

**JUNE 27, 2024 UNIFIED GOVERNMENT BOARD OF  
COMMISSIONERS MEETING  
UPDATED ORDER OF BUSINESS  
MEETING TO CONVENE AT 7:00 PM**

**Location: Hybrid**

We invite you to view the meeting in person in the Commissioner Chambers, Lobby Level of the Municipal Office Building, 701 N 7<sup>th</sup> Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84039258818>

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- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY SISTER THERESE BANGERT, OUR LADY-SAINT  
ROSE CATHOLIC CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, JUNE 27, 2024, AGENDA**  
**Agenda Update Adding Document to Mayor's Agenda Item No. 1**  
**And Adding Item No. 5 to Regular Consent Agenda**
- VI. CLERK'S STATEMENT**
- VII. ADMINISTRATOR'S AGENDA**
- VIII. PLANNING AND ZONING CONSENT AGENDA**
- IX. PLANNING AND ZONING NON-CONSENT AGENDA**
- X. MAYOR'S AGENDA**
- XI. REGULAR CONSENT AGENDA**

- XII. PUBLIC HEARING AGENDA
- XIII. STANDING COMMITTEES' AGENDA
- XIV. COMMISSIONERS' AGENDA
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA
- XVI. PUBLIC ANNOUNCEMENTS
- XVII. ADJOURN

#### **VI. CLERK'S STATEMENT**

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

#### **VII. ADMINISTRATOR'S AGENDA**

1. **RESOLUTION: INTENT TO EXCEED REVENUE NEUTRAL RATE**

**Synopsis:** A resolution regarding the governing body's intent to exceed the revenue-neutral rate and setting the date of a public hearing.

**Tracking #:** 21219

#### **VIII. PLANNING AND ZONING CONSENT AGENDA**

##### **A. CHANGE OF ZONE APPLICATIONS**

1. **COZ2024-009 - KARI JACOBSON**

**Synopsis:** Change of Zone from R-1 Single Family District to R-2 Two Family District for a legal non-conforming accessory unit (ADU) at 3354-3356 North 60th Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

**Tracking #:** 21185

2. **COZ2024-012 - RICK CUNNINGHAM**

**Synopsis:** Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District for an accessory dwelling unit (ADU) at 4316 Fisher Street, RECOMMENDED FOR DENIAL BY A VOTE OF 7 TO 0.

**Tracking #:** 21190

##### **B. SPECIAL USE PERMIT APPLICATIONS**

1. **SP2024-018 - WIL ANDERSON WITH BHC RHODES**

**Synopsis:** Special Use Permit for an event space at 713 Osage Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 5 YEARS.

**Tracking #:** 21193

2. **SP2024-024 - TINA CARUSO WITH TANNERS BAR AND GRILL - 39TH**

**Synopsis:** Renewal of a Special Use Permit (SP2022-038) for live entertainment at an existing restaurant at 3900 Rainbow Boulevard, RECOMMENDED FOR



APPROVAL BY A VOTE OF 7 TO 0 FOR 5 YEARS.

**Tracking #:** 21180

3. **SP2024-026 - LOGAN SMITH WITH HILLSIDERS KC**

**Synopsis:** Renewal of a Special Use Permit (SP2022-011) for a drinking establishment with live entertainment at 403 North 5th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

**Tracking #:** 21181

4. **SP2024-029 - ADAM REYNOLDS**

**Synopsis:** Renewal of a Special Use Permit (SP2023-006) to operate a Short-Term Rental at 4443 Eaton Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 1 YEAR.

**Tracking #:** 21182

5. **SP2024-030 - CHRIS SCHUBERG WITH HERITAGE-CRYSTAL CLEAN, LLC**

**Synopsis:** Special Use Permit for a 10-day hazardous material/waste transfer station at 5510 Kansas Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

**Tracking #:** 21195

6. **SP2024-031 - SHAYMOND ALAN JANES**

**Synopsis:** Renewal of a Special Use Permit (SP2023-020) to operate a Short-Term Rental at 2737 South 53rd Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

**Tracking #:** 21183

7. **SP2024-032 - TINA P. HER**

**Synopsis:** Home Occupation Special Use Permit to assemble jewelry at 5814 Parkview Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

**Tracking #:** 21196

8. **SP2024-034 - ALEXANDRA BURNHAM WITH SPRINGFIELD LLC**

**Synopsis:** Renewal of a Special Use Permit (SP2023-003) for a Short-Term Rental at 4101 Fisher Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

**Tracking #:** 21184

**C. VACATION APPLICATIONS**

1. **VAC2024-003 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTING**

**Synopsis:** Vacation of a utility easement to combine two (2) parcels at 5222 and 5228 North 130th Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

**Tracking #:** 21197

2. **VAC2024-004 - CHRIS DOYLE WITH HOMEFIELD**

**Synopsis:** Vacation of a sanitary sewer easement on Homefield Margaritaville

First Plat Lot 2, at 1491 North 98th Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

**Tracking #:** 21198

3. **VAC2024-005 - CHRIS DOYLE WITH HOMEFIELD**

**Synopsis:** Vacation of a sanitary sewer easement on Homefield Margaritaville First Plat Lot 3, at 9700 State Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

**Tracking #:** 21199

**D. MASTER PLAN AMENDMENT APPLICATIONS**

1. **MPL2024-004 - KARI JACOBSON**

**Synopsis:** Master Plan Amendment from Low-Density Residential to Medium-Density Residential (PlanKCK Comprehensive Plan) at 3354-3356 North 60th Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 to 0.

**Tracking #:** 21186

2. **MPL2024-007 - RICK CUNNINGHAM**

**Synopsis:** Master Plan Amendment from Single-Family to General Urban (Rosedale Area Plan) at 4316 Fisher Street, RECOMMENDED FOR DENIAL BY A VOTE OF 7 TO 0.

**Tracking #:** 21191

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

1. AN ORDINANCE rezoning property at 9407 Main Street, (#3186) from A-G Agriculture District to MP-3 Planned Heavy Industrial District, RECOMMENDED FOR APPROVAL.

**Tracking #:** 21200

2. AN ORDINANCE rezoning property at 1435 and 1501 South 88<sup>th</sup> Street, (COZ2024-007) from R-1 Single Family District to A-G Agriculture District, RECOMMENDED FOR APPROVAL.

**Tracking #:** 21201

3. AN ORDINANCE rezoning property located at 9151 Parallel Parkway, (COZ2024-010) from R-1 Single Family District to CP-O Planned Non-Retail Business District, RECOMMENDED FOR APPROVAL.

**Tracking #:** 21202

4. AN ORDINANCE rezoning property at 1323 South 59<sup>th</sup> Lane and 1413 South 59<sup>th</sup> Street, (COZ2024-011) from R-1 Single Family District to MP-2 Planned General Industrial District, RECOMMENDED FOR APPROVAL.

**Tracking #:** 21203

5. AN ORDINANCE authorizing a Special Use Permit (SP2023-110) to continue to operate an automotive salvage yard/retail sales operation at 1142 South 12th Street, RECOMMENDED FOR APPROVAL.  
**Tracking #:** 21204
6. AN ORDINANCE authorizing a Special Use Permit (SP2024-006) for continuation of a liquor store at 8537 State Avenue, RECOMMENDED FOR APPROVAL.  
**Tracking #:** 21205
7. AN ORDINANCE authorizing a Special Use Permit (SP2024-015) for continuation of a Short-Term Rental at 4410 Rainbow Boulevard, RECOMMENDED FOR APPROVAL.  
**Tracking #:** 21208
8. AN ORDINANCE authorizing a Special Use Permit (SP2024-019) for a non-owner-occupied Short-Term Rental at 7917 Tauromee, RECOMMENDED FOR APPROVAL.  
**Tracking #:** 21209
9. AN ORDINANCE authorizing a Special Use Permit (SP2024-017) for stockpiling of excavated materials at 1911 Foxridge Drive, RECOMMENDED FOR APPROVAL.  
**Tracking #:** 21211
10. AN ORDINANCE authorizing a Special Use Permit (SP2023-122) for a non-owner-occupied Short-Term Rental at 6115 Oak Grove Road, RECOMMENDED FOR APPROVAL.  
**Tracking #:** 21212

## **IX. PLANNING AND ZONING NON-CONSENT AGENDA**

### **A. CHANGE OF ZONE APPLICATION**

1. **COZ2024-004 - FRED DEL TORO**  
**Synopsis:** Change of Zone from R-1 Single Family District to A-G Agriculture District to utilize the property for agricultural purposes, at 3612 Emmons Drive, RECOMMENDED FOR DENIAL BY A VOTE OF 6 TO 4.  
**Tracking #:** 21153

### **B. SPECIAL USE PERMIT APPLICATIONS**

1. **SP2024-014 - KAJSA MULLENIX**  
**Synopsis:** Special Use Permit to operate a Short-Term Rental at 706 North 17th Street, RECOMMENDED FOR DENIAL BY A VOTE OF 5 TO 2.  
*A valid protest petition was submitted representing 21% of the property owners within 200' of the property to be rezoned.*  
**Tracking #:** 21192
2. **SP2024-027 - KATELYN WOLF WITH BARTLETT + WEST**  
**Synopsis:** Special Use Permit for the processing and recycling of concrete, brick

and other rock materials at 6601 Inland Drive, RECOMMENDED FOR APPROVAL BY A VOTE OF 6 TO 1 FOR 2 YEARS.

**Tracking #:** 21194

**TAX STATUS REPORT**  
**BOARD OF COMMISSIONERS AGENDA FOR JUNE 27, 2024**

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

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

**X. MAYOR'S AGENDA**

**1. PROCLAMATION: EARL WATSON SR. DAY**

**Synopsis:** Proclamation proclaiming June 22, 2024, as Earl Watson Sr. Day, submitted by Tyrone A. Garner, Mayor/CEO.

**Tracking #:** 21222

**2. PROCLAMATION: REV. DR. SETH C. HARRIS SR. DAY**

**Synopsis:** Proclamation proclaiming June 9, 2024, as Rev. Dr. Seth C. Harris Sr. Day, submitted by Tyrone A. Garner, Mayor/CEO.

**Tracking #:** 21224

**3. PROCLAMATION: JUNETEENTH FREEDOM DAY**

**Synopsis:** Proclamation proclaiming June 19, 2024, as Juneteenth Freedom Day, submitted by Tyrone A. Garner, Mayor/CEO.

**Tracking #:** 21223

**4. PROCLAMATION: NATIONAL PRIDE MONTH**

**Synopsis:** Proclamation proclaiming the month of June 2024, as Pride Month, submitted by Tyrone A. Garner, Mayor/CEO.

**Tracking #:** 21187

**XI. REGULAR CONSENT AGENDA**

**1. RESOLUTION: HUMAN RESOURCES POLICY UPDATE REGARDING TAKE-HOME VEHICLES**

**Synopsis:** Human Resources seeks approval of a new HR Guide policy for Take-Home Vehicles. There is no current policy or centralized system of controls or approvals. This new policy will provide a centralized process of review and approval and outline proper procedures for the use of Unified Government take-home vehicles.

*On May 20, 2024, the Administration and Human Services Standing Committee, chaired by*

*Commissioner Bynum, voted unanimously to approve and forward to full commission.*

**Tracking #:** 21104

**2. NOMINATIONS: BOARDS AND COMMISSIONS**

**Synopsis:** Nominations for Boards and Commissions:

**Economic Redevelopment Advisory Committee:**

Appointment of Rose Mulvany Henry - Term from 6/27/24 to 12/15/25, submitted by Commissioner Stites.

Appointment of Kurt Reitema - Term 6/27/24 to 12/15/27, submitted by Commissioner Ramirez.

**Self-Supported Municipal Improvement Districts (SSMID):**

Appointment of Dr. Greg Mosier - Term from 7/1/24 to December 2025, submitted by Mayor Garner.

**Tracking #:** 21221

**3. MINUTES**

**Synopsis:** Minutes from the Special Session meeting on May 30th and June 6th, 2024.

**Tracking #:** 21206

**4. WEEKLY BUSINESS**

**Synopsis:** Weekly business materials dated May 9, 16, 23, and 31, 2024.

**Tracking #:** 21207

**5. RESOLUTION: SETTING PUBLIC HEARING (AMERICAN ROYAL DEVELOPMENT PROJECT) (ADDED PER AGENDA UPDATE)**

**Synopsis:** Adoption of a resolution establishing the date and time of a public hearing regarding an Amended and Restated STAR Bond District Plan, a proposed STAR Bond Project Plan for project area 1, and a proposed First Amended and Restated STAR Bond Project Plan for project area 2, all within the existing Northwest Speedway STAR Bond District. .

**Tracking #:** 21151

## **XII. PUBLIC HEARING AGENDA**

### **1. PUBLIC HEARING/ORDINANCE: CREATION OF A KAW RIVER BRIDGE COMMUNITY IMPROVEMENT DISTRICT**

**Synopsis:** Commission action related to the Kaw River Bridge project:

1. Conduct a public hearing to receive comments regarding the creation of the Kaw River Bridge Community Improvement District and levy a sales tax within the district;
2. Approve an Ordinance authorizing the creation of the Kaw River Bridge Community Improvement District and levy a CID sales tax within the district.

*On April 29, 2024, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to the full commission. On May 30, 2024, the **Board of Commission** voted unanimously to adopt Resolution R-24-24 to set the public hearing.*

**Tracking #:** 21179

## **XIII. STANDING COMMITTEES' AGENDA**

### **XIV. COMMISSIONERS' AGENDA**

#### **1. TRAVEL REQUEST: COMMISSIONER DAVIS**

**Synopsis:** Request to travel for Unified Government business to St. Louis, MO, to attend the Reclaiming Vacant Properties 2024 Conference, and to Tampa Bay, FL, to attend the NLC City Summit - Cities Strong Together.

**Tracking #:** 21188

#### **2. APPROVAL: DISBURSEMENT OF 2024 CASINO GRANT FUNDS**

**Synopsis:** Request approval to disburse 2024 UG/Hollywood Casino grant funds as recommended by the Mayor and Commissioners.

**Tracking #:** 21217

## **XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA**

#### **1. LAND BANK OPTIONS**

**Synopsis:** The following **option application(s)** were presented at the 06/03/2024 meeting:

Please visit the new site to review the applications below.

<https://gisapp.wycokck.org/Landbank.html>

179 Single Family Homes

6 Multi Family Units

1 Commercial

**Tracking #:** 21115

#### **2. LAND BANK PROPERTY TRANSFERS**

**Synopsis:** The following **property transfer(s)** were presented at the 06/03/2024 meeting:

Please visit the site to review the applications below.

<https://gisapp.wycokck.org/Landbank.html>

1 Transfer from UG to Land Bank

**Tracking #:** 21116

3. **RESOLUTION: APPROVING LAND BANK POLICY UPDATE**

**Synopsis:** Approval of a resolution approving the following Land Bank policy updates.

**Tracking #:** 21117

**XVI. PUBLIC ANNOUNCEMENTS**

**XVII. ADJOURN**



## Report to Full Commission

| MEETING DATE                                                                                                                    | PRESENTER                                                                                                                                                    | DEPARTMENT |
|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
|                                                                                                                                 | <div>Jeffrey Conway, Assistant Counsel</div> <div>Reginald Lindsey, Director</div> <div>jconway@wycokck.org,<br/>rlindsey@wycokck.org<br/>x5075, x5292</div> | Budget     |
| AGENDA ITEM #VII.1.                                                                                                             |                                                                                                                                                              |            |
| RESOLUTION: INTENT TO EXCEED REVENUE NEUTRAL RATE                                                                               |                                                                                                                                                              |            |
| BACKGROUND                                                                                                                      |                                                                                                                                                              |            |
| A resolution regarding the governing body's intent to exceed the revenue-neutral rate and setting the date of a public hearing. |                                                                                                                                                              |            |
| RECOMMENDATION                                                                                                                  |                                                                                                                                                              |            |
| Approve                                                                                                                         |                                                                                                                                                              |            |
| BUDGET IMPACTS / FINANCIAL CONSIDERATIONS                                                                                       |                                                                                                                                                              |            |
|                                                                                                                                 |                                                                                                                                                              |            |
| IT/POLICY CONSIDERATIONS                                                                                                        |                                                                                                                                                              |            |
|                                                                                                                                 |                                                                                                                                                              |            |
| PROCUREMENT CONSIDERATIONS                                                                                                      |                                                                                                                                                              |            |
| 6/27/24                                                                                                                         |                                                                                                                                                              |            |
| LEGAL CONSIDERATIONS                                                                                                            |                                                                                                                                                              |            |
|                                                                                                                                 |                                                                                                                                                              |            |
| ATTACHMENTS                                                                                                                     |                                                                                                                                                              |            |
| Resolution of intent to exceed RNR 2024 Draft (2)                                                                               |                                                                                                                                                              |            |

Approved by Mayor and/or Chair and Administrator to add to agenda.



(Published \_\_\_\_\_)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS REGARDING THE GOVERNING BODY'S INTENT TO LEVY A PROPERTY TAX EXCEEDING THE REVENUE NEUTRAL RATE.**

**WHEREAS**, the Unified Government of ~~W~~Wyandotte County/ Kansas City, Kansas is the consolidated government for Wyandotte County, Kansas and Kansas City, Kansas; ~~and~~

~~**WHEREAS**, the Kansas Legislature amended the revenue neutral rate statute, K.S.A. 79-2988, during the recent 2024 Special Session, requiring some changes involving school districts and thereby requiring recalculations of revenue neutral rates, and—only for tax year 2024—the Legislature accordingly extended the deadline until July 1, 2024, for county clerks to calculate the revenue neutral rates for taxing subdivisions; and~~

**WHEREAS**, the Unified Government is statutorily required to notify the Unified Government Clerk by July 20, 2024, of its intent to exceed the revenue-neutral rate and to provide the date, time, and location of the public hearing and to provide its proposed tax rate; ~~and~~

~~\_\_\_\_\_ **WHEREAS**, the Revenue Neutral Rate for the City of Kansas City, Kansas was calculated as 34.436000 mills by the Unified Government Clerk; and~~

~~**WHEREAS**, the Revenue Neutral Rate for the County of Wyandotte, Kansas was calculated as 33.436000 mills by the Unified Government Clerk; and~~

**WHEREAS**, the budget proposed by the Governing Body of the Unified Government of Wyandotte County/ Kansas City, Kansas will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

**WHEREAS**, the Governing Body intends to hold a hearing and hear testimony from all interested taxpayers desiring to be heard as required by state law.

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

Section 1. \_\_\_\_\_ The Governing Body of the Unified Government of Wyandotte County/ Kansas City, Kansas hereby sets a public hearing regarding its intention to exceed the Revenue

Neutral Rate for August 26, 2024, at 7pm to be held in the Commission Chambers on the 1<sup>st</sup> Floor of City Hall at 701 N. 7th St., Kansas City, Kansas and directs that notice of the public hearing be given as required by state law.

Section 2. The Governing Body of the Unified Government of Wyandotte County/ Kansas City, Kansas expresses its intention to exceed the Revenue Neutral Rate with a proposed tax rate and maximum mill levy for the City of Kansas City, Kansas of 38.459533 mills.

Section 3. The Governing Body of the Unified Government of Wyandotte County/ Kansas City, Kansas expresses its intention to exceed the Revenue Neutral Rate with a proposed tax rate and maximum mill levy for Wyandotte County, Kansas of 37.313168 mills.

Section 4. The Governing Body of the Unified Government of Wyandotte County/ Kansas City, Kansas directs that a copy of this Resolution be sent to the Unified Government Clerk as notice of the Unified Government's proposed intent to exceed the Revenue Neutral Rate.

Section 5. This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS 27TH DAY OF JUNE 2024.**

~~**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS 27TH DAY OF JUNE 2024.**~~

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Tyrone A. Garner, Mayor/CEO

**ATTEST:**

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Monica Sparks  
Interim Unified Government Clerk

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ROLL CALL VOTE ON THE ADOPTION OF RESOLUTION

On a motion by Commissioner \_\_\_\_\_ and a second by Commissioner \_\_\_\_\_

|                                        |                     |           |          |              |
|----------------------------------------|---------------------|-----------|----------|--------------|
| Philip Lopez                           | District 6          | Aye _____ | No _____ | Absent _____ |
| Chuck Stites                           | District 7          | Aye _____ | No _____ | Absent _____ |
| Andrew Davis                           | District 8          | Aye _____ | No _____ | Absent _____ |
| Melissa Bynum                          | At-Large District 1 | Aye _____ | No _____ | Absent _____ |
| Tom Burroughs                          | At-Large District 2 | Aye _____ | No _____ | Absent _____ |
| Gayle Townsend                         | District 1          | Aye _____ | No _____ | Absent _____ |
| William Burns Jr                       | District 2          | Aye _____ | No _____ | Absent _____ |
| Christian Ramirez                      | District 3          | Aye _____ | No _____ | Absent _____ |
| Dr. Evelyn Hill                        | District 4          | Aye _____ | No _____ | Absent _____ |
| Mike Kane                              | District 5          | Aye _____ | No _____ | Absent _____ |
| Tyrone Garner—Mayor/CEO (if necessary) |                     | Aye _____ | No _____ | Absent _____ |

**CERTIFICATE OF CLERK**

STATE OF KANSAS                      )

COUNTY OF WYANDOTTE

The undersigned, Interim Clerk of the Unified Government of Wyandotte County/Kansas City, Kansas, does hereby certify that the above roll call vote of the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas on June 27, 2024, is a true and accurate record of the roll call vote on the adoption of Resolution No. \_\_\_\_\_.

WITNESS my hand and official seal.

(Seal)

By: \_\_\_\_\_  
Monica Sparks  
Interim Unified Government Clerk



# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** **Change of Zone Petition COZ2024-009 and  
Master Plan Amendment Petition MPL2024-004**

## GENERAL INFORMATION

**Applicant:**

Carlin and Kari Jacobson

**Status of Applicant:**

Property Owners  
3356 North 60<sup>th</sup> Terrace  
Kansas City, Kansas 66104

**Requested Actions:**

Approval of a Change of Zone and  
Master Plan Amendment.

**Date of Application:**

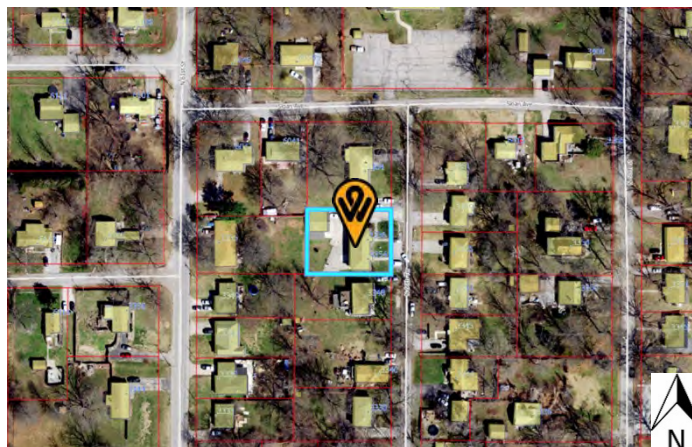
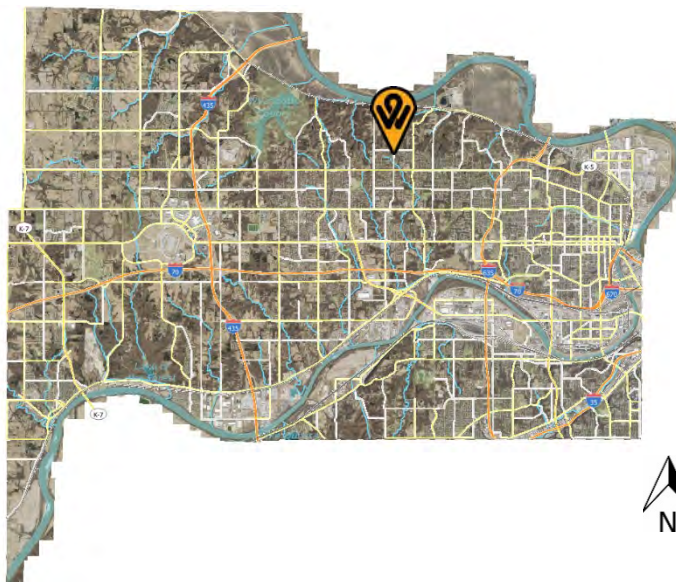
March 4, 2024

**Purpose:**

To rezone the property from R-1  
Single Family District to R-2 Two  
Family District and amend the  
PlanKCK Comprehensive Plan  
designation from Low-Density  
Residential to Medium-Density  
Residential for an existing legal non-  
conforming duplex.

**Property Location:**

3356 North 60<sup>th</sup> Terrace  
Kansas City, Kansas 66104



|                                        |                                                                                                                                                                                                                                                                                       |                            |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| <b>Commission Districts:</b>           | Commissioner At-Large, District #1: Melissa Bynum<br>District #8 Commissioner: Andrew Davis                                                                                                                                                                                           |                            |
| <b>Existing Zoning:</b>                | R-1 Single-Family District                                                                                                                                                                                                                                                            |                            |
| <b>Adjacent Zoning:</b>                | <b>North:</b>                                                                                                                                                                                                                                                                         | R-1 Single Family District |
|                                        | <b>South:</b>                                                                                                                                                                                                                                                                         | R-1 Single Family District |
|                                        | <b>East:</b>                                                                                                                                                                                                                                                                          | R-1 Single Family District |
|                                        | <b>West:</b>                                                                                                                                                                                                                                                                          | R-1 Single Family District |
| <b>Adjacent Uses:</b>                  | <b>North:</b>                                                                                                                                                                                                                                                                         | Duplex                     |
|                                        | <b>South:</b>                                                                                                                                                                                                                                                                         | Single Family Residence    |
|                                        | <b>East:</b>                                                                                                                                                                                                                                                                          | Single Family Residence    |
|                                        | <b>West:</b>                                                                                                                                                                                                                                                                          | Single Family Residence    |
| <b>Total Tract Size:</b>               | 0.29 Acres                                                                                                                                                                                                                                                                            |                            |
| <b>Comprehensive Plan Designation:</b> | The PlanKCK Comprehensive Plan designates the subject property as a Low-Density Residential, which allows for single-family residences. The applicant is proposing an amendment to Medium-Density Residential, which allows for various densities, including duplexes.                |                            |
| <b>Major Street Plan:</b>              | The goDotte Mobility Plan designates North 60 <sup>th</sup> Terrace as a Local Street.                                                                                                                                                                                                |                            |
| <b>Parking Requirement:</b>            | Section 27-456(d) states “Two (2) off-street parking spaces shall be provided on the premises for each dwelling unit, at least one of which shall be in a garage or carport”. Four (4) spaces are required. The property provides up to eight (8) spaces, with three (3) in a garage. |                            |
| <b>Advertisement:</b>                  | <u>The Wyandotte Echo</u> – April 18, 2024<br>Letters to Property Owners – April 19, 2024                                                                                                                                                                                             |                            |
| <b>Public Hearings:</b>                | June 10, 2024 and June 27, 2024                                                                                                                                                                                                                                                       |                            |
| <b>Public Support:</b>                 | None to date.                                                                                                                                                                                                                                                                         |                            |
| <b>Public Opposition:</b>              | None to date.                                                                                                                                                                                                                                                                         |                            |

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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Kari Jacobson, is requesting a Change of Zone from R-1 Single-Family District to R-2 Two-Family District. The applicant is also requesting a Master Plan Amendment from Low-Density Residential to Medium-Density Residential in the PlanKCK Comprehensive Plan. These petitions are being requested as the property at 3354 and 3356 North 60<sup>th</sup> Terrace is a legal non-conforming duplex.

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

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### Noise or Disturbance Complaints:

1. There has only been one (1) call for police service for noise in 2020.

### Building, Zoning, or Code Enforcement Complaints:

1. There have been no notices of violation on the subject property.

### Outstanding or Related Permits and Cases:

1. There are no additional or outstanding related permits or cases.

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## FACTORS TO BE CONSIDERED

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### **1. *Neighborhood character.***

The subject property is within the Bethel-Welborn Statistical Neighborhood, the Leavenworth Road Association (LRA) group and the Field of Dreams Neighborhood Group. The neighborhood consists primarily of single-family residences with legal non-conforming duplexes mixed within the neighborhood. Most of the lots within the neighborhood are medium sized with generous setbacks.

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

The zoning and uses of property nearby are set out above. The neighborhood consists primarily of single-family residences with legal non-conforming duplexes mixed within the neighborhood. The proposed rezoning to R-2 and the continued use as a duplex is compatible with nearby uses. Staff, however, does note that there is also a partial ADU in the rear-yard garage. It does not appear this ADU is legal non-conforming or was ever permitted.

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

The property is suitable to be used as a duplex, as it was originally constructed as such. There is also a partial ADU on the property, however, which does not have legal non-conformance and appears to have been converted without any permits. The property is not suitable for this ADU. Rezoning the property to R-2 will not detrimentally impact nearby property, as the property has been used as a duplex since its construction in 1960, prior to annexation.

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

The property has been consistently used as a duplex and is currently occupied by the applicant and another tenant since at least 1996.

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

The proposed use is reasonably necessary as the historic use as a duplex provides additional housing to the community. The proposed use will not substantially or permanently injure the use, quality, or marketability of nearby property, as it is consistent with the nearby uses.

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

The proposed use will not increase traffic to the point it exceeds the capacity of North 60th Terrace, a Local Street, as the use of the property is not changing, rather, the zoning district is changing to match the historic use of the property. Staff, however, does note that the amount of surface parking in the rear and the parking in the front of the residence is not compliant with code. The parking in the rear is legal non-conforming, as it existed prior to the open space provision in the code. The parking in the front must be removed.

Staff also notes that the applicant wishes to use the partial-ADU on the property as a short-term rental, however, it has yet to be determined if this partial-ADU can be used, since it was converted without proper permits or zoning. Use of this partial-ADU would inherently increase traffic, but it too won't exceed the capacity of North 60<sup>th</sup> Terrace.

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

The PlanKCK Comprehensive Plan currently designates the property as Low Density Residential, which allows for single-family residences. The proposed use is not in conformance.



The applicant, however, is requesting to amend the designation to Medium Density Residential, which allows for duplexes, triplexes, fourplexes and garden-style apartments, in which the current and proposed use conforms to.

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

The proposed use will not cause environmental harm or enhance the environment as the use of the property is not changing, rather, the zoning and designation will change to match the historical, current, and proposed use of the property.

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

**a. *Water service***

BPU provides water service.

**b. *Sanitary sewer service***

Sanitary sewer service is provided by the UG.

**c. *Storm water control***

Storm water control is provided by with UG, with a culvert running along North 60<sup>th</sup> Terrace.

**d. *Police***

Police service is provided by West Patrol, District #224.

**e. *Fire***

Fire service is provided by Station #18, one (1) mile away from the subject property.

**f. *Transit***

Public Transit is provided by UG Transit Route #113 – Leavenworth Road, with a stop at 61<sup>st</sup> & Leavenworth Road, approximately 0.75 of a mile away.

**g. *Schools***

Public Education is provided by Welborn Elementary School, Gloria Willis Middle School, and Washington High School, under Kansas City, Kansas USD 500.

## ***h. Streets***

See item #6 above.

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

The economic impact of the proposed use on the community is minimal, as this change of zone is changing the zoning district to match the existing historic and proposed future use of the property as a duplex, rather than a redevelopment of the property.

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

With changes on the site to address the excess impervious surface and apparent unpermitted ADU, the proposed use is capable of meeting applicable ordinance requirements; This change of zone will match the zoning district to the historic, current, and proposed use of the property.

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

The relative gain to public health, safety and welfare is minimal, as this change of zone is simply changing the zoning district to better match the historic, current and proposed use of the property. The hardship imposed on the property owner may be significant, as if the existing duplex on the property was destroyed, the owner could only build a single-family residence rather than another duplex with a change of zone.

## **Master Plan Amendment**

### ***1. Whether events subsequent to the comprehensive plan adoption have changed the character and/or condition of the area so as to make the application acceptable.***

There have been no events subsequent to the comprehensive plan adoption in 2023. There is no adopted area plan for this neighborhood. The building was constructed as a duplex in 1960 and has been used as such since initial construction, thus necessitating an amendment/correction to the designation.

### ***2. Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan.***

The change from Low Density Residential to Medium Density Residential is consistent with the goals of the PlanKCK Comprehensive Plan, which seeks to promote density along major corridors, including Leavenworth Road.

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

See Change of Zone Factor #9.

4. **Whether the proposed amendment would result in comprehensive plan or regulatory conflicts.**

The proposed amendment would eliminate a regulatory conflict as the property has been a legal non-conforming duplex since it was annexed in 1966. The current zoning of the property is R-1 Single-Family District. The applicant seeks to change the zoning to the R-2 Two-Family District to match the zoning district to the historic, existing and proposed use as a duplex. An amendment to the Comprehensive Plan would bring the property into conformance with the proposed zoning district.

5. ***Whether the proposed amendment would allow a change in development on the subject site without creating adverse impacts on existing or planned surrounding uses or creating inconsistencies with applicable future land use map patterns.***

The proposed plan amendment would not result in a change in development of the site, and instead, would match the historic and existing use of the site. The site has been used as a duplex since its construction in 1960.

6. ***The impacts of the potential costs and benefits derived by the community or area by the proposed change.***

The proposed use will not have a major impact as the use of the property will not change, however, if the existing structure on the property is destroyed, it would allow for a new structure of the same density to be reconstructed, rather than reducing the density.

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## **PREVIOUS ACTIONS**

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Approval of a Variance (BZA #2093) for an accessory structure over 1,000 square feet in 2013. The accessory structure was expanded to be 1,037 square feet.

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## **NEIGHBORHOOD MEETING**

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The applicant held a neighborhood meeting on May 9, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## KEY ISSUES

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Excess Impervious Surface  
Pull-In Parking  
Short-Term Rental  
Unpermitted Accessory Dwelling Unit (ADU)

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Master Plan Amendment Application **MPL2024-004** and Change of Zone Application **COZ2024-009**, subject to:

1. The Accessory Dwelling Unit (ADU) shall be removed from the premises and not utilized as a dwelling unit as there is currently no allowance in the conventional zoning ordinance, except in the Traditional Neighborhood Design District (TND). If at a later date the zoning code is updated to allow for ADUs other than TND, the applicant may attempt to legally pursue an ADU;
2. As there is an abundance of parking in the rear yard, the pull in parking in the front-yard of the residence shall be removed. Only parallel parking along North 60th is allowed;
3. 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](mailto: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;
4. All existing and future driveways must feature curb cuts that are constructed to UG standards;
5. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
6. 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;
7. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision

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

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petitions **MPL2024-004** and **COZ2024-009**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Duplex Floor Plan  
ADU Floor Plan  
Building Permit for the Subject Property  
Site Photos, Taken by Staff, April 13, 2024

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## REVIEW OF INFORMATION AND SCHEDULE

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| Action         | City Planning Commission | Unified Government Board of Commissioners |
|----------------|--------------------------|-------------------------------------------|
| Public Hearing | June 10, 2024            | June 27, 2024                             |
| Rezoning       | Approval                 |                                           |
| Master Plan    | Approval                 |                                           |

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**STAFF CONTACT:**      **James Molloy**  
[jlmolloy@wycokck.org](mailto:jlmolloy@wycokck.org)

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## MOTIONS

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### Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2024-004** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

### **OR**

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2024-004**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

### Change of Zone

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-009** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

### **OR**

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-009**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## **June 10, 2024, City Planning Commission Minutes:**

### **Hearing starts at 14:20:**

**MASTER PLAN AMENDMENT APPLICATION MPL2024-004 – KARI JACOBSON - SYNOPSIS:** Master Plan Amendment from Low-Density Residential to Medium-Density Residential (PlanKCK Comprehensive Plan) at 3354-3356 North 60<sup>th</sup> Terrace.

**CHANGE OF ZONE APPLICATION COZ2024-009 – KARI JACOBSON - SYNOPSIS:** Change of Zone from R-1 Single Family District to R-2 Two Family District for a legal non-conforming accessory dwelling unit (ADU) at 3354-3356 North 60<sup>th</sup> Terrace.

**Detailed Outline of Requested Action:** The applicant, Kari Jacobson, is requesting a Change of Zone from R-1 Single-Family District to R-2 Two-Family District. The applicant is also requesting a Master Plan Amendment from Low-Density Residential to Medium-Density Residential in the PlanKCK Comprehensive Plan. These petitions are being requested as the property at 3354 and 3356 North 60<sup>th</sup> Terrace is a legal non-conforming duplex.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

### **Present in Support:**

- Kari Jacobson, applicant, 3354-3356 North 60<sup>th</sup> Terrace, Kansas City, Kansas 66104

### **Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 16:57:** Planner Molloy stated that there is a legal non-conforming duplex on the property. When the area was annexed in 1962, the property was zoned R-1 Single Family District. There are other properties in the Northeast Area that have the same zoning and as they come forward the zoning is corrected through the rezoning process. Staff has received no letters in support or opposition. Staff recommends approval subject to the conditions in the staff report which includes removal of the current non-conforming, unpermitted ADU. There is no

mechanism in the Code that allows an ADU except in the Narrow Lot Design Guidelines.

The Planning Commission directed questions to Staff about the ADU. Planner Molloy stated that the building permit stated that an ADU cannot be built. The Applicant stated that the ADU is completed but is not being used. Planner Molloy explained the definition of a dwelling unit to the Commission and stated that one item will need to be removed from the ADU, so it does not qualify as a dwelling unit.

**Motion starts at 20:08:**

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to recommend **APPROVAL of Master Plan Amendment MPL2024-004:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**

**Subject to:**

1. The Accessory Dwelling Unit (ADU) shall be removed from the premises and not utilized as a dwelling unit as there is currently no allowance in the conventional zoning ordinance, except in the Traditional Neighborhood Design District (TND). If at a later date the zoning code is updated to allow for ADUs other than TND, the applicant may attempt to legally pursue an ADU;
2. As there is an abundance of parking in the rear yard, the pull in parking in the front-yard of the residence shall be removed. Only parallel parking along North 60th is allowed;
3. 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](mailto: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;
4. All existing and future driveways must feature curb cuts that are constructed to UG standards;
5. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to



- confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
6. 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;
  7. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
  8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application COZ2024-009:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**  
**Subject to the above conditions.**

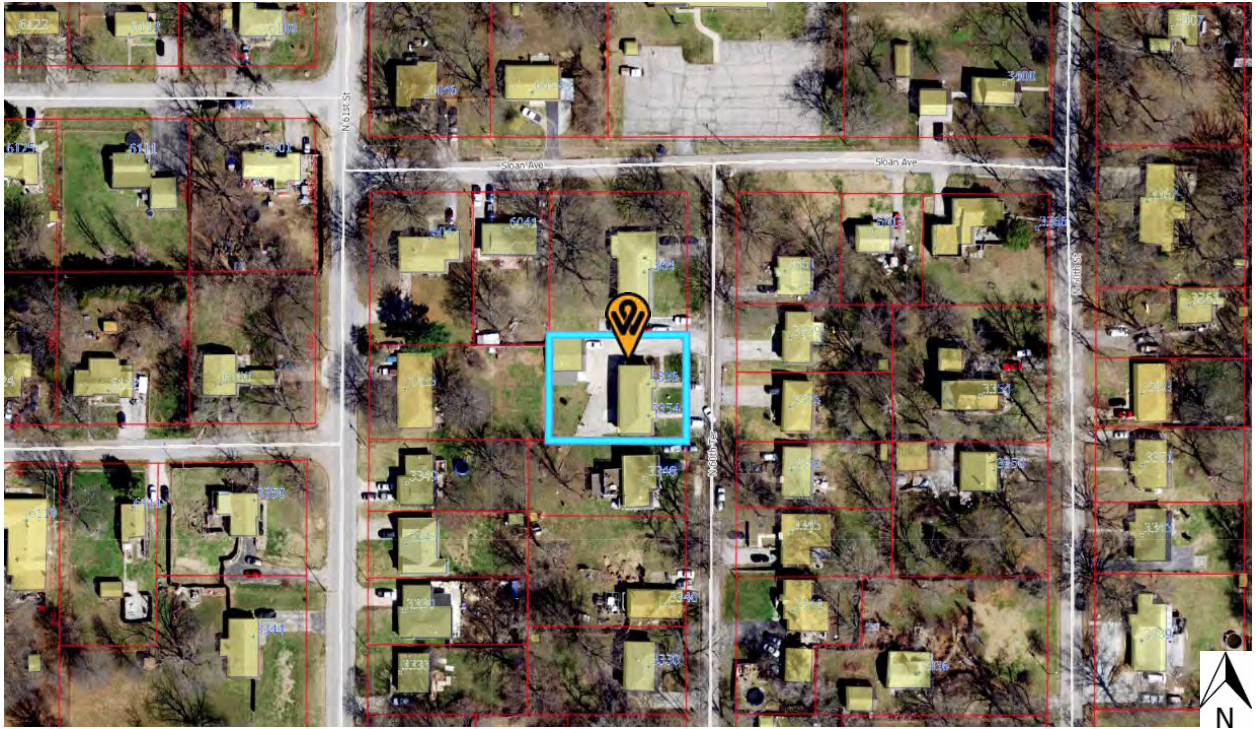
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## ATTACHMENTS

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### AERIAL IMAGERY

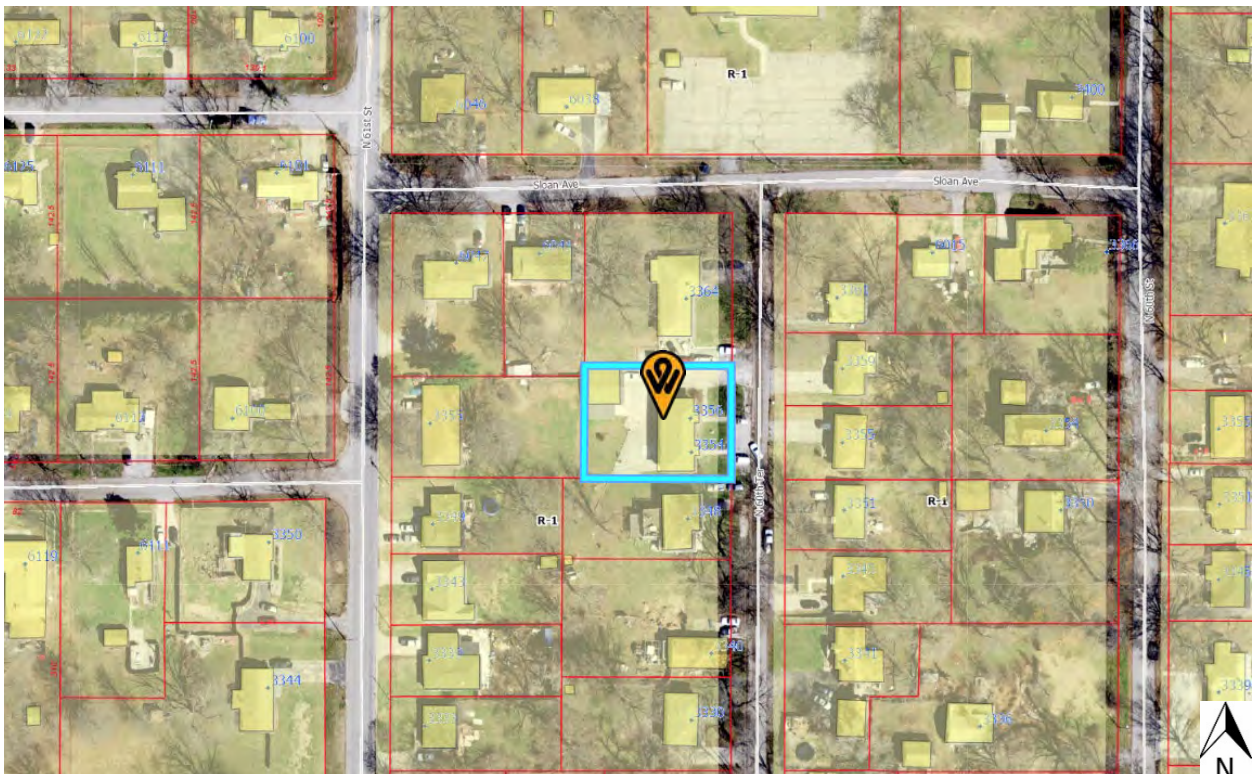
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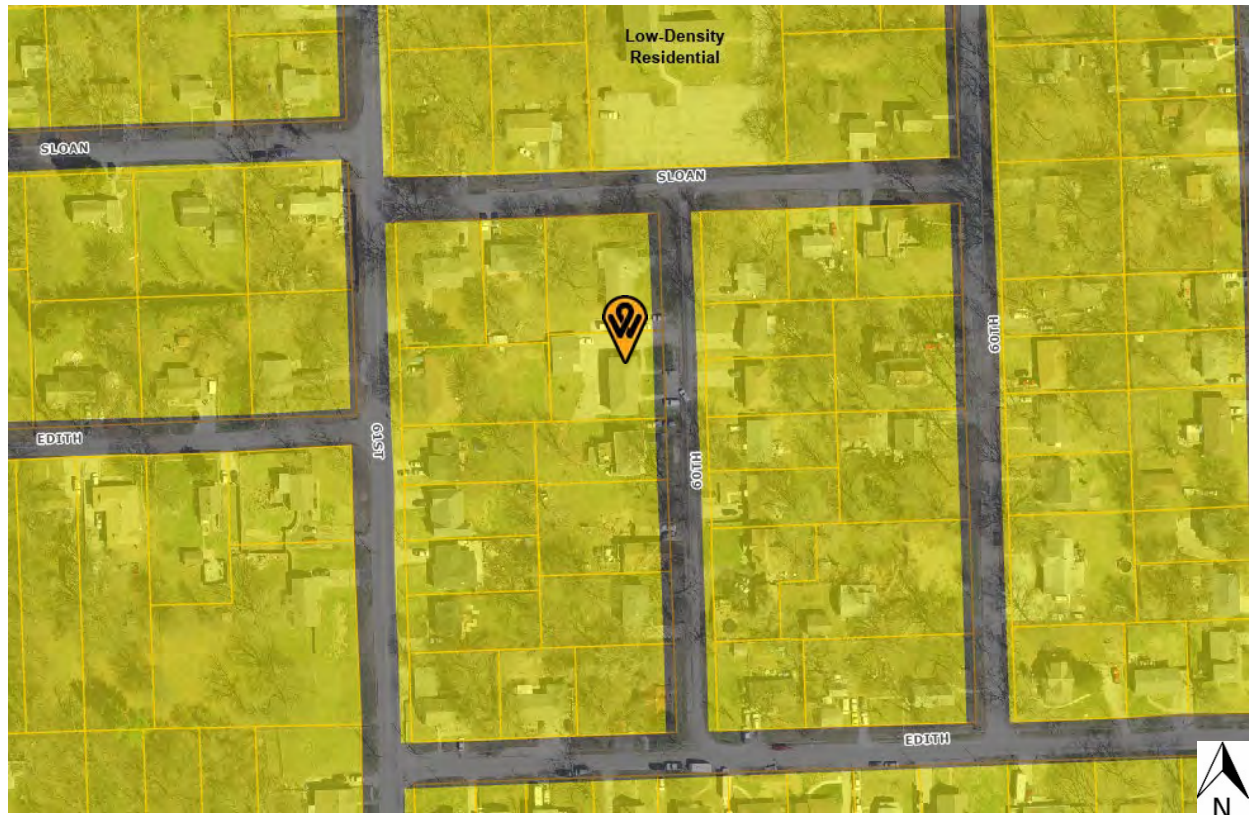
### ZONING MAP

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## LAND USE MAP



# NEIGHBORHOOD MEETING MATERIALS

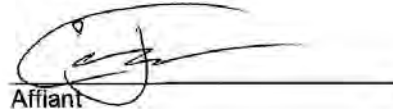
## AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS:

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

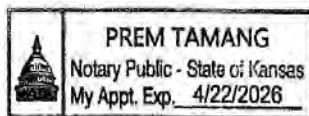
1. That I am the petitioner for Petition # COZ2024-009 + MPL2024-004
2. That I conducted a neighborhood meeting on 5/6/2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 8<sup>th</sup> day of MAY, 2024

My commission expires 22<sup>nd</sup> of APRIL, ~~2025~~ 2026



  
Notary Public

# MEETING MINUTES:

Application Number: COZ2024-009 & MPL2024-004

Date and Location: May 6, 2024 – Zoom Videoconferencing

Meeting called to order at: 7:00pm

Names of people in attendance: Carlin Jacobson, Kari Jacobson, (no other attendees)

Introductions: Since no one other than the applicants/petitioners were in attendance no introduction or presentation could be made.

Questions and answers: With no additional attendees no questions/answers/comments were given. (Also, no questions/comments were received via telephone or email prior to the meeting either)

Meeting adjourned at: 7:30pm

Minutes taken by: Carlin Jacobson

4/16/2024

Carlin & Kari Jacobson  
3356 N 60<sup>th</sup> Ter  
Kansas City, KS 66104

SUBJECT: Neighborhood Meeting

We have filed an application with the Planning + Urban Design Department #COZ2024-009 & MPL2024-004. The purpose of this:

➤ change of zone

is to correct a misclassification of property zoning from decades ago when our neighborhood was first incorporated into the city/county. It has been misclassified as R-1 Single-Family District and Low-Density Residential, even though it was originally constructed as and has always been a duplex. This Change of Zone will correctly classify the property as R-2 Two-Family District and Medium-Density Residential.

at the following address: 3354-3356 N 60<sup>th</sup> Ter, Kansas City, KS 66104.

We are having a neighborhood meeting on Monday May 6, 2024 at 7:00p.m. via Zoom videoconferencing: Meeting ID – 269 161 2437 Passcode - 135790

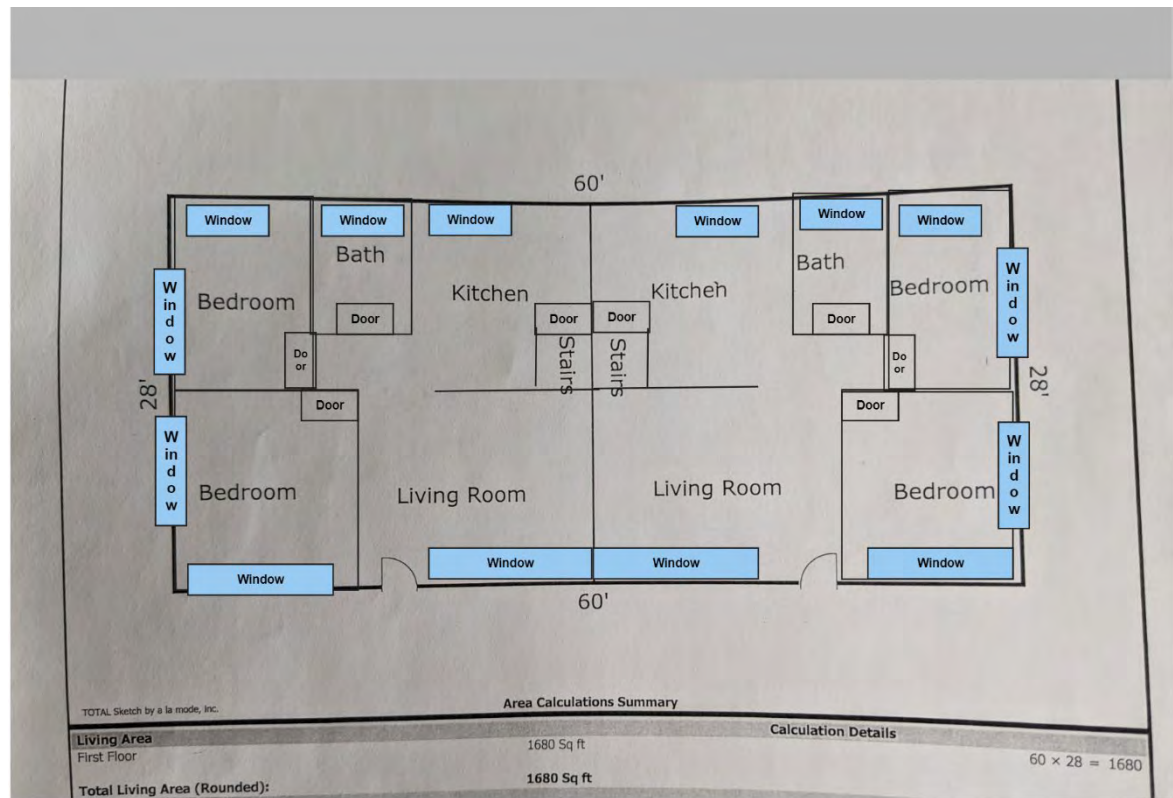
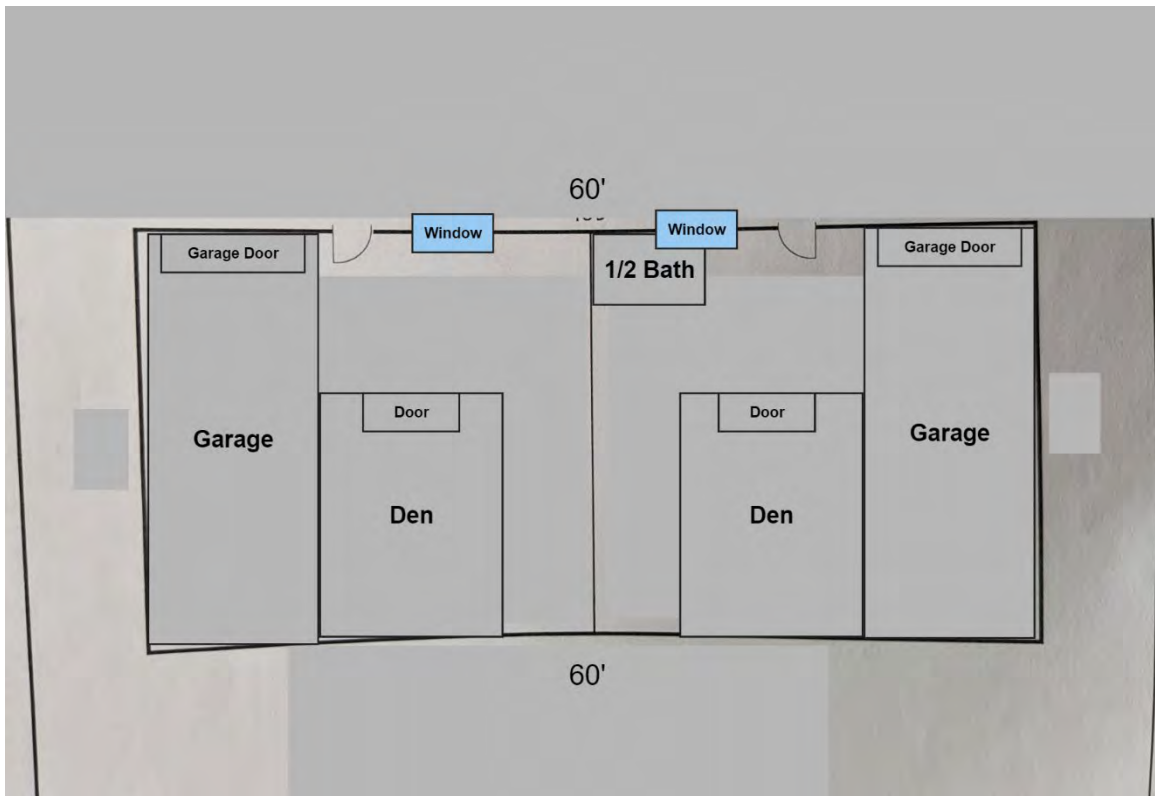
The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

We look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact us at the phone numbers/email listed below.

Sincerely,

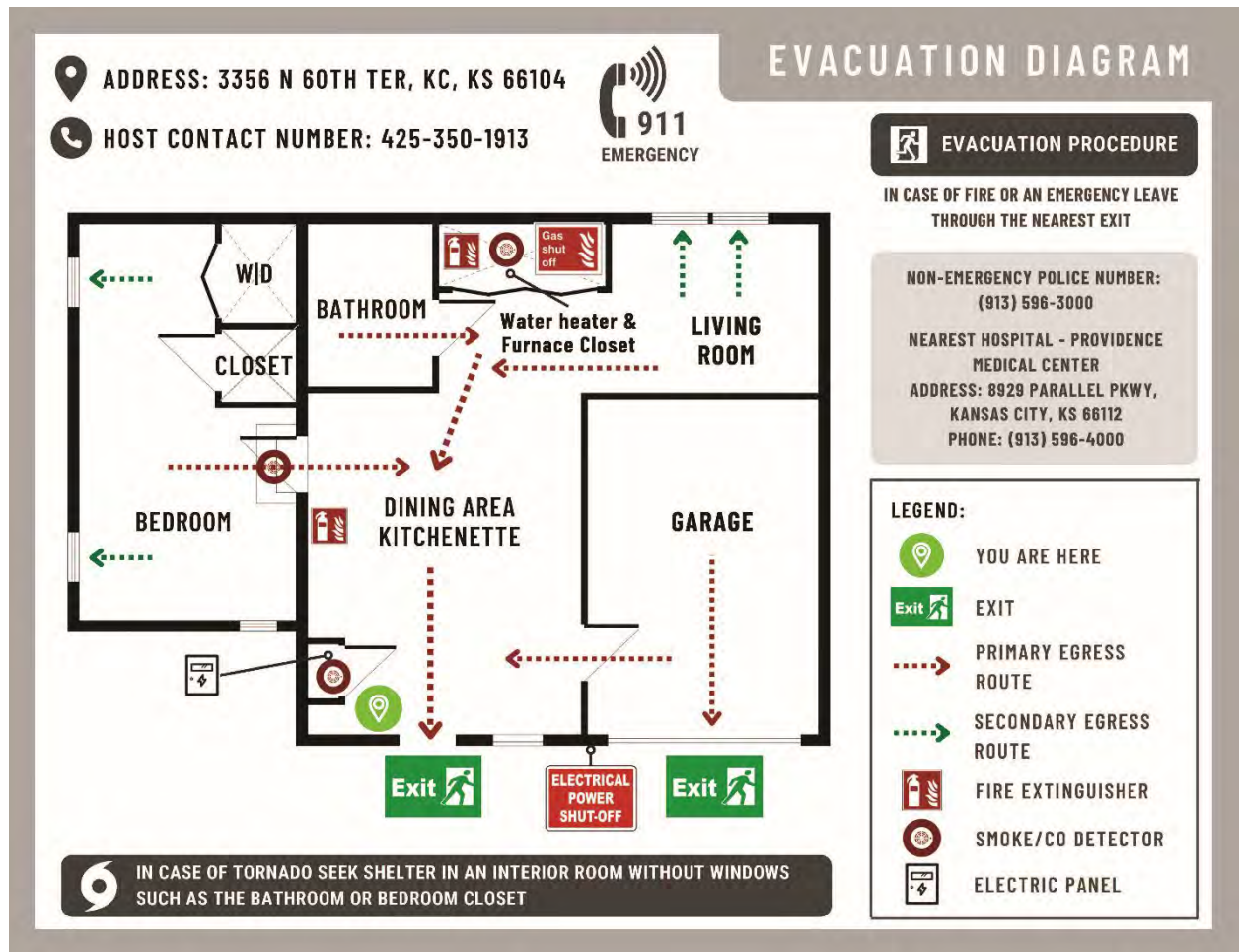
Carlin & Kari Jacobson  
206-419-4690 & 425-350-1913  
[kari@carlinjacobson.com](mailto:kari@carlinjacobson.com)

## DUPLEX FLOOR PLAN





## ADU FLOOR PLAN





# BUILDING PERMIT FOR THE SUBJECT PROPERTY

**A 2897 CONSTRUCTION PERMIT**

Wyandotte County, Kansas, December 7, 1980

Application is hereby made to the Administrative Officer at the Wyandotte County Planning Board for a building permit on the following property:

Section 7 Township 10 Range 24

Lot No. 115 Block No. 3 Subdivision South 115 1/2 Subdiv. 3rd 130 1st 2nd 3rd 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21st 22nd 23rd 24th 25th 26th 27th 28th 29th 30th 31st 32nd 33rd 34th 35th 36th 37th 38th 39th 40th 41st 42nd 43rd 44th 45th 46th 47th 48th 49th 50th 51st 52nd 53rd 54th 55th 56th 57th 58th 59th 60th 61st 62nd 63rd 64th 65th 66th 67th 68th 69th 70th 71st 72nd 73rd 74th 75th 76th 77th 78th 79th 80th 81st 82nd 83rd 84th 85th 86th 87th 88th 89th 90th 91st 92nd 93rd 94th 95th 96th 97th 98th 99th 100th

To be used for: Single Family Res. ☐ Industrial ☐  
Two Family Res. ☒ Commercial ☐  
Family Res. ☐ Accessory ☐

Building Area 700 sq. ft. per unit Zoning District A B BB C D E F G H  
Building Height 10 feet Zoning Map No. 1  
Lot Area 15616 sq. ft. Area per family 7500 sq. ft.

If building is to be structurally altered describe: Constructing in two-family building and the plot plan attached

ADDRESS ASSIGNED  
**3354-56 NORTH 60<sup>TH</sup> TORRECE**

NO PORTION OF ANY BUILDING SHALL BE BUILT CLOSER THAN: 30 feet to the front property line, 10 feet to either side property line, or 10 feet to the rear property line. 10 ft. to side of property line

THIS PERMIT DOES NOT NULLIFY ANY DEED RESTRICTIONS FILED AS A PART OF THE SUBDIVISION PLAT. CHECK YOUR DEED.

OWNER ALBERT W. CATON ADDRESS 3354-56 NORTH 60<sup>TH</sup> TORRECE  
CONTRACTOR ALBERT W. CATON ARCHITECT CYRIL  
ESTIMATED COST \$ 112,000 FEE \$ 112,000

The undersigned, hereby certifies that the information given herein is correct and that he will comply with the zoning resolutions of Wyandotte County, Kansas.

Administrative Officer Owner or Agent

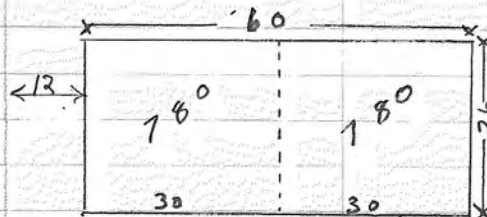
SEWAGE DISPOSAL  
TELEPHONE BOWER DISTRICT NO. 115  
SEPTIC TANK PERMIT NO. 115

**IMPORTANT**

A. This permit expires 60 days from above date.  
B. Extension or Renewal must be obtained.  
C. This permit not transferable.  
D. Lost this permit call within 10 days.

Two Family Dwelling

130



30

3354-3356 No. 60<sup>th</sup> TERR.  
115 $\frac{1}{2}$



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**SITE PHOTOS, TAKEN BY STAFF, DATED APRIL 13, 2024**

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# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** **Change of Zone Petition COZ2024-012 and  
Master Plan Amendment Petition MPL2024-007**

## GENERAL INFORMATION

**Applicant:**

Rick Cunningham

**Status of Applicant:**

Representative  
6709 West 199<sup>th</sup> Street  
Overland Park, Kansas 66209

**Requested Actions:**

Approval of a Change of Zone and  
Master Plan Amendment

**Date of Application:**

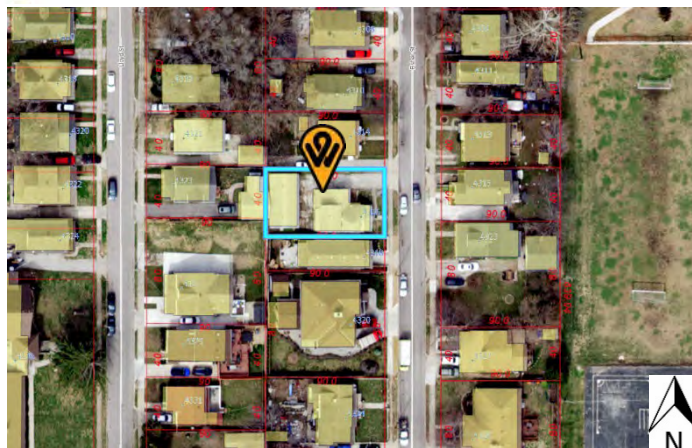
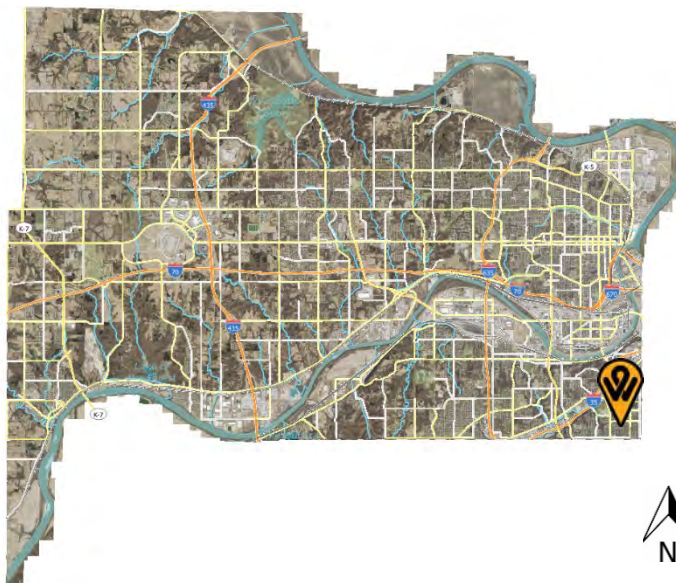
March 22, 2024

**Purpose:**

To rezone the property from R-1(B)  
Single Family District to R-2(B) Two  
Family District and amend the  
Rosedale Area Plan from Single  
Family to General Urban for an  
unpermitted ADU.

**Property Location:**

4316 Fisher Street  
Kansas City, Kansas 66103



|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Commission Districts:</b>           | At-Large, District #2: Tom Burroughs<br>District #3 Commissioner: Christian Ramirez                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Existing Zoning:</b>                | R-1(B) Single Family District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Adjacent Zoning:</b>                | <b>North:</b> R-1(B) Single Family District<br><b>South:</b> R-1(B) Single Family District<br><b>East:</b> R-1(B) Single Family District<br><b>West:</b> R-1(B) Single Family District                                                                                                                                                                                                                                                                                                                                                      |
| <b>Adjacent Uses:</b>                  | <b>North:</b> Single-Family Residence<br><b>South:</b> Single-Family Residence<br><b>East:</b> Single-Family Residence<br><b>West:</b> Single-Family Residence                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Total Tract Size:</b>               | 0.11 Acre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Comprehensive Plan Designation:</b> | <p>The Rosedale Area Plan designates the property as Single Family, which is designed for single family, detached houses. Townhomes and side-by-side rowhouses are appropriate where the property has frontage on a mixed use or neighborhood corridor.</p> <p>The applicant is proposing an amendment to General Urban, which is predominantly residential in character with rowhouses, townhomes, and single-family houses.</p>                                                                                                           |
| <b>Major Street Plan:</b>              | The goDotte Mobility Plan designates Fisher Street as a Local/Neighborhood Street.                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Parking Requirement:</b>            | <p>Section 27-455(d) states “Two off-street parking spaces shall be provided on the premises for each single-family dwelling”.</p> <p>If a Change of Zone is approved, the property would be subject to Section 27-457(d), which states “One (1) parking space for each dwelling unit shall be provided on the premises”.</p> <p>The property provides room for three (3) cars on the site, which would meet the code requirement, however, these spaces are front to back, rather than side to side, creating potential access issues.</p> |

|                           |                                                                                                       |
|---------------------------|-------------------------------------------------------------------------------------------------------|
| <b>Advertisement:</b>     | The Wyandotte Echo – April 18, 2024<br>Letters to Property Owners – April 19, 2024<br>and May 2, 2024 |
| <b>Public Hearings:</b>   | June 10, 2024 and June 27, 2024                                                                       |
| <b>Public Support:</b>    | None to date.                                                                                         |
| <b>Public Opposition:</b> | Three (3) people appeared in opposition at the June 10, 2024, City Planning Commission meeting.       |

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## **PROPOSAL**

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*Detailed Outline of Requested Action:* The applicant, Rick Cunningham, is requesting a Change of Zone from R-1(B) Single-Family District to R-2(B) Two-Family District. The applicant is also requesting a Master Plan Amendment from Single Family to General Urban in the Rosedale Area Plan. These petitions are being requested as the property at 4316 Fisher Street has an unpermitted Accessory Dwelling Unit (ADU) on it.

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

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## **RELATED ENFORCEMENT AND ACTION ITEMS**

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### **Noise or Disturbance Complaints:**

1. There have been no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. The property has been cited twice in the past two (2) years with Stop Work Orders and associated Structural violations for doing work without permits, including the addition of the 2<sup>nd</sup> floor and the conversion of the garage into an Accessory Dwelling Unit (ADU), which prompted this petition.

### **Outstanding or Related Permits and Cases:**

1. There are no additional outstanding or related permits or cases.

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## **FACTORS TO BE CONSIDERED**

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### ***1. Neighborhood character.***

The subject property is within the Rosedale Statistical Neighborhood, the Rosedale Development Association (RDA) group, and the Frank Rushton Neighborhood Group. The neighborhood consists of single-family residences,

duplexes, larger multi-family dwellings, as well as schools, churches, and small-scale mixed-use buildings.

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

The zoning and uses of properties are set out above. The neighborhood consists primarily of single-family residences, which includes all of the adjacent properties. An Accessory Dwelling Unit (ADU) is not expected to be impactful on nearby properties, however, there is currently no allowance for an ADU within the zoning code.

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

The property is not suitable as a multi-family residence, as it was a purpose-built single-family residence with a purpose-built garage. This garage was converted into an ADU without proper permits in 2023. While those permits had been issued on the condition that the kitchen was removed, the property and garage were not designed for this purpose.

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

The property is not vacant and has appeared to be consistently occupied since it was first constructed.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public, as the garage being converted into an ADU serves the convenience of the property owner by allowing them to rent the space for additional income or otherwise use this space for their personal use. The proposed use is not expected to negatively impact the use, visual quality or marketability of nearby property if managed properly.

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

The proposed use has the potential to negatively impact road capacity on Fisher Street, a Local Street. The roadway is narrow with parking on both sides of the street. Any additional spillover parking would quickly create a condition of overcrowding along the roadway, thus exceeding the capacity of the roadway. The driveway has three (3) parking spots in addition to the garage in the ADU, which meets the R-2 District standards, however, this may not be enough

depending on what the ADU is used for and how parking is managed on-site.

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

The Rosedale Area Plan designates the property as Single Family, which is designed for single family, detached houses. Townhomes and side-by-side rowhouses are appropriate where the property has frontage on a mixed use or neighborhood corridor. Currently, the proposed use does not conform to the Area Plan.

The applicant is proposing an amendment to General Urban, which is predominantly residential in character with rowhouses, townhomes, and single-family houses. While the amendment would bring the proposed use into compliance with the Area Plan, this portion of Rosedale is almost entirely designated single-family, including all adjacent properties on the block.

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

The proposed use will not cause environmental harm or enhance the environment as the use and footprint of the property are not changing, rather, the zoning is changing to match the existing use and footprint of the property.

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

**a. *Water service***

BPU provides water service.

**b. *Sanitary sewer service***

Sanitary sewer service is provided by the Unified Government.

**c. *Storm water control***

Storm water control is provided by the Unified Government, with an inlet at West 44<sup>th</sup> Avenue & Fisher Street.

**d. *Police***

Police service is provided by South Patrol, District #332.

**e. *Fire***

Fire service is provided by Station #10, located one and one-half (1-½) miles away from the subject property.



***f. Transit***

Public Transit is provided by KCATA Route 107 – 7<sup>th</sup> Street/KU Med and Johnson County Route 403 – Antioch/KU Med, with a stop at West 43<sup>rd</sup> Avenue & Fisher Street.

***g. Schools***

Public Education is provided by Frank Rushton Elementary School, Rosedale Middle School, and J.C Harmon High School.

***h. Streets***

See item #6 above

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

The economic impact of the proposed use on the community is minimal, as the proposed use is for the convenience and use of the property owner, rather than a public facing service or use.

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

With changes on the site to address the apparent unpermitted ADU, the proposed use is capable of meeting applicable ordinance requirements.

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

The relative gain to the public health, safety, and welfare is minimal. If denied, the property owner would have to convert the ADU back to a garage and cease use as an ADU.

**Master Plan Amendment**

***1. Whether events subsequent to the comprehensive plan adoption have changed the character and/or condition of the area so as to make the application acceptable.***

There has been no event subsequent to the adoption of the Area Plan in 2016 that changed the character of the neighborhood. This Master Plan Amendment is to address a garage that was converted into an ADU without proper permitting in 2023.

***2. Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan.***

This change to the Area Plan from Single Family to General Urban is not necessarily inconsistent with the goals of the Rosedale Area Plan, as it calls for additional density. This amendment, however, is more so an improper solution to correct the existing use of the property. The Single-Family designation of the Rosedale was instituted to specifically address and preserve existing single-family neighborhoods within the plan area. The issue at hand is not necessarily with the density, or even character, as ADUs provide additional opportunity to single-family property owners without significantly altering the existing character. The issue is that the proposed use is correcting an unpermitted ADU that was constructed on the property, rather than constructing a purpose-built duplex.

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

See Change of Zone Factor #9.

**4. Whether the proposed amendment would result in comprehensive plan or regulatory conflicts.**

The proposed amendment is being heard in conjunction with a Change of Zone from R-1(B) to R-2(B), which would eliminate any regulatory conflicts, albeit, in an imperfect manner, as R-2 was not intended to allow ADUs, but duplexes. The amendment, however, would still conflict with the Area Plan, as all of the surrounding properties are single-family residences, designated with the Single-Family designation in the area plan.

**5. *Whether the proposed amendment would allow a change in development on the subject site without creating adverse impacts on existing or planned surrounding uses or creating inconsistencies with applicable future land use map patterns.***

The proposed amendment currently would not allow for a change in development on the site, as this amendment would be addressing an existing structure that was illegally turned into an ADU. The change would create inconsistency in the Area Plan, as all of the surrounding properties are designated with the Single-Family designation. In the future, however, if this property were to be redeveloped, units of a higher density would be allowed to be built on the property, which could set a precedent for surrounding properties to seek the same amendment.

**6. *The impacts of the potential costs and benefits derived by the community or area by the proposed change.***

The proposed use will not have a major impact or benefit for the community. The addition of an ADU would allow for an additional rental unit in the community, which could be seen as a benefit.

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## PREVIOUS ACTIONS

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There have been no previous actions on the subject property.

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## NEIGHBORHOOD MEETING

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The applicant held a neighborhood meeting on May 28, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## KEY ISSUES

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Excess Pavement  
Floor Plan  
Ownership of the Property  
Parking  
Unpermitted Work  
Use of the ADU

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 7 to 0 to recommend **DENIAL** of Master Plan Amendment **MPL2024-007** and Change of Zone Application **COZ2024-012**, for the following reasons:

1. The proposed use does not meet Change of Zone Factor #3. The property is not suitable for use as a multi-family property. It was purposely built as and allotted space for a single-family residence with a detached garage. Removing this restriction may result in the overcrowding of the property and may result in increased demand on a roadway which already exceeds capacity for traffic and on-street parking;
2. The proposed use does not meet Change of Zone Factor #6. While the property provides the required parking, this parking is front-to-back, which will introduce significant issues with site management. Staff believes this arrangement will inevitably lead to additional on-street parking, along a roadway which already has capacity issues;
3. The proposed use does not meet Change of Zone Factor #7. The proposed use does not meet the Rosedale Area Plan designation. While the applicant is seeking an amendment, staff is recommending denial, this amendment does not meet the intent of the Area Plan for this neighborhood and sets a precedent that is inconsistent with the Plan;
4. The proposed use does not meet Master Plan Amendment Factor #1. There has not been a significant change in development patterns, rather, an unpermitted use was created on the property, and this amendment is a way of correcting that unpermitted use;
5. The proposed use does not meet Master Plan Amendment Factor #5. The change would create inconsistency in the Area Plan, as all of the surrounding properties are designated with the Single-Family designation.

In the future, however, if this property were to be redeveloped, units of a higher density would be allowed to be built on the property, which could set a precedent for surrounding properties to seek the same amendment; and,

6. Neighborhood incompatibility and lack of building permits.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petitions **MPL2024-007** and **COZ2024-012**, subject to all comments and suggestions outlined in this staff report, and the reasons outlined by the City Planning Commission.

### NOTE:

If the Board of Commissioners approves **COZ2024-012** and **MPL2024-007**, Staff recommends the following conditions:

1. The garage had previously been converted into an ADU without permits. This unpermitted work received retroactive permits on the condition that an element that constitutes a dwelling (bedroom, kitchen, living room or bathroom) be removed. This building permit must be revised or re-applied to reflect the use as an ADU;
2. If the property owner wishes to permit a short-term rental, the application must be reviewed as a Special Use Permit, due to the potential issues with site management, including management of parking, and potential overcrowding;
3. 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](mailto: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;
4. All existing and future driveways must feature curb cuts that are constructed to UG standards;
5. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
6. 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;
7. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
  8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Neighborhood Meeting Documents  
Floor Plan  
Site Photos, Taken by Staff, Dated April 11, 2024

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## REVIEW OF INFORMATION AND SCHEDULE

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| <u>Action</u>  | <u>City Planning Commission</u> | <u>Unified Government Board of Commissioners</u> |
|----------------|---------------------------------|--------------------------------------------------|
| Public Hearing | June 10, 2024                   | June 27, 2024                                    |
| Rezoning       | Denial                          |                                                  |
| Master Plan    | Denial                          |                                                  |

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**STAFF CONTACT:**      **James Molloy**  
                                         [jlmolloy@wycokck.org](mailto:jlmolloy@wycokck.org)

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## MOTIONS

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### Master Plan Amendment

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2024-007**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

**OR**

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2024-007** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**Change of Zone**

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-012**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

**OR**

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-012** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**June 10, 2024, City Planning Commission Minutes:**

**Hearing starts at 22:08:**

**MASTER PLAN AMENDMENT MPL2024-007 – RICK CUNNINGHAM – SYNOPSIS:**  
Master Plan Amendment from Single Family to General Urban (Rosedale Area Plan) at 4316 Fisher Street.

**CHANGE OF ZONE APPLICATION COZ2024-012 – RICK CUNNINGHAM – SYNOPSIS:** Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District for an accessory dwelling unit at 4316 Fisher Street.

**Detailed Outline of Requested Action:** The applicant, Rick Cunningham, is requesting a Change of Zone from R-1(B) Single-Family District to R-2(B) Two-Family District. The

applicant is also requesting a Master Plan Amendment from Single Family to General Urban in the Rosedale Area Plan. These petitions are being requested as the property at 4316 Fisher Street has an unpermitted Accessory Dwelling Unit (ADU) on it.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

**Present in Support:**

- Colin Gotham attorney representing the applicant, 7225 Renner Road, Suite 200, Shawnee, Kansas 66217

The Planning Commission directed questions to the Applicant's representative.

**Present in Opposition:**

- Leslie Smith, 4314 Fisher, Kansas City, Kansas 66103
- Yvonne Gibbons, representing her aunt, 4314 Fisher, Kansas City, Kansas 66103
- Adam Vondrak, 4308 Fisher, Kansas City, Kansas 66103

**Staff Recommendation starts at 40:48:** Planner Molloy stated that the garage was converted into an ADU without permits similar to the application that was just heard. Unlike the other case where it had a legal non-conforming duplex on the property there is a single-family home with an ADU on this property with a zoning district that the ADU could fall under if approved. However, it still does not meet the intent of that zoning district. The property is in the Rosedale Area Plan which designates this area as Single Family. Staff received no support or formal opposition prior to the meeting tonight. Staff recommends denial for the reasons outlined in the staff report, one of which is the parking issues in the area. There is a single car driveway for this property. Staff has also included conditions of approval if the Commission moves forward with a recommendation of approval.

The Planning Commission directed questions to Staff.

**Motion starts at 44:53:**

On motion by Mr. Straws, seconded by Mrs. Jones, the Planning Commission voted as



follows to recommend **DENIAL** of Master Plan Amendment MPL2024-007:

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend DENIAL Passed: 7 to 0**

**For the following reasons:**

1. The proposed use does not meet Change of Zone Factor #3. The property is not suitable for use as a multi-family property. It was purposely built as and allotted space for a single-family residence with a detached garage. Removing this restriction may result in the overcrowding of the property and may result in increased demand on a roadway which already exceeds capacity for traffic and on-street parking;
2. The proposed use does not meet Change of Zone Factor #6. While the property provides the required parking, this parking is front-to-back, which will introduce significant issues with site management. Staff believes this arrangement will inevitably lead to additional on-street parking, along a roadway which already has capacity issues;
3. The proposed use does not meet Change of Zone Factor #7. The proposed use does not meet the Rosedale Area Plan designation. While the applicant is seeking an amendment, staff is recommending denial, this amendment does not meet the intent of the Area Plan for this neighborhood and sets a precedent that is inconsistent with the Plan;
4. The proposed use does not meet Master Plan Amendment Factor #1. There has not been a significant change in development patterns, rather, an unpermitted use was created on the property, and this amendment is a way of correcting that unpermitted use;
5. The proposed use does not meet Master Plan Amendment Factor #5. The change would create inconsistency in the Area Plan, as all of the surrounding properties are designated with the Single-Family designation. In the future, however, if this property were to be redeveloped, units of a higher density would be allowed to be built on the property, which could set a precedent for surrounding properties to seek the same amendment; and,
6. Neighborhood incompatibility and lack of building permits.

