

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

PLANNING & ZONING AND
REGULAR SESSION
MARCH 3, 2022

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Regular Session Thursday, March 3, 2022, with ten members present via Zoom or on-site: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO, presiding. Townsend, Commissioner First District, was absent. The following officials were also in attendance: Misty Brown, Chief Counsel; Jon Khalil and James Bain, Assistant Counsel; Alan Howze and Bridgette Cobbins, Assistant County Administrators; Gunnar Hand, Director of Planning & Urban Design; Jeff Fisher, Executive Director of Public Works; Troy Shaw, County Engineer; Jonathan Gutierrez, Solid Waste Division; Brett Deichler, Unified Government Clerk; and Monica Sparks, Deputy UG Clerk.

Mayor Garner said before I call this meeting to order, I want to announce that due to COVID-19, some commissioners, staff, and the public are attending remotely by Zoom, by phone, or onsite. All participants joining by phone should mute their phones when not speaking to avoid background noise.

During this 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. Those comments will be included in the record of this meeting. The public will also have an opportunity to provide brief comments from the lobby of the Municipal Office Building.

I'm going to call this meeting to order. Clerk, roll call, please.

Roll call: Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Garner.

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

Mayor Garner said I'll ask the Clerk if there are any revisions to tonight's agenda.

Brett Deichler, Unified Government Clerk, said, Mayor, there were two. A blue sheet was issued regarding two updates to the Standing Committee Agenda. The first update reflects a revision for Item No. 1, identifying the specific projects that will be targeted as part of the grant initiatives. While the second update tonight pertains to a fast-track item that was approved earlier this week during our Public Works & Safety Standing Committee session. That includes all the changes on tonight's blue sheet, Mayor.

Mayor Garner said tonight, we have two distinct parts to our meeting. The Planning & Zoning portion will be handled first, followed by the Regular Commission meeting. I'll ask the Clerk to read the statement, required by state law, governing the Planning & Zoning portion of our meeting, followed by the items on the Planning & Zoning Consent Agenda.

PLANNING AND ZONING CONSENT AGENDA

Brett Deichler, Unified Government Clerk, read the statement, required by law, governing the Planning & Zoning portion of the meeting.

At this time, does any member of the Commission wish to disclose any contact with proponents or opponents on any item on the agenda? **Commissioner Bynum** said I had contact with opponents of Item D1, MPL2022-001. **Commissioner Kane** said same one, I had opponents and proponents. **Commissioner McKiernan** said I've had contact with opponents of D1, MPL2022-001. **Commissioner Burroughs** said I've had contact both for and against MPL2022-001.

Mr. Deichler said seeing no others, Mayor. I will now read the items on the Consent Agenda.

Mayor Garner asked, does any member of the Commission, the Acting County Administrator, or public wish to set-aside any item on the Planning & Zoning Consent Agenda?

Commissioner Bynum said, Mayor, I think I need to modify my earlier contact statement because Item A2, Change of Zone 2022-001, is also about that same parcel, 14140 State Avenue, so I believe those two items, A2 and D1, actually are hand in hand. I just wanted to modify my earlier contact statement.

Mayor Garner said noted.

Again, does any member of the Commission, the Acting County Administrator, or the public wish to set aside any item on the Planning & Zoning Consent Agenda?

Commissioner McKiernan said I don't need to set anything aside, but I do need to modify my contact statement exactly the same as Commissioner Bynum.

Mayor Garner said noted.

Commissioner Kane said I want to pull Amendment MPL2022-005.

Commissioner Bynum said, Mayor, I think we need to pull A2, Change of Zone 2022-001, in addition to Item D1.

Mr. Deichler said you're correct, Commissioner. We have done that.

Gunnar Hand, Director of Planning & Urban Design, said staff would like to pull Master Plan Amendment 2022-005 from the Consent Agenda, please.

Mayor Garner said if an item is not set aside, all items on the Planning & Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission. I'll ask the Clerk if he's received any request from the public to set aside an item. **Mr. Deichler** said no requests were received, Mayor.

Mayor Garner said I'll ask the Clerk if anyone joining virtually has their hand raised to set aside an item. **Mr. Deichler** said no one, Mayor.

Mayor Garner said I'll now entertain a motion for approval of the Planning & Zoning Consent Agenda.

Action: Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve all remaining items as submitted on the Planning & Zoning Consent Agenda, excluding the set-asides.

Mayor Garner said there's a motion and a second for approval, excluding the set asides. Clerk, can I get a roll call, please?

Roll call was taken and there were nine "Ayes," Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 211376...CHANGE OF ZONE APPLICATION COZ2021-050: DELAWARE STORAGE 2 LLC/FIRESIDE FINANCIAL LLC

Synopsis: Change of Zone from A-G Agriculture District to CP-3 Planned Commercial District for expansion of Delaware Storage at 1342 North 126th Street, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicant, Delaware Storage 2, LLC, wants to change the zoning from A-G Agriculture (WYCO) and CP-2 Planned General Business Districts to CP-3 Planned Commercial District to build a 14,650 square foot self-storage facility on one (1) acre at 1342 North 126th Street. Article VIII, Sections 27-340 – 27-765 and Article VII, Sections 27-245 – 27-339. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application COZ2021-050, subject to:

- 1) This City Planning Commission case is being heard in conjunction with BOZA-2022-002. The following are conditions for BOZA2022-002 and are stated here for reference only, as CPC case is solely for COZ2021-050:
 - a) The requested variance has been adjusted from the applicant's original proposal in order to address the parking spaces throughout the entire self-storage facility, not just the expansion at 1342 South 126th Street;
 - b) A five (5)-foot sidewalk must be installed along the east side of the North 130th Street right-of-way. The sidewalk must extend to State Avenue in the same dimensions and style as the existing sidewalk to the immediate north of the subject property;
 - c) An approval by the Board of Zoning Appeals of this case, and the conditions of approval contained herein, are contingent upon and shall only go into effect upon the approval of Petition COZ2021-050 by the Unified Government Board of Commissioners and upon any ordinance publications required by law;

- d) The applicant has filed and maintained a current business occupation tax application;
 - e) A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 - f) 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, Sections 8-610 through 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;
 - g) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
 - h) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street; and,
 - i) 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 & Urban Design to begin this process.
- 2) Per GeoSpatial Services Department, a deed was filed for one (1) acre, however no plat was filed as part of this application. In 2018, Delaware Highlands 7th Plat was approved, however, never recorded due to the size of the lot area requirements for A-G Agriculture (WYCO) District;
 - 3) A new preliminary and final plat needed to be filed in conjunction with a Final Development Plan, or the previously approved plat's mylars need to be filed and recorded and the plat boundary and deed's legal description need to match;
 - 4) Install a crosswalk, adjacent to North 130th Street, along the service drive leading to the pump station between the existing and proposed storage facilities;
 - 5) A five (5) foot sidewalk on the east side of North 130th Street, along the west property line shall be constructed the length of the property line and tie into the existing system, including a new ADA crosswalk across North 130th Street;
 - 6) All lighting, whether mounted on the building or installed on site shall have 90-degree cutoff fixtures. Lighting shall not exceed one (1) footcandle at the property line;

- 7) This expansion should match the existing self-storage buildings to the north in terms of materials, fencing, landscaping, and buffering;
- 8) Per the Commercial Design Guidelines, metal paneling may be used as an accent material and may comprise only fifteen percent (15%) of a façade's exterior building material (per façade);
- 9) Sec. 27-467(g) A reasonable amount of landscaping is required on all projects in this district, all to be depicted on a properly prepared plan. Trees are required to be provided at not less than one (1) per 7,000 square feet;
- 10) Per the Commercial Design Guidelines, Sec. 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The proposed site is one (1) acre or 43,560 square feet, so $43,560/7,000 * 1.75$ equals 10.89 trees, therefore eleven (11) trees are required to be planted. This does not include street trees, which are required to be planted along North 130th Street at a ratio of one (1) tree per thirty (30) feet of frontage, therefore six (6) trees are required to be planted along North 130th Street;
- 11) All overstory and ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet in height when planted. All shrubs be five (5) gallons when planted;
- 12) All landscaping shall be irrigated;
- 13) All trash and recycling receptacles shall be enclosed on all sides with an opaque wall or fence constructed of the same material as the primary structure. The screen must be a minimum of six (6) feet in height on all sides, tall enough to screen the dumpster itself. When possible, the enclosure's gates shall face away from streets or adjacent land uses. All screening materials must be well maintained at all times;
- 14) All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view by a parapet;
- 15) All electrical meter banks, typically on the side of the building shall be screen from public view;
- 16) BPU transformer pad shall be completely screened on three (3) sides with 6-foot junipers setback three (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;
- 17) 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 building(s);
- 18) 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 & Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

- 19) Following the Final Development Plan entitlement process, a building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
- 20) 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, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
- 21) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve Change of Zone Application COZ2021-050, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

Mayor Garner said that takes us to the set aside items. Clerk, can you please provide the set asides as well as their numbers?

Mr. Deichler said the first Planning set aside item was COZ2022-001. It also includes D1, MPL2022-001, as part of it.

Mayor Garner said I’ll ask staff to make some opening comments or remarks.

