / Kansas UG, Kansas

The undersigned ("**Petitioner**"), the soon-to-be owner of record, whether resident or not, of the following:

1. More than fifty-five (55%) of the land area contained within the hereinafter described community improvement district; and
2. More than fifty-five (55%) by assessed value of the land area contained within the hereinafter described community improvement district.

hereby petitions the Unified Government of Wyandotte County/ Kansas UG, Kansas (the "**UG**") to create a Community Improvement District ("**CID**") and authorize the proposed CID project (the "**CID Project**") hereinafter set forth, all in the manner provided by K.S.A § 12-6a26, *et seq.* (the "**Act**"). In furtherance of such request, the Petitioner states as follows:

1. GENERAL NATURE

The general nature of the CID Project is as follows:

The acquisition of an approximately 2+/- acre tract of real property located generally at the Southeast corner of the intersection of 98th Street and Parallel Parkway in Kansas City, Kansas, and development and redevelopment thereof to consist of some or all of the following uses, without limitation: hotel uses, retail uses and any other commercial structure or use (including but not limited to residential, office, restaurant, non-profit, governmental, or community use), and including such associated site work, infrastructure, utilities, storm water control, access, street improvements, landscaping, lighting, parking facilities (including parking garages), other associated and appurtenant structures and facilities, and any other items allowable under the Act.

2. ESTIMATED COST

The estimated cost of the CID Project is \$10,865,500, including any principal payments in connection with any loan obtained by Petitioner (or its successors in title) for the purpose of financing eligible CID costs, plus any financing costs such as interest on reimbursable amounts, any fees or expenses of the UG in connection with such CID Project, and costs of issuance of bonds or notes hereunder, if any. See **EXHIBIT A**, attached hereto, for a general budget of the

CID Project. Additionally, ongoing costs associated with the operations, maintenance, and upkeep of property located within the boundaries of the CID Project shall be eligible for reimbursement. Notwithstanding anything in this petition to the contrary, only eligible CID costs as set forth in the Act shall be reimbursable under the CID Project.

3. PROPOSED METHOD OF FINANCING

The costs of the CID Project will be financed on a pay-as-you-go basis with reimbursements from revenues available from the community improvement sales tax in the CID. The CID Project may be financed with the sale of special obligation bonds or notes issued by the UG, as permitted by market conditions and other conditions to be agreed upon by the Petitioner (or its successors in title) and the UG, and if issuance of such bonds is approved by the governing body of the UG. However, Petitioner is not seeking the issuance of full faith and credit bonds.

4. PROPOSED METHOD AND AMOUNT OF ASSESSMENT

Petitioner does not propose that the CID Project be financed through the levying of assessments.

5. PROPOSED AMOUNT OF SALES TAX

Petitioner proposes that the CID Project be financed through the levying of an add-on sales tax in the amount of one and one-half percent (1.50%) as authorized by the Act.

6. MAP AND LEGAL DESCRIPTION OF THE PROPOSED CID

A map showing the general proposed boundaries of the CID is attached hereto at **EXHIBIT B.**

The legal description of the CID is attached hereto at **EXHIBIT C.**

7. NOTICE TO PETITION SIGNERS

NAMES MAY NOT BE WITHDRAWN FROM THIS PETITION BY THE SIGNERS HEREOF AFTER THE UG COMMENCES CONSIDERATION OF THIS PETITION, OR LATER THAN SEVEN (7) DAYS AFTER THE FILING HEREOF WITH THE UG CLERK, WHICHEVER OCCURS FIRST.

8. **SEVERABILITY**

If any provision of this Petition shall be held or determined to be invalid, inoperative or unenforceable as applied in any particular case, or in all cases, because it conflicts with any other provision or provisions of this Petition or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision contained in this Petition invalid, inoperative or unenforceable to any extent whatsoever.

IN WITNESS WHEREOF, the undersigned Petitioner has executed the above foregoing Petition to create the CID on the date set forth below:

LEGEND HOTEL, LLC,
a Kansas limited liability company

By: LEISURE HOSPITALITY, LLC,
a Kansas limited liability company, its
Manager

By: 
Name: Vimal Ranat
Title: Member
Date: July 23, 2021

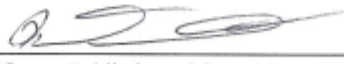
ACKNOWLEDGMENT

STATE OF Kansas)
) ss.
COUNTY OF Johnson)

BE IT REMEMBERED, that on this 23 day of July, 2021 before me, the undersigned, a Notary Public in and for said County and State, came Vimal Ranat who is known to me to be the same person who executed the within instrument, and such person duly acknowledged the execution of the same.

IN WITNESS THEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.




Notary Public in and for said
County and State

My Commission Expires:

3-9-2025

EXHIBIT A

General Budget of CID Project

<u>Improvement Category</u>	<u>Estimated Cost</u>
Land Acquisition	\$341,000
Hard Construction Costs	\$7,430,000
Soft Costs	\$2,794,500
Contingency	\$300,000
TOTAL ESTIMATED PROJECT COSTS	\$10,865,500

NOTE: Amounts listed above are cost estimates for project components and do not include associated financing costs, such as interest. Petitioner requests that reimbursement be made from the CID Revenue Fund for actual costs incurred related to cost categories listed above, including associated financing costs, such as interest and any costs associated with the City's administrative fees and expenses to be more specifically set forth in the Development Agreement, all subject to the reimbursement cap as set forth in the Development Agreement. Amounts set forth herein are estimates only, and Petitioner (and its successors in title) reserves the right to adjust the amounts paid in each cost category in Petitioner's (and its successors in title) discretion, provided that all costs reimbursed hereunder shall be subject to the provisions of the Kansas CID ACT.

EXHIBIT B

Map of Community Improvement District



EXHIBIT C

Legal Description of Community Improvement District

All of Lot 8-B and Tract B, together with part of Lot 8-D, all of Schlitterbahn Vacation Village, Fourth Plat, a subdivision in Kansas City, Wyandotte County, Kansas, recorded as Document 2017R-07693, all lying in the Fractional North Half of Section 1, Township 11 South, Range 23 East, described as follows:

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EXHIBIT D

CID Ordinance No. O-____-20

[ATTACHED]

EXHIBIT E

Form Certificate of Project Costs

CERTIFICATE OF PROJECT COSTS

TO: Unified Government of Wyandotte County/Kansas City, Kansas
Attention: County Administrator

Re: Legend Hotel, LLC CID Project

Terms not otherwise defined herein shall have the meaning ascribed to such terms in that Development Agreement between the Unified Government of Wyandotte County/Kansas City, KS (the "Unified Government") and Legend Hotel, LLC ("Developer"), dated as of _____, 2020 (the "Agreement").

In connection with the Agreement, the undersigned hereby states and certifies that:

1. Each item listed on ***Schedule 1*** hereto is a Project Cost and was incurred in connection with the construction of the Project.
2. These Project Costs are reimbursable under the Agreement.
3. Each item listed on ***Schedule 1*** has not previously been paid or reimbursed from money derived from the CID Sales Tax Fund, and no part thereof has been included in any other certificate previously filed with the Unified Government.
4. There has not been filed with or served upon Developer any notice of any lien, right of lien or attachment upon or claim affecting the right of any person, firm or corporation to receive payment of the amounts stated in this request, except to the extent any such lien is being contested in good faith.
5. To the best of Developer's actual knowledge, all necessary permits and approvals required for the work for which this certificate relates were issued and were in full force and effect at the time such work was being performed.
6. To the best of Developer's actual knowledge, all work for which payment or reimbursement is requested has been performed in a good and workmanlike manner and in accordance with the Agreement.
7. To the best of Developer's actual knowledge, Developer is not in material default or breach of any term or condition of the Agreement, and no event has occurred and no condition exists which constitutes a Developer Event of Default under the Agreement.
9. To the best of Developer's actual knowledge, all of Developer's representations set forth in the Agreement remain true and correct as of the date hereof.

Dated this ____ day of _____, 20____.

LEGENDS HOTEL, LLC

By: _____

Name: _____

Title: _____

Approved for Payment this ____ day of _____, 20____:

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

By: _____

Title: _____

SCHEDULE I
TO
CERTIFICATE OF PROJECT COSTS

Description of <u>Project Costs</u>	<u>Cost</u>	<u>Payee</u>	Designate as Project <u>Costs</u>
--	-------------	--------------	---

Total Costs:

EXHIBIT F

Form Certificate of Substantial Completion

Pursuant to Section 6.9 of the Agreement, the Unified Government shall, within ten (10) business days following delivery of this Certificate, carry out such inspections as it deems necessary to verify to its reasonable satisfaction as to the accuracy of the certifications contained in this Certificate.

CERTIFICATE OF SUBSTANTIAL COMPLETION

The undersigned, **Legends Hotel, LLC** (“Developer”), pursuant to that certain Development Agreement dated as of _____, 2020 between the **Unified Government of Wyandotte County/Kansas City, Kansas** (the “Unified Government”) and Developer (the “Agreement”), hereby certifies to the Unified Government as follows:

1. That, to the best of Developer’s actual knowledge, as of _____, 20____, the construction, renovation, repairing, equipping and constructing of the Project (as such term is defined in the Agreement) has been substantially completed in accordance with the Agreement.
2. To the best of Developer’s actual knowledge, the Project has been completed in a workmanlike manner and in accordance with the Construction Plans (as such terms are defined in the Agreement).
3. Lien waivers for applicable portions of the Project have been obtained to the best of Developer’s actual knowledge, or, to the extent that a good faith dispute exists with respect to the payment of any construction cost with respect to the Project, Developer has provided the Unified Government with a bond or other security or assurance reasonably acceptable to the Unified Government.
4. If applicable, this Certificate of Substantial Completion is accompanied by (a) the project architect’s certificate of substantial completion on AIA Form G-704 (or the substantial equivalent thereof), a copy of which is attached hereto as **Appendix A** and by this reference incorporated herein), certifying that the Project has been substantially completed in accordance with the Agreement; and/or (b) a copy of the Certificate(s) of Occupancy issued by the Unified Government Building Official with respect to each building to be constructed within the Project.
5. This Certificate of Substantial Completion is being issued by Developer to the Unified Government in accordance with the Agreement to evidence Developer’s satisfaction of all obligations and covenants with respect to the Project.
6. The Unified Government’s acceptance of this Certificate shall evidence the satisfaction of Developer’s agreements and covenants to construct the Project.