On motion by Mr. Straws, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **DENIAL** of Change of Zone Application COZ2024-012:

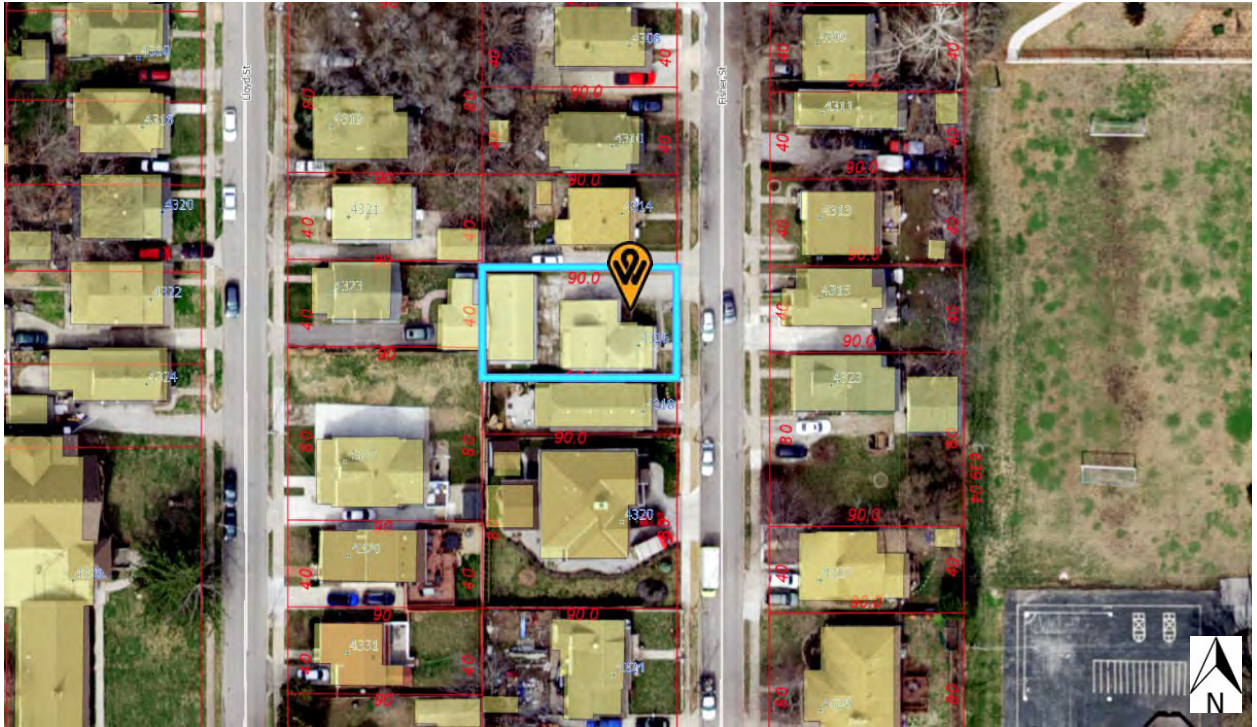
|                  |                    |
|------------------|--------------------|
| <b>Carson</b>    | <b>Chairman</b>    |
| <b>Armstrong</b> | <b>Not Present</b> |
| <b>Beth</b>      | <b>Aye</b>         |

|            |             |
|------------|-------------|
| Easterwood | Not Present |
| Ernst      | Aye         |
| Jones      | Aye         |
| Miller     | Aye         |
| Mohler     | Aye         |
| Schwartz   | Not Present |
| Straws     | Aye         |
| Ward       | Aye         |

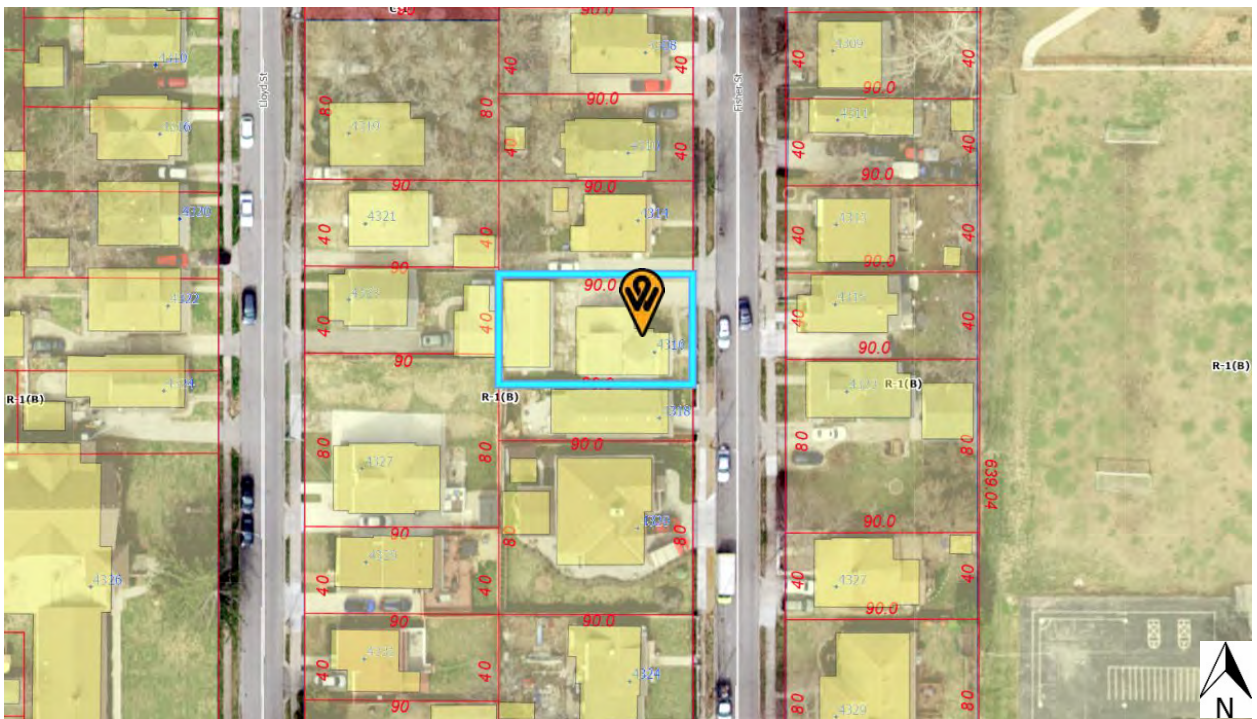
Motion to recommend DENIAL Passed: 7 to 0  
For the above reasons.

# ATTACHMENTS

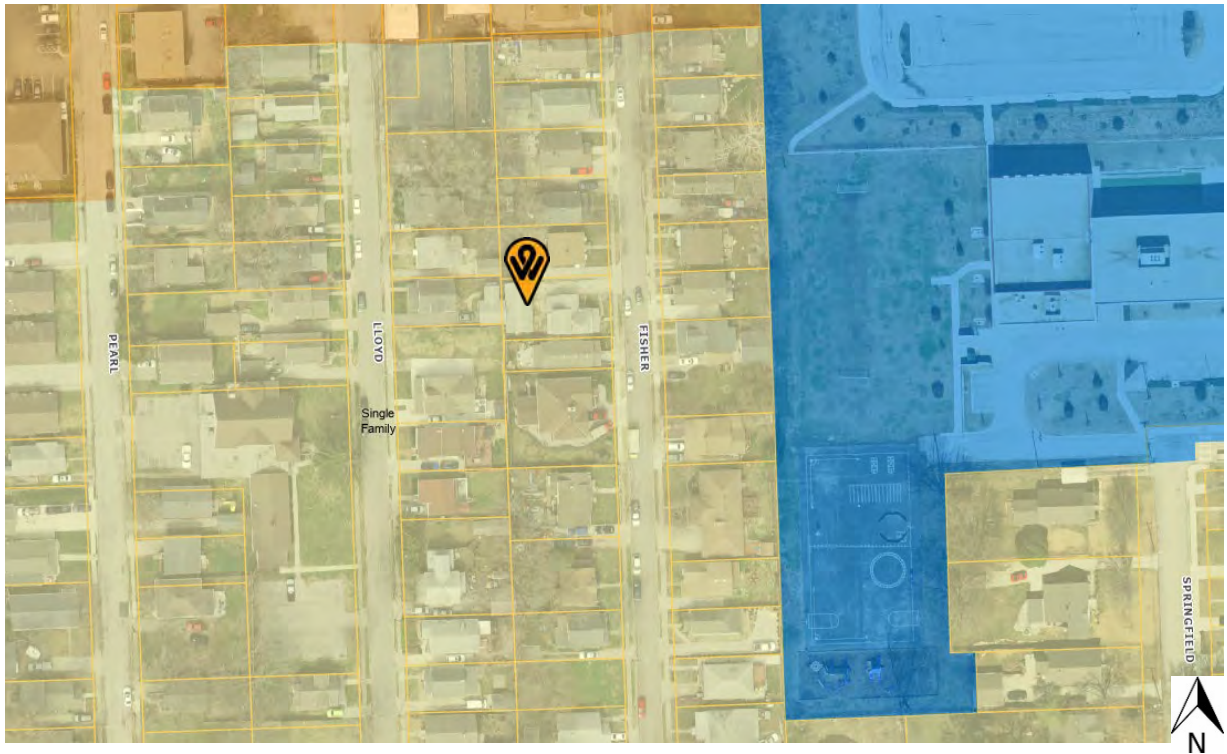
## AERIAL IMAGERY



## ZONING MAP



## LAND USE MAP







COLIN N. GOTHAM  
SHAREHOLDER - ATTORNEY AT LAW  
Direct: 913.890.7005  
Fax: 913.962.8701  
cgotham@emlawkc.com

November 7, 2023

*Via Email Only to:*

[jlmolloy@wycokek.org](mailto:jlmolloy@wycokek.org)

[planninginfo@wycokek.org](mailto:planninginfo@wycokek.org)

Unified Government of Wyandotte County  
Planning and Urban Design  
701 North 7<sup>th</sup> Street, Room 423  
Kansas City, Kansas 66101

Re: Richard Cunningham  
Petition # COZ2024-012

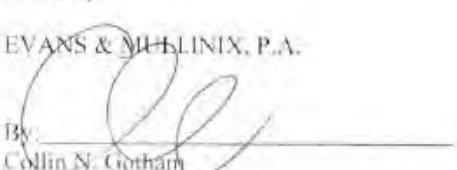
Dear Mr. Malloy:

I am attaching the Affidavit and Minutes regarding the Neighborhood Meeting that was conducted via Zoom on May 28, 2024. I have also attached copies of the letters that were sent to the neighboring property owners providing notice of the Neighborhood Meeting.

Please let me know if you have any questions or if additional information is needed.

Sincerely,

EVANS & MULLINIX, P.A.

By: 

Colin N. Gotham

CNG:sah

Cc: client (without enclosures)

EVANS & MULLINIX, P.A.  
7225 RENNER RD, SUITE 200, SHAWNEE, KS 66217 • 913.962.8700 • 913.962.8701 / 913.962.8702 • WWW.EMLAWKC.COM

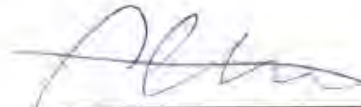
**AFFIDAVIT – NEIGHBORHOOD MEETING**

STATE OF KANSAS                     )  
                                                  ) SS:  
COUNTY OF JOHNSON            )

Comes now Colin N. Gotham, of lawful age, sound mind, and upon his/her oath states as follows:

1. That I am the attorney for the petitioner Richard Cuningham, Petition #COZ2024-012.
2. That I conducted a neighborhood meeting on May 28, 2029.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

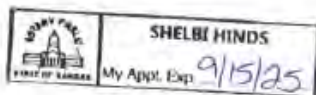
Further affiant saith not.

  
\_\_\_\_\_  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29<sup>th</sup> day of May 2024.

My commission expires 15<sup>th</sup> of September, 2025.

  
\_\_\_\_\_  
Notary Public



(((018121)))

# MINUTES:

Application Number COZ2024-012  
Date and Location: Zoom May 28, 2024

Meeting called to order at: 11:00 AM

Names of people in attendance: Richard Cunningham  
Colin N. Gotham  
Leslie Smith  
Steve Slater  
Jacob Stromberg

Introductions:

Presentation by applicant and/or team:

Petitioner Richard Cunningham's attorney, Colin N. Gotham, summarized the request to allow for the dwelling unit in the detached garage.

Questions and answers:

Leslie Smith, Steve Slater, and Jacob Stromberg all had comments and questions. There were questions and comments regarding parking. Petitioner Richard Cunningham's attorney, Colin N. Gotham, provided information or acknowledged the concerns. Information was provided regarding the upcoming hearing.

Meeting adjourned at 11:25 AM

Minutes taken by: Colin N. Gotham, attorney for Petitioner Richard Cunningham

{01018127 }



# FLOOR PLAN

CITY OF KANSAS CITY, KANSAS  
BUILDING INSPECTION DEPARTMENT  
PLAN SUBMITTAL

|                                                       |                                               |
|-------------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> APPROVED                     | <input type="checkbox"/> DISAPPROVED          |
| <input checked="" type="checkbox"/> APPROVED AS NOTED | <input type="checkbox"/> CORRECT AS NOTED     |
| <input type="checkbox"/> APPROVED AS REVISED          | <input type="checkbox"/> CORRECT AND RESUBMIT |

THE APPROVAL OF PLANS AND SPECIFICATION SHALL NOT BE  
CONSTRUED TO BE A PERMIT OR APPROVAL OF ANY VIOLATION  
OF ANY OF THE PROVISIONS OF THE CITY OF KANSAS CITY  
KANSAS BUILDING AND/OR ZONING CODE OR ANY OTHER  
ORDINANCE OF THIS CITY.

BY U. L. L. DATE 12/04/2024

4310 FISHER ST.

RES-23-013

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**SITE PHOTOS, TAKEN BY STAFF. DATED APRIL 11, 2024**

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# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Petition SP2024-018

## GENERAL INFORMATION

**Applicant:**  
Wil Anderson

**Status of Applicant:**  
Representative  
BHC  
712 State Avenue  
Kansas City, Kansas 66101

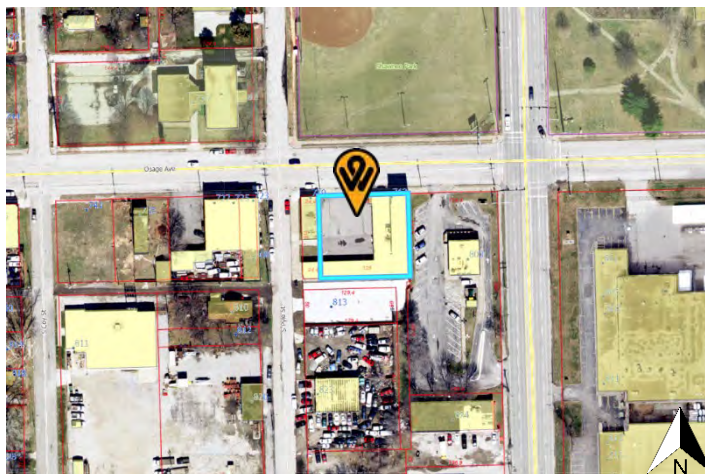
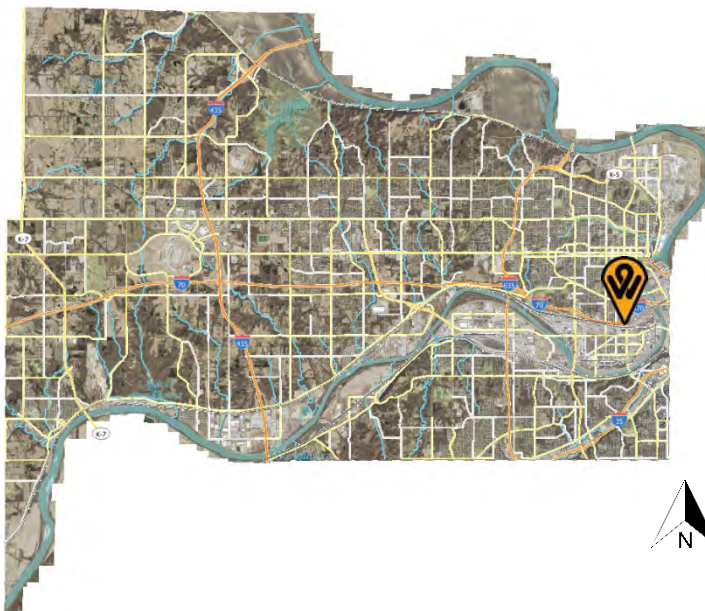
**Requested Action:**  
Approval of a Special Use Permit.

**Date of Application:**  
April 1, 2024

**Purpose:**  
To operate an event center with live entertainment.

**Property Location:**  
713 Osage Avenue

**Commission Districts:**  
Commissioner At-Large, District #2:  
Tom Burroughs  
District #2 Commissioner:  
William (Bill) Burns



|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Existing Zoning:</b>                | C-3 Commercial District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Adjacent Zoning:</b>                | <b>North:</b> RP-5 Planned Apartment District<br><b>South:</b> R-2(B) Two-Family District<br><b>East:</b> C-3 Commercial District<br><b>West:</b> C-3 Commercial District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Adjacent Uses:</b>                  | <b>North:</b> Shawnee Park<br><b>South:</b> Vacant Residential Lot<br><b>East:</b> Drive-Thru Restaurant<br><b>West:</b> Commercial Office Building                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Total Tract Size:</b>               | 0.33 Acre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Comprehensive Plan Designation:</b> | The Armourdale Area Plan designates the subject property as Community Commercial, which allows for medium-scale commercial development to provide goods and services to adjacent districts and neighborhoods. Uses may include medium-sized box stores with small-scale accessory commercial uses and small-scale commercial centers.                                                                                                                                                                                                                                                                                                                                               |
| <b>Major Street Plan:</b>              | The goDotte Mobility Plan designates Osage Avenue as a Major Collector.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Parking Requirement:</b>            | <p>Section 27-467(e) states “uses in this district require paved off-street parking at a ratio of not less than four spaces per 1,000 square feet of floor area in the building”. This use, however, also has a special parking nee per Section 27-668(11), which states “Places of assembly, auditoriums, theatres, and concert halls. One (1) space for each four (4) seats”. Previous reviews determined 73 spaces are required.</p> <p>Staff cannot determine how many spaces are provided and/or required, as a site plan nor full floor plan was provided nor is the parking lot stripped. Additionally, it is unclear is previous parking agreements are still in place.</p> |
| <b>Advertisement:</b>                  | <u>The Wyandotte Echo</u> – April 18, 2024<br>Letters to Property Owners – April 19, 2024<br>and May 4, 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Public Hearings:</b>                | June 10, 2024 and June 27, 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Public Support:</b>                 | None to date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**Public Opposition:**

None to date.

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**PROPOSAL**

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Detailed Outline of Requested Action: The applicant, Wil Anderson with BHC, on behalf of Park Hall is requesting a Special Use Permit for an event center with live entertainment at 713 Osage Avenue. While this had previously been approved, the application lapsed by five (5) months, thus, staff does not constitute this submittal as a renewal.

City Ordinance Requirements: 27-592 through 27-606

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**RELATED ENFORCEMENT AND ACTION ITEMS**

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**Noise or Disturbance Complaints:**

1. There have been no noise or disturbance complaints since the previous approval.

**Building, Zoning, or Code Enforcement Complaints:**

1. There have been no notices of violation since the previous approval.

**Outstanding or Related Permits and Cases:**

1. There are no additional outstanding or related permits and cases.

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**FACTORS TO BE CONSIDERED**

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***1. The Character of the Neighborhood.***

The subject property is within the Armourdale Statistical Neighborhood and the Armourdale Renewal Association (ARA) group. The neighborhood consists of a diversity of uses, including industrial warehouses, drive-thru restaurants, mixed-use buildings, and a variety of residential uses.

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

The zoning and uses are set out above. The proposed use could create issues of parking, noise, and traffic if not managed properly. The property is surrounded by other commercial uses, which are compatible uses, with residential across the street to the north, and directly south.

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

The property could be suitable for an event space with live entertainment if properly managed. Noise and crowds could be an issue; however, the property is located in a commercial/industrial neighborhood and adjacent to a Major Collector. Screening and buffering from nearby uses is required.

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

The property has been used as an event space since 2016.

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

Special Use Permits are not addressed in the Area Plan. The Armourdale Area Plan designates this area as Community Commercial, which allows medium-scale commercial development to provide goods and services to adjacent districts and neighborhoods. Uses may include medium-sized box stores with small-scale accessory commercial uses and small-scale commercial centers. The proposed use is compatible with the area plan with a Special Use Permit.

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

The proposed use has the potential to increase vehicular traffic but should not exceed the capacity of the Major Collector to accommodate it if managed properly while it hosts events and live entertainment.

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

The proposed use is not necessary for the welfare of the public but provides a convenience in the form of entertainment. Live entertainment has the potential to create issues of noise and traffic for the adjacent businesses, and residences, if not managed properly.

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

Noise, vibration, and illumination are issues that are related to live entertainment and could create problems for nearby businesses. Dust is not expected to be an issue because parking takes place on an improved surface parking lot.

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

The proposed use will not pollute the air, land, or water because it is for an event space and live entertainment within an existing structure.

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is conducted wholly within an existing business in an existing, built-out, mixed-use neighborhood.

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

The relative gain or loss to the public health, safety, and welfare is likely to be minimal as it only provides the convenience of entertainment with some economic benefit. If denied, the landowner could not use the property for a bar with live entertainment but could use the property as a restaurant or other commercial business, rent the property, or sell it.

**12. *The applicant's ability to maintain the use in an "as proposed" condition.***

The applicant has maintained the proposed use as originally proposed and according to previous conditions of approval.

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

The proposed use could create issues of overcrowding and undue concentrations of population if it is not managed properly and does not adhere to parking standards and agreements or occupancy limits.

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## **PREVIOUS ACTIONS**

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- Approval of a Special Use Permit (SP-2016-60) for an event space in 2016 for two (2) years.
- Approval of a Special Use Permit (SP-2018-94) for an event space in 2018 for five (5) years.

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## **NEIGHBORHOOD MEETING**

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The applicant held a neighborhood meeting on April 29, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.



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## KEY ISSUES

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Change in Use  
Driveway Apron  
Parking Agreements  
Parking Lot Stripping  
Rear Yard Paving and Fencing  
Use of the Remainder of the Building  
Waste Receptacle

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2024-018, **for five (5) years**, subject to:

1. **This Special Use Permit will not be published until the Change of Zone and Subdivision have been approved;**
2. **All previous conditions from SP-2016-60 and SP-2018-84 remain in effect, including:**
  - a. **All shared parking agreements must be recorded with the Register of Deeds and submitted to Planning staff and approved by the Planning Commission.**
  - b. **If ownership of any of the properties where parking is being shared changes, the applicant shall notify Planning staff and either get parking agreement with the new owner or find another area to park.**
  - c. **All surfaces must be improved for parking and striped.**
  - d. **No food preparation would take place on the premises, though there is a kitchen for catering companies/other parties to set up and prep food that has been brought in.**
  - e. **Security must be provided for all events held at night;**
3. **The rotting wood door frames and other damage on the exterior façade must be repaired;**
4. **The existing parking lot must be restriped;**
5. **The driveway apron is deteriorating and must be replaced;**
6. **All entertainment must cease by at least 1:00 AM;**
7. **Doors and windows must stay closed during any entertainment performance;**
8. **Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), 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**
  - d. **At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;**

- e. No amplified speakers or entertainment is allowed in outdoor spaces;
  - f. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
  10. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
  11. The applicant has filed and maintained a current business occupation tax application;
  12. All existing and future driveways must feature curb cuts that are constructed to UG standards;
  13. 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;
  14. 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;
  15. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
  16. 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;
  17. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
  19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-018** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Applicant Response Letter  
Neighborhood Meeting Documents  
Site Plan  
Floor Plan  
Parking Agreement  
Site Photos, Taken by Staff, Dated April 11, 2024

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## REVIEW OF INFORMATION AND SCHEDULE

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|                |                          |                                           |
|----------------|--------------------------|-------------------------------------------|
| Action         | City Planning Commission | Unified Government Board of Commissioners |
| Public Hearing | June 10, 2024            | June 27, 2024                             |
| Special Use    | Approval                 |                                           |

### STAFF CONTACT:

James Molloy  
[jmolloy@wycokck.org](mailto:jmolloy@wycokck.org)

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## MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-018** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-018**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

### **June 10, 2024, City Planning Commission Minutes:**

#### **Hearing starts at 1:02:48:**

**SPECIAL USE PERMIT APPLICATION SP2024-018 – WIL ANDERSON WITH BHC RHODES - SYNOPSIS:** Special Use Permit (SP-2018-94 expired 10/25/2023) for an event space at 713 Osage Avenue. Detailed Outline of Requested Action: The applicant, Wil Anderson with BHC, on behalf of Park Hall is requesting a Special Use Permit for an event center with live entertainment at 713 Osage Avenue. While this had previously been approved, the application lapsed by five (5) months, thus, staff does not constitute this submittal as a renewal.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Commissioner Ward stated that he spoke with the owners of the property today. He stated that since the permit expired last year, there have been no parties at this location.

### **Present in Support:**

- Pete Peterson, attorney representing the applicant, 748 Ann Avenue, Kansas City, Kansas 66101

### **Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 1:09:08:** Planner Molloy stated that the request is for an event center in Armourdale close to 7<sup>th</sup> and Osage. Staff has received no letters in support or opposition. There are no Notices of Violation. If approved, this would be the third approval for this use; however, the previous Special Use Permit expired in October of 2023. Due to the expiration, Staff is only recommending approval for two (2) years as has been done in other instances to stay consistent. Staff recommends approval for two (2) years with conditions, one of which is they have to apply for a Change of Zone and Plat. There is supposed to be an alley in the rear of the property that has been paved for a driveway. To bring the property into conformance the Applicant has filed a Change of Zone for the southern piece of the property as it is zoned residential, and the plat would vacate the previous alleyway. Another condition of approval is that the parking agreements they had in place previously will be maintained.

Chairman Carson stated if the permit had not expired and was renewed, would Staff had objected to a five (5) year approval. Mr. Molloy stated that Applicant would have been eligible for a ten (10) year approval.

### **Motion starts at 1:10:54:**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application SP2024-018, for five (5) years:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**

**Subject to:**

1. **This Special Use Permit will not be published until the Change of Zone and Subdivision have been approved;**

2. All previous conditions from SP-2016-60 and SP-2018-84 remain in effect, including:
  - a. All shared parking agreements must be recorded with the Register of Deeds and submitted to Planning staff and approved by the Planning Commission.
  - b. If ownership of any of the properties where parking is being shared changes, the applicant shall notify Planning staff and either get parking agreement with the new owner or find another area to park.
  - c. All surfaces must be improved for parking and striped.
  - d. No food preparation would take place on the premises, though there is a kitchen for catering companies/other parties to set up and prep food that has been brought in.
  - e. Security must be provided for all events held at night;
3. The rotting wood door frames and other damage on the exterior façade must be repaired;
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6. All entertainment must cease by at least 1:00 AM;
7. Doors and windows must stay closed during any entertainment performance;
8. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), 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
  - d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
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12. All existing and future driveways must feature curb cuts that are constructed to UG standards;

13. 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;
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15. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
16. 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;
17. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit



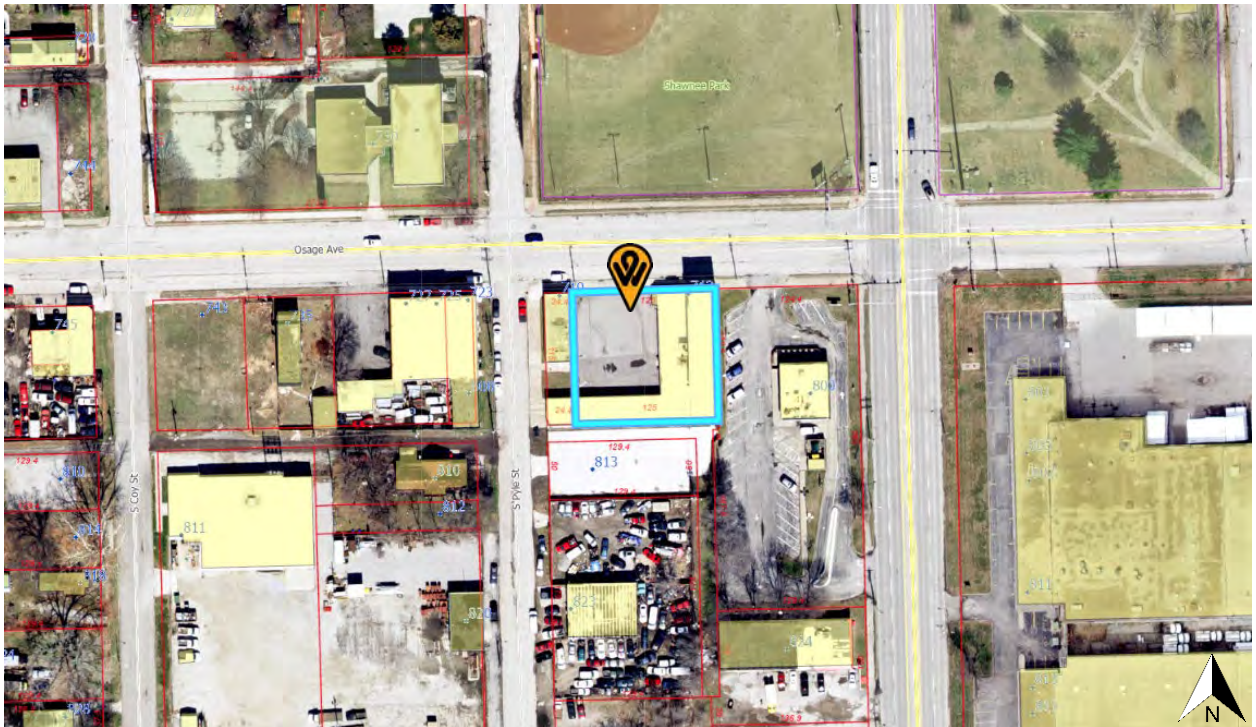
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## ATTACHMENTS

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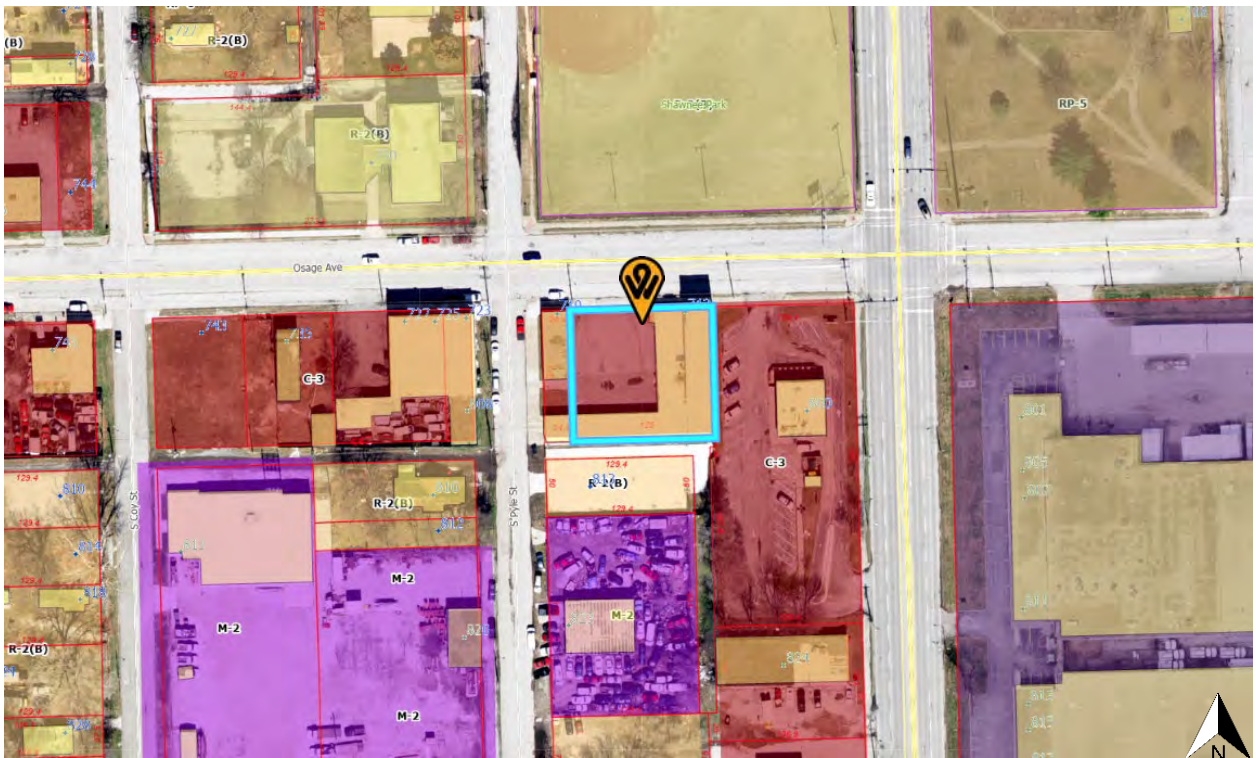
### AERIAL IMAGERY

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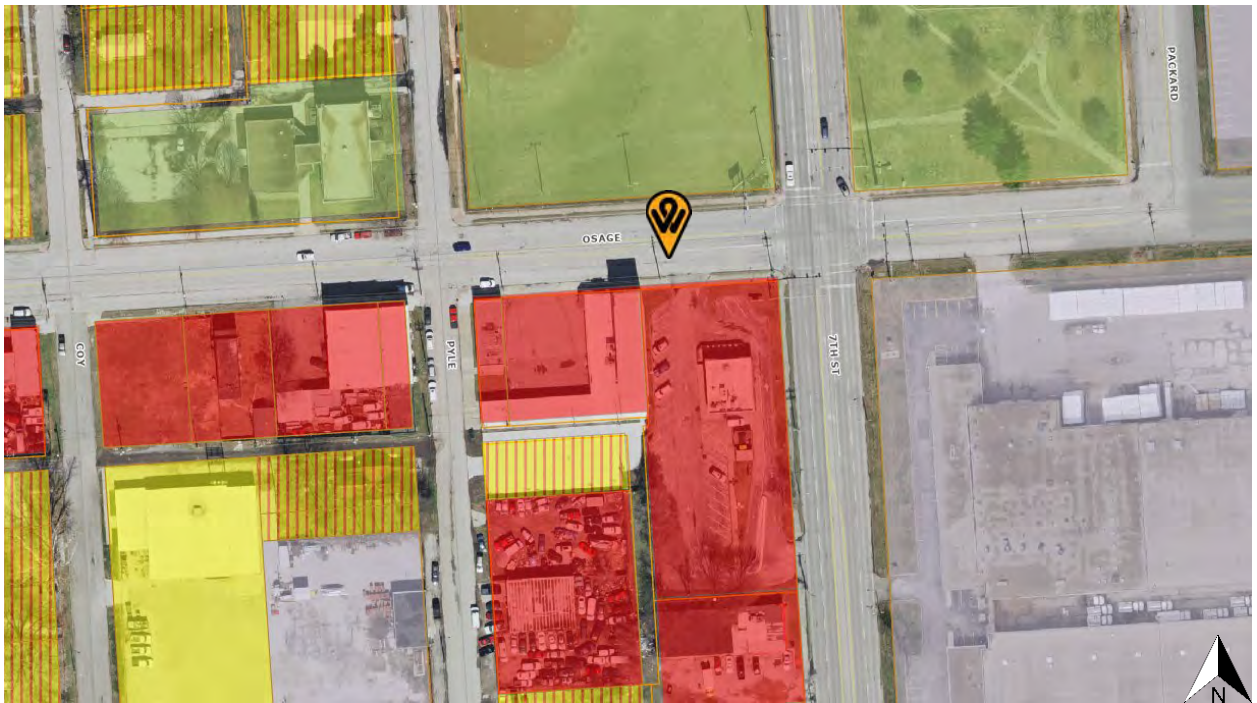


### ZONING MAP

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## LAND USE MAP



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## APPLICANT RESPONSE TO STAFF COMMENTS AND SUGGESTIONS

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April 28, 2024

James Malloy, Planner  
Unified Government of Wyandotte County – Kansas City, Kansas  
Department of Planning & Urban Design  
701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, KS 66101

**RE: SP2024-018, Response to Draft Staff Report, 713 Osage Avenue**

Dear Mr. Malloy,

I am listing UG comments, recommendations, and suggestions from the Unified Government of Wyandotte County along with our responses:

Planning and Urban Design Comments:

1. Staff notes that while this use had been previously approved, this petition is not being considered as a renewal/continuation as there had been a lapse of over five (5) months, despite staff meeting with ownership days after its expiration on October 25, 2023.

***The proprietor acknowledges and apologizes for the lapse. The proprietor hopes the UG understands how a situation like Covid 19 can disrupt normal business operations for such an establishment.***

2. Provide a site plan of the parking lot, demonstrating the amount of parking spaces provided.

***Parking in front and rear of property can be shown by site plan. Please note multiple agreements are in place for guest parking on adjacent lots.***

3. The rotting wood door frames and other damage on the exterior façade must be repaired.

***The proprietor acknowledges and agrees to fix deteriorating wood façade.***

4. What are the hours of operation for the business?

***There is no established set hours for operation. Guests rent the venue in 12-hour blocks, limiting the venue to one event per day to go on no later than 1:00 am. Most events occur earlier and rarely last all 12 hours. Most events are held on Friday, Saturday, or Sunday.***

5. Is there on-site security? If so, who provides it? If not, why not?

***Local law enforcement officers are hired to provide security at ALL events.***

6. Are the previously required parking agreements still in place? If so, please provide the most up to date copy of these agreements. If not, either make new arrangements with nearby property owners for parking or submit a parking variance.

***2 properties, under one ownership, has changed, a verbal agreement is in place, with a written agreement to come.***

7. What are the upper two (2) floors of the building used for? Provide a floor plan showing the use of this space.

***3<sup>rd</sup> floor is entirely empty. Part of the 2<sup>nd</sup> floor is available for bridal parties to get ready prior to weddings. Both upstairs floors are locked while events are underway. Floor plans can be arranged if necessary.***

8. The public-right-of-way alleyway and the property to the rear appear to be fenced in and paved over. The property owner will either have to vacate the rear-yard alleyway or combine the two (2) properties and vacate the alleyway via a Plat. This will also lead to a required rezoning of the southern property to commercial.



***Vacating the East-West alley of the block is not in the best interest of the community. The southerly neighbors and public have interests in the North-South alley. Applicant and proprietor politely requests why rezoning would be necessary.***

9. Is this rear-yard area used for events, parking, or both?

***The rear yard area is used for parking only. The applicant stipulates the alley shall not be used to calculate available parking.***

10. The existing parking lot must be restriped.

***Acknowledged. Applicant requests proprietor be allowed the 6 months to 1 year, as outlined in the standard conditions below, in order to comply with this requirement.***

11. The driveway apron is deteriorating and must be replaced.

***The proprietor acknowledges and agrees that deteriorating driveway apron be improved, and likewise requests the 6 months to 1 year for completion.***

12. All previous conditions from SP-2016-60 and SP-2018-84 remain in effect, including:

a. All shared parking agreements must be recorded with the Register of Deeds and submitted to Planning staff and approved by the Planning Commission.

***Acknowledged***

b. If ownership of any of the properties where parking is being shared changes, the applicant shall notify Planning staff and either get parking agreement with the new owner or find another area to park.

***Acknowledged. See above.***

c. All surfaces must be improved for parking and striped.

***Acknowledged. See above.***

d. No food preparation would take place on the premises, though there is a kitchen for catering companies/other parties to set up and prep food that has been brought in.

***Acknowledged.***

e. Security must be provided for all events held at night.

***Acknowledged. See above.***

Standard Conditions:

1. All entertainment must cease by at least 1:00AM

***Acknowledged.***

2. Doors and windows must stay closed during any entertainment performance;

***Acknowledged.***

3. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), 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;

***Acknowledged. See above.***

b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;

***Acknowledged.***

c. An I.D. scanner will be used at all times;

***The proprietor acknowledges alcohol is sometimes present on the premises and provided by guests. Alcohol sales is expressly prohibited except by duly licensed vendors if guests wish to have such at their event. The proprietor politely requests if an I.D. scanner is truly required.***

d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles.

***Acknowledged.***

4. No amplified speakers or entertainment is allowed in outdoor spaces; and,  
**Acknowledged.**

5. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses.

**Acknowledged.**

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 and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.

**Acknowledged.**

7. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only.

**Acknowledged.**

8. The applicant has filed and maintained a current business occupation tax application.

**Acknowledged.**

9. All existing and future driveways must feature curb cuts that are constructed to UG standards;

**Acknowledged.**

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.

**Acknowledged.**

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.

**Acknowledged.**

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;

**Acknowledged.**

13. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.

**Acknowledged.**

14. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for

renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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,

***The applicant and proprietor politely disagree with the above stated policy. While we understand a one (1) year permit is a standard amount of time granted to new special use permits, we feel that this adversely affects the way this type of establishment can conduct normal business operations. Guests wishing to book event sites need to be assured the dates they book are valid. Much time, money, and planning go into special celebrations like weddings. This venue has held a special use permit, without concern, since 2016. Only having had a lapse at the end of the last issued permit, due to the effects of Covid and all that that caused in how people gather for events.***

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

***Acknowledged.***

16. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit

***Acknowledged.***

Sincerely,

William C. Anderson, PS  
Vice President | Survey Group Director  
BHC

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## NEIGHBORHOOD MEETING MATERIALS

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April 11, 2024

Janet Parker  
701 North 7th Street, Suite 423  
Kansas City, KS 66101

SUBJECT: Neighborhood meeting

We have filed an application with the Department of Urban Planning and Land Use, #SP2024-018, asking for a special use permit for property located at 713 Osage Avenue. The property owner is seeking to continue to utilize a portion of the existing building as an event space that hosts a variety of functions such as weddings, graduation and birthday parties, or general gatherings and business meetings.

We are having a neighborhood meeting on April 29, 2024, beginning at 4 pm at the BHC office located at 712 State Avenue, in Kansas City, Kansas.

The purpose of this meeting is to explain the proposal and to answer any questions or concerns you may have. If you are unable to attend, please contact me at the phone number/email below.

Wil Anderson, PLS  
Vice President  
Survey Services Group Leader  
Wil.Anderson@ibhc.com  
c: (913) 904-4743  
a: (913) 905-1573

We look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'W. Anderson', is written over a light blue rectangular background.

Wil Anderson  
BHC  
Vice President  
Survey Services Group Leader







**AFFIDAVIT – NEIGHBORHOOD MEETING**

STATE OF KANSAS )  
 ) SS:  
COUNTY OF WYANDOTTE)

Comes now William C. Anderson, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition #SP2024-018.
2. That I conducted a neighborhood meeting on April 29, 2024 at the BHC office, located at 712 State Avenue.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

  
\_\_\_\_\_  
William C. Anderson

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29 day of April, 2024.

My commission expires 10th of July, 2024.

  
\_\_\_\_\_  
Notary Public



April 29, 2024  
BHC Offices  
712 State Avenue  
Kansas City, KS 66101

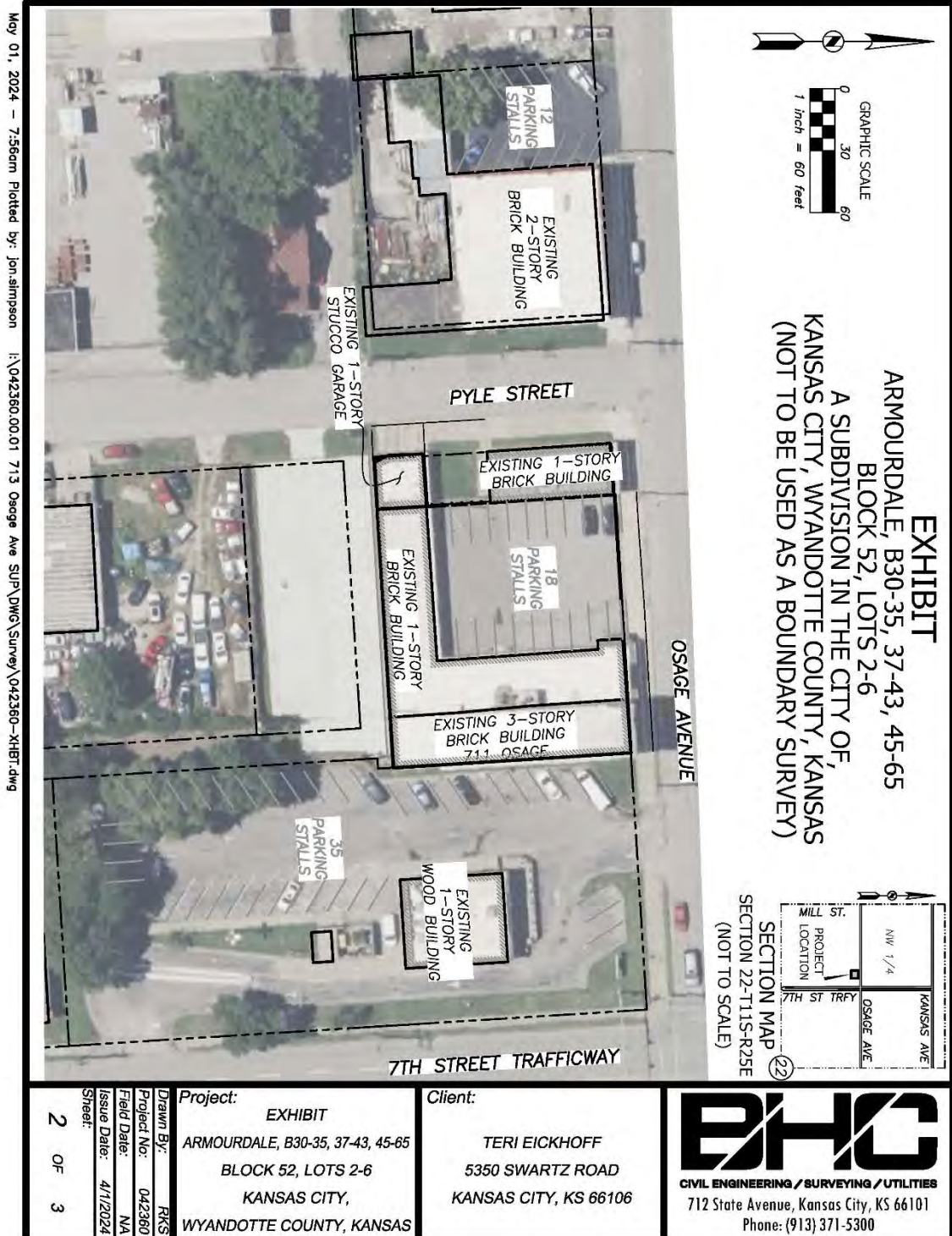
At 4:00 pm the meeting commenced.

The attendees were Wil Anderson (applicant), Jon Simpson, Bob Eickhoff (owner), & Teri Eickhoff (proprietor). There were no other attendees.

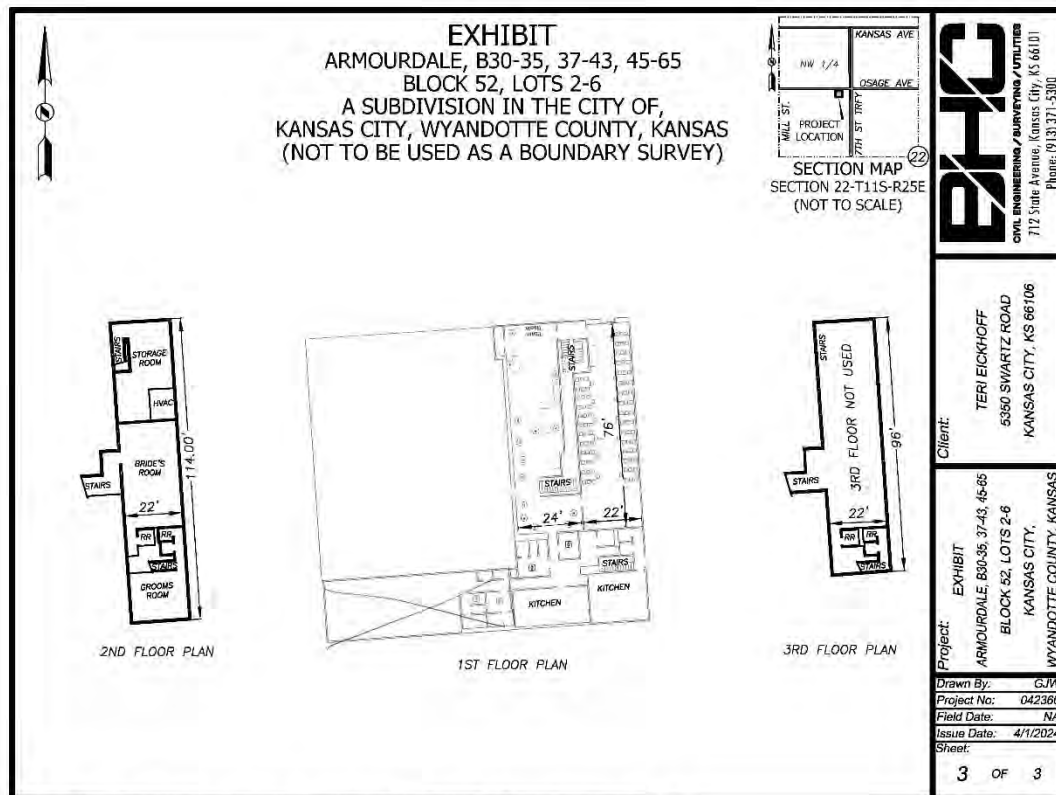
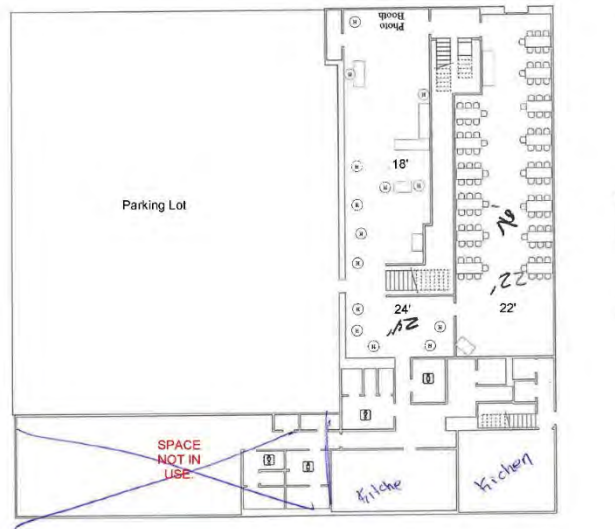
As of April 30, no questions or concerns were brought to either applicant or property owner's attention.

Meeting adjourned at 4:30 pm.

# SITE PLAN AND LOCATION OF PARKING AGREEMENTS



# FLOOR PLAN





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## PARKING AGREEMENT

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Members of the Planning Commission and Director of Planning and Zoning:

I am the authorized representative of Miller Tool Inc

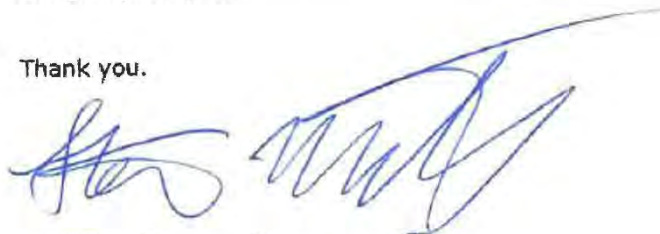
which business address is 727 Osage Ave, Kansas City,  
KS, 66105

My business phone number is 913-321-8665

I am writing to assure you that our business will provide 12  
parking spaces to Park Hall Event Hall (711, 713, 715 Osage Ave)  
during its hours of operation. We are looking forward to new business in the  
Armourdale Business District.

We realize that this offer of space may be required to be more detailed and  
will gladly comply.

Thank you.



Miller Tool Inc

#SP-2016-60

November 14, 2016

23

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**SITE PHOTOS, TAKEN BY STAFF, DATED APRIL 11, 2024**

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# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Permit Petition SP2024-024

## GENERAL INFORMATION

### Applicant Information:

Tina Caruso  
Representative with Tanner's Bar and Grill  
12822 Larsen Street  
Overland Park, Kansas 66213

### Subject Property:

3900 Rainbow Boulevard  
Kansas City, Kansas 66103

### Requested Action and Purpose:

Renewal of a Special Use Permit (SP2022-038, which expires 08/04/2024) for live entertainment at an existing restaurant.

### Commission Districts:

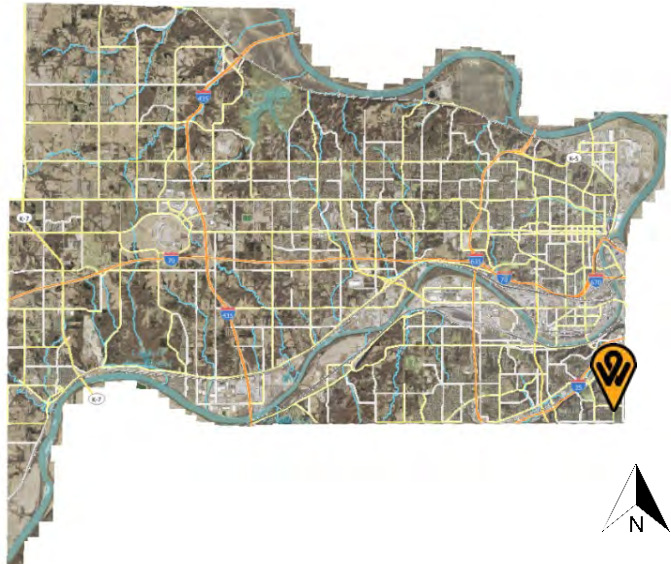
Commissioner At-Large, District #2:  
Tom Burroughs  
District #3 Commissioner:  
Christian Ramirez

### Existing Zoning District(s):

TND Traditional Neighborhood Design

### Comprehensive Plan Area

Rosedale Area Plan



|              | <b>Adjacent Zoning</b>                                            | <b>Adjacent Uses</b>                 |
|--------------|-------------------------------------------------------------------|--------------------------------------|
| <b>North</b> | C-1 Limited Business District and RP-5 Planned Apartment District | Commercial and Multi-Family District |
| <b>South</b> | CP-2 Planned General Business District                            | Mixed-Use Commercial                 |
| <b>East</b>  | RP-5 Planned Apartment District                                   | University of Kansas Medical Center  |
| <b>West</b>  | R-1(B) Single-Family District                                     | Single-Family Residential            |

|                                        |                                                                                                                                                                                                                                                                                                               |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Total Tract Size:</b>               | 2.31 Acres                                                                                                                                                                                                                                                                                                    |
| <b>Comprehensive Plan Area:</b>        | Rosedale Area Plan                                                                                                                                                                                                                                                                                            |
| <b>Comprehensive Plan Designation:</b> | The Rosedale Area Plan designates this property as Urban Core Mixed-Use, which is the densest land use district in the Rosedale Master Plan area and allows for active uses such as retail, office, live/work units, or residential, with buildings built up to the street with entrances on the first floor. |
| <b>Major Street Plan:</b>              | The goDotte Mobility Plan designates Rainbow Boulevard as a Major Arterial.                                                                                                                                                                                                                                   |
| <b>Parking Requirement:</b>            | The TND Traditional Neighborhood Design District does not have a parking requirement, as the purpose of this designation is to promote walkable, dense development. The subject business, shares a parking lot/garage.                                                                                        |
| <b>Landscaping Requirement:</b>        | The landscaping requirement was set for this property via COZ 2996, PR-2011-17 and PR-2012-1. That approved plan is attached below.                                                                                                                                                                           |
| <b>Advertisement:</b>                  | <u>The Wyandotte Echo</u> – May 16, 2024<br><u>Letters to Property Owners</u> – May 17, 2024                                                                                                                                                                                                                  |
| <b>Public Hearings:</b>                | June 10, 2024 and June 27, 2024                                                                                                                                                                                                                                                                               |
| <b>Public Support:</b>                 | None to date.                                                                                                                                                                                                                                                                                                 |
| <b>Public Opposition:</b>              | None to date.                                                                                                                                                                                                                                                                                                 |

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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Tina Caruso, is requesting a renewal of a Special Use Permit (SP2022-038, which expires 08/04/24) for live entertainment at an existing restaurant at 3900 Rainbow Boulevard.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### Noise or Disturbance Complaints:

1. There have been no noise or disturbance complaints on the subject property since the previous approval in 2022.

### Building, Zoning, or Code Enforcement Complaints:

1. There are no Notice of Violations on this property.

### Outstanding or Related Permits and Cases:

1. There are no related permits or cases on this property.

### Previous Planning Actions:

1. Approval of a Special Use Permit (SP-2018-71) in 2018 for two years (expired 09/27/2020).
2. Approval of a Special Use Permit (SP2022-038) in 2022 for two (2) years (expired 08/04/2022).

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## FACTORS TO BE CONSIDERED

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### ***1. The Character of the Neighborhood.***

The subject property is located within the Rosedale Statistical Neighborhood, the Rosedale Development Association (RDA) group, and the Hilltop Neighborhood Association. The neighborhood is mixed-use in character, with the primary use being The University of Kansas Medical Center. The remainder of the neighborhood is comprised of mixed-use commercial and medium and low density residential.

### ***2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.***

The zoning and uses of property are set out above. The continuation of the proposed use is compatible with the surrounding uses, as this is a mixed-use commercial and residential neighborhood. Additionally, the property is surrounded by many higher-intensity land uses, including the University of Kansas Medical Center.

**3. *The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?***

The removal of the restrictions will not detrimentally affect nearby properties if the conditions are adhered to. Live entertainment is allowed with a Special Use Permit in TND Traditional Neighborhood Design zoning.

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

The drinking establishment is part of a large, mixed-use property and has been a tenant since 2018.

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

The Rosedale Area Plan does not address Special Use Permits. The Rosedale Area Plan designates this property as Urban Core Mixed-Use, which allows for restaurants and drinking establishments. Live entertainment is allowed with a Special Use Permit.

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

The proposed use should not result in an increase in traffic as this is an existing use. The vehicular traffic created by this existing use is not expected to result in an increase of traffic to the point where it would exceed the capacity of the Major Arterial, Rainbow Boulevard.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public as it is not a public good. The proposed use also has the possibility to affect the quality and marketability of adjoining and surrounding properties due to noise, vibration and illumination from live entertainment, however, this

should not be a major concern, considering its proximity to the University of Kansas Medical Center, which is a high-intensity use.

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

Noise, vibration, and illumination are typical issues for this type of use. While this is not expected to be a concern since the property is adjacent to the University of Kansas Medical Center, these issues should still be properly managed.

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

The proposed use would not pollute air, land, or water as it is located in an existing building, in a built-out mixed-use commercial and residential area.

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

The proposed use should not result in the damage or destruction of an irreplaceable natural resource as it is located in an existing building, in a built-out mixed-use commercial and residential area.

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

The gain to the public health, safety and welfare would be minimal. A denial of this application would cause the business owner to not be able to do live entertainment.

**12. *The applicant's ability to maintain the use in an "as proposed" condition.***

The applicant has maintained the proposed use as originally proposed and according to previous conditions of approval, except for the removal of the full-size window signage, which remains on the entrance doors.

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

The proposed use should not result in the overcrowding of land if it is properly managed and operates within the required conditions. The proposed use should not cause undue concentrations of population so long as the building's capacity limits are met, along with any additional conditions regarding capacity.



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## NEIGHBORHOOD MEETING INFORMATION

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The applicant held a neighborhood meeting on May 27, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## KEY ISSUES

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Noise  
Vibration  
Illumination  
Safety and Security  
Hours for Live Entertainment  
Parking  
Sign Ordinance Violations  
Trash Receptacle

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2024-024, **for five (5) years**, subject to:

1. The aforementioned window and door wraps found at the main entrances must be removed or altered to take up no more than 25% of the window/doors, as per the sign ordinance;
2. All entertainment must cease by at least 1:00 AM;
3. Doors and windows must stay closed during any entertainment performance;
4. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), 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;
5. No amplified speakers or entertainment is allowed in outdoor spaces;
6. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
7. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;

8. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
9. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
10. 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](mailto: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;
11. 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;
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. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
14. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no

less than two (2) months prior to the expiration of the permit 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

15. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
16. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-024** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Neighborhood Meeting Documents  
Floor Plan  
Landscape Plan  
Parking Agreement  
Site Photos, Taken by Staff, Dated May 10, 2024

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## PUBLIC HEARING SCHEDULE

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| Action(s)          | City Planning Commission | Unified Government Board of Commissioners |
|--------------------|--------------------------|-------------------------------------------|
| Special Use Permit | June 10, 2024 Approval   | June 27, 2024                             |

### STAFF CONTACT:

**James Molloy**

[jlmolloy@wycokck.org](mailto:jlmolloy@wycokck.org)

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## MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-024** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-024**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

### June 10, 2024, City Planning Commission Minutes:

**SPECIAL USE PERMIT APPLICATION SP2024-024 – TINA CARUSO WITH TANNERS BAR AND GRILL – 39TH – SYNOPSIS:** Renewal of a Special Use Permit (SP2022-038, expires 8/4/2024) for live entertainment at an existing restaurant at 3900 Rainbow Boulevard. Detailed Outline of Requested Action: The applicant, Tina Caruso, is requesting a renewal of a Special Use Permit (SP2022-038, which expires 08/04/24) for live entertainment at an existing restaurant at 3900 Rainbow Boulevard.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publications in The Echo for the Special Use Permits; and,
7. The notices to property owners.

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

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. (No one responded in the affirmative).

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

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to APPROVE Passed: 7 to 0**

**Subject to:**

1. The aforementioned window and door wraps found at the main entrances must be removed or altered to take up no more than 25% of the window/doors, as per the sign ordinance;
2. All entertainment must cease by at least 1:00 AM;
3. Doors and windows must stay closed during any entertainment performance;
4. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
  - e. 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;
  - f. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
  - g. An I.D. scanner will be used at all times;

- 11



through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

14. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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
15. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
16. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

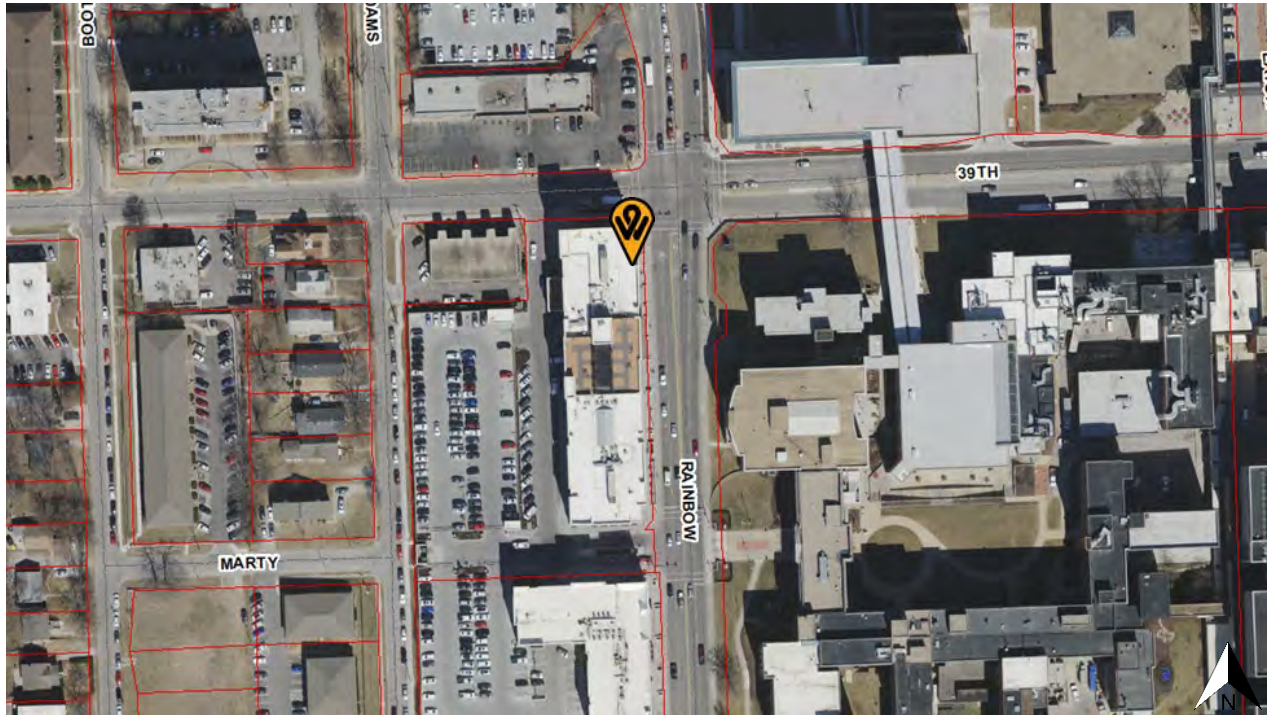
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## ATTACHMENTS

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### AERIAL IMAGERY

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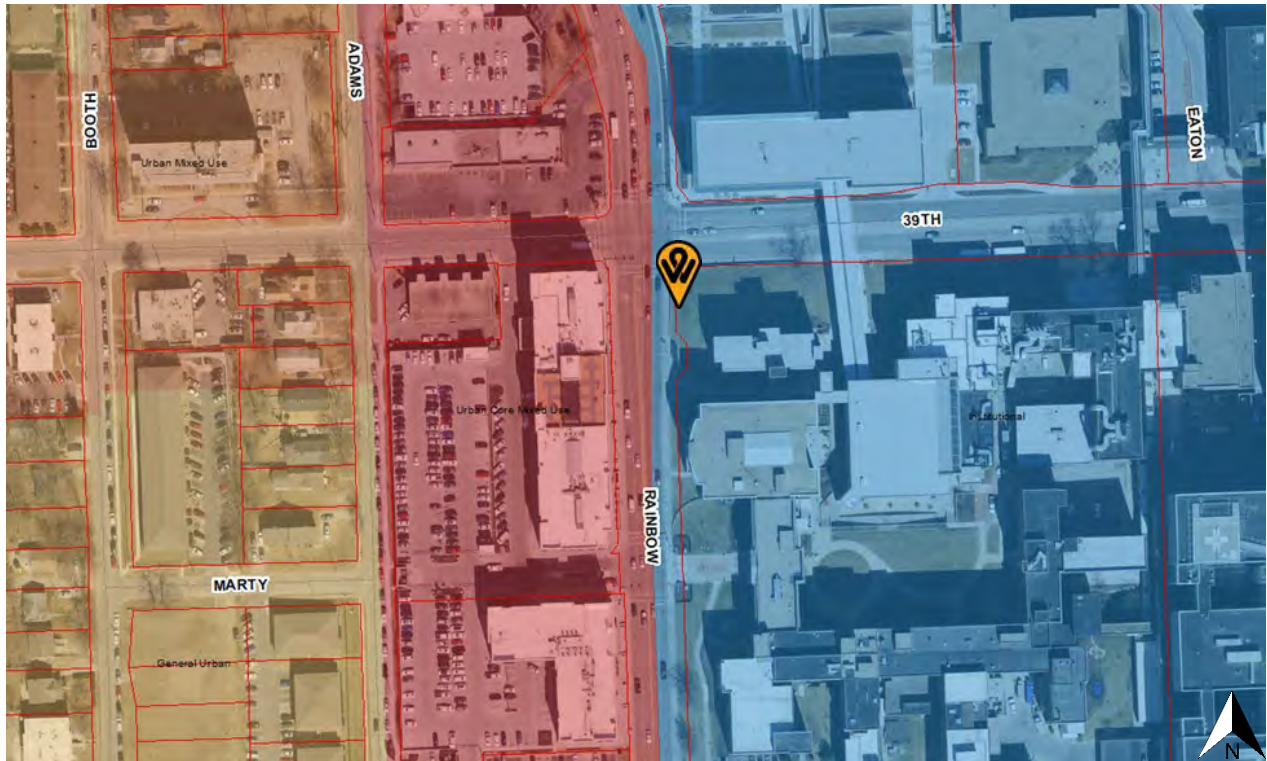
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### ZONING MAP

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## LAND USE MAP



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## NEIGHBORHOOD MEETING MATERIALS

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### Neighborhood Meeting Minutes

Application Number: **Sp-2022-038**

Date and Location: **5/27/24- zoom meeting**

Meeting called to order at: **2pm**

Names of people in attendance: **1 (me)**

Introductions: **See meeting notice\***

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

Questions and answers (include the following): **NA**

☐ Who asked question or gave comment **NA**

☐ What was the question or comment **NA**

☐ Who answered the question/comment **NA**

☐ What was the answer given **NA**

**I did have one email received 5/20 and I sent a reply on 5/21 with no response.**

Meeting adjourned at: **2:15pm**

Minutes taken by: **Tina Caruso**



**AFFIDAVIT – NEIGHBORHOOD MEETING**

STATE OF Kansas )  
COUNTY OF Wyo Co ) SS:

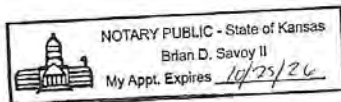
Comes now Christina Caputo, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2022-038
2. That I conducted a neighborhood meeting on 5/27/24.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

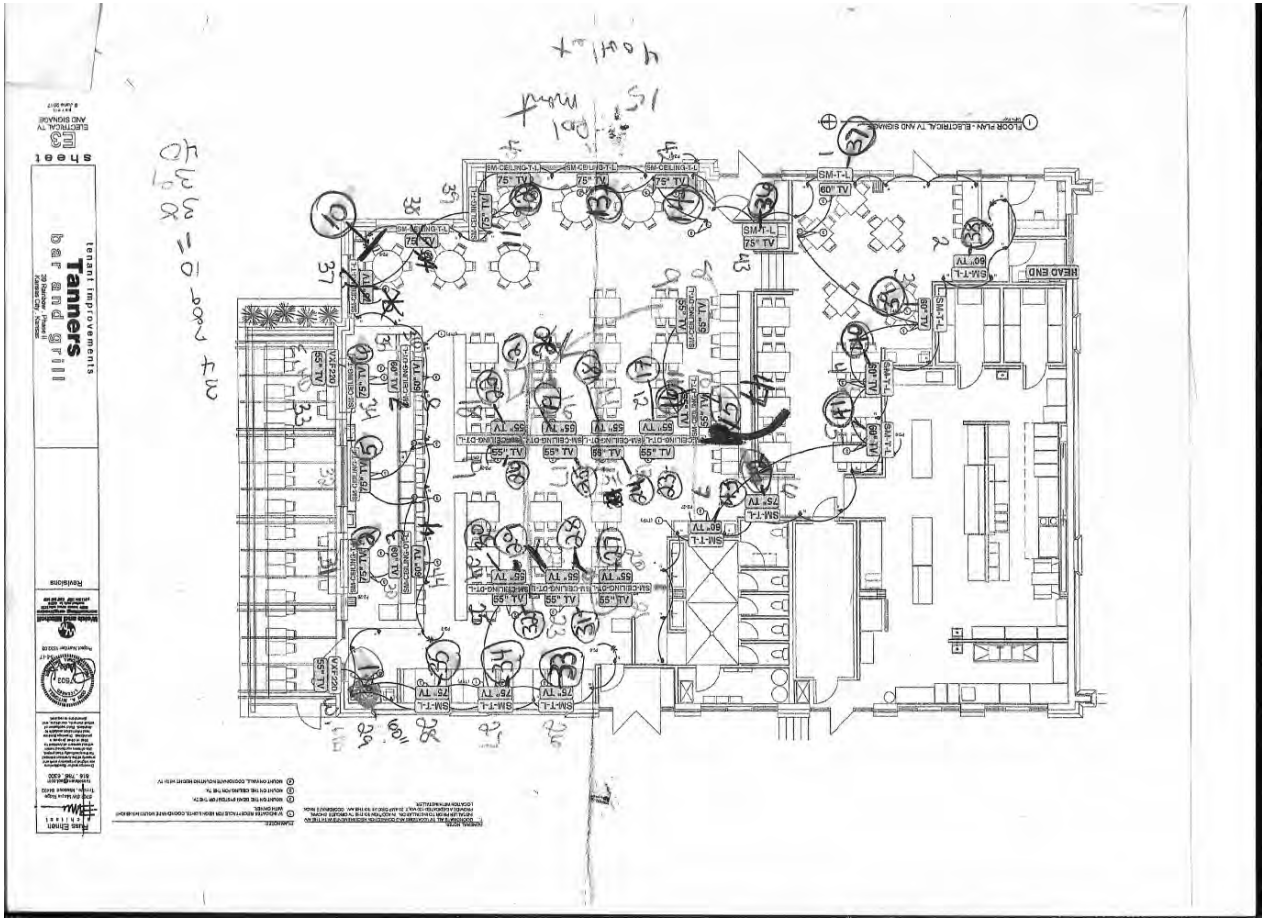
Brij  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 27<sup>th</sup> day of May, 2002.  
My commission expires 23<sup>rd</sup> of Oct, 2006.

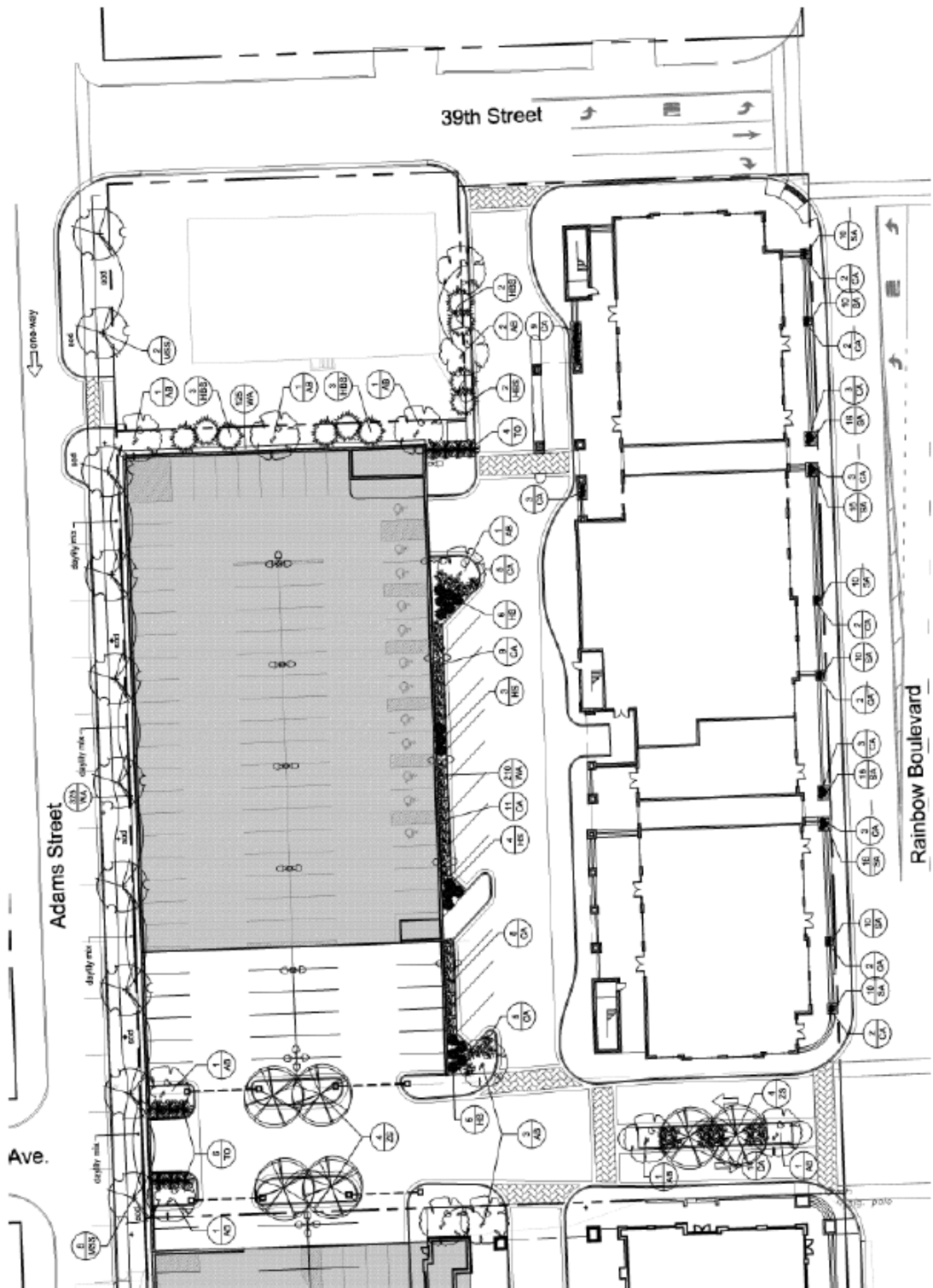


[Signature]  
Notary Public

FLOOR PLAN







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## PARKING AGREEMENT

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### ARTICLE 37: PARKING

Tenant and its employees and invitees shall have a non-exclusive right to park in the Common Area parking lots. However, Landlord shall specify, and use best efforts to enforce, that employees of the tenants in the project park in designated areas which will not include the covered parking garage adjacent to Tenant's space so that this area will be maximized for guests, customers and invitees of the project only. Tenant also shall furnish to Landlord or its designated agent the state automobile license numbers assigned to Tenant's vehicles and those of all its employees. Following at least one (1) prior written notice of violation, Tenant shall pay Landlord or its designated agent, when billed, a fee of Ten Dollars (\$10.00) per day per vehicle parked in violation of this Section. If, following at least three (3) prior written notices to Tenant, Tenant or any officer, agent, employee, contractor, licensee or concessionaire of Tenant shall park his or her car other than in the designated parking areas, Landlord shall have the right and privilege, without further notice, to have any such car towed away at Tenant's expense.

### EXHIBIT A

### PREMISES



## EXAMPLES OF NON-COMPLIANT SIGNAGE





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**SITE PHOTOS, TAKEN BY STAFF, DATED MAY 10, 2024**

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## Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Permit Petition SP2024-026

### GENERAL INFORMATION

**Applicant Information:**

Logan Smith  
Owner of Hillsiders LLC  
534 Orville Avenue  
Kansas City, Kansas 66101

**Subject Property:**

403 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101

**Request Action and Purpose:**

Renewal of a Special Use Permit to serve alcohol and have live entertainment at a sports bar (Expired on June 2, 2024).

**Commission Districts:**

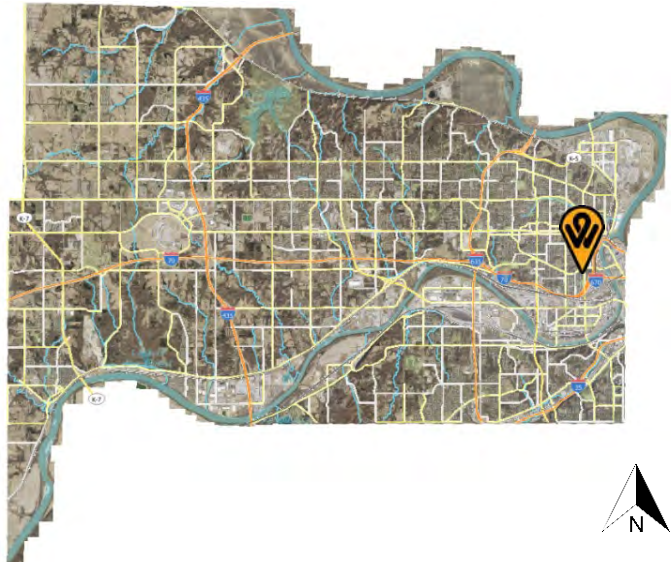
At-Large, District #2:  
Tom Burroughs  
District #2 Commissioner:  
William Burns, Jr.

**Existing Zoning District(s):**

C-3 Commercial District

**Comprehensive Plan Area**

Downtown Area Plan and Central Area Plan.



|       | Adjacent Zoning                | Adjacent Uses           |
|-------|--------------------------------|-------------------------|
| North | R-1 (B) Single Family District | Single Family Residence |
| South | R-1 (B) Single Family District | Single Family Residence |
| East  | R-1 (B) Single Family District | Single Family Residence |
| West  | C-3 Commercial District        | Restaurant and Bar      |

**Total Tract Size:** 0.101 Acre

**Comprehensive Plan Area:** Central Area Plan

**Comprehensive Plan Designation:** The Central Area Plan designates this property as Urban Density. Urban Density uses include single family homes, attached residences including town homes, duplexes, triplexes, etc., and institutional uses such as schools, churches, and libraries.

**Major Street Plan:** The goDotte Mobility Plan designates North 5<sup>th</sup> Street as a Class B Thoroughfare.

**Parking Requirement:** Section 27-467 (e) states “Uses in this district require paved off-street parking at a ratio of not less than four spaces per 1,000 square feet of floor area in the building”. The total building square footage is 3,550 square feet; thus 14 parking spaces are required. The subject property provides no private off-street parking spaces. The subject property obtained an approval for a Variance (BOZA2022-003) for the minimum parking standards in 2022.

**Landscaping Requirement:** Section 27-467 (g) states “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 per 7,000 square feet of site area. Six (6) foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property”.

**Advertisement:** The Wyandotte Echo – May 16, 2024  
Letters to Property Owners – May 17, 2024

**Public Hearings:** June 10, 2024 and June 27, 2024



**Public Support:**

See attached documentation for the 43 signed letters of support<sup>43</sup>.

**Public Opposition:**

None to date.

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**PROPOSAL**

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Detailed Outline of Requested Action: The applicant, Logan Smith, is requesting a renewal (expired June 2, 2024) and expansion of a Special Use Permit to operate a drinking establishment and live entertainment venue at 403 North 5<sup>th</sup> Street, Kansas City, Kansas 66101.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

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**RELATED ENFORCEMENT AND ACTION ITEMS**

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**Noise or Disturbance Complaints:**

1. There are no recent noise or disturbance complaints for the subject property.

**Building, Zoning, or Code Enforcement Complaints:**

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

**Outstanding or Related Permit and Cases:**

1. 2009 – 09402-00058 – Special Use Permit for live entertainment (expired October 2010).
2. 2019 – 19410-0015 – Zoning Appeal for a parking variance for a neighborhood restaurant/tavern.
3. 2022 – SP2022-011 – Special Use Permit for sports bar with alcohol sales (expires June 2, 2024).
4. 2022 – BOZA2022-003 – Variance for minimum parking and setback requirements.
5. 2024 – ROW24-239 – New installation of bike rack, set to be completed June 23<sup>rd</sup>, 2024.

**Previous Actions:**

1. Approval of a Special Use Permit (SP2022-011) for a drinking establishment in 2022 (expires June 2, 2024).

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## FACTORS TO BE CONSIDERED

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### **1. *The Character of the Neighborhood.***

The subject property is located within the Riverview Statistical Neighborhood Group, the Strawberry Hill Neighborhood, and the Downtown Shareholders Business Group. The neighborhood consists of single-family residences and some commercial properties. Lots are generally narrow and urban in character as this is a mixed-use corridor.

### **2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.***

The zoning and uses are set out above. The subject property is surrounded by the R-1(B) Single-Family District and the C-3 Commercial District. The proposed use, which is commercial in nature, is compatible with nearby uses due to the mixed-use nature of the nearby properties and current presence of alcohol-serving establishments if properly managed.

### **3. *The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?***

The proposed use is suitable for the subject property due to the continued use as a drinking establishment. The removal of restrictions will not detrimentally affect nearby property as this is an existing use, if continued to be managed properly.

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

The property is not vacant. The property has operated as a drinking establishment since 2019.

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

Special Use Permits are not addressed in the Central Area Plan. The Central Area Plan designates this property as Urban Density. Urban Density uses include single family homes, attached residences including town homes, duplexes, triplexes, etc., and institutional uses such as schools, churches, and libraries. The proposed use has a low degree of conformance to the plan's designation as the proposed use is commercial.