ITEM NO. 2 – 211377...CHANGE OF ZONE APPLICATION COZ2022-001: TIM KATES WITH REMCO DEMOLITION LLC

Synopsis: Change of Zone from CP-3 Planned Commercial District to MP-2 Planned General Industrial District for a contractor staging area and heavy equipment storage for Remco Demolition at 14140 State Avenue
and

ITEM NO. 1 – 211391...MASTER PLAN AMENDMENT APPLICATION MPL2022-001 – TIM KATES WITH REMCO DEMOLITION LLC

Synopsis: Master Plan Amendment from Planned Commercial (Prairie-Delaware-Piper Master Plan) to Industrial (City-Wide Master Plan) at 14140 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The Applicant, Tim Kates of Remco Demolition, is requesting a Change of Zone for the subject property at 14140 State Avenue. The Applicant is requesting a Change of Zone from CP-3 Planned Commercial District to MP-2 General Industrial District. The Change of Zone has been requested so that the prospective buyer can use the site as a construction equipment storage and staging area. The subject property is currently vacant with two (2) large farm outbuilding structures and two (2) smaller accessory storage buildings with a total building square footage of 10,484 square feet. The Applicant wishes to use the current buildings and add an asphalt area for materials and equipment storage on the rear of the property. A Master Plan Amendment has been included with this application to amend the land use from Commercial to Industrial. Article VIII, Sections 27-340 – 27-765 and Article VII, Sections 27-454 – 27-457, Sections 27-592 – 27-606. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application COZ2022-001 and Master Plan Amendment MPL2022-001, subject to:

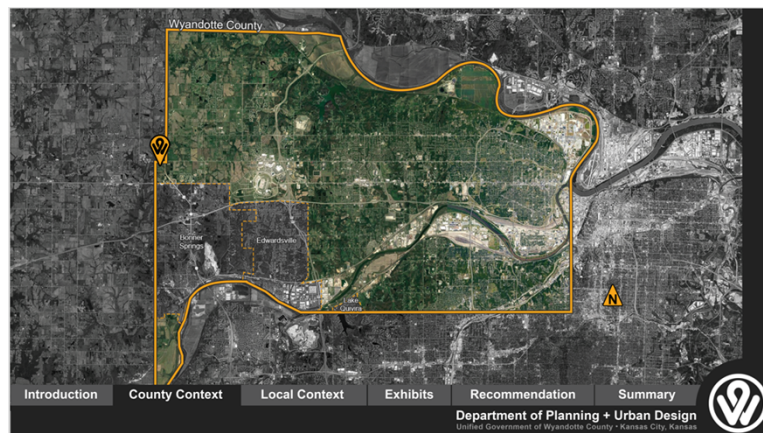
- 1) The property shall be restricted to CP-3 uses and activity, with the filing of a deed with the Register of Deeds Office, with the exception of the equipment and material staging and laydown yard. No use shall be permitted or so operated as to produce or emit smoke, dust, fly ash, gas, odorous emission, vibration, concussion, noise greater than 80dB(A), or industrial waste.
- 2) All uses involving the storage, handling, SE, or sale of hazardous and/or highly flammable or explosive materials (group H occupancies as defined by the International Building Code) shall be prohibited unless approved by Special Use Permit and approved by any other stipulation as stated in Section 27-469(4).
- 3) If approved, a retro-active building permit on the outbuilding shall be required or the existing permit shall be verified as approved status.

- 4) If approved, screening on the property's perimeter shall be maintained and enhanced where appropriate.
- 5) Trees shall densely wrap around the perimeter of all sides of the property, be planted at the top and on slopes, and always seek to replant those trees lost due to the development. Trees shall be replanted where needed along the corner of State Avenue and North 142nd.
- 6) All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers).
- 7) Any equipment visible from the public right of way or near fencing shall be removed or relocated to where fully concealed from public view.
- 8) Existing fencing and gated entrance shall be maintained.
- 9) The apron shall be continuously maintained as an improved surface of asphalt or concrete. Please contact the Public Works Department for more information at Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700.
- 10) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures.
- 11) A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
- 12) 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.
- 13) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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

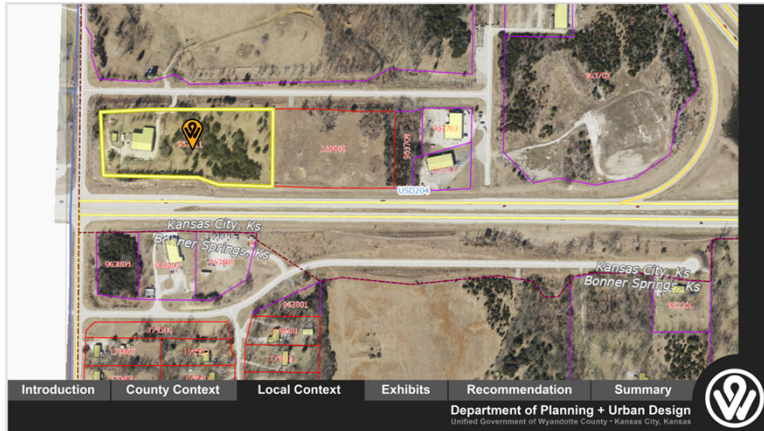
submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Case							
COZ2022-001 & MPL2022-001							
Petitioner	Address						
Tim Kates	14140 State Avenue Kansas City, Kansas 66012						
Synopsis							
To request a Change of Zone from CP-3 Commercial District to MP-2 General Industrial District for the ability to have a lay-down lot and staging area for equipment and contracting materials. To amend the Master Plan Land Use Designation from Planned Commercial to Industrial.							
<table border="1"> <tr> <td>Introduction</td> <td>County Context</td> <td>Local Context</td> <td>Exhibits</td> <td>Recommendation</td> <td>Summary</td> </tr> </table>		Introduction	County Context	Local Context	Exhibits	Recommendation	Summary
Introduction	County Context	Local Context	Exhibits	Recommendation	Summary		
Department of Planning + Urban Design United Government of Wyandotte County - Kansas City, Kansas							

Gunnar Hand, Director of Planning & Urban Design, said, again, this case, Change of Zone 2022-001, is heard in conjunction with Master Plan Amendment 2022-001. This is a change of zone from CP-3 to MP-2, as well as the land use designation change from Planned Commercial to Industrial.



This is in the Prairie-Delaware-Piper Master Plan area.



It's right on County Line Road, just north of State Avenue before you exit, heading west into Leavenworth County.



The applicant wishes to build a laydown yard with heavy equipment storage. While laydown yards are allowed in the C-3 District, it's the heavy equipment storage that creates the need to request zoning to MP-2, which then also triggers the Master Plan Amendment from Commercial to Industrial.



To address this issue, staff applied multiple conditions of approval, including a deed restriction that would require all future land uses to meet the C-3 uses and not MP-2 uses, essentially isolating MP-2 zoning for this specific applicant's use. We also applied additional conditions of approval with the City Planning Commission as it relates to downlighting, screening, landscaping, to essentially hide the use from the area. You can see from these pictures there is a grade change from the public rights-of-way up to the existing barn and other facilities.



An additional condition of approval was related to that barn. There's still an open building permit on that barn from a previous owner. That is one of the notices of violation noted in the staff report. At the time, staff had not received any letters of support or opposition at City Planning Commission.



A member of the public did attend the City Planning Commission and speak in favor of this case. Subsequent to the recommendation for the City Planning Commission and their hearing, we did receive opposition to this case.



Public Opposition	Public Support
Since the City Planning Commission hearing on February 14, 2022, Staff has received one (1) email in opposition.	The applicant received one (1) email in support from an adjacent property owner.
Staff Recommendation Approval	

Introduction County Context Local Context Exhibits Recommendation Summary
 Department of Planning + Urban Design
 Unified Government of Wyandotte County - Kansas City, Kansas

March 3, 2022

As such, staff does agree with the Planning Commission's recommendation for approval, but based on that opposition, staff would recommend that we send this back to the Planning Commission to discuss the change of use itself, to address the comments in opposition, some of which, I believe, I saw some of those folks on the call tonight which we can hear from later. Additionally, as this is right on the borders of both Bonner Springs and Leavenworth County, staff would like to do additional outreach to those communities as it relates to this project specifically, again, based on opposition comments. Happy to take any questions.

Mayor Garner said I'll ask the applicant or representatives to present their application. If they're present, please state your name and address for the record.

Tim Kates, 24801 219th Street, Leavenworth, KS, said we started Remco Demolition in 2011 in Wyandotte County. We've been at the same shop location, where our shop is located, where we fix and repair equipment, and it's a minor storage yard. My first job was in Wyandotte County performing multiple jobs for the city and the county, as well as doing some search and rescue efforts with Kansas City Fire Department. Our old shop is at 1015 Cheyenne. As you can see by going by there, we've outgrown it, immensely. We're kind of landlocked there, so we can't add any area. We have 6 semi-trucks and 13 trailers, and we can't even store them all there because we don't have enough room. We have connex boxes there that we have stuff stored in.

The reason for wanting this zoning change is that we have six acres there. We have a 17,000 square foot building versus a 4,000 square foot building, and about 80% of what we have in that yard at 1015 Cheyenne can be stored indoors. We would like to possibly purchase the 1015 Cheyenne yard. We do not own it at this time, but we would like to purchase it and fix it up and either sell or lease it as well.

The new shop, as I said previously, gives us ample of space. It's three-fourths protected by trees, so it's not like it will be an eyesore. The City Planning Commission has recommended that we even put up more trees, which we totally agree with, to protect it even more.

There are some old permits that I haven't dug into yet. I know there's an old shed on the parcel that I'd like to get removed and build the laydown yard to their city specs.

I have been told about some possible issues, which was an issue that I thought of when we purchased this property, and that is, most of our work is in Kansas City, or surrounding communities, and we're going to go east when we leave the shop in the morning.

There's a project coming up that I've heard about on Parallel and K-7, which I think will create some pressure for this intersection of 142nd and State Avenue. I am more than happy to not try to cross that intersection at rush hour, which is the only time—our trucks, once they leave for the morning, they don't come back till the next evening or later in the afternoon. I would suggest that instead of us trying to cross that traffic, we would go right, which would take us west into Leavenworth County, and we would turn around like Miles Trucking does at 166th to get back to going east.

This is very important to us. We have grown exponentially. We have been looking for a new place for three years. We finally found it. We wanted to stay in Wyandotte County. This is a perfect spot for us, and we hope that you guys pass it.

Mayor Garner said I will now open the public hearing and ask the Clerk has he received any direct notification from the public who wish to express their comments in favor of this item.

Brett Deichler, Unified Government Clerk, said none were received, Mayor. I will read virtually now. Is there anyone joining us virtually who would like to speak in favor of COZ2022-001 and MPL2022-001? If so, please raise your hand to be acknowledged. Once acknowledged, you may state your name and address for the record. You will be given up to three minutes to state your comments.

Henry Chamberlain, 12808 Kansas Ave., Bonner Springs, said I am a co-owner of the property adjoining this subject parcel to the east. Like the gentleman that is selling the subject property, I and the other owner are elderly. We have tried for well over a decade to sell that parcel. We couldn't use it for our intended purpose when the highway took our direct access, and we've been trying to sell it since without even any interest or an offer. We are delighted to see some interest and activity in that area.

One reason that there's no interest in our property is this zoning. We have a body shop that was allowed to be placed next to us on the east that parks cars outside. I don't see a problem with parking some trucks on the other side. There are steel industrial buildings on both sides of

us and across the road in Bonner Springs and across 142nd on the agricultural property, but a buyer of our property wouldn't be allowed to put up a steel building because of the commercial zoning.