If requested by Developer, this Certificate shall be recorded in the office of the Wyandotte County Recorder of Deeds. This Certificate is given without prejudice to any rights against third parties which exist as of the date hereof or which may subsequently come into being.

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Agreement.

IN WITNESS WHEREOF, the undersigned has hereunto set his/her hand this ____ day of _____, 20 ____.

Legends Hotel, LLC

By: _____

Name: _____

Title: _____

ACCEPTED:

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

By: _____

Name: _____

Title: _____

(Insert Notary Form(s) and Legal Description)

EXHIBIT G

Project Budget

LEGEND HOTEL LLC		
Fairfield Inn & Suites - Total Estimated Project Cost & Budget of CID Reimbursement		
ESTIMATED PROJECT COSTS*	TOTAL EST. PROJECT COST	EST. BUDGET CID REIMBURSEMENT
Land Purchase Price	\$ 341,000	\$ -
New Storm Sewer	\$ 220,000	\$ 220,000
Landscaping and Parking Lot	\$ 275,000	\$ 150,000
Building Construction & Conference Area	\$ 6,400,000	\$ 1,028,714
Signage and Lighting	\$ 100,000	\$ 30,000
Site Improvements	\$ 500,000	\$ 100,000
Furniture, Fixtures and Equipment (FF&E)	\$ 1,500,000	\$ -
Soft Costs	\$ 1,129,500	
Contingency	\$ 300,000	\$ -
TOTAL	\$ 10,765,500	\$ 1,528,714

NOTE: Amounts listed above are cost estimates for project components and do not include associated financing costs, such as interest. Petitioner requests that reimbursement be made from the CID Revenue Fund for actual costs incurred related to cost categories listed above, including associated financing costs, such as interest and any costs associated with the City's administrative fees and expenses to be more specifically set forth in the Development Agreement, all subject to the reimbursement cap as set forth in the Development Agreement. Amounts set forth herein are estimates only, and Petitioner (and its successors in title) reserves the right to adjust the amounts paid in each cost category in Petitioner's (and its successors in title) discretion, provided that all costs reimbursed hereunder shall be subject to the provisions of the Kansas CID ACT.

EXHIBIT H

LBE/WBE/MBE Participation and Employment Opportunity Agreement

This Exhibit sets forth the guidelines for the utilization of local business, minority and women enterprise and local resident, minority and women participation and equal employment opportunity referenced in Section 9.5 of the Development Agreement between Legends Hotel, LLC ("Developer") and the Unified Government of Wyandotte County/Kansas City, Kansas ("Unified Government"). The Parties agree as follows:

I. SCOPE

These procedures are applicable to the design, construction, and development of the Project undertaken by Developer, as described in the Development Agreement, including:

- A.** professional services, which shall include but not be limited to architectural, engineering, planning, appraisal, public relations related to design, development, and construction of the Project; and
- B.** Construction, including but not limited to all aspects of the construction of the Project and all related facilities, including labor, materials and supplies, and construction-related services, but not including Specialized Services.

II. DEFINITIONS

All capitalized terms used in this Exhibit shall have the meaning ascribed to them in the Development Agreement and made a part thereof, or as otherwise set forth herein.

- A.** "**Best Efforts**" has the meaning set forth in Section III.C.3.b. herein.
- B.** "**Construction**" means only all aspects of construction of the Project, including labor, materials and supplies, and construction-related services. Construction shall not include services performed or associated with tenant improvements or any services requested by tenants of the Project.
- C.** "**Developer**" means Legend Hotel, LLC and any of its successors, assigns or anyone holding portions of the Project by or through them.
- D.** "**Local Business Enterprises or LBE**" means businesses headquartered or which maintain a major branch that performs the significant functions of the business in Wyandotte County or businesses of which at least fifty one percent (51%) of the stock, equity or beneficial interest is owned, held, or controlled and whose day-to-day management is under the control of an individual residing in Wyandotte County. There is no formal certification process for LBE designation. It is determined and assigned based on the criteria referenced in this definition and payment of all applicable Wyandotte County taxes and/or licensing fees.
- E.** "**Local Resident**" means an individual that, during his or her employment with the Project, maintains his or her place of domicile in Wyandotte County.

F. "Minority Business Enterprise or MBE" means a business of which at least fifty one percent (51%) of the stock, equity, or beneficial interest is owned, held, or controlled and/or whose day-to-day management is under the control of a person who is a member of an American ethnic minority group including, but not limited to, African-American, Asian-Indian, Asian-Pacific, Hispanic and Native American.

G. "Professional Services" means advisory or consulting activities including, but not limited to, architectural, engineering, legal, accounting, financial, marketing, environmental studies, medical doctors, and financial services contracted for by Developer for the design, development, and construction of the Project but specifically excluding services that have historically been sourced and provided at the holding company level by Developer (e.g., legal and accounting services).

H. "Proposer" means a person who submits a proposal in response to a solicitation for proposals issued by Developer or one of its contractors with respect to the construction of the Project or with respect to the annual operations of the Project.

I. "Specialized Services" means expertise, services or products, the application of which are unique to the business of the Project and which are only available through sole or limited source providers or national vendors, including, but not limited to the following: superflat concrete floors, vendor displays and racks, log construction, murals, mountain and exterior water feature displays (excluding plumbing), aquariums, mounts, bronze sculptures and construction management services and contingency. Specialized Services shall also include the services provided by the contractors and designers who have been involved with and have previous experience on similar projects with Developer and which Developer has engaged or intends to engage to perform similar services for the Project.

J. "Women Business Enterprise or WBE" means a business of which at least 51% of the stock, equity, or beneficial interest is owned, held, or controlled and/or whose day-to-day management is under the control of one or more women who are U.S. citizens or legal resident aliens.

H. "UG" means the Unified Government of Wyandotte County/Kansas City, Kansas.

III. DEVELOPMENT AND CONSTRUCTION OF THE PROJECT

A. GOALS FOR LBE/MBE/WBE PARTICIPATION

1. Construction Goals.

Developer will use its best efforts to meet the following goals based upon the total cost of the Project, but not including Specialized Services or Construction or Professional Services already contracted for prior to the Effective Date of the Development Agreement. In no event shall Developer be required to incur higher costs as a result of its commitment to attempt to meet such goals. These goals are based upon a disparity study performed for the Kansas City Metropolitan Area LBE, MBE and WBE participation. These goals are not to act as quotas or set asides.

	Construction	Professional Services
LBE	18%	N/A
MBE	15%	N/A
Women	7%	N/A

Where appropriate, the UG may agree to different specific goals for specific elements of the Project to be awarded by Developer, when proposed by Developer, relating to the construction of the Project, based upon the availability of qualified LBEs and certified MBEs and WBEs to perform the specific scopes of work delineated in Developer's Project Utilization Plan and taking into account the services which have previously been contracted for other than with such LBEs, MBEs and WBEs.

2. Eligibility for Credit.

a. Only firms certified or undergoing certification at the time of submittal of the subject bid or proposal and ultimately certified as MBEs or WBEs by the Kansas Department of Commerce and Housing, Missouri Department of Transportation (MODOT), City of Kansas City, Missouri, the MidAmerica Minority Business Development Council (MAMBDC), the Women's Business Enterprise National Council or any other public or private entity reasonably acceptable to the UG, may be counted towards the MBE or WBE goals.

b. Only firms qualified as LBEs, pursuant to Section II. D., at the time of submittal of the subject bid or proposal, may be counted towards the LBE goal.

c. If Developer or a Proposer has awarded a contract to an LBE, MBE or WBE that was qualified or certified (hereafter "approved," when used in this context, shall mean either certified or qualified, as the case may be) at the time the proposal listing the enterprise as LBE, MBE or WBE was submitted or was undergoing certification at the time of submittal and was ultimately certified, but the LBE, MBE or WBE becomes unapproved after the proposal was submitted, but prior to the completion and acceptance of all work with respect to which the LBE, MBE or WBE was approved, Developer shall nonetheless receive credit towards the goal for the entire portion of work performed or services provided.

d. Only the participation of LBEs, MBEs and WBEs that provide a commercially useful function required for the work of the specific solicitation shall be counted toward achievement of the goals. The LBE, MBE or WBE must be responsible for the execution of a distinct element of the work by actually performing, managing, or supervising its function in the work identified in the solicitation. Brokering is not credited. Purchases from LBEs, MBEs and WBEs that constitute indirect or general overhead costs to a projected Proposer's business may not be counted toward the goals. Costs directly incurred solely to perform the work with respect to a project contract may be counted toward the goals.