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

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of North 5<sup>th</sup> Street, a Class B Thoroughfare to accommodate it if managed properly.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public, although it could be seen as desirable to have tenant space in a building that has been extensively vacant. It is not concluded that the use of alcohol in this space would not substantially injure the appropriate use, visual quality, or marketability of any adjoining property.

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

Noise, vibration and illumination are expected to occur in durations as to create issues with nearby properties. These issues are not expected to create problems for nearby property, however, if windows and doors are closed during performances, there are no outdoor speakers, and outdoor lighting is affixed with 90-degree cut-offs. Dust is not expected to be an issue with this type of use.

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

The proposed use will not pollute the air, land or water as it is an existing, permitted commercial building within a built-out, mixed-use urban neighborhood.

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted drinking establishment in an existing, built-out neighborhood.

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

There is no tangible gain to the public health, safety and welfare to the consumption of alcohol at a sports bar. If denied, the property owner may not

use the property as a drinking establishment or for live entertainment, however, they can still operate any of the permitted uses outlined in Section 27-467(b).

**12. *The applicant's ability to maintain the use in an "as proposed" condition.***

The applicant has not maintained the proposed use as originally proposed or according to previous conditions of approval as live entertainment has been held at the subject property without the proper permitting. Additionally, the applicant will be required to maintain the use according to the descriptions of the proposed use. The applicant will also be required to meet all conditions of approval.

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

The proposed use will not result in overcrowding as the sports bar will operate within an existing building. The consumption of alcohol is not a determining factor as similar uses in the neighborhood exist under similar conditions. There is a propensity for alcohol consumption to cause crowds, however, a certificate of occupancy would provide a limit on populations appropriate for the building's size. If managed properly, the proposed use would not result in undue concentrations of population.

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## **NEIGHBORHOOD MEETING INFORMATION**

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The applicant held a neighborhood meeting in-person at 403 North 5<sup>th</sup> Street, Kansas City, Kansas 66101 on May 27, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## **KEY ISSUES**

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Noise and Vibrations  
Hours of Operation  
Parking  
Screening

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## **PLANNING COMMISSION RECOMMENDATION**

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2024-026, **for two (2) years**, subject to:

- 1. All entertainment must cease by at least 1:00 AM;**
- 2. Doors and windows must stay closed during any entertainment performance;**
- 3. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), 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;
4. An I.D. scanner will be used at all times;
5. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
6. No amplified speakers or entertainment is allowed in outdoor spaces; and,
7. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
8. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
9. Section 27-467(g) requires that trees are required at not less than one (1) per 7,000 square feet of site area. The subject property has 4,400 square feet, requiring one (1) tree be provided on the site plan;
10. Section 27-467(g) requires that a six (6) foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property. Additional screening or buffering may be required to soften the visual impact of parking or unsightly areas;
11. Section 27-699(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;
12. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign

permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;

13. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or [businesslicense@wycokck.org](mailto:businesslicense@wycokck.org);
14. 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](mailto: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;
15. All existing and future driveways must feature curb cuts that are constructed to UG standards;
16. 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;
17. 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;
18. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.



19. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
20. The Special Use Permit shall be valid for (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
21. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
22. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

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## **STAFF COMMENTS AND SUGGESTIONS**

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Staff concurs with the recommendation of the City Planning Commission.

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## **STAFF RECOMMENDATION AND CONDITIONS**

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-026** subject to all comments and suggestions outlined in

this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024 City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Neighborhood Meeting Materials  
Site Visit Photos, Taken by Staff – Dated May 10, 2024  
Letters of Support

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## PUBLIC HEARING SCHEDULE

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| Action(s)          | City Planning Commission | Unified Government Board of Commissioners |
|--------------------|--------------------------|-------------------------------------------|
| Special Use Permit | June 10, 2024 - Approval | June 27, 2024                             |

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### STAFF CONTACT:

Kiley Meierarend  
[kmeierarend@wycokck.org](mailto:kmeierarend@wycokck.org)

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## MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-026** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-026**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## **June 10, 2024, City Planning Commission Minutes:**

### **SPECIAL USE PERMIT APPLICATION SP2024-026 – LOGAN SMITH WITH**

**HILLSIDERS KC – SYNOPSIS:** Renewal of a Special Use Permit (SP-2022-011 – expired 6/4/2024) for a drinking establishment at 403 North 5<sup>th</sup> Street. Detailed Outline of Requested Action: The applicant, Logan Smith, is requesting a renewal (expired June 2, 2024) and expansion of a Special Use Permit to operate a drinking establishment and live entertainment venue at 403 North 5<sup>th</sup> Street, Kansas City, Kansas 66101. The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? (No one responded in the affirmative).

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publications in The Echo for the Special Use Permits; and,
7. The notices to property owners.

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

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. (No one responded in the affirmative).

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

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to APPROVE Passed: 7 to 0**  
**Subject to:**

1. All entertainment must cease by at least 1:00 AM;
2. Doors and windows must stay closed during any entertainment performance;
3. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
  - b. 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;
  - c. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
4. An I.D. scanner will be used at all times;
5. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
6. No amplified speakers or entertainment is allowed in outdoor spaces; and,
7. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
8. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
9. Section 27-467(g) requires that trees are required at not less than one (1) per 7,000 square feet of site area. The subject property has 4,400 square feet, requiring one (1) tree be provided on the site plan;
10. Section 27-467(g) requires that a six (6) foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property. Additional screening or buffering may be required to soften the visual impact of parking or unsightly areas;
11. Section 27-699(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;
12. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
13. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or [businesslicense@wycokck.org](mailto:businesslicense@wycokck.org);

14. 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](mailto: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;
15. All existing and future driveways must feature curb cuts that are constructed to UG standards;
16. 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;
17. 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;
18. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.
19. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
20. The Special Use Permit shall be valid for (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;**

- 21. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
- 22. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**



ATTACHMENTS

AERIAL IMAGERY

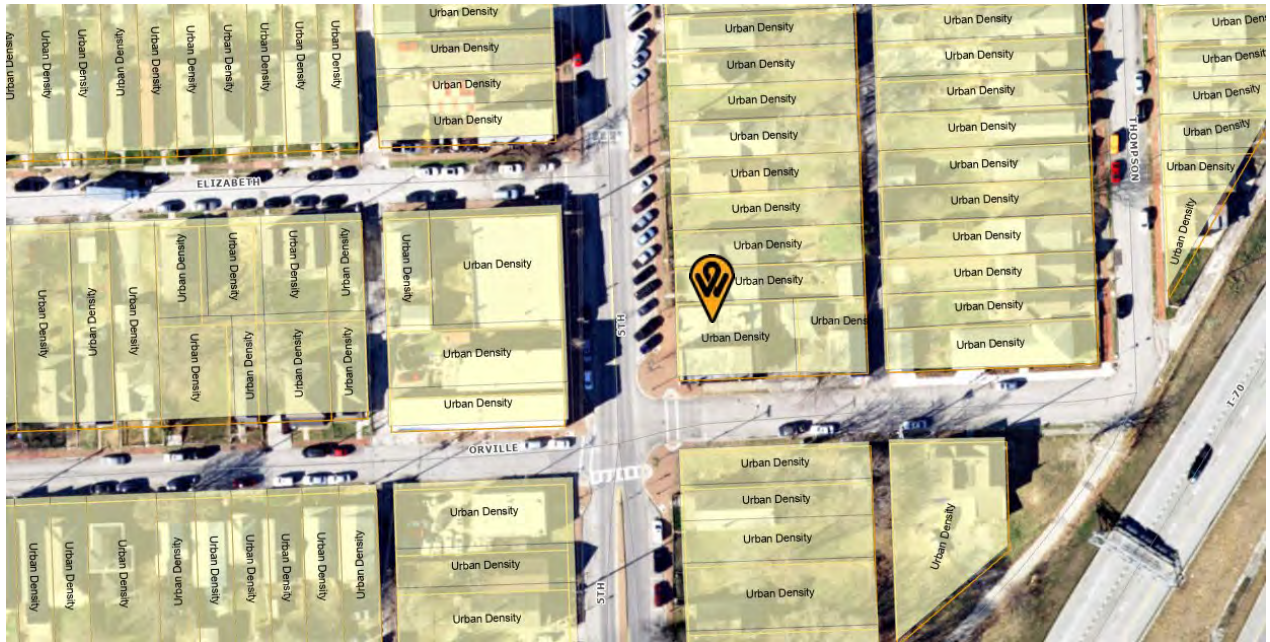


ZONING MAP

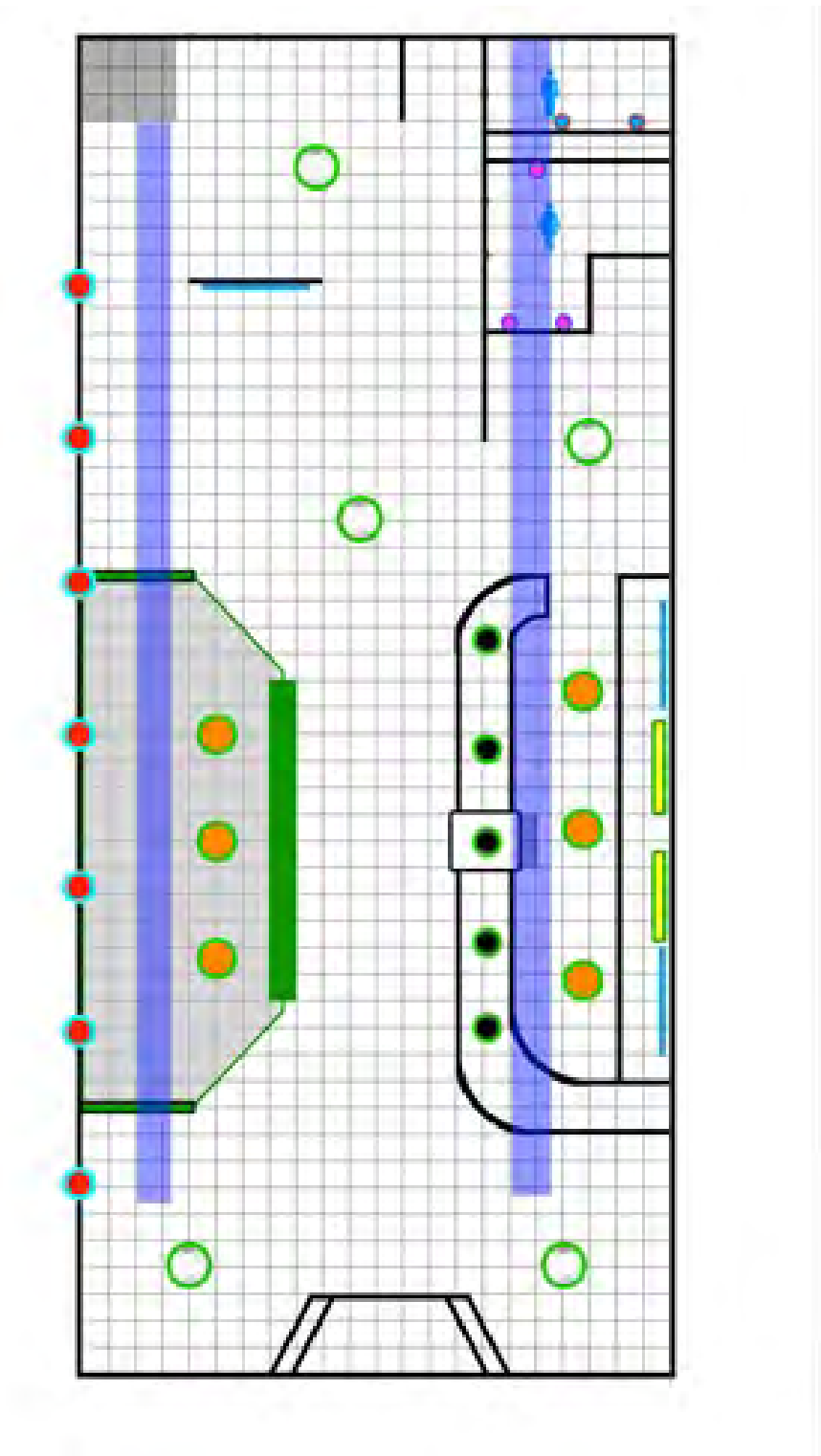




## LAND USE MAP



## FLOOR PLAN



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## NEIGHBORHOOD MEETING MATERIALS

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Date: May 10th, 2024

Name:

Address:

City/State/Zip:

SUBJECT: Neighborhood Meeting

I have filed an application with the Planning + Urban Design Department #SP2024-026. The purpose of this special use permit is for a renewal of a Special Use Permit (SP2022-011, which expires 06/04/2024) for a drinking establishment at 403 North 5th Street.

I am having a neighborhood meeting on Monday, May 27th, 2024 at 4:00p.m. at the following address: 403 N. 5th st. Kansas City, Kansas, 66101

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

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

Logan Smith  
417-597-6514  
strawberryhillsiders@gmail.com

## Neighborhood Meeting Minutes

Application Number SP2024-026

Date and Location: May 27th, 2024 / 403 N. 5th st. Kansas City Kansas

Meeting called to order at: 4:00pm

Names of people in attendance:

Joel Nanos, Michael Tobin II, Brian, Kissinger, Hannah Evy Adamson

Introductions: I explained the permitters of the license we are applying to renew and opened the floor to answer questions.

Presentation by Logan Smith

Questions and answers (include the following): There were no questions asked.

Meeting adjourned at: 4:30pm

Minutes taken by: Logan Smith

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'LS' or similar, written over a horizontal line.

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**NEIGHBORHOOD MEETING MATERIALS**

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**SP2024-026 NEIGHBORHOOD MEETING ATTENDEE LIST**

|              |                           |           |                    |
|--------------|---------------------------|-----------|--------------------|
| PRINTED NAME | <u>Joel Nanos</u>         | SIGNATURE | <u>[Signature]</u> |
| PRINTED NAME | <u>Michael Tobin II</u>   | SIGNATURE | <u>[Signature]</u> |
| PRINTED NAME | <u>Brian Kessinger</u>    | SIGNATURE | <u>[Signature]</u> |
| PRINTED NAME | <u>Hannah Ely Adamson</u> | SIGNATURE | <u>[Signature]</u> |
| PRINTED NAME | _____                     | SIGNATURE | _____              |
| PRINTED NAME | _____                     | SIGNATURE | _____              |
| PRINTED NAME | _____                     | SIGNATURE | _____              |
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| PRINTED NAME | _____                     | SIGNATURE | _____              |



## NEIGHBORHOOD MEETING MATERIALS

### AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas )  
COUNTY OF Wyandotte ) SS:

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

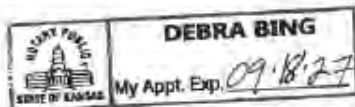
1. That I am the petitioner for Petition # SP2024-026
2. That I conducted a neighborhood meeting on 5/27/24
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28<sup>TH</sup> day of  
May 2024.

My commission expires 18 of 09 2027

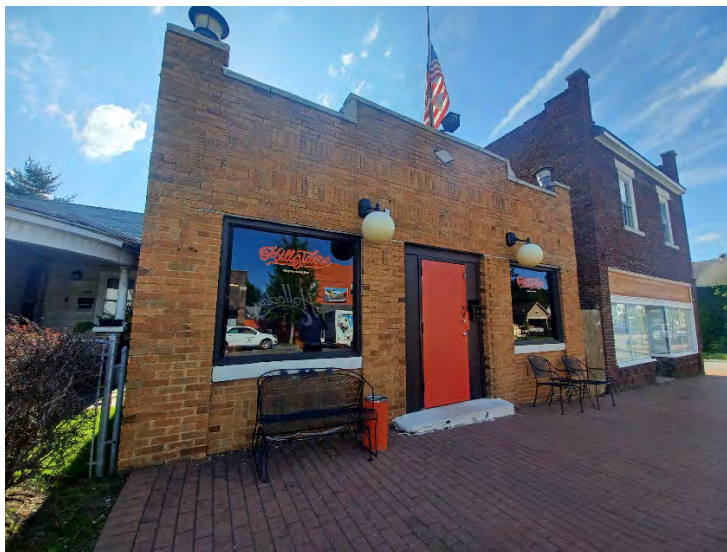


  
Notary Public

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**SITE VISIT PHOTOS, TAKEN BY STAFF – DATED MAY 10,2024**

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**SITE VISIT PHOTOS, TAKEN BY STAFF – DATED MAY 10,2024**

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## LETTERS OF SUPPORT

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Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Ross Stewart

Signature: 

Date: 5/25/24

Address: 640 Sanderby Ave  
KC, KS 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Mark Pawlowski

Signature: [Handwritten Signature]

Date: 5-19-24

Address: 439 Orville Ave Apt 2

2

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Deryk Meyer

Signature: [Handwritten Signature]

Date: 5/22/2024

Address: 232 6th St Kansas City KS



Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Trevar Dean

Signature: 

Date: 5/22/23

Address: 232 6th St- Kansas City / KS

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Lauren Klapper

Signature: 

Date: 5-22-2024

Address: 522 Ohio Ave, KCK 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Keelin Austin

Signature: 

Date: 5/22/24

Address: 826 Tawonee Ave Kck

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Fidel Argameniz

Signature: 

Date: 05/27/24

Address: 733 S End US Ky KCK. 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name:

Ryan Tams

Signature:



Date:

5/14/24

Address:

623 Garfield ave KCK

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Hannah Jennings

Signature: 

Date: 5/14/24

Address: 401 N 5th St.



Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Angel Ayala-Galvan

Signature: Angel Ayala-Galvan

Date: 5-24-24

Address: 845 Spring Ave WCK 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: José Valenzuela

Signature: 

Date: 5/24/24

Address: 415 N. 10th St. KCK 66102

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Mara Montgomery

Signature: 

Date: 5/12/24

Address: 529 Orville ave KCK

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Michael Tobin #

Signature: Michael Tobin #

Date: 5/12/2024

Address: 529 Orville Ave KCK 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Clayton Helms

Signature: 

Date: 5/12/23

Address: 233 N 15th St

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: KEVIN GIBBS

Signature: 

Date: 5-13-2024

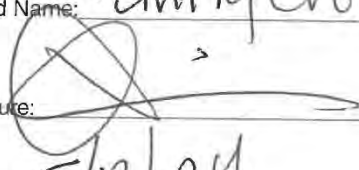
Address: 411 N. Thompson St. KS 66101



Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Emily Cropper

Signature: 

Date: 5/12/24

Address: 413 N. Thompson  
KELLS 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Daniel L. Bartelli

Signature: Daniel L. Bartelli

Date: 5/12/24

Address: 524 BARNETT AVE  
KANSAS CITY, KS 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Jeffrey Campbell

Signature: [Handwritten Signature]

Date: 5/10/24

Address: 530 Ann Ave 1005, 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Taylor E Mitchell

Signature: Taylor E Mitchell

Date: 5/10/2024

Address: 530 Anne Ave KCK

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Loyan Smith

Signature: 

Date: 5/10/23

Address: 534 orville ave. kck 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Patrick Doherty

Signature: [Handwritten Signature]

Date: 5-10-24

Address: 510 Tarrance Ave

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Tim Grimes

Signature: 

Date: 5-10-2024

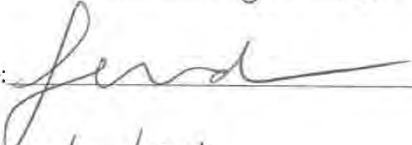
Address: 207 Orchard St Kck 66101



Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Lennah Cardozo

Signature: 

Date: 05/12/24

Address: 517 splitlog ave

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Josh Melgoza

Signature: 

Date: 05/12/24

Address: 429 N. Thompson St.

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Charlie Vallejo

Signature: 

Date: 5/10/24

Address: 401 N 5th St apt 2

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Damon Ortiz

Signature: 

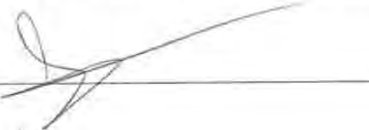
Date: 5/10/24

Address: 410 W 5th St. KCK 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Justin Corona

Signature: 

Date: 5/10/24

Address: 406 N 5th St. KCK 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Brent Kanan

Signature: Brent

Date: 5/10/24

Address: 419 N THOMSON ST ILCL 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Jessica Yarrington

Signature: 

Date: 5/10/24

Address: 414 N. Thompson St KCK 66101



Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: London Hambright

Signature: 

Date: 05/10/24

Address: 410 Thompson St, Kansas City, MO 64101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Kevin DeFreece

Signature: K. De

Date: 5-10-24

Address: 729 Sandusky Ave

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Marco Waller

Signature: 

Date: 5-11-24

Address: 416 ANN AVE

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Joseph Cartwright Jr

Signature: 

Date: 5-11-24

Address: 630 Northrup Ave KCK 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Donald R. Smith Jr.

Signature: 

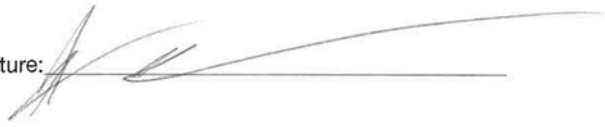
Date: 05/11/24

Address: 642 Sandusky Ave, KCK 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Alex Tipp

Signature: 

Date: 05/12/2024

Address: 515 ELIZABETH AVE KCK 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Sam Shoemaker

Signature: 

Date: 5/12/23

Address: 233 N 15th St



Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Siena Kragel

Signature: 

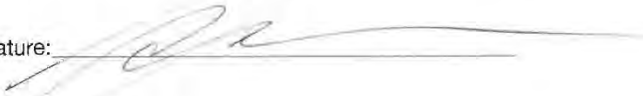
Date: 05/23/24

Address: 232 N 6th St. KS 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Christian Moscoso

Signature: 

Date: 5/24/24

Address: 335 N 7th St KCHS 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: John Tobin

Signature: [Handwritten Signature]

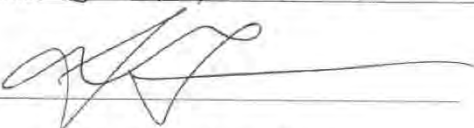
Date: 5-12-24

Address: 529 Orville Ave 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Joel Nono S

Signature: 

Date: 5/27/24

Address: 400 N. 5<sup>th</sup> St KCK 66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Jeremiah J Maska

Signature: 

Date: 5/14/24

Address: 401 N 5<sup>th</sup> St

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Stephanie Bell

Signature: SBell

Date: May 25, 2024

Address: 620 Sandusky Ave, Kansas City, KS  
66101

Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name: Paul Ridgway

Signature: 

Date: 7/28/2024

Address: 419 Armstrong Ave



Dear Planning and Zoning Committee,

I'm a resident of Strawberry Hill, and I support Hillsiders Neighborhood Bar being awarded an entertainment license. I understand and agree that entertainment is essential to a thriving community. I enjoy spending time at Hillsiders and support their mission to be a positive representation of myself, and my neighbors.

Printed Name:

Signature:

Date:

Address:

# Request to provide written comments to the Commission

|                      |                      |
|----------------------|----------------------|
| Submitted on         | 6 June 2024, 12:57PM |
| Receipt number       | 86                   |
| Related form version | 13                   |

## How do we contact you?

|                |                              |
|----------------|------------------------------|
| First Name     | Damon                        |
| Last Name      | Ortiz                        |
| Email          | strawberryhillinkc@gmail.com |
| Phone          | 7857602400                   |
| Street Address | 410 N. 5th St.               |
| City           | Kansas City                  |
| State          | Kansas                       |

## Please specify the item you wish to comment on

|                                                                               |                                  |
|-------------------------------------------------------------------------------|----------------------------------|
| Please provide the item description, street address and any other identifiers | Hillsiders entertainment license |
|-------------------------------------------------------------------------------|----------------------------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

I am a small business owner in Strawberry Hill and I am in favor of Hillsiders getting or retaining their entertainment license. By having live music in the area, it provides a much needed and wanted service to the community. This has allowed local and out of state artists to showcase their talents for a variety of different genres. This is definitely a good thing for the neighborhood one community.

# Request to provide written comments to the Commission

|                      |                      |
|----------------------|----------------------|
| Submitted on         | 6 June 2024, 12:51PM |
| Receipt number       | 83                   |
| Related form version | 13                   |

## How do we contact you?

|                |                         |
|----------------|-------------------------|
| First Name     | Scott                   |
| Last Name      | Roth                    |
| Email          | scottroth1111@gmail.com |
| Phone          | 8166820395              |
| Street Address | 400 n 6th st            |
| City           | Kansas City             |
| State          | Kansas                  |

## Please specify the item you wish to comment on

|                                                                               |                                  |
|-------------------------------------------------------------------------------|----------------------------------|
| Please provide the item description, street address and any other identifiers | Hillsiders entertainment license |
|-------------------------------------------------------------------------------|----------------------------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

Hillsiders has become quite the fixture of the neighborhood for live entertainment as well great place to grab a drink with friends.. This area really lacks that any music venue. It's been great to have a place within walking distance to catch a live act. It's also family friendly. I am in favor of them keeping their entertainment license.

# Request to provide written comments to the Commission

|                      |                      |
|----------------------|----------------------|
| Submitted on         | 6 June 2024, 12:52PM |
| Receipt number       | 84                   |
| Related form version | 13                   |

## How do we contact you?

|                |                       |
|----------------|-----------------------|
| First Name     | Joel                  |
| Last Name      | Nanos                 |
| Email          | joelnanos@hotmail.com |
| Phone          | 9136455961            |
| Street Address | 400 N 5th St          |
| City           | Kansas City           |
| State          | Kansas                |

## Please specify the item you wish to comment on

|                                                                               |                                                             |
|-------------------------------------------------------------------------------|-------------------------------------------------------------|
| Please provide the item description, street address and any other identifiers | Hillsiders Bar entertainment license 403 N 5th st KCK 66101 |
|-------------------------------------------------------------------------------|-------------------------------------------------------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

As a neighbor who lives & works directly across the street from Hillsiders I have thoroughly enjoyed their addition to the neighborhood. I've fostered a great sense of community with fellow patrons, employees and artists and I always look forward to the live music & entertainment on a weekly basis. Friends that visit routinely comment on what a great area this is to visit. Strawberry hill as both a family neighborhood as well as a bar district has always had great appeal. Hillsiders has become my favorite and in large part this is due to their support of live music and local artists. It would be very disappointing to see that change and would in my opinion be a serious disservice to the community.

# Request to provide written comments to the Commission

|                      |                      |
|----------------------|----------------------|
| Submitted on         | 6 June 2024, 12:54PM |
| Receipt number       | 85                   |
| Related form version | 13                   |

## How do we contact you?

|                |                       |
|----------------|-----------------------|
| First Name     | jeff                  |
| Last Name      | stivers               |
| Email          | stiversjeff@yahoo.com |
| Phone          | 8164619740            |
| Street Address | 4811 NW HIGH DR       |
| City           | Other:                |
| State          | Missouri              |

## Please specify the item you wish to comment on

|                                                                               |                    |
|-------------------------------------------------------------------------------|--------------------|
| Please provide the item description, street address and any other identifiers | 403 N 5th ST 66101 |
|-------------------------------------------------------------------------------|--------------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

Hillsiders has become a staple of the kck/strawberry hill community. A clean, safe place to see live music is a breath of fresh air in area. In the last year it has truly become a fixture of the neighborhood.



# Request to provide written comments to the Commission

|                      |                     |
|----------------------|---------------------|
| Submitted on         | 6 June 2024, 1:15PM |
| Receipt number       | 87                  |
| Related form version | 13                  |

## How do we contact you?

|                |                              |
|----------------|------------------------------|
| First Name     | Michael                      |
| Last Name      | Simmons                      |
| Email          | theshopcigarlounge@gmail.com |
| Phone          | 9137095510                   |
| Street Address | 3236 N 123rd Terr            |
| City           | Kansas City                  |
| State          | Kansas                       |

## Please specify the item you wish to comment on

|                                                                               |            |
|-------------------------------------------------------------------------------|------------|
| Please provide the item description, street address and any other identifiers | Hillsiders |
|-------------------------------------------------------------------------------|------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

Hillsiders has become one of the staples of strawberry hill. The live entertainment not only brings life back to the hill but also has become a destination point in downtown kck

# Request to provide written comments to the Commission

|                      |                     |
|----------------------|---------------------|
| Submitted on         | 6 June 2024, 1:31PM |
| Receipt number       | 89                  |
| Related form version | 13                  |

## How do we contact you?

|                |                      |
|----------------|----------------------|
| First Name     | Chandler             |
| Last Name      | Pruneau              |
| Email          | cpruneaukc@gmail.com |
| Phone          | 9139079500           |
| Street Address | 518 Sandusky Ave     |
| City           | Kansas City          |
| State          | Kansas               |

## Please specify the item you wish to comment on

|                                                                               |                               |
|-------------------------------------------------------------------------------|-------------------------------|
| Please provide the item description, street address and any other identifiers | Hillsiders 403 N Fifth Street |
|-------------------------------------------------------------------------------|-------------------------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

Hillsiders is an incredibly important part of this community and its presence has done nothing but improve the quality of this neighborhood. It's quite literally the reason my roommate and I chose to move to the area. I have worked at places like tin roof, westport ale house, PNL, etc. and those venues may provide "live music" but they absolutely do not enrich their communities. Hillsiders is actually improving the neighborhood and to take away any part of it would be a huge mistake.



# Request to provide written comments to the Commission

|                      |                     |
|----------------------|---------------------|
| Submitted on         | 6 June 2024, 2:31PM |
| Receipt number       | 92                  |
| Related form version | 13                  |

## How do we contact you?

|                |                      |
|----------------|----------------------|
| First Name     | Jospeh               |
| Last Name      | Cartwright VI        |
| Email          | joeyc61717@gmail.com |
| Phone          |                      |
| Street Address | 630 Northrup Ave     |
| City           | Kansas City          |
| State          | Kansas               |

## Please specify the item you wish to comment on

|                                                                               |                                                           |
|-------------------------------------------------------------------------------|-----------------------------------------------------------|
| Please provide the item description, street address and any other identifiers | Live entertainment license for Hillsiders at 403 n 5th st |
|-------------------------------------------------------------------------------|-----------------------------------------------------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

In regard to the request for Hillsiders to gain their live entertainment license, I believe there are several reasons why this should be considered. Not only is it a desired service with benefits to both residents, tourism, and local musicians/entertainers but would only serve to boost local business and general visibility of eastern Kansas City Kansas as a place of entertainment. I am aware of several other businesses very near Hillsiders that also have or have had entertainment licenses in what I assume is the same zoning area and can think of no reason personally why this business would be held to any different standard. Thank you.

# Request to provide written comments to the Commission

|                      |                     |
|----------------------|---------------------|
| Submitted on         | 6 June 2024, 1:59PM |
| Receipt number       | 91                  |
| Related form version | 13                  |

## How do we contact you?

|                |                     |
|----------------|---------------------|
| First Name     | Michael             |
| Last Name      | Tobin               |
| Email          | mptobinil@gmail.com |
| Phone          | 9135934721          |
| Street Address | 529 Orville Avenue  |
| City           | Kansas City         |
| State          | Kansas              |

## Please specify the item you wish to comment on

|                                                                               |                                   |
|-------------------------------------------------------------------------------|-----------------------------------|
| Please provide the item description, street address and any other identifiers | Hillsiders Bar in Kansas City, KS |
|-------------------------------------------------------------------------------|-----------------------------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

Hillsiders bar has been a staple to the strawberry hill neighborhood since it's opened. I live walking distance from the bar and have never had any noise complaints or issues with the bar. It has been the opposite, the owner Logan runs a very clean establishment that's open to the community and keeps the surrounding very clean and certainly than it was before the bar existed. I highly support Hillsiders Bar to remain a part of our growing community and I support their entertainment values wholeheartedly.

# Request to provide written comments to the Commission

|                      |                     |
|----------------------|---------------------|
| Submitted on         | 6 June 2024, 1:33PM |
| Receipt number       | 90                  |
| Related form version | 13                  |

## How do we contact you?

|                |                       |
|----------------|-----------------------|
| First Name     | Nancy                 |
| Last Name      | Patino                |
| Email          | nansh0918@hotmail.com |
| Phone          | 9543268678            |
| Street Address | 300 n 6th St Apt A    |
| City           | Kansas City           |
| State          | Kansas                |

## Please specify the item you wish to comment on

|                                                                               |            |
|-------------------------------------------------------------------------------|------------|
| Please provide the item description, street address and any other identifiers | Hillsiders |
|-------------------------------------------------------------------------------|------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

Hillsiders has been a wonderful addition to the neighborhood, it's one of the few bars with constant live entertainment. It's become a staple in the neighborhood.

# Request to provide written comments to the Commission

|                      |                     |
|----------------------|---------------------|
| Submitted on         | 6 June 2024, 1:59PM |
| Receipt number       | 91                  |
| Related form version | 13                  |

## How do we contact you?

|                |                     |
|----------------|---------------------|
| First Name     | Michael             |
| Last Name      | Tobin               |
| Email          | mptobinii@gmail.com |
| Phone          | 9135934721          |
| Street Address | 529 Orville Avenue  |
| City           | Kansas City         |
| State          | Kansas              |

## Please specify the item you wish to comment on

|                                                                               |                                   |
|-------------------------------------------------------------------------------|-----------------------------------|
| Please provide the item description, street address and any other identifiers | Hillsiders Bar in Kansas City, KS |
|-------------------------------------------------------------------------------|-----------------------------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/10/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length.

Hillsiders bar has been a staple to the strawberry hill neighborhood since it's opened. I live walking distance from the bar and have never had any noise complaints or issues with the bar. It has been the opposite, the owner Logan runs a very clean establishment that's open to the community and keeps the surrounding very clean and certainly than it was before the bar existed. I highly support Hillsiders Bar to remain a part of our growing community and I support their entertainment values wholeheartedly.

# Request to provide written comments to the Commission

|                      |                     |
|----------------------|---------------------|
| Submitted on         | 6 June 2024, 1:20PM |
| Receipt number       | 88                  |
| Related form version | 13                  |

## How do we contact you?

|                |                         |
|----------------|-------------------------|
| First Name     | Savannah                |
| Last Name      | sipes                   |
| Email          | savannahmalev@gmail.com |
| Phone          | 9132150964              |
| Street Address | 301 NE GRAND AVE        |
| City           | Kansas City             |
| State          | Missouri                |

## Please specify the item you wish to comment on

|                                                                               |            |
|-------------------------------------------------------------------------------|------------|
| Please provide the item description, street address and any other identifiers | Hillsiders |
|-------------------------------------------------------------------------------|------------|

## Identify the meeting date the item is scheduled for

|                            |            |
|----------------------------|------------|
| Date of Commission meeting | 06/06/2024 |
|----------------------------|------------|

## Please state your comments as you want them read during the meeting

|                                                                                                                                                                                            |                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Type your comments exactly as you wish them to be read. You should indicate if you are in favor or opposed to the item. Please remember comments are limited to up to 3 minutes in length. | Keep hillsiders |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|





# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Permit Petition SP2024-029

## GENERAL INFORMATION

### Applicant Information:

Adam Reynolds and Ethan Lacoé  
Owner  
4990 Thille Street  
Ventura, California 93003

### Subject Property:

4443 Eaton Street  
Kansas City, Kansas 66103

### Requested Action and Purpose:

Renewal of a Special Use Permit  
(expires July 6, 2024) to operate a  
short-term rental.

### Commission Districts:

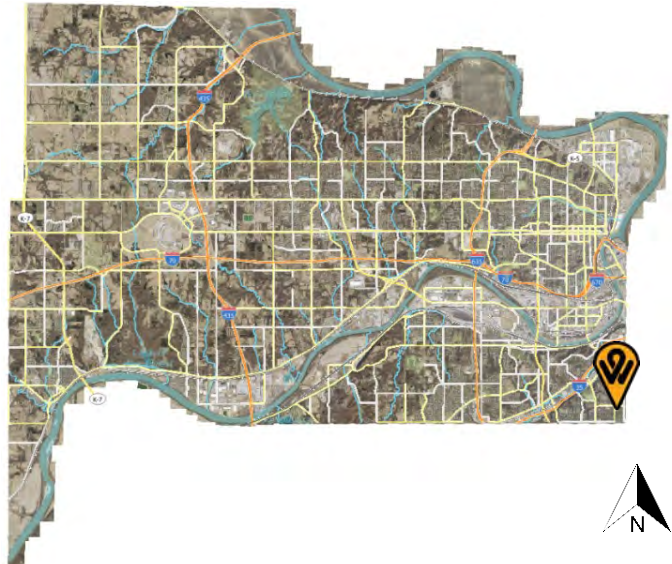
At-Large, District #2:  
Tom Burroughs  
District #3 Commissioner:  
Christian Ramirez

### Existing Zoning District(s):

R-1(B) Single-Family District

### Comprehensive Plan Area

Rosedale Area Plan



|       | Adjacent Zoning | Adjacent Uses           |
|-------|-----------------|-------------------------|
| North | R-1(B)          | Single-family residence |
| South | R-1(B)          | Single-family residence |
| East  | R-1(B)          | Single-family residence |
| West  | R-1(B)          | Single-family residence |

**Total Tract Size:** 0.25 Acre

**Comprehensive Plan Area:** Rosedale Area Plan

**Comprehensive Plan Designation:** The Rosedale Area Plan designates the subject property as a single-family neighborhood, which allows for single family, detached houses and townhomes or side-by-side rowhouses where the property has frontage on a mixed-use or neighborhood corridor.

**Major Street Plan:** The goDotte Mobility Plan designates Eaton Street as Local/neighborhood street.

**Parking Requirement:** Section 27-455 (d) states “Two off-street parking spaces shall be provided on the premises for each single-family dwelling”. Two parking spaces are required. The property provides two (2) spaces in the rear, and two (2) in the driveway, and a total of four (4) parking spaces.

**Landscaping Requirement:** Section 27-700 (a) states “One shade tree per dwelling unit is required in the front or corner side yard”. The subject property fulfills this requirement.

**Advertisement:** The Wyandotte Echo – May 16, 2024  
Letters to Property Owners – May 17, 2024

**Public Hearings:** June 10, 2024 and June 27, 2024

**Public Support:** None to date.

**Public Opposition:** None to date.



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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Adam Reynolds, is requesting a renewal of a Special Use Permit (expires July 7, 2024) to operate a short-term rental at 4443 Eaton Street, Kansas City, Kansas 66103. This is not the owner's primary residence. This would be the only permitted short-term rental on the 4400 block of Eaton Street.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623 and all other applicable standards within Chapter 27.

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### **Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. There have been five (5) Notices of Violation on the property between 2015 and 2024.
2. 2021 – STR21-0381- Structural
3. 2021 – ENV21-2388 – Trash and Debris
4. 2017 – 17208-01084 – Vehicle on unimproved surface
5. 2016 – 16200-02368 – Interior furniture on porch
6. 2015 – 15212-00861 – Tall Grass

### **Outstanding or Related Permit and Cases:**

1. 2024 – ROW24-220 – Replacement of driveway.

### **Previous Actions**

1. Approval of a Special Use Permit (SP2023-006) for a short-term rental in 2023 (expires July 7, 2024).

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## FACTORS TO BE CONSIDERED

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### ***1. The Character of the Neighborhood.***

The subject property is located within the Rosedale Statistical neighborhood, the Spring Valley neighborhood group, and the Rosedale Development Association Neighborhood Group. The neighborhood consists of a mix of single-family residences with a mix of duplexes, triplexes, and some fourplexes. The subject property is two (2) blocks away from Rainbow Boulevard, a major arterial thoroughfare.

- 2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.***

The zoning and uses are set out above. The subject property is surrounded by the R-1(B) Single Family District. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity to the suburban neighborhood. While use as a short-term rental is commercial in nature, the use is occurring in a purpose-built residence, which should not present issues with nearby property. The proposed use is compatible if properly managed.

- 3. *The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions including those for hours of operation (where applicable), detrimentally affect nearby property?***

Removal of the restrictions that require a Special Use Permit has the potential to create issues such as parking, excessive noise, illumination, vibration, overcrowding of land and undue concentrations of population. The property could be suitable for use as a short-term rental if aforementioned issues are properly managed.

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

The property is not vacant. This property has been operating as a Short-Term Rental since 2023.

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

Special Use Permits are not addressed in the Rosedale Area Plan. The subject property is located in a single-family neighborhood, which allows for single family, detached houses and townhomes or side-by-side rowhouses where the property has frontage on a mixed-use or neighborhood corridor. The proposed use conforms to the Rosedale Area Plan designation with the continuation of a Special Use Permit.

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

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of Eaton Street, a Local/Neighborhood Street, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

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

The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, overcrowding of land, illumination, and undue concentrations of population could impact nearby properties negatively. If managed properly, however, the use of the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

Noise, vibration and illumination are all potential issues that are related to short-term rentals if they are not managed properly. There have not been any complaints to date with the current applicant. Dust may be an issue for nearby properties, as the subject property has an unimproved driveway. This driveway is not allowed on the property. The applicant must install an improved driveway.

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

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

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence in an existing, built-out neighborhood.

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

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

**12. *The applicant's ability to maintain the use in an "as proposed" condition.***

The applicant has not maintained the proposed use as originally proposed or according to previous conditions of approval. The driveway, sidewalk, and walkway to the front door repairs appear to not have been completed. In addition, the applicant has not applied for or kept a current annual business license as required in the conditions of approval from SP2023-006.

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

The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests at one time is seven (7). The maximum number of vehicles off-street is three (3). There shall be no on-street parking for STR renters or guests. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

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**NEIGHBORHOOD MEETING INFORMATION**

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The applicant held a neighborhood meeting via Microsoft Teams on May 27, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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**KEY ISSUES**

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Noise, Illumination, Dust, and Vibration  
Home Inspection Report  
Parking  
Business License  
Unimproved Driveway  
Sidewalk

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**PLANNING COMMISSION RECOMMENDATION**

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2024-029, **for one (1) year**, subject to:

1. **The applicant shall repair and/or repave the concrete sidewalk in front of the property;**
2. **The applicant shall repair and/or repave the concrete walkway to the front door;**
3. **The applicant shall repave the driveway. The driveway behind the apron can be concrete or asphalt;**
4. **Maximum number of guests shall be 7;**
5. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
6. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
7. **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;**
8. **Applicant is to maintain liability insurance;**

9. The property must remain in proper maintenance and free of hazards, pests, or infestations;
10. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
11. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
12. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
13. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
14. 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](mailto: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;
15. All existing and future driveways must feature curb cuts that are constructed to UG standards;
16. 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;
17. 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;
18. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal

- summons, administrative citation, or revocation of the Special Use Permit;
19. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
  20. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
  21. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
  22. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-029**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Host Compliance Map  
Conditions of Approval from SP2023-006  
Planning Engineering Comments  
Photos of Repair  
Floor Plan  
Neighborhood Meeting Materials  
Site Visit Photos, Taken by Staff – Dated May 10, 2024

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## PUBLIC HEARING SCHEDULE

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| Action(s)          | City Planning Commission | Unified Government Board of Commissioners |
|--------------------|--------------------------|-------------------------------------------|
| Special Use Permit | June 10, 2024 - Approval | June 27, 2024                             |

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### STAFF CONTACT:

Kiley Meierarend  
[kmeierarend@wycokck.org](mailto:kmeierarend@wycokck.org)  
913-573-5761

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## MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-029** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-029**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.



## **June 10, 2024, City Planning Commission Minutes:**

### **SPECIAL USE PERMIT APPLICATION SP2024-029 – ADAM REYNOLDS –**

**SYNOPSIS:** Renewal of a Special Use Permit (SP-2023-006 – expires 7/6/2024) to operate a Short-Term Rental at 4443 Eaton Street. Detailed Outline of Requested Action: The applicant, Adam Reynolds, is requesting a renewal of a Special Use Permit (expires July 7, 2024) to operate a short-term rental at 4443 Eaton Street, Kansas City, Kansas 66103. This is not the owner's primary residence. This would be the only permitted short-term rental on the 4400 block of Eaton Street.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publications in The Echo for the Special Use Permits; and,
7. The notices to property owners.

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

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. (No one responded in the affirmative).

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

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to APPROVE Passed: 7 to 0**  
**Subject to:**

1. The applicant shall repair and/or repave the concrete sidewalk in front of the property;
2. The applicant shall repair and/or repave the concrete walkway to the front door;
3. The applicant shall repave the driveway. The driveway behind the apron can be concrete or asphalt;
4. Maximum number of guests shall be 7;
5. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;
6. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
7. 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;
8. Applicant is to maintain liability insurance;
9. The property must remain in proper maintenance and free of hazards, pests, or infestations;
10. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
11. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
12. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
13. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
14. 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](mailto: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;
15. All existing and future driveways must feature curb cuts that are constructed to UG standards;
16. 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;
17. 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

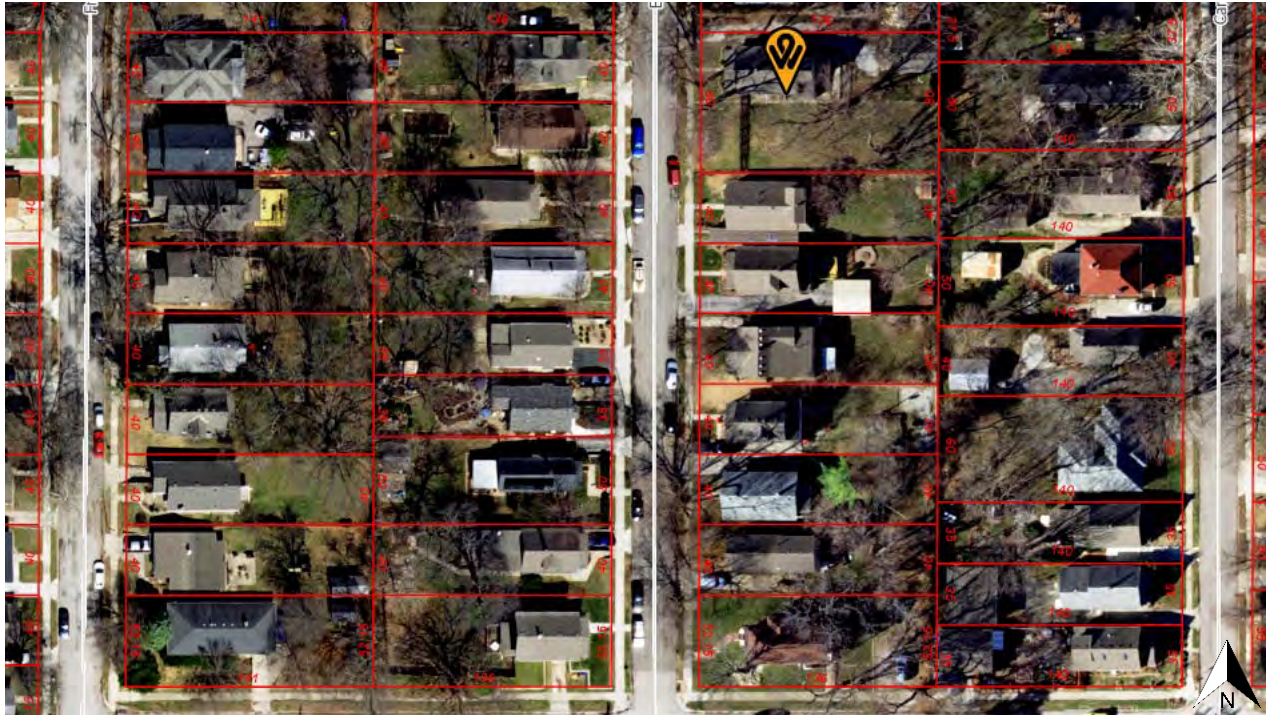
that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

18. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
19. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
20. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
21. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
22. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.



## ATTACHMENTS

### AERIAL IMAGERY

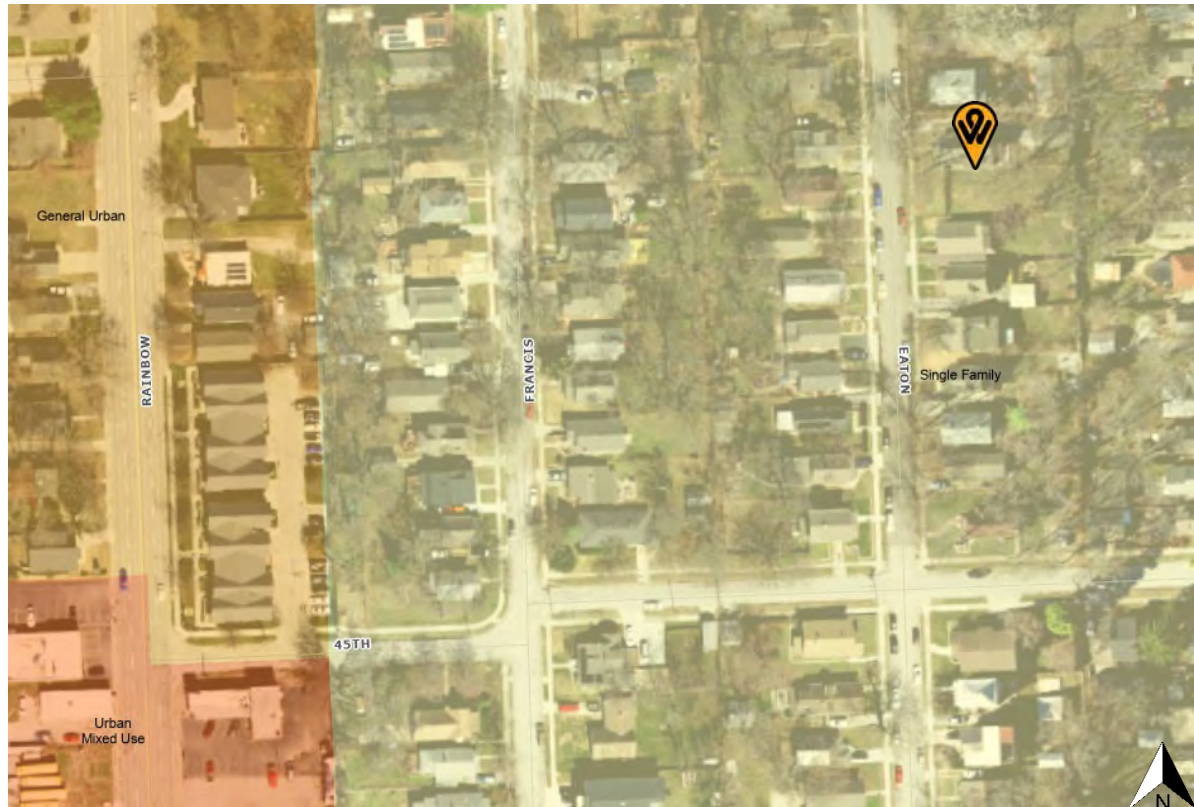


### ZONING MAP

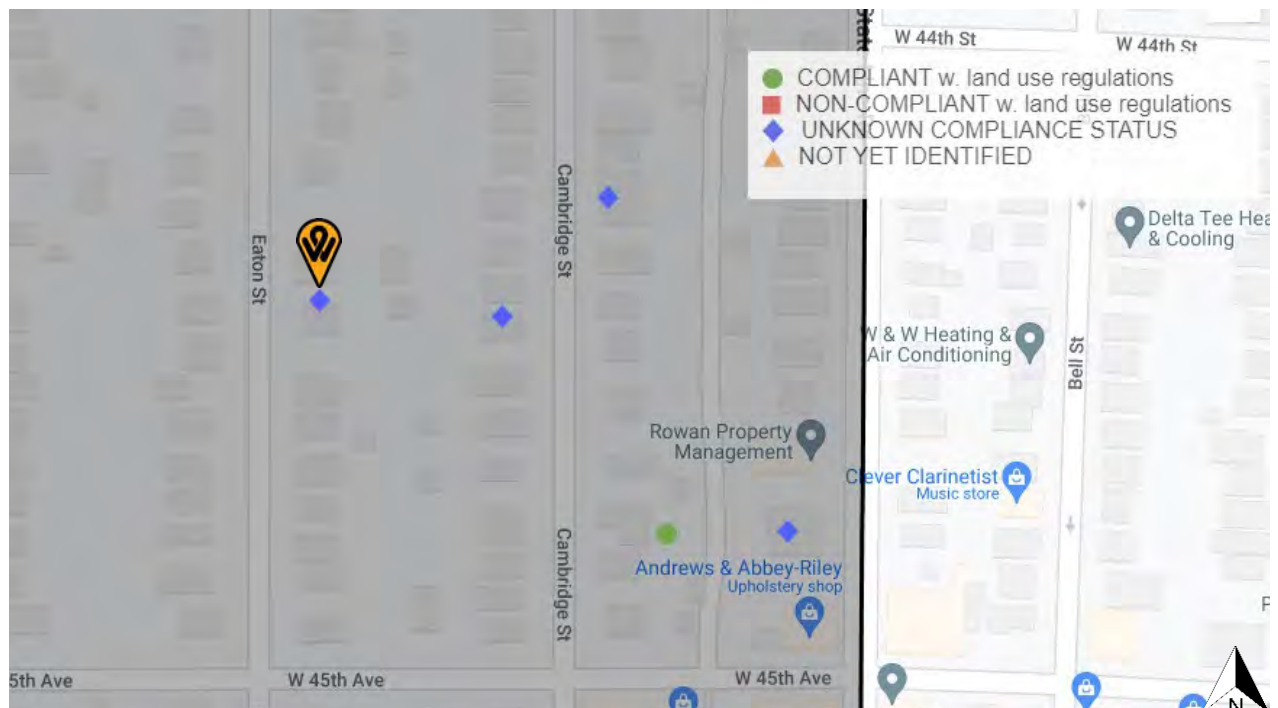




## LAND USE MAP



## SHORT-TERM RENTAL MAP



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**CONDITIONS OF APPROVAL FROM SP2023-006**

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1. Proof of all repairs or estimates to conduct repairs shall be provided to staff prior to approval of the ordinance;
2. The applicant shall repair and/or repave the sidewalk in front of the property;
3. The applicant shall repair and/or repave the walkway to the front door;
4. The applicant shall repave the driveway;
5. The debris in front of the residence shall be cleaned up and the applicant shall ensure no further debris is left in the future.
6. The applicant shall have a certified structural engineer shall perform a structural inspection to determine if structural repairs identified in the report need to be repaired immediately;
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 as both the property owner and the business owner that they 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. Maximum number of guests shall be 7;
9. All parking must be off-street, maximum number of vehicles is three (3);
10. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
11. Applicant must maintain liability insurance;
12. Applicant must maintain the property's physical condition through the duration of the permit;
13. All reservations shall be a minimum stay of 24 hours;
14. No meals shall be prepared in the dwelling by the owner or owner's agent;
15. 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;
16. The owner or owner's agent/operator shall provide a guest book with the following information:
  - a. Information within the dwelling unit to inform and assist renters/guests in the event of a natural disaster, power outage, or emergency including but not limited to tornado, severe weather or storm, or flash flooding. Information should contain appropriate designation for shelter in place, evacuation, or utility contact information;
  - b. A lead-based paint notification for any property built before 1978.
  - c. An asbestos notification for any property built before 1981.
  - d. Information for the guest to report any concerns to Host Compliance at 913-246-5133 (phone number) and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
17. The property must remain in proper maintenance and free of hazards, pests, or infestations;
18. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
19. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the

property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

20. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
21. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
22. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
23. The Department of Planning + Urban Design shall not give approval for any temporary certificate of occupancy (TCO) or final certificate of occupancy (CO) before the completion of all required work. For any project that requires a certificate of occupancy, prior to requesting for any certificate, the applicant, permit holder, and/or property owner shall complete all items required by: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. Planning Department standards require that all required work be complete prior to requesting a TCO. The only item that is allowed to be incomplete is landscaping, which shall be complete before requesting a CO. A Bonded CO may be allowed in case of adverse weather conditions; however, all requirements must be completed for all items not secured by the bond.



## PLANNING ENGINEERING COMMENTS



### Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

### Memorandum

TO: Kiley Meierarend  
Principal Planner

FROM: Jordan Stephens  
Project Engineer

DATE: May 14, 2024

SUBJECT: Adam Reynolds / Robin Hunter – (SP2024-029)  
4443 Eaton St  
General Engineering Review No. 1 (of the application received 04/25/2024)

Prior to engineering approval on the above-named project, the preliminary submission must be revised to address the following comments from the Engineering Division of the Planning and Urban Design Department. These comments refer to General Engineering design standards and requirements of the Unified Government that were not met in this submittal. Planning comments may require additional resubmittals. Respond in writing (.pdf or .doc) to each comment by email to [EDR@wycokck.org](mailto:EDR@wycokck.org). Include application number in the subject line. Attach revision clouded drawings when applicable.

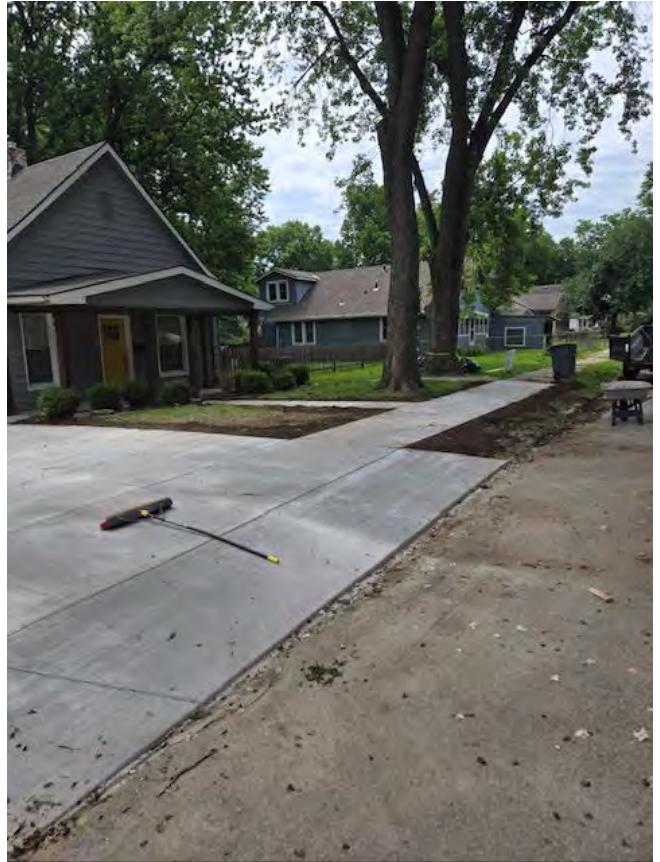
- 1) Conditions of approval for SP2023-006 required that driveway be repaved. Driveway paving in right-of-way and concrete driveway apron construction shall meet UG standards and criteria, and appropriate permits shall be acquired from Public Works department prior to construction.
- 2) Conditions of approval for SP2023-006 required that sidewalk in front of property be repaired and/or replaced. Sidewalk repair/construction shall meet UG standards and criteria, and appropriate permits shall be acquired from Public Works department prior to construction.
- 3) Conditions of approval for SP2023-006 required that a licensed structural engineer perform structural inspection of residence to determine whether structural repairs within the residence were necessary. Provide the report from structural engineer or provide proof of repairs of structural issues noted by Legacy Home Inspections from inspection conducted on 2/8/2023.
- 4) Please coordinate with Kiley Meierarend, [kmeierarend@wycokck.org](mailto:kmeierarend@wycokck.org), for additional Urban Planning and Zoning requirements and comments.
- 5) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

Reviewer: \_\_\_\_\_

Jordan Stephens, Project Engineer

## PHOTOS OF REPAIR

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## PHOTOS OF REPAIR

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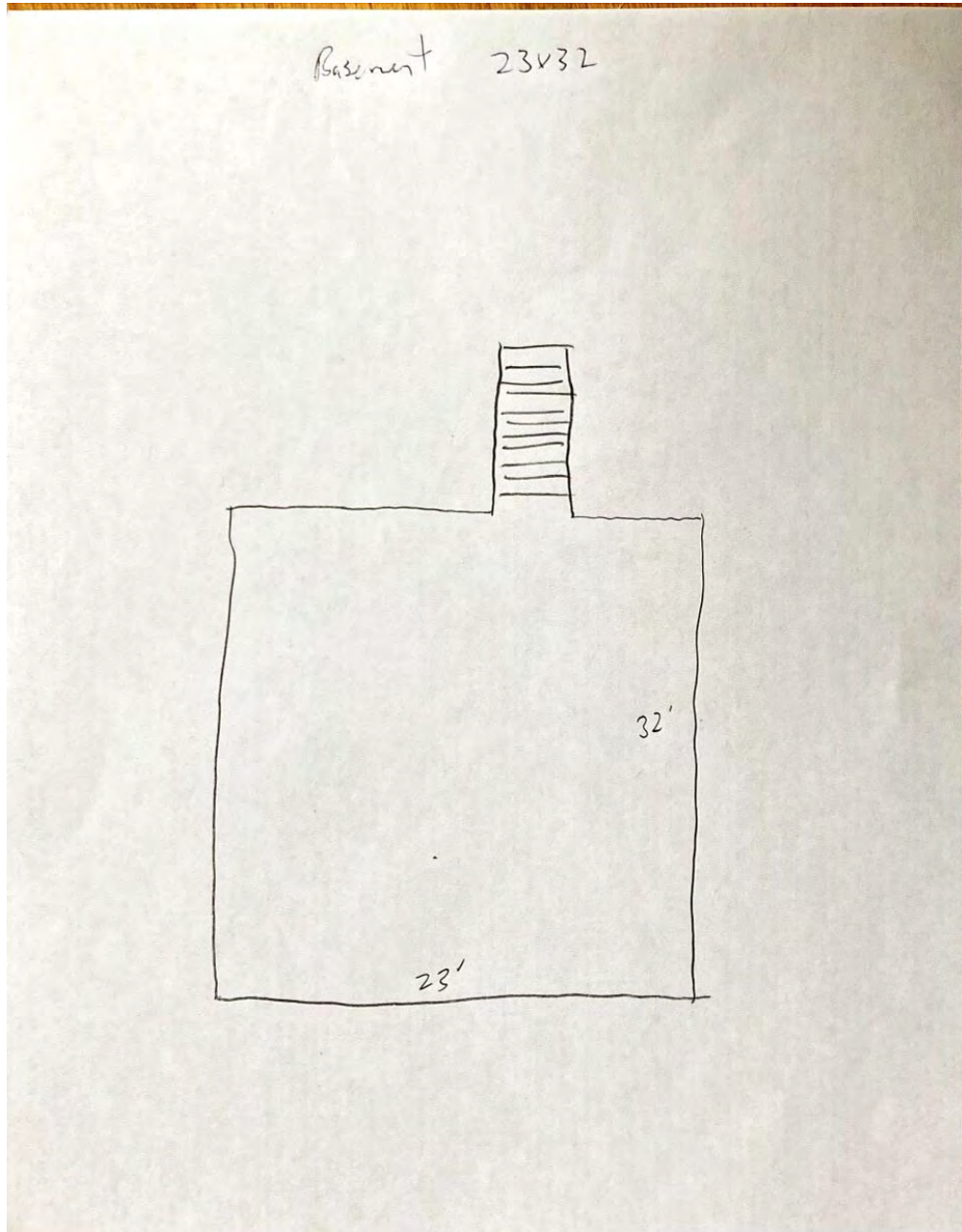
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## PHOTOS OF REPAIR

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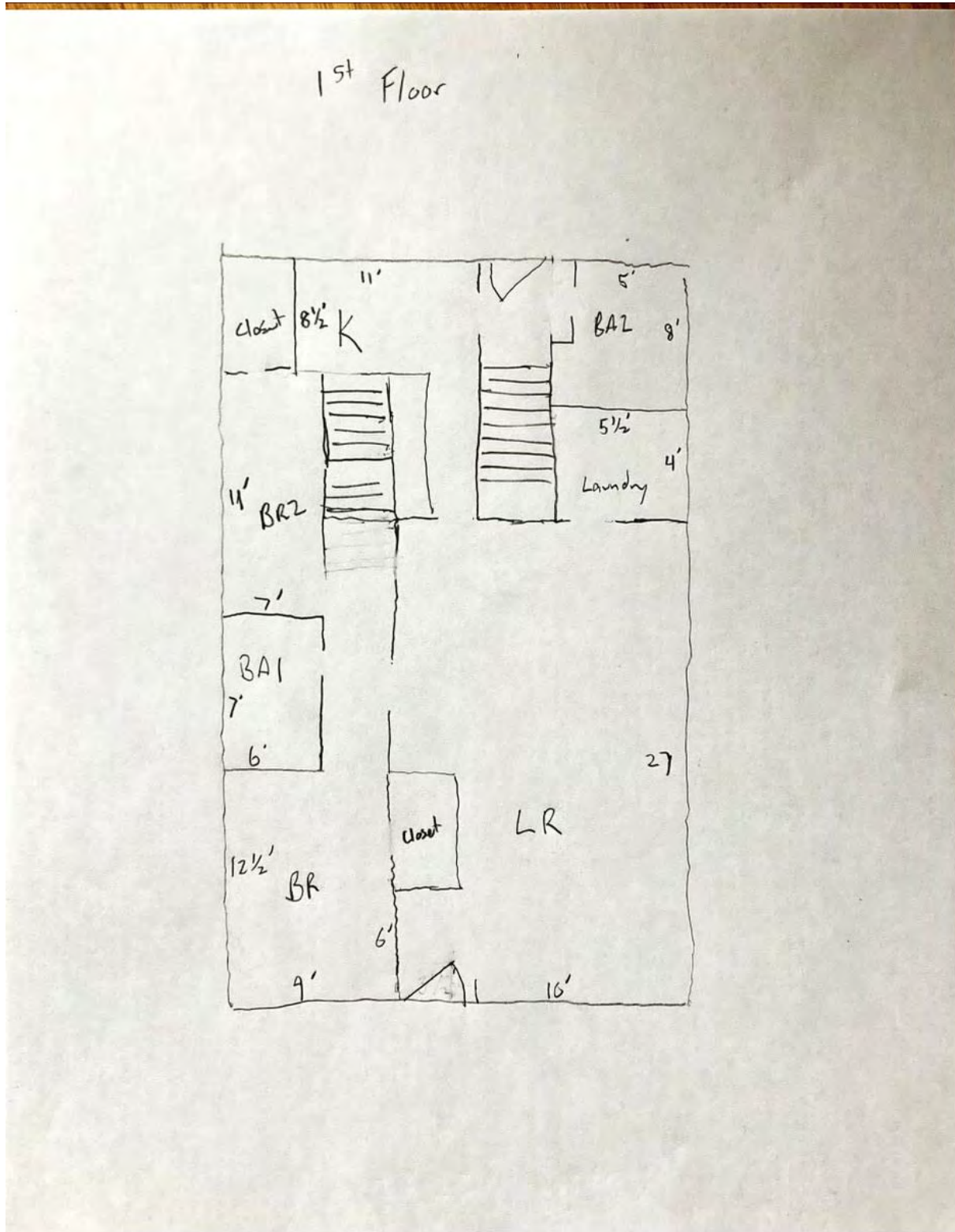


## FLOOR PLAN

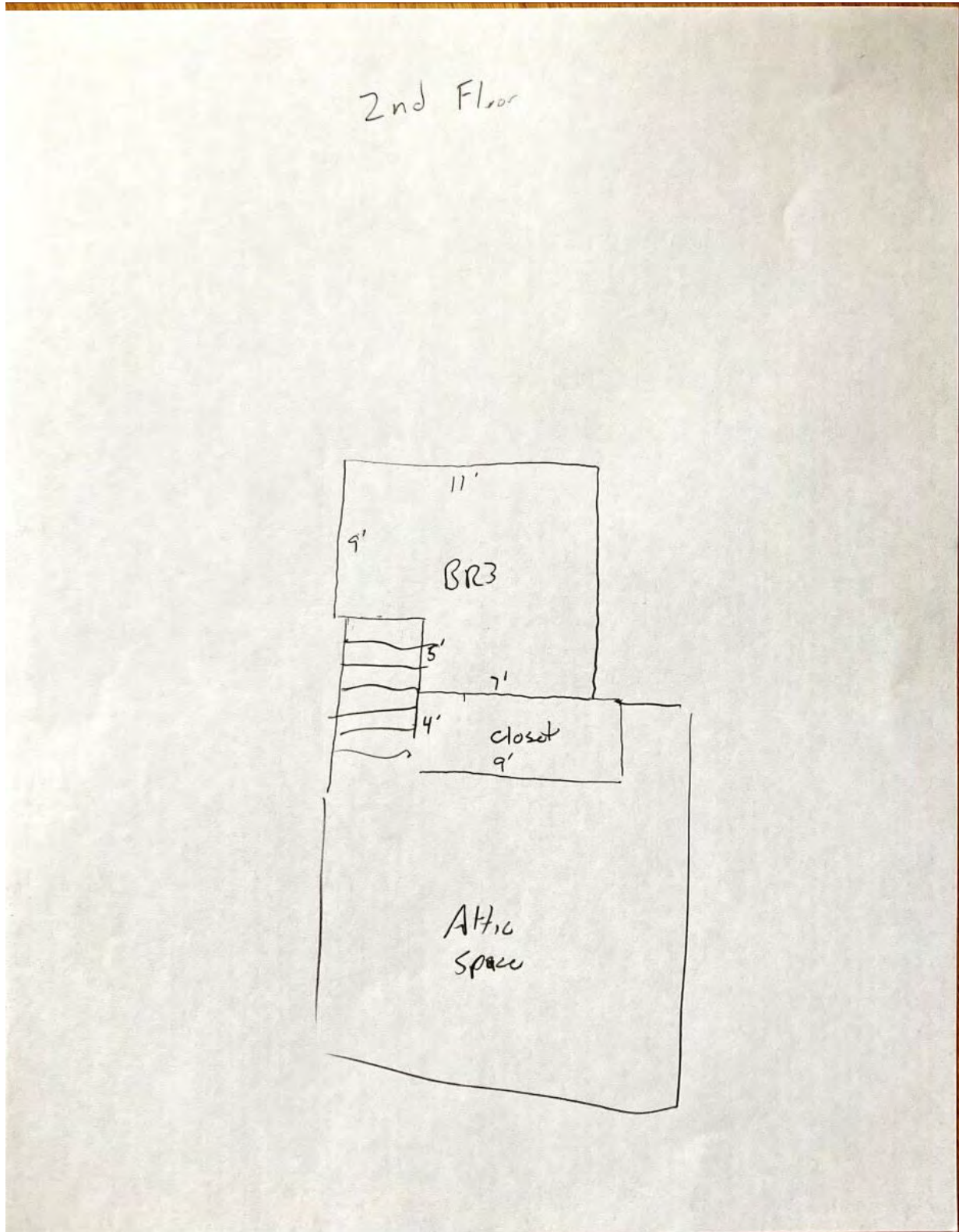




## FLOOR PLAN

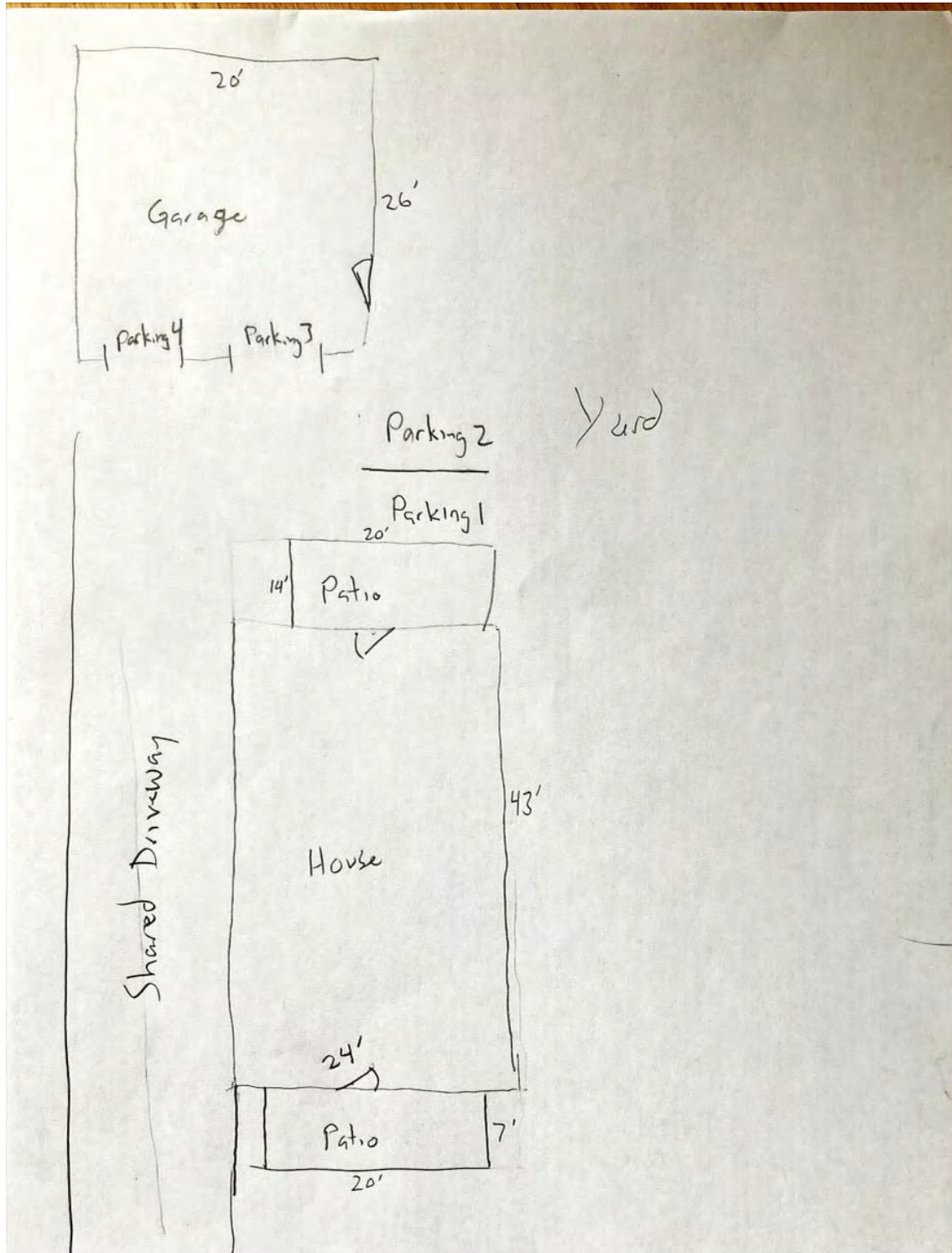


## FLOOR PLAN





## PARKING PLAN



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## NEIGHBORHOOD MEETING MATERIALS

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5/11/2024

Adam Reynolds

4443 Eaton St.

Kansas City, KS 66103

SUBJECT: Neighborhood Meeting

I have filed an application with the Planning + Urban Design Department

# SP2024-029. The purpose of this:

- special use permit

is to continue operating a short-term rental at the following address:

4443 Eaton St., Kansas City, KS 66103

I am having a neighborhood meeting via Microsoft Teams on Monday 5/27/2024 at

6P.M. You can access the meeting using the following information:

Meeting ID: 274 317 946 39

Passcode: NFYeXu

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

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact me with any questions or concerns at the phone number/email listed below.

Sincerely,

Adam Reynolds

ACROrtho@gmail.com

# NEIGHBORHOOD MEETING MATERIALS

## AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF CALIFORNIA )  
COUNTY OF VENTURA ) SS:

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

1. That I am the petitioner for Petition # SP2024-029
2. That I conducted a neighborhood meeting on 5/27/2024
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

  
Affiant

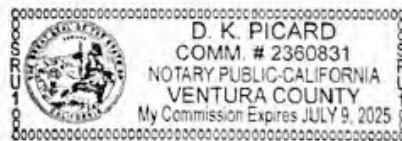
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

My commission expires \_\_\_\_ of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy or validity of that document.

State of California, County of VENTURA  
Subscribed and sworn to (or affirmed) before me on this 29 day  
of MAY 2024 by ADAM REYNOLDS  
proved to me on the basis of satisfactory evidence to be the  
person(s) who appeared before me  
Signature: D. K. Picard (seal)



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## NEIGHBORHOOD MEETING MATERIALS

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### MEETING MINUTES - 4443 EATON ST

Application Number: SP2024-029

Date and Location: 5/27/2024. Webinar held via Microsoft Teams.

Meeting called to order at: 6PM Central Time

Names of people in attendance: Adam Reynolds, Betsy Maxfield and Ryan Maxfield

Meeting notes: The meeting consisted entirely of dialogue between me, Adam Reynolds, and Besty Maxfield. Detailed Q and A below.

Betsy: Have you had any complaints?

Adam: We've only received one complaint in the last year. It was from our direct neighbor (4449 Eaton) who has a medical condition, as does her husband, and she was frustrated about people parking on the street in front of their house. We have included language in our check-in instructions requesting that our guests not park in front of their home.

Betsy: Who manages the property? Who can we contact if they need something?

Adam: Robin Hunter manages the property locally. You can contact her at 913-827-6910. You can also reach out to me or my wife, Megan Reynolds, anytime. My phone number is 805-276-6969 and Megan's is 805-312-1180.

Betsy: Why did you choose to hold this meeting on Memorial Day?

Adam: We were given a very small window and none of the other dates worked for us.

Betsy: What are your plans for the property? Do you plan to hold it long-term?

Adam: Yes, we plan to hold it long-term.

Betsy: Why did you choose Kansas City for a short-term rental?

Adam: We have friends and family that live in KC and we love it there. We also love this neighborhood and wanted to provide an affordable, centrally located vacation home for families visiting the city.

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## NEIGHBORHOOD MEETING MATERIALS

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Betsy: Have you ever operated this STR without a permit?

Adam: Yes, there was a brief period of a few months when we operated without a permit. Prior to that, despite researching the issue, we were unaware that the city had a pathway for permitting short-term rentals. As soon as we became aware of a STR permit pathway, we applied for a permit and were granted one. The city is aware of this, as it was discussed in our City Planning Commission hearing in 2023.

Betsy: How often will you be required to renew your STR permit through the city?

Adam: Once every 1-2 years, as far as I know.

Betsy: Who owns the property?

Adam: Myself, my wife, and our business partners (Ethan and Karen Lacoe).

Besty: Thank you for taking the time to answer our questions and good luck with the permitting process.

Adam: Thank you, Betsy.

Meeting adjourned at: 6:34PM Central Time

Minutes taken by: Adam Reynolds



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**SITE VISIT PHOTOS, TAKEN BY STAFF– DATED MAY 10, 2024**

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**SITE VISIT PHOTOS, TAKEN BY STAFF– DATED MAY 10, 2024**

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**SITE VISIT PHOTOS, TAKEN BY STAFF– DATED MAY 10, 2024**

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# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Permit Petition SP2024-030

## GENERAL INFORMATION

### Applicant Information:

Chris Schuberg  
Representative with Heritage-Crystal  
Clean LLC  
30 Funston Road  
Kansas City, Kansas 66115

### Subject Property:

5510 Kansas Avenue  
Kansas City, Kansas 66106

### Requested Action and Purpose:

Approval of Special Use Permit for a  
10-day hazardous materials transfer  
station.

### Commission Districts:

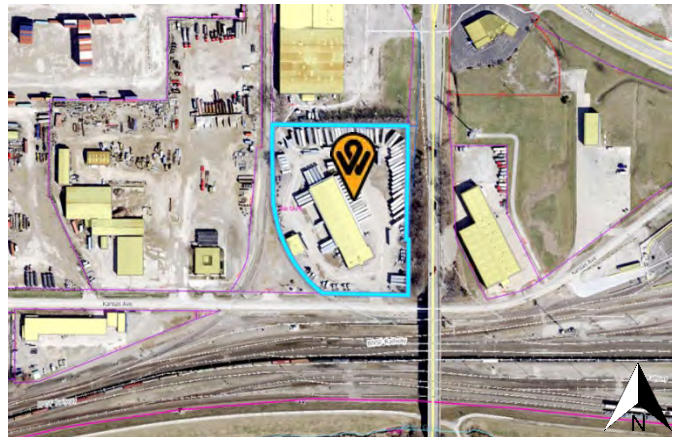
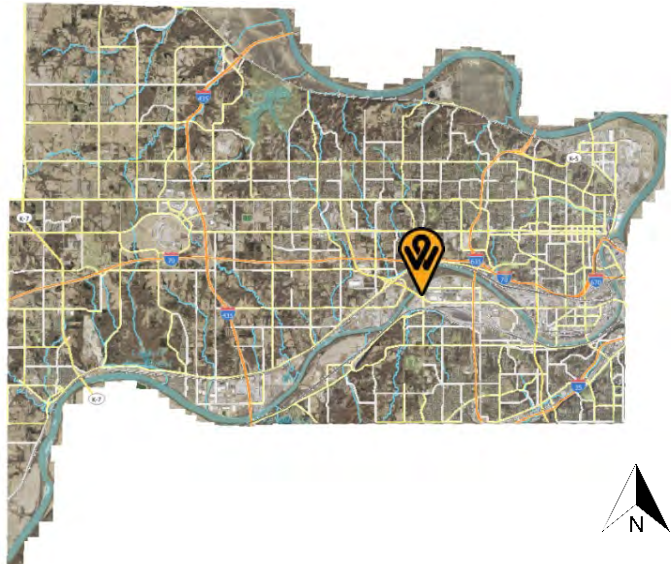
Commissioner At-Large, District #2:  
Tom Burroughs  
District #6 Commissioner:  
Phillip Lopez

### Existing Zoning District(s):

M-3 Heavy Industrial District

### Comprehensive Plan Area

PlanKCK



|              | <b>Adjacent Zoning</b>                                                     | <b>Adjacent Uses</b>               |
|--------------|----------------------------------------------------------------------------|------------------------------------|
| <b>North</b> | M-3 Heavy Industrial District                                              | Indoor Soccer Field and Warehouse  |
| <b>South</b> | None                                                                       | BNSF Railway                       |
| <b>East</b>  | MP-2 Planned General Industrial District and M-3 Heavy Industrial District | KCKFD Maintenance Facility         |
| <b>West</b>  | M-3 Heavy Industrial District                                              | Industrial Laydown / Shipping Yard |

**Total Tract Size:** 4.77 Acres

**Comprehensive Plan Area:** PlanKCK

**Comprehensive Plan Designation:** The PlanKCK Comprehensive Plan designates the subject property as Industrial, which allows land featuring small, medium and large-scale industrial processing, manufacturing and outdoor storage. These uses are often the most intensive uses characteristic of heavy truck traffic, excessive noise, and potentially noxious impacts.

**Major Street Plan:** The goDotte Mobility Plan designates Kansas Avenue as a Local Street.

**Parking Requirement:** Section 27-470(f) states “. In no case, however, shall less than one space for each 500 square feet of building area be provided. For buildings larger than 20,000 square feet, only one space for each 1,000 square feet needs to be provided for increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet, the parking required for increments over 50,000 square feet will be determined by the director of planning”.