We definitely support the rezoning of the adjacent property. We support the use. We have no qualms with it, and we really need to go ahead and move this property. Since the activity started on the corner property, we have had the first offer ever on ours. We are at an age when we would like to move that. I think it would be tragic if we killed this. **Monica Sparks, Deputy Unified Government Clerk**, said you have one minute remaining.

Mr. Chamberlain said the gentleman has agreed to screening, additional screening. He's agreed to right turn in, right turnout traffic, at least for the duration of the Parallel project. He's done, I think, about everything we could ask him to do. I strongly urge you please to pass this, or if you have to send it back, send it back, but I urge approval.

Mr. Hand said I just wanted to make note that one, Mr. Bill Hutton did send an email to staff requesting that these items be removed from the Consent Agenda as well. Didn't get a chance to note that as the commissioners pulled it from the agenda. I did want to make that noted for the record.

Mr. Deichler said we're seeing no further in favor.

Mayor Garner said I will close the public hearing. **Mr. Deichler** said we need to do opposition, Mayor.

Mayor Garner asked, anyone in opposition? **Mr. Deichler** said we received no comments in the Clerk's Office. I will ask if anyone is joining virtually who is in opposition, and we're seeing none. I will also check the lobby to see if there is anybody in opposition. Seeing none, Mayor.

Mayor Garner said I'll close the public hearing. Would the petitioner like to make any closing comments? Do any members of the Commission have any comments or questions?

Commissioner Kane said I pulled it off because I had multiple people asking multiple questions. I think Gunnar Hand described it best, that the other community that this abuts up to needs to

know a little bit more because that road, we own half, and they own half. There are questions that weren't asked originally that need to be asked, so I make a motion that we send it back to Planning & Zoning to rectify some of the issues that came up that we didn't know about before.

Action: **Commissioner Kane made a motion, seconded by Commissioner Ramirez, to refer Change of Zone Application COZ2022-001 back to Planning & Zoning.**

Mayor Garner asked, do any of the other members of the Commission have any questions or comments? **Mr. Deichler** said seeing none.

Mayor Garner said I'll entertain a motion. Clerk, could you read those numbers?

Mr. Deichler said COZ2022-001 is what we're voting on now, correct, Counsel? **Misty Brown, Chief Counsel**, said yes. Then once this vote is concluded, you will vote on the other matter.

Commissioner Kane asked, what was the other number? **Mr. Deichler** said MPL2022-001, Commissioner.

Mr. Deichler said, Mayor, this vote is for the first, COZ2022-001. **Mayor Garner** said, again, I'll entertain a motion. Commissioner Ramirez made a motion. **Mr. Deichler** said Commissioner Kane first; Commissioner Ramirez second.

Mayor Garner said we have a motion, and we have a second. Is there any discussion? Seeing none, roll call, please.

Roll call was taken and there were eight "Ayes," Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Davis. Commissioner Stites "Abstained."

Commissioner Kane said, Mayor, I'd like to make the motion, the amendment MPL2022-001 for the same reasons.

Action: Commissioner Kane made a motion, seconded by Commissioner Ramirez, to refer Master Plan Amendment Application MPL2022-001 back to Planning & Zoning for the same reasons.

Mayor Garner said I have a motion and a second. Is there any discussion? Seeing none, roll call, please.

Roll call was taken and there were eight “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Davis. Commissioner Stites “abstained.”

ITEM NO. 3 – 211378...CHANGE OF ZONE APPLICATION COZ2022-002: JASON SADLER/HOUSE2HOUSE KC, LLC

Synopsis: Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District to bring an existing duplex into compliance at 2822 West 43rd Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicant, Jason Sadler, is requesting a Change of Zone for the subject property at 2822 West 43rd Avenue. The Applicant is requesting a Change of Zone from R-1(B) Single Family District to R-2(B) Two-Family District. The Change of Zone has been requested so that the non-conforming use becomes conforming. The subject property was originally constructed as a single-family home with a rear addition and duplex conversion in the mid-1970s. The home was previously zoned as an R-2 Two-Family property but was downzoned in 2003 as part of ordinance O-46-03. The previous owner failed to appropriately contest the downzoning to maintain current conforming status, thus the property became non-conforming. The building was formerly deemed an unfit structure. The Applicant is the new property owner and recently completed a permitted full renovation after years of severe neglect to the property and wishes to obtain a rental license, which requires the zoning to reflect the building’s physical condition. As part of the Change of Zone approval, a variance is requested for setbacks of the R-2(B) Two-Family Residential District requirements. Article VIII, Sections 27-340 – 27-765 and Article VII, Sections 37-454 – 27-457, Sections 27-592 – 27-606. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application COZ2022-002, subject to:

- 1) The existing land use designation for the subject property, General Urban District, is predominantly residential in character with rowhouses, townhomes, and single-family houses. Three story apartment buildings, retail, and office uses are allowed on mixed-use corridors. The land use does not change with the change of zone. The change of zone allows for the Applicant to keep two (2) units within the property.
- 2) If approved, rental licensing shall be obtained prior to any non-owner occupancy.
- 3) If approved, any use as a short-term rental or non-owner occupancy for a period of less than 30 days shall require a Special Use Permit.
- 4) A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
- 5) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Change of Zone Application COZ2022-002, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 4 – 211379...CHANGE OF ZONE APPLICATION COZ2022-004: GUNNAR H. HAND, DIRECTOR OF PLANNING & URBAN DESIGN

Synopsis: Change of Zone from MP-2 Planned General Industrial District to R-1 Single Family District for the existing Bennett Lake and park land at 9300 Leavenworth Road, and

ITEM NO. 2 – 211392...GUNNAR H. HAND, AICP, DIRECTOR OF PLANNING

Synopsis: Master Plan Amendment from Business Park (Prairie-Delaware-Piper Master Plan) to Open Space (Prairie-Delaware-Piper Master Plan) at 9300 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application COZ2022-004 and Master Plan Amendment MPL2022-003, subject to:

- 1) A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Division at (913) 573-8620 to begin that process.
- 2) 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 & Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.
- 3) Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
- 4) 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, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 N. 7th Street, 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.
- 5) Section 27-696(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided.

Action: Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve Change of Zone Application COZ2022-004 and Master Plan Amendment Petition MPL2022-003, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 5 - 211380...CHANGE OF ZONE APPLICATION COZ2022-005: CURTIS PETERSEN WITH POLSINELLI PC

Synopsis: Change of Zone from A-G Agriculture District to CP-3 Planned Commercial District for Camping World inventory lot expansion at 9400 State Avenue,
and

**ITEM NO. 1 – 211389...PRELIMINARY AND FINAL PLAN REVIEW PR2022-005:
CURTIS PETERSEN WITH POLSINELLI PC**

Synopsis: Preliminary and Final Plan Review for Camping World inventory lot expansion at 9400 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application COZ2022-005 and Preliminary and Final Plan Review PR2022-005, subject to:

- 1) This City Planning Commission case is being heard in conjunction with BOZA2022-006. The following are conditions for BOZA2022-006 and are stated here for reference only, as CPC case is solely for an inventory parking lot expansion for Camping World:
 - a) A variance runs with the land, and approval of each or any of the requested variances will allow for any future property owner to meet, but not exceed, the variances granted. These variances are requested due to and are assessed on the specific proposed site of the subject property as submitted by the applicant. Therefore, any change to the design, dimensions, or circumstances of the subject property may void the variance and/or require a new or amended variance to be requested;
 - b) Provide sufficient landscaping and screening along the property boundary lines, especially along the west property line adjacent to the main entrance into the former Schlitterbahn site, in order to reduce the visual impact that collective parking and storage lots could have on the public; and
 - c) A building permit is required for the parking lot expansion. Following this entitlement process, please contact the Building Inspection Department to begin that process.
- 2) During construction of the proposed Camping World, the existing overhead electrical lines located on the subject property will be temporarily relocated within the boundaries of the subject property. As part of the future development phases of the surrounding master development with STAR Bonds, the overhead electrical lines on the subject property will be buried below grade;
- 3) Provide a larger master plan for the entire Homefield development, as this was previous a pad site for the entertainment portion of this project. Staff asked for the overall master plan during the initial pre-application meeting. A master plan for the larger site is needed to determine screening and fencing requirements, and if any sidewalk extensions are necessary. The private drive will extend to the north and either link with 98th Street to the northwest and/or further development to the east. Either way, the rear of the inventory lot will be highly visible, and the street side fencing shall reflect the same wrought-iron and masonry column treatment as 98th Street;
- 4) Work with Menards to add a curb or otherwise close the interior circulation between the stub on Menards property and the northwest corner of the Camping World site;

- 5) Per Business Licensing Department: all occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;
- 6) Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten feet wide. The required ten-foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;
- 7) Utility easements shall connect with easements established in adjoining properties;
- 8) Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
- 9) The sidewalk on the west side of the drive between Camping World and the former Schlitterbahn site shall be a minimum of five (5) feet and extend to the north to the inventory lot and will be constructed when the future private road is constructed to Unified Government standards;
- 10) 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 and screened from view in accordance with all applicable ordinances;
- 11) A building permit is required. Please contact the Building Inspection Department to begin that process at (913) 573-8620;
- 12) The perimeter fence should be wrought iron with masonry columns along the private drive to the rear of the property terminating at Menards fence/wall. This expansion will require a redesign of the entire fencing plan so that the future fence facing a public and/or private street includes an architecturally screened fence. Revise and resubmit to show all extents of each fence types;
- 13) Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
- 14) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;
- 15) Sec. 27-469(g) Trees are required to be provided at not less than one (1) per 7,000 square feet of site area. Based on the total tract size, 60 trees are required to be planted per the district requirement and the seventy-five (75) percent multiplier in the Commercial Design Guidelines;
- 16) All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons

when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);

- 17) All landscaping shall be irrigated;
- 18) Shall comply with the sign ordinance with the exception of the flag and pole approved by the BOZA2021-018;
- 19) 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, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 N. 7th Street, 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;
- 20) Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable; and,
- 21) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Change of Zone Application COZ2022-005 and Preliminary and Final Plan Review Application PR2022-005, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 211374...SPECIAL USE PERMIT APPLICATION SP2021-083: AURELIO AND MARIA NAVAREZ

Synopsis: Renewal of a Special Use Permit (SP2016-79) for live entertainment with a drinking establishment at 6550 Kaw Drive, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicants, Aurelio and Maria Navarez, are requesting a renewal of Special Use Permit (SP2016-79) for a drinking establishment, restaurant, and live entertainment venue at