3. Construction Workforce.

a. Recruitment and outreach

Developer will use its best efforts to employ and to ensure its contractors employ Local Residents, minorities and women in all aspects of the construction of the Project except for services already contracted for prior to the Effective Date of the Development Agreement, and except for Specialized Services. These efforts shall include but not be limited to:

i. advertising in appropriate publications, describing the work available, pay scales, application procedures and maintaining a log or copies of these ads showing the date of publication and identifying the publication;

ii. working with local community organizations, minority and women's community organizations and other appropriate organizations to seek qualified local residents, minorities and females (a list of these organizations may be provided by the UG upon request); and

iii. working with the UG to promote diversity and inclusion in all aspects of the Project.

b. Employment Procedures

Developer shall implement equal employment opportunity hiring and job action procedures as those terms are commonly understood.

B. DEVELOPMENT AND CONSTRUCTION UTILIZATION PLANS

1. Developer Project Utilization Plan.

a. Developer will submit a Project Utilization Plan to the UG for review and approval within thirty days after the Effective Date of this Agreement. This Plan shall set forth: all categories of work that will be covered within solicitations that Developer or its contractors intend to issue for all Construction, an estimate of the dollar value of all work covered by these solicitations and an estimate of the dollar value of work within each identified work category; the dollar value of the work for each identified work category that is projected to be performed by LBEs, MBEs and WBEs; the potential joint ventures with LBEs, MBEs and WBEs within each identified work category; an overall schedule of all work projected to be performed, related to the design, development and construction of the Project laid out sequentially over time; and the actions Developer intends to take, with respect to each of these solicitations, to make its best efforts to meet the goals set forth in Section III.A.1. of this Exhibit.

b. Developer, in the Utilization Plan, shall designate one person as the project manager to serve as the point of contact with the UG on all matters related to the Utilization Plan. The name, address (including e-mail address if available) and phone number of the designated person shall be provided.

c. The goals of Section III.A.1. may be met by the expenditure of dollars with approved LBE, MBE or WBE prime contractors, material suppliers, subcontractors, or through joint ventures with approved LBEs, MBEs or WBEs.

i. The participation of certified MBE and WBE Proposers may count toward each goal for which they qualify, and the participation may be divided between two (2) goals but may not be double-counted. These prime Proposers shall receive credit towards the goals for the dollar value of the contract.

ii. Approved or certified MBE, and WBE and/or qualified LBE material suppliers, regular dealers and manufacturers shall be credited towards the goals for the dollar value of the contract.

iii. A joint venture involving an approved LBE, MBE or WBE as a partner, may be counted towards the applicable goal only to the extent of the dollar amount that the approved LBE, MBE or WBE is responsible for and at risk, except, however, if the L/M/WBE is the majority partner in the joint venture, the entire joint venture contract amount shall be counted, less any work subcontracted to the non L/M/WBE joint venture partner. To receive credit, the approved LBE, MBE or WBE must be responsible for a clearly defined portion of the work, profits, risks, assets and liabilities of the joint venture.

iv. Participation by a certified MBE owned by a minority woman may be counted as MBE participation or as WBE participation, however, this participation cannot be double-counted. A certified MBE or WBE may also be counted towards the LBE goal, if qualified as a LBE. The amount of participation by these businesses may be divided between the MBE or the WBE goals but may not be double-counted. A qualified LBE that is certified as a MBE and WBE shall be counted toward the LBE and the MBE or WBE goals, but shall not be counted toward both the MBE and WBE goals.

v. Only the participation of LBEs, MBEs and WBEs that provides a commercially useful function required for the work of the specific solicitation shall be counted toward achievement of the goals. The LBE, MBE or WBE must be responsible for the execution of a distinct element of the work by actually performing, managing, or supervising its function in the work identified in the solicitation. Brokering is not credited. Purchases from LBEs, MBEs and WBEs that constitute indirect or general overhead costs to a projected Proposer's business may not be counted toward the goals. Costs directly incurred solely to perform the work with respect to a project contract may be counted toward the goals.

2. Evaluation of Utilization Plans.

a. The UG will review Developer Project Utilization Plan respecting each category of work identified by Developer. In conducting its review, the UG shall evaluate the extent to which the actions Developer proposes to take to meet the goals constitute best efforts, as set forth in Section III.C.3.b. below. In no event shall Developer or any of its contractors be required to engage any LBE, MBE or WBE that is not the lowest bidder or is not qualified or capable of performing the work to acceptable standards in the reasonable discretion of Developer or its contractor.

b. Changes to the Utilization Plan are permitted after its submission to the UG upon submission of the same to the UG.

C. CONTRACT AWARD COMPLIANCE PROCEDURES

1. Solicitation Documents.

Five (5) calendar days before the issuance of each solicitation, Developer shall submit the solicitation documents and the bid list to the UG. This submittal is mandatory for each bid subject to L/M/WBE goals. The solicitation documents for each contract for which goals are established shall

contain a description of the requirements set forth in this Exhibit; the LBE, MBE and WBE goals; and the areas of projected subcontracting.

2. Developer's Report of Solicitation Results.

Within seven (7) working days after the date set for receipt of proposals by each solicitation issued for Developer for the Construction of the Project, the Project Manager shall submit to the UG, on a form provided or approved by the UG, a Report of Solicitation Results (the "Report") fully describing all proposals received in response to the solicitation. The Report shall: (1) state the estimated total Dollar value of the work covered by the solicitation; (2) state the name of all Proposers; (3) state the total Dollar value of work covered by proposals submitted by approved LBEs, MBEs and/or WBEs; (4) provide all relevant information concerning each joint venture Proposer; and (5) state the name of all subcontractors to Proposers (to the extent then available), which are approved LBEs, MBEs and/or WBEs, and the Dollar value of work covered by proposed subcontracts between Proposers and LBEs, MBEs and/or WBEs. The Report shall also indicate to which of the Proposers, including joint venture Proposers, the Developer or any of its contractors is intending to award contracts resulting from the solicitation. In addition, with respect to any LBE, MBE, or WBE goal established in the Developer Project Utilization Plan that it appears from the proposals received will not be met, Developer shall include in the Report a precise description of all efforts it has undertaken or caused to be undertaken to meet the established goals. These submittals are mandatory for all solicitations subject to L/M/WBE goals.

3. UG Review of Developer's Report of Solicitation Results.

a. Within seven (7) calendar days of receiving a Report of Solicitation Results for review, the UG, based on its review of the Report, shall advise Developer whether it appears that, in light of Developer's indication of the Proposers to whom it intends to award contracts, Developer will meet the goals set forth in the Utilization Plan or if not, whether Developer has established best efforts to meet these goals, and shall state the reasons for this conclusion, referring to the specific best efforts criteria contained in Section III.C.3.b. below. As a part of its review, the UG may ascertain whether LBE, MBE or WBE subcontractors agree with the dollar value of the work and the scope of the work, as identified in the proposal.

b. For each Utilization Plan goal that is not achieved, Developer shall be deemed to have used best efforts ("best efforts") to meet the Utilization Plan goals for Construction Services set forth in Section III.A.1. of this Exhibit if Developer or its contractor shall have taken substantially all the following actions:

i. Developer is seeking or has sought timely assistance of the UG to identify qualified LBEs, MBEs and WBEs;

ii. Developer is advertising or has advertised contract opportunities in local, minority and women media;

iii. Developer is providing or has provided reasonable written notice of opportunities or informational meetings to approved LBEs, MBEs and WBEs;

iv. Developer is following up or has followed up initial solicitations of interest by contacting LBEs, MBEs and WBEs:

v. Developer is segmenting or has segmented portions of the work to increase the likelihood of LBE, MBE and WBE participation, where feasible;

vi. Developer is or has provided interested LBEs, MBEs and WBEs with timely and accurate information about the plans, specification, requirements, deadlines, and bidding procedures of the contracts;

vii. Developer is negotiating or has negotiated in good faith with interested LBEs, MBEs and WBEs, not rejecting them as unqualified without sound reasons, based on a thorough review of their capabilities, prior work history, and pricing; and

viii. Developer is or has worked with local, minority and women contracting, professional, civic and community organizations, government officers and any other organization or persons, as identified by the UG, that provide assistance in the recruitment of LBEs, MBEs and WBEs.

Failure by the Developer to take all of the foregoing actions shall not be determinative that Developer has not used its best efforts.

For purposes of this Section, the foregoing actions of Developer's contractor shall qualify as actions taken by Developer.

4. Signed Contracts.

Signed contracts between Developer or any of its contractors and successful Proposers shall be submitted to the UG within thirty (30) days after execution thereof. If a LBE, MBE or WBE subcontractor fails to sign a contract after two requests by the Proposer, Developer may request to substitute the subcontractor.

D. SUBCONTRACTOR RELATIONS

1. Documentation of Subcontracting Agreements.

All subcontracting services shall be evidenced by a written agreement stating, at a minimum, the scope of work to be performed and the amount to be paid for performance of the work. Unit price subcontracts are acceptable if appropriate to the type of work being performed.

2. Documentation of Schedules.

a. For construction contracts, the contractor must present a work schedule that includes when the LBE, MBE and WBE subcontractors will be utilized at the job site. This schedule is due on or before the pre-construction meeting with the UG and the project manager representing Developer.

3. Substitutions, Additions or Deletions.

Where a substitution for a LBE, MBE or WBE subcontractor must occur after submission of proposals by Developer to the UG, pursuant to Section III.C.2., Developer's project manager must submit notice of the change or substitution to the UG. The UG shall have no authority to approve or reject any change or substitution. The sole purpose of the review by the UG shall be to determine whether the LBE, MBE or WBE should be counted toward achievement of the goals of Section 111.A.1.a.