The building is approximately 22,763 square feet, which requires 42 parking spaces. The site has space for this parking; however, the site plan does not demonstrate provided parking. The applicant must update the plan or seek a variance.

**Landscaping Requirement:** Section 27-470(h) states “a Six-(6)-foot high architectural screening in combination with a buffer area is to be provided along all side and rear property lines common to or across an alley from residentially zoned property.

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

|                           |                                                                                              |
|---------------------------|----------------------------------------------------------------------------------------------|
| <b>Advertisement:</b>     | <u>The Wyandotte Echo</u> – May 16, 2024<br><u>Letters to Property Owners</u> – May 17, 2024 |
| <b>Public Hearings:</b>   | June 10, 2024 and June 27, 2024                                                              |
| <b>Public Support:</b>    | None to date.                                                                                |
| <b>Public Opposition:</b> | None to date.                                                                                |

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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Chris Schuberg with Heritage-Crystal Clean LLC, is requesting a Special Use Permit to operate a 10-day hazardous materials transfer station at 5510 Kansas Avenue.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### **Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. There are no notices of violation on the subject property.

### **Outstanding or Related Permit and Cases:**

1. There are no additional related permits or cases on the subject property.

### **Previous Planning Actions:**

1. There are no previous planning entitlements on the subject property.



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## FACTORS TO BE CONSIDERED

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**1. *The Character of the Neighborhood.***

The subject property is located within the Santa Fe Statistical Neighborhood and the Turner Community Connection group. The neighborhood consists almost exclusively of industrial uses of varying nature, including warehouses, laydown lots, storage yards, fleet maintenance shops, and the BNSF railroad. The property is along the K-32 Corridor, which runs East into Kansas City, Missouri, West up to State Avenue via Turner Diagonal, as well as to Edwardsville and Bonner Springs.

**2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.***

The zoning and uses are set out above. The subject property is surrounded by the M-3 Heavy Industrial Use. The proposed use, which is Industrial in nature, is compatible with nearby uses if property managed.

**3. *The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?***

The proposed use is suitable for the subject property, as it is within an existing heavy industrial district. The removal of restrictions will not detrimentally affect nearby property.

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

The property is vacant and has been since 2023.

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

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The PlanKCK Comprehensive Plan designates the subject property as Industrial, which allows land featuring small, medium and large-scale industrial processing, manufacturing and outdoor storage. These uses are often the most intensive uses characteristic of heavy truck traffic, excessive noise, and potentially noxious impacts. The proposed use conforms to the Comprehensive Plan

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

The proposed use will inherently have the potential to increase vehicular traffic, however, it is not expected to exceed the capacity of Kansas Avenue a Local Street to accommodate it if managed properly.

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

The proposed use is reasonably necessary for the convenience of the public, as it provides much needed disposal service for hazardous waste. The use will not negatively impact the use, quality, or marketability of adjoining property, as it is in an industrial warehouse in an existing industrial district.

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

Noise, illumination, vibration and dust may be concerns, due to the outdoor storage of trailers, indoor equipment, and outdoor lighting. Efforts to mitigate will include reducing outdoor storage, down lighting, and limiting noise from on-site equipment.

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

As long as best practices are used on site and all local, state, and federal regulations are followed, the proposed use should not pollute the air, land, or water. Failure to follow regulation may result in the land or water being polluted with hazardous materials.

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted industrial warehouse, in an existing, built-out industrial area.

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

The relative gain to public health, safety and welfare is minimal. Failure to follow regulation and safety protocol, however, may pose a risk to public health and safety, if denied, the property owner may not use the property for a hazmat transfer station, however, they can still use the property for a variety of industrial purposes.



**12. *The applicant's ability to maintain the use in an "as proposed" condition.***

The applicant will be required to maintain the use according to the submitted plans and descriptions of the proposed use. The applicant will also be required to meet all conditions of approval.

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

The proposed use could potentially result in the overcrowding of land, particularly if on-site trailers and parking is not managed properly. The applicant shall submit a site plan showing the required 42 parking spaces, as well as parking for trailers on site. Undue concentrations of population are not expected to be a concern so long as occupancy limits are adhered to.

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## **NEIGHBORHOOD MEETING INFORMATION**

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The applicant held a neighborhood meeting on May 21, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## **KEY ISSUES**

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Exterior Work  
Fire Department Comments  
Floodplain  
Landscaping and Screening  
Materials Stored on Site  
Parking  
Traffic Study  
Occupancy Class

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## **PLANNING COMMISSION RECOMMENDATION**

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2024-030, **for two (2) years**, subject to:

- 1. Per landscaping and screening requirements, a landscape plan showing trees and bushes along the edge of the property, as well as a six (6) foot tall screening fence, shall be provided to staff. The screening fence shall have masonry columns every 32 feet;**
- 2. The applicant shall submit for a DRC Building Permit for a Change of Occupancy to the H3 Classification;**
- 3. All materials on-site must be in a trailer or in the building, in a secure area;**
- 4. The parking lot in places is in disrepair. The applicant shall either repair or repave these areas;**
- 5. Storage of hazardous/flammable material in excess of 2018 IFC storage**

limits would require a reclassification of the building occupancy to H3 and require fire alarm/sprinkler installation. Project must also address spill containment, mitigation, monitoring and drainage per 2018 IFC Chapter(s) 50 and 57 and NFPA 30;

6. Storage of hazardous/flammable material outside the building must be in code compliant outdoor storage areas per Sec. 5004, 2018 IFC and address spill containment, mitigation, monitoring and drainage and applicable EPA requirements. And be stored in code compliant outdoor storage containers per 2018 IFC Chapter(s) 50 and 57 and NFPA 30;
7. The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a building permit;
8. The Subject Property is within a 100-year Special Flood Hazard Area (SFHA). A SFHA is defined as the area that would be inundated by the flood event having a 1 percent chance of being equaled or exceeded in any given year. Before the alteration to or construction of any new structure on the subject property, the applicant shall submit the following required information for review:
  - o A Survey shall be provided showing the property lines, setbacks, proposed and existing building elevations, 100-year floodplain and/or floodway shall be designated, the base flood elevation provided, FIRM panel number, and effective date shall be included. The Survey is required to be signed and sealed by and Kansas licensed surveyor or engineer;
9. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for all new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other development:
  - o Design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  - o Construction with materials resistant to flood damage;
  - o Utilization of methods and practices that minimize flood damages;
  - o All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
  - o New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination from them during flooding; and,
  - o Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
    - All such proposals are consistent with the need to minimize

- flood damage;
  - All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
  - Adequate drainage is provided so as to reduce exposure to flood hazards; and,
  - All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data;
- 10. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for the Storage of Materials and Equipment:
  - The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
  - Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning;
- 11. Section 27-699(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;
- 12. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
- 13. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
- 14. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
- 15. 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](mailto: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;

16. All existing and future driveways must feature curb cuts that are constructed to UG standards;
17. 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;
18. 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;
19. 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;
20. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
21. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
22. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the

- ordinance is published in the newspaper; and,
23. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-030** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Neighborhood Meeting Materials  
Site Plan  
Floor Plan  
Business Operation  
Site Photos, Taken by the Applicant, Dated April 26, 2024  
Site Photos, Taken by Staff, Dated May 10, 2024

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## PUBLIC HEARING SCHEDULE

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| Action(s)          | City Planning Commission | Unified Government Board of Commissioners |
|--------------------|--------------------------|-------------------------------------------|
| Special Use Permit | June 10, 2024 - Approval | June 27, 2024                             |

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### STAFF CONTACT:

James Molloy  
[jmolloy@wycokck.org](mailto:jmolloy@wycokck.org)

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## MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-030** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-030**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

### June 10, 2024, City Planning Commission Minutes:

#### Hearing starts at 1:44:22:

**SPECIAL USE PERMIT APPLICATION SP2024-030 – CHRIS SCHUBERG WITH HERITAGE-CRYSTAL CLEAN, LLC - SYNOPSIS:** Special Use Permit for a 10-day hazardous material/waste transfer station at 5510 Kansas Avenue. Detailed Outline of Requested Action: The applicant, Chris Schuberg with Heritage-Crystal Clean LLC, is requesting a Special Use Permit to operate a 10-day hazardous materials transfer station at 5510 Kansas Avenue.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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



**Present in Support:**

- Chris Schuberg, applicant, Heritage-Crystal Clean, LLC
- Jeremy Long, Branch Manager, 30 Funston, Kansas City, Kansas

**Present in Opposition:**

- No one appeared.

**Staff Recommendation starts at 1:48:37:** Planner Molloy stated that the request is for a 10-day hazardous waste transfer station. He stated that the property is accessed from Kansas Avenue then off to the east on 55<sup>th</sup> Street next to the KCK fire maintenance building. Staff received no letters in support or opposition. There are no Notices of Violation. Staff recommends approval for two (2) years subject to the conditions in the staff report.

**Motion starts at 1:50:08:**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application SP2024-030 for two (2) years:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**

**Subject to:**

- 1. Per landscaping and screening requirements, a landscape plan showing trees and bushes along the edge of the property, as well as a six (6) foot tall screening fence, shall be provided to staff. The screening fence shall have masonry columns every 32 feet;**
- 2. The applicant shall submit for a DRC Building Permit for a Change of Occupancy to the H3 Classification;**
- 3. All materials on-site must be in a trailer or in the building, in a secure area;**
- 4. The parking lot in places is in disrepair. The applicant shall either repair or repave these areas;**
- 5. Storage of hazardous/flammable material in excess of 2018 IFC storage limits would require a reclassification of the building occupancy to H3 and require fire alarm/sprinkler installation. Project must also address spill containment, mitigation, monitoring and drainage per 2018 IFC Chapter(s)**

**50 and 57 and NFPA 30;**

- 6. Storage of hazardous/flammable material outside the building must be in code compliant outdoor storage areas per Sec. 5004, 2018 IFC and address spill containment, mitigation, monitoring and drainage and applicable EPA requirements. And be stored in code compliant outdoor storage containers per 2018 IFC Chapter(s) 50 and 57 and NFPA 30;**
- 7. The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a building permit;**
- 8. The Subject Property is within a 100-year Special Flood Hazard Area (SFHA). A SFHA is defined as the area that would be inundated by the flood event having a 1 percent chance of being equaled or exceeded in any given year. Before the alteration to or construction of any new structure on the subject property, the applicant shall submit the following required information for review:**
  - o A Survey shall be provided showing the property lines, setbacks, proposed and existing building elevations, 100-year floodplain and/or floodway shall be designated, the base flood elevation provided, FIRM panel number, and effective date shall be included. The Survey is required to be signed and sealed by and Kansas licensed surveyor or engineer;**
- 9. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for all new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other development:**
  - o Design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;**
  - o Construction with materials resistant to flood damage;**
  - o Utilization of methods and practices that minimize flood damages;**
  - o All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;**
  - o New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination from them during flooding; and,**
  - o Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:**
    - All such proposals are consistent with the need to minimize flood damage;**
    - All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or**

- eliminate flood damage;
  - Adequate drainage is provided so as to reduce exposure to flood hazards; and,
  - All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data;
- 10. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for the Storage of Materials and Equipment:
  - The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
  - Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning;
- 11. Section 27-699(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;
- 12. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
- 13. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
- 14. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
- 15. 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](mailto: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;
- 16. All existing and future driveways must feature curb cuts that are

- constructed to UG standards;
17. 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;
  18. 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;
  19. 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;
  20. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
  21. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
  22. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
  23. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise

**determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**



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## ATTACHMENTS

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### AERIAL IMAGERY

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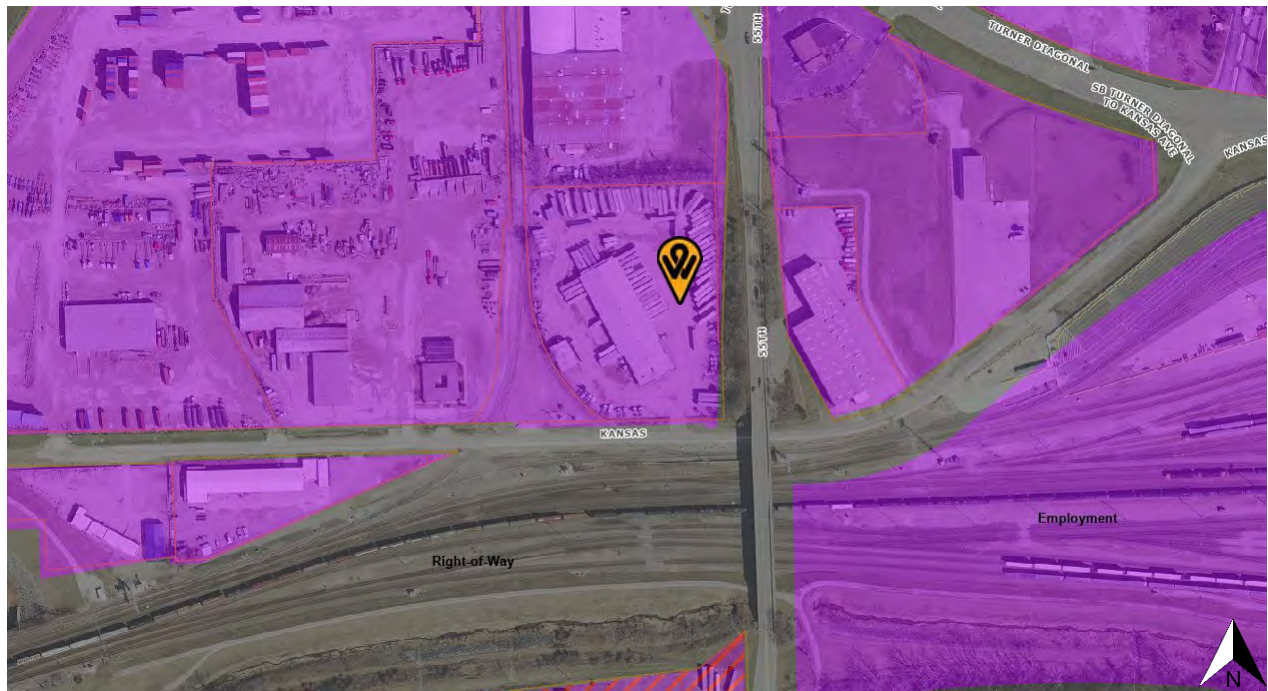
### ZONING MAP

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## LAND USE MAP



## MINUTES:

Application Number SP2024-030

Date and Location: 5/21/24 via Teams

Meeting called to order at: 2:00 PM CST

Names of people in attendance:

**Jeremy Long, Branch Manager- HCC**

**Chris Schuberg, Associate, Real Estate Operations- HCC**

**\*No community members joined the meeting\***

Introductions:

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

**Chris and Jeremy from HCC were to provide an overview of the project proposal, movement of operations from 30 Funston Rd. to 5510 Kansas Ave, as well as, would have given an overview of HCC operations.**

Questions and answers (include the following):

**\*No questions were posed prior to or during the meeting, which lasted for 30 minutes.**

Meeting adjourned at: **2:30pm CST, no community members joined the meeting.**

Minutes taken by: **Chris Schuberg, Associate, Real Estate Operations**

**AFFIDAVIT – NEIGHBORHOOD MEETING**

STATE OF Illinois )  
COUNTY OF Cook ) SS:

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

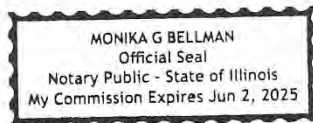
1. That I am the petitioner for Petition #SP2024-030
2. That I conducted a neighborhood meeting on 5/21/2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Pierre Chalhoub  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 22 day of May, 2024

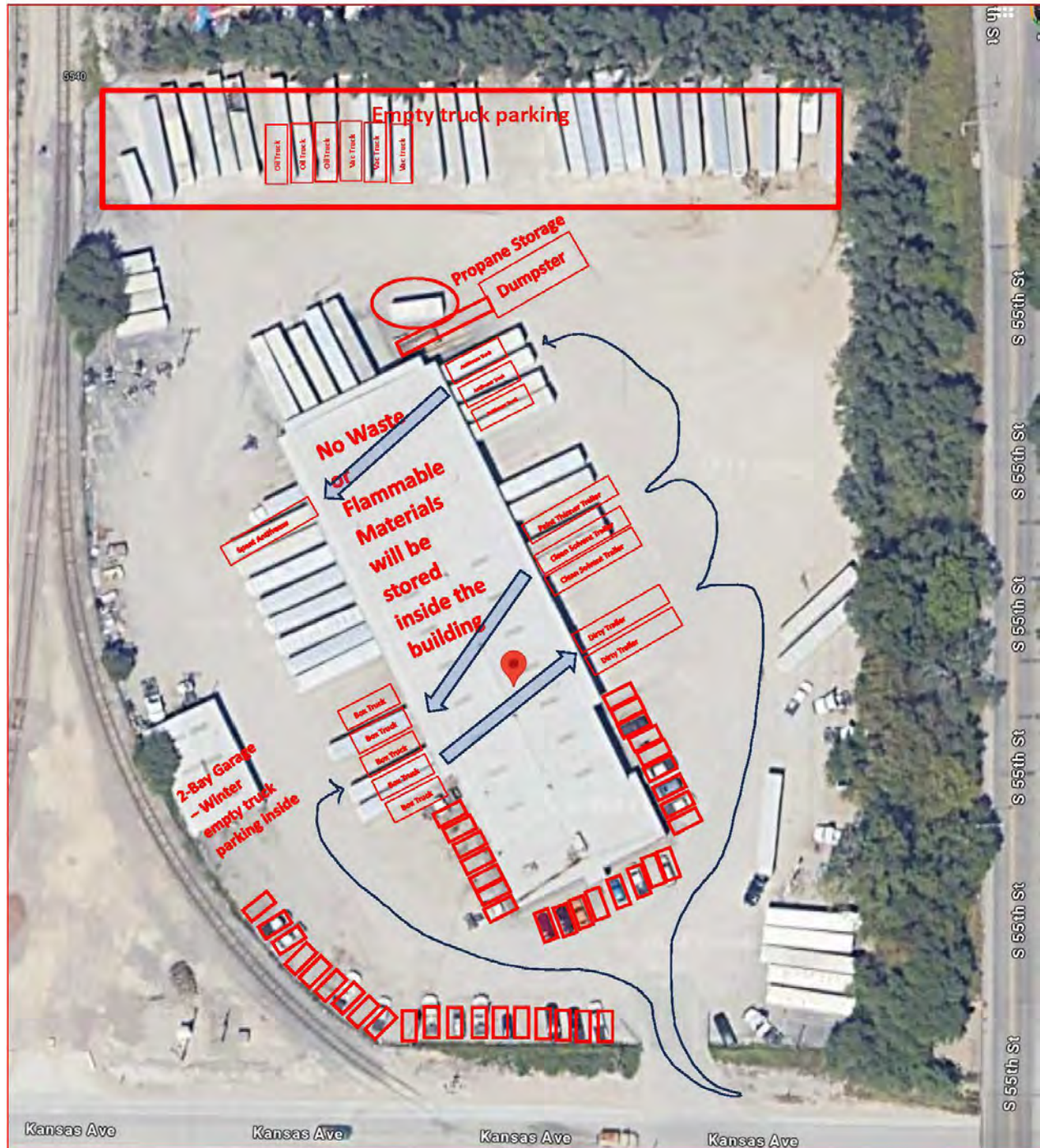
My commission expires 2nd of June, 2025



Monika G Bellman  
Notary Public



## SITE PLAN



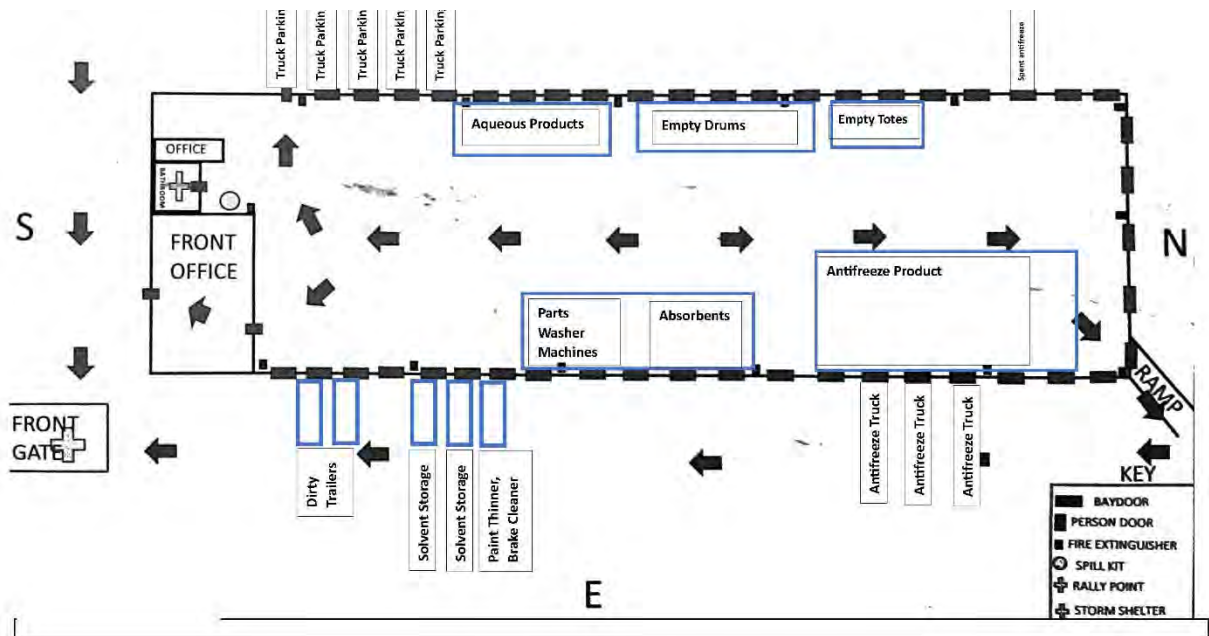
Site Notes:

\*No drains present; Slopes to the Northwest marginally; Concrete/Gravel mix lot

\*\*HCC is not completing any site improvement, construction, or renovation projects onsite

\*\*  Indicates a general car parking area

## FLOOR PLAN



\*Quantity-limited materials, as indicated in 2018 IFC 5003.1.1 "Maximum allowable quantity per control area", will be stored in exterior trailers, as indicated above  
 \*\*HCC is not completing any site improvement, construction, or renovation projects onsite

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## BUSINESS OPERATION

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### Heritage-Crystal Clean, LLC. (HCC) Operations Summary

#### Section 1 – General Information

|                      |                                 |
|----------------------|---------------------------------|
| Address:             | 5510 KANSAS AVE KANSAS CITY, KS |
| Use:                 | BRANCH                          |
| Facility Use:        | LOADING/UNLOADING ROUTE TRUCKS  |
| Contact Person:      | JEREMY LONG                     |
| Contact Information: | JEREMY.LONG@CRYSTAL-CLEAN.COM   |

#### Section 2 – Description of Operations

The facility will be used for office and warehousing purposes to support Heritage-Crystal Clean, LLC ("HCC") branch operations. All HCC branches operate as ten-day transfer facilities. HCC's core business is the lease and service of parts cleaning equipment placed at customers location. HCC also provides used oil and oily water collection, delivers and collects new and spent antifreeze, vacuum services for oily water separators, Haz and Non Haz waste drum management, absorbent, floor cleaner solutions, and windshield washer fluid delivery.

There will be no manufacturing, processing, disposal, or retail sales activities at this location. Containerized materials are transferred from truck to truck. The HCC fleet of trailers and commercial vehicles are generally equipped with spill containment systems. They are typically designed to contain the single largest container in the unlikely event of a container failure. HCC employees are trained to properly manage the products distributed and to perform activities that are required. HCC operates in full compliance with all local, state, and federal regulations.

HCC will not be completing construction, site improvement, or renovation projects at this site.

Tanker Trailer Used Oil/Oily Water Transloading Onsite? ☐ Y / ☒ N

*\*If yes, provide a description of the number of tanker trailers, trailer capacity, proposed trailer location(s) onsite, and spill control measures to be taken within the "Additional Operations" space provided below.*



**Section 3 – Additional Operations (if necessary)**

**Section 4 – Storage and Handling Information – PLEASE FULLY COMPLETE**

| Product <sup>1</sup>       | Unit                     | Storage Location (check all that apply) |                                     |                                     | Est. Qty. Stored in Trucks/Trailers | Est. Qty. Stored in Facility | Total Qty. Onsite | KC Quantity Limits           | NFPA Haz Class                  | Physical State      |
|----------------------------|--------------------------|-----------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|------------------------------|-------------------|------------------------------|---------------------------------|---------------------|
|                            |                          | Trucks                                  | Trailers                            | In Facility                         |                                     |                              |                   |                              |                                 |                     |
| Aqueous Solution           | Totes/Drums <sup>2</sup> | <input type="checkbox"/>                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     | 5 TOTES                      | 5 TOTES           | N/A                          | N/A                             | Liquid              |
| Antifreeze                 | Totes/Drums              | <input type="checkbox"/>                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     | 30 TOTES                     | 30 TOTES          | N/A                          | N/A                             | Liquid              |
| HCC 106 Mineral Spirits    | Drums                    | <input checked="" type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 6 DRUMS                             |                              | 100 GAL           | 120 gal                      | Class II                        | Liquid              |
| HCC 142 Mineral Spirits    | Drums                    | <input checked="" type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 85 DRUMS                            |                              | 1450 GAL          | 330 gal                      | Class IIIA                      | Liquid              |
| Odorless Mineral Spirits   | Drums                    | <input checked="" type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 8 DRUMS                             |                              | 150 GAL           | 120 gal                      | Class II                        | Liquid              |
| Super 16 Paint Gun Cleaner | Drums (5g only)          | <input checked="" type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 8 DRUMS                             |                              | 440 GAL           | 120 gal                      | Class IB                        | Liquid              |
| Windshield Washer Fluid    | Totes/Drums              | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | <input type="checkbox"/>            | 6 TOTES                             |                              | 1900 GAL          | 120 gal                      | Class II                        | Liquid              |
| Brake Cleaner              | Drums                    | <input checked="" type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 8 DRUMS                             |                              | 440 GAL           | 120 gal                      | Class IB                        | Liquid              |
| Immersion Cleaner          | Drums                    | <input checked="" type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 6 DRUMS                             |                              | 36 GAL            | 13,200                       | Class IIIB                      | Liquid              |
| Customer Non-Haz Waste     | Totes/Drums              | <input checked="" type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 20-30 DRMS                          |                              | 1650              | Not specified                | Varies                          | Liquid/Sludge/Solid |
| Customer Haz Waste         | Totes/Drums              | <input checked="" type="checkbox"/>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 20-30 DRUMS                         |                              | 1650              | 1- Not specified II- 120 gal | Varies (Possible Class I or II) | Liquid/Sludge/Solid |
| Absorbent Product          | Palletized Boxes         | <input type="checkbox"/>                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 20-30 PALLETS                       |                              |                   | N/A                          | N/A                             | Dry Good            |
| Parts Cleaners             | Palletized Machines      | <input type="checkbox"/>                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 6 PALLETS                           |                              |                   | N/A                          | N/A                             | Dry Good            |
| Empty Drums/Boxes          | N/A                      | <input type="checkbox"/>                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 50 PALLETS                          |                              |                   | N/A                          | N/A                             | Dry Good            |
| Pallets                    | N/A                      | <input type="checkbox"/>                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 50-60                               |                              |                   | N/A                          | N/A                             | Dry Good            |

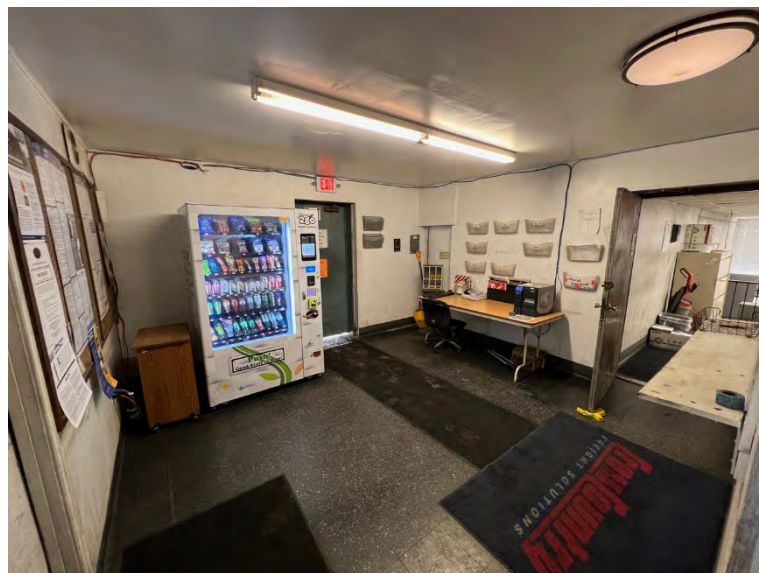
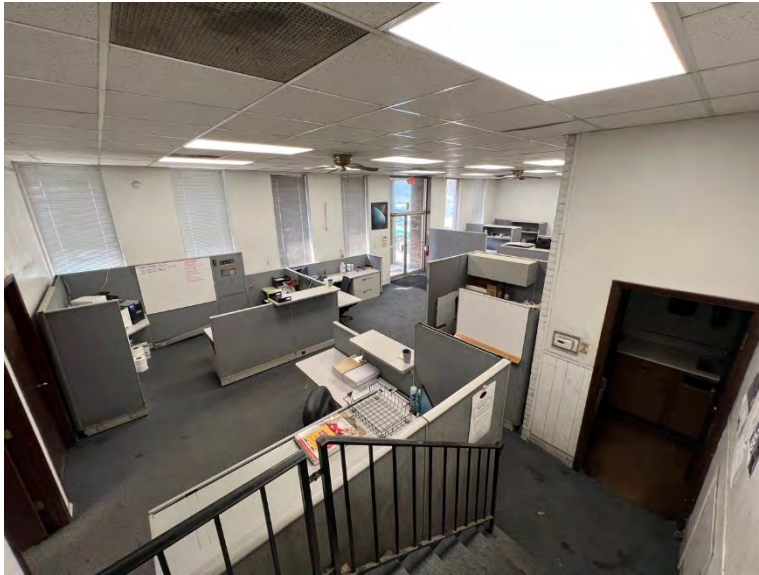
<sup>1</sup> SDS Sheets available upon request; All products stored in sealed containers with minimal liquid transfer of aqueous product only  
<sup>2</sup> Tote Sizes = 275/330 Gal.; Drum Sizes = 55/30/16/5 Gal.

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**SITE PHOTOS, PROVIDED BY APPLICANT, DATED APRIL 26, 2024**

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**SITE PHOTOS, TAKEN BY STAFF, DATED MAY 10, 2024**

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# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Permit Petition SP2024-031

## GENERAL INFORMATION

### Applicant Information:

Shaymond Janes  
Owner  
Janes Brothers LLC  
9625 Lamar Avenue  
Overland Park, Kansas, 66207

### Subject Property:

2737 South 53<sup>rd</sup> Terrace  
Kansas City, Kansas, 66106

### Requested Action and Purpose:

Renewal of a Special Use Permit  
(expires October 5, 2024) to operate  
a short-term rental.

### Commission Districts:

At-Large, District #2:  
Tom Burroughs  
District #6 Commissioner:  
Philip Lopez

### Existing Zoning District(s):

R-1(B) Single Family District

### Comprehensive Plan Area

PlanKCK Comprehensive Plan



|       | Adjacent Zoning               | Adjacent Uses           |
|-------|-------------------------------|-------------------------|
| North | R-1 Single Family District    | Single-family residence |
| South | R-1(B) Single Family District | Single-family residence |
| East  | R-1(B) Single Family District | Single-family residence |
| West  | R-1(B) Single Family District | Single-family residence |

**Total Tract Size:** 0.31 Acre

**Comprehensive Plan Area:** PlanKCK Comprehensive Plan

**Comprehensive Plan Designation:** The PlanKCK Comprehensive Plan designates the subject property as Low Density Residential, which allows for single-family residences.

**Major Street Plan:** The goDotte Mobility Plan designates South 53<sup>rd</sup> Terrace as a Local/Neighborhood Street.

**Parking Requirement:** Section 27-454(e) states two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport. Two (2) parking spaces are required. The property provides five (5) parking spaces, including two (2) in a garage.

**Landscaping Requirement:** Section 27-700 (a) states “One shade tree per dwelling unit is required in the front or corner side yard”. The subject property fulfills this requirement.

**Advertisement:** The Wyandotte Echo – May 16, 2024  
Letters to Property Owners – May 17, 2024

**Public Hearings:** June 10, 2024 and June 27, 2024

**Public Support:** None to date.

**Public Opposition:** None to date.



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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Shaymond Janes, is requesting a renewal (expires October 5, 2024) of a Special Use Permit to operate a short-term rental at 2737 South 53<sup>rd</sup> Terrace, Kansas City, Kansas 66106. This is not the owner's primary residence. This is currently the only permitted short-term rental on the South 2700 block of South 53<sup>rd</sup> Terrace.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623 and all other applicable standards within Chapter 27.

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### **Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. 2019 – 19200-02737 – Code Enforcement – Drainage violation for water draining onto neighboring property.
2. 2023 – CAC23-1407 – Administrative Citation – Operating a Short-Term Rental without a Special Use Permit.
3. 2023 – ZONE2023-017 – Zoning – Operating a Short-Term Rental without a Special Use Permit.

### **Outstanding or Related Permit and Cases:**

1. There are no additional related permits or cases on the subject property.

### **Previous Actions:**

1. Approval of a Special Use Permit (SP2023-020) for a short-term rental in 2023 (expires October 5, 2024).

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## FACTORS TO BE CONSIDERED

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### ***1. The Character of the Neighborhood.***

The subject property is located within the Turner Statistical Neighborhood, the South Turner Neighborhood Group, and the Turner Community Connection Group. The neighborhood consists almost entirely of single-family residences, with a few institutions, such as schools, churches, and a block of apartments and is suburban in character.

- 2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.***

The zoning and uses are set out above. The subject property is surrounded by the R-1 and R-1(B) Single Family Zoning Districts. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity to some public and semi-public spaces. The proposed use is compatible if properly managed. While use as a short-term rental is commercial in nature, the use is occurring in a purpose-built residence, which should not present issues with nearby property.

- 3. *The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions including those for hours of operation (where applicable), detrimentally affect nearby property?***

Removal of the restrictions that require a Special Use Permit for such activities has the potential to create issues such as parking, excessive noise, illumination, vibration, overcrowding of land and undue concentrations of population. The property could be suitable for use as a short-term rental if aforementioned issues are properly managed.

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

The property is not vacant. This property has been operating as a Short-term Rental since 2022.

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

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The PlanKCK Comprehensive Plan designates the subject property as Low Density Residential, which allows for single-family residences. The proposed use conforms to the PlanKCK Comprehensive Plan designation with the continuation of a Special Use Permit.

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

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of South 53<sup>rd</sup> Terrace, a Local/Neighborhood Street, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

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

The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, overcrowding of land, illumination, and undue concentrations of population could impact nearby properties negatively. If managed properly, however, the use of the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

Noise, vibration and illumination are all potential issues that are related to short-term rentals if they are not managed properly. There have not been any complaints to date with the current applicant. Dust is not typically an issue related to the use of a residential property as a short-term rental and ostensibly not considered to be a problem for nearby properties.

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

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

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence in an existing residential neighborhood.

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

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

**12. *The applicant's ability to maintain the use in an "as proposed" condition.***

The applicant has maintained the proposed use as originally proposed and according to previous conditions of approval.

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

The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests at one time is seven (7). The maximum number of vehicles off-street is three (3). There shall be no on-street parking for STR renters or guests. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

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**NEIGHBORHOOD MEETING INFORMATION**

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The applicant held a neighborhood meeting in-person at 2737 South 53<sup>rd</sup> Terrace, Kansas City, Kansas, 66106 on May 27, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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**KEY ISSUES**

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Noise, Illumination, and Vibration  
Previous Conditions of Approval

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**PLANNING COMMISSION RECOMMENDATION**

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2024-031, **for two (2) years**, subject to:

1. **Maximum number of guests shall be seven (7);**
2. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified**

Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;

10. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
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](mailto: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. All existing and future driveways must feature curb cuts that are constructed to UG standards;
13. 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;
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15. 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.
16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
17. The Special Use Permit shall be valid for (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing

their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;

18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-029** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Host Compliance Map – Dated May 8, 2024  
Proof of Completion of Condition of Approval from SP2023-020  
Floor Plan  
Parking Plan  
Neighborhood Meeting Materials  
Site Visit Photos, Taken by Staff – Dated May 10, 2024



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## PUBLIC HEARING SCHEDULE

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| Action(s)          | City Planning Commission | Unified Government Board of Commissioners |
|--------------------|--------------------------|-------------------------------------------|
| Special Use Permit | June 10, 2024 - Approval | June 27, 2024                             |

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### STAFF CONTACT:

Kiley Meierarend

[kmeierarend@wycokck.org](mailto:kmeierarend@wycokck.org)

913-573-5761

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### MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-031** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

### OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-031**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

### June 10, 2024, City Planning Commission Minutes:

**SPECIAL USE PERMIT APPLICATION SP2024-031 – SHAYMOND ALAN JANES – SYNOPSIS:** Renewal of a Special Use Permit (SP-2023-020 – expires 10/04/2024) to operate a Short-Term Rental at 2737 South 53<sup>rd</sup> Terrace. Detailed Outline of Requested Action: The applicant, Shaymond Janes, is requesting a renewal (expires October 5, 2024) of a Special Use Permit to operate a short-term rental at 2737 South 53<sup>rd</sup> Terrace, Kansas City, Kansas 66106. This is not the owner's primary residence. This is currently the only permitted short-term rental on the South 2700 block of South 53<sup>rd</sup> Terrace.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publications in The Echo for the Special Use Permits; and,
7. The notices to property owners.

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

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. (No one responded in the affirmative).

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

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to APPROVE Passed: 7 to 0**

**Subject to:**

1. **Maximum number of guests shall be seven (7);**
2. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**

8. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
10. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
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](mailto: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. All existing and future driveways must feature curb cuts that are constructed to UG standards;
13. 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;
14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
15. 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.
16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision

within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

17. The Special Use Permit shall be valid for (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.



# ATTACHMENTS

## AERIAL IMAGERY



## ZONING MAP

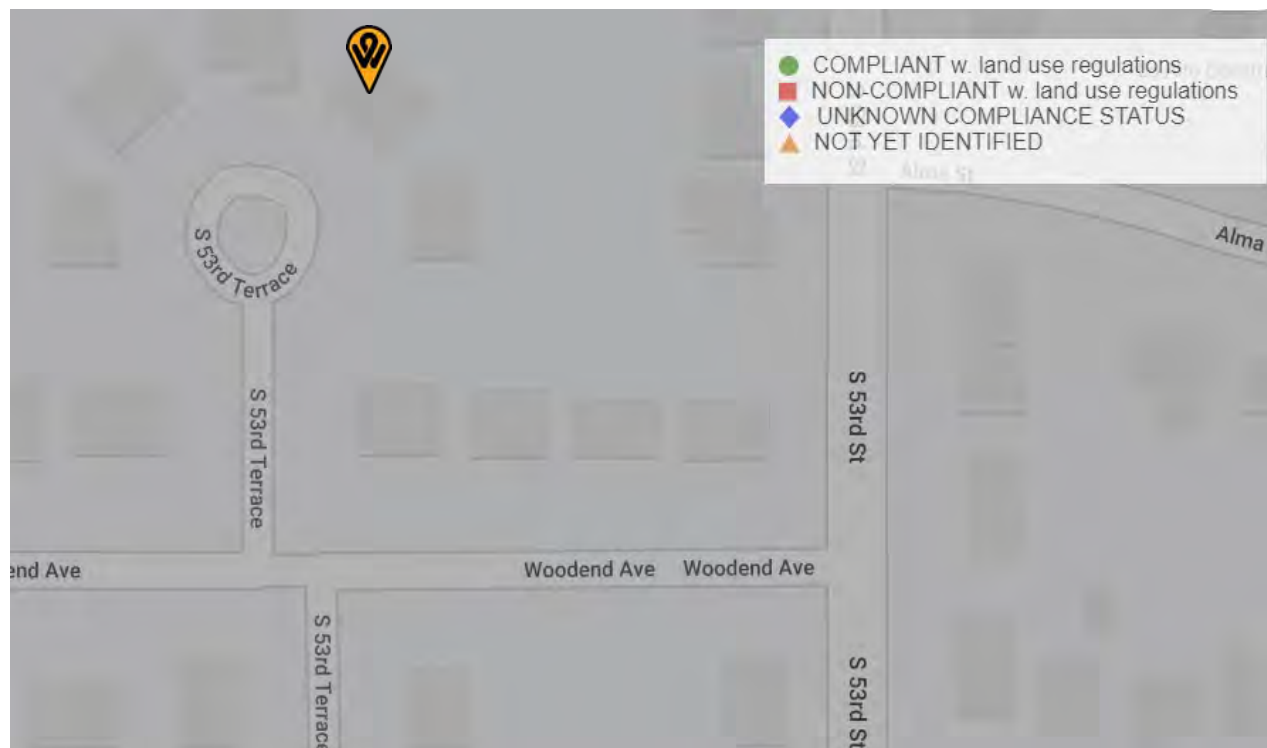




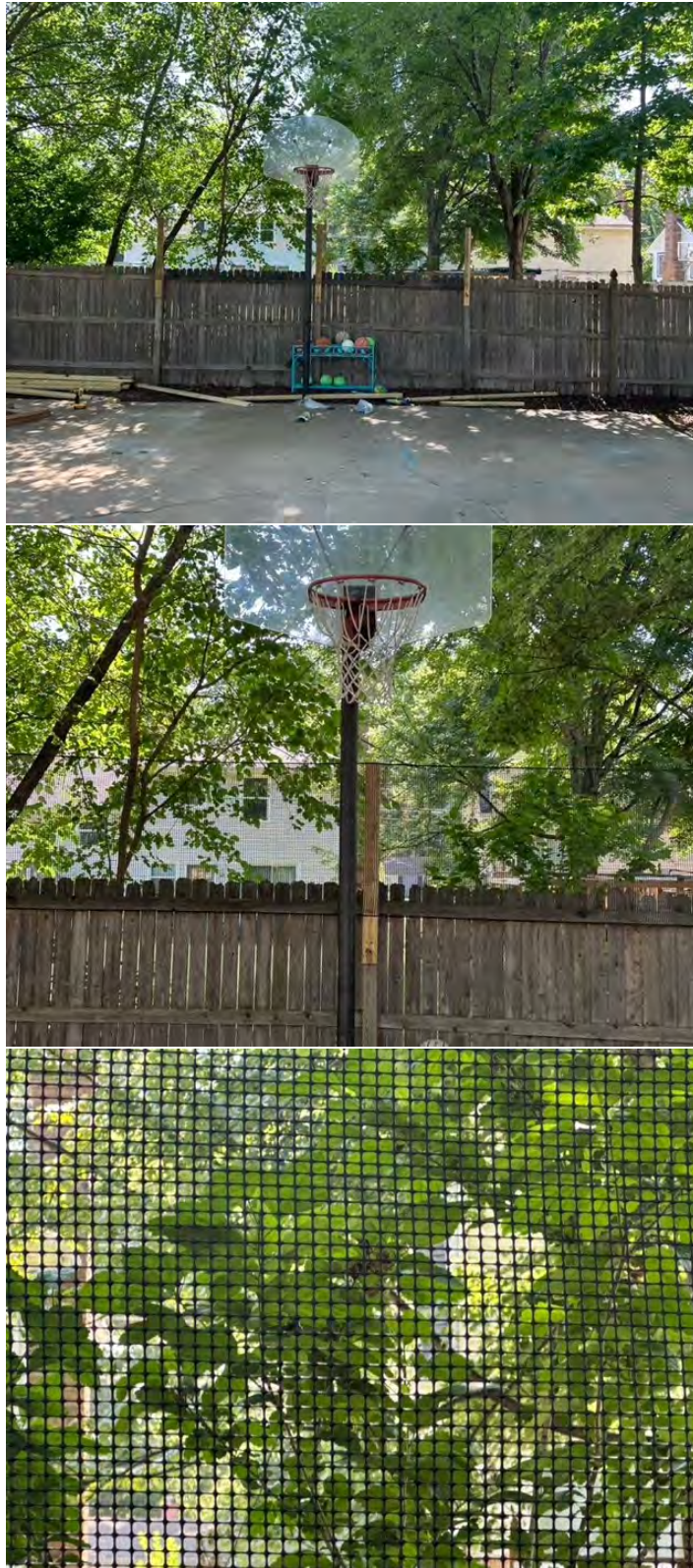
## LAND USE MAP



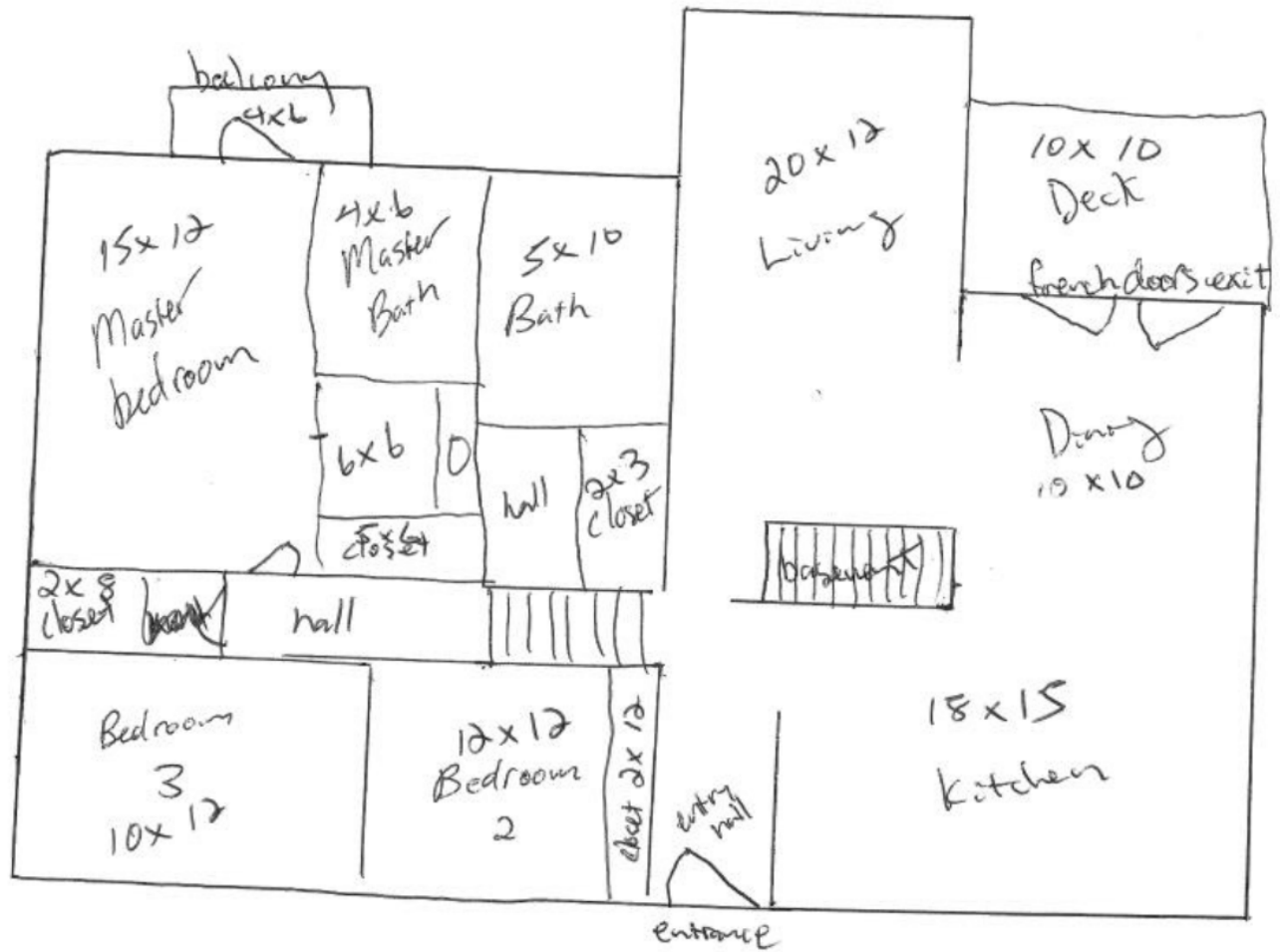
## SHORT-TERM RENTAL MAP



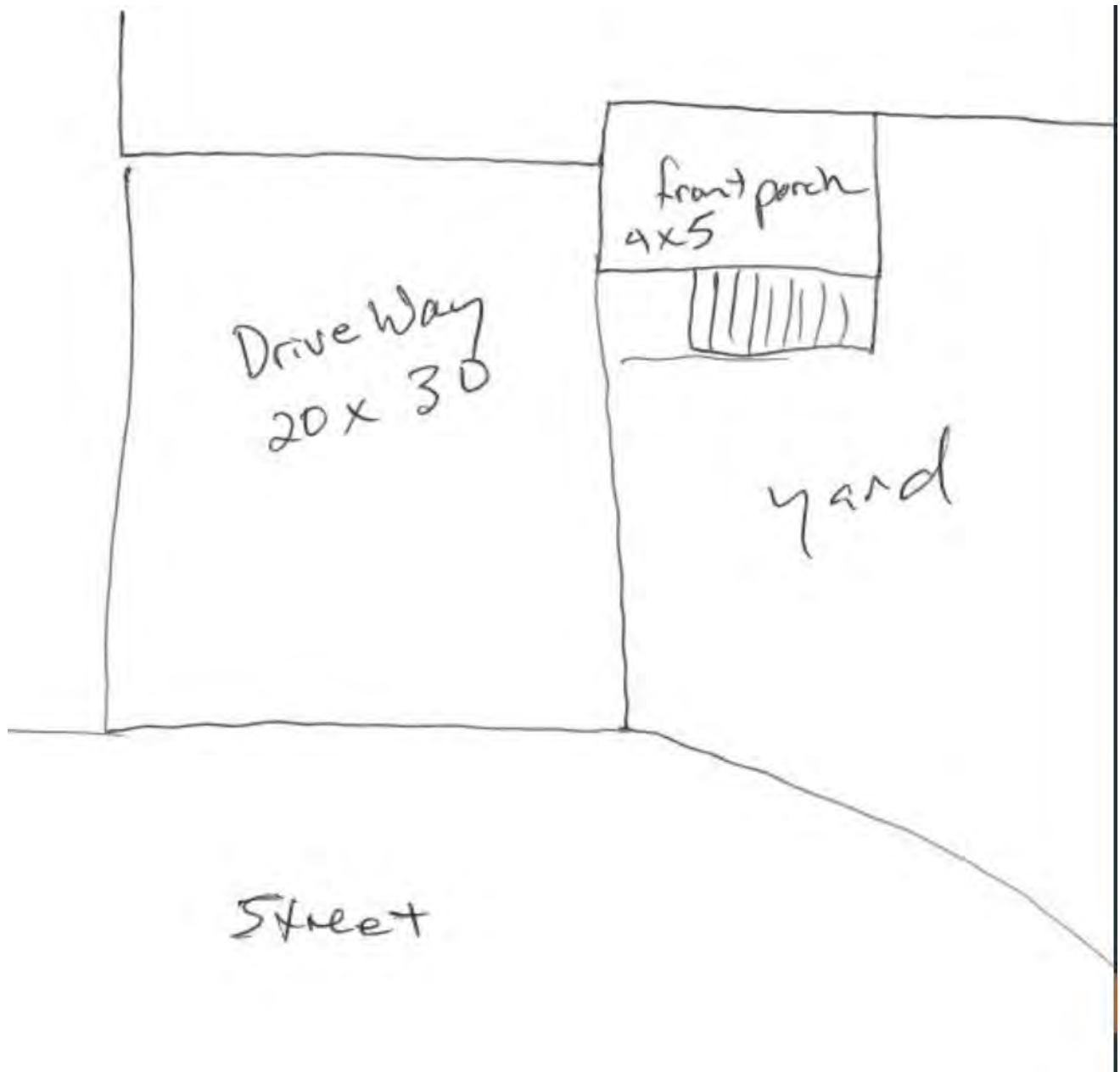




## FLOOR PLAN



## PARKING PLAN



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## NEIGHBORHOOD MEETING MATERIALS

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**From:** Shaymond Janes  
2737 S. 53<sup>rd</sup> Terrace  
Kansas City, KS 66106

**SUBJECT:** Neighborhood Meeting

**When:** May 27<sup>th</sup>, 2024 at 5:00pm

**Where:** 2737 S. 53<sup>rd</sup> Terrace, Kansas City, KS 66106

**RE:** 2737 S. 53<sup>rd</sup> Terrace – Renewal of Special Use Permit

**Petition:** SP2024-031

**To:** Whomever it may concern:

I, Shaymond Janes, owner of the above-mentioned property (2737), have filed an application with the Department of Urban Planning and Land Use #SP2024-031.

The purpose of this application is for renewal of an already in force special use permit to continue operating the subject property as a short-term rental for families to rent while visiting Kansas City.

**The complete address of the property is:**

2737 S. 53<sup>rd</sup> Terrace  
Kansas City, KS 66106

I am having a neighborhood meeting on May 27<sup>th</sup>, 2024 at 5:00 PM at 2737 S. 53<sup>rd</sup> Terrace, Kansas City, KS 66106 to address comments, questions, and concerns with regards to this matter. The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

**Proposal**

The Applicant, Shaymond Janes, is requesting a renewal of existing Special Use Permit to continue operating a short-term rental at 2737 South 53rd Terrace, Kansas City, KS, located in the South Turner Neighborhood. This is not the owner's primary residence. The subject property is surrounded primarily by R-1 Single Family Zoning Districts. Continuing use as a rental, either short or long-term, is consistent with other nearby properties in close proximity to the mixed-use corridor. The proposed use is compatible and is currently being managed as a short-term rental without any know incidents of rules and regulations that were put in place upon initial approval of existing permit. The following management provisions, rules and regulations have been adopted and will continue to be strictly adhered to:

- Large and/or loud parties are strictly prohibited.
- Loud and/or inappropriate music is prohibited.

- We do not allow local groups to rent from us which prevents the inviting of unwanted guests.
- We only book groups through VRBO who put guests through additional background screening.
- We rate each one of our guests on a variety of different factors including adherence to rules and we will not rent to guests who have a bad rating or who have broken rules in the past.
- In efforts to discourage against guests having parties a 3-night minimum will be strictly adhered to.
- The limit on number of guests allowed to stay/book the property is 7.
- We actively screen our guest before booking confirmation to find out the purpose of their visit to KC in efforts to prevent parties or loud get togethers.
- No more than 3 cars are allowed and must be parked off street in the garage or drive-way.
- We have a strict/hard cut off on all music at 10:00 PM.
- We have a strict/hard cut off on basketball and swimming at 10:00 PM and guests are asked to move activities inside at this time.
- In efforts to enforce 10:00 PM curfew we have exterior lights on a timer, and they shut off a few minutes after 10:00 PM.
- We have installed exterior cameras on both the front of the property, and the back of the property. The cameras are monitored by Ring video 24 hours per day. All exterior activities are recorded with notifications being sent directly to mine and my wife's phone anytime there is exterior activity. The cameras also allow us to communicate directly to our guests via the camera microphone. The cameras are hard wired to the power of the home and are always on 24/7.
- I live just a short 10-minute drive away from the property and can be there on short notice if need be. All contact information is provided hereto.
- We have installed netting in the back of the basketball court which will prevent basketballs from bouncing over the fence.
- The back yard is surrounded by a six (6) foot privacy fence which is locked at all times for both guest and neighbor safety.
- In addition to these action items, we have also made in-roads in promoting other local businesses and eateries in both Turner and Kansas City, KS. So far these include:
  - o We provide our guests a Christie's Tasty Queen menu which is displayed on our kitchen counter.
  - o We provide our guests an Amigo's Mexican Restaurant menu which is displayed on our kitchen counter.
  - o Agreement with The Windmill KC Coffee Shop & Eatery in Turner to display their menu and a coupon to our guests on our kitchen counter. We have also provided laminate menus for The Windmill and paid for those last year.

- o Agreement with Strawberry Hill In KC T Shirt Shop located across the street from Breit's Stein & Deli on 5th Street. We have worked together to create a T-Shirt Design which is offered to all our guests.
- o Member of Turner Community Connection.

The property is in excellent condition, is regularly maintained by the property owner. A short touring of the property can be done on the night of the meeting if you would like.

Property is owned and will be managed by:

Shaymond Janes – Janes Brothers LLC

Mailing Address: 9625 Lamar Ave  
Overland Park, KS 66207

Direct Phone for Text or Call: (913) 207-3280

Email Address: [sjanes1976@icloud.com](mailto:sjanes1976@icloud.com)

I look forward to meeting you and answering further questions on May 27th.

Thank you,

Shaymond Janes

Janes Brothers LLC

9625 Lamar Ave

Overland Park, KS 66207

Sjanes1976@icloud.com

(913) 207-3280



# NEIGHBORHOOD MEETING MATERIALS

## AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas )  
COUNTY OF Johnson ) SS:

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

1. That I am the petitioner for Petition # SP2024-031
2. That I conducted a neighborhood meeting on 5/27/24.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28th day of May, ~~200~~ 2024 SP -

My commission expires 23rd of May, ~~200~~ 2028 SP -

Julie Leong-Hicks  
Notary Public



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**SITE VISIT PHOTOS, TAKEN BY STAFF – DATED MAY 10, 2024**

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## Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Permit Petition SP2024-032

### GENERAL INFORMATION

**Applicant Information:**

Tina Her  
Justtina's Boutique LLC  
5814 Parkview Avenue  
Kansas City, Kansas 66104

**Subject Property:**

5814 Parkview Avenue  
Kansas City, Kansas 66104

**Requested Action and Purpose:**

Approval of a Home Occupation  
Special Use Permit to assemble  
jewelry.

**Commission Districts:**

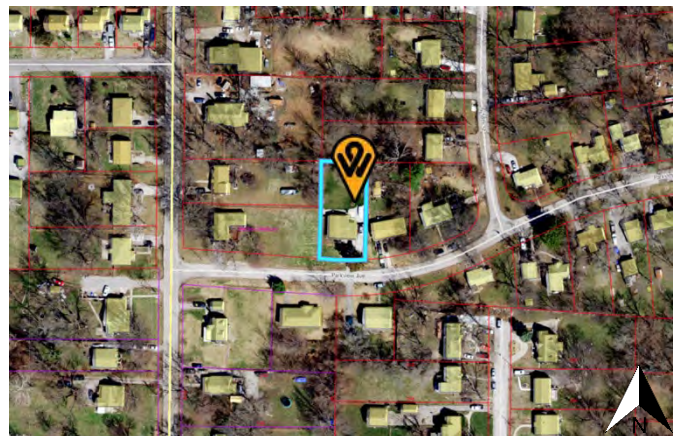
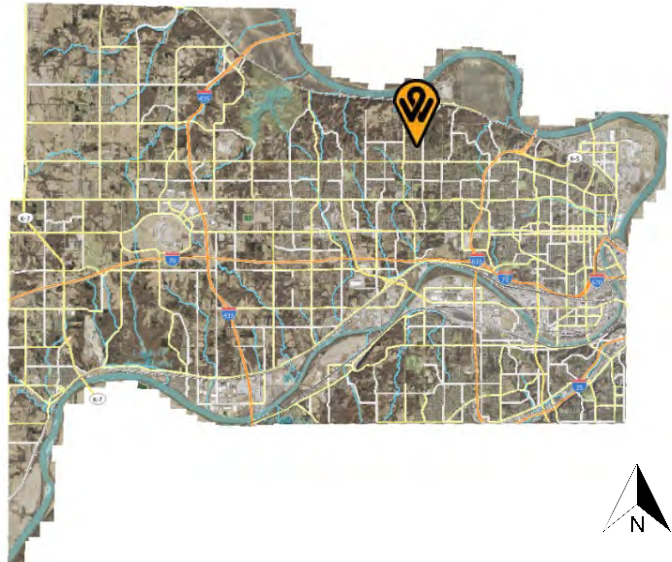
Commissioner At-Large, District #1:  
Melissa Bynum  
District #1 Commissioner:  
Gayle Townsend

**Existing Zoning District(s):**

R-1 Single Family District

**Comprehensive Plan Area:**

PlanKCK



|              | <b>Adjacent Zoning</b>     | <b>Adjacent Uses</b>    |
|--------------|----------------------------|-------------------------|
| <b>North</b> | R-1 Single Family District | Single Family Residence |
| <b>South</b> | R-1 Single Family District | Single Family Residence |
| <b>East</b>  | R-1 Single Family District | Single Family Residence |
| <b>West</b>  | R-1 Single Family District | Single Family Residence |

**Total Tract Size:** 0.26 Acres

**Comprehensive Plan Area:** PlanKCK

**Comprehensive Plan Designation:** The PlanKCK Comprehensive Plan designates the subject property Low-Density Residential, which allows for single-family homes.

**Major Street Plan:** The goDotte Mobility Plan designates Parkview Avenue as a Local Street.

**Parking Requirement:** Section 27-454(e) states “Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport”. The residence provides two (2) spaces in the driveway as well as a space in the garage.

**Landscaping Requirement:** Section 27-700(a) states “one (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences”. The property provides one (1) tree in the front yard as well as additional trees on site.

**Advertisement:** The Wyandotte Echo – May 16, 2024  
Letters to Property Owners – May 17, 2024

**Public Hearings:** June 10, 2024 and July 27, 2024

**Public Support:** None to date.

**Public Opposition:** None to date.



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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Tina Her, is requesting a Home Occupation Special Use Permit to assemble jewelry at 5814 Parkview Avenue.

City Ordinance Requirements: 27-214, 27-592 through 27-606 and all other applicable standards within Chapter 27.

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### **Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. There have been notices of violation in the past, prior to 2018, for parking on unimproved surfaces and for untagged vehicles. This, however, occurred prior to the applicant living on premises.

### **Outstanding or Related Permit and Cases:**

1. There are no additional related permits or cases on the subject property.

### **Previous Planning Actions:**

1. There are no previous planning entitlements on the subject property.

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## FACTORS TO BE CONSIDERED

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### ***1. The Character of the Neighborhood.***

The subject property is located within the Bethel-Welborn Statistical Neighborhood, the Field of Dreams Neighborhood Group and the Leavenworth Road Association (LRA) group. The neighborhood consists primarily of single-family residences with light commercial along Leavenworth Road.

### ***2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.***

The zoning and uses are set out above. The subject property is surrounded by the R-1 Single-Family District. The proposed use, which is commercial in nature, is compatible with nearby uses if property managed and meets all conditions of approval, as the use is expected to occur entirely within the residence.

3. ***The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?***

The proposed use is suitable for the subject property with a Special Use Permit, as while commercial, occurs entirely within the residence. The removal of restrictions will not detrimentally affect nearby property.

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

The property is not vacant and is the applicant's primary residence.

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

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The PlanKCK Comprehensive Plan designates the subject property Low-Density Residential, which allows for single-family homes. While a commercial use would not conform to the Comprehensive Plan designation without a Special Use Permit, this proposed use is small in scale and is contained entirely within the subject residence.

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

The proposed use has the potential to increase vehicular traffic, particularly that of delivery vehicles, but is not expected to exceed the capacity of Parkview Avenue, a Local Street, to accommodate it if managed properly. The applicant does not intend to have customers come to the residence.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public, as it is a private business operated by the applicant. The proposed use will not affect the use, quality, or marketability of nearby property if managed properly, as it occurs entirely within the subject residence.

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

The proposed use, to assemble jewelry, is not expected to have impacts with noise, vibration, dust, or illumination, as the use occurs entirely within the subject residence.



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

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

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence, in an existing suburban neighborhood.

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

The relative gain to public health, safety and welfare is minimal. If denied, the property owner may not use the property for this business and would either be required to find a commercial location or not operate this business.

**12. *The applicant's ability to maintain the use in an "as proposed" condition.***

The applicant will be required to maintain the use according to the submitted plans and descriptions of the proposed use. The applicant will also be required to meet conditions of approval set forth by Staff and the Board of Commissioners.

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

The proposed use is not expected to result in the overcrowding or land or undue concentrations of population because the use occurs entirely within the subject residence. The applicant states that no customers will come to the property, and there will be no outside staff.

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## **NEIGHBORHOOD MEETING INFORMATION**

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The applicant held a neighborhood meeting on May 24, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## **KEY ISSUES**

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Gravel Driveway  
Scope of Operation

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2024-032, **for two (2) years**, subject to:

1. 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](mailto: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;
2. All exterior lighting, whether mounted on a building or within a parking lot 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 and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
4. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
5. 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](mailto: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;
6. All existing and future driveways must feature curb cuts that are constructed to UG standards;
7. 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;
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. 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;
10. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
  11. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
  12. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
  13. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

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## **STAFF COMMENTS AND SUGGESTIONS**

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-032** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Neighborhood Meeting Materials  
Site Photos, Taken by Staff, Dated May 10, 2024

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## PUBLIC HEARING SCHEDULE

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| Action(s)          | City Planning Commission | Unified Government Board of Commissioners |
|--------------------|--------------------------|-------------------------------------------|
| Special Use Permit | June 10, 2024 - Approval | June 27, 2024                             |

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### STAFF CONTACT:

James Molloy  
[jlmolloy@wycokck.org](mailto:jlmolloy@wycokck.org)

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## MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-032** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-032**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## **June 10, 2024, City Planning Commission Minutes:**

### **Hearing starts at 1:51:10:**

#### **SPECIAL USE PERMIT APPLICATION SP2024-032 – TINA P. HER - SYNOPSIS:**

Home Occupation Special Use Permit to assemble jewelry at 5814 Parkview Avenue.

Detailed Outline of Requested Action: The applicant, Tina Her, is requesting a Home Occupation Special Use Permit to assemble jewelry at 5814 Parkview Avenue.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

### **Present in Support:**

- Tina Her, applicant, 5814 Parkview Avenue, Kansas City, Kansas 66104

### **Present in Opposition:**

- No one appeared.

**Staff Recommendation starts at 1:53:53:** Planner Molloy stated that the request is for a Home Occupation Special Use Permit to assemble jewelry on site. Staff recommends approval for two (2) years subject to the conditions in the staff report.

### **Motion starts at 1:54:43:**

On motion by Mr. Ward, seconded by Mr. Straws, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application SP2024-032 for two (2) years:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |

Straws                      Aye  
Ward                        Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

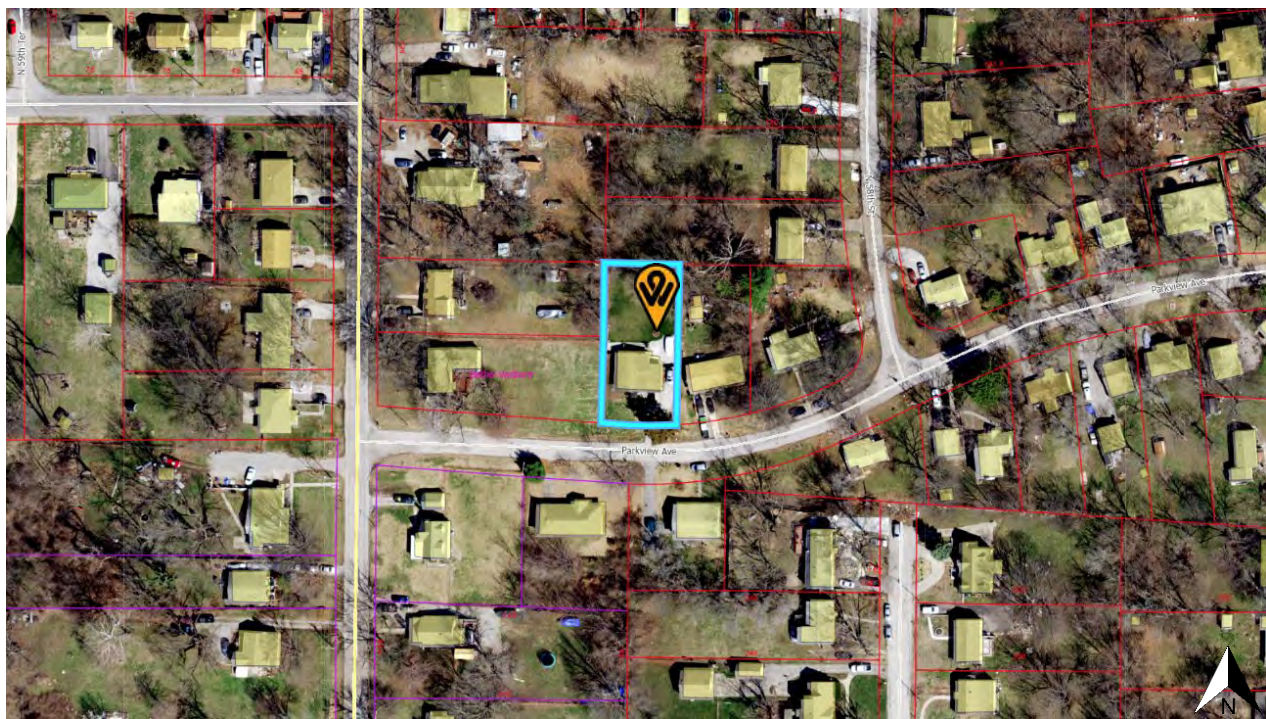
1. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto: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;
2. All exterior lighting, whether mounted on a building or within a parking lot 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 and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
4. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
5. 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](mailto: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;
6. All existing and future driveways must feature curb cuts that are constructed to UG standards;
7. 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;
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. 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



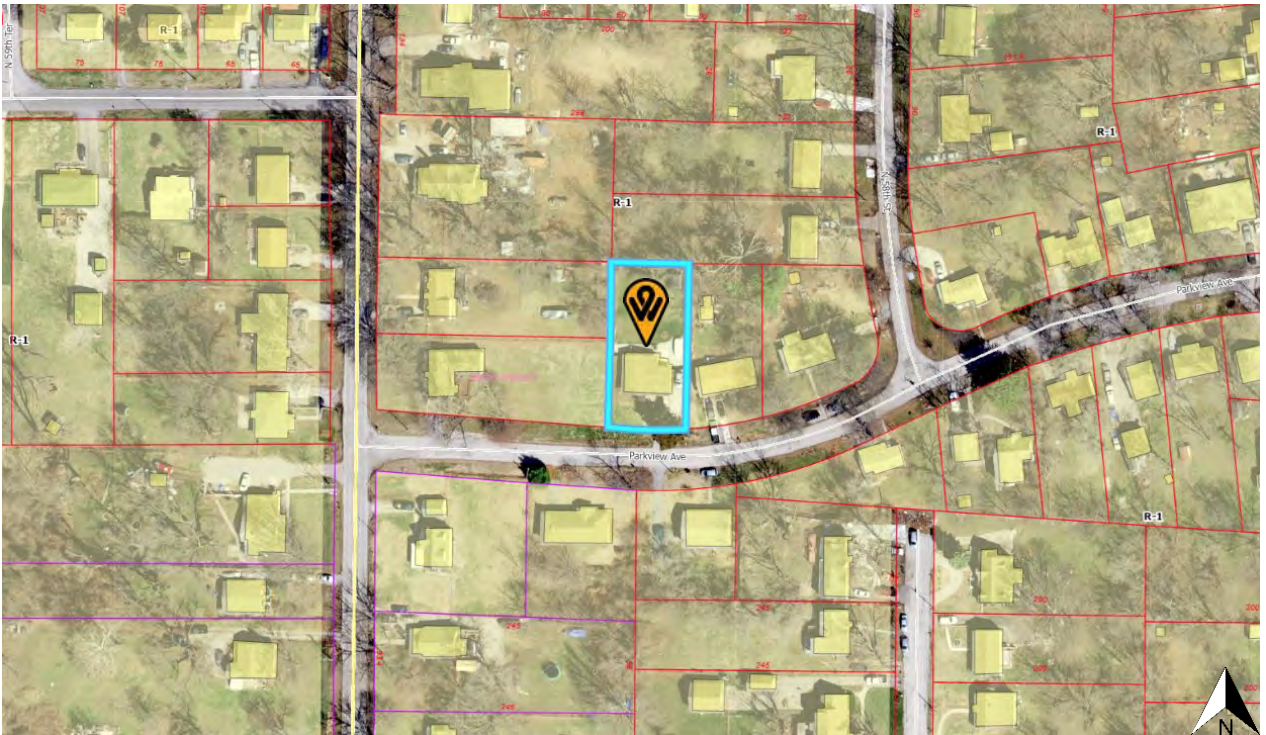
- be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by 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;
10. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
  11. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
  12. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
  13. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

AERIAL IMAGERY

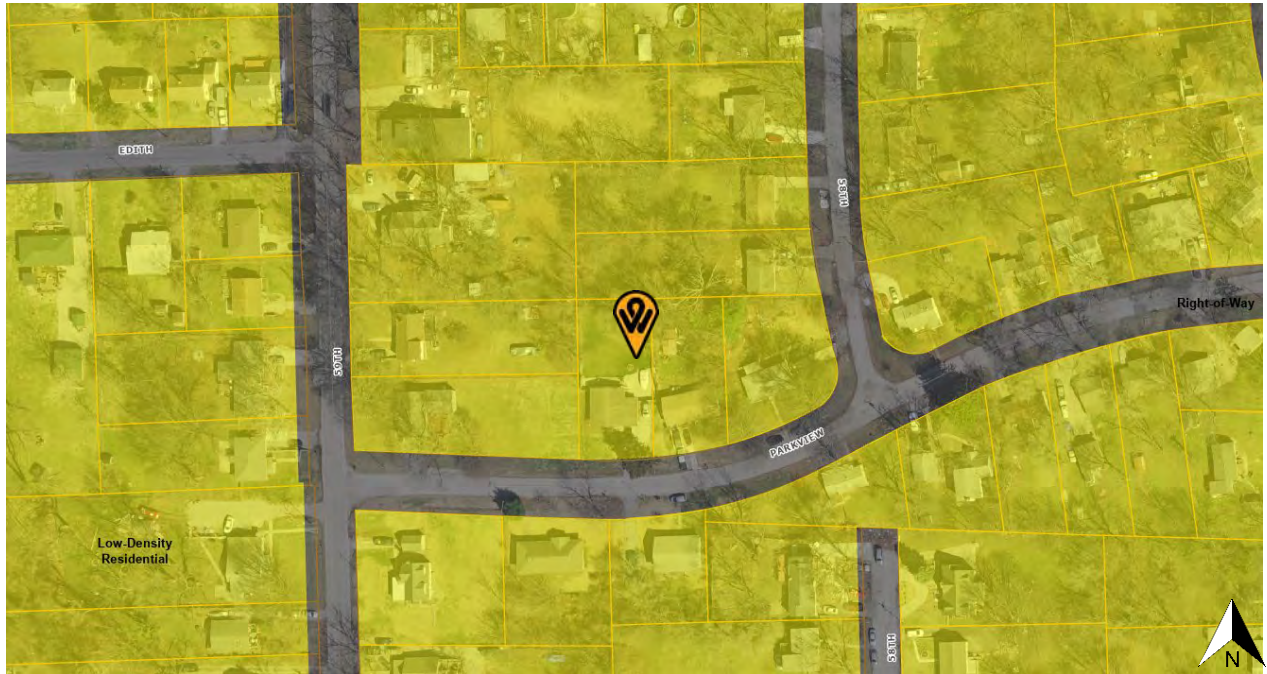


ZONING MAP





## LAND USE MAP



# NEIGHBORHOOD MEETING MATERIALS

## AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas )  
COUNTY OF Wymolotte ) SS:

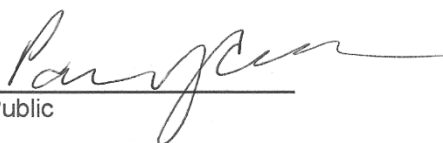
Comes now Tina Her, of lawful age, sound mind and upon his/her oath states as follows:

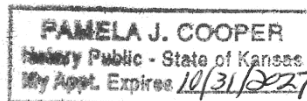
1. That I am the petitioner for Petition # **SP2024-032**
2. That I conducted a neighborhood meeting on May 24, 2024 at 4:00pm.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

  
\_\_\_\_\_  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25<sup>th</sup> day of May, 200-2024, ce  
My commission expires 31<sup>st</sup> of October, 200-2027, pc.

  
\_\_\_\_\_  
Notary Public



Application Number: **SP2024-032**

Date and Location: May 24, 2024 at 4:00pm via virtual meeting.

Meeting called to order at: the below shared link

<https://app.we.team/app/meeting/public/scheduled/en/waiting-room/df73fdf0-38aa-4722-82f7-ed6cd83ebd4f>

Names of people in attendance:

1. Tina Her (applicant)

Introductions:

- Presenter was Tina and she explained the following:
  - Promotions of jewelry will all be completed online.
  - Explained there would be no in-person interactions with customers.
  - Explained 1 weekly inbound and 1 monthly outbound; outbound completed solely by applicant.
  - Storage of jewelry will be of acrylic and plastic bought from nearby stores.
  - Types of jewelry selling: earrings, necklaces, & bracelets made of various metals and beads/gems. Pictures of jewelry were shared as examples.

Questions and answers:

- No questions were asked.
- No answers were given.

Meeting adjourned at: 4:30pm on May 24, 2024

Minutes taken by: Andy Xiong

**Subject Property: 5814 Parkview Ave Kansas City, KS 66104**

**Virtual Neighborhood meeting held on May 24, 2024 at 4pm at the following link:** <https://app.we.team/app/meeting/public/scheduled/en/waiting-room/df73fdf0-38aa-4722-82f7-ed6cd83cbd4f>

Attendances:

- Tina Her (applicant)



**SITE PHOTOS, TAKEN BY STAFF, DATED MAY 10, 2024**







# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Permit Petition SP2024-034

## GENERAL INFORMATION

### Applicant Information:

Alexandra Burnham  
Owner of Springfield LLC  
12075 North Luckenbach Street  
Surprise, Arizona 85388

### Subject Property:

4101 Fisher Street  
Kansas City, Kansas 66103

### Requested Action and Purpose:

Renewal of a Special Use Permit  
(expired June 1, 2024) to operate a  
short-term rental.

### Commission Districts:

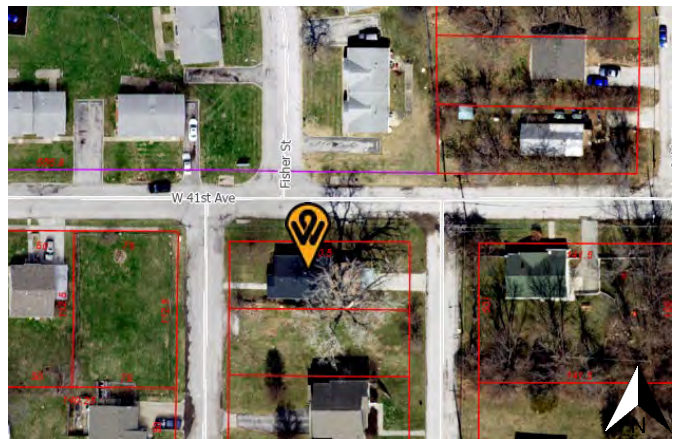
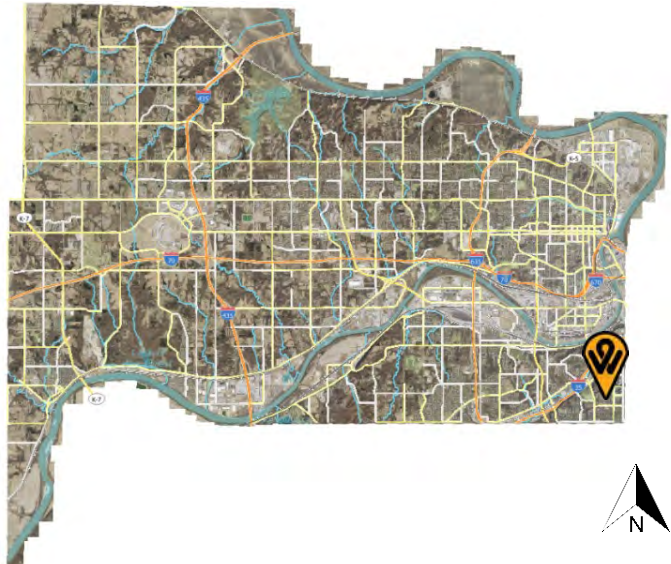
At-Large, District #2:  
Tom Burroughs  
District #3 Commissioner:  
Christian Ramirez

### Existing Zoning District(s):

R-1(B) Single Family District

### Comprehensive Plan Area

Rosedale Area Plan



|       | Adjacent Zoning                | Adjacent Uses           |
|-------|--------------------------------|-------------------------|
| North | R-2 (B) Two Family District    | Multi-family residences |
| South | R-1 (B) Single Family District | Vacant parcel           |
| East  | R-1 (B) Single Family District | Single-family residence |
| West  | R-1 (B) Single Family District | Vacant parcel           |

**Total Tract Size:** 0.14 Acre

**Comprehensive Plan Area:** Rosedale Area Plan

**Comprehensive Plan Designation:** The Rosedale Area Plan designates the subject property as General Urban, which allows for rowhouses, townhomes, and single-family houses. Three story apartment buildings, retail, and office uses are allowed only on neighborhood and mixed-use corridors.

**Major Street Plan:** The goDotte Mobility Plan designates Fisher Street as Local/Neighborhood Street.

**Parking Requirement:** Section 27-455(e) states “two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling”. Two (2) parking spaces are required. The residence provides two (2) off-street spaces in the driveway and one (1) covered space, a total of three (3) spaces.

**Landscaping Requirement:** Section 27-700 (a) states “One shade tree per dwelling unit is required in the front or corner side yard”. The subject property fulfills this requirement.

**Advertisement:** The Wyandotte Echo – May 16, 2024  
Letters to Property Owners – May 17, 2024

**Public Hearings:** June 10, 2024 and June 27, 2024

**Public Support:** None to date.

**Public Opposition:** None to date.

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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Alexandra Burnham, is requesting a renewal (expired June 1, 2024) of a Special Use Permit to operate a short-term rental at 4101 Fisher Street, Kansas City, Kansas 66103. This is not the owner's primary residence. This is currently the only permitted short-term rental on the 4100 block of Fisher Street.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623 and all other applicable standards within Chapter 27.

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### **Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. 2022 – STR22-0761 – Exterior wall structure in need of repair. Closed September 2022.
2. The property has a history of violations under a previous owner. There are no active Notices of Violation on the subject property.