6550 Kaw Drive. This property was approved for Special Use Permit (SP2009-36) to operate a drinking establishment, in 2009 and was renewed in 2012 and 2014 for two (2) years and then again in 2016 for five (5) years. Sections 27-592 through 27-606. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit SP2021-083, subject to:

- 1) The applicant shall build an enclosure around their trash receptacles on the east side of their property;
- 2) The applicant shall either patch their parking lot or repave the parking lot for the parcel in which their reestablishment resides on;
- 3) The applicant shall install parking space striping for the required forty (40) parking spaces in the manner outlined by the Code of Ordinances Section 27-669;
- 4) Per recommendation by Major Raymond Nunez of the Kansas City Kansas Police Department, the applicant shall install two (2) security cameras on the front of the building and one (1) security camera at the exit of the premises;
- 5) Per recommendation by Major Raymond Nunez of the Kansas City Kansas Police Department, anytime the club hosts 30 or more patrons, additional interior security shall be provided, and any time the club hosts more than 80 patrons, the club shall provide both additional interior security and an off-duty police officer to monitor the exterior;
- 6) Per Code of Ordinances Section 27-577(g), if the applicant wishes to complete this work in phases, "the first phase of construction should include perimeter landscaping, entry drives, and detention ponds. Future phases must indicate interim landscaping";
- 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 & Urban Design to begin this process;
- 8) The applicant shall remove the two (2) signs on the south elevation that show the menu and that read "now open for lunch" and the sign that is mounted to the right of the main entrance on the south elevation, as those signs do not have the proper sign permits, nor do they conform to the sign ordinance Section 27-720 – Section 27-739;
- 9) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
- 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) All entertainment must cease by at least 1:30 AM;
- 12) Doors and windows must stay closed during any entertainment performance;
- 13) Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent uses;
- 14) Must comply with Unified Government Security Ordinance (Chapter 4, Article II, Division 1, Sec. 4-104,0, including:

- a) 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;
 - b) Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
 - c) An I.D. scanner will be used at all times;
 - d) At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles.
- 15) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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,
- 16) 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 & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2021-083 for five years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 2 – 211375...SPECIAL USE PERMIT APPLICATION SP2021-084: EFRAIN CARRERA

Synopsis: Renewal of a Special Use Permit (SP2019-109) for horses at 5124 Sloan Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicant, Efrain Carrera, is seeking a renewal of Special Use Permit (SP2019-109) to keep two (2) horses

on the property at 5124 Sloan Avenue. This property was approved for a Special Use Permit (SP2019-109) in 2019 for two (2) years. Sections 27-592 through 27-606. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application SP2021-084, subject to:

- 1) The applicant must begin either composting or plan for regular removal of horse manure, as there are concerns regarding the water run-off being contaminated with manure and urine from the horses.
- 2) Per recommendation from the Wyandotte County Conservation District, brome grass shall be planted and maintained.
- 3) A sacrifice lot shall be created to mitigate contaminated run-off. The lot shall be no more than 30' x 30', with a five (5) foot strip of grass left between the pen and the north property line. This lot should be used for the horses to exercise on.
- 4) The hay inside of the barn where the horses are kept shall be replaced regularly and treated the same as the manure, by either being composted, or removed regularly.
- 5) 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.
- 6) 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.
- 7) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.
- 8) 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 N. 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.

- 9) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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.
- 10) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations.
- 11) A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.

Action: Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2021-084 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 3 – 211381...SPECIAL USE PERMIT APPLICATION SP2022-001: LUKE OLENICK WITH SUNFLOWER TOW SERVICE, LLC

Synopsis: Special Use Permit for expanded mechanic's shop to maintain tow vehicles and used car sales at 452 South 26th Street, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicant, Luke Olenick with Sunflower Tow Service, LLC, is requesting a Special Use Permit for heavy automotive and truck repairs and for used auto sales. The subject property has operated as a towing operation on the subject property since 2017; this Special Use Permit is for an expansion of uses on the subject property. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application SP2022-001 for two (2) years, subject to:

- 1) The site plan and elevations provided herein must comply and/or continue to comply with the Commercial Development Guidelines Overlay District as outlined in the Staff Comments and Suggestions section of this report;
- 2) All deviations from the Commercial Development Guidelines Overlay District must be approved by the City Planning Commission. Such deviations are outlined under #3 of "Planning & Urban Design Comments: Commercial Development Guidelines Overlay District" in the Staff Comments and Suggestions section of this report. The deviations are deferred until the two (2) year renewal period;
- 3) Parking spaces for employees and customers must be striped, designated as such, and separated from the parking spaces that are striped and designated for used auto sales. Regardless of use or designation, all parking spaces must be striped;
- 4) A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
- 5) Update all curb cuts and driveways to UG standards. Updates include repaving curb cuts and driveways in need of repair;
- 6) 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 & Urban Design to begin this process;
- 7) Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
- 8) 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;
- 9) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards; and,

- 10) 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;
- 11) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- 12) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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,
- 13) The Special Use Permit shall be valid for two (2) 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 & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2022-001 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 4 – 211382...SPECIAL USE PERMIT APPLICATION SP2022-002: JEFF BAWKER/MJP PROPERTIES & HIGHLAND PARK CEMETERY

Synopsis: Special Use Permit for grading at 3801R State Avenue, 4100 Ann Avenue, 4315 Ann Avenue and 949 North 41st Street, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicant, Jeff Bawker with Highland Park Cemetery, is requesting a Special Use Permit for a grading permit at the parcels addressed 4100 Ann Avenue, 4315 Ann Avenue, 949 North 41st Street, and 3801 R State Avenue. The Applicant has stated that the proposed grading project is not in anticipation of cemetery expansion, but rather to clear the wooded areas with steep terrain and create gentler slopes with planted grass and other groundcover vegetation. Article VIII, Sections 27-592 – 27-606. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application SP2022-002 for two (2) years, subject to:

- 1) Landscaping must occur in compliance with the landscaping plan provided by the applicant and contained herein;
- 2) If fill material is from borrow site within Wyandotte County, the borrow site will require a Special Use Permit, if a Special Use Permit is not already valid and effective;
- 3) The driving routes used by work trucks hauling earthen materials (i.e., haul routes) comply with the haul route provided by the applicant and contained herein;
- 4) Hours of operation shall be from 7:00 AM to 5:00 PM on Monday through Friday. Work may also occur from 9:00 AM to 5:00 PM on no more than one (1) Saturday per calendar month;
- 5) There may an average of 26 daily trips per day for the duration of the project, and at no point shall there be more than 60 truck trips in one (1) day;
- 6) Install rumble strips at the entrances/exits and other mitigation measures to keep debris out of the public right-of-way;
- 7) Upon completion of the project, any damage to the public right-of-way on Ann Avenue and/or North 41st Street is to be repaired;
- 8) The shall be full compliance with the comments from the Wyandotte County Conservation District contained herein;
- 9) Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
- 10) 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, Sections 8-610—8-618). Land disturbance fees shall be processed by UG Public Works during the land disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works department, 701 N. 7th Street, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Department, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
- 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 & Urban Design to begin this process;
- 12) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

- 13) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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,
- 14) The Special Use Permit shall be valid for two (2) 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 & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2022-002 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 5 – 211383...SPECIAL USE PERMIT APPLICATION SP2022-005: WIL ANDERSON WITH BHC RHODES

Synopsis: Renewal of a Special Use Permit (SP2019-94) for the Temporary Use of Land for an office trailer at 8130 Kaw Drive, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicant, Wil Anderson, representing Frank Perry of Transport Truck, is requesting to renew a Special Use Permit to continue to use a temporary trailer as a security office for their truck storage lot. The property has been approved for a Special Use Permit (SP2017-31) in 2017, which was renewed in 2019 (SP2019-94), Sections 27-592 through 27-606. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application SP2022-005, subject to:

- 1) The trash receptacle and porta-potty must be moved to the north side of the trailer out of the public view. The new placement however should not replace any existing parking spaces;
- 2) The owner shall plant new landscaping along the south edge of the property to replace the currently dying landscaping;
- 3) The owner shall extend the new landscaping to fill in a hole in the landscape on the southwestern corner of the property where there is no landscaping currently;

- 4) Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable;
- 5) 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 & Urban Design to begin this process;
- 6) Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable;
- 7) 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;
- 8) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- 9) The Special Use Permit shall be valid for 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 & 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;
- 10) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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) 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.

Action: Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2022-005 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 6 - 211384...SPECIAL USE PERMIT APPLICATION SP2022-006: CHRISTI EATON AND KIM MAPLES

Synopsis: Renewal of a Special Use Permit (SP-2019-90) for a childcare facility on the KCKCC campus at 7250 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicants, Kim Maples and Christi Eaton, are requesting a renewal of a Special Use Permit (SP2019-90) to operate a child educational center in a building on the campus of Kansas City, Kansas Community College (KCKCC). The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application SP2022-006 for five (5) years, subject to:

- 1) 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;
- 2) The applicant shall plant two (2) trees, two (2) hedges, or four (4) foot tall shrubs along within five (5) feet of the fence that borders the playground along the north, east, and south sides of the fence line to provide additional screening for noise and mitigate the effects of the urban heat island affect, due to the prevalence of concrete surrounding the playground to the west;
- 3) 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;
- 4) Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable;
- 5) 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 & Urban Design to begin this process.
- 6) Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right-of-way for any

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

- 7) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- 8) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
- 9) The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2022-006 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 7 – 211385...SPECIAL USE PERMIT APPLICATION SP2022-008: DAN SPENCER WITH CZ-USA

Synopsis: Renewal of a Special Use Permit (SP2019-95) for a shooting range at 3327 North 7th Street Trafficway, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicant, Dan Spencer, is requesting to renew a Special Use Permit (SP2019-95) to continue to operate an indoor, private firearm shooting range at 3341 North 7th Street Trafficway. The shooting range has been in operation since 2017 and there is no stated intent to change the current operation. The property was approved for a Special Use Permit in 2017 (SP2017-53), which was

renewed in 2019 (SP2019-95). The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit SP2022-006 for five (5) years, subject to:

- 1) The business shall install screening for the parking and waste receptacle along the northwestern and southwestern edge of the property in the form of shrubs or trees as required by the Northeast Master Plan.
- 2) 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;
- 3) 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 & Urban Design to begin this process.
- 4) Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable; 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;
- 6) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- 7) The Special Use Permit shall be valid for 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 & 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,
- 8) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2022-008 for five years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 8 – 211386...SPECIAL USE PERMIT APPLICATION SP2022-012: TYLER REYNOLDS AND JUSTINE ROBLES

Synopsis: Special Use Permit for a Short-Term Rental at 527 Tenny Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicants, Tyler Reynolds and Justine Robles, are seeking approval to operate a short-terms rental at 527 Tenny Avenue. The subject property is two (2) blocks from the 7th Street Trafficway corridor. The applicants have recently purchased the property and it has been recently renovated. The subject property has been used as a rental periodically since 2001 or earlier. Article VIII, Sections 27-340 – 27-765 and Article VII, Sections 27-454 – 27-457. Sections 27-591 – 27-606. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application SP2022-012 for one (1) year, subject to:

- 1) Applicant shall obtain and/or maintain a business license from the Wyandotte County Business License office.
- 2) Applicant shall post a Lead-Based Paint Notice and Asbestos Notice (if necessary) in the guest book or tenant guide.
- 3) Applicant shall ensure that the contact information for the Management/Operator is included in the guest book or tenant guide.
- 4) Applicant shall provide evidence or receipt of repairs for the following inspection items:
 - a) Confirm the handrail up to the front of the property is stable.
 - b) Repair or replace the inoperable window - Inspection Item 7.4.1
 - c) Adjust the toilet - Inspection Item 9.8.1
 - d) Add expansion tank to water heater - Inspection Item 9.4.1
 - e) Repair the ductwork as shown - Inspection Item 11.6.1
 - f) Repair electrical conduit - Inspection Item 12.1.1
 - g) Repair reverse polarity outlets - Inspection Item 12.3.1
 - h) Add in CO2 and Smoke Detectors where missing - Inspection Item
- 5) The gravel lot in the rear must be replaced with a driveway consisting of two (2) concrete strips, allowing for adequate green space while continuing to provide two (2) off-street parking spaces.
- 6) Maximum number of guests, which has been deemed appropriate for the available accommodations shall be eight (8) adults;
- 7) Guest parking must be provided off-street. Maximum number of guest vehicles shall be two (2).
- 8) Parking must take place off-street.
- 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) Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
- 11) Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
- 12) Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy. Include the contact information for Host Compliance: 913-246-5133 www.hostcompliance.com/tips;
- 13) 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 & 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.
- 14) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2022-012 for one year, subject to the stipulations. Roll call was taken and there were nine "Ayes," Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 9 – 211387...SPECIAL USE PERMIT APPLICATION SP2022-014: CURTIS PETERSEN WITH POLSINELLI PC

Synopsis: Special Use Permit for indoor facility and outdoor fields for multi-sport training and tournament games, including food, beverage and liquor sales and related parking at 9020 State Avenue,
and

ITEM NO. 2 – 211390...PRELIMINARY AND PLAN REVIEW PR2022-006: CURTIS PETERSEN WITH POLSINELLI PC

Synopsis: Preliminary Plan Review for Homefield Training Center at 9020 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design and

ITEM NO. 3 – 211393... MASTER PLAN AMENDMENT APPLICATION MPL2022-004: CURTIS PETERSEN WITH POLSINELLI PC

Synopsis: Master Plan Amendment from Planned Mixed Residential (Prairie-Delaware-Piper Master Plan) to Planned Commercial (Prairie-Delaware-Piper Master Plan) at 9020 State Avenue. Master Plan Amendment Item No. 3 MPL2022-004. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application SP2022-014, Preliminary Plan Review PR2022-006 and Master Plan Amendment MPL2022-004, subject to:

- 1) A building permit is required. Please contact the Building Inspection Department to begin that process;
- 2) Submit a design criteria manual for the overall development, as there could be expansions or additions in the future;
- 3) After talking with the Public Works Department, the applicant does not need to improve the North 92nd Terrace cul-de-sac and dedicating right-of-way is acceptable. Additionally, improving the cul-de-sac would remove an established stand of trees that will screen the development from public view. KCKFD may require future improvements;
- 4) Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted street right-of-way abutting the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided;
- 5) Minimum 4-foot pedestrian path with landscape buffer and pedestrian lighting from parking areas to buildings;
- 6) Indicate the approximate location of the Kansas City ATA transit stop along State Avenue. A four (4) foot sidewalk shall be constructed from the transit stop, through the parking lot, to the front door of the building.
 - a) A transit shelter should be constructed, similar to Urban Outfitters. Contact Justus Welker, UG Transit at (913) 573-6798 or iwelker@wycokck.org.

- b) The enhanced bus shelter along State Avenue should be constructed to connect with the pedestrian route through the surface parking lot. This is a major transit corridor with a transit blade sign currently along the sidewalk on State Avenue. The transit shelter (similar to Urban Outfitters) and pedestrian access sidewalk/median should connect to the front door of the building. The approximate placement will be determined at the Final Development Plan;
- 7) Align the pedestrian walkway with the pedestrian route in the surface parking lot to establish a throughway connection to State Avenue. The pedestrian walkway/median through the parking lot shall connect to State Avenue as a throughway connection. The trail will be omitted from this portion of the development at this time, however, trail connections with the future development to the east will be discussed when that development plan is submitted;
- 8) Over the road trucks shall not be parked on the property overnight;
- 9) Buses and larger vehicles shall not block drive aisles and/or fire lanes;
- 10) Install a publicly accessible bicycle rack for bicyclists in the plaza area;
- 11) Outdoor speakers shall be oriented away from the residences;
- 12) The outdoor scoreboard shall comply with the Performance Standards for Lighting.
- 13) There are lighting and glare issues that were raised in the past with the soccer fields directly north of this site. We want to make the applicant aware of these issues and want to ensure that the exterior lighting (parking lot lights or field lights) adhere to the one (1) footcandle at the property line. This includes light that is cast vertically and horizontally;
- 14) Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened, and downspouts integrated into the building. Overflow drains shall be at grade and hidden by vegetation. The scuppers will be addressed at the final plan review;
- 15) All concrete shall be integrally-colored — no paint;
- 16) Based on the landscaping requirements in the A-G Agriculture District (one (1) tree per 7,000 square feet of site area), the number of trees is required for the following lots (not inclusive of the street trees along a major street and parking lot island requirements):
 - a) Lot 1 - 146 trees;
 - b) Lot 2 - 83 trees;
- 17) The parking lot must be screened by berms and landscaping from State Avenue, and all residences on the south side of State Avenue;
- 18) Sec. 27-576(e)(2) Parking lot landscaping should reinforce pedestrian and vehicular circulation, especially parking lot entrances, end of drive aisles, and pedestrian walkways leading through parking lots;
- 19) Sec. 27-576(e)(3) Groups of parking of between forty (40) and fifty (50) spaces must be separated by a ten (10) foot wide landscape median or berm, or pedestrian walkway within a landscaped median;

- 20) Sec. 27-576(e)(4) Parking areas that cannot be grouped must include one landscaped island the side of one stall separating each twenty (20) spaces;
- 21) Sec. 27-699(a)(6) Non-industrial and non-structure parking lots that have been paved area wider than a double-loaded aisle and more than 20,000 square feet in area shall provide one shade tree for each 20 parking spaces on the interior of the parking lot. Interior tree plantings are in addition to the landscaping requirements;
- 22) With the existing heavily forested area, staff does not want to see a site with sparsely planted two (2) inch caliper trees. Trees must be planted on top of the existing ridge line; trees shall be infilled on the downward slope to increase the screening along North 94th Street. The area in question shall have trees shall be planted along the southwest ridge line of the detention basin arcing south to State Avenue between the agriculturally zoned property (residential home) and the western access drive. Illustrate on the FDP landscape plan, the area west of the North 92nd Street cul-de-sac as green space;
- 23) Add a note or cloud indicating the preservation of existing tree stands around the perimeter of the development;
- 24) Trees shall densely wrap around the perimeter of all detention basin slopes, be planted at the top and on slopes, and always seek to replant those trees lost due to the development. See the landscape exhibit;
- 25) All landscaping must be irrigated. The exhibit submitted addresses this comment and will be reviewed at final plan review;
- 26) All shade trees shall be at least two (2) inch caliper. All evergreens shall be at least six (6) feet in height. All shrubs shall be five (5) gallons, external to the site and three (3) gallons internal to the development when planted;
- 27) All disturbed areas within the development shall be brought to finished grade and seeded or sodded. There shall not be any exposed, bare ground unless the lot has an active building permit for building construction;
- 28) All lighting, whether mounted on the exterior of parking deck or within the structure shall have 90-degree cutoff fixtures. 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;
- 29) Only decorative lighting can be used on the exterior of the building(s). No pack lights or flood lights are allowed;
- 30) The dumpster will need to be screened with an architectural wall that matches the materials of the primary building and heavily landscaped;
- 31) All rooftop mechanical screen wall may not be perforated metal. The screen wall shall be solid;

- 32) All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
- 33) All BPU transformer pads and/or generators shall be completely screened on three (3) sides with 6-foot Junipers setback 3 feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;
- 34) No outside storage of materials, equipment or ancillary items associated with the day-to-day operation for Homefield complex unless they are completely screened from and all abutting property lines and the public right-of-way;
- 35) Proposed development within this plat will require civil drawings to be submitted, which may result in submitting a revised replat;
- 36) Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
- 37) 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, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
- 38) 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;
- 39) The Special Use Permit shall be valid indefinitely from the publication of the associated Ordinance. Special Use Permits are non-transferrable, therefore if there is a new operator, the applicant is solely responsible for obtaining a new Special Use Permit. All operations must cease until such time as a new Special Use Permit is approved; and,
- 40) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2022-014 indefinitely,**

March 3, 2022

Preliminary Plan Review PR2022-006, and Master Plan Amendment MPL2022-004, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 10 – 211388...SPECIAL USE PERMIT APPLICATION SP2022-015: CURTIS PETERSEN WITH POLSINELLI PC

Synopsis: Special Use Permit for site grading for future parking and baseball fields for Homefield Training Center at 9020 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design. The Applicant, Curtis Petersen with Polsinelli PC, on behalf of the property owner, HFS KCK, LLC, wants to rough grade the overall site prior to the development of the Homefield project to balance the earthwork and eliminate the need to borrow or haul off material on 13.88 acres located at 9020 State Avenue. Sections 27-591 through 27-606. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application SP2022-015, subject to:

- 1) The properties to the west (towards 92nd Terrace) and east (towards 90th Street) shall be protected from erosion, ensuring the relocation of earthen material does not remove the existing trees stands that buffer the single-family homes from the open undeveloped land;
- 2) When the rough grading has concluded and a development plan has not been submitted for Lot 2, the site shall be seeded until ground cover is established;
- 3) Water trucks shall be used daily to minimize dust from becoming airborne affecting air quality and adjacent residents, as necessary;
- 4) As part of the Land Disturbance and Grading Permit, submit an agreement to remedy, repair, or clean up any damage to adjacent property owners or streets or utilities occasioned by the washing of silt or earthen material upon adjacent properties. A bond is likely to be required;
- 5) The hours of operation shall be 7:00 AM to 7:00 PM, Monday through Friday. Contact the neighborhood group and the surrounding residences in advance of performing work. Provide a contact number for someone onsite that the neighbors can contact if there are issues in Condition 5:
- 6) The berm and buffer must be maintained, and trees replaced where needed for conformance along the west and north property line;
- 7) Conformance with Appendix J, of the 2012 International Building and an agreement that a report by the professional engineer responsible for supervising the dirt removal be submitted at the end of the approval period indicating that the removal does not comply with Appendix J and other conditions;

- 8) Any development beyond the proposed dirt removal operation must submit an amended Special Use Permit;
- 9) Future development will require its own Special Use Permit for the use, a Preliminary Plan and Final Development Plan to the City Planning Commission for review and approval;
- 10) Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements 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, 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;
- 12) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- 13) The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning & Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
- 14) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning & 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve Special Use Permit Application SP2022-015 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

PLAN REVIEW APPLICATIONS

ITEM NO. 1 – 211389...PLAN REVIEW APPLICATION PR2022-005: CURTIS PETERSEN WITH POLSINELLI PC

Synopsis: Preliminary and Final Plan Review for Camping World inventory lot expansion at 9400 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: This item was previously heard with Change of Zone Application No. 5, COZ2022-005.

ITEM NO. 2 – 211390...REVIEW APPLICATION PR2022-006: CURTIS PETERSEN WITH POLSINELLI PC

Synopsis: Preliminary Plan Review for Homefield Training Center at 9020 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: This item was previously heard with Special Use Permit Application Item No. 9, SP2022-014.

MASTER PLAN AMENDMENT APPLICATIONS

ITEM NO. 1 – 211391...MASTER PLAN AMENDMENT APPLICATION MPL2022-001: TIM KATES WITH REMO DEMOLITION LLC

Synopsis: Master Plan Amendment from Planned Commercial (Prairie-Delaware-Piper Master Plan) to Industrial (City-Wide Master Plan) at 14140 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: This item was previously heard with Change of Zone Application Item No. 2, COZ2022-001.

ITEM NO. 2 – 211392...MASTER PLAN AMENDMENT APPLICATION MPL2022-003: GUNNAR H. HAND, AICP, DIRECTOR OF PLANNING

Synopsis: Master Plan Amendment from Business Park (Prairie-Delaware-Piper Master Plan) to Open Space (Prairie-Delaware-Piper Master Plan) at 9300 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: This item was previously heard with Change of Zone Application Item No. 4, COZ2022-004.

**ITEM NO. 3 – 211393... MASTER PLAN AMENDMENT APPLICATION MPL2022-004:
CURTIS PETERSEN WITH POLSINELLI PC**

Synopsis: Master Plan Amendment from Planned Mixed Residential (Prairie-Delaware-Piper Master Plan) to Planned Commercial (Prairie-Delaware-Piper Master Plan) at 9020 State Avenue.

Action: This item was previously heard with Special Use Permit Application Item No. 9, SP2022-014.

ORDINANCE AMENDMENT

**ITEM NO. 1 – 211394...MASTER PLAN AMENDMENT MPL2022-005:
CONSIDERATION OF THE UPDATE TO THE 47TH STREET OVERLAY DISTRICT**

Synopsis: An ordinance to remove the requirement for a separate, interjurisdictional review panel comprised of the Unified Government, City of Westwood and City of Roeland Park, and other updates that allow each municipality to independently review their portion of this shared Overlay District, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Gunnar Hand, Director of Planning & Urban Design, said staff requested this be pulled from Consent Agenda because in between and after the City Planning Commission, as well as the standing committee before it was heard, we did make a small change to the ordinance itself. We added an exhibit of a map of the district. We also, in coordination with the cities of Westwood and Roeland Park, they had a couple of, basically, typos they wanted to change. We just wanted to make sure those changes were reflected in the record and not on the Consent Agenda, accordingly. Staff still recommends approval.

Commissioner Stites said, Mr. Mayor, I just want to clarify that it is, it's not 005, I believe it's 004.

Mayor Garner asked, Clerk, can you clarify? **Mr. Deichler** said it's actually 005, Commissioner. It's Subset E, Ordinance Amendment.

Commissioner Stites said just wanted to make sure.

Mayor Garner said I'll ask the applicant or representatives to present their application. Please state your name and address if you're available, for the record. **Mr. Hand** said that's also me, Mr. Mayor.

Mr. Hand said same thing. Just made some minor changes. Want to make sure that they were reflected on the record before they move forward. No substantive of changes, again, just the map edit. Addition of a map exhibit, excuse me, and a couple of typos that we fixed in coordination with the two other cities we've done this with.

Mayor Garner said I will now open the public hearing and ask the Clerk if he's received any direct notifications from the public who wish to express their comments in favor of this item. **Mr. Deichler** said no comments were received.

Mayor Garner said I'll also defer to the Clerk for those wishing to speak in opposition. **Mr. Deichler** said, Mayor, we are seeing none in favor that are virtual.

Mayor Garner asked, are we seeing in the lobby? **Mr. Deichler** said none in the lobby as well, in opposition, the same. Anyone virtually wishing to oppose? Seeing none. Anyone in the lobby wishing to oppose? Seeing none as well.

Mayor Garner said I will close the public hearing. Would you like to make any closing comments?

Action: **ORDINANCE NO. O-25-22**, "An ordinance relating to Chapter 27, Article VIII, Division 5, amending Sections 520, 521, 522, 524, 525, and 527, repealing Sections 523 and 526, and adding Section 526 of the Mission Road Area Design Review Overlay District." **Commissioner Bynum made a motion, seconded by**

Commissioner Kane, to approve the ordinance as presented by Gunnar Hand.

Mayor Garner said noted. Getting back, would the petitioner like to make any closing comments prior to proceeding? **Mr. Hand** said nothing, Mr. Mayor.

Mayor Garner asked, do any members of the Commission have any questions or comments? There is a motion and a second. Is there any discussion? Roll call, please.

Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

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

ITEM NO. 1 – 211396...AN ORDINANCE rezoning property at 7331 Holiday Drive (COZ2021-004), from CP-O Planned Nonretail Business and R-1 Single Family Districts to CP-1 Planned Limited Business District, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-26-22**, “An ordinance rezoning property hereinafter described located at approximately 7331 Holiday Drive, in Kansas City, Kansas, by changing the same from its present zoning of CP-O Planned Nonretail Business and R-1 Single Family Districts to CP-1 Planned Limited Business District.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 2 – 211397...AN ORDINANCE rezoning property at 230 South 65th Street (COZ2021-029), from R-1 Single Family District to CP-3 Planned Commercial District, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-27-22**, “An ordinance rezoning property hereinafter described located at approximately 230 South 65th Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to CP-3 Planned Commercial District.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 3 – 211398...AN ORDINANCE rezoning property at 4461 Eaton Street (COZ2021-037), from R-1(B) Single Family District to RP-3 Planned Townhouse District, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-28-22**, “An ordinance rezoning property hereinafter described located at approximately 4461 Eaton Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to RP-3 Planned Townhouse District.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 4 – 211401...AN ORDINANCE rezoning property at 3159 Orville Avenue (COZ2021-039), from R-1(B) Single Family District to TND Traditional Neighborhood Design District, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-29-22**, “An ordinance rezoning property hereinafter described located at approximately 3159 Orville Avenue, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to TND Traditional Neighborhood Design District.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.**

Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 5 – 211402...AN ORDINANCE rezoning property at 1150 North 38th Street (COZ2021-041), from R-1(B) Single Family District to CP-O Planned Non-Retail Business District, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-30-22**, “An ordinance rezoning property hereinafter described located at approximately 1150 North 38th Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to CP-O Planned Non-Retail Business District.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 6 – 211403...AN ORDINANCE rezoning property at 3817 Lust Drive (COZ2021-053), from R-1 Single Family District to A-G Agriculture District, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-31-22**, “An ordinance rezoning property hereinafter described located at approximately 3817 Lust 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 Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 7 – 211404...AN ORDINANCE authorizing a Special Use Permit (SP2021-059) for no more than 20 chickens at 4621 Swartz Road, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-32-22**, “An ordinance authorizing a Special Use Permit Application SP2021-059 for 4621 Swartz Road, pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 8 – 211405...AN ORDINANCE authorizing a Special Use Permit (SP2021-077) for a Short-Term Rental at 3801 Lloyd, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-33-22**, “An ordinance authorizing a Special Use Permit Application SP2021-077 for 3801 Lloyd, pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 9 – 211406...AN ORDINANCE authorizing a Special Use Permit (SP2021-086) for continuation of a residential facility for boys at 6261 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-34-22**, “An ordinance authorizing a Special Use Permit Application SP2021-086 for 6261 Leavenworth Road, pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 10 – 211407...AN ORDINANCE authorizing a Special Use Permit (SP2021-073) for a drinking establishment with live entertainment at 401 North 6th Street, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-35-22**, “An ordinance authorizing a Special Use Permit Application SP2021-073 for 401 North 6th Street, pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 11 – 211408...AN ORDINANCE authorizing a Special Use Permit (SP2021-075) for live entertainment at an existing drinking establishment/restaurant at 812 South 12th Street, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-36-22**, “An ordinance authorizing a Special Use Permit Application SP2021-075 for 812 South 12th Street, pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 12 – 211409...AN ORDINANCE authorizing a Special Use Permit (SP2021-074) for Friendship Inn for family members/guests of patients at the University of Kansas Health Systems at 4403 Rainbow Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-37-22**, “An ordinance authorizing a Special Use Permit Application SP2021-074 for 4403 Rainbow Boulevard, pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 13 – 211410...AN ORDINANCE authorizing a Special Use Permit (SP2021-080) for a Short-Term Rental at 3151 West 45th Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-38-22**, “An ordinance authorizing a Special Use Permit Application SP2021-080 for 3151 West 45th Avenue, pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 14 – 211412...AN ORDINANCE rezoning property at 2416 and 2416A South 51st Street and 5115 and 5126 Gibbs Road (COZ2021-047), from R-1 Single Family, C-1 Limited Business and CP-1 Planned Limited Business Districts to RP-4 Planned Garden Apartment District, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-39-22**, “An ordinance rezoning property hereinafter described located at approximately 2416 and 2416A South 51st Street and 5115 and 5126 Gibbs Road, in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family, C-1 Limited Business and CP-1 Planned Limited Business Districts to RP-4 Planned Garden Apartment District.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez,**

to approve the ordinance. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 15 – 211413...AN ORDINANCE authorizing a Home Occupation Special Use Permit (SP2021-085) for a personal training business at 419 Armstrong Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning & Urban Design.