IV. UG'S ASSISTANCE TO DEVELOPER

The UG will, at its cost, provide assistance to Developer in fulfilling its obligations, as set forth in this Exhibit and with respect to procedures described herein. Examples of assistance the UG may provide include but are not limited to:

- A.** providing information and technical assistance to the UG, Developer and its contractors, LBEs, MBEs, WBEs, officials and other interested persons about the Project;
- B.** coordinating and conducting workshops on the Project's certification and contracting processes;
- C.** maintaining a list of registered firms;
- D.** assisting with approving or identifying potential LBEs, MBEs, and WBEs and reviewing their qualifications to participate in the Project;
- E.** updating the UG and Developer on current or proposed affirmative action legislation that may affect the Project;
- F.** recommending contract specific goals, as appropriate;
- G.** providing assistance in pre-award activities, such as provision of model or example Utilization Plans and work segmentation;
- H.** reviewing Developer and contractor performance and LBE, MBE and WBE participation on the Project, including site visits, and/or phone or desk audits to provide input on whether subcontractors listed are performing the work described in the Utilization Plan;
- I.** providing advice relative to Project utilization and compliance matters;
- J.** conducting compliance reviews and audits of LBE, MBE and WBE and participation;
- K.** evaluating requests for substitutions, additions and deletions;
- L.** assisting the UG and Developer in addressing issues related to the goals and procedures set forth in this Exhibit;

M. reviewing payments to subcontractors, as documented by monthly reports submitted by Developer.

N. reviewing complaints from LBEs, MBEs WBEs, contractors and any other interested persons regarding these goals and procedures;

O. assisting in Developer's development of forms to document compliance with these procedures; and

P. reviewing and approving utilization plans and contract award submittals

V. DEVELOPER COMPLIANCE RECORDS AND REPORTS.

A. RECORDS

Developer shall maintain those records as may reasonably be required to demonstrate compliance with the goals and procedures set forth in this Exhibit. These records shall be available to the UG upon reasonable notice.

B. DEVELOPMENT AND CONSTRUCTION UTILIZATION PLAN REPORTS

Upon written notice from the Unified Government to Developer, Developer shall update the Project Utilization Plan quarterly on the form attached hereto as Attachment B or another form provided or approved by the UG and shall include information requested thereon. In addition, each quarterly report shall include the following for each LBE, MBE or WBE whose participation is utilized by Developer to be applied to the goals set forth herein: business name and address of each LBE, MBE and WBE and a brief description of the work to be performed by each. Developer also shall document the change orders to contracts awarded in each quarterly report.

C. REMEDIES

Subject to the provisions of **Section 10** of the Development Agreement, if Developer should fail to provide a report required by this Exhibit, and fail to cure such failure within fourteen (14) days after receipt of written notice from the UG, then such failure to cure shall constitute a Developer Event of Default and the UG shall have those remedies set forth in the Development Agreement. In addition, the UG shall have the right to stop processing draw requests until Developer complies with reporting requirements.

If, after reviewing Developer's Reports, the Unified Government believes that the participation goals contained in this Exhibit have not been met, and that the Best Efforts described in this Exhibit have not been met, then the Unified Government shall inform Developer of this determination in writing. If, within thirty (30) days following its receipts of said written determination from the Unified Government, Developer fails to demonstrate to the Unified Government's reasonable satisfaction that either: (i) the goals contained in this Exhibit have been met; or (ii) the goals contained in this Exhibit may not have been met but the Best Efforts described herein have been met, the Unified Government shall have the right to reduce the CID Cap by an amount equal to ten percent (10%) as the Unified Government's sole and exclusive remedy for such failure.

**UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS**

By: _____

Douglas G. Bach
County Administrator

Date: _____

Legends Hotel, LLC

By: _____

Name: _____

Title: _____

Date: _____

Attachment A
Unified Government
Project Utilization Plan

Date: _____

Project Name: _____

Bid Package	Estimated Contract Value	Estimated LBE Value	Estimate d LBE %	Estimated MBE Value	Estimate d MBE %	Estimated WBE Value	Estimate d WBE %	Total Combined Value	Total Combined %
DIVERSITY TOTAL	0			0		0			

Attachment B
L/M/WBE Utilization Report

LBE/MBE/WBE - UTILIZATION REPORT											Month, Year
<u>CONSTRUCTION</u>											
APPLICABLE TRADES					Total by Classification		Goal	Actual			
							0.00%	LBE	0.00%		
							0.00%	MBE	0.00%		
							0.00%	WBE	0.00%		
Discipline	Subcontractor/Supplier Name	Original Contract Value	Change In Contract Value	Total Contract (Excluding CCIF)	\$	%	\$	%	\$	%	Certifying Agency or Local Zip Code
Bid Package #1											
Bid Package #2											
Bid Package #3											
Bid Package #4											
Bid Package #5											
Total Applicable Contract Volume Awarded To Date											
					\$	%	\$	%	\$	%	
					TOTAL - LBE		TOTAL - MBE		TOTAL - WBE		

MINORITY AND WOMEN EMPLOYEES

List the name, address, trade, classification, date hired, sex and ethnic origin for each minority/women employed by your company.

Name & Address	Trade	Classification	Date Hired	Sex	Ethnic Origin

(Published in *The Wyandotte Echo* on November 4, 2021)

ORDINANCE NO. O-____-21

AN ORDINANCE AUTHORIZING THE CREATION OF THE LEGEND HOTEL COMMUNITY IMPROVEMENT DISTRICT IN KANSAS CITY, KANSAS; AUTHORIZING THE MAKING OF CERTAIN PROJECT IMPROVEMENTS RELATING THERETO; APPROVING THE ESTIMATED COSTS OF SUCH PROJECT IMPROVEMENTS; AND PROVIDING FOR THE METHOD OF FINANCING THE SAME.

WHEREAS, pursuant to K.S.A. 12-6a26 *et seq.*, as amended (the “Act”), cities and counties are authorized to create community improvement districts as a method of financing economic development related improvements in a defined area within their city or county; and

WHEREAS, the Act authorizes the governing body of any city or county to create community improvement districts to finance projects within such defined area of the city or county and to levy a community improvement district sales tax and/or levy special assessments upon property within the district to finance projects; and

WHEREAS, on July 23, 2021, Developer submitted a petition (the “**CID Petition**”), requesting the formation of a community improvement district (the “**CID**”) on the District and the imposition of a one and a half percent (1.50%) tax on the sale of tangible personal property at retail and rendering or furnishing of services in the CID (the “**CID Sales Tax**”) in accordance with K.S.A. 12-6a26 *et seq.* (the “**CID Act**”); and

WHEREAS, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act; and

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) intends to create the District and to levy a community improvement district sales tax in an amount of one and a half percent (1.50%) as requested in the Petition (the “**CID Sales Tax**”); and

WHEREAS, the Act provides that prior to creating any community improvement district and imposing a community improvement district sales tax, the governing body shall, by resolution, direct and order a public hearing on the advisability of creating such community improvement district and the construction of such community improvement district projects therein, and to give notice of the hearing by publication at least once each week for two (2) consecutive weeks in the official City newspaper and by certified mail to all property owners within the proposed community improvement district, the second publication to be at least seven (7) days prior to the hearing and such certified mail sent at least ten (10) days prior to such hearing; and

WHEREAS, on August 12, 2021, the Governing Body adopted Resolution No. R-53-21, directing that a public hearing on the proposed District within the Unified Government be held on September 16, 2021, declaring its intent to consider the advisability of creating a community

improvement district sales tax, and requiring that the Unified Government Clerk provide for notice of such public hearing as set forth in the Act; and

WHEREAS, in accordance with the Act, notice of the public hearing containing the following information: (a) the time and place of the hearing, (b) the general nature of the proposed Project, (c) the estimated costs of the Project; (d) the proposed method of financing the costs of the Project; (e) the proposed amount of the community improvement district sales tax; (f) the proposed amount and method of assessment, if any; (g) a map of the proposed District; and (h) a legal description of the proposed District, was mailed to all property owners within the proposed District on August 26, 2021 and published once each week for two (2) consecutive weeks in *The Wyandotte Echo*, the official City newspaper, on August 19, 2021 and August 26, 2021; and

WHEREAS, on September 16, 2021 and October 28, 2021, the Governing Body conducted public hearings on the proposed District, the proposed Project, and estimated costs thereof and the method of financing the same, all in accordance with the Act; and

WHEREAS, the Governing Body hereby finds and determines it to be advisable to create the District and set forth the boundaries thereof, authorize the Project, approve the estimated costs of such Project and approve the method of financing the same, all in accordance with the provisions of the Act.

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

Section 1. Creation of Community Improvement District; Boundaries. That the Governing Body hereby finds and determines that it is advisable to create, and does hereby create, in accordance with the provisions of the Act, the District within the Unified Government to be referred to as the Legend Hotel Community Improvement District. The boundaries of the District are legally described on Exhibit A and generally depicted on Exhibit B attached hereto and incorporated herein.

Section 2. Authorization of Community Improvement District Project and Estimated Costs.

(a) The Project, which is generally described as follows, is hereby authorized:

The acquisition of an approximately 2+/- acre tract of real property located generally at the Southeast corner of the intersection of 98th Street and Parallel Parkway in Kansas City, Kansas, and development and redevelopment thereof to consist of some or all of the following uses, without limitation: hotel uses, retail uses and any other commercial structure or use (including but not limited to residential, office, restaurant, non-profit, governmental, or community use), and including such associated site work, infrastructure, utilities, storm water control, access, street improvements, landscaping, lighting, parking facilities (including parking garages), other associated and appurtenant structures and facilities, and any other items allowable under the Act.