### **Outstanding or Related Permit and Cases:**

1. There are no additional related permits or cases on the subject property.

### **Previous Actions:**

1. Approval of a Special Use Permit (SP2023-003) for a short-term rental in 2023 (expires June 1, 2024).

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## FACTORS TO BE CONSIDERED

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### ***1. The Character of the Neighborhood.***

The subject property is located within the Rosedale Statistical Neighborhood, the Hilltop Neighborhood group, and the Rosedale Development Association Neighborhood Group. The neighborhood consists of a mix of single-family residences on narrow and deep lots and garden style multi-family residences, with a mix of duplexes, triplexes, and fourplexes mixed within.

### ***2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.***

The zoning and uses are set out above. The subject property is surrounded by the R-2 (B) Two-Family district to the North and the surrounding zoning district is R-1 (B) Single-Family. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity the mixed residential urban area. While use as a short-term rental is commercial in nature, the use is occurring in a purpose-built residence, which should not present issues with nearby property. The proposed use is compatible if properly managed.

**3. *The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions including those for hours of operation (where applicable), detrimentally affect nearby property?***

Removal of the restrictions that require a Special Use Permit for such activities has the potential to create issues such as parking, excessive noise, illumination, vibration, overcrowding of land and undue concentrations of population. The property could be suitable for use as a short-term rental if aforementioned issues are properly managed.

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

The property is not vacant. The property has been used as a rental property since 2021.

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

Special Use Permits are not addressed in the Rosedale Area Plan. The Rosedale Area Master Plan designates this property as General Urban, which allows rowhouses, townhomes, and single-family houses. Three story apartment buildings, retail, and office uses are allowed only on neighborhood and mixed-use corridors. The proposed use conforms to the low-density residential designation with the continuation of a Special Use Permit.

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

The proposed use has the potential to increase vehicular traffic, but should not the capacity of Fisher Street, a Local/Neighborhood Street, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

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

The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, overcrowding of land, illumination, and undue concentrations of population could impact nearby properties negatively. If managed properly, however, the use of the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

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

Noise, vibration and illumination are all potential issues that are related to short-term rentals if they are not managed properly. There have not been any complaints to date with the current applicant. Dust is not typically an issue related to the use of a residential property as a short-term rental and ostensibly not considered to be a problem for nearby properties.

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

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

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

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence in an existing, built-out residential neighborhood.

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

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

**12. *The applicant's ability to maintain the use in an "as proposed" condition.***

The applicant has maintained the proposed use as originally proposed and according to previous conditions of approval.

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

The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of



guests at one time is seven (7). The maximum number of vehicles off-street is three (3). There shall be no on-street parking for STR renters or guests. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

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## NEIGHBORHOOD MEETING INFORMATION

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The applicant held a neighborhood meeting via Zoom on May 30, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## KEY ISSUES

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Noise, Illumination, and Vibration

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application SP2024-034, **for two (2) years**, subject to:

1. **Maximum number of guests shall be seven (7);**
2. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street.**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
5. **Applicant is to maintain liability insurance;**
6. **The property must remain in proper maintenance and free of hazards, pests, or infestations;**
7. **The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
8. **Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);**
9. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;**
10. **If approved, occupying businesses must file and maintain a current business occupation tax application with this office;**

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](mailto: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. All existing and future driveways must feature curb cuts that are constructed to UG standards;
13. 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;
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15. 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;
16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
17. The Special Use Permit shall be valid for (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;

18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-034** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Host Compliance Map  
Floor Plan  
Neighborhood Meeting Materials  
Site Visit Photos, Taken by Staff – Dated May 10, 2024

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## PUBLIC HEARING SCHEDULE

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| Action(s)          | City Planning Commission | Unified Government Board of Commissioners |
|--------------------|--------------------------|-------------------------------------------|
| Special Use Permit | June 10, 2024 - Approval | June 27, 2024                             |

### STAFF CONTACT:

Kiley Meierarend  
[kmeierarend@wycokck.org](mailto:kmeierarend@wycokck.org)  
913-573-5750

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## MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-034** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-034**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

### **June 10, 2024, City Planning Commission Minutes:**

**SPECIAL USE PERMIT APPLICATION SP2024-034 – ALEXANDRA BURNHAM WITH SPRINGFIELD LLC – SYNOPSIS:** Renewal of a Special Use Permit (SP-2023-003 – expires 6/1/2024) to operate a Short-Term Rental at 4101 Fisher Street. Detailed Outline of Requested Action: The applicant, Alexandra Burnham, is requesting a renewal (expired June 1, 2024) of a Special Use Permit to operate a short-term rental at 4101 Fisher Street, Kansas City, Kansas 66103. This is not the owner's primary residence. This is currently the only permitted short-term rental on the 4100 block of Fisher Street.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The publications in The Echo for the Special Use Permits; and,
7. The notices to property owners.

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

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda. (No one responded in the affirmative).

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

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to APPROVE Passed: 7 to 0**

**Subject to:**

1. Maximum number of guests shall be seven (7);
2. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street.
3. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager’s contact information within the entrance of the area that is rented;
5. Applicant is to maintain liability insurance;
6. The property must remain in proper maintenance and free of hazards, pests, or infestations;
7. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
8. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
10. If approved, occupying businesses must file and maintain a current

- business occupation tax application with this office;
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](mailto: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. All existing and future driveways must feature curb cuts that are constructed to UG standards;
  13. 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;
  14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
  15. 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;
  16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
  17. The Special Use Permit shall be valid for (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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

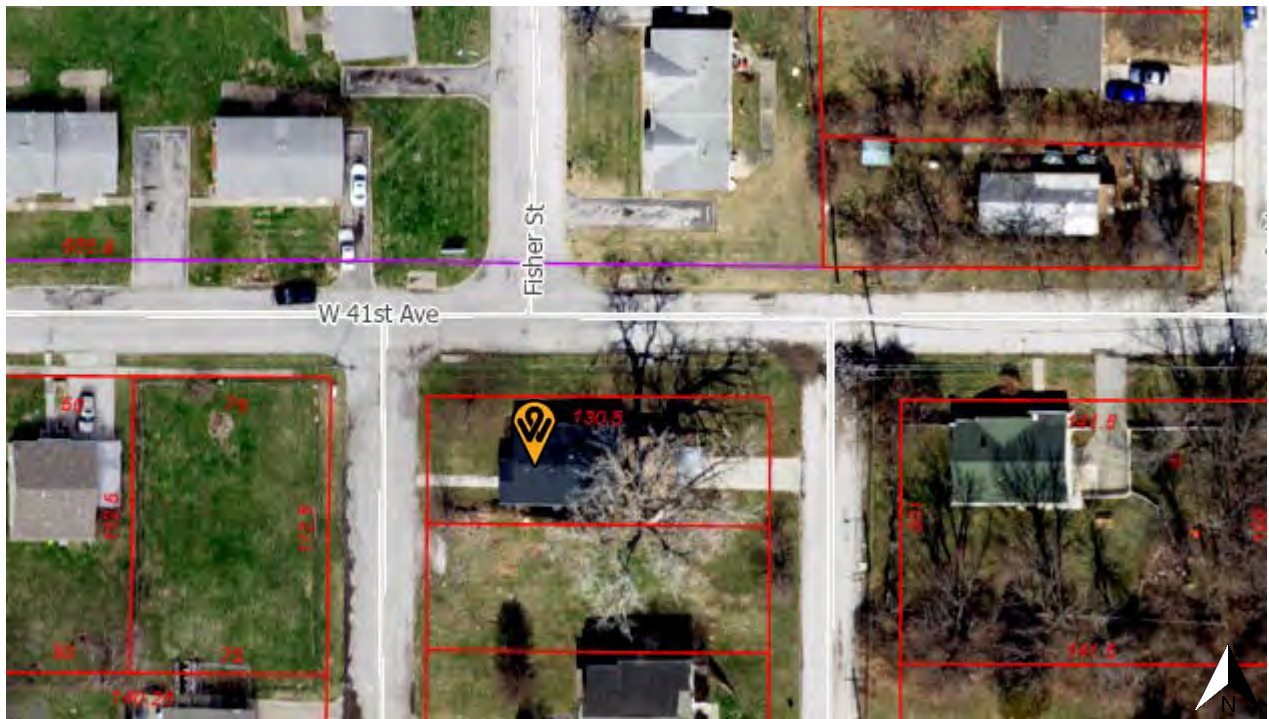


renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

## ATTACHMENTS

### AERIAL IMAGERY



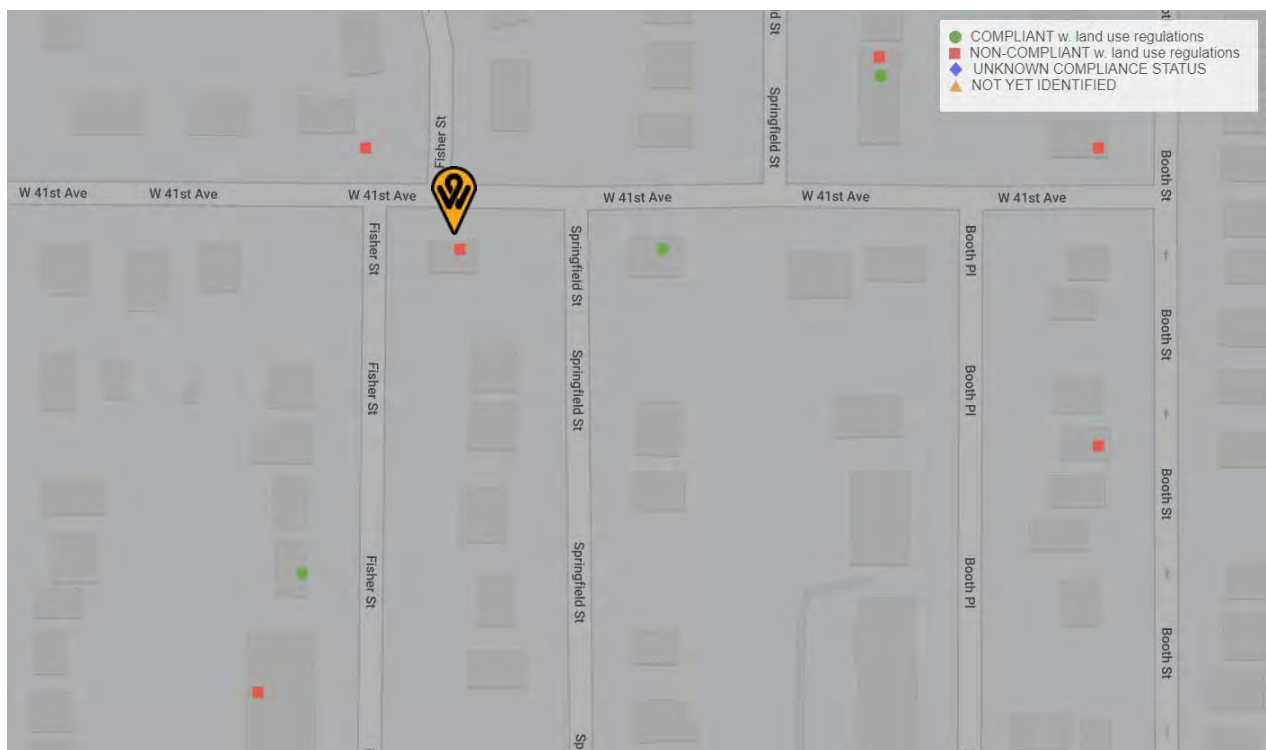
### ZONING MAP



## LAND USE MAP

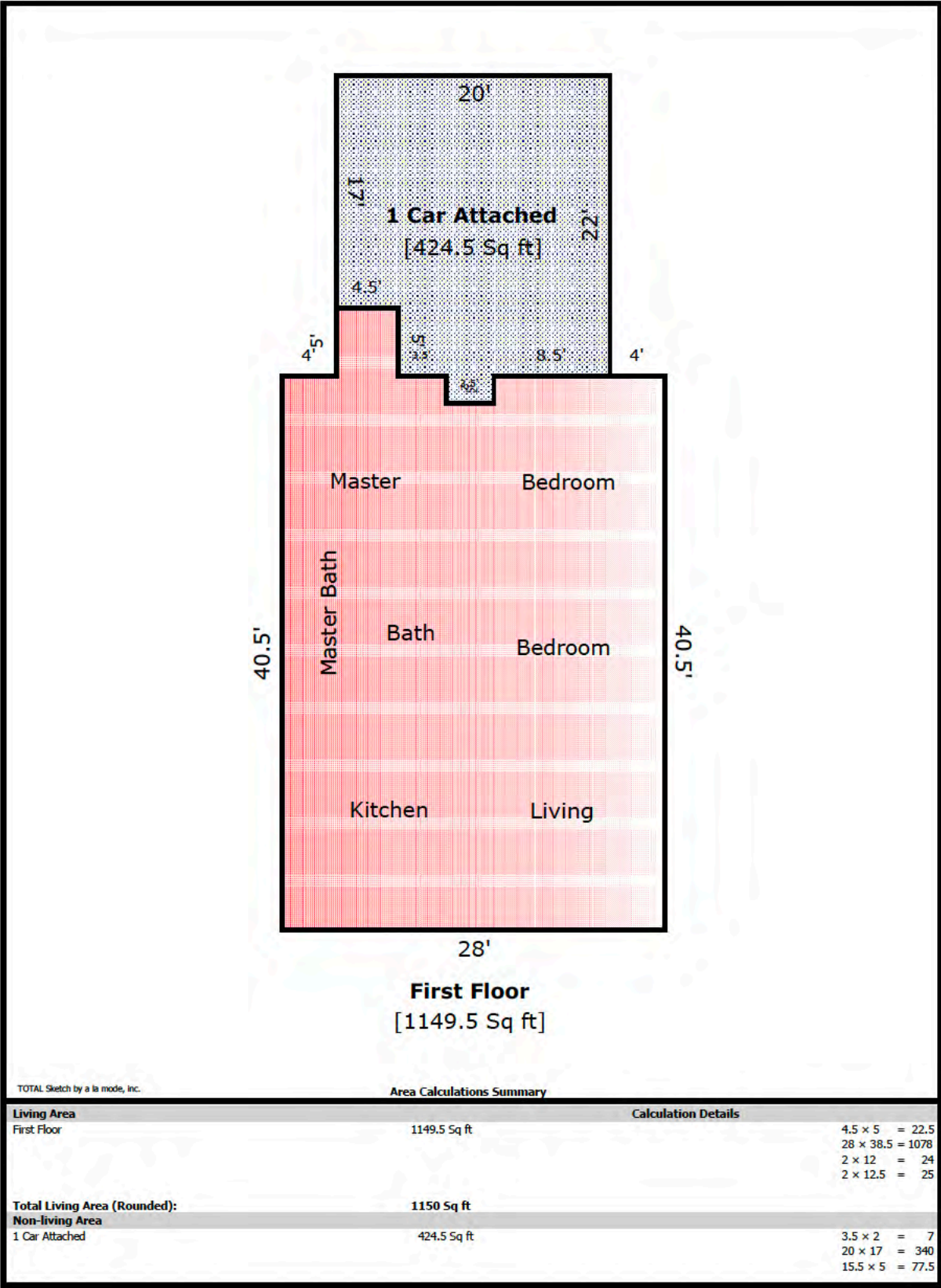


## SHORT-TERM RENTAL MAP





FLOOR PLAN



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## NEIGHBORHOOD MEETING MATERIALS

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SP2024-034 MINUTES:

Application Number SP2024-034 (4101 Fisher Street Kansas City, KS 66103)

Date and Location: ZOOM MEETING

Meeting called to order at: 6:30 PM on May 30, 2024

Names of people in attendance:

Alexandra Burnham (owner) and Tyler Shirk (property manager with BearBNB)

*No neighbors were in attendance to the meeting*

Introductions: No neighbors were in attendance to the meeting therefore, no introductions made

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

Questions and answers (include the following): No questions asked due to no attendees

Who asked question or gave comment: N/A

What was the question or comment: N/A

Who answered the question/comment: N/A

What was the answer given: N/A

Meeting adjourned at: 7:02PM

Minutes taken by: Alexandra Burnham

## NEIGHBORHOOD MEETING MATERIALS

### AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Arizona )  
 ) SS:  
COUNTY OF Maricopa )

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

1. That I am the petitioner for Petition # SP2024-034
2. That I conducted a neighborhood meeting on May 30, 24 @ 6:30pm
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

AkBur  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 3<sup>rd</sup> day of MAY, 2024

AKB  
My commission expires 1<sup>st</sup> of May, 2026  
AKB



Sarah Curtman  
Notary Public



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**SITE VISIT PHOTOS, TAKEN BY STAFF – DATED MAY 10,2024**

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**SITE VISIT PHOTOS, TAKEN BY STAFF – DATED MAY 10,2024**

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## Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Vacation Petition VAC2024-003

### GENERAL INFORMATION

**Applicant Information:**

Austin Thompson  
Representative with Atlas Land  
Consulting  
14500 Parallel Road, Unit R  
Basehor, Kansas, 66007

**Subject Property:**

5222 and 5228 North 130<sup>th</sup> Terrace  
Kansas City, Kansas, 66109

**Request Action and Purpose:**

To vacate a utility easement to  
combine two (2) lots to build a single-  
family home.

**Commission Districts:**

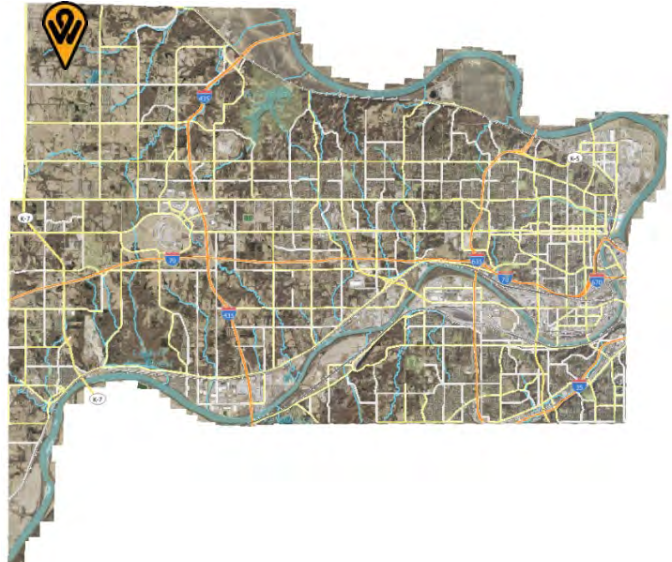
At-Large District #1:  
Melissa Bynum  
District #5 Commissioner:  
Mike Kane

**Existing Zoning District(s):**

R-1 Single-Family Residential District

**Comprehensive Plan Area:**

Prairie Delaware Piper Area Plan



|              | <b>Adjacent Zoning</b>                                                 | <b>Adjacent Uses</b>                             |
|--------------|------------------------------------------------------------------------|--------------------------------------------------|
| <b>North</b> | <b>R-1 Single- Family District</b>                                     | <b>Single Family Residence and Vacant Parcel</b> |
| <b>South</b> | <b>R-1 Single- Family District</b>                                     | <b>Single Family Residence</b>                   |
| <b>East</b>  | <b>R-1 Single- Family District</b>                                     | <b>Single Family Residence</b>                   |
| <b>West</b>  | <b>R-1 Single- Family District and AG (WyCo) Agricultural District</b> | <b>Vacant lots</b>                               |

**Total Tract Size:** 0.876 Acre

**Neighborhood Characteristics:** The subject property is located within the Prairie-Piper Statistical Neighborhood Group. The neighborhood consists of large lots, single family residences, and empty fields to the West. The neighborhood is suburban in nature and is accessed by Hollingsworth Road to the South or Polfer Road to the North.

**Comprehensive Plan Designation:** The Prairie Delaware Piper Area Plan designates the subject property as Planned Low-Density Residential, which allows for single family detached residential units and should appear to be less dense. Development in these areas should include significant areas for open space to maintain the rural character of the area. These areas may include lots ranging in size from 3 acres to 1/3 of an acre.

**Major Street Plan:** The goDotte Countywide Strategic Mobility Plan designates North 130<sup>th</sup> Terrace as a Local/Neighborhood Street.

**Parking Requirement:** Section 27-454 (e) states “Two off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one of which shall be in a garage or carport”.

**Landscaping Requirement:** Section 27-700 (a) states “one shade tree per dwelling unit is required in the front or corner side yard, and one tree per 7,000 square feet of site area for uses other than residences”.

|                           |                                                                                               |
|---------------------------|-----------------------------------------------------------------------------------------------|
| <b>Advertisement:</b>     | <u>The Wyandotte Echo</u> – None Required<br><u>Letters to Property Owners</u> – May 16, 2024 |
| <b>Public Hearings:</b>   | June 10, 2024 and June 27, 2024                                                               |
| <b>Public Support:</b>    | None to date.                                                                                 |
| <b>Public Opposition:</b> | None to date.                                                                                 |

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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Austin Thompson, is requesting a Vacation of a utility easement to combine two (2) residential lots to create one (1) lot for a single-family residence at 5222 and 5228 North 130<sup>th</sup> Terrace, Kansas City, Kansas, 66109.

City Ordinance Requirements: K.S.A. 12-504, Article XXI Sections 27-502 – 27-709 to 12-506 and 12-512b. and all other applicable standards within Chapter 27.

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

### Building, Zoning, or Code Enforcement Complaints:

1. There are no notices of violation on the subject property.

### Outstanding or Related Permit and Cases:

1. There are no additional related permits or cases on the subject property.

### Previous Actions

1. There have been no previous Planning Entitlements on the subject property.

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## FACTORS TO BE CONSIDERED

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- 1. *No private rights will be injured or endangered by such vacation or exclusion.***

This vacation of a utility easement is required to combine two (2) privately-owned residential lots to create one (1) privately owned residential lot, therefore no private rights will be injured or endangered.

- 2. *The public will suffer no loss or inconvenience thereby.***

The proposed vacation occurs on undeveloped privately owned property in

which the proposed use of the properties is to combine them into one (1) property to later be developed as one (1) single-family residence. Utility easements for the combined parcel will be designed to meet code requirements.

**3. *In justice to the petitioner or petitioners, the request of the petitioner ought to be granted.***

The subject properties are to be combined, as such, the need for a utility easement between the two (2) properties ceases. The request of the petitioner ought to be granted to allow for the future development of the subject properties.

**4. *Vacation will not create utility conflicts.***

Public Works Department and Planning Engineering do not anticipate any utility conflicts.

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## **KEY ISSUES**

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Building Permits  
Covenants, Conditions, and Restrictions  
Landscaping  
Sidewalk Connectivity  
Single-Family Design Guidelines  
Utility Easements

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## **PLANNING COMMISSION RECOMMENDATION**

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Vacation Application VAC2024-003, subject to:

1. Any future development of these parcels is subject to the single family detached residential unit size development policies outlined in the **Prairie Delaware Piper Area Plan**;
2. Future development shall include the construction of a sidewalk to connect to existing sidewalk infrastructure;
3. All existing and future driveways must feature curb cuts that are constructed to **UG standards**;
4. A **Right-of-Way Permit** is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
5. 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;
6. 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](mailto: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;

7. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated;
8. Approval of this case by the City Planning Commission, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the exercise of variance(s) approved, or any portion thereof, do(es) not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
9. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.
10. **NOTE: If a permit is pulled for this house, it will be building permit 100 which is the threshold at which point the amenities need to be constructed. The building permit for house 101 cannot be issued until the amenities have been constructed.**

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **VAC2024-003** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Plot Plan  
Vacation Exhibit  
Site Visit Photos, Taken by Staff – Dated May 10, 2024

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## PUBLIC HEARING SCHEDULE

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| Action(s)            | City Planning Commission Board of Commissioners |               |
|----------------------|-------------------------------------------------|---------------|
| Vacation of Easement | June 10, 2024 - Approval                        | June 27, 2024 |

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### STAFF CONTACT:

**Kiley Meierarend**  
**kmeierarend@wycokck.org**  
**913-573-5761**

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## MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **VAC2024-003** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition **VAC2024-003**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## **June 10, 2024, City Planning Commission Minutes:**

### **Hearing starts at 1:56:52:**

#### **VACATION APPLICATION VAC2024-003 – AUSTIN THOMPSON - SYNOPSIS:**

Vacation of a utility easement to combine two (2) parcels at 5222 and 5228 North 130<sup>th</sup> Terrace. Detailed Outline of Requested Action: The applicant, Austin Thompson, is requesting a Vacation of a utility easement to combine two (2) residential lots to create one (1) lot for a single-family residence at 5222 and 5228 North 130<sup>th</sup> Terrace, Kansas City, Kansas, 66109.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

### **Present in Support:**

- No one appeared.

### **Present in Opposition:**

- No one appeared.

**Staff Recommendation starts at 1:58:49:** Planner Toy stated that the request is to vacate the utilities between the two (2) lots to build a single-family home. Staff recommends approval subject to the conditions in the staff report. He would like to add, based on the last vacation application that came before the Commission in 2022 was for home building permit 96 in Freeman Farms. Since this time three (3) homes have been built along Hubbard Road. When building permit 101 is reached, the amenities (pool and pool house) have to be constructed. If a permit is pulled for this house, it will be building permit 100 which is the threshold at which point the amenities need to be constructed. The building permit for house 101 cannot be issued until the amenities have been constructed. Planner Toy stated that the applicant and Building Inspection Department will be notified tomorrow of this requirement. The developer has known for years of the requirement.

**Motion starts at 2:01:37:**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL of Vacation Application VAC2024-003:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**

**Subject to:**

1. Any future development of these parcels is subject to the single family detached residential unit size development policies outlined in the Prairie Delaware Piper Area Plan;
2. Future development shall include the construction of a sidewalk to connect to existing sidewalk infrastructure;
3. All existing and future driveways must feature curb cuts that are constructed to UG standards;
4. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
5. 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;
6. 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](mailto: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;
7. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated;
8. Approval of this case by the City Planning Commission, and the conditions

of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the exercise of variance(s) approved, or any portion thereof, do(es) not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,

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

10. **NOTE: If a permit is pulled for this house, it will be building permit 100 which is the threshold at which point the amenities need to be constructed. The building permit for house 101 cannot be issued until the amenities have been constructed.**



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## ATTACHMENTS

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### AERIAL IMAGERY

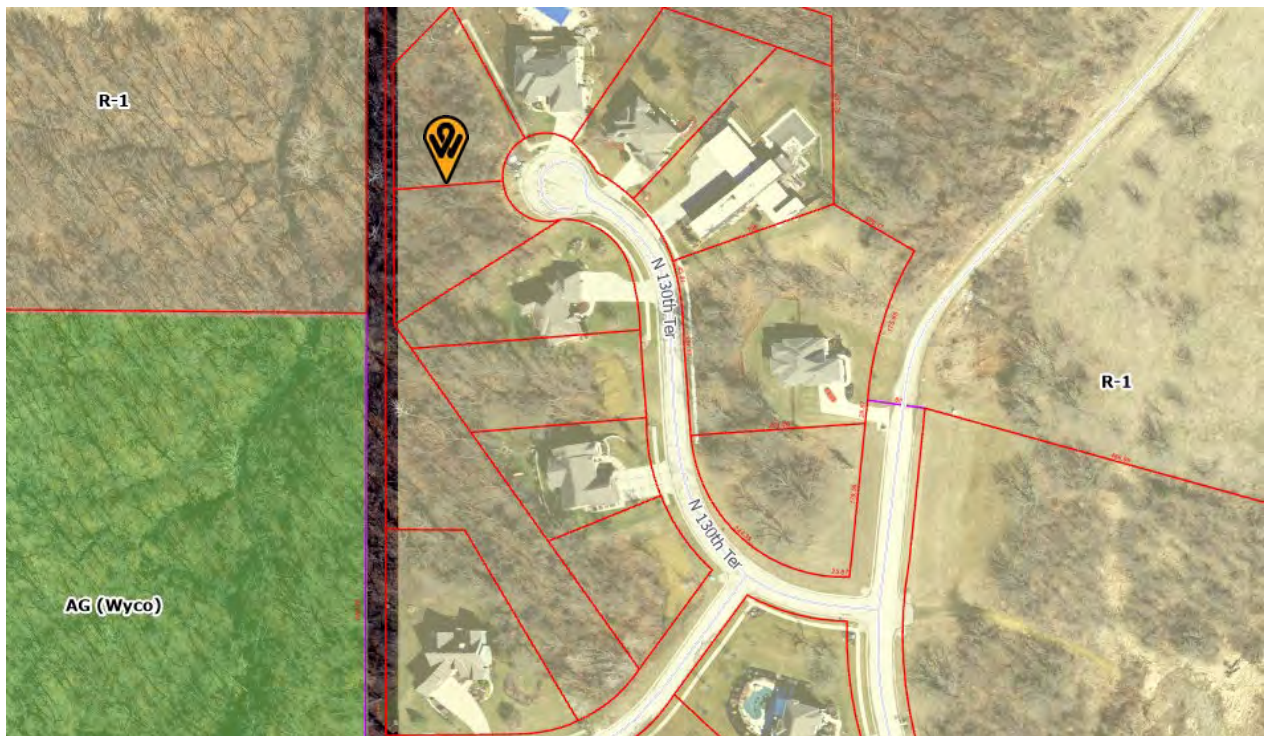
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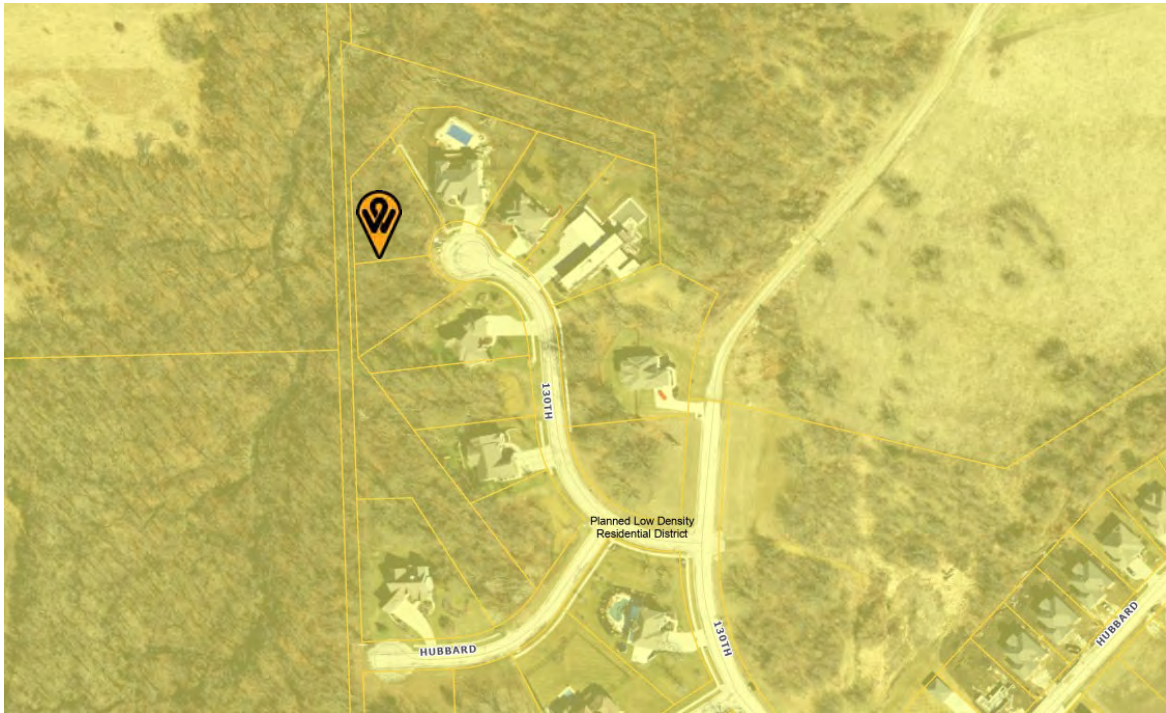
### ZONING MAP

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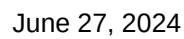




## LAND USE MAP



## VAC2024-003



# VACATION EXHIBIT

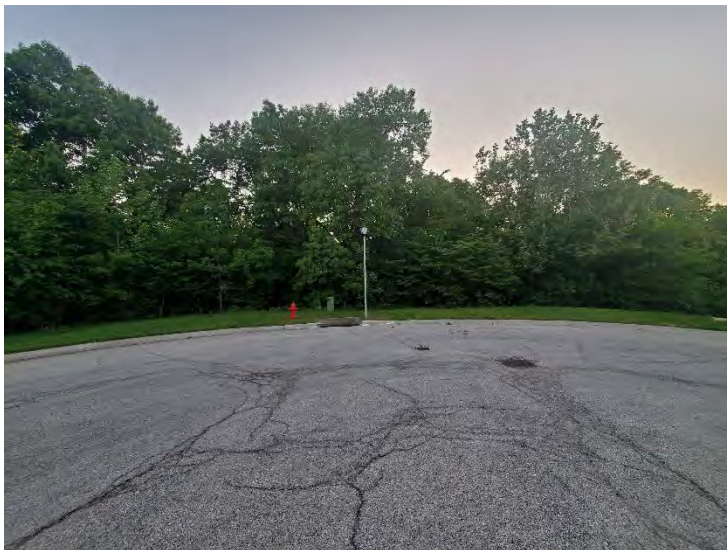




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**SITE VISIT PHOTOS, TAKEN BY STAFF – DATED MAY 10, 2024**

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# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Vacation Petition VAC2024-004

## GENERAL INFORMATION

### Applicant Information:

Chris Doyle  
Homefield  
520 West Pennway Street, Suite 300  
Kansas City, Missouri 64108

### Subject Property:

1491 North 98<sup>th</sup> Terrace  
Kansas City, Kansas 66111

### Requested Action and Purpose:

Approval of a vacation to vacate a  
sanitary sewer easement.

### Commission Districts:

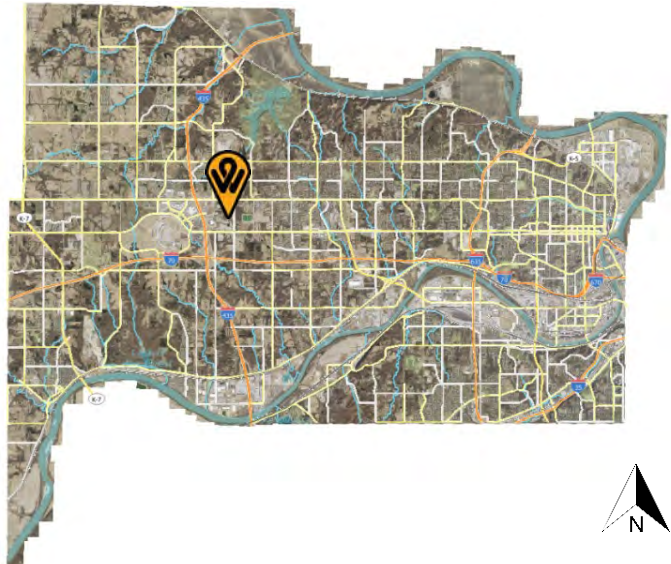
Commissioner At-Large, District #2:  
Tom Burroughs  
District #7 Commissioner:  
Chuck Stites

### Existing Zoning District(s):

CP-2 Planned General Business  
District

### Comprehensive Plan Area:

Prairie Delaware Piper Area Plan



|              | <b>Adjacent Zoning</b>                        | <b>Adjacent Uses</b>                                                  |
|--------------|-----------------------------------------------|-----------------------------------------------------------------------|
| <b>North</b> | <b>CP-2 Planned General Business District</b> | <b>Detention basins for Margaritaville and undeveloped land</b>       |
| <b>South</b> | <b>A-G Agriculture District</b>               | <b>Former Schlitterbahn Vacation Village parking lot</b>              |
| <b>East</b>  | <b>A-G Agriculture District</b>               | <b>Former Schlitterbahn Vacation Village – vacant portion of land</b> |
| <b>West</b>  | <b>A-G Agriculture District</b>               | <b>Undeveloped land</b>                                               |

**Total Tract Size:** 26.62 Acres

**Neighborhood Characteristics:** The subject property is located within the I-435 West Statistical Neighborhood and Block Group #0442042. The subject property is, however, considered within the Legends/Kansas Speedway area. This site is formerly a portion of the Schlitterbahn Vacation Village waterpark, now under construction for Margaritaville Hotel and Resort. The neighborhood is defined by large commercial buildings, business campuses, sports and entertainment facilities and multi-family apartments with close proximity to two (2) interstates (I-70 and I-435) and two (2) major roadways (State Avenue and Parallel Parkway).

**Comprehensive Plan Designation:** The Prairie Delaware Piper Area Plan designates this property as Planned Mixed Entertainment / Commercial District, which allows major retail uses, including restaurants and hotels, as well as centers for large discount stores currently called big box centers and have stores that serve large populations.

**Major Street Plan:** The goDotte Countywide Strategic Mobility Plan designates State Avenue as a Major Arterial and North 98<sup>th</sup> Street as a Minor Arterial.

**Parking Requirement:** Section 27-467(e) Uses in this district require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. The proposed vacation does not require any off-street parking.



|                                 |                                                                                                                                                                                                                                                                                                                   |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Landscaping Requirement:</b> | <p>Section 27-467(g) Trees are required to be provided at not less than one (1) per 7,000 square feet of site area.</p> <p>Section 27-577(a)(5) Landscaping shall exceed the typical code by at least 75 percent. 290 trees are required and will be planted associated with Margaritaville Hotel and Resort.</p> |
| <b>Advertisement:</b>           | <p><u>The Wyandotte Echo</u> – May 16, 2024</p> <p>Letters to Property Owners – May 17, 2024</p>                                                                                                                                                                                                                  |
| <b>Public Hearings:</b>         | June 10, 2024 and June 27, 2024                                                                                                                                                                                                                                                                                   |
| <b>Public Support:</b>          | None to date.                                                                                                                                                                                                                                                                                                     |
| <b>Public Opposition:</b>       | None to date.                                                                                                                                                                                                                                                                                                     |

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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Chris Doyle, is requesting a Vacation of an easement to vacate a sanitary sewer easement at 1491 North 98<sup>th</sup> Terrace.

City Ordinance Requirements: K.S.A. 12-504, Article XXI Sections 27-502 – 27-709 to 12-506 and 12-512b. and all other applicable standards within Chapter 27.

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

### Building, Zoning, or Code Enforcement Complaints:

1. There are no notices of violation on the subject property.

### Outstanding or Related Permit and Cases:

1. VAC2024-005 – Vacation of a sanitary sewer easement at 9700 State Avenue (to be heard by the City Planning Commission on June 10, 2024).
2. Numerous building permits (building, electrical, plumbing, grading, site) for Margaritaville Resort and Hotel.

### **Previous Planning Actions:**

1. PLAT2023-004 and PR2023-008 – Final Plat and Final Plan for Homefield Margaritaville hotel and resort on March 13, 2023.
2. BOZA2022-054 – variance for parking reduction was approved by the Board of Zoning Appeals on November 14, 2022.
3. COZ2022-039, SP2022-097, an PLAT2022-035 – approved by the Unified Government Board of Commissioners on December 1, 2022.
4. This site was previously Schlitterbahn Vacation Village, which operated from 2009 – 2018.

---

### **FACTORS TO BE CONSIDERED**

---

1. ***No private rights will be injured or endangered by such vacation or exclusion.***

No private rights will be injured or endangered by such vacation or exclusion, as a new sanitary sewer easement will be dedicated on the lot.

2. ***The public will suffer no loss or inconvenience thereby.***

The public will not suffer any loss or inconvenience thereby from the proposed sanitary sewer easement vacation because a new easement was dedicated.

3. ***In justice to the petitioner or petitioners, the request of the petitioner ought to be granted.***

The request of the petitioner to vacate the sanitary sewer easement ought to be granted.

4. ***Vacation will not create utility conflicts.***

The proposed vacation will not create utility conflicts, as the sanitary sewer easement that is proposed to be vacated will be relocated and dedicated elsewhere on Homefield Margaritaville, Lot 2.

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### **NEIGHBORHOOD MEETING INFORMATION**

---

A neighborhood meeting is not required for a vacation application.

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### **KEY ISSUES**

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Right to Reenter

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Vacation Application VAC2024-004, subject to:

1. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,
2. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **VAC2024-004** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Applicant Response Letter  
Vacation Exhibit

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## PUBLIC HEARING SCHEDULE

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| Action(s)            | City Planning Commission | Unified Government Board of Commissioners |
|----------------------|--------------------------|-------------------------------------------|
| Vacation of Easement | June 10, 2024 - Approval | June 27, 2024                             |

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**STAFF CONTACT:**

**Byron Toy, AICP**  
[btoy@wycokck.org](mailto:btoy@wycokck.org)  
**(913) 573-5757**

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**MOTIONS**

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I move the Unified Government Board of Commissioners **APPROVE** Petition **VAC2024-004** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**OR**

I move the Unified Government Board of Commissioners **DENY** Petition **VAC2024-004**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

**June 10, 2024, City Planning Commission Minutes:**

**Hearing starts at 2:02:58:**

**VACATION APPLICATION VAC2024-004 – CHRIS DOYLE - SYNOPSIS:** Vacation of a sanitary sewer easement on Homefield Margaritaville First Plat Lot 2 at 1491 North 98<sup>th</sup> Street. Detailed Outline of Requested Action: The applicant, Chris Doyle, is requesting a Vacation of an easement to vacate a sanitary sewer easement at 1491 North 98<sup>th</sup> Terrace.

**VACATION APPLICATION VAC2024-005 – CHRIS DOYLE - SYNOPSIS:** Vacation of a sanitary sewer easement on Homefield Margaritaville First Plat Lot 3 at 9700 State Avenue. Detailed Outline of Requested Action: The applicant, Chris Doyle, is requesting a Vacation of an easement to vacate a sanitary sewer easement at 9700 State Avenue.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;

6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

**Present in Support:**

- Brian Lavery, representing the applicant, Continental Consulting Engineers, 11006 Parallel Parkway, Kansas City, Kansas

**Present in Opposition:**

- No one appeared.

**Staff Recommendation starts at 2:05:40:** Planner Toy stated Staff recommends approval of both applications subject to the conditions in the staff report.

**Motion starts at 2:06:12:**

On motion by Mr. Ward, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of Vacation Application VAC2024-004:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**

**Subject to:**

1. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,
2. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the

**ordinance is published in the newspaper.**

On motion by Mr. Ward, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of Vacation Application VAC2024-005:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**

**Subject to:**

1. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,
2. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.



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## ATTACHMENTS

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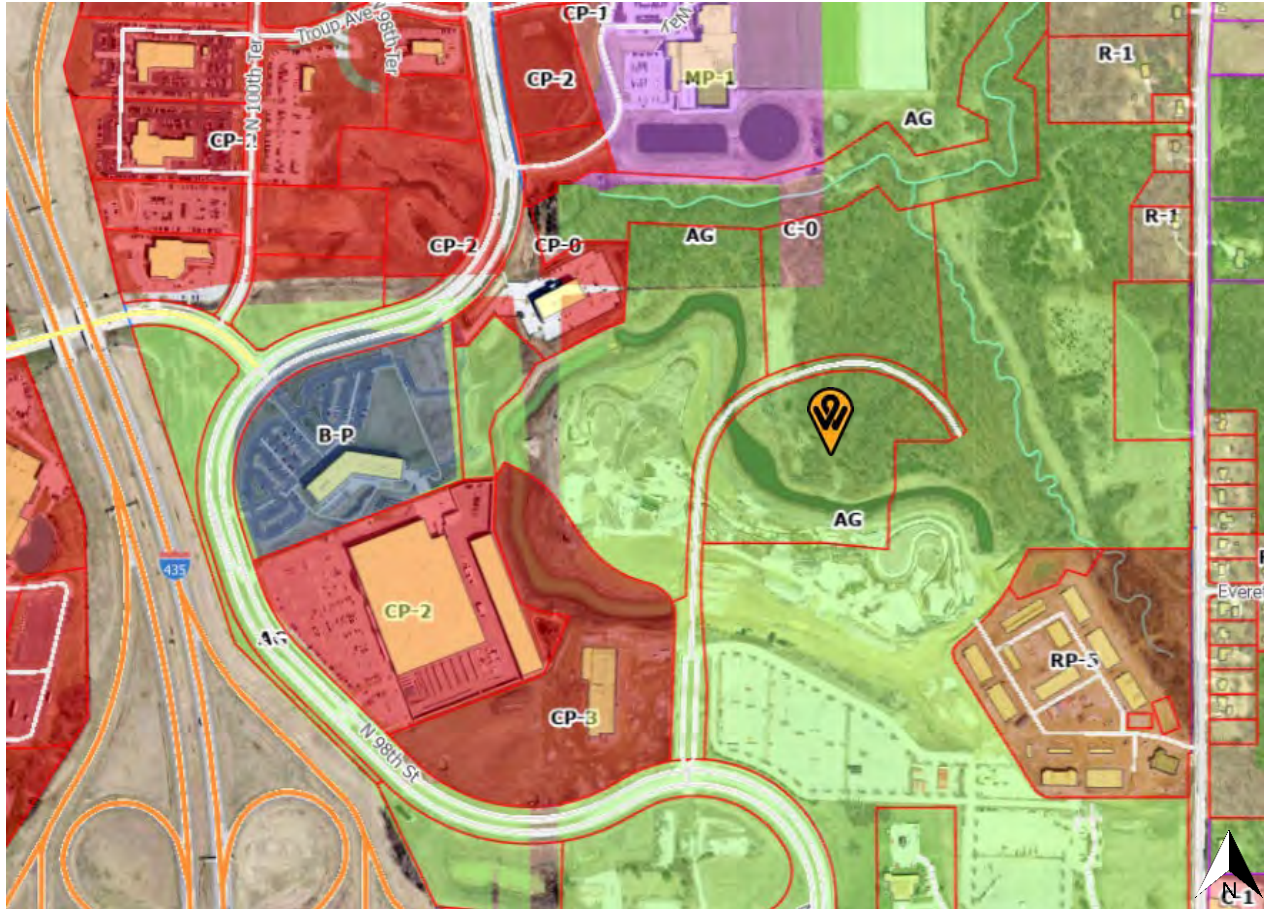
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### AERIAL IMAGERY

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## ZONING MAP





## LAND USE MAP



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## ADDITIONAL ATTACHMENTS

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9000 State Line Road  
Leawood, Kansas 66206

11006 Parallel Parkway, Suite 1  
Kansas City, Kansas 66109

Tel: (913) 642-6642  
Fax: (913) 642-6941

May 23, 2024

Mr. Jordan Stephens  
Development Review Coordinator  
Department of Urban Planning and Land Use  
Neighborhood Resource Center  
Unified Government of Wyandotte County / Kansas City, Kansas  
4953 State Avenue  
Kansas City, Kansas 66102

**RE: Easement Vacation  
VAC2024-004 and VAC2024-005**

Mr. Stephens,

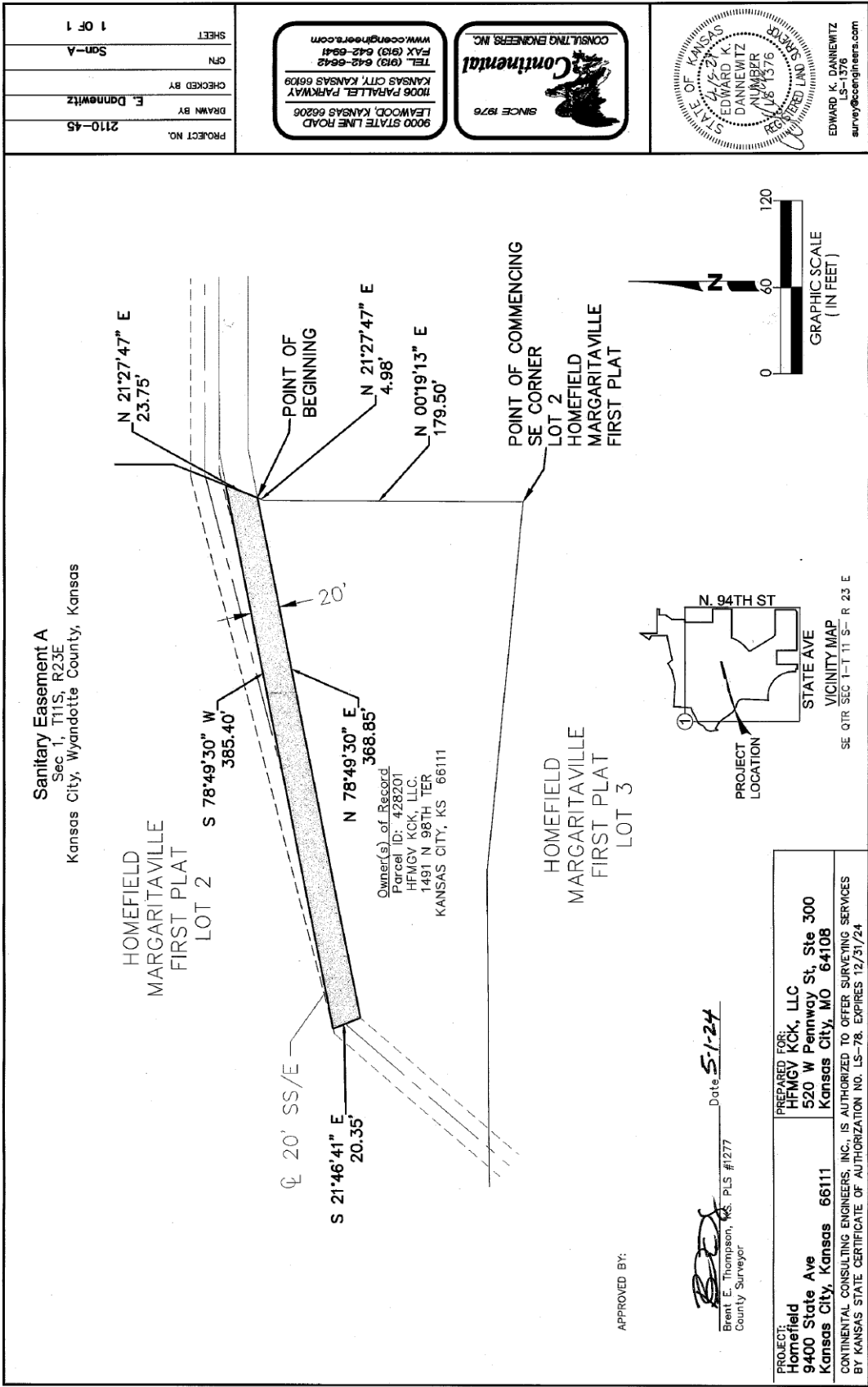
We have received no additional comments for the easement vacations proposed at 1491 N. 98<sup>th</sup> Terr (VAC2024-004) and 9700 State Avenue (VAC2024-005). We are in receipt of the DRAFT Planning and Urban Design Staff comments that contained no comments that required responses. These cases are to vacate platted easements for sanitary sewer. After the plat was filed, the sewer was relocated and this was coordinated with Public Works (Ricky Ledgerwood) and the County Surveyor (Brent Thompson). New easements have been recorded for the relocated sanitary sewer and those are attached to this letter.

If you should need any further information, please let me know.

Sincerely,  
CONTINENTAL CONSULTING ENGINEERS, INC.

Brian C. Lavery, P.E.

Cc: C. Doyle, Homefield; M. Moberly, SDG; EDR  
Attachment 2024R-05608 Sanitary Sewer Easement Lot 2 Homefield Margaritaville First Plat  
Attachment 2024R-05609 Sanitary Sewer Easement Lot 3 Homefield Margaritaville First Plat



Parcel: 428201  
Owner(s): HFMGV KCK, LLC.  
520 W. PENNWAY ST., SUITE 300  
KANSAS CITY, MO 64108

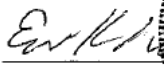
**EXHIBIT "A"**

**PROPOSED 20' WIDE PERMANENT SANITARY SEWER EASEMENT DESCRIPTION FOR PORTION OF LOT 2, HOMEFIELD MARGARITAVILLE, FIRST PLAT:**

A 20 foot wide Sanitary Sewer easement, located in the Southeast Quarter of Section 1, Township 11 South, Range 23 East and being located within Lot 2, HOMEFIELD MARGARITAVILLE, FIRST PLAT, a subdivision in the City of Kansas City, Wyandotte County, Kansas according to the recorded plat thereof, and being more particularly described as follows:

COMMENCING at the Southeast corner of Lot 2 of said HOMEFIELD MARGARITAVILLE; thence North 00°19'13" East, along the Easterly line of said Lot 2, a distance of 179.50 feet; thence North 21°27'47" East, continuing along the Easterly line of said Lot 2, a distance of 4.98 feet to the POINT OF BEGINNING; THENCE North 21°27'47" East, continuing along said Easterly line, a distance of 23.75 feet; thence South 78°49'30" West, a distance of 385.40 feet; thence South 21°46'41" East, a distance of 20.35 feet; thence North 78°49'30" East, a distance of 368.85 feet to the point of beginning and containing 7,542.48 square feet or 0.17 acres more or less.

(Note: The basis for the above real property description is the Kansas Regional Coordinate System, Zone 11.)

  
Edward K. Dannewitz, KS PLS. #1376  


  
Brent E. Thompson, KS PLS #1277  
County Surveyor





## Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Vacation Petition VAC2024-005

### GENERAL INFORMATION

**Applicant Information:**

Chris Doyle  
Homefield  
520 West Pennway Street, Suite 300  
Kansas City, Missouri 64108

**Subject Property:**

9700 State Avenue  
Kansas City, Kansas 66111

**Requested Action and Purpose:**

Approval of a vacation to vacate a  
sanitary sewer easement.

**Commission Districts:**

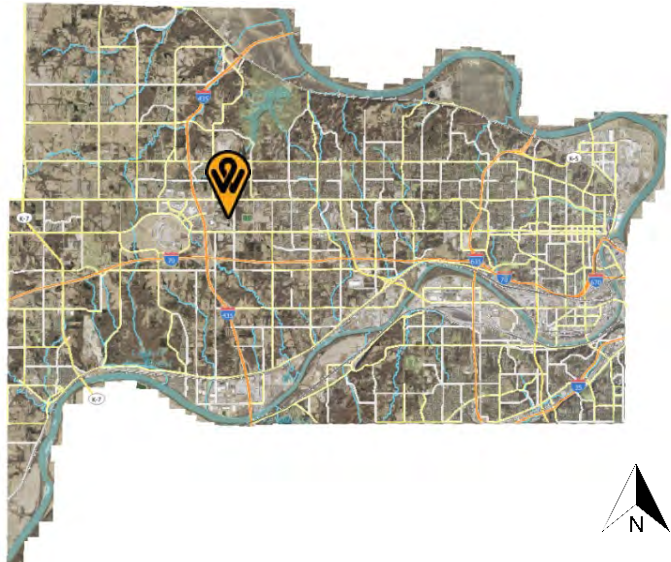
Commissioner At-Large, District #2:  
Tom Burroughs  
District #7 Commissioner:  
Chuck Stites

**Existing Zoning District(s):**

A-G Agriculture District

**Comprehensive Plan Area:**

Prairie Delaware Piper Area Plan



|              | <b>Adjacent Zoning</b>                                      | <b>Adjacent Uses</b>                                                    |
|--------------|-------------------------------------------------------------|-------------------------------------------------------------------------|
| <b>North</b> | <b>A-G Agriculture District</b>                             | <b>Drainage tract for Legends Auto Plaza and Homefield developments</b> |
| <b>South</b> | <b>A-G Agriculture and RP-5 Planned Apartment Districts</b> | <b>KCKFD Station #12 and Homefield Multi-Family Apartments</b>          |
| <b>East</b>  | <b>A-G Agriculture and R-1 Single Family Districts</b>      | <b>Cemetery and single-family homes</b>                                 |
| <b>West</b>  | <b>CP-2 Planned General Business District</b>               | <b>Margaritaville Hotel and Resort (under construction)</b>             |

**Total Tract Size:** 73.18 Acres

**Neighborhood Characteristics:** The subject property is located within the I-435 West Statistical Neighborhood and Block Group #0442042. The subject property is, however, considered within the Legends/Kansas Speedway area. This site is formerly a portion of the Schlitterbahn Vacation Village waterpark, now under construction for Margaritaville Hotel and Resort. The neighborhood is defined by large commercial buildings, business campuses, sports and entertainment facilities and multi-family apartments with close proximity to two (2) interstates (I-70 and I-435) and two (2) major roadways (State Avenue and Parallel Parkway).

**Comprehensive Plan Designation:** The Prairie Delaware Piper Area Plan designates this property as Planned Mixed Entertainment / Commercial District, which allows major retail uses, including restaurants and hotels, as well as centers for large discount stores currently called big box centers and have stores that serve large populations.

**Major Street Plan:** The goDotte Countywide Strategic Mobility Plan designates State Avenue as a Major Arterial, North 98<sup>th</sup> Street as a Minor Arterial, and North 94<sup>th</sup> Street as a Major Collector.

**Parking Requirement:** Section 27-452(e) Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling. The proposed vacation does not require any off-street

parking.

**Landscaping Requirement:**

Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences. 455 trees are required. There are large dense tree stands on the parcel. This parcel has been reduced over the years to due replatting and redevelopment of the former Schlitterbahn water park.

**Advertisement:**

The Wyandotte Echo – May 16, 2024  
Letters to Property Owners – May 17, 2024

**Public Hearings:**

June 10, 2024 and June 27, 2024

**Public Support:**

None to date.

**Public Opposition:**

None to date.

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**PROPOSAL**

---

Detailed Outline of Requested Action: The applicant, Chris Doyle, is requesting a Vacation of an easement to vacate a sanitary sewer easement at 9700 State Avenue.

City Ordinance Requirements: K.S.A. 12-504, Article XXI Sections 27-502 – 27-709 to 12-506 and 12-512b. and all other applicable standards within Chapter 27.

---

**RELATED ENFORCEMENT AND ACTION ITEMS**

---

**Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

**Building, Zoning, or Code Enforcement Complaints:**

1. There are no notices of violation on the subject property.

**Outstanding or Related Permit and Cases:**

1. VAC2024-004 – Vacation of a sanitary sewer easement at 1491 North 98<sup>th</sup> Terrace (to be heard by the City Planning Commission on June 10, 2024).

### **Previous Planning Actions:**

1. PLAT2023-004 and PR2023-008 – Final Plat and Final Plan for Homefield Margaritaville hotel and resort on March 13, 2023.
2. BOZA2022-054 – variance for parking reduction was approved by the Board of Zoning Appeals on November 14, 2022.
3. COZ2022-039, SP2022-097, an PLAT2022-035 – approved by the Unified Government Board of Commissioners on December 1, 2022.
4. This site was previously Schlitterbahn Vacation Village, which operated from 2009 – 2018.

---

### **FACTORS TO BE CONSIDERED**

---

1. ***No private rights will be injured or endangered by such vacation or exclusion.***

No private rights will be injured or endangered by such vacation or exclusion, as a new sanitary sewer easement will be dedicated on the lot.

2. ***The public will suffer no loss or inconvenience thereby.***

The public will not suffer any loss or inconvenience thereby from the proposed sanitary sewer easement vacation because a new easement was dedicated.

3. ***In justice to the petitioner or petitioners, the request of the petitioner ought to be granted.***

The request of the petitioner to vacate the sanitary sewer easement ought to be granted.

4. ***Vacation will not create utility conflicts.***

The proposed vacation will not create utility conflicts, as the sanitary sewer easement that is proposed to be vacated will be relocated and dedicated elsewhere on Homefield Margaritaville, Lot 3.

---

### **NEIGHBORHOOD MEETING INFORMATION**

---

A neighborhood meeting is not required for a vacation application.

---

## KEY ISSUES

---

Right to Reenter

---

## PLANNING COMMISSION RECOMMENDATION

---

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Vacation Application VAC2024-005, subject to:

1. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,
1. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

---

## STAFF COMMENTS AND SUGGESTIONS

---

Staff concurs with the recommendation of the City Planning Commission.

---

## STAFF RECOMMENDATION AND CONDITIONS

---

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **VAC2024-005** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

---

## ATTACHMENTS

---

June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Applicant Response Letter  
Vacation Exhibit

---

## PUBLIC HEARING SCHEDULE

---

| Action(s)            | City Planning Commission | Unified Government Board of Commissioners |
|----------------------|--------------------------|-------------------------------------------|
| Vacation of Easement | June 10, 2024 - Approval | June 27, 2024                             |

---

### STAFF CONTACT:

Byron Toy, AICP  
[btoy@wycokck.org](mailto:btoy@wycokck.org)  
(913) 573-5757

---

## MOTIONS

---

I move the Unified Government Board of Commissioners **APPROVE** Petition **VAC2024-005** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

## OR

I move the Unified Government Board of Commissioners **DENY** Petition **VAC2024-005**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

### June 10, 2024, City Planning Commission Minutes:

#### Hearing starts at 2:02:58:

**VACATION APPLICATION VAC2024-004 – CHRIS DOYLE - SYNOPSIS:** Vacation of a sanitary sewer easement on Homefield Margaritaville First Plat Lot 2 at 1491 North 98<sup>th</sup> Street. Detailed Outline of Requested Action: The applicant, Chris Doyle, is requesting a Vacation of an easement to vacate a sanitary sewer easement at 1491 North 98<sup>th</sup> Terrace.

**VACATION APPLICATION VAC2024-005 – CHRIS DOYLE - SYNOPSIS:** Vacation of a sanitary sewer easement on Homefield Margaritaville First Plat Lot 3 at 9700 State Avenue. Detailed Outline of Requested Action: The applicant, Chris Doyle, is requesting a Vacation of an easement to vacate a sanitary sewer easement at 9700 State Avenue.



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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

**Present in Support:**

- Brian Lavery, representing the applicant, Continental Consulting Engineers, 11006 Parallel Parkway, Kansas City, Kansas

**Present in Opposition:**

- No one appeared.

**Staff Recommendation starts at 2:05:40:** Planner Toy stated Staff recommends approval of both applications subject to the conditions in the staff report.

**Motion starts at 2:06:12:**

On motion by Mr. Ward, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of Vacation Application VAC2024-004:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**

**Subject to:**

1. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities,

including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,

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

On motion by Mr. Ward, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of Vacation Application VAC2024-005:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**

**Subject to:**

1. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,
2. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

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## ATTACHMENTS

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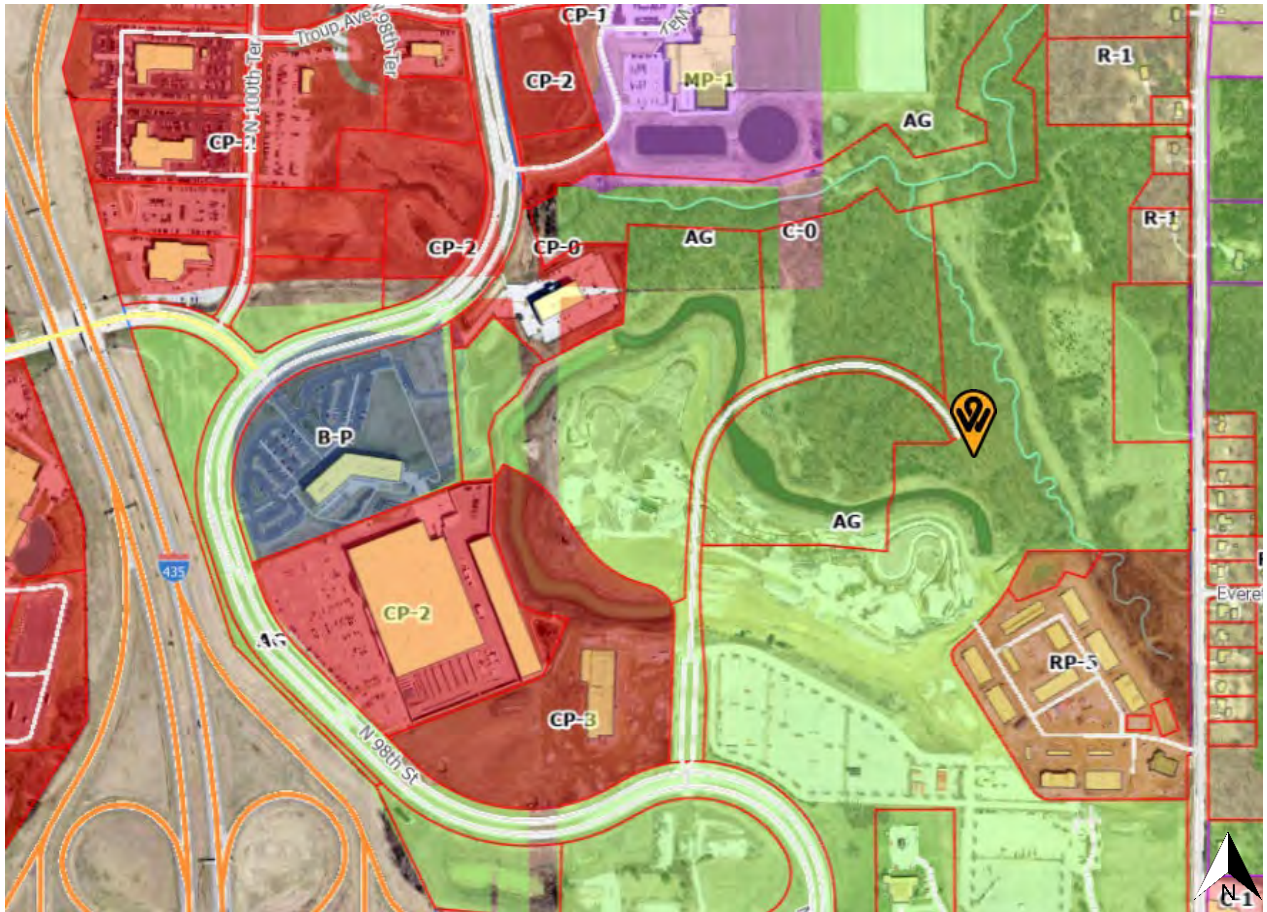
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### AERIAL IMAGERY

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## ZONING MAP





## LAND USE MAP



## ADDITIONAL ATTACHMENTS



9000 State Line Road  
Leawood, Kansas 66206

11006 Parallel Parkway, Suite 1  
Kansas City, Kansas 66109

Tel: (913) 642-6642  
Fax: (913) 642-6941

May 23, 2024

Mr. Jordan Stephens  
Development Review Coordinator  
Department of Urban Planning and Land Use  
Neighborhood Resource Center  
Unified Government of Wyandotte County / Kansas City, Kansas  
4953 State Avenue  
Kansas City, Kansas 66102

**RE: Easement Vacation  
VAC2024-004 and VAC2024-005**

Mr. Stephens,

We have received no additional comments for the easement vacations proposed at 1491 N. 98<sup>th</sup> Terr (VAC2024-004) and 9700 State Avenue (VAC2024-005). We are in receipt of the DRAFT Planning and Urban Design Staff comments that contained no comments that required responses. These cases are to vacate platted easements for sanitary sewer. After the plat was filed, the sewer was relocated and this was coordinated with Public Works (Ricky Ledgerwood) and the County Surveyor (Brent Thompson). New easements have been recorded for the relocated sanitary sewer and those are attached to this letter.

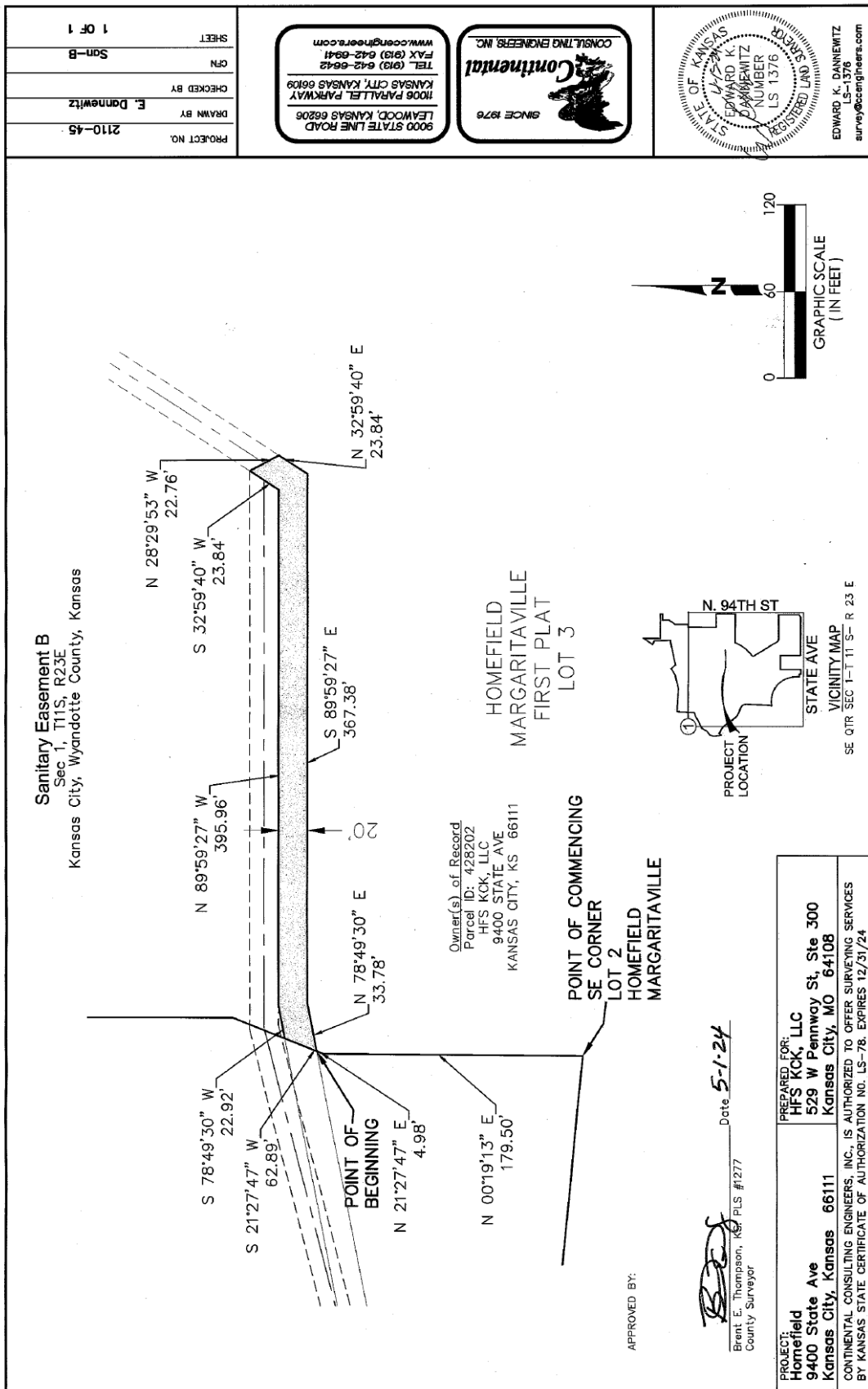
If you should need any further information, please let me know.

Sincerely,  
CONTINENTAL CONSULTING ENGINEERS, INC.

Brian C. Lavery, P.E.

Cc: C. Doyle, Homefield; M. Moberly, SDG; EDR  
Attachment 2024R-05608 Sanitary Sewer Easement Lot 2 Homefield Margaritaville First Plat  
Attachment 2024R-05609 Sanitary Sewer Easement Lot 3 Homefield Margaritaville First Plat





Parcel: 428202  
Owner(s): HFS KCK, LLC  
520 W. PENNWAY ST., STE 300  
KANSAS CITY, MO 64108

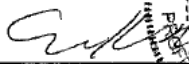
**EXHIBIT "B"**

**PROPOSED 20' WIDE PERMANENT SANITARY SEWER EASEMENT DESCRIPTION FOR PORTION OF LOT 3, HOMEFIELD MARGARITAVILLE, FIRST PLAT:**

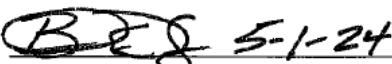
A 20 foot wide Sanitary Sewer easement, located in the Southeast Quarter of Section 1, Township 11 South, Range 23 East and being located within Lot 3, HOMEFIELD MARGARITAVILLE, FIRST PLAT, a subdivision in the City of Kansas City, Wyandotte County, Kansas according to the recorded plat thereof, and being more particularly described as follows:

COMMENCING at the Southeast corner of Lot 2 of said HOMEFIELD MARGARITAVILLE; thence North 00°19'13" East, along the Easterly line of said Lot 2, a distance of 179.50 feet; thence North 21°27'47" East, continuing along the Easterly line of said Lot 2, a distance of 4.98 to the POINT OF BEGINNING; thence North 78°49'30" East, a distance of 33.78 feet; thence South 89°59'27" East, a distance of 367.38 feet; thence North 32°59'40" East, a distance of 23.84 feet; thence North 28°29'53" West, a distance of 22.76 feet; thence South 32°59'40" West, a distance of 23.84 feet; thence North 89°59'27" West, a distance of 395.96 feet; thence South 78°49'30" West, a distance of 22.92 feet to the said Easterly line; thence South 21°27'47" West, along said Easterly line, a distance of 62.89 feet to the point of beginning and containing 7,878.22 square feet or 0.18 acres more or less.

(Note: The basis for the above real property description is the Kansas Regional Coordinate System, Zone 11.)

  
Edward K. Dannewitz, KS PLS #1276



  
Brent E. Thompson, KS PLS #1277  
County Surveyor



# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** **Change of Zone Petition COZ2024-009 and  
Master Plan Amendment Petition MPL2024-004**

## GENERAL INFORMATION

**Applicant:**

Carlin and Kari Jacobson

**Status of Applicant:**

Property Owners  
3356 North 60<sup>th</sup> Terrace  
Kansas City, Kansas 66104

**Requested Actions:**

Approval of a Change of Zone and  
Master Plan Amendment.

**Date of Application:**

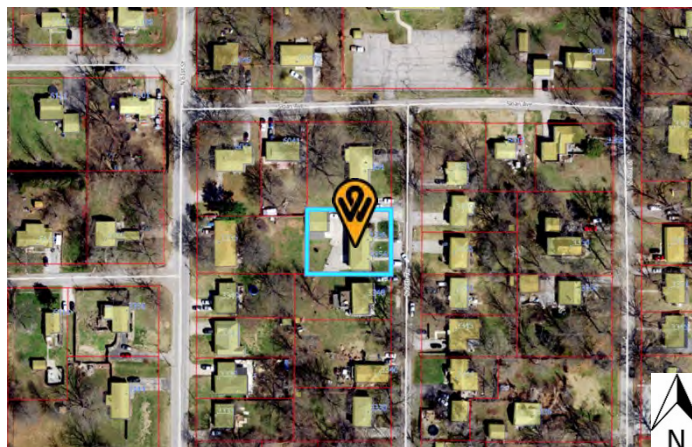
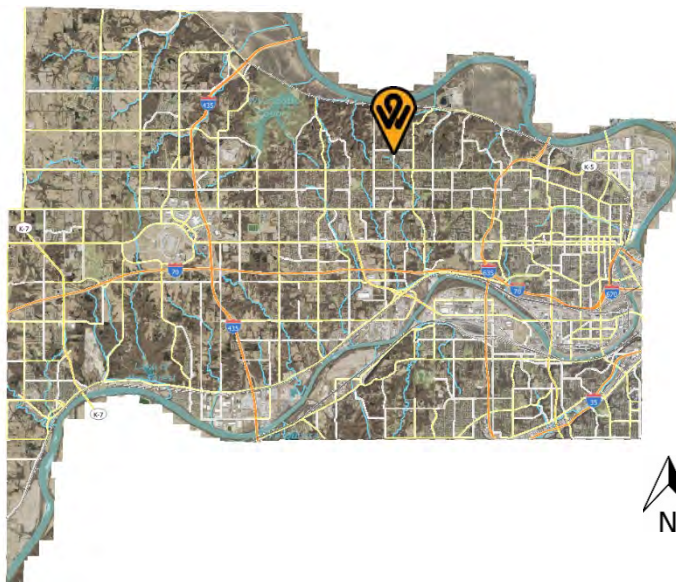
March 4, 2024

**Purpose:**

To rezone the property from R-1  
Single Family District to R-2 Two  
Family District and amend the  
PlanKCK Comprehensive Plan  
designation from Low-Density  
Residential to Medium-Density  
Residential for an existing legal non-  
conforming duplex.

**Property Location:**

3356 North 60<sup>th</sup> Terrace  
Kansas City, Kansas 66104



|                                        |                                                                                                                                                                                                                                                                                       |                            |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| <b>Commission Districts:</b>           | Commissioner At-Large, District #1: Melissa Bynum<br>District #8 Commissioner: Andrew Davis                                                                                                                                                                                           |                            |
| <b>Existing Zoning:</b>                | R-1 Single-Family District                                                                                                                                                                                                                                                            |                            |
| <b>Adjacent Zoning:</b>                | <b>North:</b>                                                                                                                                                                                                                                                                         | R-1 Single Family District |
|                                        | <b>South:</b>                                                                                                                                                                                                                                                                         | R-1 Single Family District |
|                                        | <b>East:</b>                                                                                                                                                                                                                                                                          | R-1 Single Family District |
|                                        | <b>West:</b>                                                                                                                                                                                                                                                                          | R-1 Single Family District |
| <b>Adjacent Uses:</b>                  | <b>North:</b>                                                                                                                                                                                                                                                                         | Duplex                     |
|                                        | <b>South:</b>                                                                                                                                                                                                                                                                         | Single Family Residence    |
|                                        | <b>East:</b>                                                                                                                                                                                                                                                                          | Single Family Residence    |
|                                        | <b>West:</b>                                                                                                                                                                                                                                                                          | Single Family Residence    |
| <b>Total Tract Size:</b>               | 0.29 Acres                                                                                                                                                                                                                                                                            |                            |
| <b>Comprehensive Plan Designation:</b> | The PlanKCK Comprehensive Plan designates the subject property as a Low-Density Residential, which allows for single-family residences. The applicant is proposing an amendment to Medium-Density Residential, which allows for various densities, including duplexes.                |                            |
| <b>Major Street Plan:</b>              | The goDotte Mobility Plan designates North 60 <sup>th</sup> Terrace as a Local Street.                                                                                                                                                                                                |                            |
| <b>Parking Requirement:</b>            | Section 27-456(d) states “Two (2) off-street parking spaces shall be provided on the premises for each dwelling unit, at least one of which shall be in a garage or carport”. Four (4) spaces are required. The property provides up to eight (8) spaces, with three (3) in a garage. |                            |
| <b>Advertisement:</b>                  | <u>The Wyandotte Echo</u> – April 18, 2024<br>Letters to Property Owners – April 19, 2024                                                                                                                                                                                             |                            |
| <b>Public Hearings:</b>                | June 10, 2024 and June 27, 2024                                                                                                                                                                                                                                                       |                            |
| <b>Public Support:</b>                 | None to date.                                                                                                                                                                                                                                                                         |                            |
| <b>Public Opposition:</b>              | None to date.                                                                                                                                                                                                                                                                         |                            |

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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Kari Jacobson, is requesting a Change of Zone from R-1 Single-Family District to R-2 Two-Family District. The applicant is also requesting a Master Plan Amendment from Low-Density Residential to Medium-Density Residential in the PlanKCK Comprehensive Plan. These petitions are being requested as the property at 3354 and 3356 North 60<sup>th</sup> Terrace is a legal non-conforming duplex.

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

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### Noise or Disturbance Complaints:

1. There has only been one (1) call for police service for noise in 2020.

### Building, Zoning, or Code Enforcement Complaints:

1. There have been no notices of violation on the subject property.

### Outstanding or Related Permits and Cases:

1. There are no additional or outstanding related permits or cases.

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## FACTORS TO BE CONSIDERED

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### **1. *Neighborhood character.***

The subject property is within the Bethel-Welborn Statistical Neighborhood, the Leavenworth Road Association (LRA) group and the Field of Dreams Neighborhood Group. The neighborhood consists primarily of single-family residences with legal non-conforming duplexes mixed within the neighborhood. Most of the lots within the neighborhood are medium sized with generous setbacks.

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

The zoning and uses of property nearby are set out above. The neighborhood consists primarily of single-family residences with legal non-conforming duplexes mixed within the neighborhood. The proposed rezoning to R-2 and the continued use as a duplex is compatible with nearby uses. Staff, however, does note that there is also a partial ADU in the rear-yard garage. It does not appear this ADU is legal non-conforming or was ever permitted.

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

The property is suitable to be used as a duplex, as it was originally constructed as such. There is also a partial ADU on the property, however, which does not have legal non-conformance and appears to have been converted without any permits. The property is not suitable for this ADU. Rezoning the property to R-2 will not detrimentally impact nearby property, as the property has been used as a duplex since its construction in 1960, prior to annexation.

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

The property has been consistently used as a duplex and is currently occupied by the applicant and another tenant since at least 1996.

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

The proposed use is reasonably necessary as the historic use as a duplex provides additional housing to the community. The proposed use will not substantially or permanently injure the use, quality, or marketability of nearby property, as it is consistent with the nearby uses.

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

The proposed use will not increase traffic to the point it exceeds the capacity of North 60th Terrace, a Local Street, as the use of the property is not changing, rather, the zoning district is changing to match the historic use of the property. Staff, however, does note that the amount of surface parking in the rear and the parking in the front of the residence is not compliant with code. The parking in the rear is legal non-conforming, as it existed prior to the open space provision in the code. The parking in the front must be removed.

Staff also notes that the applicant wishes to use the partial-ADU on the property as a short-term rental, however, it has yet to be determined if this partial-ADU can be used, since it was converted without proper permits or zoning. Use of this partial-ADU would inherently increase traffic, but it too won't exceed the capacity of North 60<sup>th</sup> Terrace.

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

The PlanKCK Comprehensive Plan currently designates the property as Low Density Residential, which allows for single-family residences. The proposed use is not in conformance.



The applicant, however, is requesting to amend the designation to Medium Density Residential, which allows for duplexes, triplexes, fourplexes and garden-style apartments, in which the current and proposed use conforms to.

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

The proposed use will not cause environmental harm or enhance the environment as the use of the property is not changing, rather, the zoning and designation will change to match the historical, current, and proposed use of the property.

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

**a. *Water service***

BPU provides water service.

**b. *Sanitary sewer service***

Sanitary sewer service is provided by the UG.

**c. *Storm water control***

Storm water control is provided by with UG, with a culvert running along North 60<sup>th</sup> Terrace.

**d. *Police***

Police service is provided by West Patrol, District #224.

**e. *Fire***

Fire service is provided by Station #18, one (1) mile away from the subject property.

**f. *Transit***

Public Transit is provided by UG Transit Route #113 – Leavenworth Road, with a stop at 61<sup>st</sup> & Leavenworth Road, approximately 0.75 of a mile away.

**g. *Schools***

Public Education is provided by Welborn Elementary School, Gloria Willis Middle School, and Washington High School, under Kansas City, Kansas USD 500.

## ***h. Streets***

See item #6 above.