Action: **ORDINANCE NO. O-40-22**, “An ordinance authorizing a Special Use Permit Application SP2021-085 for 419 Armstrong Avenue, pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Johnson made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

Mayor Garner said that concludes the Planning & Zoning portion of tonight’s meeting.

MAYOR'S AGENDA

No items.

REGULAR CONSENT AGENDA

Mayor Garner said that takes us to the Regular Consent Agenda. Does any member of the Commission, or County Administrator, or Acting 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 Stites, to approve all items as submitted.**

Mayor Garner said there is a motion and a second. Is there any discussion? Seeing none, roll call, please.

Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 1 – 211415...RESOLUTION: PROPOSED REVISIONS TO COUNTY EMERGENCY OPERATIONS PLAN

Synopsis: A resolution adopting proposed revisions to the County Emergency Operations Plan (CEOP), submitted by Matt May, Director of Emergency Management. The Kansas Department of Emergency Management requires the adoption of the CEOP by March 17, 2022.

Action: **RESOLUTION NO. R-15-22**, “A resolution adopting revisions to the local Emergency Operations Plan.” **Commissioner Ramirez made a motion, seconded by Commissioner Stites, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 2 – 211399...PLAT: VOGTS HEIGHTS

Synopsis: Plat of Vogts Heights located at Polfer Road and 107th Street, being developed by Derek McCallum, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Stites, to approve and authorize the Mayor to sign.** Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 3 – 211367...NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

- Judy Anderson to the Wyandotte County Library Board, 3/3/22 to 12/15/25, submitted by Commissioner Stites.
- Dani Gurley to the UG Park Board, 3/3/22 to 12/15/25, submitted by Commissioner Stites.

- William Hutton to the Self-Supported Municipal Improvement District Advisory Board, 3/3/22 to 12/15/25, submitted by Commissioner Stites.
- Joe Peterson to the Advisory Committee on Human Relations & Disability Issues, 3/3/22 to 12/15/25, submitted by Commissioner Stites.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Stites, to approve as submitted. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 4 - MINUTES

Synopsis: Minutes from regular session of December 16, 2021.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Stites, to approve as submitted. Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 5 - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated February 17, 2022.

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

PUBLIC HEARING AGENDA

No items.

STANDING COMMITTEES' AGENDA

ITEM NO. 1 – 211366...APPROVAL: MARC GRANTS (REVISED PER BLUE SHEET)

Synopsis: Approval to submit MARC grants for the 2025-2026 federal fiscal year, submitted by Jeff Fisher, Executive Director of Public Works. The deadline for participation through the pre-application submittal is April 1, 2022.

This item was scheduled to appear before the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, on February 28, 2022. It was requested, and approved by the Mayor, to fast-track this item to the March 3, 2022, full commission meeting.

Commissioner Bynum said on Monday, this week, we asked that this item be fast-tracked for a timeliness matter so that the grant applications to Mid-America Regional Council for these potential grant dollars can be submitted, obviously, ahead of the deadline. We had a good discussion. Everyone had good participation and staff had brought forward a set of recommendations for projects. I believe that staff is available to show us the recommendations. I believe in this item it was the top seven projects. I don't have those in front of me. I can get to them on the agenda probably fairly quickly, but I'm hoping staff is present to walk us through that if we so choose.

Jeff Fisher, Executive Director of Public Works, said I think Troy Shaw, the County Engineer, is with us. He can show you that list as well.

Project Name	UG CMIP Score (Local Match)	UG CMIP Score (Local Match)	Project Cost	Local Match Needed (40% of Total Cost)	Local Area Master Plan (Y/N)	Projected MARC Grant Rating (High/ Med/ Low)	Scalable (Y/N)
6th Street Improvements: Central Ave to Minnesota AND Armstrong 6th to 4th	4.87	\$	1,500,000.00	\$	Y	High	Y
Leavenworth Rd. 14th to 12th, Complete Streets Reconstruction	4.58	\$	1,500,000.00	\$	Y	High	Y
Strawberry Hill Complete Streets Project	4.28	\$	1,500,000.00	\$ 600,000	Y	High	N
54th St, Douglas Ave to Inland Drive, Complete Streets Reconstruction	4.05	\$	7,000,000.00	\$ 2,800,000	Y	High	Y
Quindaro Front Street to 16th, Complete Streets Reconstruction	4.03	\$	25,000,000.00	\$ 9,200,000	Y	High	Y
Shawnee Dr East Turner Sidewalk Improvements	3.98	\$	1,000,000.00	\$ 400,000	Y	Medium	Y
SRTS Leavenworth Rd 11th to 12th	3.80	\$	850,000.00	\$ 340,000	Y	High	N
65th Street Improvements: State Ave. to Parallel Pkwy	3.64	\$	5,000,000.00	\$ 2,000,000	Y	Low	N
State Ave and Village West Parkway	3.50	\$	25,000,000.00	\$ 8,000,000	Y	Medium	N
Indian Spring Corridor Roadway Improvements	3.43	\$	15,000,000.00	\$ 6,000,000	N	High	Y
South Mill Street	3.37	\$	2,000,000.00	\$ 800,000	N	Low	N
KCK Riverfront and Development	3.32	\$	15,000,000.00	\$ 6,000,000	Y	Medium	Y
18th St / 21st St - Metropolitan Ave. to Merriam Ln	3.26	\$	10,000,000.00	\$ 4,000,000	Y	High	Y
Hollingsworth Road Improvements, K-7 to 12th Street	3.21	\$	10,000,000.00	\$ 4,000,000	Y	Low	Y
Douglas Ave. Key- Ln to 35th St	3.21	\$	8,000,000.00	\$ 3,200,000	N	Medium	Y
(CMAQ) Bike Share Expansion	N/A	\$	150,000.00	\$ 60,000	Y	High	Y
Future - Planting Sustainable Placem (PSP)							
Future - Intersection Safety Improvements (ISOT)							

*Projects selected for submission should be submitted to the County Engineer by 5:00 on Friday March 18, 2022, in order to be reviewed.

Troy Shaw, County Engineer, said here is the list that staff presented that fits the criteria from MARC's application from the list of unfunded projects that the city needs. As Commissioner Bynum mentioned, the top seven are what the standing committee elected for staff to submit for the MARC application.

Commissioner Bynum said, Mayor, if I could, just to add a little bit to this conversation. You can see the top two items under Local Match shows zero because those are funded in our budget. So, it's not necessarily that there's no local money, there's just no additional local money, because

we've already approved funding for those projects. So, if we could have these MARC grants applicable to those two projects, obviously, that makes more money available for other work.

And I would say that the rest of the items, specifically, I would point out the fifth item, Quindaro. Even though it has a \$9.2M local match, if we were to be awarded that grant, that would be a major, major reconstruction and improvement for the Quindaro Boulevard area. That would be on par with what we've been able to do with the Leavenworth Road reconstruction which, as you can see, is a really nice return on our dollar for the local money that we put in. So, I just kind of wanted to add those couple of comments from our discussion on Monday.

Mayor Garner said, Mr. Fisher. **Mr. Fisher** said nothing to add.

Action: **Commissioner Kane made a motion, seconded by Commissioner Johnson, to approve.**

Mayor Garner said there is a motion and a second. Is there any discussion?

Commissioner Burroughs said I see; I'm looking at the sheet. Do we have a total cost of what local match is needed? What that financial total is? I'm trying to add it up in my head real quick. It looks like about \$50 some million.

Mr. Shaw said I'll address that. Yeah, if you added it up, that's what it would be, however, that's not possible. Historically, the maximum amount we have, or MARC has to divvy out to Kansas is roughly \$33M through this program. That would be on their side. So, obviously, all these projects can't be funded. Even Commissioner Bynum mentioned Quindaro project for \$23M. For example, only if that was funded, it would be funded for less than that.

There's a column in the spreadsheet over in the right that says scalable. For example, that project is Scalable. The one we mentioned basically goes all the way from Fairfax up to I-635, so that's a massive project. Likely, if it was funded, it would be a chunk of it funded at a time. Then, the next time it came up, we would apply for the next one similar to what we did for Leavenworth Road.

Commissioner Burroughs said great, I appreciate that. The other comment I would have, who sets the priorities as to which projects move forward with the \$33M that you just spoke of, and who will make that decision?

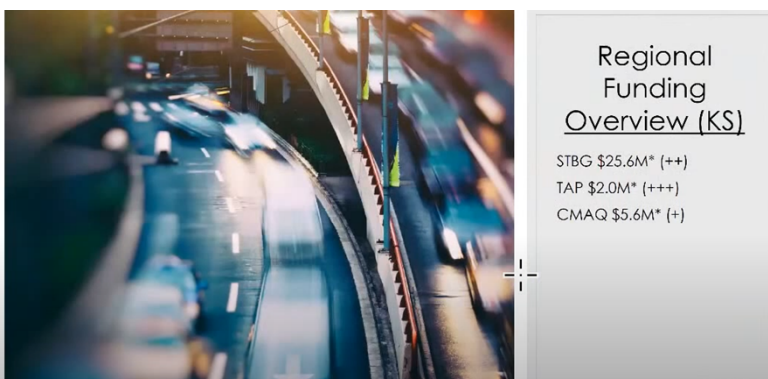
Mr. Shaw said the Mid-America Regional Council has committees that vote on those and review the applications and scores those projects.

Commissioner Burroughs asked, how soon does our money need to be in their hands, or do we have to commit to those funds once we make this vote?