(b) The total estimated cost of the Project to be funded by the District, as set forth in the Petition, is \$1,528,714, as the same may be changed or modified pursuant to the terms of the development agreement between the Unified Government and the developer of the Project (the “Development Agreement”), and is hereby approved.

Section 3. Method of Financing.

(a) In order to provide funds to finance the costs of the Project, it is advisable to impose, in accordance with the provisions of the Act, a community improvement district sales tax within the District in an amount of one and a half percent (1.50%) on the selling of tangible personal property at retail or the rendering or furnishing of services within the District.

(b) There will be no special assessments levied on property within the boundaries of the District to pay the cost of the Project.

(c) The costs of the Project will be financed on a pay-as-you-go basis with reimbursements from revenues available from the CID Sales Tax in the District.

(d) The foregoing method of financing is hereby approved.

Section 4. Levying of Community Improvement District Sales Tax. In order to provide for the payment of the Project, the governing body of the Unified Government hereby levies the CID Sales Tax within the District in an amount of one and a half percent (1.50%) on the selling of tangible personal property at retail or the rendering or furnishing of services taxable pursuant to the provisions of the Kansas retailers’ sales tax act within the District, to commence on January 1, 2023 or such other date mutually agreed to by the Unified Government and the developer of the Project in accordance with the Development Agreement.

Section 5. Segregation of Sales Tax Revenues. All revenues derived from the collection of the CID Sales Tax shall be deposited into a special fund of the Unified Government to be designated as the Legend Hotel CID Sales Tax Fund. Such revenues shall be used to pay the costs of the Project and the Unified Government’s administrative service fee.

Section 6. Effective Date. This ordinance shall take effect and be in full force from and after its passage by the Governing Body of the Unified Government and publication once in the official City newspaper.

[The remainder of this page is intentionally left blank]

PASSED by the Governing Body this 28th day of October 2021.

David G. Alvey
Mayor/CEO

ATTEST:

Unified Government Clerk

(Seal)

APPROVED AS TO FORM

Chief Counsel

EXHIBIT A

Legal Description of CID

All of Lot 8-B and Tract B, together with part of Lot 8-D, all of Schlitterbahn Vacation Village, Fourth Plat, a subdivision in Kansas City, Wyandotte County, Kansas, recorded as Document 2017R-07693, all lying in the Fractional North Half of Section 1, Township 11 South, Range 23 East, described as follows:

BEGINNING at the Northeast corner of Lot 8-B of Schlitterbahn Vacation Village, Fourth Plat, a subdivision in Kansas City, Wyandotte County, Kansas; thence South 04 degrees 31 minutes 11 seconds East, on the East line of said Lot 8-B, and on the East lines of Tract B and Lot 8-D, both of said Schlitterbahn Vacation Village, Fourth Plat, a distance of 508.48 feet to a point; thence South 85 degrees 28 minutes 49 seconds West, departing said East line, a distance of 160.37 feet to a point on the West line of said Lot 8-D; thence North 07 degrees 29 minutes 33 seconds West, on the West line of said Lot 8-D, a distance of 12.02 feet to a point of curvature; thence in a Northerly direction, continuing on said West line and on a curve to the right, having a radius of 2000.00 feet, through a central angle of 2 degrees 19 minutes 50 seconds, an arc distance of 81.35 feet to a point of tangency; thence North 05 degrees 09 minutes 43 seconds West, continuing on said West line, and on the West line of said Tract B and Lot 8-B, a distance of 422.62 feet to the Northwest corner of said Lot 8-B; thence North 88 degrees 01 minute 07 seconds East, on the North line of said Lot 8-B, a distance of 6.85 feet to a point; thence North 88 degrees 00 minutes 23 seconds East, continuing on said North line, a distance of 161.61 feet to the POINT OF BEGINNING, containing 84,639 Square Feet or 1.9430 Acres, more or less.

EXHIBIT B

General Depiction of CID





Staff Request for Commission Action

Tracking No. 211143

Full Commission Meeting Date: 10/28/21

Committee: Full Commission

Date of Standing Committee Action: n/a
(If none, please explain): Item can move directly to full commission

Publication Required: No

<u>Date:</u> 10/22/2021	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> Amending the Assignment & Assumption Agreement to transfer ownership interest in the real estate of the Ford Project. The entities operating the dealership remain unchanged and continue to be responsible for operating in accordance with the agreement.				
<u>Action Requested:</u> Approval				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Resolution Approving First Amendment to A&A (Ford), First Amendment to Acknowledgment and Assumption Agreement (Ford)				

RESOLUTION NO. R-____-21

**A RESOLUTION ADOPTING THE FIRST AMENDMENT TO
ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT (FORD
PROJECT).**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "UG"), PREMIER AUTOMOTIVE OF BONNER SPRINGS KS, LLC, a Kansas limited liability company ("Premier"), and SVV I, LLC, a Kansas limited liability company, entered into that certain Acknowledgment and Assumption Agreement (Ford Project) dated as of September 18, 2019 (the "A&A"); and

WHEREAS, Premier intends to transfer the property that is subject to the A&A to Premier RE 1800 LLC, a Kansas limited liability company ("1800"), although Premier will continue to operate the Ford Project on the property; and

WHEREAS, the Governing Body has determined that it is advisable to enter into the First Amendment to Acknowledgment and Assumption Agreement (Ford Project) with Premier and 1800 (the "First Amendment"), attached hereto as **Exhibit A**, to add 1800 as a party to the A&A.

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

Section 1. The Governing Body hereby approves the First Amendment in substantially the form attached hereto.

Section 2. The County Administrator is hereby authorized to execute in the name of the UG, the First Amendment, and other officials and representatives of the UG, including special counsel, are hereby further authorized and directed to take such actions and to execute any other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. This Resolution shall be effective upon adoption by the Governing Body.

[Remainder of page intentionally left blank; signature page follows.]

**ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS
THIS _____TH DAY OF _____, 2021.**

David Alvey, Mayor/CEO

ATTEST:

Unified Government Clerk

(Seal)

EXHIBIT A

First Amendment

[To be attached.]

(Space above reserved for Register of Deeds certification)

1. Title of Document: First Amendment to Acknowledgment and Assumption Agreement (Ford Project)
2. Date of Document: _____, 2021
3. Assignor: PREMIER AUTOMOTIVE OF BONNER SPRINGS KS, LLC, a
Kansas limited liability company
c/o Premier Automotive Group
1800 N. 100th Terrace
Kansas City, Kansas 66111
4. Assignee: Premier RE 1800 LLC, a Kansas limited liability company
1800 N. 100th Terrace
Kansas City, Kansas 66111
5. Legal Description: See attached **Exhibit A**.
6. Reference: Document No. 2019R-12937.

FIRST AMENDMENT TO ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT
(Ford Project)

THIS FIRST AMENDMENT TO ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT (Ford Project) (this "Amendment"), is made and entered into as of _____, 2021 (the "Effective Date"), by and among the **Unified Government of Wyandotte County/Kansas City, Kansas** (the "UG"); **PREMIER AUTOMOTIVE OF BONNER SPRINGS KS, LLC**, a Kansas limited liability company ("Premier"); and **Premier RE 1800 LLC**, a Kansas limited liability company ("1800") (collectively, the "Parties").

RECITALS:

A. On August 28, 2014, the UG and SVV I, LLC, a Kansas limited liability company ("SVV"), entered into that certain Amended and Restated Vacation Village Development Agreement, as amended by that certain First Amendment to Amended and Restated Vacation Village Development Agreement dated as of August 13, 2015 (as amended, the "Original Agreement"), whereby SVV proposed to design, develop, and construct certain new facilities on certain real property located in Wyandotte County, Kansas, which is generally bounded on the North by Parallel Parkway, on the West by I-435, on the South by State Avenue and on the East by North 94th Street (the "Original Project Site").

B. On September 18, 2019, concurrently with the sale of a portion of the Original Project Site, as legally described on **Exhibit A** attached hereto ("Lot 4A"), from SVV to Premier, the UG, SVV, and Premier entered into that certain Acknowledgment and Assumption Agreement (Ford Project), recorded on September 20, 2019 as Document No. 2019R-12937 in the office of the Wyandotte County Register of Deeds (the "A&A"), by which Premier acknowledged, assumed and agreed to perform certain obligations, covenants and agreements of SVV under the Original Agreement pertaining to the design, construction, completion and operation of the Victory Ford dealership (the "Ford Project") on Lot 4A.

C. On November 19, 2020, following transfer of those portions of the Original Project Site still owned by SVV to HFS KCK, LLC, a Kansas limited liability company ("HFS"), the UG and HFS entered into that certain Assignment, Assumption and Amended and Restated Development Agreement (the "Development Agreement"), whereby, among other things, HFS assumed the Original Agreement.

D. On or about the Effective Date, Premier will convey Lot 4A to 1800. Premier will continue to operate the Ford Project on Lot 4A.

E. The Parties recognize that the Ford Project was completed on Lot 4A and now desire to enter into this Amendment so that 1800 shall acknowledge, assume and agree to perform the obligations, covenants and agreements of Premier under the A&A and that, upon conveyance of Lot 4A to 1800, Premier and 1800 will be jointly and severally liable for those obligations, covenants and agreements set forth in the A&A.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Incorporation of Recitals. The Parties understand and agree that the Recitals set forth above are hereby incorporated as though more fully set forth herein.

2. Definitions. Capitalized terms used in this Amendment and not otherwise specifically defined shall have the meanings assigned to them in the A&A.

3. Joinder of 1800. 1800 hereby acknowledges, assumes and agrees to perform each and every obligation, covenant and agreement of "Assignee" under the A&A. The Parties hereby agree that upon conveyance of Lot 4A to 1800, Premier and 1800 will be jointly and severally liable for the performance of the obligations set forth in the A&A.