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

The economic impact of the proposed use on the community is minimal, as this change of zone is changing the zoning district to match the existing historic and proposed future use of the property as a duplex, rather than a redevelopment of the property.

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

With changes on the site to address the excess impervious surface and apparent unpermitted ADU, the proposed use is capable of meeting applicable ordinance requirements; This change of zone will match the zoning district to the historic, current, and proposed use of the property.

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

The relative gain to public health, safety and welfare is minimal, as this change of zone is simply changing the zoning district to better match the historic, current and proposed use of the property. The hardship imposed on the property owner may be significant, as if the existing duplex on the property was destroyed, the owner could only build a single-family residence rather than another duplex with a change of zone.

## **Master Plan Amendment**

### ***1. Whether events subsequent to the comprehensive plan adoption have changed the character and/or condition of the area so as to make the application acceptable.***

There have been no events subsequent to the comprehensive plan adoption in 2023. There is no adopted area plan for this neighborhood. The building was constructed as a duplex in 1960 and has been used as such since initial construction, thus necessitating an amendment/correction to the designation.

### ***2. Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan.***

The change from Low Density Residential to Medium Density Residential is consistent with the goals of the PlanKCK Comprehensive Plan, which seeks to promote density along major corridors, including Leavenworth Road.

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

See Change of Zone Factor #9.

4. **Whether the proposed amendment would result in comprehensive plan or regulatory conflicts.**

The proposed amendment would eliminate a regulatory conflict as the property has been a legal non-conforming duplex since it was annexed in 1966. The current zoning of the property is R-1 Single-Family District. The applicant seeks to change the zoning to the R-2 Two-Family District to match the zoning district to the historic, existing and proposed use as a duplex. An amendment to the Comprehensive Plan would bring the property into conformance with the proposed zoning district.

5. ***Whether the proposed amendment would allow a change in development on the subject site without creating adverse impacts on existing or planned surrounding uses or creating inconsistencies with applicable future land use map patterns.***

The proposed plan amendment would not result in a change in development of the site, and instead, would match the historic and existing use of the site. The site has been used as a duplex since its construction in 1960.

6. ***The impacts of the potential costs and benefits derived by the community or area by the proposed change.***

The proposed use will not have a major impact as the use of the property will not change, however, if the existing structure on the property is destroyed, it would allow for a new structure of the same density to be reconstructed, rather than reducing the density.

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## **PREVIOUS ACTIONS**

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Approval of a Variance (BZA #2093) for an accessory structure over 1,000 square feet in 2013. The accessory structure was expanded to be 1,037 square feet.

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## **NEIGHBORHOOD MEETING**

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The applicant held a neighborhood meeting on May 9, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## KEY ISSUES

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Excess Impervious Surface  
Pull-In Parking  
Short-Term Rental  
Unpermitted Accessory Dwelling Unit (ADU)

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Master Plan Amendment Application **MPL2024-004** and Change of Zone Application **COZ2024-009**, subject to:

1. The Accessory Dwelling Unit (ADU) shall be removed from the premises and not utilized as a dwelling unit as there is currently no allowance in the conventional zoning ordinance, except in the Traditional Neighborhood Design District (TND). If at a later date the zoning code is updated to allow for ADUs other than TND, the applicant may attempt to legally pursue an ADU;
2. As there is an abundance of parking in the rear yard, the pull in parking in the front-yard of the residence shall be removed. Only parallel parking along North 60th is allowed;
3. 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](mailto: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;
4. All existing and future driveways must feature curb cuts that are constructed to UG standards;
5. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
6. 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;
7. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision

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

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petitions **MPL2024-004** and **COZ2024-009**, subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Duplex Floor Plan  
ADU Floor Plan  
Building Permit for the Subject Property  
Site Photos, Taken by Staff, April 13, 2024

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## REVIEW OF INFORMATION AND SCHEDULE

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|                |                                 |                                                  |
|----------------|---------------------------------|--------------------------------------------------|
| <u>Action</u>  | <u>City Planning Commission</u> | <u>Unified Government Board of Commissioners</u> |
| Public Hearing | June 10, 2024                   | June 27, 2024                                    |
| Rezoning       | Approval                        |                                                  |
| Master Plan    | Approval                        |                                                  |

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**STAFF CONTACT:**      **James Molloy**  
[jlmolloy@wycokck.org](mailto:jlmolloy@wycokck.org)

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## MOTIONS

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### Master Plan Amendment

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2024-004** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

### OR

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2024-004**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

### Change of Zone

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-009** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

### OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-009**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.



## **June 10, 2024, City Planning Commission Minutes:**

### **Hearing starts at 14:20:**

**MASTER PLAN AMENDMENT APPLICATION MPL2024-004 – KARI JACOBSON - SYNOPSIS:** Master Plan Amendment from Low-Density Residential to Medium-Density Residential (PlanKCK Comprehensive Plan) at 3354-3356 North 60<sup>th</sup> Terrace.

**CHANGE OF ZONE APPLICATION COZ2024-009 – KARI JACOBSON - SYNOPSIS:** Change of Zone from R-1 Single Family District to R-2 Two Family District for a legal non-conforming accessory dwelling unit (ADU) at 3354-3356 North 60<sup>th</sup> Terrace.

**Detailed Outline of Requested Action:** The applicant, Kari Jacobson, is requesting a Change of Zone from R-1 Single-Family District to R-2 Two-Family District. The applicant is also requesting a Master Plan Amendment from Low-Density Residential to Medium-Density Residential in the PlanKCK Comprehensive Plan. These petitions are being requested as the property at 3354 and 3356 North 60<sup>th</sup> Terrace is a legal non-conforming duplex.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

### **Present in Support:**

- Kari Jacobson, applicant, 3354-3356 North 60<sup>th</sup> Terrace, Kansas City, Kansas 66104

### **Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 16:57:** Planner Molloy stated that there is a legal non-conforming duplex on the property. When the area was annexed in 1962, the property was zoned R-1 Single Family District. There are other properties in the Northeast Area that have the same zoning and as they come forward the zoning is corrected through the rezoning process. Staff has received no letters in support or opposition. Staff recommends approval subject to the conditions in the staff report which includes removal of the current non-conforming, unpermitted ADU. There is no

mechanism in the Code that allows an ADU except in the Narrow Lot Design Guidelines.

The Planning Commission directed questions to Staff about the ADU. Planner Molloy stated that the building permit stated that an ADU cannot be built. The Applicant stated that the ADU is completed but is not being used. Planner Molloy explained the definition of a dwelling unit to the Commission and stated that one item will need to be removed from the ADU, so it does not qualify as a dwelling unit.

**Motion starts at 20:08:**

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to recommend **APPROVAL of Master Plan Amendment MPL2024-004:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**

**Subject to:**

1. The Accessory Dwelling Unit (ADU) shall be removed from the premises and not utilized as a dwelling unit as there is currently no allowance in the conventional zoning ordinance, except in the Traditional Neighborhood Design District (TND). If at a later date the zoning code is updated to allow for ADUs other than TND, the applicant may attempt to legally pursue an ADU;
2. As there is an abundance of parking in the rear yard, the pull in parking in the front-yard of the residence shall be removed. Only parallel parking along North 60th is allowed;
3. 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](mailto: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;
4. All existing and future driveways must feature curb cuts that are constructed to UG standards;
5. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to

- confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
6. 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;
  7. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
  8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application COZ2024-009:**

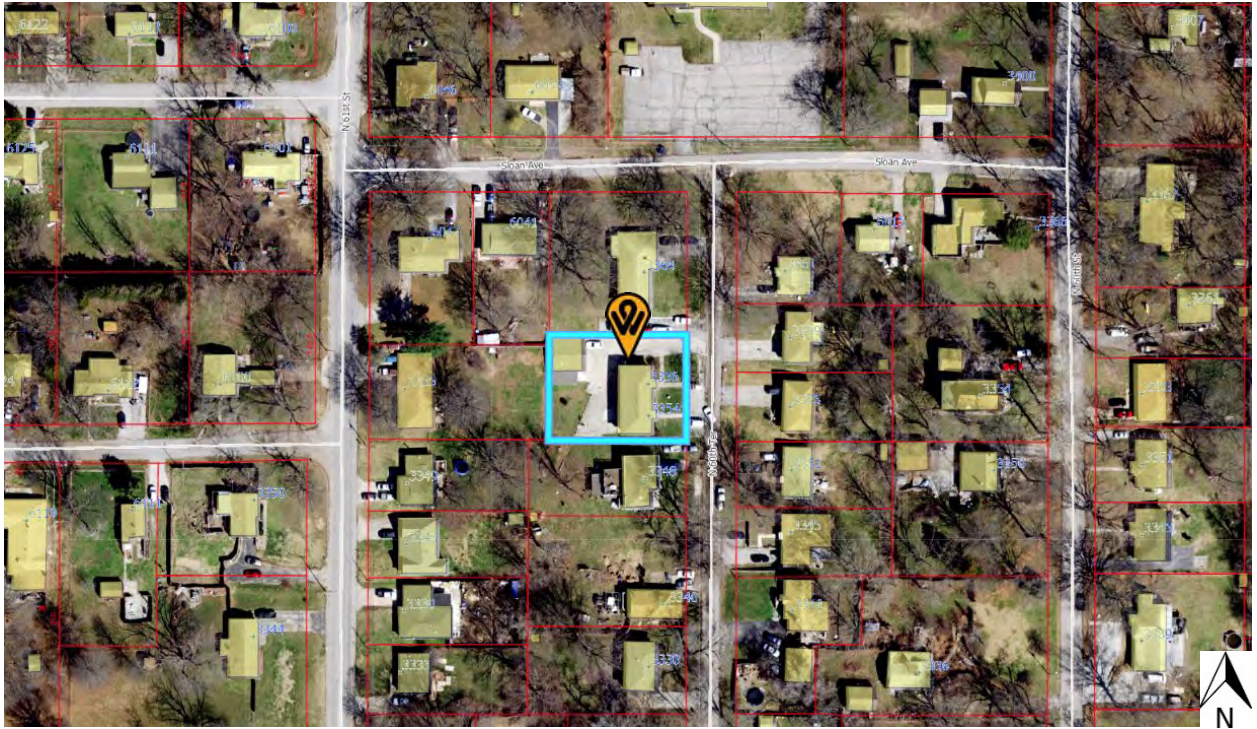
|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend APPROVAL Passed: 7 to 0**  
**Subject to the above conditions.**

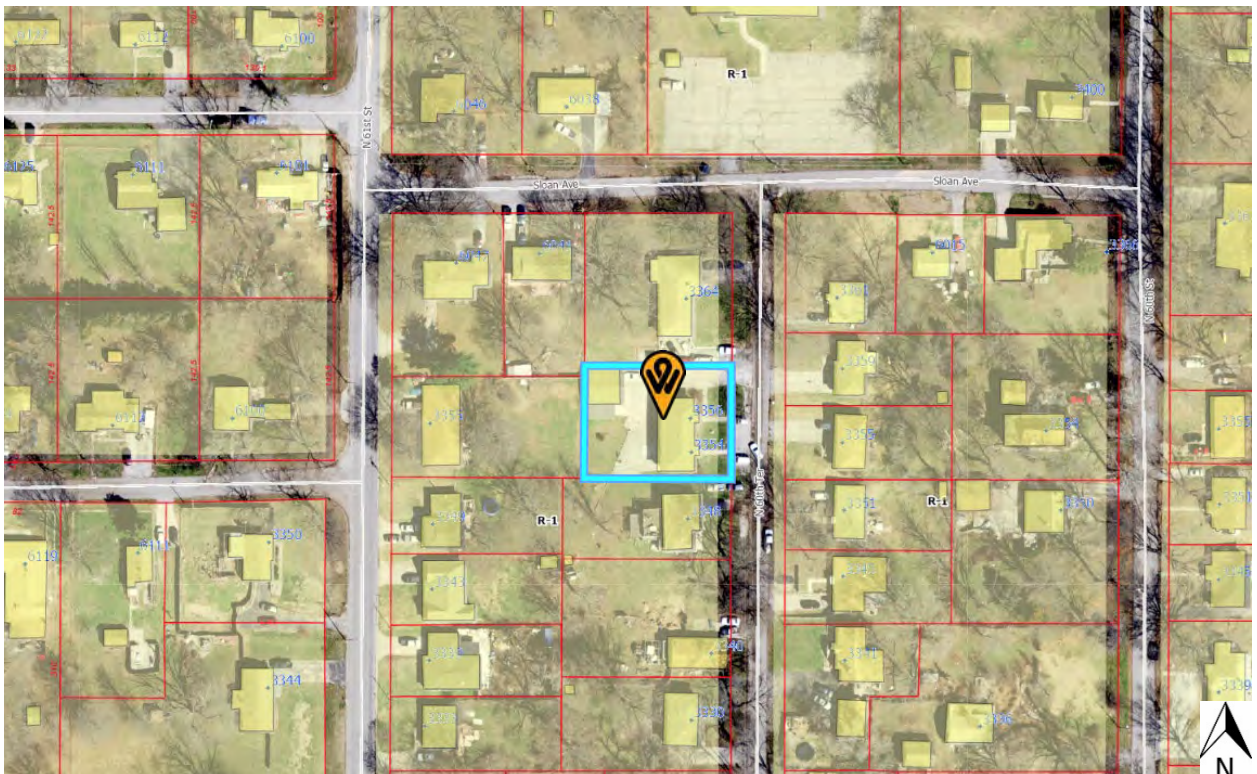


## ATTACHMENTS

### AERIAL IMAGERY

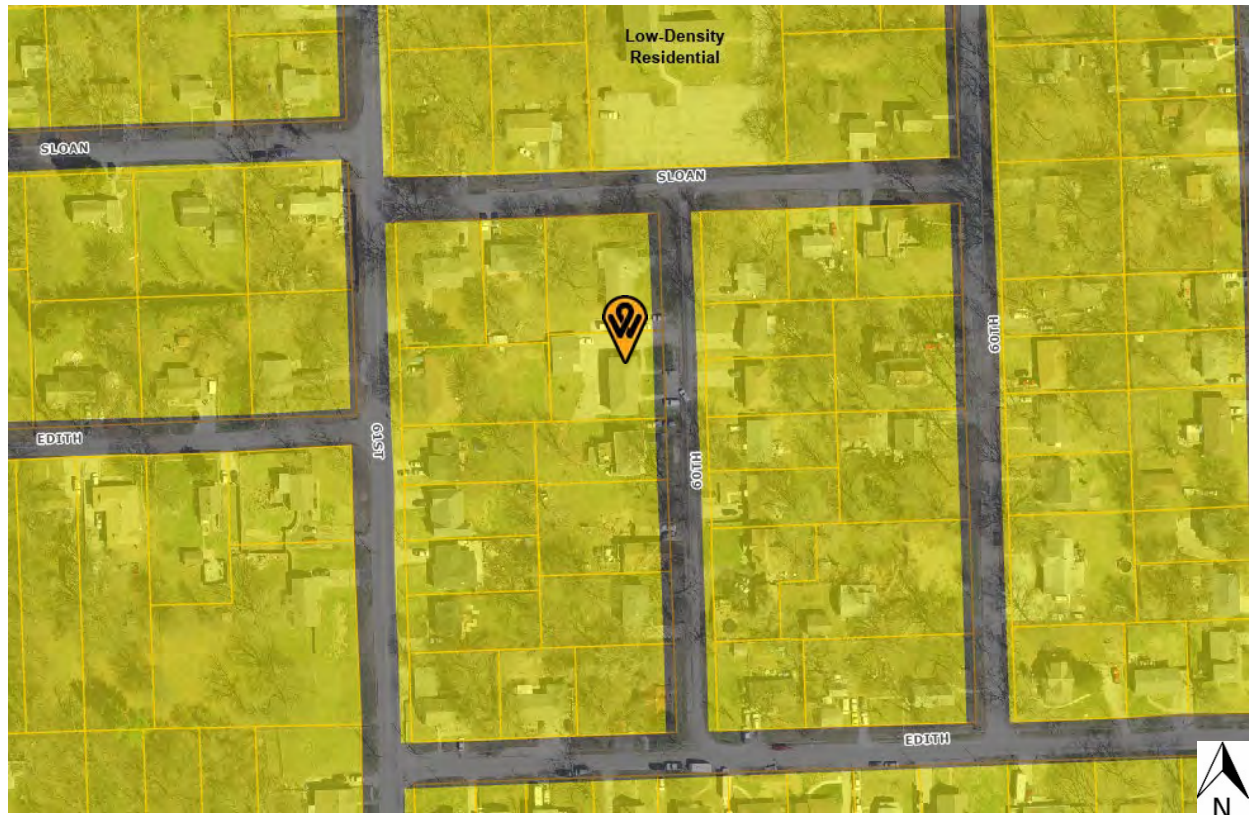


### ZONING MAP





## LAND USE MAP



# NEIGHBORHOOD MEETING MATERIALS

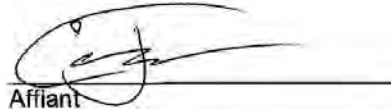
## AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS:

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

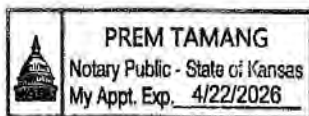
1. That I am the petitioner for Petition # COZ2024-009 + MPL2024-004
2. That I conducted a neighborhood meeting on 5/6/2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 8<sup>th</sup> day of MAY, 2024

My commission expires 22<sup>nd</sup> of APRIL, ~~2025~~ 2026



  
Notary Public



# MEETING MINUTES:

Application Number: COZ2024-009 & MPL2024-004

Date and Location: May 6, 2024 – Zoom Videoconferencing

Meeting called to order at: 7:00pm

Names of people in attendance: Carlin Jacobson, Kari Jacobson, (no other attendees)

Introductions: Since no one other than the applicants/petitioners were in attendance no introduction or presentation could be made.

Questions and answers: With no additional attendees no questions/answers/comments were given. (Also, no questions/comments were received via telephone or email prior to the meeting either)

Meeting adjourned at: 7:30pm

Minutes taken by: Carlin Jacobson

4/16/2024

Carlin & Kari Jacobson  
3356 N 60<sup>th</sup> Ter  
Kansas City, KS 66104

SUBJECT: Neighborhood Meeting

We have filed an application with the Planning + Urban Design Department #COZ2024-009 & MPL2024-004. The purpose of this:

➤ change of zone

is to correct a misclassification of property zoning from decades ago when our neighborhood was first incorporated into the city/county. It has been misclassified as R-1 Single-Family District and Low-Density Residential, even though it was originally constructed as and has always been a duplex. This Change of Zone will correctly classify the property as R-2 Two-Family District and Medium-Density Residential.

at the following address: 3354-3356 N 60<sup>th</sup> Ter, Kansas City, KS 66104.

We are having a neighborhood meeting on Monday May 6, 2024 at 7:00p.m. via Zoom videoconferencing: Meeting ID – 269 161 2437 Passcode - 135790

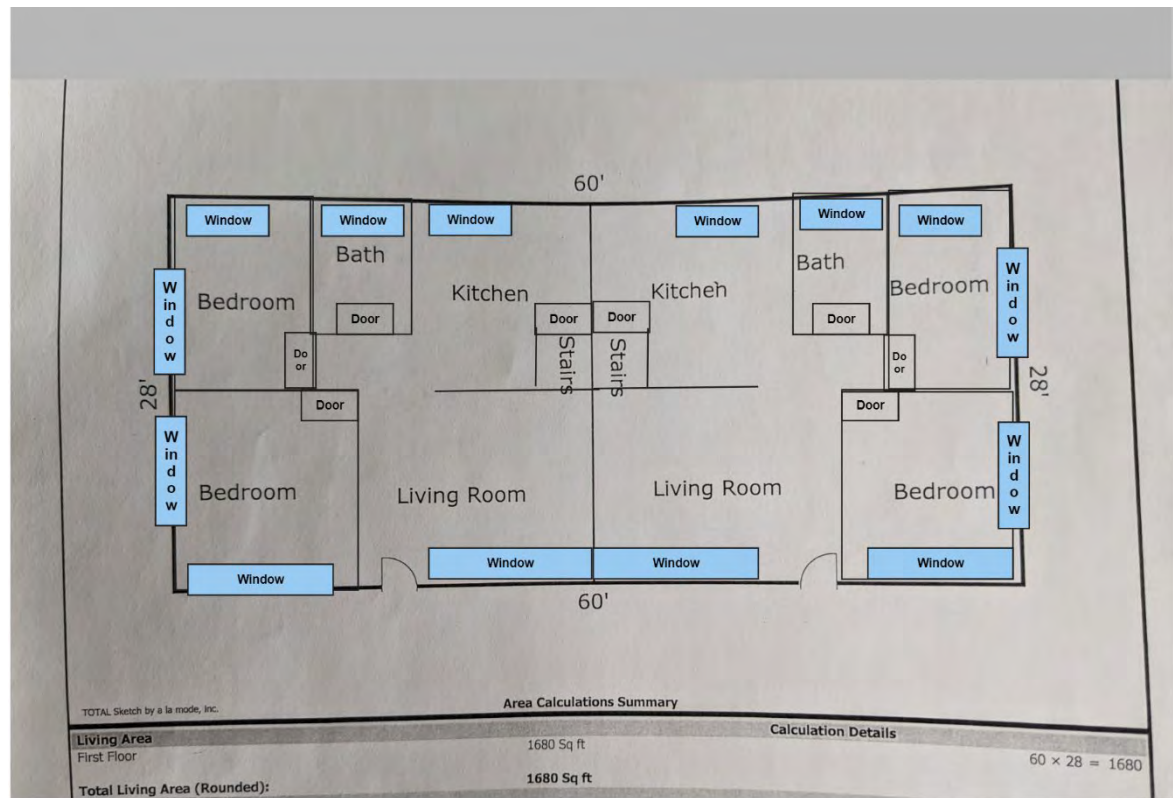
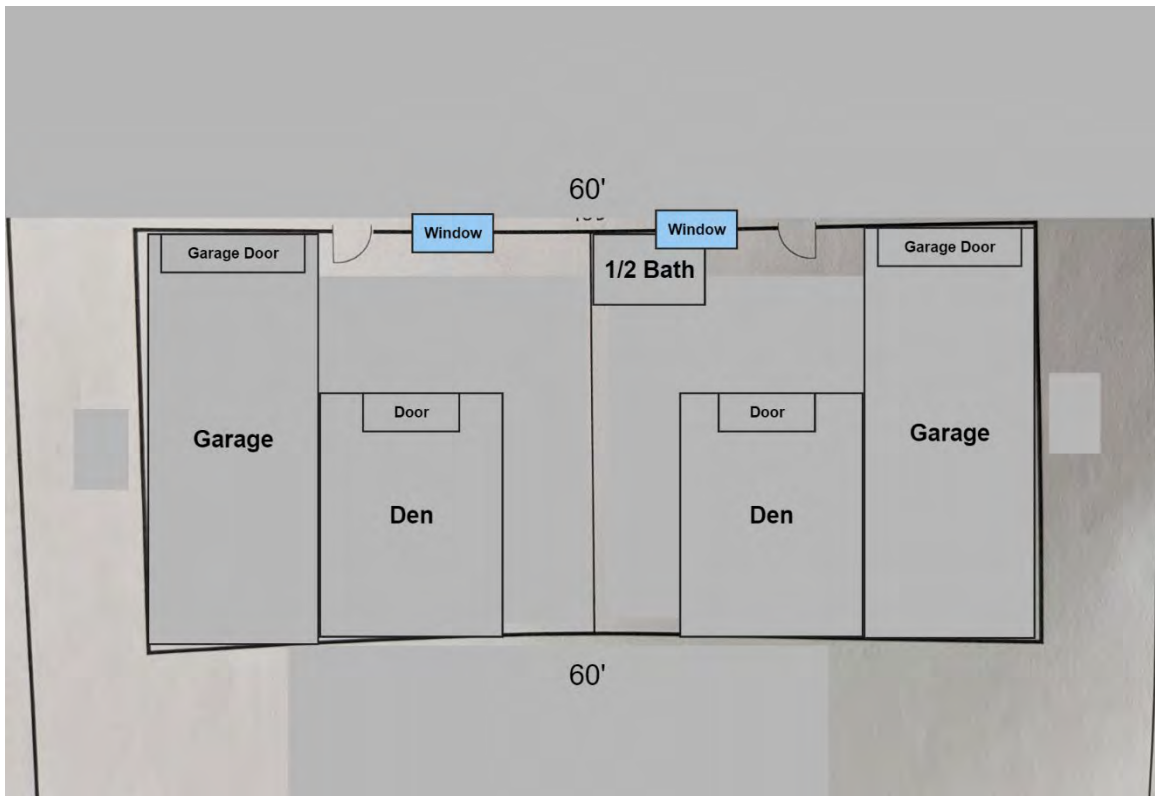
The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

We look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact us at the phone numbers/email listed below.

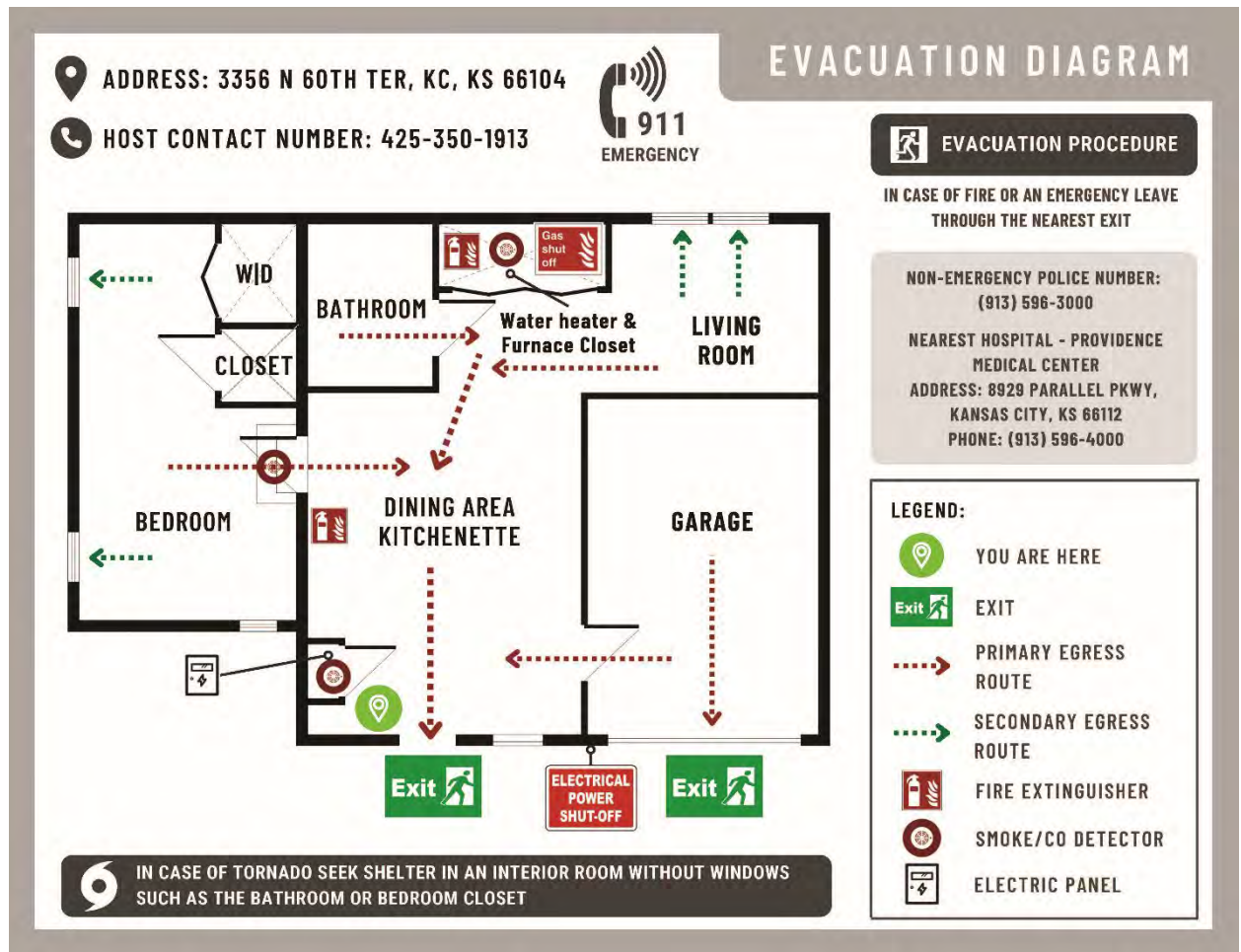
Sincerely,

Carlin & Kari Jacobson  
206-419-4690 & 425-350-1913  
[kari@carlinjacobson.com](mailto:kari@carlinjacobson.com)

## DUPLEX FLOOR PLAN



# ADU FLOOR PLAN





# BUILDING PERMIT FOR THE SUBJECT PROPERTY

**A 2897 CONSTRUCTION PERMIT**

Wyandotte County, Kansas, December 7, 1960

Application is hereby made to the Administrative Officer at the Wyandotte County Planning Board for a building permit on the following property:

Section 7 Township 10 Range 24

Lot No. 1153 Block No. 130 Subdivision 130 lot 2 of 21

To be used for: Single Family Res. ☐ Industrial ☐  
 Two Family Res. ☒ Commercial ☐  
 Family Res. ☐ Accessory ☐

Building Area 700 sq. ft. per unit Zoning District A B B B C D E F G H

Building Height 10 feet Zoning Map No. 1

Lot Area 15616 sq. ft. Area per family 7500 sq. ft.

If building is to be structurally altered describe: Constructing in two-family building and the plot plan attached

ADDRESS ASSIGNED  
3354-56 NORTH 60<sup>TH</sup> TORRECE

NO PORTION OF ANY BUILDING SHALL BE BUILT CLOSER THAN: 30 feet to the front property line, 10 feet to either side property line, or 10 feet to the rear property line.

THIS PERMIT DOES NOT NULLIFY ANY DEED RESTRICTIONS FILED AS A PART OF THE SUBDIVISION PLAT. CHECK YOUR DEED.

OWNER ALBERT W. CATON ADDRESS 3354-56 NORTH 60<sup>TH</sup> TORRECE

CONTRACTOR ALBERT W. CATON ARCHITECT CYRIL H. HARRIS

ESTIMATED COST \$ 11200 FEE \$ 112

The undersigned, hereby certifies that the information given herein is correct and that he will comply with the zoning resolutions of Wyandotte County, Kansas.

Albert W. Caton Administrative Officer Albert W. Caton Owner or Agent

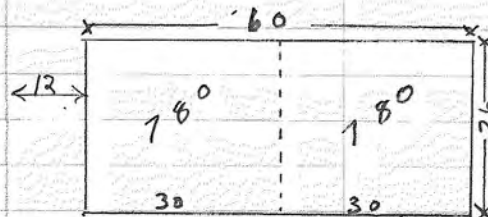
SEWAGE DISPOSAL  
 PUBLIC SEWER DISTRICT NO. 1  
 SEPTIC TANK PERMIT NO. 1

**IMPORTANT**

A. This permit expires 60 days from above date.  
 B. Extension or Renewal must be obtained.  
 C. This permit not transferable.  
 D. Post this permit on site within view.

Two Family Dwelling

130



30

3354-3356 No. 60<sup>th</sup> TERR.  
115 $\frac{1}{2}$



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**SITE PHOTOS, TAKEN BY STAFF, DATED APRIL 13, 2024**

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# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** **Change of Zone Petition COZ2024-012 and  
Master Plan Amendment Petition MPL2024-007**

## GENERAL INFORMATION

**Applicant:**

Rick Cunningham

**Status of Applicant:**

Representative  
6709 West 199<sup>th</sup> Street  
Overland Park, Kansas 66209

**Requested Actions:**

Approval of a Change of Zone and  
Master Plan Amendment

**Date of Application:**

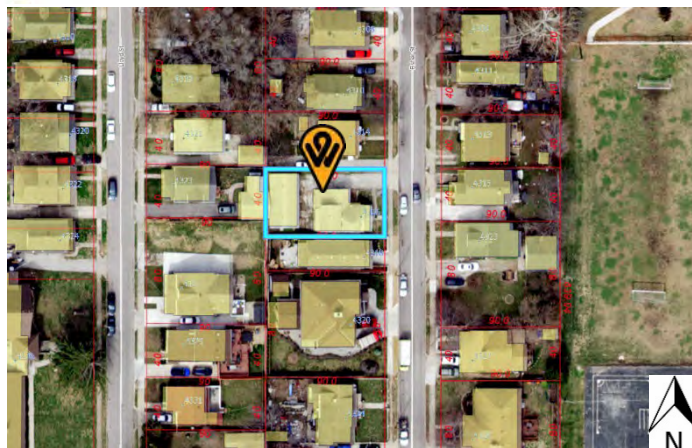
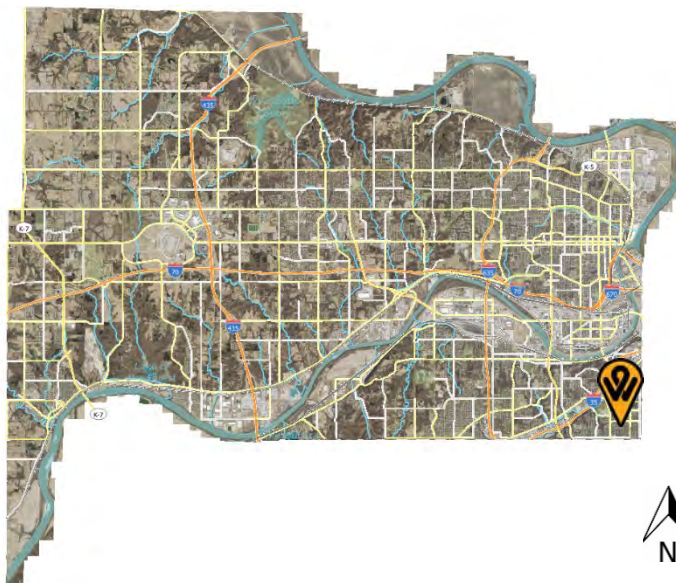
March 22, 2024

**Purpose:**

To rezone the property from R-1(B)  
Single Family District to R-2(B) Two  
Family District and amend the  
Rosedale Area Plan from Single  
Family to General Urban for an  
unpermitted ADU.

**Property Location:**

4316 Fisher Street  
Kansas City, Kansas 66103



|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Commission Districts:</b>           | At-Large, District #2: Tom Burroughs<br>District #3 Commissioner: Christian Ramirez                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Existing Zoning:</b>                | R-1(B) Single Family District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Adjacent Zoning:</b>                | <b>North:</b> R-1(B) Single Family District<br><b>South:</b> R-1(B) Single Family District<br><b>East:</b> R-1(B) Single Family District<br><b>West:</b> R-1(B) Single Family District                                                                                                                                                                                                                                                                                                                                                      |
| <b>Adjacent Uses:</b>                  | <b>North:</b> Single-Family Residence<br><b>South:</b> Single-Family Residence<br><b>East:</b> Single-Family Residence<br><b>West:</b> Single-Family Residence                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Total Tract Size:</b>               | 0.11 Acre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Comprehensive Plan Designation:</b> | <p>The Rosedale Area Plan designates the property as Single Family, which is designed for single family, detached houses. Townhomes and side-by-side rowhouses are appropriate where the property has frontage on a mixed use or neighborhood corridor.</p> <p>The applicant is proposing an amendment to General Urban, which is predominantly residential in character with rowhouses, townhomes, and single-family houses.</p>                                                                                                           |
| <b>Major Street Plan:</b>              | The goDotte Mobility Plan designates Fisher Street as a Local/Neighborhood Street.                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Parking Requirement:</b>            | <p>Section 27-455(d) states “Two off-street parking spaces shall be provided on the premises for each single-family dwelling”.</p> <p>If a Change of Zone is approved, the property would be subject to Section 27-457(d), which states “One (1) parking space for each dwelling unit shall be provided on the premises”.</p> <p>The property provides room for three (3) cars on the site, which would meet the code requirement, however, these spaces are front to back, rather than side to side, creating potential access issues.</p> |

|                           |                                                                                                       |
|---------------------------|-------------------------------------------------------------------------------------------------------|
| <b>Advertisement:</b>     | The Wyandotte Echo – April 18, 2024<br>Letters to Property Owners – April 19, 2024<br>and May 2, 2024 |
| <b>Public Hearings:</b>   | June 10, 2024 and June 27, 2024                                                                       |
| <b>Public Support:</b>    | None to date.                                                                                         |
| <b>Public Opposition:</b> | Three (3) people appeared in opposition at the June 10, 2024, City Planning Commission meeting.       |

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## **PROPOSAL**

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*Detailed Outline of Requested Action:* The applicant, Rick Cunningham, is requesting a Change of Zone from R-1(B) Single-Family District to R-2(B) Two-Family District. The applicant is also requesting a Master Plan Amendment from Single Family to General Urban in the Rosedale Area Plan. These petitions are being requested as the property at 4316 Fisher Street has an unpermitted Accessory Dwelling Unit (ADU) on it.

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

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## **RELATED ENFORCEMENT AND ACTION ITEMS**

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### **Noise or Disturbance Complaints:**

1. There have been no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. The property has been cited twice in the past two (2) years with Stop Work Orders and associated Structural violations for doing work without permits, including the addition of the 2<sup>nd</sup> floor and the conversion of the garage into an Accessory Dwelling Unit (ADU), which prompted this petition.

### **Outstanding or Related Permits and Cases:**

1. There are no additional outstanding or related permits or cases.

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## **FACTORS TO BE CONSIDERED**

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### ***1. Neighborhood character.***

The subject property is within the Rosedale Statistical Neighborhood, the Rosedale Development Association (RDA) group, and the Frank Rushton Neighborhood Group. The neighborhood consists of single-family residences,

duplexes, larger multi-family dwellings, as well as schools, churches, and small-scale mixed-use buildings.

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

The zoning and uses of properties are set out above. The neighborhood consists primarily of single-family residences, which includes all of the adjacent properties. An Accessory Dwelling Unit (ADU) is not expected to be impactful on nearby properties, however, there is currently no allowance for an ADU within the zoning code.

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

The property is not suitable as a multi-family residence, as it was a purpose-built single-family residence with a purpose-built garage. This garage was converted into an ADU without proper permits in 2023. While those permits had been issued on the condition that the kitchen was removed, the property and garage were not designed for this purpose.

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

The property is not vacant and has appeared to be consistently occupied since it was first constructed.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public, as the garage being converted into an ADU serves the convenience of the property owner by allowing them to rent the space for additional income or otherwise use this space for their personal use. The proposed use is not expected to negatively impact the use, visual quality or marketability of nearby property if managed properly.

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

The proposed use has the potential to negatively impact road capacity on Fisher Street, a Local Street. The roadway is narrow with parking on both sides of the street. Any additional spillover parking would quickly create a condition of overcrowding along the roadway, thus exceeding the capacity of the roadway. The driveway has three (3) parking spots in addition to the garage in the ADU, which meets the R-2 District standards, however, this may not be enough

depending on what the ADU is used for and how parking is managed on-site.

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

The Rosedale Area Plan designates the property as Single Family, which is designed for single family, detached houses. Townhomes and side-by-side rowhouses are appropriate where the property has frontage on a mixed use or neighborhood corridor. Currently, the proposed use does not conform to the Area Plan.

The applicant is proposing an amendment to General Urban, which is predominantly residential in character with rowhouses, townhomes, and single-family houses. While the amendment would bring the proposed use into compliance with the Area Plan, this portion of Rosedale is almost entirely designated single-family, including all adjacent properties on the block.

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

The proposed use will not cause environmental harm or enhance the environment as the use and footprint of the property are not changing, rather, the zoning is changing to match the existing use and footprint of the property.

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

**a. *Water service***

BPU provides water service.

**b. *Sanitary sewer service***

Sanitary sewer service is provided by the Unified Government.

**c. *Storm water control***

Storm water control is provided by the Unified Government, with an inlet at West 44<sup>th</sup> Avenue & Fisher Street.

**d. *Police***

Police service is provided by South Patrol, District #332.

**e. *Fire***

Fire service is provided by Station #10, located one and one-half (1-½) miles away from the subject property.



***f. Transit***

Public Transit is provided by KCATA Route 107 – 7<sup>th</sup> Street/KU Med and Johnson County Route 403 – Antioch/KU Med, with a stop at West 43<sup>rd</sup> Avenue & Fisher Street.

***g. Schools***

Public Education is provided by Frank Rushton Elementary School, Rosedale Middle School, and J.C Harmon High School.

***h. Streets***

See item #6 above

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

The economic impact of the proposed use on the community is minimal, as the proposed use is for the convenience and use of the property owner, rather than a public facing service or use.

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

With changes on the site to address the apparent unpermitted ADU, the proposed use is capable of meeting applicable ordinance requirements.

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

The relative gain to the public health, safety, and welfare is minimal. If denied, the property owner would have to convert the ADU back to a garage and cease use as an ADU.

**Master Plan Amendment**

***1. Whether events subsequent to the comprehensive plan adoption have changed the character and/or condition of the area so as to make the application acceptable.***

There has been no event subsequent to the adoption of the Area Plan in 2016 that changed the character of the neighborhood. This Master Plan Amendment is to address a garage that was converted into an ADU without proper permitting in 2023.

***2. Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan.***

This change to the Area Plan from Single Family to General Urban is not necessarily inconsistent with the goals of the Rosedale Area Plan, as it calls for additional density. This amendment, however, is more so an improper solution to correct the existing use of the property. The Single-Family designation of the Rosedale was instituted to specifically address and preserve existing single-family neighborhoods within the plan area. The issue at hand is not necessarily with the density, or even character, as ADUs provide additional opportunity to single-family property owners without significantly altering the existing character. The issue is that the proposed use is correcting an unpermitted ADU that was constructed on the property, rather than constructing a purpose-built duplex.

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

See Change of Zone Factor #9.

**4. Whether the proposed amendment would result in comprehensive plan or regulatory conflicts.**

The proposed amendment is being heard in conjunction with a Change of Zone from R-1(B) to R-2(B), which would eliminate any regulatory conflicts, albeit, in an imperfect manner, as R-2 was not intended to allow ADUs, but duplexes. The amendment, however, would still conflict with the Area Plan, as all of the surrounding properties are single-family residences, designated with the Single-Family designation in the area plan.

**5. *Whether the proposed amendment would allow a change in development on the subject site without creating adverse impacts on existing or planned surrounding uses or creating inconsistencies with applicable future land use map patterns.***

The proposed amendment currently would not allow for a change in development on the site, as this amendment would be addressing an existing structure that was illegally turned into an ADU. The change would create inconsistency in the Area Plan, as all of the surrounding properties are designated with the Single-Family designation. In the future, however, if this property were to be redeveloped, units of a higher density would be allowed to be built on the property, which could set a precedent for surrounding properties to seek the same amendment.

**6. *The impacts of the potential costs and benefits derived by the community or area by the proposed change.***

The proposed use will not have a major impact or benefit for the community. The addition of an ADU would allow for an additional rental unit in the community, which could be seen as a benefit.

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## PREVIOUS ACTIONS

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There have been no previous actions on the subject property.

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## NEIGHBORHOOD MEETING

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The applicant held a neighborhood meeting on May 28, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## KEY ISSUES

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Excess Pavement  
Floor Plan  
Ownership of the Property  
Parking  
Unpermitted Work  
Use of the ADU

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 7 to 0 to recommend **DENIAL** of Master Plan Amendment **MPL2024-007** and Change of Zone Application **COZ2024-012**, for the following reasons:

1. The proposed use does not meet Change of Zone Factor #3. The property is not suitable for use as a multi-family property. It was purposely built as and allotted space for a single-family residence with a detached garage. Removing this restriction may result in the overcrowding of the property and may result in increased demand on a roadway which already exceeds capacity for traffic and on-street parking;
2. The proposed use does not meet Change of Zone Factor #6. While the property provides the required parking, this parking is front-to-back, which will introduce significant issues with site management. Staff believes this arrangement will inevitably lead to additional on-street parking, along a roadway which already has capacity issues;
3. The proposed use does not meet Change of Zone Factor #7. The proposed use does not meet the Rosedale Area Plan designation. While the applicant is seeking an amendment, staff is recommending denial, this amendment does not meet the intent of the Area Plan for this neighborhood and sets a precedent that is inconsistent with the Plan;
4. The proposed use does not meet Master Plan Amendment Factor #1. There has not been a significant change in development patterns, rather, an unpermitted use was created on the property, and this amendment is a way of correcting that unpermitted use;
5. The proposed use does not meet Master Plan Amendment Factor #5. The change would create inconsistency in the Area Plan, as all of the surrounding properties are designated with the Single-Family designation.

In the future, however, if this property were to be redeveloped, units of a higher density would be allowed to be built on the property, which could set a precedent for surrounding properties to seek the same amendment; and,

6. Neighborhood incompatibility and lack of building permits.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petitions **MPL2024-007** and **COZ2024-012**, subject to all comments and suggestions outlined in this staff report, and the reasons outlined by the City Planning Commission.

### NOTE:

If the Board of Commissioners approves **COZ2024-012** and **MPL2024-007**, Staff recommends the following conditions:

1. The garage had previously been converted into an ADU without permits. This unpermitted work received retroactive permits on the condition that an element that constitutes a dwelling (bedroom, kitchen, living room or bathroom) be removed. This building permit must be revised or re-applied to reflect the use as an ADU;
2. If the property owner wishes to permit a short-term rental, the application must be reviewed as a Special Use Permit, due to the potential issues with site management, including management of parking, and potential overcrowding;
3. 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](mailto: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;
4. All existing and future driveways must feature curb cuts that are constructed to UG standards;
5. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
6. 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;
7. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
  8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Neighborhood Meeting Documents  
Floor Plan  
Site Photos, Taken by Staff, Dated April 11, 2024

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## REVIEW OF INFORMATION AND SCHEDULE

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| <u>Action</u>  | <u>City Planning Commission</u> | <u>Unified Government Board of Commissioners</u> |
|----------------|---------------------------------|--------------------------------------------------|
| Public Hearing | June 10, 2024                   | June 27, 2024                                    |
| Rezoning       | Denial                          |                                                  |
| Master Plan    | Denial                          |                                                  |

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**STAFF CONTACT:**        **James Molloy**  
                                     [jlmolloy@wycokck.org](mailto:jlmolloy@wycokck.org)

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## MOTIONS

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### Master Plan Amendment

I move the Unified Government Board of Commissioners **DENY** Petition **MPL2024-007**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

**OR**

I move the Unified Government Board of Commissioners **APPROVE** Petition **MPL2024-007** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**Change of Zone**

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-012**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

**OR**

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-012** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**June 10, 2024, City Planning Commission Minutes:**

**Hearing starts at 22:08:**

**MASTER PLAN AMENDMENT MPL2024-007 – RICK CUNNINGHAM – SYNOPSIS:**  
Master Plan Amendment from Single Family to General Urban (Rosedale Area Plan) at 4316 Fisher Street.

**CHANGE OF ZONE APPLICATION COZ2024-012 – RICK CUNNINGHAM – SYNOPSIS:** Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District for an accessory dwelling unit at 4316 Fisher Street.

**Detailed Outline of Requested Action:** The applicant, Rick Cunningham, is requesting a Change of Zone from R-1(B) Single-Family District to R-2(B) Two-Family District. The



applicant is also requesting a Master Plan Amendment from Single Family to General Urban in the Rosedale Area Plan. These petitions are being requested as the property at 4316 Fisher Street has an unpermitted Accessory Dwelling Unit (ADU) on it.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

**Present in Support:**

- Colin Gotham attorney representing the applicant, 7225 Renner Road, Suite 200, Shawnee, Kansas 66217

The Planning Commission directed questions to the Applicant's representative.

**Present in Opposition:**

- Leslie Smith, 4314 Fisher, Kansas City, Kansas 66103
- Yvonne Gibbons, representing her aunt, 4314 Fisher, Kansas City, Kansas 66103
- Adam Vondrak, 4308 Fisher, Kansas City, Kansas 66103

**Staff Recommendation starts at 40:48:** Planner Molloy stated that the garage was converted into an ADU without permits similar to the application that was just heard. Unlike the other case where it had a legal non-conforming duplex on the property there is a single-family home with an ADU on this property with a zoning district that the ADU could fall under if approved. However, it still does not meet the intent of that zoning district. The property is in the Rosedale Area Plan which designates this area as Single Family. Staff received no support or formal opposition prior to the meeting tonight. Staff recommends denial for the reasons outlined in the staff report, one of which is the parking issues in the area. There is a single car driveway for this property. Staff has also included conditions of approval if the Commission moves forward with a recommendation of approval.

The Planning Commission directed questions to Staff.

**Motion starts at 44:53:**

On motion by Mr. Straws, seconded by Mrs. Jones, the Planning Commission voted as

follows to recommend **DENIAL** of Master Plan Amendment MPL2024-007:

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

**Motion to recommend DENIAL Passed: 7 to 0**

**For the following reasons:**

1. The proposed use does not meet Change of Zone Factor #3. The property is not suitable for use as a multi-family property. It was purposely built as and allotted space for a single-family residence with a detached garage. Removing this restriction may result in the overcrowding of the property and may result in increased demand on a roadway which already exceeds capacity for traffic and on-street parking;
2. The proposed use does not meet Change of Zone Factor #6. While the property provides the required parking, this parking is front-to-back, which will introduce significant issues with site management. Staff believes this arrangement will inevitably lead to additional on-street parking, along a roadway which already has capacity issues;
3. The proposed use does not meet Change of Zone Factor #7. The proposed use does not meet the Rosedale Area Plan designation. While the applicant is seeking an amendment, staff is recommending denial, this amendment does not meet the intent of the Area Plan for this neighborhood and sets a precedent that is inconsistent with the Plan;
4. The proposed use does not meet Master Plan Amendment Factor #1. There has not been a significant change in development patterns, rather, an unpermitted use was created on the property, and this amendment is a way of correcting that unpermitted use;
5. The proposed use does not meet Master Plan Amendment Factor #5. The change would create inconsistency in the Area Plan, as all of the surrounding properties are designated with the Single-Family designation. In the future, however, if this property were to be redeveloped, units of a higher density would be allowed to be built on the property, which could set a precedent for surrounding properties to seek the same amendment; and,
6. Neighborhood incompatibility and lack of building permits.

On motion by Mr. Straws, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **DENIAL** of Change of Zone Application COZ2024-012:

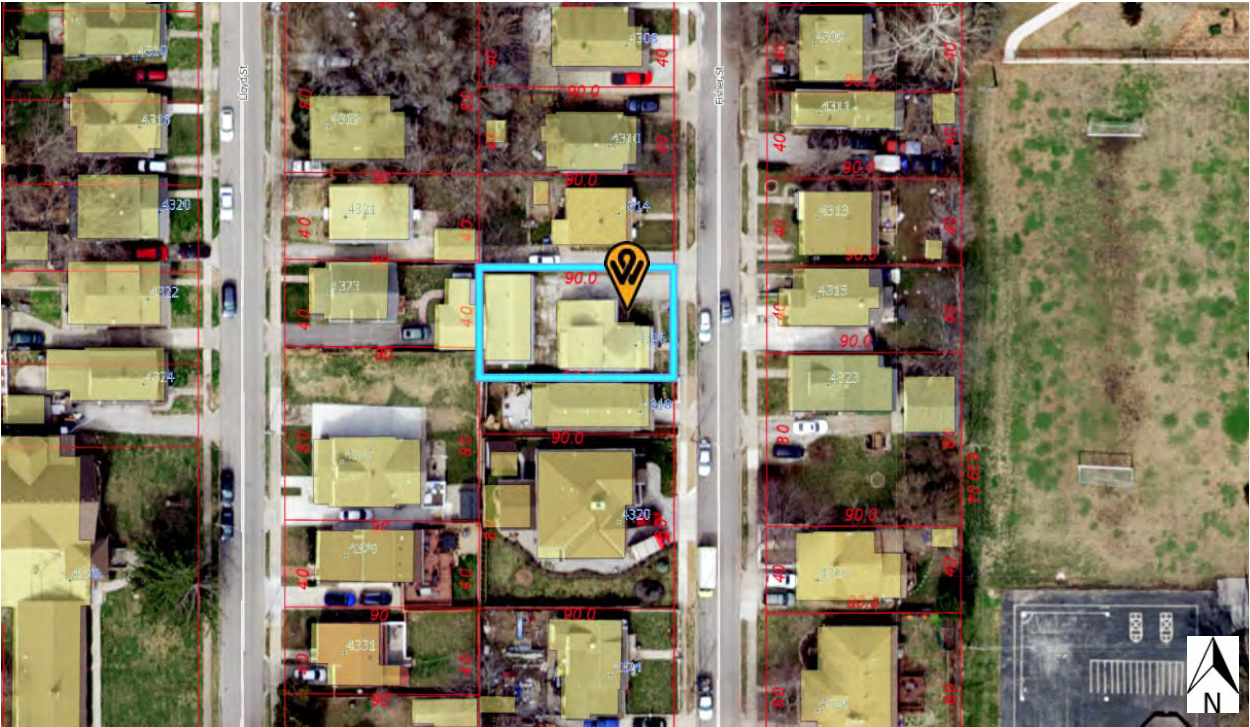
|                  |                    |
|------------------|--------------------|
| <b>Carson</b>    | <b>Chairman</b>    |
| <b>Armstrong</b> | <b>Not Present</b> |
| <b>Beth</b>      | <b>Aye</b>         |

|                   |                    |
|-------------------|--------------------|
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>Aye</b>         |
| <b>Ward</b>       | <b>Aye</b>         |

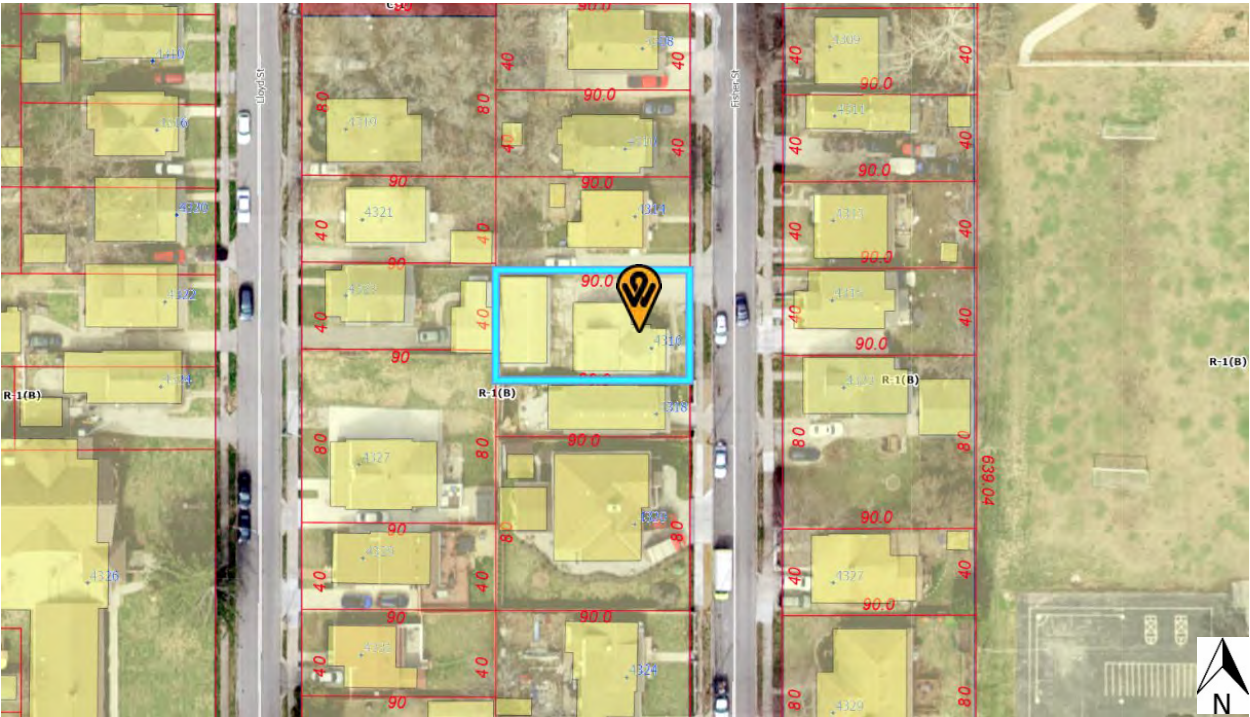
**Motion to recommend DENIAL Passed: 7 to 0**  
**For the above reasons.**

ATTACHMENTS

AERIAL IMAGERY

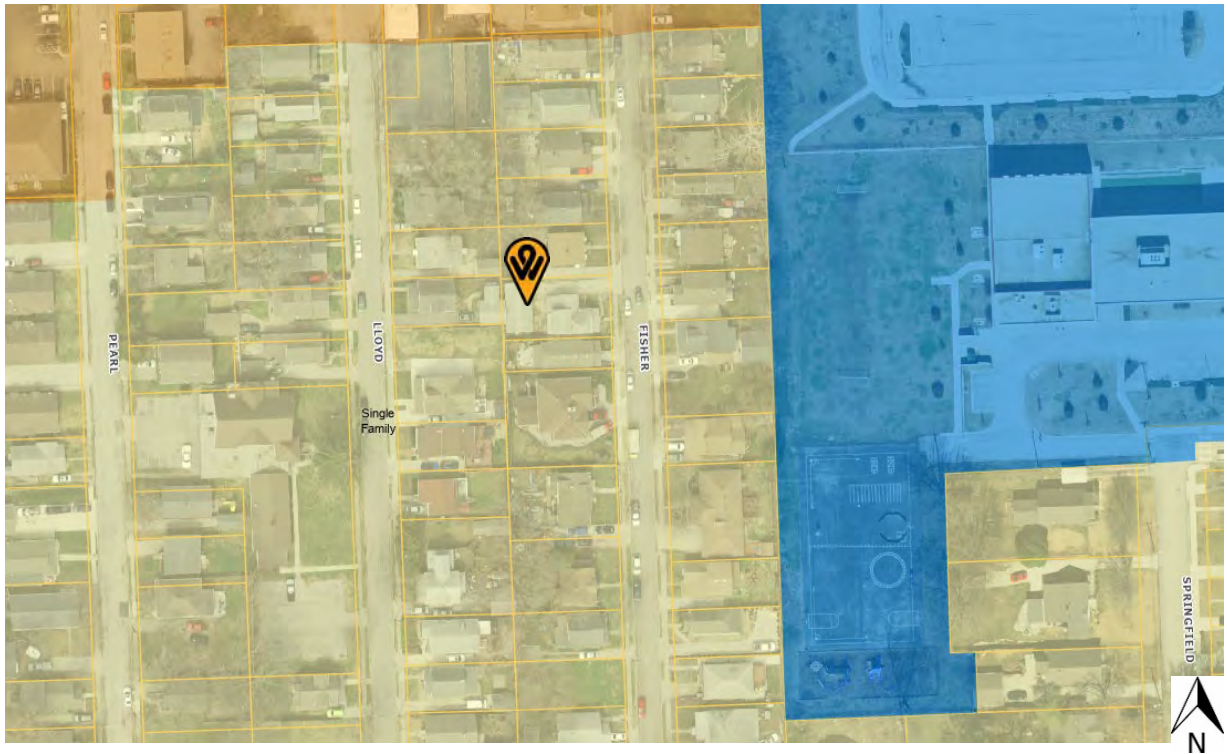


ZONING MAP





## LAND USE MAP





COLIN N. GOTHAM  
SHAREHOLDER - ATTORNEY AT LAW  
Direct: 913.890.7005  
Fax: 913.962.8701  
cgotham@emlawkc.com

November 7, 2023

*Via Email Only to:*

[jlmolloy@wycokek.org](mailto:jlmolloy@wycokek.org)

[planninginfo@wycokek.org](mailto:planninginfo@wycokek.org)

Unified Government of Wyandotte County  
Planning and Urban Design  
701 North 7<sup>th</sup> Street, Room 423  
Kansas City, Kansas 66101

Re: Richard Cunningham  
Petition # COZ2024-012

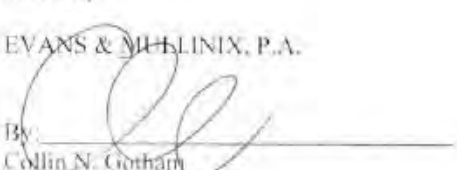
Dear Mr. Malloy:

I am attaching the Affidavit and Minutes regarding the Neighborhood Meeting that was conducted via Zoom on May 28, 2024. I have also attached copies of the letters that were sent to the neighboring property owners providing notice of the Neighborhood Meeting.

Please let me know if you have any questions or if additional information is needed.

Sincerely,

EVANS & MULLINIX, P.A.

By: 

Colin N. Gotham

CNG:sa/h

Cc: client (without enclosures)

EVANS & MULLINIX, P.A.  
7225 RENNER RD, SUITE 200, SHAWNEE, KS 66217 • 913.962.8700 • 913.962.8701 / 913.962.8702 • WWW.EMLAWKC.COM



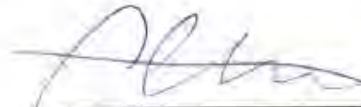
**AFFIDAVIT – NEIGHBORHOOD MEETING**

STATE OF KANSAS                     )  
                                                  ) SS:  
COUNTY OF JOHNSON            )

Comes now Colin N. Gotham, of lawful age, sound mind, and upon his/her oath states as follows:

1. That I am the attorney for the petitioner Richard Cuningham, Petition #COZ2024-012.
2. That I conducted a neighborhood meeting on May 28, 2029.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

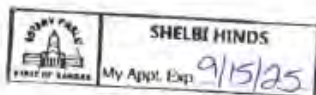
Further affiant saith not.

  
\_\_\_\_\_  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29<sup>th</sup> day of May 2024.

My commission expires 15<sup>th</sup> of September, 2025.

  
\_\_\_\_\_  
Notary Public



(((018121)))

# MINUTES:

Application Number COZ2024-012  
Date and Location: Zoom May 28, 2024

Meeting called to order at: 11:00 AM

Names of people in attendance: Richard Cunningham  
Colin N. Gotham  
Leslie Smith  
Steve Slater  
Jacob Stromberg

Introductions:

Presentation by applicant and/or team:

Petitioner Richard Cunningham's attorney, Colin N. Gotham, summarized the request to allow for the dwelling unit in the detached garage.

Questions and answers:

Leslie Smith, Steve Slater, and Jacob Stromberg all had comments and questions. There were questions and comments regarding parking. Petitioner Richard Cunningham's attorney, Colin N. Gotham, provided information or acknowledged the concerns. Information was provided regarding the upcoming hearing.

Meeting adjourned at 11:25 AM

Minutes taken by: Colin N. Gotham, attorney for Petitioner Richard Cunningham

{01018127 }

# FLOOR PLAN

CITY OF KANSAS CITY, KANSAS  
BUILDING INSPECTION DEPARTMENT  
PLAN SUBMITTAL

☐ APPROVED  
☒ APPROVED AS NOTED  
☐ APPROVED AS REVISED

☐ DISAPPROVED  
☐ CORRECT AS NOTED  
☐ CORRECT AND RESUBMIT

THE APPROVAL OF PLANS AND SPECIFICATION SHALL NOT BE  
CONSTRUED TO BE A PERMIT OR APPROVAL OF ANY VIOLATION  
OF ANY OF THE PROVISIONS OF THE CITY OF KANSAS CITY  
KANSAS BUILDING AND/OR ZONING CODE OR ANY OTHER  
ORDINANCE OF THIS CITY.

BY U. L. L. DATE 12/04/2024

4310 FISHER ST.  
KCS23-013

BATH 6' x 6'

Kitchen 10' x 13'

Game Room 10' x 13'

Living Area 10' x 13'

Window 40'

Door

closet 1

closet 10'

Requires Kitchen island, refrigerator

---

**SITE PHOTOS, TAKEN BY STAFF. DATED APRIL 11, 2024**

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(First published \_\_\_\_\_)

#3186

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE** rezoning property hereinafter described located at approximately 9407 Main Street, in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to MP-3 Planned Heavy Industrial District.

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

Section 1. It is hereby found and determined that a petition was filed on February 25, 2019, by the owners of property to have the zoning of said property changed from its present zoning of A-G Agriculture District to MP-3 Planned Heavy Industrial District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

All of Lots 1 through 30, Block 2, and all of Lots 1 through 30, Block 3, and all of the public alleys adjacent thereto, and all that part of Muncie Street, Miami Street, Oak Street, and Hickory Street, as shown on the recorded plat of CONNER CITY, and all of Lots 2 and 3 and all that part of Lot 4, as shown on the recorded plat of WOLCOTT PARK, and all that part of Section 12, Township 10 South, Range 23 East, all being in the City of Kansas City, Wyandotte County, Kansas, and being more particularly described as follows: beginning at the westerly most corner of Lot 15, Block 30, said point being the intersection of the northwesterly right-of-way line of N. 95th Street (platted as Wyandotte Street) and the southeasterly right-of-way line of Main Street, as shown on the recorded plat of Conner City, thence North 43 degrees 10 minutes 57 seconds East, with the southeasterly right-of-way line of Main Street, as it now exists, and with



the northwesterly line of Blocks 3 and 2, CONNER CITY, a distance of 653.68 feet to the northwesterly corner of Block 2, CONNER CITY; thence North 47 degrees 01 minute 36 seconds West, with the northerly right-of-way line of Miami Street, as it now exists, and with the southerly line of Lot 2, WOLCOTT PARK, a distance of 07.04 feet to the southwesterly corner of said Lot 2; thence North 44 degrees 13 minutes 24 seconds East, with the westerly line of Lots 2, 3 and 4, WOLCOTT PARK, a distance of 816.00 feet; thence South 47 degrees 01 minutes 36 seconds East, a distance of 677.05 feet; thence South 46 degrees 50 minutes 15 seconds East, a distance of 794.98 feet to a point in Conner Creek; the following three courses are calculated straight lines along the meanders of Conner Creek; thence South 29 degrees 24 minutes 21 seconds West, a distance of 836.53 feet; thence South 33 degrees 08 minutes 57 seconds West, a distance of 242.97 feet; thence South 62 degrees 41 minutes 02 seconds West, a distance of 440.05 feet to a point on the southerly extension of the northerly right-of-way line of Wyandotte Street, as shown on the recorded plat of CONNER CITY; thence North 47 degrees 01 minute 36 seconds West, with the northerly right-of-way line of Wyandotte Street, and its southeasterly prolongation, a distance of 874.46 feet to the point of beginning. The above-described tract contains 1,919,036 square feet or 44.05 acres, Located at approximately 9407 Main Street, Kansas City, Kansas,

be changed from its present zoning of A-G Agriculture District to MP-3 Planned Heavy Industrial District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-470, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Planning and Urban Design Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for MP-3 Planned Heavy Industrial District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.



Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2024.

UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY,  
KANSAS

BY: \_\_\_\_\_  
TYRONE GARNER  
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

\_\_\_\_\_  
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL

(First published \_\_\_\_\_)

COZ2024-007

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE** rezoning property hereinafter described located at approximately 1435 and 1501 South 88<sup>th</sup> Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District.

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

Section 1. It is hereby found and determined that a petition was filed on February 22, 2024, by the owners of property to have the zoning of said property changed from its present zoning of R-1 Single Family District to A-G Agriculture District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

Lots 63, 64 and 65, in OAK KNOLL, an addition now in and a part of Kansas City, Wyandotte County, Kansas, located at approximately 1435 and 1501 South 88<sup>th</sup> Street, Kansas City, Kansas,

be changed from its present zoning of R-1 Single Family District to A-G Agriculture District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for A-G Agriculture District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2024.

UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY,  
KANSAS

BY: \_\_\_\_\_  
TYRONE GARNER  
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

\_\_\_\_\_  
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL

(First published \_\_\_\_\_)

COZ2024-010

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE** rezoning property hereinafter described located at approximately 9151 Parallel Parkway, in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to CP-O Planned Non-Retail Business District.

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

Section 1. It is hereby found and determined that a petition was filed on April 1, 2024, by the owners of property to have the zoning of said property changed from its present zoning of R-1 Single Family District to CP-O Planned Non-Retail Business District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

9384, S6, T11, R24, ACRES 1.3, BEG 1763.4FT E & 50FT S OF NW  
COR; E 149FT, S 410FT, W 149FT, N 410FT TO POB CONTG 1.4AC  
M/L, located at approximately 9151 Parallel Parkway, Kansas City,  
Kansas,

be changed from its present zoning of R-1 Single Family District to CP-O Planned Non-Retail Business District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-463, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Planning and Urban Design Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for CP-O Planned Non-Retail Business District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2024.

UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY,  
KANSAS

BY: \_\_\_\_\_  
TYRONE GARNER  
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

\_\_\_\_\_  
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL

(First published \_\_\_\_\_)

COZ2024-011

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE** rezoning property hereinafter described located at approximately 1323 South 59<sup>th</sup> Lane and 1413 South 59<sup>th</sup> Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to MP-2 Planned General Industrial District.

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

Section 1. It is hereby found and determined that a petition was filed on April 1, 2024, by the owners of property to have the zoning of said property changed from its present zoning of R-1 Single Family District to MP-2 Planned General Industrial District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

A tract of land in the Southeast Quarter of Section 23, Township 11 South, Range 24 East of the Sixth Principal Meridian, Wyandotte County, Kansas, described as follows: Beginning at a point that is N 02°17'26" W 471.80 feet and N 87°42'34" E 50.00 feet from the Southwest Corner of the Southeast Quarter of said Section 23, said point being on the East Right of Way line of S 59<sup>th</sup> Street; thence N 02°17'26" W 464.24 feet along said East Right of Way line of S 59<sup>th</sup> Street; thence N 88°14'41" E 601.98 feet; thence S 02°17'26" E 312.25 feet; thence S 88°01'29" W 324.39 feet; thence S 02°17'14" E 152.00 feet; thence S 88°30'17" W 277.59 feet to the point of beginning, containing 5.3 acres. Tim Sloan, PLS-783, March 28, 2024. Subject to easements and restrictions of record, located at approximately 1323 South 59<sup>th</sup> Street and 1413 South 59<sup>th</sup> Street, Kansas City, Kansas,



be changed from its present zoning of R-1 Single Family District to MP-2 Planned General Industrial District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. Pursuant to the Code of City Ordinances, Section 27-469, the Governing Body approves the preliminary development plans, incorporated herein by reference, marked as the certified preliminary development plan, and maintained in the Planning and Urban Design Department as submitted to the Governing Body and received by the Unified Clerk.

Section 4. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for MP-2 Planned General Industrial District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2024.

UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY,  
KANSAS

BY: \_\_\_\_\_  
TYRONE GARNER  
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

\_\_\_\_\_  
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL

(Published \_\_\_\_\_)

SP2023-110

ORDINANCE NO. \_\_\_\_\_

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

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

**Section 1. Special Use Permit Granted.** Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2023-110, commonly known as 1142 South 12<sup>th</sup> Street, Kansas City, Kansas, legally described as:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 11, RANGE 25, IN WYANDOTTE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE WEST LINE OF 12TH STREET IN KANSAS CITY, KANSAS, INTERSECTS THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE KANSAS CITY SOUTHERN RAILWAY COMPANY (FORMERLY THE UNION TERMINAL RAILROAD COMPANY) SAID POINT BEING 40 FEET WEST AND 1305.73 FEET SOUTH OF THE CENTER OF SAID SECTION; THENCE IN A WESTERLY DIRECTION ALONG SAID SOUTH LINE OF RIGHT-OF-WAY 560.39 FEET TO A POINT WHICH IS 560 FEET WEST OF SAID WEST LINE OF 12TH STREET, MEASURED AT RIGHT ANGLES TO SAID 12TH STREET; THENCE SOUTH PARALLEL AND 560 FEET DISTANT FROM SAID WEST LINE OF 12TH STREET, A DISTANCE OF 691.60 FEET, MORE OR LESS, TO THE KANSAS RIVER; THENCE IN AN EASTERLY DIRECTION DOWN SAID RIVER 560.41 FEET, MORE OR LESS, TO A POINT ON SAID WEST LINE OF 12TH STREET PRODUCED SOUTH, THENCE NORTH 712.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, LESS THAT PART TAKEN OR USED FOR ROAD PURPOSES, LOCATED AT APPROXIMATELY 1142 SOUTH 12<sup>TH</sup> STREET, KANSAS CITY, KANSAS,

**Section 2.** That the real property hereinabove described shall hereafter be granted a Special Use Permit to continue to operate an automotive salvage yard/retail sales operation.

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

1. **The goDotte Mobility Plan identifies South 12th Street as a Priority Sidewalk, Bike Lane and Regional Trail connection. As a result of this, the following public improvements shall occur in the following Phases:**
  - a. **Phase 1 (within the scope of SP2023-110): A painted sidewalk connection from the northern property line to the end of the southern driveway shall be provided. From the southern driveway down to the South 12th Street bridge, a no less than 5 feet wide asphalt sidewalk shall be provided on an interim basis, pending review by a licensed engineer.**
  - b. **Phase 2 (upon renewal of SP2023-110): Coordinating with and potentially tying in to planned and ongoing infrastructure improvements along the 12th Street corridor by the Unified Government of Wyandotte County and Kansas City Kansas (UG), the applicant shall upgrade Phase 1 to new sidewalk, curb, and other stormwater improvements that meet UG standards;**
2. **Remove the existing fence around the surface parking lot, and install landscape screening consisting of a mix of trees, bushes, hedges and/or shrubs along the property's South 12th Street frontage to screen the parking lot and use;**
3. **The existing security fencing contains barbed wire that faces outward. Per the Unified Government Code of Ordinances (Section 8-250(b)), the barbed wire portion needs to be adjusted to face in-ward;**
4. **There shall be no parking in front of the building along South 12th Street, as this parking would be within the public right-of-way and potentially interfere with the proposed sidewalk phasing in Condition #1. All other parking must also be removed from the public right-of-way and contained within the subject property;**
5. **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](mailto: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;

6. 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 Ordinances. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; 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;
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
8. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
9. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
10. All existing and future driveways must feature curb cuts that are constructed to UG standards;
11. 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;
12. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger 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;
13. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
  14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
  15. 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 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;
  16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
  17. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
  18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board

of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,

19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

**Section 4. Take Effect.** This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
TYRONE GARNER  
MAYOR/CEO

Attest:

\_\_\_\_\_  
Unified Government Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL



(Published \_\_\_\_\_)

SP2024-006

ORDINANCE NO. \_\_\_\_\_

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

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

**Section 1. Special Use Permit Granted.** Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-006, commonly known as 8537 State Avenue, Kansas City, Kansas, legally described as:

Section 8, Township 11, Range 24, PT NW ¼, Tract Split, Tract 1, located at approximately 8537 State Avenue, Kansas City, Kansas.

**Section 2.** That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a liquor store.

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

- 1. The approval of this Special Use Permit would need to meet the conditions below in addition to the conditions outlined in the first Special Use Permit application filed for this property, SP2021-34:**

- a. The applicant has not met all landscaping requirements. The applicant must submit a revised landscaping plan by September 22, 2021 that addresses the following:
- i. Per Section 27-464(g), a reasonable amount of landscaping is required on all projects in this district, with emphasis being placed on screening or otherwise softening the visual impact of parking or unsightly areas. Such features shall be depicted on a properly prepared plan. Six (6)-foot high architectural or landscape screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property;
  - ii. Per Section 27-577(b)(2), landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity;
  - iii. Per Section 27-577(c):
    - 1. The choices, placement, and scale of plants should relate to the architectural and site design of the project. Plantings should be used to screen, accent focal points and entries, to contrast with or reinforce building design, to break up expanses of paving or wall, to define on-site circulation, to provide seasonal interest, and to provide shade;
    - 2. Landscape and streetscape design should be used to enhance the frontage of primary roadways;
  - iv. Per Section 27-577(c)(4), landscape areas located between commercial districts and residential districts must provide 100 percent sight-obscuring year-round buffer using plant material or a combination of fence, berm and plant material;
  - v. Per Section 27-577(d):
    - 1. At least 75 percent (%) of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers;
    - 2. Landscaping should breakdown in scale and increase in detail, color, and variety to mark entryways into developments;
  - vi. Per the Mixed-Use Design Guidelines in the City-Wide Master Plan, all parking areas and service entries must be screened. Provide a site plan that demonstrates satisfactory landscaping of all parking and service areas;
  - vii. Per the Mixed-Use Design Guidelines in the City-Wide Master Plan, trees are required in the public right-of-way along streets, at a minimum of one (1) shade tree every forty (40)

- feet. Two (2) additional trees need to be demonstrated in a revised landscape plan;
- viii. Per section 27-577(a)(5), landscaping shall exceed the typical code requirements by at least 75 percent. The subject parcel is 0.77 acre, or approximately 33,541 square feet.  
 $(33,541/7,000)*1.75 = 8.4$ ; therefore, the applicant must submit a landscape plan that demonstrates at least nine (9) trees on the property, not including any tree required by parking lot standards;
- b. Per the Commercial Development Guidelines Overlay District, the following regulations must be either met or a deviation from such regulations must be approved by the City Planning Commission:
- i. Per Section 27-575(d)(9), there shall be pedestrian circulation from the perimeter of the site to the principal customer entrance to all buildings;
  - ii. Per Section 27-575(d)(10), sidewalks in front of buildings must be designed to accommodate pedestrian activity both for that use and for movement between uses;
  - iii. Per Section 27-575(d)(11), internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces;
  - iv. Per Section 27-575(d)(12), pedestrian connections must be clearly defined in a combination of two (2) or more of the following ways: six (6)-inch vertical curb, trellis, special railing, special paving, low seat wall or other architectural features, pedestrian scale lighting, traffic calming devices;
  - v. Per Section 27-575(e)(1), the majority of all surface parking and all drive through facilities should be located to the maximum extent possible behind buildings or in the interior of a block. An additional parking required should be located on the sides, or preferably in the rear of the convenience store building;
  - vi. Per Section 27-575(e)(2), pedestrian walkways through the parking area to building entrances should be clearly marked;
  - vii. Per Section 27-575(e)(3), parking located between front of building and street right-of-way must provide an additional 20 feet of landscaped area in addition to the required setback;
  - viii. Per Section 27-575(e)(4), parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements;
  - ix. Per Section 27-575(f)(1), there should be a designated walkway or clear pathway to the main entrance of a building so that pedestrians are not required to walk through parking lots;
  - x. Per Section 27-575(f)(5), entrances should be easily identifiable as primary points of access to buildings;
  - xi. Per Section 27-575(g)(1), masonry screen walls are required to provide 100 percent opaque screening to public views of

- loading and service areas from other properties or public streets;
- xii. Per Section 27-575(g)(2), service areas and docking facilities should be located to the side or rear of the building away from public streets and main circulation and drives when possible;
  - xiii. Per Section 27-575(g)(3), all trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;
- c. Alcoholic liquor, CMB, non-alcoholic malt beverage, and any other goods or services may be sold in a retail liquor store. Lottery tickets and cigarette and tobacco products with proper licensure may be sold in a retail liquor store. Sales of other goods and services must not exceed 20% of total gross sales. The 20% excludes lottery, CMB and cigarette and tobacco product sales;
  - d. There appears to be a collection bin on the property. Per Section 27-612(7), collection facilities are permitted for clothing or recycling provided:
    - i. The facilities are located at within 20 feet of the rear property line, or as far from a public street as the site design will allow;
    - ii. Does not create a significant lack of parking;
    - iii. Dumpster style recycling facilities must be screened on three sides;
    - iv. Overflow dumping around the facility is not allowed;
    - v. Facilities must remain neatly painted. Facilities that are damaged, rusty or significantly faded paint are not permitted;
  - e. The subject property is adjacent to a residentially zoned property to the east. The entire eastern boundary of the subject property that is adjacent to the residentially zoned property must be completely screened by planted or existing trees;
  - f. In order to reduce the impact, the proposed development will have on the surrounding environment and nature of the land, all existing trees must remain, except for those trees that the applicant has explicitly marked on submitted documents to be removed;
  - g. Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
  - h. The following sign regulations from the Mixed-Use Design Guidelines in the City-Wide Master Plan must be met as the applicant applies for sign permits:
    - i. Per the Mixed-Use Design Guidelines of the City-Wide Master Plan, commercial uses shall be permitted one (1) wall sign and one (1) monument sign;
    - ii. Freestanding pole/pylon signs are not permitted;

- iii. Signs should be made of high quality and durable materials such as concrete, brick, stone, metal panels or heavy-weight plastic panels. Materials such as plywood or painted masonry are not permitted;
    - iv. The size and look of the sign shall be governed by the Sign Chapter of the Unified Government Zoning Code. The applicant or Development Review Board may create more restrictive regulation. Less restrictive regulation may only be approved by the Unified Government Board of Commissioners through a separate Special Use Permit;
  - i. The subject property is not in compliance with the Sign Code. The applicant must submit a sign plan demonstrating compliance with Sections 27-720 through 27-739 of the Code of Ordinances;
  - j. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
  - k. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations; and,
  - l. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;
2. Alcoholic liquor, CMB, non-alcoholic malt beverage, and any other goods or services may be sold in a retail liquor store. Lottery tickets and cigarette and tobacco products with proper licensure may be sold in a retail liquor store. Sales of other goods and services must not exceed 20% of total gross sales. The 20% excludes lottery, CMB and cigarette and tobacco product sales. If sales of other goods and services from a licensed retailer premise exceeds 20% of total gross sales, all sales of other goods and services exceeding 20% will have to be made from a separate, unlicensed

premises. If each premise does not have a separate outside entrance, a vestibule is required;

3. A person licensed to sell at retail alcoholic liquor in the original package may do so on any day of the week, including Sunday, and on holidays. No person shall sell at retail alcoholic liquor in the original package: On Sunday earlier than 9:00 AM or later than 8:00 PM; on Easter Sunday, Thanksgiving Day, or Christmas Day; or before 9:00 AM or after 11:00 PM on any day when such sale is permitted;
4. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
5. All exterior lighting, whether mounted on a building or within a parking lot 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. This includes LED lighting that frame exterior window panes;
6. 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](mailto: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;
7. 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;
8. The Department of Planning + Urban Design shall not give approval for any temporary certificate of occupancy (TCO) or final certificate of occupancy (CO) before the completion of all required work. For any project that requires a certificate of occupancy, prior to requesting for any certificate, the applicant, permit holder, and/or property owner shall complete all items required by: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. Planning Department standards require that all required work be complete prior to requesting a TCO. The only item that is allowed to be incomplete is landscaping, which shall be complete before requesting a CO. A Bonded CO may be allowed in case of adverse weather conditions;



however, all requirements must be completed for all items not secured by the bond;

9. 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 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;
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. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located.
12. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
14. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise

**determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

**Section 4. Take Effect.** This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
TYRONE GARNER  
MAYOR/CEO

Attest:

\_\_\_\_\_  
Unified Government Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL

(Published \_\_\_\_\_)

SP2024-015

ORDINANCE NO. \_\_\_\_\_

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

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

**Section 1. Special Use Permit Granted.** Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-015, commonly known as 4410 Rainbow Boulevard, Kansas City, Kansas, legally described as:

HUDSON PLACE, S34, T11, R25, ACRES 0.120000, L14, LESS STREET,  
located at approximately 4410 Rainbow Boulevard, Kansas City, Kansas.