Mr. Shaw said this round of applications for KDOT's federal fiscal year 2025-2026, at the earliest it would be, I believe, October, November of 2024. That would be the rough timeline for the funding.

Commissioner Davis said please forgive me because I did watch the Public Works Standing Committee meeting, but I don't know if this question was answered. Obviously, we're not going to get all of this funded. How much is in the total fund for the application? If you all were to estimate, how much do you think we would actually get?

Mr. Shaw said I don't know that I can estimate. The total fund—let me see, I'll scroll back up.



These numbers are from 2021. This is what MARC had to give to the Kansas side in 2021. There are three different pots of money. Depending on different projects, they'll assign to different pots of money based on what type of project they are. But it's roughly \$33M to the state of Kansas area. It would be Wyandotte County, Johnson County, Leavenworth County, I believe, is in there. That group would get roughly \$33M of the share. That is the total project cost minus the local share. I didn't have that on the spreadsheet [inaudible] than that.

Commissioner Davis said \$33M total that would kind of be split out between all of the counties that you just named.

Mr. Shaw said yeah, it depends on what projects they see. Like, Leavenworth Road was a big project for us. That was a few years ago in MARC's cycle. The last cycle that came through, we didn't get major, huge ones like that. They kind of fluctuate back and forth, and a lot of it depends on the score that you get. We have our local UG CMIP score on this sheet. MARC takes the grant application and kind of scores it that way. So, they'll rank them high to low, and then usually they start to give more money to the higher ones, and then they try to spread it out a little bit as it starts going down. It's kind of how they usually do it.

Commissioner Davis said I want to echo what Commissioner Bynum has said on Quindaro. We are in desperate, desperate need for just more investment in that area so, I could not agree more. I really, really hope that we do get that.

Last question, have they split funding before? Just in the past, maybe they fully fund the first project, but then they give a few million or whatever to others? Has that happened before?

Mr. Shaw said yes. So, they'll rank all the projects and then they'll make a determination. Sometimes, it kind of just depends on what—maybe it's the top three projects they fund fully and then after that, they're like well, these don't score as high so we'll give 80% to the next three and they'll work that way, which is why it's important to note the ones that are scalable. So, if they look at it well, we can fund 80% and from the UG side, we can say, okay, well, we can actually reduce the scope of that project by a block or two blocks, or whatever it is, and still get a great project out of it but not have the UG pay an extra cost outside of what would be our match.

Commissioner Ramirez said I am going to hopefully not muddy the waters here. I'm going to rely on my fellow committee members and staff, more specifically, Gunnar. Gunnar, you talked about the CMAQ and how that was something that was important, or you believed was important. That wasn't included in our initial approval in committee and CMAQ is a different pot.

Melissa Sieben, Assistant County Administrator, said, Commissioner, good question. There are three different versions of funds that are part of this round that this will look at, and Troy probably can go into those in more detail. Originally, we were told one version, and then they

came out with the clarifying language. There is CMAQ funds here, as well as two other pots of money. Troy, do you want to talk about those?

Mr. Shaw said yeah, I was actually going to add to that. The discussion from the standing committee meeting was that we should submit for the bike share expansion, which you see listed kind of separately on its own down there because it is a different pot of money. That probably would be a good idea through full Commission if it's desired that we add that to the submission application because I think that was the intent from standing committee. But, it probably wasn't clear when we approved to submit for the top seven. If I'm correct on that, Commissioner Bynum, please confirm that. I don't know how to add that to this, but that would probably be good.

Commissioner Bynum said I think you are correct. I know that on Monday, we did kind of, at least, differentiate the three different pots. Well, we recognized that there were three. I'm not sure that we specified. Somebody's going to have to help me, maybe Commissioner Markley. Her brain cells are younger.

Gunnar Hand, Director of Planning & Urban Design, said perhaps to clarify this for Commissioner Ramirez. If you only move forward with the top seven, we would not apply for a CMAQ in those seven projects.

Commissioner Bynum said I see, okay. **Mr. Hand** said we would leave money on the table.

Commissioner Markley said we did discuss that CMAQ project item as another potential item. We discussed the sort of general items, the safe routes to school item, which is the bottom one on this list, the SRTS, the Safe Routes to School. Then we discussed that CMAQ and applying for that as well, which, I'm completely fine with doing it. Just as we discussed, it's underutilized money from MARC, so we're more likely to get it than, perhaps, some of the other projects. I presume we could add that by motion if we decided.

Commissioner Ramirez said thank you, Melissa, thank you staff for clarifying. I knew that was there, but I didn't know how to well articulate it, so thank you. I don't remember who's the original motion.

Mr. Deichler said Commissioner Kane made the first motion, seconded by Commissioner Johnson.

Commissioner Johnson said I'm fine with the modification if Commissioner Kane is.

Commissioner Kane said absolutely.

Mayor Garner asked, are there anymore comments or questions from the Commission? All right, hearing none, I believe we have a motion and a second. Is there any further discussion? Seeing none, roll call.

Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 2 – 211349...APPROVAL: NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION GRANT APPLICATION (ADDED PER BLUE SHEET)

Synopsis: The Public Works Department is seeking approval for the submittal of an application for a National Oceanic & Atmospheric Administration (NOAA) grant for environmental literacy and climate resiliency, submitted by Jeff Fisher, Director of Public Works. No matching funds are required.

This item was scheduled to appear before the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, on February 28, 2022. It was requested, and approved by the Mayor, to fast-track this item to the March 3, 2022, full commission meeting.

Commissioner Bynum said I’m going to try to get back to my agenda. Is this the National Oceanic & Atmospheric Administration grant? **Mayor Garner** said yes.

Commissioner Bynum said okay, thank you very much. Yes, this was an easy approval. It’s an educational opportunity for the Unified Government to work with the school district and other educational partners to set-up a climate action, educational projects, curriculum, and potentially, in the future, even possibly a location where those things can take place. It was a very easy ‘yes’ to agree to move forward with this. I do see Jonathan Gutierrez with our Public Works division does have his hand up and can definitely add more to this. Thank you.

Jonathan Gutierrez, Solid Waste Division, said we are the office that is looking at applying for this grant. I did want to give a little bit of an update just so everybody was aware. Initially, the school district that we were looking at to implement this, if we are to receive this award, was going to be USD 500. We are still in discussions with them. They did ask, due to

some of their own internal grant process procedures, that they be removed as the initial school district but, again, they will continue to be in the discussion if this grant is awarded. In the meantime, we are reaching out and discussing with the other school districts here in Wyandotte County on those that might be the initial rollout. I did just want to make a note of that. That was a slight change from what was presented on Monday.

Mayor Garner asked, Commissioner Bynum, was there anything else to add?

Commissioner Bynum said no. I would make a motion for approval.

Action: **Commissioner Bynum made a motion to approve.**

Mayor Garner asked, does any member of the Commission have any comments or questions?

Commissioner Ramirez said I completely support this grant. I just want to make us not having an initial school district doesn't preclude us from applying for the grant. **Mr. Gutierrez** said no, it does not, Commissioner Ramirez.

Commissioner Ramirez said I just wanted to clarify.

Mr. Deichler said, Mayor, I'd to recognize Mr. Fisher, if he has a comment. **Mr. Fisher** said nothing to add. I was just ready for questions.

Commissioner Kane seconded the motion for approval.

Mayor Garner asked, any other comments, questions? We have a motion and we have a second. Is there any discussion on this matter? Seeing none, roll call.

Roll call was taken and there were nine "Ayes," Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 211417...RESOLUTION: INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL #53

Synopsis: A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with the International Brotherhood of Electrical Workers (IBEW) Local #53, effective January 1, 2022, through December 31, 2023, submitted by Jon Khalil, Assistant Counsel.

Misty Brown, Chief Counsel, said I'm going to turn it over to Mr. Khalil in my office as he did work on this agreement.

Jon Khalil, Assistant Counsel, said this is an MOU that has been ratified by the International Brotherhood of Electrical Workers Local #53. At this point, the term of the agreement is through the end of 2023, and we're asking for a resolution for the County Administrator to enter into the agreement.

Action: **RESOLUTION NO. R-16-22,** "A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with the International Brotherhood of Electrical Workers (IBEW) Local #53 for the period from January 1, 2022, through December 31, 2023." **Commissioner Stites made a motion, seconded by Commissioner Kane, to adopt the resolution.**

Mayor Garner asked, Ms. Brown, do you have further comments? **Ms. Brown** said no, Mayor.

Mayor Garner asked, does any member of the Commission have any comments or questions in regard to this matter? Hearing none, I'll entertain a motion. It has been first and seconded. I'll ask the Clerk for a roll call.

Roll call was taken and there were nine "Ayes," Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

ITEM NO. 2 – 211365...RESOLUTION: AUTHORIZING EXECUTION OF TEAMSTERS LOCAL NO. 955 CONTRACT

Synopsis: A resolution authorizing the County Administrator to execute a contract with Teamsters Local No. 955 on behalf of the Unified Government upon ratification of the contract by Teamsters Local No. 955 for the period of January 1, 2022, through December 31, 2024, submitted by J. Renee Ramirez, Director of Human Resources.

Misty Brown, Chief Counsel, said, Mayor, this is a resolution authorizing the Administrator to enter into the agreement with the Teamsters. Renee Ramirez is online and is here to discuss, so I would turn it over to Renee at this time.

Renee Ramirez, Director of Human Resources, said, Mayor, commissioners, this is an agreement that we would like the Unified Government of Wyandotte County/Kansas City, Kansas, to enter into with Teamster Local No. 955. The Memorandum of Agreement would run from January 1, 2022, to December 31, 2024.

Action: **RESOLUTION NO. R-17-22**, “A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with the Teamsters Local No. 955 for the period from January 1, 2022, through December 31, 2024.” **Commissioner Stites made a motion, seconded by Commissioner Kane, to adopt the resolution.**

Mayor Garner asked, Ms. Brown, any other comments? **Ms. Brown** said no, Mayor.

Mayor Garner asked, does any member of the Commission have any comments or questions? There’s been a motion and a second for approval. Roll call, please.

Roll call was taken and there were nine “Ayes,” Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis.

COMMISSIONERS' AGENDA

No items.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

No items.

PUBLIC ANNOUNCEMENTS

No items.

ADJOURN

**MAYOR GARNER
ADJOURNED THE MEETING AT 8:00 P.M.
March 3, 2022**

Brett A. Deichler
Unified Government Clerk

am

March 3, 2022