4. Miscellaneous. In connection with this Amendment, the Parties hereby agree as follows:

(a) Except as specifically modified by this Amendment, the A&A shall be and remain in full force and effect in accordance with the terms thereof.

(b) It is the intent of the Parties that the provisions of the A&A, as modified by this Amendment, shall be enforced to the fullest extent permitted by applicable law. To the extent that the terms set forth in the A&A, as modified by this Amendment, or any word, phrase, clause or sentence is found to be illegal or unenforceable for any reason, such word, phrase, clause or sentence shall be modified, deleted or interpreted in such a manner as to afford the party for whose benefit it was intended the fullest benefit commensurate with making the A&A, as modified by this Amendment, enforceable and the balance of the A&A shall not be affected thereby, the balance being construed as severable and independent.

(c) The Parties declare and represent that no promises, inducements or agreements not herein expressed have been made; the A&A, as modified by this Amendment, contain the entire agreement among the Parties; and the terms hereof are contractual and not mere recitals.

(d) This Amendment shall be binding upon and inure to the benefit of the Parties and their successors and assigns.

(e) This Amendment may be executed in counterparts.

(f) This Amendment shall be governed by, construed and interpreted in accordance with the laws of the State of Kansas.

[Remainder of page intentionally left blank; signature pages follow.]

IN WITNESS WHEREOF, the Parties have duly executed this Amendment pursuant to all requisite authorizations as of the Effective Date.

Premier:

**PREMIER AUTOMOTIVE OF BONNER
SPRINGS KS, LLC,**
a Kansas limited liability company

By: _____
Troy Duhon, Managing Member

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2021, by Troy Duhon as Managing Member of PREMIER AUTOMOTIVE OF BONNER SPRINGS KS, LLC, a Kansas limited liability company.

Notary Public

Printed Name: _____

My commission expires:

IN WITNESS WHEREOF, the Parties have duly executed this Amendment pursuant to all requisite authorizations as of the Effective Date.

1800:

Premier RE 1800 LLC,
a Kansas limited liability company

By: _____
Troy Duhon, Managing Member

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2021, by Troy Duhon as Managing Member of Premier RE 1800 LLC, a Kansas limited liability company.

Notary Public

Printed Name: _____

My commission expires:

IN WITNESS WHEREOF, the Parties have duly executed this Amendment pursuant to all requisite authorizations as of the Effective Date.

UG:

**Unified Government of Wyandotte
County/Kansas City, Kansas**

By: _____
Douglas G. Bach, County Administrator

STATE OF KANSAS)
) ss.
COUNTY OF WYANDOTTE)

This instrument was acknowledged before me on _____, 2021, by Douglas G. Bach as County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas.

Notary Public

Printed Name: _____

My commission expires:

EXHIBIT A

LOT 4A – LEGAL DESCRIPTION

Lot 4-A, Legends Auto Plaza, a subdivision in Kansas City, Wyandotte County, Kansas.



Staff Request for Commission Action

Tracking No. 211144

Full Commission Meeting Date: 10/28

Committee: Full Commission

Date of Standing Committee Action: n/a
(If none, please explain): Item moves directly to Full Commission

Publication Required: No

<u>Date:</u> 10/22/2021	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> Amending the Assignment & Assumption Agreement to transfer ownership interest in the real estate of the Chrysler Project. The entities operating the dealership remain unchanged and continue to be responsible for operating in accordance with the agreement.				
<u>Action Requested:</u> Approval				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Resolution Approving First Amendment to A&A (Chrysler), First Amendment to Acknowledgment and Assumption Agreement (Chrysler)				

RESOLUTION NO. R-____-21

**A RESOLUTION ADOPTING THE FIRST AMENDMENT TO
ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT (CHRYSLER
PROJECT).**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "UG"), PREMIER AUTOMOTIVE OF KANSAS CITY, LLC, a Kansas limited liability company ("Premier"), and SVV I, LLC, a Kansas limited liability company, entered into that certain Acknowledgment and Assumption Agreement (Chrysler Project) dated as of September 18, 2019 (the "A&A"); and

WHEREAS, Premier intends to transfer the property that is subject to the A&A to Premier RE 1720 LLC, a Kansas limited liability company ("1720"), although Premier will continue to operate the Chrysler Project on the property; and

WHEREAS, the Governing Body has determined that it is advisable to enter into the First Amendment to Acknowledgment and Assumption Agreement (Chrysler Project) with Premier and 1720 (the "First Amendment"), attached hereto as **Exhibit A**, to add 1720 as a party to the A&A.

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

Section 1. The Governing Body hereby approves the First Amendment in substantially the form attached hereto.

Section 2. The County Administrator is hereby authorized to execute in the name of the UG, the First Amendment, and other officials and representatives of the UG, including special counsel, are hereby further authorized and directed to take such actions and to execute any other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. This Resolution shall be effective upon adoption by the Governing Body.

[Remainder of page intentionally left blank; signature page follows.]

**ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS
THIS _____TH DAY OF _____, 2021.**

David Alvey, Mayor/CEO

ATTEST:

Unified Government Clerk

(Seal)

EXHIBIT A

First Amendment

[To be attached.]

(Space above reserved for Register of Deeds certification)

1. Title of Document: First Amendment to Acknowledgment and Assumption Agreement (Chrysler Project)
2. Date of Document: _____, 2021
3. Assignor: PREMIER AUTOMOTIVE OF KANSAS CITY, LLC, a Kansas limited liability company
c/o Premier Automotive Group
1720 N. 100th Terrace
Kansas City, Kansas 66111
4. Assignee: PREMIER RE 1720 LLC, a Kansas limited liability company
1720 N. 100th Terrace
Kansas City, Kansas 66111
5. Legal Description: See attached **Exhibit A**.
6. Reference: Document No. 2019R-12936.

FIRST AMENDMENT TO ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT
(Chrysler Project)

THIS FIRST AMENDMENT TO ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT (Chrysler Project) (this "Amendment"), is made and entered into as of _____, 2021 (the "Effective Date"), by and among the **UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS** (the "UG"); **PREMIER AUTOMOTIVE OF KANSAS CITY, LLC**, a Kansas limited liability company ("Premier"); and **Premier RE 1720 LLC**, a Kansas limited liability company ("1720") (collectively, the "Parties").

RECITALS:

A. On August 28, 2014, the UG and SVV I, LLC, a Kansas limited liability company ("SVV"), entered into that certain Amended and Restated Vacation Village Development Agreement, as amended by that certain First Amendment to Amended and Restated Vacation Village Development Agreement dated as of August 13, 2015 (as amended, the "Original Agreement"), whereby SVV proposed to design, develop, and construct certain new facilities on certain real property located in Wyandotte County, Kansas, which is generally bounded on the North by Parallel Parkway, on the West by I-435, on the South by State Avenue and on the East by North 94th Street (the "Original Project Site").

B. On September 18, 2019, concurrently with the sale of a portion of the Original Project Site, as legally described on **Exhibit A** attached hereto (the "Chrysler Property"), from SVV to Premier, the UG, SVV, and Premier entered into that certain Acknowledgment and Assumption Agreement (Chrysler Project), recorded on September 20, 2019 as Document No. 2019R-12936 in the office of the Wyandotte County Register of Deeds (the "A&A"), by which Premier acknowledged, assumed and agreed to perform certain obligations, covenants and agreements of SVV under the Original Agreement pertaining to the design, construction, completion and operation of the Victory Chrysler Dodge Jeep RAM dealership and obstacle course adjacent thereto (the "Chrysler Project") on the Chrysler Property.

C. On November 19, 2020, following transfer of those portions of the Original Project Site still owned by SVV to HFS KCK, LLC, a Kansas limited liability company ("HFS"), the UG and HFS entered into that certain Assignment, Assumption and Amended and Restated Development Agreement (the "Development Agreement"), whereby, among other things, HFS assumed the Original Agreement.

D. On or about the Effective Date, Premier will convey the Chrysler Property to 1720. Premier will continue to operate the Chrysler Project on the Chrysler Property.

E. The Parties recognize that the Chrysler Project was completed on the Chrysler Property and now desire to enter into this Amendment so that 1720 shall acknowledge, assume and agree to perform the obligations, covenants and agreements of Premier under the A&A and that, upon conveyance of the Chrysler Property to 1720, Premier and 1720 will be jointly and severally liable for those obligations, covenants and agreements set forth in the A&A.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Incorporation of Recitals. The Parties understand and agree that the Recitals set forth above are hereby incorporated as though more fully set forth herein.

2. Definitions. Capitalized terms used in this Amendment and not otherwise specifically defined shall have the meanings assigned to them in the A&A.

3. Joinder of 1720. 1720 hereby acknowledges, assumes and agrees to perform each and every obligation, covenant and agreement of "Assignee" under the A&A. The Parties hereby agree that upon conveyance of the Chrysler Property to 1720, Premier and 1720 will be jointly and severally liable for the performance of the obligations set forth in the A&A.

4. Miscellaneous. In connection with this Amendment, the Parties hereby agree as follows:

(a) Except as specifically modified by this Amendment, the A&A shall be and remain in full force and effect in accordance with the terms thereof.

(b) It is the intent of the Parties that the provisions of the A&A, as modified by this Amendment, shall be enforced to the fullest extent permitted by applicable law. To the extent that the terms set forth in the A&A, as modified by this Amendment, or any word, phrase, clause or sentence is found to be illegal or unenforceable for any reason, such word, phrase, clause or sentence shall be modified, deleted or interpreted in such a manner as to afford the party for whose benefit it was intended the fullest benefit commensurate with making the A&A, as modified by this Amendment, enforceable and the balance of the A&A shall not be affected thereby, the balance being construed as severable and independent.