**Section 2.** That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

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

1. **Maximum number of guests shall be seven (7);**
2. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**

4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
5. Applicant is to maintain liability insurance;
6. The property must remain in proper maintenance and free of hazards, pests, or infestations;
7. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
8. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
10. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
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](mailto: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. All existing and future driveways must feature curb cuts that are constructed to UG standards;
13. 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;
14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
15. 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;
16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
  17. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
  18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
  19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

**Section 4. Take Effect.** This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE  
COUNTY/KANSAS CITY, KANSAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
TYRONE GARNER  
MAYOR/CEO

Attest:

\_\_\_\_\_  
Unified Government Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL



(Published \_\_\_\_\_)

SP2024-019

ORDINANCE NO. \_\_\_\_\_

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

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

**Section 1. Special Use Permit Granted.** Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-019, commonly known as 7917 Tauromee Avenue, Kansas City, Kansas, legally described as:

THE WEST ½ OF LOT 8, MCCORD ADDITION, a subdivision of land in Kansas City, Wyandotte County, Kansas, located at approximately 7917 Tauromee Avenue, Kansas City, Kansas.

**Section 2.** That the real property hereinabove described shall hereafter be granted a Special Use Permit for a non-owner-occupied Short-Term Rental.

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

- 1. Maximum number of guests shall be seven (7);**
- 2. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;**

3. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
4. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
5. Applicant is to maintain liability insurance;
6. The property must remain in proper maintenance and free of hazards, pests, or infestations;
7. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
8. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
10. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business License Division at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or [businesslicense@wycokck.org](mailto:businesslicense@wycokck.org);
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](mailto: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. All existing and future driveways must feature curb cuts that are constructed to UG standards;
13. 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;
14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The

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

15. 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.
16. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
17. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
19. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

**Section 4. Take Effect.** This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
TYRONE GARNER  
MAYOR/CEO

Attest:

\_\_\_\_\_  
Unified Government Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL

(Published \_\_\_\_\_)

SP2024-017

ORDINANCE NO. \_\_\_\_\_

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

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

**Section 1. Special Use Permit Granted.** Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-017, commonly known as 1911 Foxridge Drive, Kansas City, Kansas, legally described as:

A tract of land in the Southeast Quarter of Section 32, Township 1 1 South, Range 25 East of the 6th Principal Meridian in the City of Kansas City, Wyandotte County, Kansas, said tract being more particularly described as follows: (Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System NAD 83, North Zone). Beginning at the Southeast corner of the Southeast Quarter of said Section 32; Thence South 88°02'56" West 410.00 feet along the South line of the Southeast Quarter of said Section 32; Thence North 09°56'57" West 175.05 feet; Thence North 60°48'38" East 113.90 feet; Thence North 21°47'02" West 63.34 feet, to a point on the Southerly right-of-way line of Foxridge Drive, as now established; Thence North 68°12'58" East 183.15 feet, along said Southerly right-of-way line, to a point on the Southeasterly right-of-way line of Foxridge Drive, as now established, said point also being the beginning of a curve concave to the Northwest having a radius of 145.00 feet; Thence Northeasterly 206.19 feet along said curve to the left and said Southeasterly right-of-way line having a chord bearing of North 27°28'43" East 189.25 feet, to a point on the Easterly right-of-way line of Foxridge Drive, as now established, said point also being the beginning of a reverse curve concave to the Southeast having a radius of 95.00 feet; Thence Northeasterly 119.74 feet along said curve to the right and said Easterly right-of-way line having a chord bearing of North 22°50'59" East 111.97 feet, to a point on the Southeasterly right-of-way line of Foxridge Drive, as now established; Thence North 58°27'29" East 50.64 feet, along said Southeasterly right-of-way line, to a point on the East line of

the Southeast Quarter of said Section 32; Thence South 01°46'46" East 638.29 feet, along said East line, to the "point of beginning" of the tract herein described, containing 157,372. square feet or 3.6128 acres, more or less. Subject to all easements and restrictions of record. Commonly known as 1911 Foxridge Drive, Kansas City, Kansas. Parcel #908531.

**Section 2.** That the real property hereinabove described shall hereafter be granted a Special Use Permit for stockpiling of excavated materials.

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

- 1. The applicant shall file for a Land Disturbance Permit with the Unified Government;**
- 2. The site shall be restored to its previous condition or a better condition once the operation has concluded;**
- 3. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;**
- 4. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger 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;**
- 5. 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;**
- 6. If issues arise with adjacent property owners and are brought to staff's attention during the term, this Special Use Permit can be submitted to the Unified Government of Board of Commissioners for revocation;**



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. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
9. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
10. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
11. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. The approval will not go into effect until the ordinance is published in the newspaper. The applicant has 30 days to submit their check, or the petition becomes invalid; and,
12. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all

**conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

**Section 4. Take Effect.** This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
TYRONE GARNER  
MAYOR/CEO

Attest:

\_\_\_\_\_  
Unified Government Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL

(Published \_\_\_\_\_)

SP2023-122

ORDINANCE NO. \_\_\_\_\_

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

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

**Section 1. Special Use Permit Granted.** Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2023-122, commonly known as 6115 Oak Grove Road, Kansas City, Kansas, legally described as:

9225, S35, T11, R24, ACRES 9.85, W2/3 E3/4 S1/2 SW1/4 NW1/4 LS S 20FT  
CONTG 9.85AC M/L, LOCATED AT APPROXIMATELY 6115 Oak Grove Road,  
Kansas City, Kansas.

**Section 2.** That the real property hereinabove described shall hereafter be granted a Special Use Permit for a non-owner-occupied Short-Term Rental.

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

- 1. Prior to publication of this Special Use Permit, the applicant shall provide a copy of the existing cross-access easement/agreement to staff. If one does not currently exist, one should be produced and filed with the Register of Deeds (with a copy provided to Planning + Urban Design Staff). Should an**

- access easement not be produced, this petition would not be published, therefore, invalidating the Special Use Permit;
2. Any additional repairs not addressed prior to approval of SP2023-122 outlined within the provided home inspection report shall be performed prior to renewal of this Special Use Permit;
  3. Maximum number of guests shall be three (3);
  4. All parking must be off-street, maximum number of vehicles is two (2). No STR renters or guests may park on-street;
  5. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
  6. 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;
  7. Applicant is to maintain liability insurance;
  8. The property must remain in proper maintenance and free of hazards, pests, or infestations;
  9. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
  10. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
  11. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
  12. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;
  13. 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](mailto: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;
  14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
  15. 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;

- 16. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 17. 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;**
- 18. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
- 19. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;**
- 20. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
- 21. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all**

**conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

**Section 4. Take Effect.** This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
TYRONE GARNER  
MAYOR/CEO

Attest:

\_\_\_\_\_  
Unified Government Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
CHIEF COUNSEL





# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Change of Zone Petition COZ2024-004

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## GENERAL INFORMATION

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**Applicant:**

Fred Del Toro

**Status of Applicant:**

Property Owner  
76 South 18<sup>th</sup> Street  
Kansas City, Kansas 66102

**Requested Actions:**

Approval of a Change of Zone.

**Date of Application:**

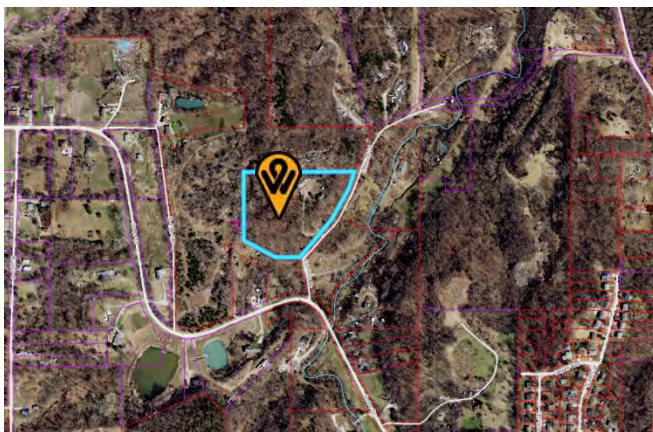
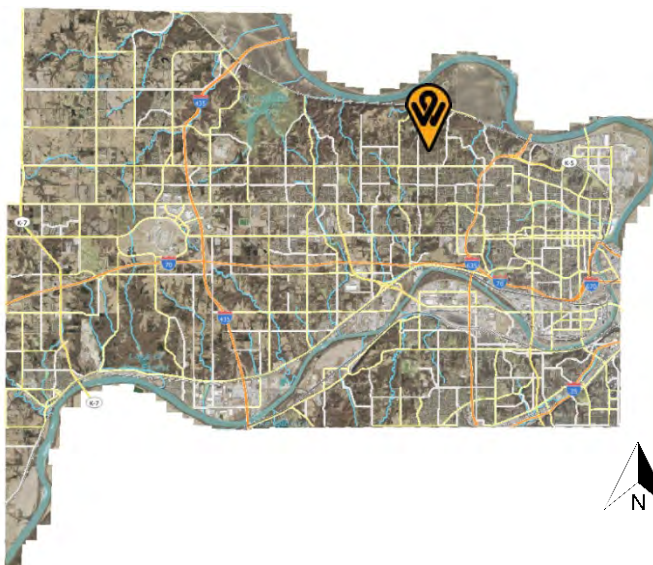
February 20, 2024

**Purpose:**

To change the zone from R-1 Single-Family District to A-G Agriculture District to utilize the property for agricultural purposes, including keeping accessory structures without a primary residence and keeping animals.

**Property Location:**

3612 Emmons Drive  
Kansas City, Kansas 66102



|                                        |                                                                                                                                                                                                                                              |
|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Commission Districts:</b>           | Commissioner At-Large, District #1: Melissa Bynum<br>District #1 Commissioner: Gayle Townsend                                                                                                                                                |
| <b>Existing Zoning:</b>                | R-1(B) Single-Family District                                                                                                                                                                                                                |
| <b>Adjacent Zoning:</b>                | <b>North:</b> R-1(B) Single Family District<br><b>South:</b> R-1(B) Single Family District<br><b>East:</b> R-1(B) Single Family District<br><b>West:</b> R-1(B) Single Family District                                                       |
| <b>Adjacent Uses:</b>                  | <b>North:</b> Vacant property<br><b>South:</b> Vacant property<br><b>East:</b> Single-family residence<br><b>West:</b> Vacant property                                                                                                       |
| <b>Total Tract Size:</b>               | 7.09 Acres                                                                                                                                                                                                                                   |
| <b>Comprehensive Plan Designation:</b> | The PlanKCK Comprehensive Plan designates the subject property as Agricultural, which allows for the production and cultivation of food stuffs, livestock and other agricultural activities such as apiary, forest products, hay production. |
| <b>Major Street Plan:</b>              | The goDotte Mobility Plan designates Emmons Drive as a Local Street.                                                                                                                                                                         |
| <b>Parking Requirement:</b>            | Section 27-452(e) states “Two off-street parking spaces shall be provided on the premises for each single-family dwelling”. The applicant does not plan to construct a residence.                                                            |
| <b>Advertisement:</b>                  | <u>The Wyandotte Echo</u> – March 14, 2024<br>Letters to Property Owners – March 15, 2024                                                                                                                                                    |
| <b>Public Hearings:</b>                | April 8, 2024, April 25, 2024, May 30, 2024 and June 27, 2024.                                                                                                                                                                               |
| <b>Public Support:</b>                 | None to date.                                                                                                                                                                                                                                |
| <b>Public Opposition:</b>              | None to date.                                                                                                                                                                                                                                |

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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Fred Del Toro, is requesting a Change of Zone from R-1(B) Single Family District to A-G Agriculture District utilize the property for agricultural purposes, including keeping accessory structures without a

primary residence and animals, including three (3) horses, several chickens, and a cow at 3612 Emmons Drive.

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

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## **RELATED ENFORCEMENT AND ACTION ITEMS**

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### **Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. There are several active notices of violation on the subject property, including for unfit structures, trash, parking on unimproved surfaces, and unsecured structure(s). These were identified during a site visit on March 14, 2024.

### **Outstanding or Related Permits and Cases:**

1. There are no additional outstanding or related permits and cases.

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## **FACTORS TO BE CONSIDERED**

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### ***1. Neighborhood character.***

The subject property is located within the Quindaro Bluffs Statistical Neighborhood and the Leavenworth Road Association Group. The neighborhood consists primarily of large lot single-family residences and agricultural lots.

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

The zoning and uses of nearby property are set out above. The property is surrounded by primarily R-1/R-1(B) Single Family District zoning, with limited A-G Agriculture Zoning in the vicinity. Most properties surrounding are either vacant or are used for agricultural purposes. Use of the subject property for agricultural purposes is expected to be compatible if managed properly.

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

The property is suitable in terms of size for agricultural uses; however, the property is densely covered with trees and other foliage. To safely keep cows or other livestock on the property, a significant amount of this existing tree stand will need to be removed. Removal of this foliage may result in increased run-off and erosion, which can have impacts off of the property.

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

It is unclear whether the property is vacant or not, however, according to aerials, several unpermitted structures have been constructed since 2016.

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

The proposed use is not reasonably necessary for the convenience and welfare of the public, as it serves only the property owner. It is not expected that a Change of Zone to agricultural will negatively impact the use, quality or marketability of nearby property.

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

The proposed use is not expected to increase traffic as it is for the private use of the property owner, however, any increase in traffic would exceed the capacity of Emmons Drive, which is a rural, dirt road with no infrastructure, designated as a local street.

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

The PlanKCK Comprehensive Plan designates the subject property as Agricultural, which allows for the production and cultivation of food stuffs, livestock and other agricultural activities such as apiary, forest products, hay production. The proposed use complies with the plan if managed properly and operates in conformance with a Conservation Plan.

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

The keeping of horses, cows, or other livestock can cause environmental harm, through contaminated run-off. Additionally, preparing the site to correctly keep these animals may result in harm, as horses, cows, and other livestock require large open space, which the property currently does not provide. To provide this space would require removal of a significant amount existing tree stand and landscaping, which would cause environmental harm in the form of increased erosion and run-off and decreased stormwater management.

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

**a. *Water service***

BPU provides water service.

***b. Sanitary sewer service***

There is no sanitary sewer service on the property.

***c. Storm water control***

There is no storm water control on the subject property or Emmons Drive.

***d. Police***

Police service is provided by West Patrol, District #223.

***e. Fire***

Fire service is provided by Station #18, two (2) miles away.

***f. Transit***

There is no transit service in close proximity to the subject property.

***g. Schools***

Public Education is provided by Welborn Elementary School, Gloria Willis Middle School and Schlagle High School, under Kansas City, Kansas USD 500.

***h. Streets***

See item #6 above.

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

The proposed use will have a minimal economic impact on the community as it is for the private use and enjoyment of the property owner.

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

The proposed use is capable of meeting applicable ordinance requirements as long as the animals are kept and maintained, and the property is conserved and managed properly. There is conflict however, as to provide the necessary land area for the animals, the applicant will have to remove a significant amount of tree stand, which will increase the chances for run-off, erosion, and decreased storm-water management. There also appears to be illegally constructed accessory structures on the site.

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

The relative gain to the public health, safety, and welfare will be minimal. There are concerns with the increasing care for the animals with the current state of the site as well as concerns water runoff and contamination of water runoff, due to animal waste and removal of existing tree-stand. If denied, the applicant would still be able to keep animals, however, they would then require a variance to keep multiple accessory structures and to keep accessory structures without a primary structure.

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## **PREVIOUS ACTIONS**

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There have been no previous Planning Entitlements on the subject property.

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## **NEIGHBORHOOD MEETING**

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The applicant held a neighborhood meeting on March 25, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## **KEY ISSUES**

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Conservation Plan  
Maintenance of Property  
Notices of Violation  
Number of Animals  
Property Access and Driveway  
Unpermitted Structures  
Waste Management Plan

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## **PLANNING COMMISSION RECOMMENDATION**

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The Planning Commission voted 6 to 4 to recommend **DENIAL** of Change of Zone Application COZ2024-004, for the following reasons:

1. **The proposed use does not meet Factor to be Considered #3. The property itself is not suitable for livestock as it does not afford the required open space. To provide this open space, the applicant would need to remove a significant amount of existing tree stand and foliage, which then creates an issue with potential erosion and run-off; and,**
2. **The proposed use does not meet Factor to be Considered #8. Keeping livestock requires a significant amount of open space. To provide this open space, the applicant would need to remove a significant amount of existing tree stand and foliage, which then creates an issue with potential erosion and run-off, especially contamination of run-off through the keeping of**



**livestock. Either scenario creates environmental harm as well as potential harm to the animals on the property.**

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## **STAFF COMMENTS AND SUGGESTIONS**

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**NOTE:** This application was held over from the April 25, 2024, Board of Commissioners meeting and the May 30, 2024, Board of Commissioners meeting as the Applicant was out of the country.

Staff concurs with the recommendation of the City Planning Commission.

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## **STAFF RECOMMENDATION**

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Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **DENIAL** of Petition **COZ2024-004** subject to all comments and suggestions outlined in this staff report, and the reasons listed by the City Planning Commission.

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## **ATTACHMENTS**

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April 8, 2024 City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Site Plan  
Neighborhood Meeting Materials  
Site Photos, Taken by Applicant, Dated March 1, 2024  
Site Photos, Taken by Staff, Dated March 14, 2024

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## **REVIEW OF INFORMATION AND SCHEDULE**

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| <u>Action</u>  | <u>Planning Commission</u> | <u>Board of Commissioners</u>                           |
|----------------|----------------------------|---------------------------------------------------------|
| Public Hearing | April 8, 2024              | April 25, 2024                                          |
| Rezoning       | Denial                     | Held Over<br>May 30, 2024<br>Held Over<br>June 27, 2024 |

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**STAFF CONTACT:** **James Molloy**  
[jlmolloy@wycokck.org](mailto:jlmolloy@wycokck.org)

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## **MOTIONS**

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I move the Unified Government Board of Commissioners **DENY** Petition **COZ2024-004**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2024-004** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**April 8, 2024, City Planning Commission Minutes:**

Hearing starts at 1:21:24:

**CHANGE OF ZONE APPLICATION COZ2024-004 – FRED DEL TORO – SYNOPSIS:**

Change of Zone from R-1(B) Single Family District to A-G Agriculture District to keep animals on the property at 3612 Emmons Drive. Detailed Outline of Requested Action: The applicant, Fred Del Toro, is requesting a Change of Zone from R-1(B) Single Family District to A-G Agriculture District utilize the property for agricultural purposes, including keeping accessory structures without a primary residence and animals, including three (3) horses, several chickens, and a cow at 3612 Emmons Drive.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated April 8, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- Fred Del Toro, applicant, 76 South 18<sup>th</sup> Street, Kansas City, Kansas 66102

Chairman Carson directed questions to the applicant.

Present in Opposition:

➤ No one appeared

**Staff Recommendation starts at 1:23:55:** Planning Director Hand stated that this is a change of zone from R-1(B) Single Family District to A-G Agriculture District. The property is in the PlanKCK area north in the north Midtown Sortor Drive neighborhood. Staff received no letters in support nor opposition. There are numerous Notices of Violation on the property. Staff recommends denial due to the unsuitability of the property for livestock. He stated that there was a site visit with the Conservation District, and they believe that the only viable agricultural use of the property would be for timber. The soils would not allow for the amount of fields necessary for the livestock that Mr. Del Toro has on the property. All of the existing accessory structures are also not permitted. Staff has included conditions of approval if the Commission moves forward with a recommendation of approval.

**Motion starts at 1:25:13:**

On motion by Ms. Easterwood, seconded by Mr. Beth, the Planning Commission voted as follows to recommend **DENIAL of Change of Zone Application**

**COZ2024-004:**

|            |             |
|------------|-------------|
| Carson     | Aye         |
| Ward       | No          |
| Armstrong  | Not Present |
| Beth       | Aye         |
| Easterwood | Aye         |
| Ernst      | Aye         |
| Jones      | Aye         |
| Miller     | No          |
| Mohler     | No          |
| Schwartz   | No          |
| Straws     | Aye         |

Motion to recommend **DENIAL** Passed: 6 to 4

**For the following reasons:**

1. The proposed use does not meet Factor to be Considered #3. The property itself is not suitable for livestock as it does not afford the required open space. To provide this open space, the applicant would need to remove a significant amount of existing tree stand and foliage, which then creates an issue with potential erosion and run-off; and,
2. The proposed use does not meet Factor to be Considered #8. Keeping livestock requires a significant amount of open space. To provide this open space, the applicant would need to remove a significant amount of existing tree stand and foliage, which then creates an issue with potential erosion and run-off, especially contamination of run-off through the keeping of livestock.

**Either scenario creates environmental harm as well as potential harm to the animals on the property.**



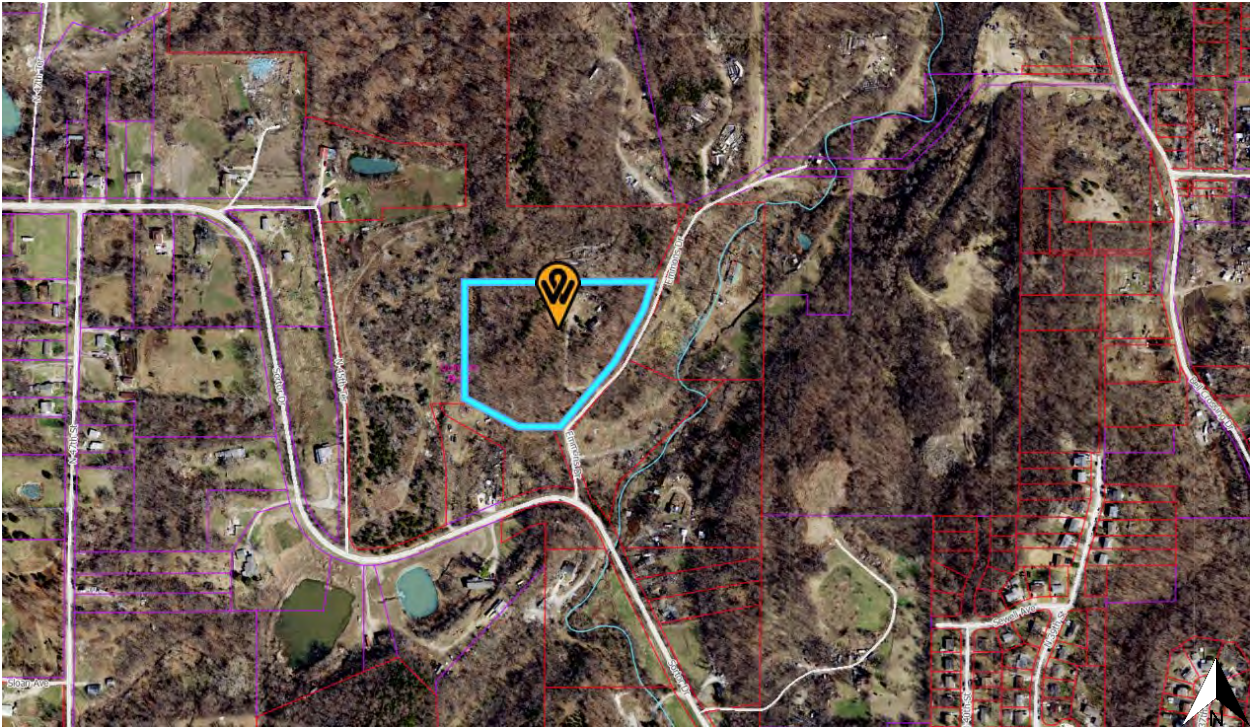
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## ATTACHMENTS

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### AERIAL IMAGERY

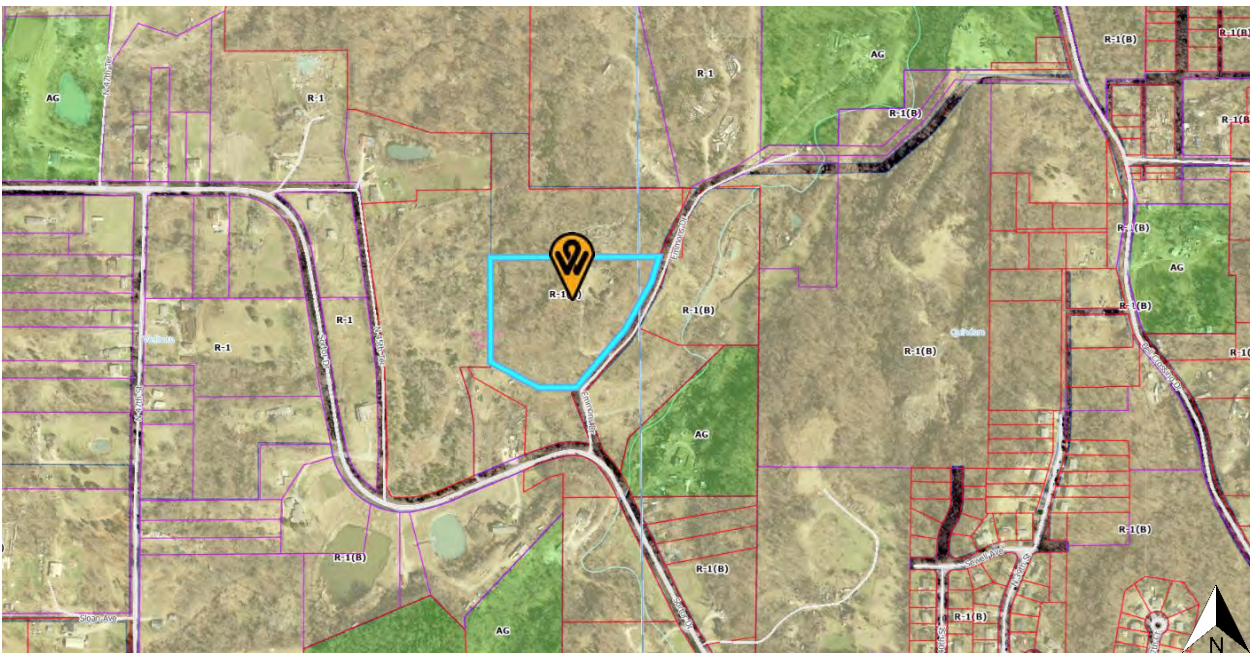
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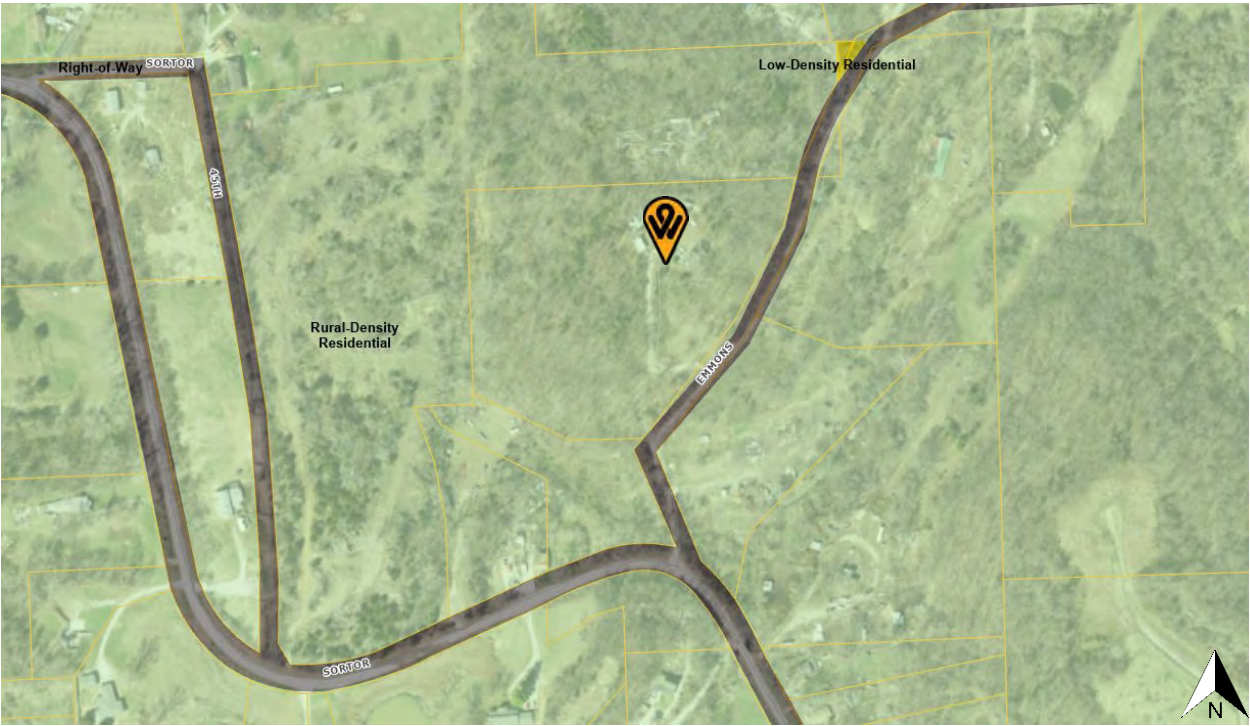
### ZONING MAP

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LAND USE MAP





## SITE PLAN



# NEIGHBORHOOD MEETING MATERIALS

## AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas )  
COUNTY OF Wyandotte ) SS.

Comes now Fred Del Toro, of lawful age, sound mind and upon his/her oath states as follows

- 1 That I am the petitioner for Petition # COZ2024-004
- 2 That I conducted a neighborhood meeting on 3-25-2024
- 3 Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

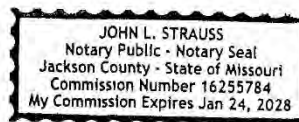
Further affiant saith not

  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 27<sup>th</sup> day of MARCH, 2024.

My commission expires 24<sup>th</sup> of January, 2008

  
Notary Public  
John L. Strauss



# MINUTES:

Application Number: COZ2024-004

Date and Location: 3345 Sewel Ave, Kansas City KS 66104

Meeting called to order at: 5:57 pm

Names of people in attendance:

SEE SIGN IN SHEET

Introductions:

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

Questions and answers (include the following):

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

Meeting adjourned at. 7:16 pm

Minutes taken by: Fred Del Toro

## Neighborhood Meeting

Application Number: COZ2024-004

Address: 3612 Emmons Drive Kansas City, KS 66104

Today's Date: 3/25/2024

[illegible]

### Meeting Notes

I'd like to note out that everyone in attendance raised concerns over shooting, loud music, cars driving crazy and ATV's in the neighborhood. It was all pointed out towards the side of Bellcrossing St. which is not my property as I am located by Sortor and Emmons. It was initially thought that this was a Wyandotte County neighborhood meeting being conducted by a representative of the WYCO. All attendance were informed that I was a neighbor directly by 4 of the attendants and the remainder were from the area who had being informed about the meeting.

Questions:

Dennis White

How many animals do you have?

Answer

Just 3 horses and 9 chickens.

Barry Anderson:

Do you plan to do any agriculture?

Answer

I set up for the last two years a small vegetable garden and I plan on continuing.

Toni Kinsen

Are you one the one shooting or hear neighbors shooting?

Answer

I do not shoot in my property, I do hear shooting in the area and it seems to be coming from different directions from Bellcrossing St and some even from Sortor Dr.

Additional notes:

- Meeting started at 5:57 PM and concluded at 7:16 PM.
- I presented an aerial view of my property to all in attendance
- Meetings time was more focused on the neighborhood in general
- Those in attendance were not opposed in property 3612 Emmons Dr changed to AG zone and keeping those animals. They all agreed they would rather see a safer neighborhood and more horses in the area then hearing people shooting in the neighborhood

Date: 3/15/2024

Fred Del Toro  
76 South 18<sup>th</sup> Street  
Kansas City, KS 66102

SUBJECT: Neighborhood Meeting

I have filed an application with the Planning + Urban Design Department # COZ2024-004. The purpose of this

**(please use all that applies)**

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

is for a Change of Zone.

at the following address: 3612 Emmon Dr Kanas City, KS 66102.

I am having a neighborhood meeting on 3/25/2024 at 6:00p.m. at the following address 3345 Sewel Ave, Kansas City KS 66104 (Baseball field area).

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

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

Sincerely,  
Fred Del Toro  
(913)-942-4018



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**SITE PHOTOS, PROVIDED BY APPLICANT, DATED MARCH 1, 2024**

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**SITE PHOTOS, TAKEN BY STAFF, DATED MARCH 14, 2024**

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# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Petition SP2024-014

## GENERAL INFORMATION

**Applicant:**

Kajsa Mullenix

**Status of Applicant:**

Property Owner

**Requested Action:**

Approval of a Short-Term Rental  
Special Use Permit.

**Date of Application:**

February 22, 2024

**Purpose:**

To approve a Special Use Permit  
for a Short-Term Rental. This is the  
applicant's primary residence.

**Property Location:**

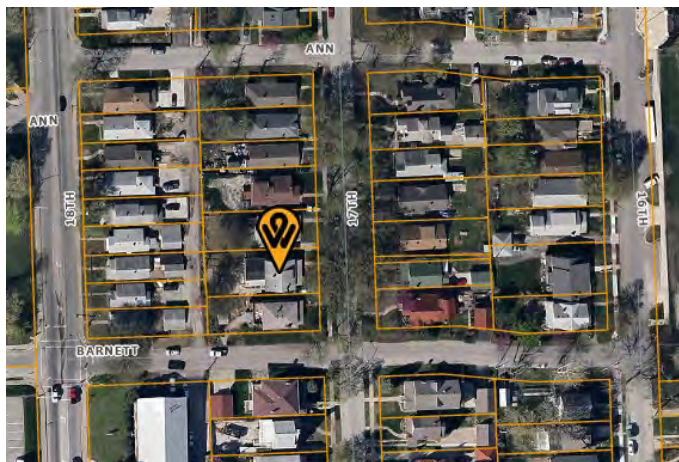
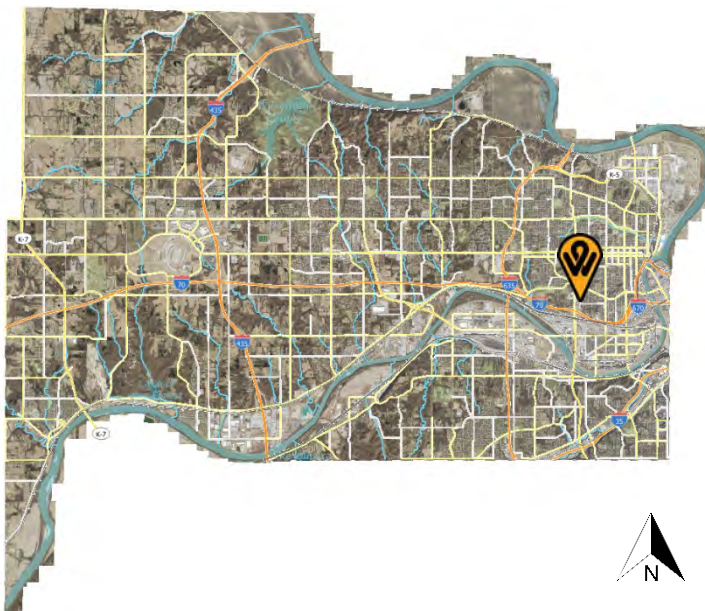
706 North 17<sup>th</sup> Street  
Kansas City, KS, 66102

**Commission Districts:**

Commissioner At-Large, District #2:  
Tom Burroughs

District #2 Commissioner:

William J. Burns, Jr.



|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Existing Zoning:</b>                | R-1(B), Single Family District                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Adjacent Zoning:</b>                | <b>North:</b> R-1(B) Single Family District<br><b>South:</b> R-1(B) Single Family District<br><b>East:</b> R-1(B) Single Family District<br><b>West:</b> R-1(B) Single Family District                                                                                                                                                                                                                                                                                                |
| <b>Adjacent Uses:</b>                  | <b>North:</b> Single-family homes<br><b>South:</b> Single-family homes<br><b>East:</b> Single-family homes<br><b>West:</b> Single-family homes                                                                                                                                                                                                                                                                                                                                        |
| <b>Total Tract Size:</b>               | 0.154 Acre                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Comprehensive Plan Designation:</b> | The Central Area plan designates the subject property as urban density. This allows for a mix of detached and attached homes.                                                                                                                                                                                                                                                                                                                                                         |
| <b>Major Street Plan:</b>              | The goDotte Mobility Plan designates North 17 <sup>th</sup> Street as a Local/Neighborhood Street.                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Parking Requirement:</b>            | Section 27-455(e) states “Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling”. The property provides two (2) parking spaces.                                                                                                                                                                                                                                                                                                         |
| <b>Advertisement:</b>                  | <u>The Wyandotte Echo</u> – March 14, 2024<br>Letters to Property Owners – March 15, 2024, March 27, 2024, and May 22, 2024                                                                                                                                                                                                                                                                                                                                                           |
| <b>Public Hearings:</b>                | May 13, 2024 (Held Over), June 10, 2024 and June 27, 2024.                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Public Support:</b>                 | None to date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Public Opposition:</b>              | At the May 13, 2024 City Planning Commission there were two members of the public in opposition. Additionally, there was two (2) letters of opposition. See attached documentation. There was one (1) person that appeared at the June 10, 2024, City Planning Commission meeting. In addition, a valid (21%) protest petition has been filed and verified. The Clerk’s Office, Applicant, and person that distributed the petition have been notified of the valid protest petition. |



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## PROPOSAL

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Detailed Outline of Requested Action: The applicant, Kajsa Mullenix, is requesting a Special Use Permit to operate a short-term rental at 706 North 17<sup>th</sup> Street. This is the owner's primary residence. This would be the first and only permitted short-term rental on the 600 block of North 17<sup>th</sup> Street.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623.

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## RELATED ENFORCEMENT AND ACTION ITEMS

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### **Noise or Disturbance Complaints:**

1. There have been no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. There have been no Notices of Violation on the subject property.

### **Outstanding or Related Permits and Cases:**

1. There are no additional outstanding or related permits and cases.

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## FACTORS TO BE CONSIDERED

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### ***1. The Character of the Neighborhood.***

The subject property is located in the Riverview Statistical Neighborhood area. It is also in the Cathedral Neighborhood group area. The urban neighborhood is a predominately Single-Family Residential District. On the perimeter of the neighborhood, there are a few R-2 Two Family Districts. This neighborhood is adjacent to the 18<sup>th</sup> Street mixed-use corridor between the Central Avenue and Minnesota Avenue commercial corridors. In addition, Bishop Ward High School is to the West of the subject property, along with Donnelly College.

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

The zoning and uses are set out above. The subject property is surrounded primarily by the R-1(B) Single Family District. Continuing use as a rental, either short or long-term, is consistent with other nearby properties. The proposed use is compatible if properly managed.

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

This property is suitable for use as a single-family home. As proposed by the applicant, the property is not suitable for use as a short-term rental, as the applicant is seeking to host up to 14 guests in a three (3) bedroom. Removal of the restrictions that require a Special Use Permit for such activities has the potential to create issues such as parking, excessive noise, undue concentrations of population, and overcrowding of the land.

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

This property is not vacant as this is currently the primary address of the applicant.

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

Special Use Permits are not addressed in the Central Area Plan. The area plan designates the subject property as urban density, which allows for detached and attached homes. Use of the property as a short-term rental conforms to the Area Plan with a Special-Use Permit.

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

The proposed use has the potential to increase vehicular traffic but should not exceed the capacity of North 17<sup>th</sup> Street, a local street, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

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

The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as noise, vibration, overcrowding of land, and undue concentrations of population could impact nearby properties negatively. The use of the property as a short-term rental for 14 guests will substantially and permanently injure the appropriate use, visual quality, or marketability of adjoining property as this will create issues such as overcrowding of the residence and the increase the demand for parking.

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

Noise, vibration, and illumination are common issues that are related to short-term rentals. There have not been any noise complaints to date with the current applicant. Dust is not an issue typically related to the use of a residential property in an urban area as a short-term rental and ostensibly not considered to be a problem for nearby property. However, use as a short-term rental of the proposed size may lead to noise, illumination, and vibration issues.

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

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

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

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

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

The relative gain or loss to the public health, safety and welfare is minimal as it only provides the convenience of lodging with some economic benefit. The proposed use, however, may impose hardship on nearby property owners as a short-term rental of this size creates issues such as increased parking demands, noise, and illumination. Additionally, the potential of having up to 14 guests in a designated three (3) bedroom residence may create safety hazards due to undue concentrations of population. If denied, the landowner could not use the property as a short-term rental but may still use the property as a long-term rental, their primary residence, or sell the property.

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

The proposed use will create issues of overcrowding and undue concentrations of population as the applicant is proposing to have up to 14 guests in a three (3) bedroom house. Additionally, there is the potential of overcrowding of land due to additional parking. Staff recommends that the maximum number of guests at one time is seven (7), rather than 14 guests and the maximum number of vehicles off-street is three (3). There shall be no on-street parking for STR renters or guests. If the applicant revises their proposal and abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

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## **PREVIOUS ACTIONS**

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There have been no previous Planning Entitlements on the subject property.

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## NEIGHBORHOOD MEETING

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The applicant held a neighborhood meeting via Zoom on March 25, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## KEY ISSUES

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Home Inspection Report  
Illumination  
Noise  
Overcrowding  
Parking  
Vibration  
Protest Petition

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 6 to 1 to recommend **DENIAL** of Special Use Permit Application SP2024-014, **for the following reasons:**

1. This Special Use Permit petition does not fulfill Factor #3. The proposal to use this property as a short-term rental for up to 14 guests will create an overcrowding of land, issues with disturbances imposed on near-by property owners, and the maximum number of guests would not be compatible with the current use of the land;
2. This Special Use Permit petition does not fulfill Factor #7. Use as a short-term rental, a quasi-commercial use, with up to 14 guests will negatively impact the quality, use and marketability of adjoining properties due to the overcrowding of land;
3. This Special Use Permit petition does not fulfill Factor #8. Use as a short-term rental of this guest capacity may lead to noise, illumination, and vibration of a duration and intensity that could negatively impact near-by property owners;
4. This Special Use Permit petition does not fulfill Factor #11. The proposal to have 14 guests in a three (3) bedroom house can lead to health, safety, and welfare of the guests of the proposed rental; and,
5. This Special Use Permit petition does not fulfill Factor #12. The proposed maximum guest capacity would result in the overcrowding of land and would be an undue concentration of population, as the house is identified as a three (3) bedroom home with a three (3) car driveway.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

## **Planning and Urban Design Comments:**

1. The following items identified in the home inspection report shall be repaired prior to the case being heard by the Planning Commission:
  - a. Reconnect downspouts
  - b. Spalling concrete must be repaired on accessible porches and in front of doorways or stairs to avoid trip hazards (3.2.5 & 3.2.6)
  - c. Repair or replace the decking support as noted in 3.6.1
  - d. All stairwells including porches and to the basement must have handrails installed or repaired to meet minimum code requirements as noted in 3.6.2
  - e. Floor Joists need repaired per 4.3.1
  - f. Maintenance toilet per 6.5.1
  - g. Water heater needs inspected by a licensed plumber to determine if it can consistently reach 120 degrees Fahrenheit or higher in temperature per 6.9.2. If the temperature cannot hold a minimum of 120 degrees, it must be repaired or replaced. Receipt, invoice, and/or passing building permit required.
  - h. Replace cover plates on junction boxes and outlets per 7.3.2 and 7.4.1
  - i. Repair exposed wiring per 7.4.2
  - j. Repair GFCI outlets per 7.5.1
  - k. Replace broken or damaged smoke detectors and CO2 detectors per 7.6.1 and inspection notes. One smoke detector is required for each bedroom, hallway, common area, kitchen/cooking space and near any gas appliances. A fire extinguisher is required on each floor per ordinance.
  - l. The fireplace shall be out of service until inspected by a licensed fireplace or chimney inspector with passing results
  - m. Replace missing hardware per note 10.3.1
  - n. Repair or replace broken window per note 10.4.1
  - o. Repair closed windows to open and operational condition per 10.4.2 and 10.4.3
  - p. A handrail must be installed, and loose treads repaired per notes 10.8.1 and 10.8.2
  - q. Dishwasher must be in working condition per 11.2.1
  - r. Dryer vent must be cleaned and connected and in working condition per inspection comments and ordinance requirements. Dryer shall not utilize flex duct through the wall cavity and only hard ducting is allowed through the walls opening to the exterior. The flex duct shall be trimmed to size to connect with as little bunching or gathering as possible.

*Applicant Response Summarized: Two of the repairs have been scheduled, items "C" and "N" have been scheduled to be completed. All other items have been addressed.*

2. Provide a detailed description of the areas rented for short-term rental.

*Applicant Response Summarized: The basement functions as a full studio apartment with a private entry, this is where the applicant resides. The main floor has an office, kitchen, laundry room, living room, dining room, and powder room.*

*The second floor has three (3) bedrooms and two (2) full bathrooms. The attic is a large unfinished space.*

3. How many rooms are rented? Provide a scaled floor plan of the unit.

*Applicant Response: The home will be rented as one unit including the main floor, 2<sup>nd</sup> floor, and attic. This includes 5 bedrooms.*

4. What is the maximum number of vehicles allowed and where will they park? Indicate guest parking on the site plan.

*Applicant Response: All guests will park in the driveway, it is large and can handle 7 vehicles. Guests will be asked to bring a maximum of 4 vehicles. Guests will be informed prior to booking that they are not allowed to park in the street.*

5. What is the maximum number of people that will be staying at any one time?

*Applicant Response: The maximum number of guests at one time will be 21.*

*Updated Response as of June 4, 2024: The maximum number of guests at one time will be 14.*

*Staff Response: The maximum number of guests at one time will be seven (7).*

6. What is the projected annual occupancy rate for this listing?

*Applicant Response: 40% is the projected annual occupancy rate.*

7. Who will be the designated property manager? Explain the details of this arrangement. What is their contact information? Provide the contact information to the neighbors within the notice area.

*Applicant Response Summarized: Kajsa Mullenix, owner of Kajsa Mullenix LLC, will preside on the property and will serve as property manager. Kajsa will manage bookings, home maintenance/cleaning, and safety/security.*

8. How will you communicate with the neighbors if there are any issues?

*Applicant Response Summarized: The applicant has lived in the home since 2020. The surrounding neighbors have been given contact information.*

9. Do you have a Business License/Occupational Tax Receipt from the Unified Government?

*Applicant Response Summarized: Yes, Kajsa Mullenix LLC is the business name. The EIN number is 88-4034606.*



10. How will you pay appropriate Kansas State Lodging Taxes? Does AirBNB or other short-term rental platform deduct and pay these taxes?

*Applicant Response Summarized: AirBNB will take out Kansas Retailers' Sales Tax, Local Sales Tax, and Transient Guest Tax. It is the applicant's responsibility to monitor the accuracy of tax collection across platforms. The applicant will also work with a business tax professional to make sure they are filed properly.*

11. Indicate how you will maintain the property in a safe and sanitary manner, including:
- a. Working smoke detectors in each bedroom plus each level of the unit/house
  - b. GFCI outlets required in bathrooms
  - c. Double keyed locks are not allowed
  - d. Copper cannot be used for gas supply lines
  - e. Windows must be operable, not blocked or boarded
  - f. Handrails are required at sets of 4 or more stairs/ risers
  - g. Hot water tank and furnace must be vented properly and operational
  - h. Electric panel and circuits must be safe; and
  - i. Facility cleaned and sanitized after each guest check-out.

*Staff Response: The applicant has completed a home inspection.*

12. Note that the Unified Government uses the services of Host Compliance by Granicus to monitor issues related to short-term rentals such as noise, etc. and to address violations. Their contact information needs to be made available to all guests in the welcome packet. The Unified Government issues notices on all short-term rentals who are not compliant. 913-246-5133.

[www.hostcompliance.com/tips](http://www.hostcompliance.com/tips)

13. Do you provide a guest manual that lists rules and regulations such as "no parties," etc.?

*Applicant Response Summarized: Yes, a guest manual will be provided.*

14. The number of guests allowed must be appropriate to the number of available rooms and bedding.

15. Will guests be allowed to bring pets to the property?

*Applicant Response Summarized: On occasion and upon request. This will mostly be reserved for individuals booking a stay for one (1) to two (2) weeks.*

16. In the event that there is an issue on the property, how fast can the owner or manager be on-site if necessary?

*Applicant Response Summarized: Within 30 minutes. The property manager is the homeowner and occupies the residence.*

17. Actions taken to achieve compliance:

*Applicant Response Summarized: All requested tasks have been completed except the window maintenance/replacement and deck support. For these requests, there are two contractual agreements to fix/complete these repairs. The home will not be open to guests until these services have been completed.*

**UPDATE – June 10, 2024:**

At the request of the City Planning Commission, this petition was held over for 30 days, so that the applicant could clarify their proposal with Planning and Urban Design Staff. The applicant did not contact Planning Staff until May 30, 2024 to discuss and clarify the proposal, which has been reduced from 21 to 14 occupants.

The issue remains that this structure is a three (3) bedroom house, whereas the applicant states the attic and office can and will be used as bedrooms. The applicant is required to have an inspection per the Appraiser's Office, which may require obtaining a building permit for an interior remodel to turn these spaces into bedrooms. Even if those rooms become bedrooms, the maximum number of occupants allowed per the STR ordinance is 11. 14 guests is too many people for the number of bedrooms in the residence.

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**STAFF RECOMMENDATION AND CONDITIONS**

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **DENIAL** of Petition **SP2024-014** subject to all comments and suggestions outlined in this staff report, and the reasons of the City Planning Commission.

**NOTE:**

If the Board of Commissioners approves this application, Staff recommends that the following conditions apply:

1. Applicant must obtain a Kansas State Lodging Establishment License.
2. Maximum number of guests shall be seven (7);
3. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;
4. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
5. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
6. Applicant is to maintain liability insurance;
7. The property must remain in proper maintenance and free of hazards, pests, or infestations;
8. The granting of this Special Use Permit does not transfer with a change of ownership of the property;

9. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
11. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or [businesslicense@wycokck.org](mailto:businesslicense@wycokck.org);
12. 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](mailto: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;
13. All existing and future driveways must feature curb cuts that are constructed to UG standards;
14. 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;
15. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
16. 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;
17. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all

- covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
18. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
  19. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
  20. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Host Compliance Map- March 18, 2024  
Floor Plan  
Home Inspection Report  
Neighborhood Meeting Materials  
Letters of Opposition  
Site Photos- Taken by Staff, Dated March 7, 2024  
Protest Petition

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## REVIEW OF INFORMATION AND SCHEDULE

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| Action         | City Planning Commission    | Unified Government Board of Commissioners |
|----------------|-----------------------------|-------------------------------------------|
| Public Hearing | May 13, 2024<br>(Held Over) |                                           |
| Special Use    | June 10, 2024<br>Denial     | June 27, 2024                             |

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**STAFF CONTACT:**

**Kiley Meierarend**  
[kmeierarend@wycokck.org](mailto:kmeierarend@wycokck.org)

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**MOTIONS**

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I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-014**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

**OR**

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-014** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**June 10, 2024, City Planning Commission Minutes:**

**Hearing starts at 47:56:**

**SPECIAL USE PERMIT APPLICATION SP2024-014 – KAJSA MULLENIX -**

**SYNOPSIS:** Special Use Permit to operate a Short-Term Rental at 706 North 17<sup>th</sup> Street. Detailed Outline of Requested Action: The applicant, Kajsa Mullenix, is requesting a Special Use Permit to operate a short-term rental at 706 N. 17<sup>th</sup> Street. This is the owner's primary residence. The applicant is securing a Special Use Permit before removing this property as her primary address. This would be the first and only permitted short-term rental on the 600 block of North 17<sup>th</sup> Street.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Recording Secretary Parker stated that this application was held over from last month's meeting to allow the Staff and Applicant to clarify exactly what is being requested.

**Present in Support:**

- Kajsa Mullenix, applicant, 706 North 17<sup>th</sup> Street, Kansas City, Kansas

**Present in Opposition:**

- William Breitenstein, 705 North 17<sup>th</sup> Street, Kansas City, Kansas 66102

**Staff Recommendation starts at 59:00:** Planner Molloy stated the request is for a Short-Term Rental in the Cathedral neighborhood one (1) block from 18<sup>th</sup> Street. The property is in the Central Area Plan. Staff received no letters in support and two (2) letters in opposition along with two (2) persons that spoke in opposition at last month's meeting. He stated that Staff has not received a petition in opposition and for the petition to be valid, Staff would need to give the property owners the official Protest Petition with instructions. Staff is recommending denial of this application as the Applicant has requested more than seven (7) people as late as June 4<sup>th</sup> last week. The original number of people was 21 and then it was revised to 14 so there is still some ambiguity as to the number of people being requested. As it stands, the house has three (3) bedrooms and three (3) bathrooms so Staff would recommend no more than seven (7) people. If next year it was appealed, to five (5) bedrooms, Staff would only recommend up to 11 people and a total of three (3) cars. Staff recommends denial and has included condition of approval if the Commission so moves forward.

**Motion starts at 1:01:05:**

On motion by Mr. Beth, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend DENIAL of Special Use Permit Application SP2024-014:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>Aye</b>         |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |
| <b>Schwartz</b>   | <b>Not Present</b> |
| <b>Straws</b>     | <b>No</b>          |
| <b>Ward</b>       | <b>No</b>          |

**Motion to recommend DENIAL Passed: 5 to 2**

**For the following reasons:**



- 1. This Special Use Permit petition does not fulfill Factor #3. The proposal to use this property as a short-term rental for up to 14 guests will create an overcrowding of land, issues with disturbances imposed on near-by property owners, and the maximum number of guests would not be compatible with the current use of the land;**
- 2. This Special Use Permit petition does not fulfill Factor #7. Use as a short-term rental, a quasi-commercial use, with up to 14 guests will negatively impact the quality, use and marketability of adjoining properties due to the overcrowding of land;**
- 3. This Special Use Permit petition does not fulfill Factor #8. Use as a short-term rental of this guest capacity may lead to noise, illumination, and vibration of a duration and intensity that could negatively impact near-by property owners;**
- 4. This Special Use Permit petition does not fulfill Factor #11. The proposal to have 14 guests in a three (3) bedroom house can lead to health, safety, and welfare of the guests of the proposed rental; and,**
- 5. This Special Use Permit petition does not fulfill Factor #12. The proposed maximum guest capacity would result in the overcrowding of land and would be an undue concentration of population, as the house is identified as a three (3) bedroom home with a three (3) car driveway.**

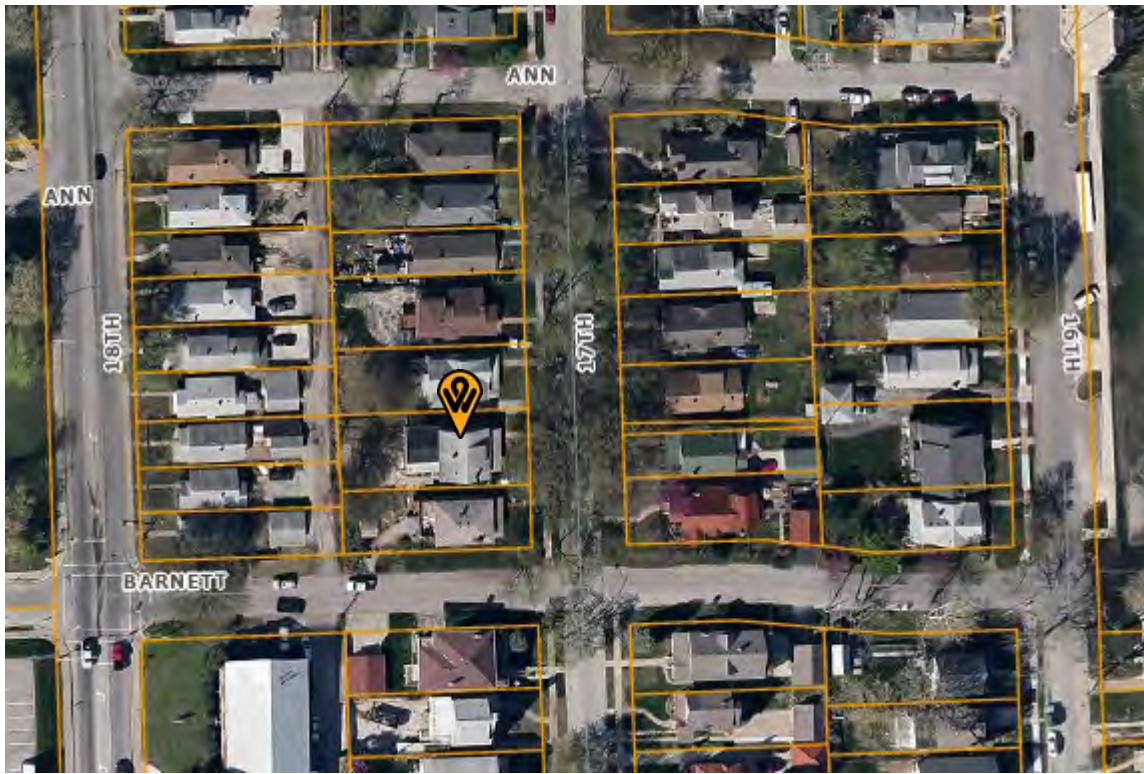
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## ATTACHMENTS

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### AERIAL IMAGERY

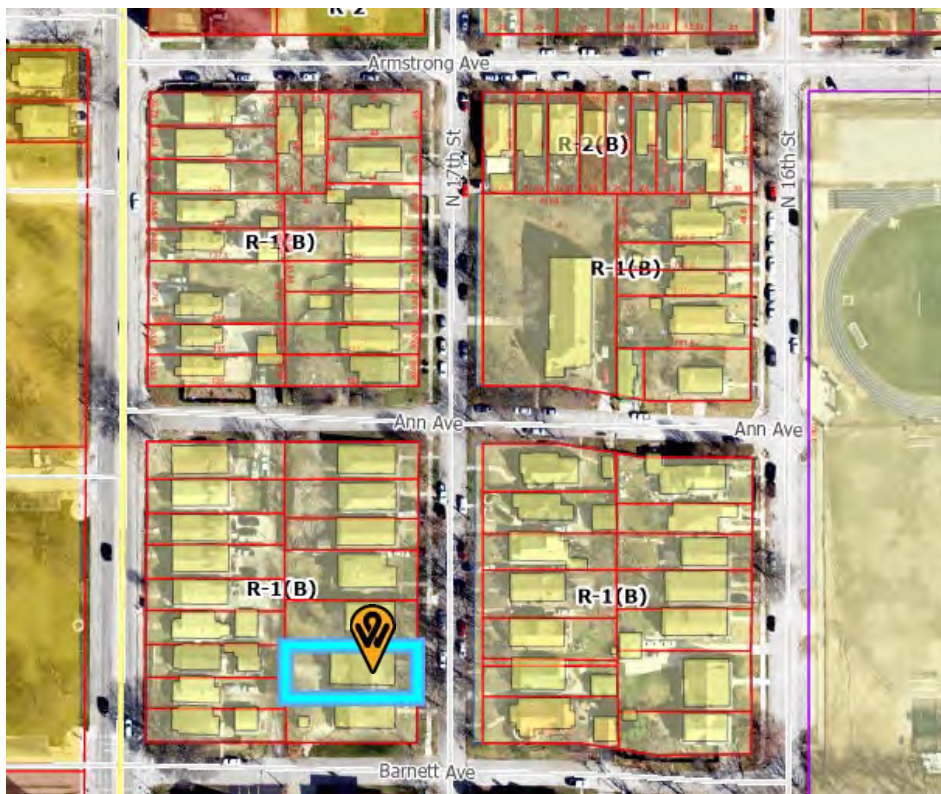
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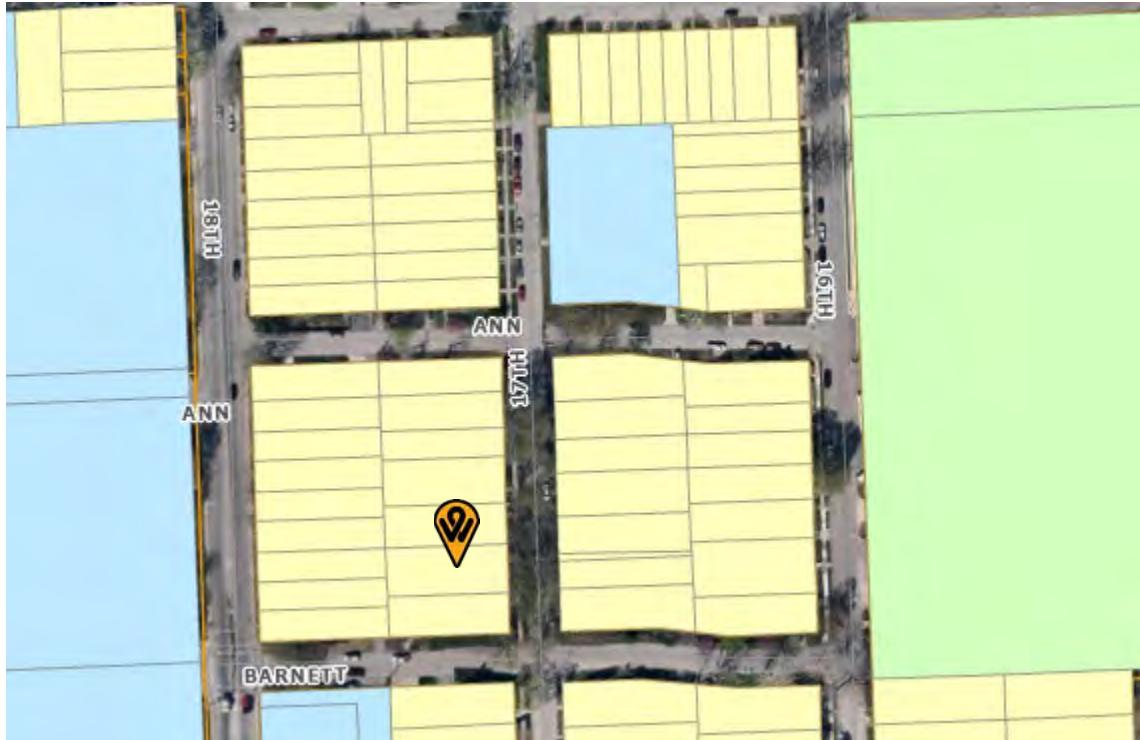
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### ZONING MAP

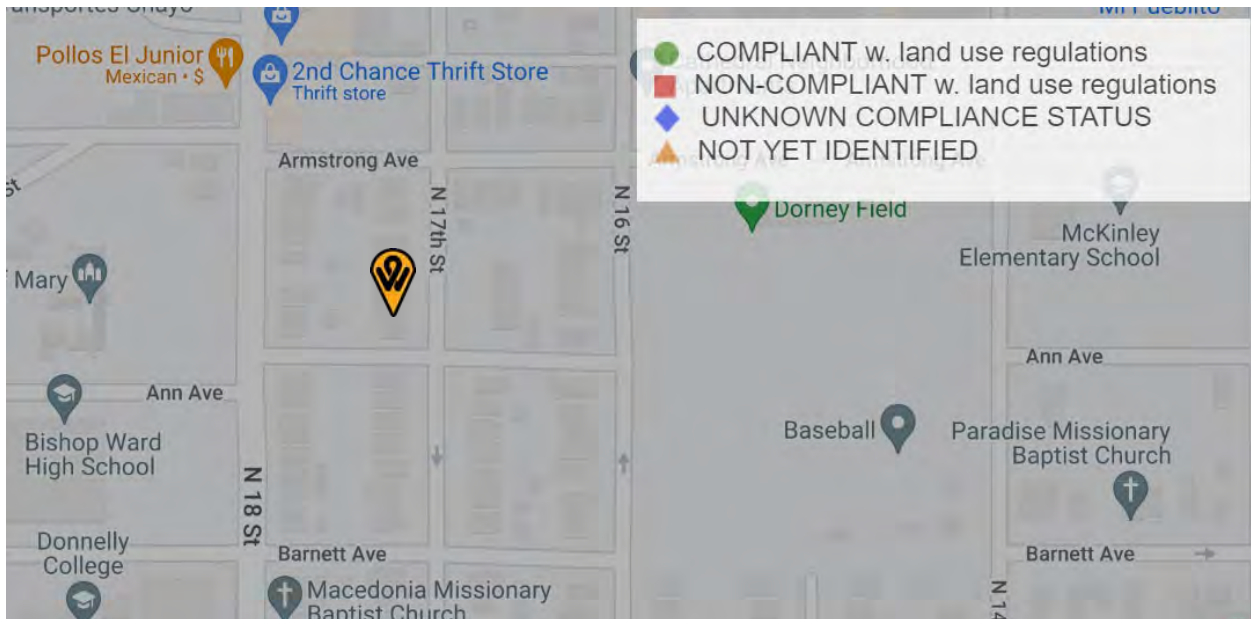
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## LAND USE MAP



## HOST COMPLIANCE MAP – MARCH 18, 2024



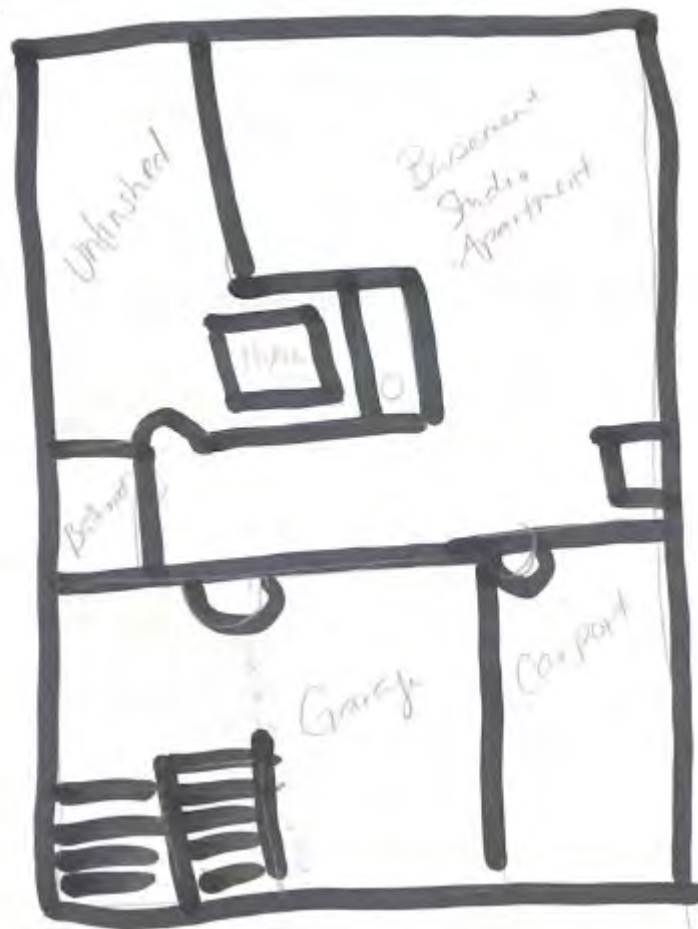


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FLOOR PLAN

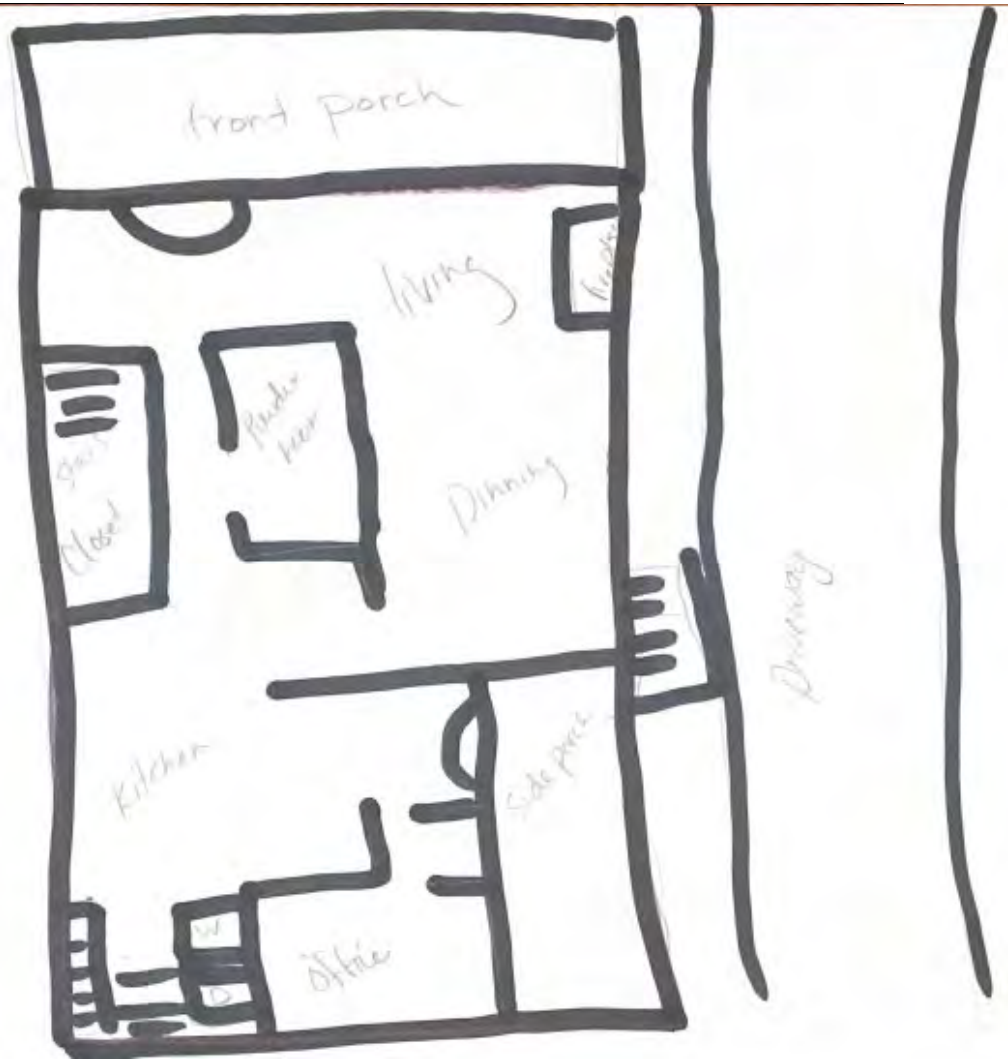
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level 1  
Basement  
(no  
Guests)

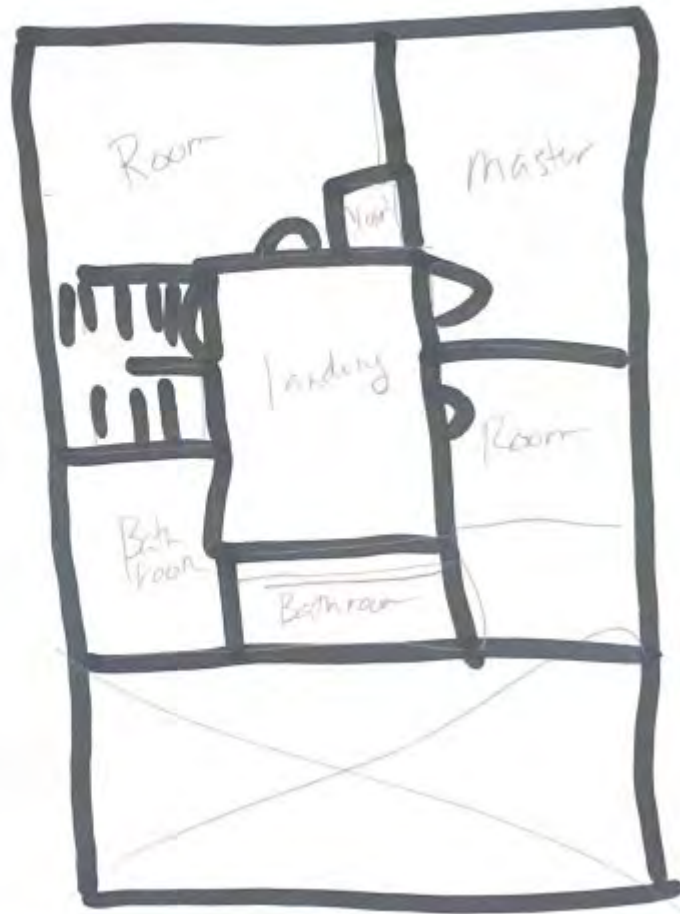


## FLOOR PLAN

level 2  
main



level 3





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FLOOR PLAN

---

level 4



# HOME INSPECTION REPORT

706 N 17th St

Kajsa Mullenix

## 2.4.2 Roof Drainage Systems

### RE-CONNECT DOWNSPOUTS

 Recommendation

NORTH

One or more downspouts need to be re-connected in order to properly control roof run-off. This condition can result in excessively high moisture levels in soil at the foundation. Excessive moisture levels in soil near the foundation can effect the ability of the soil to support the weight of the structure above. The Inspector recommends repair of the roof drainage system to help protect the home structure and occupants.

Recommendation

Contact a qualified gutter contractor



North



North

## 3.2.5 Walkways, Patios & Driveways

### CONCRETE WALKWAY SPALLING

 Maintenance Item

Spalling was visible on the surfaces of the concrete walkway. Spalling is surface deterioration in which flakes of concrete detach from the surface. It can be caused by poor concrete mix at the time of original construction, by salt or other chemicals used for de-icing purposes and made worse by freeze damage. The Inspector recommends patching with an appropriate material to help prevent continued deterioration.

Recommendation

Contact a qualified concrete contractor.



## 3.2.6 Walkways, Patios & Driveways

### CONCRETE PATIO SPALLING

 Maintenance Item

## HOME INSPECTION REPORT

706 N 17th St

Kajsa Mullenix

Spalling was visible on the surfaces of the concrete patio. Spalling is surface deterioration in which flakes of concrete detach from the surface. It can be caused by poor concrete mix at the time of original construction, by salt or other chemicals used for de-icing purposes and made worse by freeze damage. The Inspector recommends patching with an appropriate material to help prevent continued deterioration.

Recommendation

Contact a qualified concrete contractor.



### 3.6.1 Decks, Balconies, Porches & Steps

#### DECK - UNSTABLE SUPPORT

 Recommendation

One of more areas of the deck support appears unstable. This could cause a safety hazard and further deterioration of the deck. Recommend qualified deck contractor evaluate and repair.

Recommendation

Contact a qualified deck contractor.

706 N 17th St

Kajsa Mullenix



### 3.6.2 Decks, Balconies, Porches & Steps

#### NO HANDRAIL

 Recommendation

NORTH

An exterior staircase had no handrail. Safe building practices dictate that stairs with 4 or more risers should have a handrail. You should consult with a qualified contractor to discuss options and costs for handrail installation.

Recommendation

Contact a qualified professional.



North



## HOME INSPECTION REPORT

### 4.3.1 Floor Structure

#### FLOOR JOISTS INADEQUATE BEARING

##### NORTH

Floor joists had less than the recommended 1.5 inches of bearing at their end. The inspector recommends additional bearing be provided by a qualified contractor.

##### Recommendation

Contact a qualified carpenter.



Recommendation



North



North

### 6.5.1 Faucets, Sinks & Toilets

#### TOILET LOOSE AT FLOOR

##### 2ND FLOOR NORTH BATHROOM

In this bathroom, the toilet was loose at the floor and should be re-attached.

##### Recommendation

Recommended DIY Project



Recommendation



2nd Floor North Bathroom

### 6.9.2 Hot Water Systems, Controls, Flues & Vents

#### LOW WATER TEMPERATURE

The temperature was below 120 degrees Fahrenheit. This temperature is the safety recommendation against scalding, but 140° is the common default setting. Most experts agree that anything below 120 degrees creates a risk for bacteria to develop inside your water heater from stagnant water, such as legionella that causes Legionnaire's disease. [Here](#) is a helpful article on how to adjust your water heater temperature.



Recommendation

## HOME INSPECTION REPORT

Recommendation

Recommended DIY Project



706 N 17th St

Kajsa Mullenix

7.3.2 Main & Subpanels, Service & Grounding  
Distribution Wiring



Maintenance Item

### MISSING JUNCTION BOX COVER

BASEMENT

Missing junction box cover noted. Repair as needed.

Recommendation

Contact a handyman or DIY project



Basement

7.4.1 Lighting Fixtures, Switches & Receptacles



Maintenance Item

### COVER PLATES MISSING

BASEMENT

One or more receptacles are missing a cover plate. This causes short and shock risk. Recommend installation of plates.

Recommendation

Recommended DIY Project



Basement

7.4.2 Lighting Fixtures, Switches & Receptacles



Recommendation

### EXPOSED WIRING

OFFICE

Exposed wiring is noted at an outlet. This is a shock/electrocution hazard. Recommend repair.

Recommendation

Contact a qualified electrical contractor.



Office

## HOME INSPECTION REPORT

### 7.5.1 GFCI & AFCI

#### MISSING GFCI COVER

WEST

There is a missing GFCI cover that needs to be replaced.

Recommendation

Recommended DIY Project



Maintenance Item



West

### 7.6.1 Smoke Detectors

#### MISSING DETECTOR

BASEMENT

A smoke detector was missing at this location. Recommend replacement.

Recommendation

Recommended DIY Project



Recommendation



Basement

## Information

### General: Type of Fireplace

Gas



### General: Fireplace Inspection Overview

A visual-only inspection of the fireplace is performed. This includes the firebox, damper doors, cleanout doors and frames. The interior flue of the fireplace/chimney is not readily accessible and should be inspected by a CSIA certified chimney sweep if there are any concerns.



# HOME INSPECTION REPORT

706 N 17th St

Kajsa Mullenix

## 10.3.1 Doors

### MISSING HARDWARE

ATTIC

Missing hardware noted. Replace as necessary.

Recommendation

Contact a qualified professional.

 Maintenance Item



Attic

## 10.4.1 Windows

### CRACKED PANE

GARAGE, ATTIC

A window had a cracked pane. Recommend repair.

Recommendation

Contact a qualified window repair/installation contractor.

 Recommendation



Garage



Attic



Attic

## 10.4.2 Windows

### WINDOW INOPERABLE

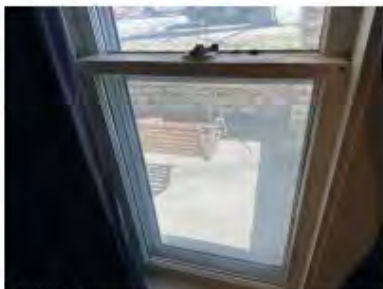
LIVING ROOM, OFFICE, 2ND FLOOR NORTH BATHROOM

A window was inoperable. Recommend repair.

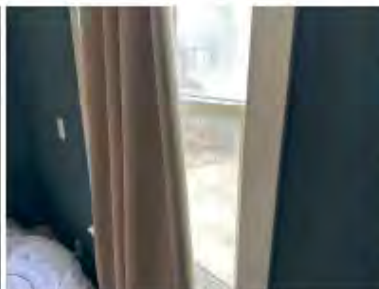
Recommendation

Contact a qualified professional.

 Recommendation



Living Room



Office



2nd Floor North Bathroom

## HOME INSPECTION REPORT

### 10.4.3 Windows

#### PAINTED SHUT

##### NORTHEAST BEDROOM

One or more windows are painted shut. Recommend windows be restored to functional use. [Here](#) is a helpful article on how to do this yourself.

Recommendation

Recommended DIY Project



Recommendation



Northeast Bedroom

### 10.8.1 Steps, Stairways & Railings

#### NO HANDRAIL

##### ATTIC

Any stairway of 4 or more risers should have a handrail on at least one side. This stairway was missing a handrail. Recommend a qualified handyman install a handrail.

Recommendation

Contact a qualified handyman.



Recommendation



Attic

### 10.8.2 Steps, Stairways & Railings

#### LOOSE TREADS

##### ATTIC

One or more treads were loose at this stairway. This is a potential trip hazard. Recommend repair.

Recommendation

Contact a handyman or DIY project



Recommendation



Attic

### 11.2.1 Dishwasher

#### INOPERABLE

Dishwasher was inoperable using standard controls. Recommend a qualified contractor evaluate.

Recommendation

Contact a qualified appliance repair professional.



Recommendation



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## NEIGHBORHOOD MEETING MATERIALS

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### Neighborhood Meeting Minutes

**Application Number:** SP2024-014

**Date:** 3/25/2024

**Location:** Zoom Call

<https://kansas.zoom.us/j/93854563663>

Meeting ID: 938 5456 3663

Passcode: 054995

**Meeting Called to order at: 5:30 PM**

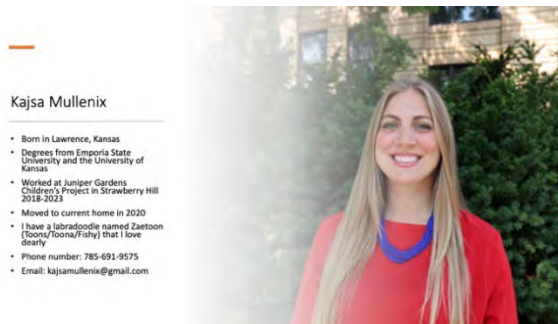
### Names of People in attendance:

Kajsa Mullenix

Google Pixel 6 (came for a few seconds, did not speak or show their face)

**Introductions:** N/A

### Presentation:



### ATTENDANCE & INTRODUCTIONS

- I will submit these meeting minutes to the city, which will include:
  - Questions and answers
    - Who asked questions or gave a comment
    - What was the question or comment
    - Who answered the question/comment
    - What was the given answer
  - This will also include comments/questions I've received via email.

### SAFETY

- I will reside in the residence living in the basement, which has private accommodations and entry separate from the rest of the home.
- I will maintain all requests to stay using the vetting systems provided by the booking companies.
- I will serve as property manager and run all operations, including home maintenance and cleaning, upon the exit of each guest/guest group.
- I currently have security cameras at all points of entry and will continue to maintain those.
- Renters will be informed of the rules prior to booking, and if they break them, I will not hesitate to contact the authorities and the companies they booked with and remove them. This will include rules set by city ordinance and having more guests than agreed to upon booking.
- The safety of my home and, ultimately, my neighborhood is very important to me.

### PLAN

- I plan to list my home on AirBnb and Furnished Finder.
- The home has 3 bedrooms, a finished attic, and office space that will be available for renters to use.
- The home has a living room, dining room, kitchen, two full bathrooms, and a powder room that will be available for renters to use.
- The home has a carport, garage, and large driveway that could safely handle 6 or more cars. Renters will be expected to park in the driveway and not take away street parking.