(c) The Parties declare and represent that no promises, inducements or agreements not herein expressed have been made; the A&A, as modified by this Amendment, contain the entire agreement among the Parties; and the terms hereof are contractual and not mere recitals.

(d) This Amendment shall be binding upon and inure to the benefit of the Parties and their successors and assigns.

(e) This Amendment may be executed in counterparts.

(f) This Amendment shall be governed by, construed and interpreted in accordance with the laws of the State of Kansas.

[Remainder of page intentionally left blank; signature pages follow.]

IN WITNESS WHEREOF, the Parties have duly executed this Amendment pursuant to all requisite authorizations as of the Effective Date.

Premier:

**PREMIER AUTOMOTIVE AT THE
LEGENDS, LLC,**
a Kansas limited liability company

By: _____
Troy Duhon, Managing Member

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2021, by Troy Duhon as Managing Member of PREMIER AUTOMOTIVE AT THE LEGENDS, LLC, a Kansas limited liability company.

Notary Public

Printed Name: _____

My commission expires:

IN WITNESS WHEREOF, the Parties have duly executed this Amendment pursuant to all requisite authorizations as of the Effective Date.

1720:

Premier RE 1720 LLC,
a Kansas limited liability company

By: _____
Troy Duhon, Managing Member

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2021, by Troy Duhon as Managing Member of Premier RE 1720 LLC, a Kansas limited liability company.

Notary Public

Printed Name: _____

My commission expires:

IN WITNESS WHEREOF, the Parties have duly executed this Amendment pursuant to all requisite authorizations as of the Effective Date.

UG:

**Unified Government of Wyandotte
County/Kansas City, Kansas**

By: _____
Douglas G. Bach, County Administrator

STATE OF KANSAS)
) ss.
COUNTY OF WYANDOTTE)

This instrument was acknowledged before me on _____, 2021, by Douglas G. Bach as County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas.

Notary Public

Printed Name: _____

My commission expires:

EXHIBIT A

CHRYSLER PROPERTY – LEGAL DESCRIPTION

Lot 4-B, Legends Auto Plaza, a subdivision in Kansas City, Wyandotte County, Kansas.

AND ALSO:

Lot 8-A, Legends Auto Plaza, Third Plat, a subdivision in Kansas City, Wyandotte County, Kansas.



Staff Request for Commission Action

Tracking No. 211145

Full Commission Meeting Date: 10/28

Committee: Full Commission

Date of Standing Committee Action: N/A
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/22/2021	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> Amending the Assignment & Assumption Agreement to transfer ownership interest in the real estate of the Auto Outlet Project. The entities operating the dealership remain unchanged and continue to be responsible for operating in accordance with the agreement.				
<u>Action Requested:</u> Approval				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Resolution Approving First Amendment to A&A (Pre-Owned), First Amendment to Acknowledgment and Assumption Agreement (Pre-Owned)				

RESOLUTION NO. R-____-21

**A RESOLUTION ADOPTING THE FIRST AMENDMENT TO
ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT (AUTO
OUTLET PROJECT).**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "UG"), PREMIER AUTOMOTIVE AT THE LEGENDS, LLC, a Kansas limited liability company ("Premier"), and SVV I, LLC, a Kansas limited liability company, entered into that certain Acknowledgment and Assumption Agreement (Auto Outlet Project) dated as of September 18, 2019 (the "A&A"); and

WHEREAS, Premier intends to transfer the property that is subject to the A&A to Premier RE 1801 LLC, a Kansas limited liability company ("1801"), although Premier will continue to operate the Auto Outlet Project on the property; and

WHEREAS, the Governing Body has determined that it is advisable to enter into the First Amendment to Acknowledgment and Assumption Agreement (Auto Outlet Project) with Premier and 1801 (the "First Amendment"), attached hereto as Exhibit A, to add 1801 as a party to the A&A.

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

Section 1. The Governing Body hereby approves the First Amendment in substantially the form attached hereto.

Section 2. The County Administrator is hereby authorized to execute in the name of the UG, the First Amendment, and other officials and representatives of the UG, including special counsel, are hereby further authorized and directed to take such actions and to execute any other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. This Resolution shall be effective upon adoption by the Governing Body.

[Remainder of page intentionally left blank; signature page follows.]

**ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS
THIS _____TH DAY OF _____, 2021.**

David Alvey, Mayor/CEO

ATTEST:

Unified Government Clerk

(Seal)

EXHIBIT A

First Amendment

[To be attached.]

(Space above reserved for Register of Deeds certification)

1. Title of Document: First Amendment to Acknowledgment and Assumption Agreement (Auto Outlet Project)
2. Date of Document: _____, 2021
3. Assignor: PREMIER AUTOMOTIVE AT THE LEGENDS, LLC, a Kansas limited liability company
1801 N. 100th Terrace
Kansas City, Kansas 66111
4. Assignee: Premier RE 1801 LLC, a Kansas limited liability company
1801 N. 100th Terrace
Kansas City, Kansas 66111
5. Legal Description: See attached **Exhibit A**.
6. Reference: Document No. 2019R-12938.

FIRST AMENDMENT TO ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT
(Auto Outlet Project)

THIS FIRST AMENDMENT TO ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT (Auto Outlet Project) (this "Amendment"), is made and entered into as of _____, 2021 (the "Effective Date"), by and among the **Unified Government of Wyandotte County/Kansas City, Kansas** (the "UG"); **PREMIER AUTOMOTIVE AT THE LEGENDS, LLC**, a Kansas limited liability company ("Premier"); and **Premier RE 1801 LLC**, a Kansas limited liability company ("1801") (collectively, the "Parties").

RECITALS:

A. On August 28, 2014, the UG and SVV I, LLC, a Kansas limited liability company ("SVV"), entered into that certain Amended and Restated Vacation Village Development Agreement, as amended by that certain First Amendment to Amended and Restated Vacation Village Development Agreement dated as of August 13, 2015 (as amended, the "Original Agreement"), whereby SVV proposed to design, develop, and construct certain new facilities on certain real property located in Wyandotte County, Kansas, which is generally bounded on the North by Parallel Parkway, on the West by I-435, on the South by State Avenue and on the East by North 94th Street (the "Original Project Site").

B. On September 18, 2019, concurrently with the sale of a portion of the Original Project Site, as legally described on Exhibit A attached hereto ("Lot 5"), from SVV to Premier, the UG, SVV, and Premier entered into that certain Acknowledgment and Assumption Agreement (Auto Outlet Project), recorded on September 20, 2019 as Document No. 2019R-12938 in the office of the Wyandotte County Register of Deeds (the "A&A"), by which Premier acknowledged, assumed and agreed to perform certain obligations, covenants and agreements of SVV under the Original Agreement pertaining to the design, construction, completion and operation of the Premier Auto Outlet KC dealership (the "Auto Outlet Project") on Lot 5.

C. On November 19, 2020, following transfer of those portions of the Original Project Site still owned by SVV to HFS KCK, LLC, a Kansas limited liability company ("HFS"), the UG and HFS entered into that certain Assignment, Assumption and Amended and Restated Development Agreement (the "Development Agreement"), whereby, among other things, HFS assumed the Original Agreement.

D. On or about the Effective Date, Premier will convey Lot 5 to 1801. Premier will continue to operate the Auto Outlet Project on Lot 5.

E. The Parties recognize that the Auto Outlet Project was completed on Lot 5 and now desire to enter into this Amendment so that 1801 shall acknowledge, assume and agree to perform the obligations, covenants and agreements of Premier under the A&A and that, upon conveyance of Lot 5 to 1801, Premier and 1801 will be jointly and severally liable for those obligations, covenants and agreements set forth in the A&A.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Incorporation of Recitals. The Parties understand and agree that the Recitals set forth above are hereby incorporated as though more fully set forth herein.

2. Definitions. Capitalized terms used in this Amendment and not otherwise specifically defined shall have the meanings assigned to them in the A&A.

3. Joinder of 1801. 1801 hereby acknowledges, assumes and agrees to perform each and every obligation, covenant and agreement of "Assignee" under the A&A. The Parties hereby agree that upon conveyance of Lot 5 to 1801, Premier and 1801 will be jointly and severally liable for the performance of the obligations set forth in the A&A.

4. Miscellaneous. In connection with this Amendment, the Parties hereby agree as follows:

(a) Except as specifically modified by this Amendment, the A&A shall be and remain in full force and effect in accordance with the terms thereof.

(b) It is the intent of the Parties that the provisions of the A&A, as modified by this Amendment, shall be enforced to the fullest extent permitted by applicable law. To the extent that the terms set forth in the A&A, as modified by this Amendment, or any word, phrase, clause or sentence is found to be illegal or unenforceable for any reason, such word, phrase, clause or sentence shall be modified, deleted or interpreted in such a manner as to afford the party for whose benefit it was intended the fullest benefit commensurate with making the A&A, as modified by this Amendment, enforceable and the balance of the A&A shall not be affected thereby, the balance being construed as severable and independent.

(c) The Parties declare and represent that no promises, inducements or agreements not herein expressed have been made; the A&A, as modified by this Amendment, contain the entire agreement among the Parties; and the terms hereof are contractual and not mere recitals.

(d) This Amendment shall be binding upon and inure to the benefit of the Parties and their successors and assigns.

(e) This Amendment may be executed in counterparts.

(f) This Amendment shall be governed by, construed and interpreted in accordance with the laws of the State of Kansas.

[Remainder of page intentionally left blank; signature pages follow.]

IN WITNESS WHEREOF, the Parties have duly executed this Amendment pursuant to all requisite authorizations as of the Effective Date.

Premier:

**PREMIER AUTOMOTIVE AT THE
LEGENDS, LLC,**
a Kansas limited liability company

By: _____
Troy Duhon, Managing Member

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2021, by Troy Duhon as Managing Member of PREMIER AUTOMOTIVE AT THE LEGENDS, LLC, a Kansas limited liability company.

Notary Public

Printed Name: _____

My commission expires:

IN WITNESS WHEREOF, the Parties have duly executed this Amendment pursuant to all requisite authorizations as of the Effective Date.

1801:

Premier RE 1801 LLC,
a Kansas limited liability company

By: _____
Troy Duhon, Managing Member

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2021, by Troy Duhon as Managing Member of Premier RE 1801 LLC, a Kansas limited liability company.

Notary Public

Printed Name: _____

My commission expires:

IN WITNESS WHEREOF, the Parties have duly executed this Amendment pursuant to all requisite authorizations as of the Effective Date.

UG:

**Unified Government of Wyandotte
County/Kansas City, Kansas**

By: _____
Douglas G. Bach, County Administrator

STATE OF KANSAS)
) ss.
COUNTY OF WYANDOTTE)

This instrument was acknowledged before me on _____, 2021, by Douglas G. Bach as County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas.

Notary Public

Printed Name: _____

My commission expires:

EXHIBIT A

LOT 5 – LEGAL DESCRIPTION

Lot 5, Legends Auto Plaza, Second Plat, a subdivision in Kansas City, Wyandotte County, Kansas.



Staff Request for Commission Action

Tracking No. 211081

Full Commission Meeting Date: 10/28/21

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 10/11/2021
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/21/2021	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Land Bank Manager respectfully request that the Neighborhood and Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, Submitted by Jud Knapp, Interim Land Bank Manager 1 Property transfer 2 Yard extension requests				
<u>Action Requested:</u> Approve and forward to the Land Bank Board of Trustees				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> FC Memo Land Bank Property Transfers 10.11.21				



Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Interim Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
Fax: (913) 573-5745
Email: jknapp@wycokck.org

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee
FROM: Jud Knapp, Interim Land Bank Manager
DATE: October 21, 2021
SUBJECT: Property Transfers applications for consideration

The following **property transfers application(s)** was presented at the 10/11/2021 meeting:

E. Property Transfers

1. The Homes, Inc
 - i. 2926 N Allis St
 - ii. Staff Advisory – No parking lots in a residential zone. This would require a special use permit, and a sidewalk.

F. Yard Extensions

1. Bryant T Crosby Sr.
 - i. 3541 R N 60th St – 031424
 - ii. Land locked / Unbuildable
2. David Jennings
 - i. 3533 Ford Ave – 065612
 - ii. Land Locked / Unbuildable



Staff Request for Commission Action

Tracking No. 211080

Full Commission Meeting Date: 10/28/21

Committee: Neighborhood & Community Development

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

Publication Required: No

<u>Date:</u> 10/21/2021	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, Submitted by Jud Knapp, Interim Land Bank Manager 13 Single family homes 4 Multi family units 1 Garage 1 Commercial				
<u>Action Requested:</u> Approve and forward to Land Bank Board of Trustees				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> FC Memo Land Bank Options 10.11.21				



Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Interim Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
Fax: (913) 573-5745
Email: jknapp@wycokck.org

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee
FROM: Jud Knapp, Interim Land Bank Manager
DATE: October 21, 2021
SUBJECT: Option applications for consideration

The following **option application(s)** was presented at the 10/11/2021 meeting:

A. New Construction - Single Family Homes – 13

1. Aglahe D Montano – 1 home
 - i. 2100 S 37th ST – 118616
2. Oscar Garza – 1 home
 - i. 129 S 16th St – 066600
Staff Advisory – This will be a challenging build due to the very large hill on the property. A home was previously on the lot and was demoed in 2014.
3. Meredith Vertreese – 4 homes
 - i. 720 Garfield Ave – 095130
 - ii. 722 Garfield Ave - 095129
 - iii. 724 Garfield Ave - 095128
 - iv. 728 Garfield Ave - 095127
 - v. *Staff Advisory* – Will need to follow the narrow lot guidelines and have garage access from alley. Due to the insulated concrete forms (ICF) construction an onsite engineer will be required for entire building process.
4. Rebecca Davis – 1 home
 - i. 5911 N 123rd St – 234011
 - ii. *Summary* – The applicants own the property to the north of this property (5935 N 123rd St) these two properties are separated by right of way. The plan is to vacate this right of way and divide the right of way between the 2 parcels.
 - iii. *Staff Advisory* - Due to the zoning of AG this project would require a change of zone, and a vacation of right of way
5. Bright Solutions – 4 homes
 - i. 810 N 10th St – 080435
 - ii. 1007 Armstrong Ave – 080438
 - iii. 1013 Armstrong Ave - 080437
 - iv. 1017 Armstrong Ave – 080436

- v. Bright Solutions currently has 4 properties from the Land Bank. Two have completed options and has started building. Pictures are included in PowerPoint. The other two are one month away from completing the option.
 - vi. *Staff Advisory* - Due to the insulated concrete forms (ICF) construction an onsite engineer will be required for entire building process.
 - vii. *Land Bank Advisory Board* - Will Bright Solutions be selling or renting?
6. Bright Solutions – 2 homes
- i. 1238 Osage Ave – 072352
 - ii. 1242 Osage Ave – 072353
 - iii. 1244 Osage Ave - 072354
 - iv. *Staff Advisory* - Due to the insulated concrete forms (ICF) construction an onsite engineer will be required for entire building process. Driveways need to be off alleyways

B. New Construction – Multi Family – 4 Units

- 1. Bright Solutions – 1 Duplex
 - i. 829 S Mill St – 073742
 - ii. 831 S Mill St – 073741
- 2. Bright Solutions – 1 Duplex
 - i. 1220 Pennsylvania Ave – 068242
 - ii. *Staff Advisory* – the Duplex will need to face Pennsylvania Ave

C. New Construction – Garage

- 1. Maria Barrios – 1 garage
 - i. 845 Reynolds Ave – 120219
 - ii. *Staff Advisory* – not recommending approval. Would have to demo current accessory structure, a garage entrance off of alley way.

D. New Construction - Commercial

- 1. Bessie M Robinson
 - i. 2536 N 17th St – 115863
 - ii. Summary – Wants to build a daycare / Mentioning center. The 1st submission was for a commercial building. From the Staff Advisory meeting, it is inappropriate to build a commercial building in the middle of a residential block. Two options were provided 1. move the commercial building to another properly zoned lot 2. build a house and get a special use permit to run the daycare. The applicant has chosen to build a home. We are currently waiting on an updated picture to be added to the PowerPoint.



Staff Request for Commission Action

Tracking No. 211128

Full Commission Meeting Date: 10/28/21

Committee: Full Commission

Date of Standing Committee Action: 10/11/21
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/21/2021	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Land Bank Manager respectfully requests that the Full Commission review the proposed item. Submitted by Jud Knapp, Interim Land Bank Manager 2 Single Family Homes				
<u>Action Requested:</u> Approve				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> 10.28.21 Land Bank KCK Valley Owner, LLC Request , FC Non-Consnet Memo Land Bank Options 10.28.21				



OPTION AGREEMENTS KCK VALLEY OWNER, LLC



Requesting 4 Land Bank Lots

907 Walker Ave – 081093

909 Walker Ave – 081094

913 Walker Ave – 081095

915 Walker Ave - 081096

New Construction

2 Single Family Homes

Zoning

RP-5 Planned Apartment District

Frontage

150ft Total





OPTION AGREEMENTS KCK VALLEY OWNER, LLC



Building Details

3 Bed 2 Baths
1,115 SqFt

Timeline

Project Start – Late Fall 2021
Project Completion – Construction completed 2
months after construction start

Experience

Our partnership has collectively developed and rehabbed more than 20,000 multi-family and single-family residential units across the United States including seven HUD Hope IV and Hope VI developments. Select local developments include Hazelwood Villas, a 229 single-family home residential community in Kansas City, KS and 200 market rate apartment units in North Kansas City. Our partnership has over 100 years of real estate development, management, construction and financing experience.





OPTION AGREEMENTS KCK VALLEY OWNER, LLC



- Will combine lots
- Depending on further diligence on site will determine which lots gets the new homes
- The lots that are not built on will not have an option agreement.

Next Steps

1. Building inspection approval
2. Planning narrow lot review
3. Proof of funds to cover building estimate

Recommendation

☒ Staff Advisory Committee

Land Bank Advisory Board





Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Interim Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
Fax: (913) 573-5745
Email: jknapp@wycokck.org

M E M O R A N D U M

TO: Full Commission
FROM: Jud Knapp, Interim Land Bank Manager
DATE: October 21, 2021
SUBJECT: Option applications for consideration

The following **option application(s)** are being presented at the 10/28/2021 meeting:

A. New Construction - Single Family Homes – 2

Since the October 11 Neighborhood and Community Development Standing Committee meeting, the developer and the neighborhood association met to discuss the project location at 837 – 851 Freeman Ave. They both agreed to a new location at 907 – 915 Walker Ave. To keep on the developer's timeline for 2 new homes by the end of year. The Land Bank is presenting this item on the Full Commission non consent agenda.

Circuit Avenue Partners LLC – 2 homes
907 Walker Ave – 081093
909 Walker Ave – 081094
913 Walker Ave – 081095
915 Walker Ave - 081096