### RENTERS

- I plan to market to groups like bachelorette parties and bridal parties for wedding weekends. These groups spend very little time at home, as they will be out celebrating.
- I may also market to travel nurses. These folks work long hours and spend most of their time sleeping when they are home.
- My goal is to book large groups for weekend trips or groups of 3-4 travel nurses for 1-3 month stays.
- I will not host events or parties on my property; this is illegal according to city ordinance; separately, it would put the safety of my home at risk, and our neighborhood at risk, and this is something I won't do.
- Per Kansas City, KS city ordinance, only 1 short-term rental license is allowed per block.

## NEIGHBORHOOD MEETING MATERIALS

City commission meeting date has changed!

• April 8<sup>th</sup>

• May 13<sup>th</sup>

• This is due to some construction projects/minor updates that need to take place prior to listing my home.

Floor 1



Floor 2



Floor 2 Continued



Attic



### Questions & Comments?

- Kajsa Mullenix
  - Address: 706 N. 17<sup>th</sup> Street, Kansas City, KS 66102
  - Phone number: 785-691-9575
  - Email: kajsamullenix@gmail.com



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## NEIGHBORHOOD MEETING MATERIALS

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### Questions and answers:

#### 1 received by email:

Bunny Redwood [bunnyredwood@gmail.com](mailto:bunnyredwood@gmail.com)

“Hello! My family and I do have some concerns/disagreements with your decision to turn your current residence into an airbnb/rental. I have been living in my current home for almost 50 years and specifically chose this home because of its quiet and safe neighborhood. Even when I had just moved into my house and this neighborhood, even then it was considered a historical and residential neighborhood! I understand your wish to capitalize off of your current residence, however my biggest but not my only concern is the people you are going to allow to stay at your residence. I read your letter that you sent to our house so I understand you said that you will hire trustworthy people to oversee your future plans, however how can I trust that to be the case? I hope you can understand my concern since I don't know you personally! I am not the kinda person who likes to take someone's word for it! I would also like to bring to your attention that if you start a business what stops others from also turning their residences into businesses also? I do not wish to have airbnbs/rentals or daycares ect ect or any other home businesses! If I ever choose to sell, having airbnbs ect could most definitely bring the price of this neighborhood down! My whole point of this email is to notify you of my displeasure only! Any further complaints that my family and I have will be brought and reported to the proper authorities.

Sincerely,  
Your neighbors at 718 N 17 ST”

#### Response:

“Greetings family at 718,

Thank you for sharing your thoughts and concerns with me. I was born and raised in Kansas; I have been working/living in the KCK Strawberry Hill/Cathedral Neighborhood area since 2018, fell in love with it, and because of this, decided to buy my home. I want to assure you that the safety of the neighborhood is very important to me and mutually beneficial.

I will personally manage who books my home, and I will use the vetting systems provided by Airbnb and other platforms. Per city ordinance, It is illegal for renters to host parties in short-term rental properties, and I also don't see this as safe for my space. I have security cameras at all points of entry. I will continue to maintain them, and if a renter brings more individuals than agreed to, I will ask them to leave and call the authorities. Renters will be informed of these rules upon booking. I will also report them to the booking agency they used. The vetting systems provided by booking platforms give people an

---

## NEIGHBORHOOD MEETING MATERIALS

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incentive to behave because their scores go down if they do not, making it difficult to book in the future because renters like me can see their reviews. I plan to market to large groups like bridal parties for bachelorette weekends/wedding weekends. I may also market to groups of travel nurses who will stay for a longer period of time. I understand not wanting businesses in your neighborhood; per city ordinance, there can only be 1 short-term rental on the block so that they won't become overwhelming. I would actually argue that they will bring up the value of the neighborhood because they show active tourism desire, and as I said, the way the city is responsibly managing them won't become overwhelming. I have no plan to leave home or the area; if I do because of life circumstances, I will heavily vet whoever I have to take over. It will likely be a friend or family member. I will also continue to personally manage the booking platforms and security cameras on my property and work closely with the person actively maintaining the property.

I hope this brings some comfort. Again, I appreciate you sharing your thoughts and concerns. Keeping the neighborhood safe and quiet is a priority of mine, and I will remain consistent with my commitment to it as it benefits us all.

Thanks,  
Kajsa”

**Meeting adjourned:** at 6:00 PM due to no attendance

**Minutes taken by:** Kajsa Mullenix



# NEIGHBORHOOD MEETING MATERIALS

## AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Missouri )  
COUNTY OF Jackson ) SS:

Comes now Kajsa Mullenix, of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # SP2024-014
2. That I conducted a neighborhood meeting on 3-25-2024.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

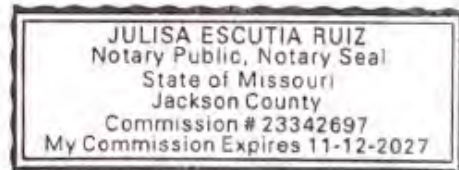
Further affiant saith not.

Kajsa Mullenix  
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 2 day of April, 2024.

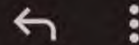
My commission expires 11 of 12, 2027.

[Signature]  
Notary Public





**Bunny Redwood** Yesterday  
to kajsamullenix@gmail.com ▾



Hello! My family and I do have some concerns/disagreements with your decision to turn your current residence into an airbnb/rental. I have been living in my current home for almost 50 years and specifically chose this home because of its quiet and safe neighborhood. Even when I had just moved into my house and this neighborhood, even then it was considered a historical and residential neighborhood! I understand your wish to capitalize off of your current residence, however my biggest but not my only concern is the people you are going to allow to stay at your residence. I read your letter that you sent to our house so I understand you said that you will hire trustworthy people to oversee your future plans, however how can I trust that to be the case? I hope you can understand my concern since I don't know you personally! I am not the kinda person who likes to take someone's word for it! I would also like to bring to your attention that if you start a business what stops others from also turning their residences into businesses also? I do not wish to have airbnbs/rentals or daycares ect ect or any other home businesses! If I ever choose to sell, having airbnbs ect could most definitely bring the price of this neighborhood down! My whole point of this email is to notify you of my displeasure only! Any further complaints that my family and I have will be brought and reported to the proper authorities.

Sincerely,  
Your neighbors at 718 N 17 ST

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May 20, 2024

Department of Planning & Urban Design  
710 N 7<sup>th</sup> St, Rm 423  
Kansas City, KS 66101

To whom it may concern,

I oppose the issuance of the special use permit SP2024-014, for the property located at 706 N 17<sup>th</sup> St Kansas City, KS 66102 to operate a short term rental under SP2024-014.

I ask the Board of Zoning & the City Planning Commission to consider refusing the zoning change Request for the following reasons:

The petitioners' intention of 7 to 21 lodgers in the house at the same time

This could result in a substantial decline of quality in our family neighborhood

Safety of the children and adults in the neighborhood by relying on 3<sup>rd</sup> party criminal background checks

Currently a stable, attractive and safe neighborhood, and the Board of Zoning and City Planning Commission should not encourage anything but a stable, safe and attractive neighborhood

Noise and overcrowding concerns

Parking is currently overcrowded

Detrimental to the neighborhoods' collective sense of a family friendly area to live

Risks hurting the value of the other homes in the neighborhood

Possibility of a 3<sup>rd</sup> party property manager

Putting 3<sup>rd</sup> party vetted individuals in an area with elementary and high schools

7 to 21 renters in a house is a "Flop House" and will hurt the appeal of the neighborhood and its desirability

Respectfully,

  
William Breitenstein  
705 N 17<sup>th</sup> St  
Kansas City, Kansas







## Department of Planning + Urban Design

Unified Government of Wyandotte County and Kansas City, Kansas

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

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

# Protest Petition

Prior to filing this Protest Petition, please refer to the attached Protest Petition Guidelines and ensure all of the required procedures have been followed. **If you have any questions or need assistance, reach out to the Department of Planning + Urban Design at (913) 573-5750 or [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org).**

### Contact Information of person submitting the protest.

The Protest Petition process frequently requires dialogue between Unified Government Staff and the protest petition representative. To properly facilitate this dialogue, please provide the following contact information.

Name: William Breitner Street Address: 705 N. 17th Street  
Telephone: 913-371-0471 Email: billbreit@hotmail.com

### Protest Petition

Protest Petition against Change of Zone or Special Use Permit Petition Case Number you wish to protest: SP2024-014

We, the undersigned owners of property, do hereby protest the above referenced application at the following address: 706 N. 17th Street

We, the undersigned record owners of property, realize that this petition of protest must be submitted to the Office of the Unified Government Clerk within 14 days from the hearing date where the final recommendation of the City Planning Commission regarding this application was passed.

Further, we realize that this Petition is in opposition to the application and our signatures cannot be removed after filing, unless certain lawful actions are taken to remove the Protest Petition. This Petition may be pursuant to the laws of Kansas, K.S.A. 12-757; and of the Unified Government of Wyandotte County/Kansas City, Kansas 27-210(a)(8) and shall be subject to the rules contained therein.

We, the undersigned, are the owners of real property located within the statutory area of notification related to the area for which a zoning amendment is sought, whereby, our signatures shall hereafter be verified as true and correct signatures in order for this *Protest Petition* to be valid.

Protest Petition

1

Protest Petition Acknowledgement

Affidavit, Property Owner Consent Form

State of Kansas )  
County of Wyandotte ) SS:  
Comes now William Breitenstein  
(Protest Petition Representative)

being first duly sworn, under oath, depose and state that the signatures and legal description and/or addresses thereon are genuine, that I personally know all of the signers of this sheet of the Protest Petition to be the persons whose names are signed to the Petition, that I personally witnessed their signature, and that to the best of my knowledge the signers of the Protest Petition are the record owners of land located within the statutory area for this application.

Further affiant saith not.

William Breitenstein  
Affiant

Subscribed in my presence and sworn before me on this 14, day of June,  
2024 in the County of Wyandotte, State of Kansas.

My commission expires 21 of 10, 2024.

Notary Public:







**Petition Number:**

SP2024-014

Please note that all signatures, print, descriptions and contact information must be legible.

| Signature of Owner(s) of Record<br>(All owners of property must sign) | Printed Name of Property Owner(s)<br>(Must match exactly as written on the deed) | Property Description<br>(Address and/or lot and block number) | E-mail and Phone #<br>of Property Owner | Date    |
|-----------------------------------------------------------------------|----------------------------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------|---------|
| <i>Nancy J. Heintzelman</i>                                           | Nancy J. Heintzelman                                                             | 700 N. 17th St. KCK<br>60102                                  | Nancy Heintzelman<br>@mllgmaul.com      | 6/11/24 |
| <i>Rosemarie Heintzelman</i>                                          | Rosemarie Heintzelman                                                            | 700 N. 17th St. KCK<br>60102                                  | msieqmp@icloud.com                      | 6/11/24 |
| <i>John J. Heintzelman</i>                                            | John J. Heintzelman                                                              | 700 N. 17th St. KCK<br>60102                                  | heintzelman@icloud.com                  | 6/11/24 |
| <i>Frene L. Anderson</i>                                              | Frene L. Anderson                                                                | 718 N. 17th St. KCK                                           | frene@icloud.com                        | 6/11/24 |
| <i>John D. Anderson</i>                                               | John D. Anderson                                                                 | 718 N. 17th St. KCK                                           | jdakck@gmail.com                        | 6/11/24 |
| <i>Bunny I. Redwood</i>                                               | Bunny I. Redwood                                                                 | 718 N. 17th St. KCK                                           | bunnyredwood@gmail.com                  | 6/11/24 |
| <i>Jeffrey Holland</i>                                                | Jeffrey Holland                                                                  | 710 N. 17th KCKS.                                             | 913-689-5340                            | 6/11/24 |
| <i>LaVonne Holland</i>                                                | LaVonne Holland                                                                  | 710 N. 17th KCKS.                                             | lavonne@windstream.net                  | 6/11/24 |
| <i>Sagrario Cano</i>                                                  | Sagrario Cano                                                                    | 717 North 17th                                                | 913-984-9855                            | 6/11/24 |
| <i>Rafael Pena</i>                                                    | Rafael Pena                                                                      | 717 North 17th                                                | 913-972-0394                            | 6/11/24 |

Protest Petition





701 N. 17th  
Renters

621 N. 17th  
Sold & Unoccupied

712 N 17th  
Eda Susie  
Sister is out of town  
for week - Reg of Book



legible Address.

① Nancy heintzelman.mh @  
gmail.com

③ heintzelmanjack @  
yahoo.com

⑦ rosie@wpi.kiowa

① Jandaa.sack@ksnail.com

③ If there are read  
first, then you can  
need the petition form  
easily.

Learn more about the Priests of the Sacred Heart  
online at [poshusa.org](http://poshusa.org) or call 1-800-448-7674.



Learn more about the Priests of the Sacred Heart  
online at [poshusa.org](http://poshusa.org) or call 1-800-448-7674.







# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

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

**To:** Unified Government Board of Commissioners

**From:** Planning and Urban Design Staff

**Date:** June 27, 2024

**Re:** Special Use Permit Petition SP2024-027

## GENERAL INFORMATION

### Applicant Information:

Katelyn Wolf  
Bartlett & West  
10895 Grandview Drive  
Overland Park, Kansas 66210

### Subject Property:

6601 Inland Drive  
Kansas City, Kansas 66106

### Requested Action and Purpose:

Approval of Special Use Permit to process and recycle construction material (e.g., concrete, brick and other rock materials).

### Commission Districts:

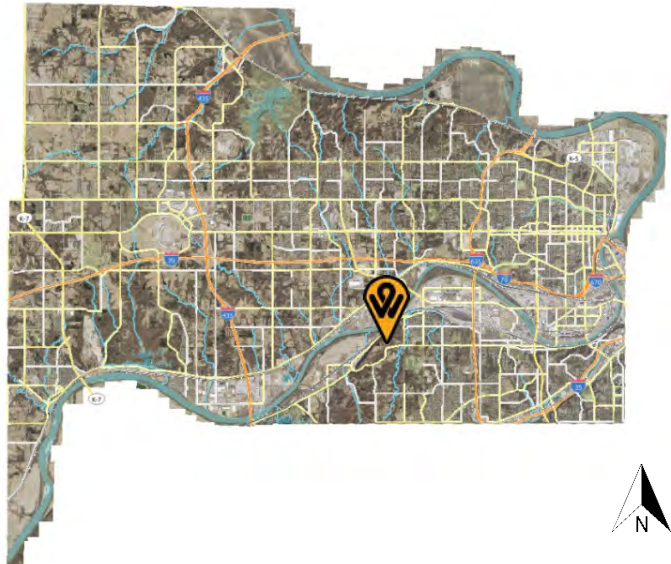
Commissioner At-Large, District #2:  
Tom Burroughs  
District #6 Commissioner:  
Philip Lopez

### Existing Zoning District(s):

R-1 Single Family District

### Comprehensive Plan Area

PlanKCK



|              | <b>Adjacent Zoning</b>                        | <b>Adjacent Uses</b>            |
|--------------|-----------------------------------------------|---------------------------------|
| <b>North</b> | <b>R-1 Single Family District</b>             | <b>Undeveloped land</b>         |
| <b>South</b> | <b>R-1 Single Family District</b>             | <b>Undeveloped land</b>         |
| <b>East</b>  | <b>R-1 Single Family District</b>             | <b>Undeveloped land</b>         |
| <b>West</b>  | <b>MP-3 Planned Heavy Industrial District</b> | <b>Industrial laydown yards</b> |

**Total Tract Size:** 94.75 Acres

**Comprehensive Plan Area:** PlanKCK

**Comprehensive Plan Designation:** The PlanKCK Comprehensive Plan designates the subject property as Rural Residential, which allows agricultural, ranches, large-lot single-family detached residences, and passive parks and open space.

**Major Street Plan:** The goDotte Countywide Strategic Mobility Plan designates Holiday Drive/Inland Drive as a Major Collector.

**Parking Requirement:** Section 27-454(e) Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport.

Sec. 27-668(b) Any use not included in the parking requirements found in this article shall be assigned a parking requirement by the Planning Commission. Three (3) parking spaces are provided.

**Landscaping Requirement:** Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences. 590 trees are required. Staff cannot determine how many trees are on the property.

**Advertisement:** The Wyandotte Echo – May 16, 2024  
Letters to Property Owners – May 17, 2024

**Public Hearings:** June 10, 2024 and June 27, 2024

**Public Support:**

None to date.

**Public Opposition:**

There were three (3) people that appeared in opposition at the June 10, 2024 City Planning Commission meeting.

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**PROPOSAL**

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Detailed Outline of Requested Action: The applicant, Katelyn Wolf, on behalf of the property owner, Cold Start Properties, is requesting a Special Use Permit to process and recycle construction materials (concrete, asphalt, block, brick) on 25 Acres at 6601 Inland Drive.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

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**RELATED ENFORCEMENT AND ACTION ITEMS**

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**Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

**Building, Zoning, or Code Enforcement Complaints:**

1. There are no notices of violation on the subject property.

**Outstanding or Related Permit and Cases:**

1. There are no additional related permits or cases on the subject property.

**Previous Planning Actions:**

1. There are no previous planning entitlements on the subject property.

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**FACTORS TO BE CONSIDERED**

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***1. The Character of the Neighborhood.***

The subject property is located within the Morris Statistical Group and Block Group #0438021. The neighborhood consists of industrial laydown yards to the west and undeveloped, heavily wooded parcels to the north, east and south. Holiday Drive/Inland Drive is the major street that connects the Turner area on the south side of the Kansas River abutting the BNSF Railway. Providing utility services, specifically, sanitary sewer is difficult in this area due to topography and the large areas of undermined land (formerly the Inland Mine) that make development difficult.



**2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.***

The zoning and uses are set out above. The subject property is surrounded by heavy industrial zoning to the west along Inland Drive and single-family zoning to the north, east and south. The proposed use, which is industrial in nature, is not compatible with nearby uses because the property is residentially zoned, specifically R-1 Single Family District.

However, for context, this parcel and the majority of the area to the north, south and east are undermined, formerly part of the Inland Mine. Due to the fact that the area is undermined and topography, utility services are difficult to attain hampering development and limiting residential density

**3. *The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?***

The proposed use is not suitable for the uses to which it has been restricted because the property is undermined. Planning Staff does not know the severity of the mine's depth, but allowing any uses that is not passive in nature is not suitable. The removal of restrictions will detrimentally affect nearby property if hours of operation are not adhered to, the road is kept clear of dirt and debris, and trucks are wetted daily to minimize dust.

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

The property is vacant. The property has been vacant since at least 2001 when the substation was removed.

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

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. Rural Residential allows agricultural, ranches, large-lot single-family detached residences, and passive parks and open space. The proposed use does not conform to the PlanKCK Comprehensive Plan land use designation because the use is not agricultural or large-lot single-family residential. A Special Use Permit is required.

Again, it is unrealistic to expect large-lot, single-family homes or a large-lot subdivision to be developed on undermined parcels. Agricultural uses, such as

livestock grazing or parkland is suitable for the property, which poses minimal restrict to structures or equipment on site.

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

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of Holiday Drive or Inland Drive, both Major Collectors to accommodate it if managed properly. All truck traffic will enter the site via Inland Drive to Holliday Drive from the south rather than through the residential neighborhood along Metropolitan to the north and east.

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

The proposed use is reasonably necessary for the convenience and welfare of the public as the processed and recycled construction material can be reused in other applications, which can keep construction costs lower than they might otherwise be. The proposed use will not affect the use, quality, or marketability of nearby property once the site is properly mitigated following the completion of the Special Use Permit and brought back to its original condition.

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

Noise, dust and vibration are expected to occur in durations or intensities as to create issues with nearby properties, primarily along South 65<sup>th</sup> Street. These are not expected to create problems for nearby property, however if, rumble strips to knock down dirt and debris, trucks are watered down daily, the construction materials are also watered down to minimize dust, hours of operation are strictly adhered to in order to minimize noise and vibration.

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

The proposed use will not pollute the air, land or water provided the proper erosion control measures are followed for stockpile of materials and during the hours of operation, and those stockpiles are watered down to minimize dust affecting the overall air quality.

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

The proposed use will not damage or destroy an irreplaceable natural resource as the area that is being developed as the construction material recycling plant is the only portion for site that is relatively flat and accessible without needing to clear acres of land. The existing tree stands to the south and west are to remain undisturbed.

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

There is some public gain from this operation due to the processing of construction material, which can be used in other construction applications. If denied, the property owner may not use the property for the processing and recycling of construction materials, however, they can still use the property per the R-1 Single Family District regulations.

**12. *The applicant's ability to maintain the use in an "as proposed" condition.***

The applicant will be required to maintain the use according to the submitted plans and descriptions of the proposed use. The applicant will also be required to meet all conditions of approval.

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

The proposed use is not expected to result in the overcrowding or land or undue concentrations of population because the site development is on 25 acres of a 94-acre site.

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## **NEIGHBORHOOD MEETING INFORMATION**

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The applicant held a neighborhood meeting via Microsoft Teams on May 22, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## **KEY ISSUES**

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Dust and Noise Mitigation  
Site Remediation  
Restricting Access of Holiday Drive  
Truck Traffic  
Completion Timeline

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## PLANNING COMMISSION RECOMMENDATION

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The Planning Commission voted 6 to 1 to recommend **APPROVAL** of Special Use Permit Application SP2024-027, **for two (2) years**, subject to:

1. Dust has the potential to be a problem. The site (ground) shall be watered daily to minimize dust and all truck wheels shall be wetted prior to leaving the site, exiting onto Holliday Drive;
2. Upon completion of processing and recycling of construction materials, the site shall be brought to finished grade and restored to pre-Special Use Permit condition;
3. Hours of operation shall be from Monday through Friday, 7:00 AM to 5:00 PM, but only on an “as-needed” basis based on active demolition contracts. (There will be days/weeks when crushing operation is not happening);
4. In order to begin site work and operation, barricades must be removed from Holiday Drive (North) until the street is officially vacated by a plat or vacation application;
5. Preserve the existing tree stands west and south of the proposed development site;
6. Gravel driveways, loading and maneuvering areas are not permitted. Driveways must be concrete or asphalt, whereas the areas for stockpile of materials may be asphalt millings unless a waiver from the County Engineer for aggregate driveways is provided;
7. Keep the ingress/egress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property;
8. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
9. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or [businesslicense@wycokck.org](mailto:businesslicense@wycokck.org);
10. 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](mailto: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;
11. All existing and future driveways must feature curb cuts that are constructed to UG standards;
12. 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;
13. 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;
  14. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
  15. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
  16. Subject to approval, the Special Use Permit shall be valid for (2) year(s) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
  17. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
  18. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by

the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

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## STAFF COMMENTS AND SUGGESTIONS

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Staff concurs with the recommendation of the City Planning Commission.

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-027** subject to all comments and suggestions outlined in this staff report, and the conditions of the City Planning Commission.

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## ATTACHMENTS

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June 10, 2024, City Planning Commission Minutes  
Aerial Imagery  
Zoning Map  
Land Use Map  
Inland Mine Boundary Map  
Applicant Narrative Letter  
Applicant Response Letter  
Neighborhood Meeting Documents  
Site Plan  
Truck Routing Plan  
Letter of Support from USC Technologies  
Site Photographs provided by the Applicant.  
Site Photographs provided by Staff taken on May 16, 2024.

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## PUBLIC HEARING SCHEDULE

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| Action(s)          | City Planning Commission | Unified Government Board of Commissioners |
|--------------------|--------------------------|-------------------------------------------|
| Special Use Permit | June 10, 2024 - Approval | June 27, 2024                             |

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### STAFF CONTACT:

Byron Toy, AICP  
[btoy@wycokck.org](mailto:btoy@wycokck.org)

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## MOTIONS

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I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-027** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to



resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**OR**

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-027**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

**June 10, 2024, City Planning Commission Minutes:**

**Hearing starts at 1:11:55:**

**SPECIAL USE PERMIT APPLICATION SP2024-027 – KATELYN WOLF WITH BARTLETT + WEST - SYNOPSIS:** Special Use Permit for the processing and recycling of concrete, brick, and other rock materials at 6601 Inland Drive. Detailed Outline of Requested Action: The applicant, Katelyn Wolf, on behalf of the property owner, Cold Start Properties, is requesting a Special Use Permit to process and recycle construction materials (concrete, asphalt, block, brick) on 25 Acres at 6601 Inland Drive.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 10, 2024;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

**Present in Support:**

- Katelyn Wolf, applicant, Bartlett + West, 10895 Grandview Drive, Overland Park, Kansas
- Roger Gagliano

**Present in Opposition:**

- Harley Heflin, 1521 South 45<sup>th</sup> Street, Kansas City, Kansas 66106
- Joshua Bond, (former resident as his property was taken in the sale of the property)
- Christina Corcoran, (former resident) 2200 South 55<sup>th</sup> Street, Kansas City, Kansas 66106

Legal Counsel Conway stated that they would need to hire an attorney or seek legal aid regarding the issue of being removed from their home.

Mr. Gagliano responded to the questions by those in opposition.

Planning Commissioner Ernst directed questions to Mr. Gagliano about Holiday Drive.

Planning Commissioner Ward directed questions to Mr. Gagliano regarding the dust.

**Staff Recommendation starts at 1:40:43:** Lead Planner Toy addressed the original question about the golf course; it was cited southeast of this location. It was north of the animal testing facility and south of the publicly driven Holiday Drive before the collapse. This property is north of the northern leg of Holiday Drive. There are two (2) Holliday Drives. The Holiday Drive on the north side has no direct access to Holiday Drive as you exit on Inland going west. It only has access from essentially 63<sup>rd</sup> Street. Applicant is proposing is to come off Inland Drive and go south by American Concrete, go back up Holiday Drive to the east and then north bypassing what was the previous collapsed Holliday Drive to the south. That is how the Applicant is proposing they are going to access their site. No truck traffic will come east across those residences; they will come off Inland Drive. Staff would like to amend Condition #3 in the staff report to help with the noise issue, and change the days of operation to Monday through Friday from 7:00 a.m. to 5:00 p.m. This will ensure that there are no business activities taking place on the weekend. Staff recommends approval for two (2) years subject to the revised conditions.

**Motion starts at 1:42:40:**

On motion by Mrs. Jones, seconded by Mr. Ward, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application SP2024-027 for two (2) years:**

|                   |                    |
|-------------------|--------------------|
| <b>Carson</b>     | <b>Chairman</b>    |
| <b>Armstrong</b>  | <b>Not Present</b> |
| <b>Beth</b>       | <b>Aye</b>         |
| <b>Easterwood</b> | <b>Not Present</b> |
| <b>Ernst</b>      | <b>No</b>          |
| <b>Jones</b>      | <b>Aye</b>         |
| <b>Miller</b>     | <b>Aye</b>         |
| <b>Mohler</b>     | <b>Aye</b>         |

Schwartz Not Present

Straws Aye

Ward Aye

Motion to recommend APPROVAL Passed: 6 to 1

Subject to:

1. Dust has the potential to be a problem. The site (ground) shall be watered daily to minimize dust and all truck wheels shall be wetted prior to leaving the site, exiting onto Holliday Drive;
2. Upon completion of processing and recycling of construction materials, the site shall be brought to finished grade and restored to pre-Special Use Permit condition;
3. Hours of operation shall be from Monday through Friday, 7:00 AM to 5:00 PM, but only on an “as-needed” basis based on active demolition contracts. (There will be days/weeks when crushing operation is not happening);
4. In order to begin site work and operation, barricades must be removed from Holiday Drive (North) until the street is officially vacated by a plat or vacation application;
5. Preserve the existing tree stands west and south of the proposed development site;
6. Gravel driveways, loading and maneuvering areas are not permitted. Driveways must be concrete or asphalt, whereas the areas for stockpile of materials may be asphalt millings unless a waiver from the County Engineer for aggregate driveways is provided;
7. Keep the ingress/egress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property;
8. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
9. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or [businesslicense@wycokck.org](mailto:businesslicense@wycokck.org);
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11. All existing and future driveways must feature curb cuts that are constructed to UG standards;
12. 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;
13. 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;
  14. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
  15. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
  16. Subject to approval, the Special Use Permit shall be valid for (2) year(s) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit 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;
  17. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
  18. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by

**the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

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## ATTACHMENTS

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### AERIAL IMAGERY

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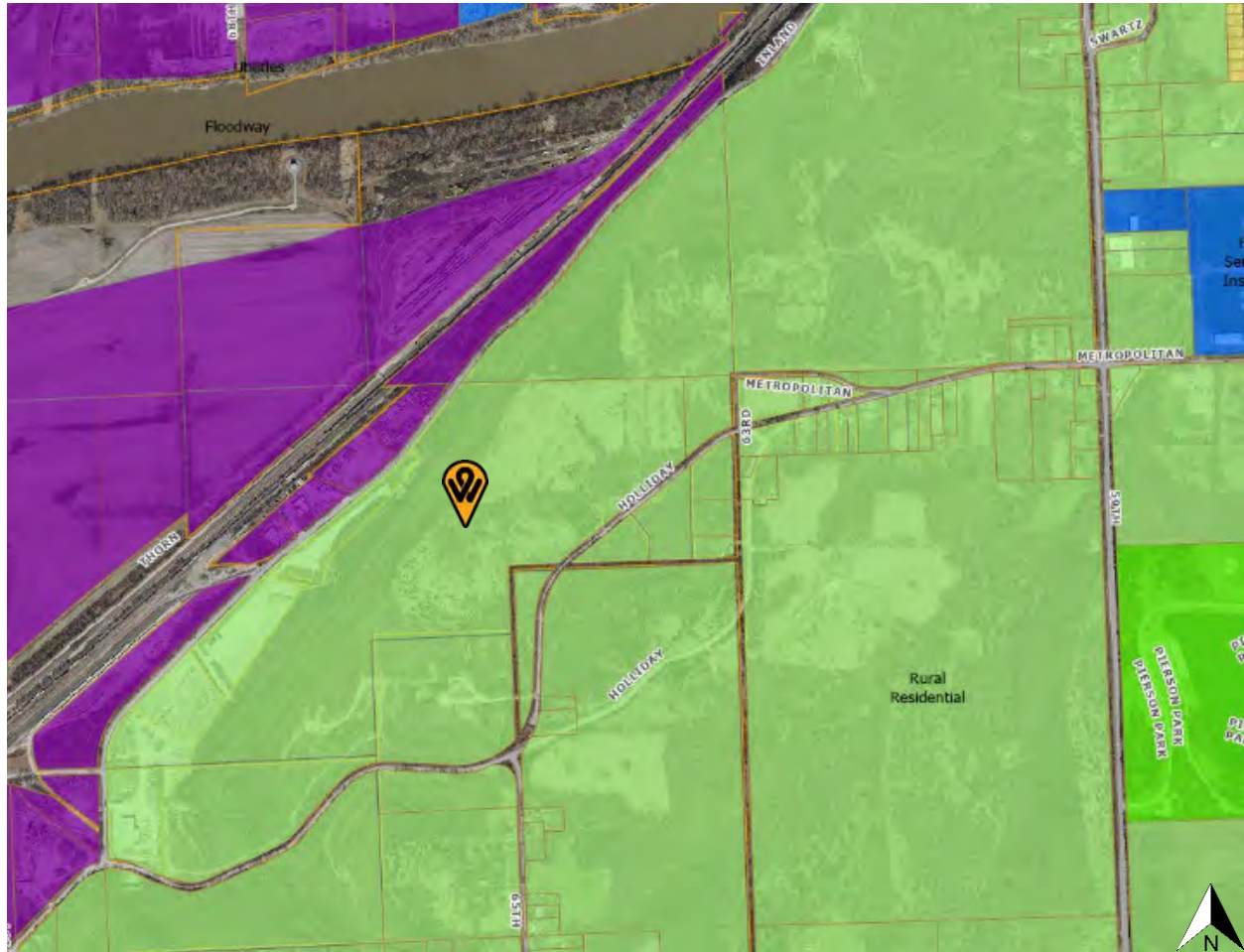




## ZONING MAP



## LAND USE MAP







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**Attachment A - Narrative for SUP Application:**

**Background and Overview of Property:**

Cold Start Properties currently owns greater than 1000 acres of land above an existing closed underground limestone mine within the Unified Government District (the former Americold/Inland undermined properties in the Turner area). See Exhibit 1 for property ownership map. This mine had been in operation for many years for limestone extraction and underground cold storage operations but has been closed for over twenty years. See Exhibit 2 for underground mine footprint. The surface level of this property is partial cleared and partially vegetated, and can be accessed via a private, gated drive off of Holliday Drive. See Exhibit 3 for site photos.

Additionally, the underground Inland mine is currently utilized by the Kansas City Board of Public Utilities ("BPU"), for Flue-Gas Desulfurization ash material placement (FGD Ash), from its Nearman Creek Power Plant. CSP and BPU are in current negotiations for a ten (10-year) agreement for FGD Ash placement underground. BPU utilizes USC Technologies, LLC for FGD Ash surface bore hole drilling and ash pumping, surface roadway development and underground placement & berm containment. Placement underground is authorized via a beneficial use and operating agreement with the Kansas Department of Health and Environment (KDHE).

**Proposed Special Use on the Property:**

Cold Start Properties, LLC is requesting a special use permit for material recycling and related storage on approximately 25 acres of land that is currently zoned R-1 Single Family Residential.

Broken concrete, block/brick and asphalt pavement will be trucked to the site from various contractor demolition projects in the Kansas City area. This "raw" aggregate material will be fed into a low-profile, modern and portable aggregate crushing plant. Raw recycle material will be loaded into the portable crushing plant via a front-end loader, and the "finished" recycle aggregate material will be conveyed to a surface stockpile. Thereafter, the finished recycled aggregate will be loaded into trucks for delivery and beneficial re-use on area construction projects. The Material Recycle yard will be operated as a contractor facility and not open to the general public.

In addition to the raw material stockpile areas, finished material stockpile areas, and the portable aggregate crusher, there will also be a job-site office trailer, portable toilet, truck scale, equipment parking for loaders, dozers and service trucks, along with fuel storage for the fuel to operate the machines and vehicles. The plans submitted with this SUP show proposed layout of these items.

It is projected that 10 – 30 trucks per day will be entering and leaving the Material Recycle site, on a normal operating basis (Monday – Saturday). As a contractor use facility, it is dependent on construction job status and expected that many days will have no trucking activities.

Truck traffic routing will be directed from Inland Drive, east to Holliday Drive, and entering the Material Recycle Yard at a newly constructed and gated site entrance, at approximately S. 65th Street. This routing will avoid area residents living off of Holliday Drive near S. 59th St. Currently, the truck travel route hauling FGD ash from the Nearman power plant enter the property from the east, past current residential housing. This routing will be eliminated, benefiting area neighbors. See Exhibit 4 for traffic routing map.

Impact of Granting Special Use Permit:

Although the parcel is zoned R-1, the proposed new Material Recycle Yard is located within the confines of Cold Start Properties land ownership and is compatible with surrounding uses in the general area. The proposed Material Recycle Yard is largely surrounded by open private property, well secured by tree lines and vegetation, and inaccessible to the general public. There is minimal residential housing in the area, with the closest residence approximately 1,000 feet from the proposed Material Recycle Yard.

The presence of a Material Recycle yard is of economic benefit to the Unified Government and its citizens because new commercial development is so dependent upon a readily available supply of economical recycled and new-mined crushed stone. Having to transport crushed stone for any significant distance dramatically increases its cost. Availability of local recycled aggregate materials provides a valuable benefit and reduces construction costs.



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Engineering Comments:

- 1) Clarify the intended length of time that the rock processing yard is to stay in operation.
    - a. Applicant Response: Cold Start Properties projects that the material recycling yard will be in operation for at least 10 years, which is consistent with the length of time that BPU is in agreement negotiations with Cold Start to have access to keep filling flyash into the mines. CSP is agreeable to subsequent two (2) year Special Use Permit application renewals, with approval conditioned upon continued compliance with the terms and conditions of the Special Use Permit.
  - 2) Site plan lists 11,825 SF of proposed temporary buildings. Clarify what buildings are being referred to.
    - a. Applicant Response: This was a mistype on the plan. It is actually ~1,185 SF for the job trailer/office and porta-potty. Plans have been updated accordingly.
  - 3) The UG does not have record of northern portion of Holliday Drive vacation. Provide documentation of UG approval of Holliday Drive vacation or apply for vacation to privatize.
    - a. Applicant Response: Client will begin the vacation application process, to officially vacate this street that has been considered as abandoned by public works for many years already. Although the client will begin this process ASAP, they are requesting that this does not hold up the SUP approval or the ability to start on site work while the vacation application makes it through the surveying/planning/filing process.
  - 4) Drive entrances within the right of way shall conform to the UG Technical Provisions specifications. See UG detail i.e. UG 4100-G. Appropriate permits shall be acquired from Public Works department prior to construction.
    - a. Applicant Response: Acknowledged – note has been added on plan sheet for drive entrance to meet UG 4100-G.
  - 5) If northern Holliday Drive entrance at intersection of 65th Street is reconstructed, it shall align with 65th Street per UG standard details.
    - a. Applicant Response: Acknowledged – note has been added on plan to identify alignment with 65<sup>th</sup> Street.
  - 6) Provide dust mitigation plan for trucks leaving the site.
    - a. Applicant Response: Cold Start Properties will employ industry recognized dust mitigation measures for trucks leaving the site, including truck rumble strips/mats along with water sprays for effective dust control
  - 7) Provide a copy of approved Notice of Intent from the KDHE.
    - a. Applicant Response: NOI has been submitted, but not approved yet. We will send a copy of the approved NOI when we receive it.
  - 8) Provide SWPPP (Stormwater Pollution Prevention Plan) and Stormwater Drainage Study sealed and signed by licensed Kansas Engineer
    - a. Applicant Response: SWPPP will be part of this resubmittal. Upon discussion with Jordan Stephans on 5/16 - we explained that the 11,825 SF of building was a typo, error and it is actually just 1,825 SF which is negligible on a 94 acre site, therefore a stormwater drainage study is not needed, and our previously submitted stormwater memo is sufficient.
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- 9) A Land Disturbance Permit will be required for this use before work can begin. LDP can be applied or using the following application and sent to EDR@wycokck.org. (Land Disturbance Permit Application)
  - a. Applicant Response: Acknowledged – LDP will be applied for after receiving NOI from KDHE
- 10) Proposed construction on site will require a Site Improvement permit from the Building Inspections department. Site permit can be applied for using the following application and sent to EDR@wycokck.org. (DRC Building Permit Application)
  - a. Applicant Response: Acknowledged – Site Permit will be applied for at the same time as LDP
- 11) Erosion Control plans will be reviewed in detail and approved prior to issuance of Land Disturbance and Site Improvement permits.
  - a. Applicant Response: Erosion Control Plans have been added to our plan set with this resubmittal.
- 12) Please coordinate with Byron Toy, btoy@wycokck.org, for additional Urban Planning and Zoning requirements and comments.
  - a. Applicant Response: Acknowledged – planning comments and responses below in this document.
- 13) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
  - a. Applicant Response: Acknowledged – construction plans will be provided at time of permit applications.

Planning Comments:

1. Dust has the potential to be a problem. The site (ground) shall be watered daily to minimize dust and all truck wheels shall be wetted prior to leaving the site, exiting onto Holliday Drive.
    - a. Applicant Response: Client is agreeable to this condition and will ensure it is met.
  2. How do you intend on remediating the site following the term of this Special Use Permit? Upon completion of processing and recycling of construction materials, the site shall be brought to finished grade and restored to pre-Special Use Permit condition.
    - a. Applicant Response: When operations of the material recycle facility are done, all raw and processed material will be removed from site, equipment will be removed from site, site will be scraped and seeded with native vegetation.
  3. What are the proposed hours of operation?
    - a. Applicant Response: Monday-Saturday 7 a.m. to 5 p.m. but only on an 'as needed' basis based on active demolition contracts. So there will be days/weeks when crushing operation is not happening.
  4. How many daily truck trips are anticipated on-site?
    - a. Applicant Response: 10-30 trucks per day. Only during active demolition contracts. So there will be some days/weeks when operations are not happening and trucks are not accessing the site to dump.
  5. What is the intended length or duration needed to complete the processing and recycling process?
-

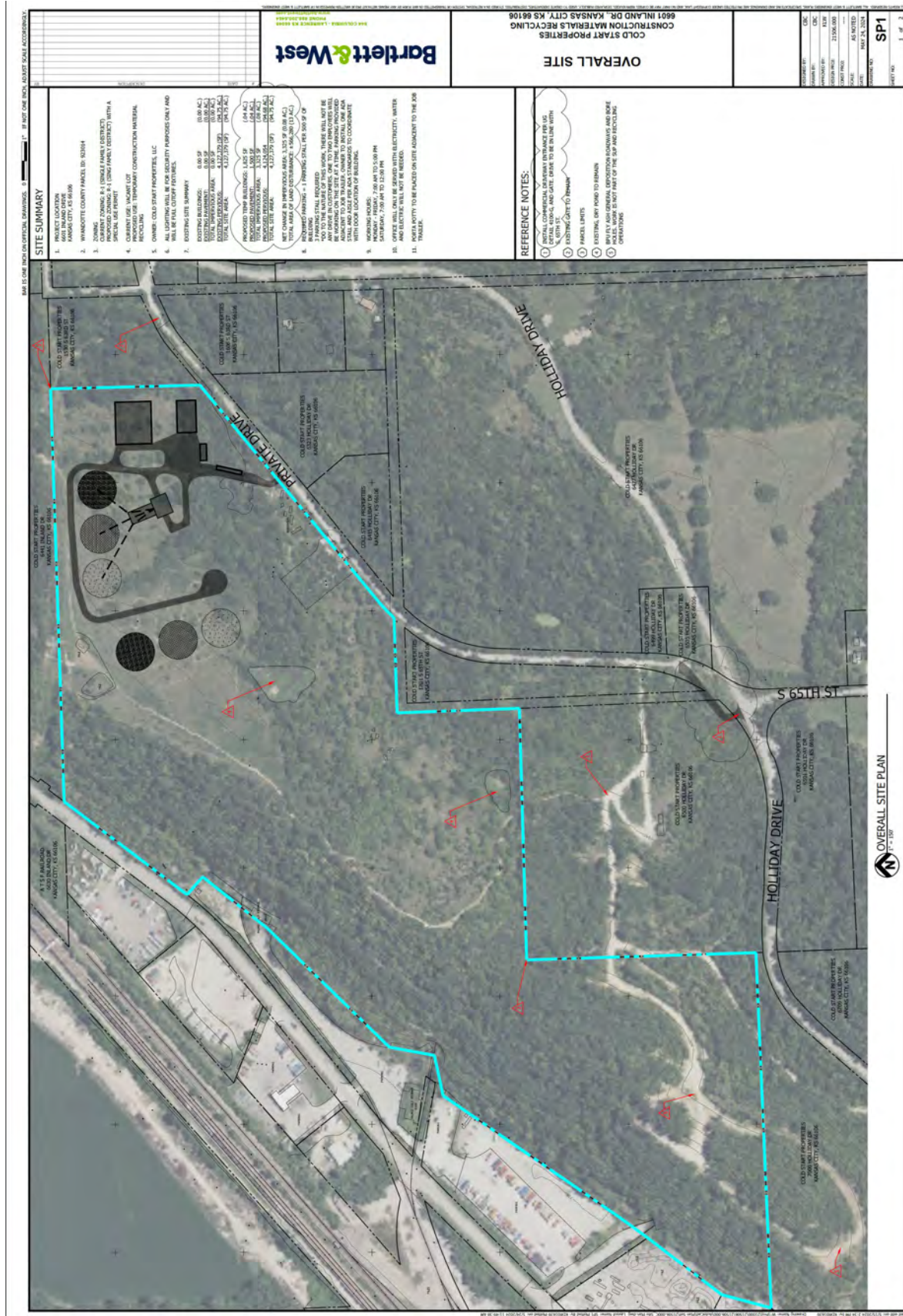
- a. Applicant Response: A truck will only be on site for 15 minutes to dump the raw material, and then will exit the same way they came in (See traffic exhibit submitted with first submittal). Additionally, crushing will not be happening every day. A few times a year, the portable crusher will be brought on site when the raw aggregate piles are large enough, and then will be run for a few days before being removed from the site again.
- 6. The "Private Drive" is not actually "private". Holiday Drive is a public road, therefore, the street cannot be barricaded with fencing or other obstruction. If you intend on barricading the pavement leading to the construction entrance, a plat to vacate the right-of-way/street or a vacation application needs to be submitted.
  - a. Applicant Response: Client will begin the vacation application process, to officially vacate this street that has been considered as abandoned by public works for many years already. Although the client will begin this process ASAP, they are requesting that this does not hold up the SUP approval or the ability to start on site work while the vacation application makes it through the surveying/planning/filing process.
- 7. Preserve the existing tree stands west and south of the proposed development site.
  - a. Applicant Response: Existing tree stands will be preserved.
- 8. Gravel driveways, loading and maneuvering areas are not permitted. Driveways must be concrete or asphalt, whereas the areas for stockpile of materials may be asphalt millings.
  - a. Applicant Response: Acknowledged – After discussions with Byron Toy on this requirement, applicant & client have reached out to County Engineer (Troy Shaw) to ask for approval to use aggregate drives interior to the site.

Standard Conditions:

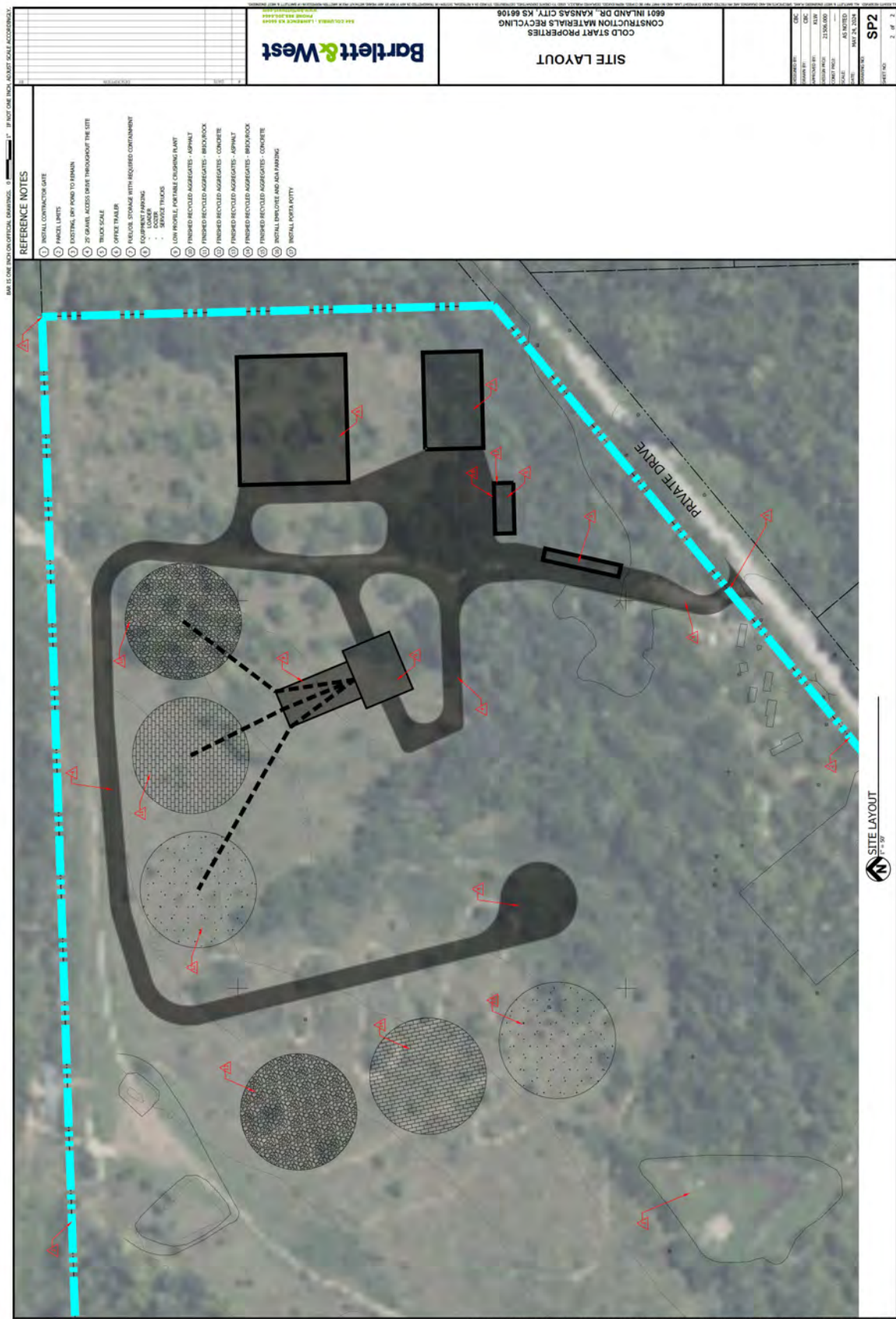
- 1. Keep the ingress/egress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property.
  - a. Applicant Response: Client agrees to this condition.
- 2. Per Section 27-723(a), no sign (including the structure or sign surface) shall 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 and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.
  - a. Applicant Response: Client agrees to this condition and will seek permit as needed.
- 3. If approved, occupying businesses must file and maintain a current business occupation tax application with this office.
  - a. Applicant Response: Client agrees to this condition and will seek tax application as needed.
- 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.
  - a. Applicant Response: Client agrees to this condition and will seek permit as needed.



5. All existing and future driveways must feature curb cuts that are constructed to UG standards.
  - a. **Applicant Response: Client agrees to this condition has noted this on plans.**
6. 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.
  - a. **Applicant Response: Client agrees to this condition**
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.
  - a. **Applicant Response: Client respectfully requests the verbiage be clarified on this, to state that they may start working on the site portion of the project and operation while waiting on the ROW vacation process to take place.**
8. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.
  - a. **Applicant Response: Client agrees to this condition**
9. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within
  - a. **Applicant Response: Acknowledged.**







## SUP2024-027 Neighborhood Meeting Minutes:

**Application Number:** SP2024-027

**Date and Location:** Virtual Meeting on Teams, at 5:45 PM on 5/22/24

**Meeting called to order at:** 5:45 PM

**Names of people in attendance:**

- 1) Katelyn Wolf – Bartlett & West
- 2) Casey Colbern – Bartlett & West
- 3) Roger Gagliano – Spirtas/Cold Start Properties

**Introductions/Presentation:**

- Katelyn, Casey & Roger were on the call, with video on, prepared to make a presentation and answer questions.
- No one joined the meeting or called in.

**Meeting adjourned at:** 6:16 PM

**Other Contact Made Prior to Meeting:**

- 1) Commissioner Phil Lopez called Katelyn Wolf on 5/14 and Roger Gagliano on 5/15 after he received the neighborhood mailing. He stated he would be busy on the night of the neighborhood meeting, but shared the following comments:
  - a. He thinks we will get opposition from neighbors for putting our proposed entrance at the intersection of Holliday and 65th, because even if we don't intend truck traffic to ever go down 65th, neighbors are worried they will.
  - b. His opinion is that a better entrance for the traffic would be at the gate near American Concrete, and that then could just widen/gravel a road interior to the site. He provided the markup attached.
    - i. Roger & Katelyn both discussed how the internal drives are not suitable for this kind of traffic, and that planning prefers the drive to be aligned with S. 65th. We also stated that the client has a plan to ensure trucks follow the traffic diagram, and will ban drivers from site if they don't follow the rules.
  - c. Overall he is in support of this project
- 2) Roger Gagliano reached out to Commissioner Tom Burroughs after neighborhood mailings were sent out, just to explain and discuss the project – but Commissioner Burroughs never returned the call.
- 3) A nearby property owner who lives down S 65<sup>th</sup> St. was on site taking pictures of birds on 5/21, and talked to a staff member of Spirtas/Cold Start Properties when approached. He stated that he overall doesn't have any issue with the proposed use, but hopes that they will not allow or find trucks driving down S 65<sup>th</sup> St.
  - a. The Spirtas staff member on site stated that they will do everything in their power to ensure truck drivers follow the traffic diagram, and will be banned from further deliveries to the site if they are found to be breaking the rules.

**Minutes taken by:** Katelyn Wolf



**AFFIDAVIT – NEIGHBORHOOD MEETING**

STATE OF Kansas )  
COUNTY OF Johnson ) SS:

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

1. That I am the petitioner for Petition # SUP2024-027
2. That I conducted a neighborhood meeting on 5/22/24 at 5:45 PM.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Katelyn Wolf  
Affiant

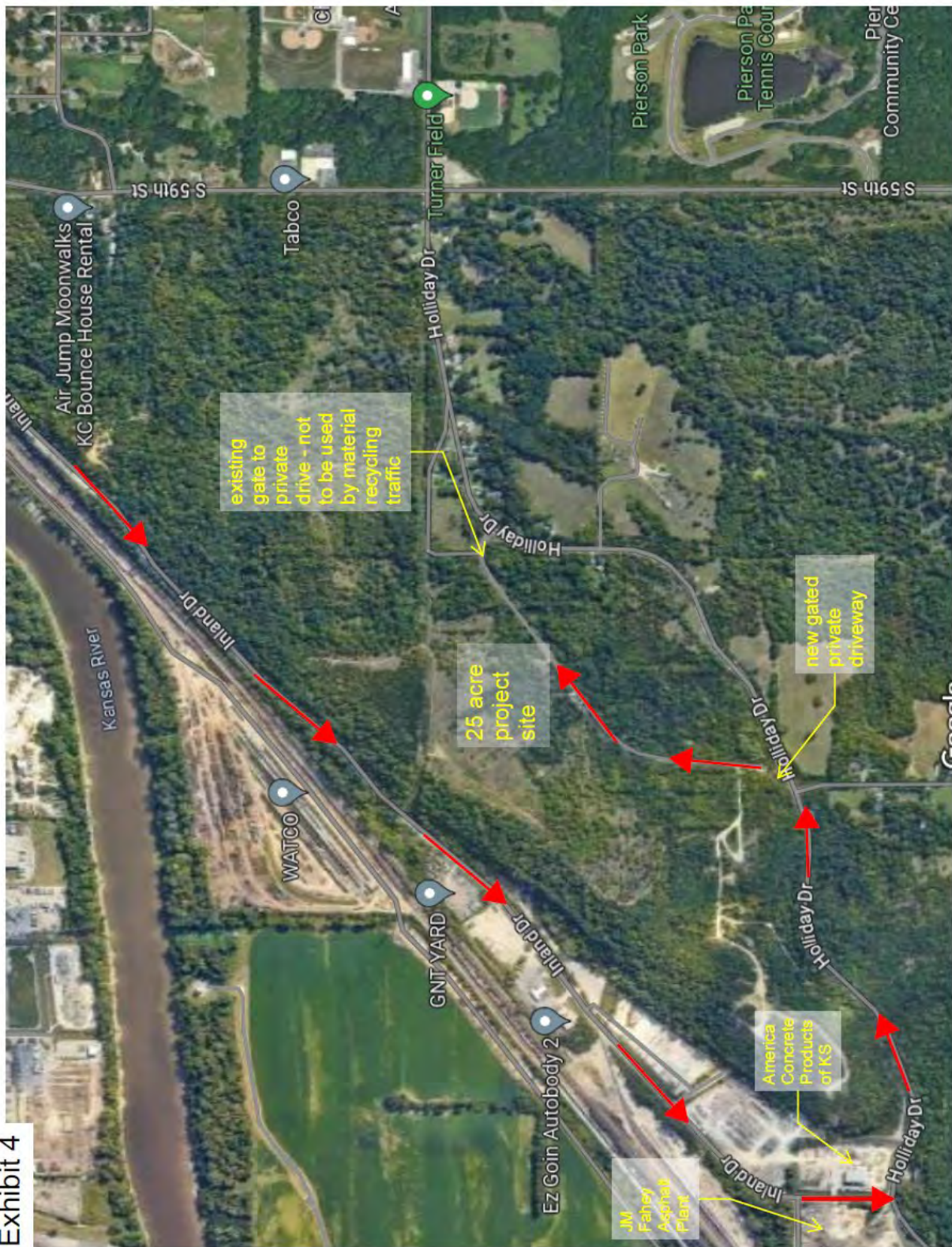
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 23rd day of May, 2024.

My commission expires 18th of July, 2026



Maria Skiles  
Notary Public

Exhibit 4







## USC TECHNOLOGIES

May 29, 2024

Gunnar Hand  
Director of Planning and Urban Design  
Unified Government  
701 N. 7<sup>th</sup> St., Ste. 423  
Kansas City, KS 66101

**RE: Letter of Support Cold Start Properties – Special Use Application  
Material Recycle/Crushing Facility – Inland Mines Area**

Dear Mr. Hand,

I am writing to express my Company's support of Cold Start Properties - Special Use Permit Application for a Material Recycle/Crushing Facility at 6601 Inland Drive, Kansas City, Kansas.

We have worked closely with Roger Gagliano and Cold Start Properties (CSP) over the last couple of years regarding Flue-Gas Desulfurization Ash (FGD Ash) material placement for mine stabilization on the property acquired by Cold Start Properties in early 2023. As you may be aware my company has been performing mine stabilization activities utilizing ash materials at this property since 2003 to help stabilize portions of Holiday Drive and other areas of the mine for Americold, the Unified Government and now for CSP.

We currently have a contract with the Kansas City Board of Public Utilities ("BPU"), for the beneficial use of FGD Ash from its Nearman Creek Power Plant for mine stabilization of portions of the CSP property. CSP and BPU are in current negotiations for an extended ten (10) year agreement for continued FGD Ash placement for mine stabilization on portions of the CSP property. As part of my contract with BPU we drill surface bore holes for ash placement, build access roads, provide and maintain the ash slurry equipment, build containment berms underground, and run water supply lines in addition to other support activities to provide an effective backfill to stabilize the underground mine. Placement of the FGD Ash is authorized via a beneficial use and operating agreement with the Kansas Department of Health and Environment (KDHE).

Recycled aggregate materials produced on site by CSP will provide my company with available and more economical aggregate for our planned access roadway development for continued FGD Ash placement at the CSP property. This in turn will help keep my costs to BPU down for the services I am providing them under my contract for FGD Ash beneficial use for mine stabilization.

1201 NW Briarcliff Parkway • Suite 200 • Kansas City, Missouri 64116  
Office: 816-595-3013 • Fax: 816-595-3015

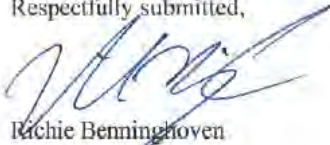
BPU/USC Technologies' current 10-year mine stabilization/backfilling plans include further access roadway development north and south of Holliday Drive to install additional bore holes and to provide access roads for the FGD Ash delivery trucks to continue mine stabilization efforts of the abandoned underground workings on the CSP property.

Additionally, I understand that CSP is also working on long-term development plans for the larger Americold/Inland undermined properties which will require recycled aggregate for on-site roadway construction for engineering evaluations for future development scenarios.

Outside of my own Company's needs, the presence of a Material Recycle yard is of economic benefit to the Unified Government and its citizens to support new development of the surrounding area. New development is so dependent upon a readily available supply of economical recycled and newly-mined crushed stone. Having to transport crushed stone for any significant distance dramatically increases truck traffic and its cost. Availability of local recycled aggregate materials provides a valuable benefit and reduces construction costs. Having CSP's Material Recycle/Crushing Facility on site will be compatible with surrounding industrial uses (i.e. American Concrete Products and JM Fahey Asphalt), adjacent to the west of CSP's property.

I feel this Material Recycle facility is needed, will be a productive use of the land and supports my Company's continued roadway development and placement activities of BPU's FGD Ash. We positively support approval of this beneficial Facility.

Respectfully submitted,



Richie Benninghoven  
President

## Exhibit 3

### Site Photos:

All photos taken on 4/19/2024 to show current condition of property.



Photo A:





Photo B:



Photo C:





Photo D:



Photo E:



Photo F:



Photo G:



Photo H:







**Figure 1. Site Photograph of 6601 Inland Drive looking northwest from South 65th Street (provided by Planning Staff).**



**Figure 2. Site Photograph of 6601 Inland Drive looking northeast from Holliday Drive (provided by Planning Staff).**





**Figure 3. Site Photograph of 6601 Inland Drive looking northeast from South 65th Street (provided by Planning Staff).**





# *PROCLAMATION*

**WHEREAS,** Earl Watson Sr, is a graduate of the 1949 class of Sumner High School, was an honorably discharged as U.S. Army drill sergeant, and was a successful business owner; and

**WHEREAS,** Mr. Watson, Sr served as Recreation Specialist for our parks department for 36 years, retiring last year; and

**WHEREAS,** Mr. Watson, Sr. had an unwavering commitment to our youth, Parkwood pool, underserved population, as coach, mentor and public servant to many; and

**WHEREAS,** Community members petitioned our Unified Government for the name change and Mr. Watson's dedication is worthy of such an honor; and

**WHEREAS,** on June 22, 2024, a renaming ceremony honoring Earl Watson Sr revealed new signage and a plaque to commemorate the event; and

**WHEREAS,** Mr. Earl Watson Senior, an exceptional community-driven Individual, has gained the love and respect of the community with his stoic dedication to our community. Caring for and operating what is now Earl Watson Sr Community Center.

**NOW, THEREFORE,** I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim June 22, 2024, as:

## **“Earl Watson Sr. Day”**

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

---

**TYRONE GARNER, MAYOR/CEO**



# PROCLAMATION

- WHEREAS,** Rev. Dr. Harris has served in Ministry for 40 years, he has served the St Andrew Missionary Baptist Church of Kansas City, Kansas, as Senior Pastor for 30 years; and
- WHEREAS,** Rev. Dr. Harris previously served the Community Missionary Baptist Church of Kansas City, Kansas as Assistant Pastor, Director of Christian Education, Associate Minister, Sunday school teacher; and
- WHEREAS,** Rev. Dr. Harris holds a Doctor of Ministry Degree, a Master of Divinity Degree, a Master of Arts in Christian Theology, and a Bachelor of Science Degree in Christian Studies all from Faith Evangelical Seminary in Tacoma, Washington; and
- WHEREAS,** Rev. Dr. Harris has served as President of the Kansas City, Kansas, Baptist Ministers Union and has served as chair of the Evangelistic ministry, Vice President, Secretary, and Treasurer. He served for 25 years as Recording Secretary for the Kaw Valley District Missionary Baptist Association; and
- WHEREAS,** Rev. Dr. Harris' ministry objective states that Jesus Christ must be the center and circumference of the life of the church. All that is done should be for His Honor and Glory. The Pastor's responsibility is defined in Ephesians 4:12,13 "To prepare God's people for works of service, so that the body of Christ may be built up until we all reach unity in the faith and the knowledge of the Son of God and become mature, attaining the full measure of perfection in Christ." As every member of the body functions together the Church grows (Ephesians 4:16). To see this accomplished the pastor must preach, teach, train, and lead the congregation; and
- WHEREAS,** Dr. Seth C. Harris Sr. is the author of How To Develop Effective Church Growth Through Strategic Leadership. Rev. Dr. Harris is married to Dr. Karen Hayes-Harris. As such are celebrating their 30<sup>th</sup> pastoral anniversary at St. Andrew Missionary Baptist Church in Kansas City Kansas.

**NOW, THEREFORE,** I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim Sunday, June 9, 2024, as:

## “Rev. Dr. Seth C. Harris Sr. Day”

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

---

**TYRONE GARNER, MAYOR/CEO**



# *PROCLAMATION*

- WHEREAS,** Juneteenth, also known as Freedom Day, celebrates June 19, 1865, when the last enslaved Americans received word that President Abraham Lincoln had signed the Emancipation Proclamation. While Lincoln had issued the proclamation more than two years earlier, the news was received in different states at different times; and
- WHEREAS,** a contingent of the US Army arrived at Galveston Bay, Texas 2,000 Union troops. The army announced that the more than 250,000 enslaved black people in the state, were free by executive decree. This day came to be known as "Juneteenth," by the newly freed people in Texas; and
- WHEREAS,** Juneteenth has been celebrated across the country for years, but the day wasn't federally recognized until 2021 when President Joe Biden's administration added it to the government holiday calendar; and
- WHEREAS,** Wyandotte County/KCK has a rich history in which African Americans have been prominent. Our city was one of the termini of the Underground Railroad. Black slaves were smuggled over to Wyandotte and other points in Kansas from Missouri, a slave state. Kansas entered the Union as a free state in 1861 and was a key proponent for the emancipation of all and the abolition of Slavery.

**NOW, THEREFORE,** I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim June 19, 2024, as:

## **“Juneteenth Freedom Day”**

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

---

**TYRONE GARNER, MAYOR/CEO**



## Unified Government of Wyandotte County/Kansas City, Kansas

# *PROCLAMATION*

**WHEREAS,** the Unified Government of Wyandotte County/Kansas City Kansas is a welcoming community and dedicated to the residents we serve; and

**WHEREAS,** lesbian, gay, bisexual, transgender, queer, intersex, non-binary, and asexual (LGBTQ+) people are members of the community, Unified Government employees and families; and

**WHEREAS,** pride Month is celebrated in the Month of June to honor the 1969 Stonewall riots in New York City, dedicated to celebrating around the country, educational awareness for events celebrating diversity and to commemorate the Stonewall riots. Patrons and supporters of the Stonewall Inn staged an uprising to resist the police harassment and persecution to which LGBT Americans were commonly subjected; and

**WHEREAS,** the Nation was founded upon and is guided by a set of principles that each has equal rights to their life, liberty, and pursuit of happiness; and

**WHEREAS,** the Unified Government recognizes the vital role to leverage community efforts to strengthen and expand our commitment to equity, diversity, and inclusion for all Wyandotte County/Kansas City, Kansas residents.

**NOW, THEREFORE,** I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim June 2024, as:

## **Pride Month**

in Wyandotte County/Kansas City, Kansas, and urge all citizens to recognize the importance of Pride Month. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

---

**TYRONE GARNER, MAYOR/CEO**



# Report to Administration & Human Services

Tracking ID: 21104

| MEETING DATE                                                                                                                                                                                                                                     | PRESENTER                                                       | DEPARTMENT      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-----------------|
| MAY 20 2024                                                                                                                                                                                                                                      | Shakeva Christian, Manager                                      | Human Resources |
|                                                                                                                                                                                                                                                  | J. Renee Ramirez, Director                                      |                 |
|                                                                                                                                                                                                                                                  | schristian@wycokck.org,<br>rramirez@wycokck.org<br>x5661, x5665 |                 |
| AGENDA ITEM #IV.1.                                                                                                                                                                                                                               |                                                                 |                 |
| APPROVAL: HUMAN RESOURCES POLICY UPDATES                                                                                                                                                                                                         |                                                                 |                 |
| BACKGROUND                                                                                                                                                                                                                                       |                                                                 |                 |
| Approval of updates to the Human Resource Guide regarding the Take Home Vehicle Policy and revisions to the current Residency Requirement Policy, submitted by Renee Ramirez, Director of Human Resources.                                       |                                                                 |                 |
| RECOMMENDATION                                                                                                                                                                                                                                   |                                                                 |                 |
| Approve                                                                                                                                                                                                                                          |                                                                 |                 |
| BUDGET IMPACTS / FINANCIAL CONSIDERATIONS                                                                                                                                                                                                        |                                                                 |                 |
| Approval of proposed new Take-Home Vehicles Policy (HR Guide Section 6.6) and proposed revisions of current Residency Requirement policy (HR Guide Section 2.7).                                                                                 |                                                                 |                 |
| IT/POLICY CONSIDERATIONS                                                                                                                                                                                                                         |                                                                 |                 |
| N/A                                                                                                                                                                                                                                              |                                                                 |                 |
| PROCUREMENT CONSIDERATIONS                                                                                                                                                                                                                       |                                                                 |                 |
| N/A                                                                                                                                                                                                                                              |                                                                 |                 |
| LEGAL CONSIDERATIONS                                                                                                                                                                                                                             |                                                                 |                 |
| Policies have undergone legal review and approval.                                                                                                                                                                                               |                                                                 |                 |
| ATTACHMENTS                                                                                                                                                                                                                                      |                                                                 |                 |
| HRG Update_05-20-24_AHS_Take Home Vehicles_Residency, Residency Requirement_Final, Residency Requirement_RR&SC Edits_04-15-24, Take Home Vehicle Policy_04-30-2024_Final, Unified Government Take Home Vehicle Justification Form_FINAL_04-22-24 |                                                                 |                 |

Approved by Mayor and/or Chair and Administrator to add to agenda.

*W. J. [Signature]* 5/13/2024  
*J. Renee Ramirez*  
5-14-24



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ADOPTING A NEW POLICY UNDER SECTION 6.6 OF  
THE HUMAN RESOURCES GUIDE OF THE UNIFIED GOVERNMENT,  
REGARDING THE USE OF TAKE-HOME VEHICLES**

**WHEREAS**, Pursuant to Section 2-103(12) of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, the county administrator has the authority to prepare for adoption those policies relating to the selection, discipline, dismissal and all other personnel related matters applicable to all employees of the Unified Government.

**WHEREAS**, the Unified Government has adopted those personnel policies and made them available to Unified Government employees in a document known as the Human Resources Guide (HRG).

**WHEREAS**, additions or amendments to the Human Resources Guide may be proposed from time to time, subject to adoption by the Unified Government Board of Commissioners.

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

**Section 1.** That new Section 6.6 Take-Home Vehicle Policy, of the Unified Government Human Resources Guide is adopted as attached.

**Section 2.** The Mayor, the County Administrator and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

**Section 3.** This policy shall take effect and be in full force on \_\_\_\_\_,  
2024.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE  
UNIFIED GOVERNMENT OF WYANDOTTE  
COUNTY/KANSAS CITY, KANSAS, THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2024.**

Approved:

---

Tyrone Garner, Mayor/CEO

Attest:

---

Unified Government Clerk



# UNIFIED GOVERNMENT HUMAN RESOURCES GUIDE

Effective: DD-MM-YYYY

## TAKE-HOME VEHICLES

- I. General: This policy establishes rules and procedures for authorization and use of Unified Government take-home vehicles. Some of these rules are mandated by federal and state regulations (such as K.S.A. 8-301 *et seq*, K.S.A. 21-6002(a)(1) and IRS guidelines).
- II. Policy
  - A. Unified Government employees must follow these rules and procedures for authorization and use of take-home vehicles. Take-home vehicle authorizations will be based on demonstrable and beneficial need for the delivery of services for the Unified Government and will comply with IRS guidelines for employer-provided vehicles.
  - B. Departments may create their own take-home vehicle policy subject to review by Human Resources and the approval of the County Administrator. Such policies may be stricter than the Unified Government take-home vehicle policy.
  - C. Authorization for Take-Home Vehicles
    1. Take-home vehicles will be approved only for the purpose of conducting Unified Government business, based on public purpose and demonstrable and beneficial need, in accordance with IRS guidelines.
    2. Operators must maintain a valid Kansas driver's license for the class of vehicle they are assigned to operate.
    3. An employee may be authorized to use a take-home vehicle only after a Take-Home Vehicle Use Authorization Form has been submitted to and approved by the by the department head. Take-Home Vehicle Use Authorization Forms must be completed annually. Authorization will not exceed one year.
    4. If the basis for the authorization changes during the year, a new authorization form must be submitted and approved.
    5. Department heads will only approve take-home vehicles when there is a justified business necessity.
    6. In declared emergencies, the department head, or his or her designee, may temporarily change a take-home vehicle's use to support Unified Government operations.
    7. Employees who are authorized to use a take-home vehicle must comply with this policy to ensure IRS rules are followed. Unified Government will report employee take-home vehicles as imputed income via payroll tax deduction.



# UNIFIED GOVERNMENT HUMAN RESOURCES GUIDE

Effective: DD-MM-YYYY

## D. Responsible Use of Take-Home Vehicles

1. Only authorized employees are permitted to operate Unified Government vehicles.
2. Non-business passengers (e.g., family members and friends) are prohibited from operating, riding in, or using Unified Government vehicles.
3. Only “de minimis” personal use of a take-home vehicle is permitted. De minimis use is defined as infrequent and limited travel outside of the direct commuting route between the employee’s residence and his or her place of work each day or outside of direct travel between work stops during the workday, e.g., stopping at a convenience store on the direct route while commuting to home or work or stopping between two work sites for a meal or to use the restroom.
4. Employees are prohibited from travelling outside of a 50-mile radius of Wyandotte County in a take-home vehicle unless the travel is pre-approved by the employee’s department head, or his or her designee.
5. When operating a Unified Government vehicle, employees must comply with all federal, state, and local laws.
6. Operators of take-home vehicles shall immediately notify their supervisor and department director of any changes in their driver’s license, traffic citations received while operating a UG or personal vehicle (if that citation affects the status of the driver’s license).
7. Operators of Unified Government vehicles must adhere to HR Guide 6.2 Driver Safety, Accident Reporting and Vehicle Use.
8. Operators of take-home vehicles will be subject to the Substance Abuse policy 7.4 and Substance Abuse Policy Transit 7.4A as outlined in the Human Resources Guide.
9. Take-home vehicles must be maintained in accordance with Unified Government fleet management operating procedures. Vehicle maintenance and refueling must be done at department designated Unified Government facilities.
10. Traffic or parking citations received while driving a take-home vehicle are the responsibility of the vehicle’s operator.
11. Mileage incurred in a Unified Government vehicle is not eligible for reimbursement.



# UNIFIED GOVERNMENT HUMAN RESOURCES GUIDE

Effective: DD-MM-YYYY

12. Employees authorized to utilize a take-home vehicle are not eligible for compensation of a stipend or vehicle allowances.
13. Use of tobacco products, including e-cigarettes and chewing tobacco, in a Unified Government vehicle is prohibited.
14. The Unified Government highly encourages employees who have been authorized to use a take-home vehicle to park the vehicle in the driveway, to be respectful of neighbors and motorists and to reduce the risk to children at play.
15. The use of a take home vehicle is a privilege and can be revoked for policy violations (i.e., failed drug/alcohol test, misuse of vehicle etc.).
16. Employees in violation of this policy are subject to discipline up to and including termination.
17. Employees should consult their department head, or his or her designee, if they have questions about this policy.

## Related Polices:

- 6.2 Driver's Safety, Accident Reporting and Vehicle Use
- 6.5 Use of Cell Phones and Electronic Devices While Driving
- 7.1 Rules and Discipline
- 7.4 Substance Abuse
- 7.4A Substance Abuse Transit Department

## Related Forms:

Take Home Vehicle Justification Form





# UNIFIED GOVERNMENT HUMAN RESOURCES GUIDE

Effective DD-MM-YYYY

## TAKE HOME VEHICLE JUSTIFICATION FORM

|                                |  |                        |  |
|--------------------------------|--|------------------------|--|
| Employee Name:                 |  | Employee ID:           |  |
| Department:                    |  | Division:              |  |
| Job Title:                     |  | Telephone:             |  |
| Unit Number:                   |  | Vehicle Year:          |  |
| Vehicle Make:                  |  | Vehicle Model:         |  |
| Garage Location when off duty: |  | Daily commute (1-way): |  |

|   |                                                                                                                                                                                                                                                                                   |     |    |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 1 | Is this vehicle assigned to an elected or appointed Unified Government employee. If yes proceed to question 3.                                                                                                                                                                    | Yes | No |
| 2 | Is the vehicle assigned to a Department Head?                                                                                                                                                                                                                                     | Yes | No |
| 3 | For all other UG employees, does a major portion of the duties assigned to the employee require travel for UG business in excess of 1,000 miles per month or has the agency identified the vehicle as an integral part of the job? If no skip to question 8.                      | Yes | No |
| 4 | Does the position require the employee to be on call on a recurring basis beyond normal duty hours and, when called out, require immediate travel from a residence to a location where specific skills, services, tools, equipment, or supplies are necessary to perform the job? | Yes | No |
| 5 | Does the position involve leaving directly from home to a continually variable workstation, in which travel to a central location to obtain a Unified Government-owned vehicle would result in significant amounts of unnecessary travel time and loss of productive hours?       | Yes | No |
| 6 | Does the employee work from a home office with a continually variable workstation (e.g. inspectors, case workers, investigators, etc.)?                                                                                                                                           | Yes | No |
| 7 | Is the employee a law enforcement officer or a public safety emergency responder?                                                                                                                                                                                                 | Yes | No |
| 8 | Please list the business rationale for the employee to have a take home vehicle (please attach additional pages if needed):                                                                                                                                                       |     |    |
| 9 | Is the employee approved for a Take Home Vehicle.                                                                                                                                                                                                                                 | Yes | No |



# UNIFIED GOVERNMENT HUMAN RESOURCES GUIDE

Effective DD-MM-YYYY

I, \_\_\_\_\_ have received and read the Unified Government  
(Print Employee Name)  
Human Resources Guide policy, Section 6.6 Take-Home Vehicles and understand I must abide by the  
guidelines indicated therein.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department/Division  
Head Signature: \_\_\_\_\_ Date: \_\_\_\_\_

County Administration  
Signature: *(\*Only Required  
for Director level positions and  
above)* \_\_\_\_\_ Date: \_\_\_\_\_

## Human Resources Use Only

Motor Vehicle Record Acceptable: Yes No  
If no, please describe:

Related Polices:

6.6 Take Home Vehicles

# **Human Resources Guide Updates**

**Presented: Human Resources Staff**



**Administration and Human Services Standing Committee  
May 20, 2024**

# Human Resources Guide Policy Revisions

- Section 2.7 – Residency Requirement
- Section 6.6 – Take Home Vehicles **(Proposed New Policy)**

# Residency Requirement Policy

## Overview of Revisions

- Proposed revisions to the policy do not change the requirements to reside in Wyandotte County
- Policy revised to reflect process changes as a result of Workday
  - Paper Affidavit of Residency form no longer in use
  - Acknowledgements and documentation of residency automated
- Clarification that new hires who already live in Wyandotte must provide proof of residency at the time of hire.





# Take Home Vehicle Policy

## Purpose of new policy

The purpose of this policy is to establish a strong internal control system to ensure UG vehicles are being properly used and comply with local, state and federal regulations.

*Note: Police, Fire and Public Works have set aside departmental policies that must abide by this general policy (These depts account for more than 90% of UG take home vehicles)*

## Rationale for creating new policy

- UG liable for improper UG vehicle use
- No current centralized system of authorizations
- No current centralized system of tracking vehicles authorized for take-home purposes
- No formal policy concerning take-home vehicles for non-public safety and non-public works departments
- HR previously began development of this policy. It was placed on hold due to an Audit by the Legislative Auditor. This policy contains all recommendations of the Legislative Auditor.

# Key Elements of Take-Home Vehicle Policy

## Centralized Authorization Process:

- Use of vehicle based on beneficial need for delivery of service for UG business
- Driver's must maintain a valid Kansas DL based on class of vehicle
- "Take Home Vehicle Authorization Form" must be completed at on-set and annually thereafter
- Operators subject to annual motor vehicle checks
- Take Home Vehicles are only authorized when there is clear and convincing justification to do so
- Departments can set a stricter policy subject to the County Administrator's approval
- County Administrator must approve all take home vehicles for director level positions and above

## Responsible Use of Take-Home Vehicle:

- Only authorized employees are permitted to operate vehicle
- Non-business passengers (e.g. family/friends) prohibited from riding in vehicle
- Only "de minimus" personal use is permitted
- Travel 50 miles outside of Wyandotte County is prohibited unless approved by department
- Employees must abide by all state, federal, and local laws while operating vehicle.
- Operators must abide by HRG policies for Substance Abuse; Driver's Safety; Use of Cell/Electronic Devices While Driving
- Operators must inform UG of any traffic citations or suspension of driver's license while operating a UG vehicle or personal vehicle (if that citation affects the status of the driver's license).
- Violations of the policy could result in revocation of take-home vehicle and/or disciplinary action up to and including termination

# Main take aways

Adopting this policy will ensure the Unified Government is complying with state and federal regulations, which prohibits private use of publicly owned vehicles.

Enactment of this policy provides an avenue to revoke access to a take home vehicle due to policy violation

Implementation of this policy will reduce the Unified Government's liability due to unauthorized use

# Next Steps:

- All departments supply a list of individuals that have been issued take-home vehicles and complete Take-Home Vehicles Authorization forms for each.
- County Administration to review department specific policies for approval.
- Human Resources to cross-reference department forms with Fleet Maintenance records to ensure all vehicles are captured.
- Human Resources to complete motor vehicle records checks of individuals that have been issued Take-Home Vehicles.
- Human Resources to ensure individuals authorized to use/drive a take-home vehicle are in the random drug and alcohol pool.



County Administrator's Office  
David W. Johnston, County Administrator

701 North 7<sup>th</sup> St., Suite 945  
Kansas City, Kansas 66101-3064

Phone: (913) 573-5030  
Fax: (913) 573-5540

**NOTICE OF PENDING APPOINTMENT**

DATE: 6/24/24

BOARD POSITION: Economic Redevelopment Advisory Committee

INCUMBENT REPLACED: N/A - Newly created.

ADDRESS: \_\_\_\_\_

TERM EXPIRATION DATE: \_\_\_\_\_

APPOINTING COMMISSIONER: Chuck Stites

**REQUEST FOR APPOINTMENT**

NAME OF NEW APPOINTMENT: Rose Mulvany Henry

ADDRESS: \_\_\_\_\_

EMAIL / PHONE: \_\_\_\_\_

TERM OF OFFICE: 6/27/24 – 12/15/25

**SIGNATURE OF APPOINTING COMMISSION MEMBER**

\* NOTICE: IF THERE ARE NO CONCERNS RAISED IN THE INITIAL 7 BUSINESS DAYS REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.





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DATE: 6/24/24

BOARD POSITION: Economic Redevelopment Advisory Committee

INCUMBENT REPLACED: N/A - Newly created.

ADDRESS: \_\_\_\_\_

TERM EXPIRATION DATE: \_\_\_\_\_

APPOINTING COMMISSIONER: Christian Ramirez

**REQUEST FOR APPOINTMENT**

NAME OF NEW APPOINTMENT: Kurt Rietema

ADDRESS: \_\_\_\_\_

EMAIL / PHONE: \_\_\_\_\_

TERM OF OFFICE: 6/27/24 – 12/15/27

**SIGNATURE OF APPOINTING COMMISSION MEMBER**

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**Unified Government of Wyandotte**  
**County/Kansas City, Kansas**  
**Tyrone A. Garner, Mayor/CEO**  
701 North Seventh Street, Ste. 926  
Kansas City, Kansas 66101  
(913) 573-5010

## **NOTICE OF PENDING APPOINTMENT**

Date: June 25, 2024

BOARD POSITION: Self-Supported Municipal Improvement Districts (SSMID)

INCUMBENT REPLACED: Edgar Galicia

TERM EXPIRATION DATE: 7-1-2024

APPOINTING COMMISSION MEMBER: Mayor Garner

## **REQUEST FOR APPOINTMENT**

NAME OF NEW APPOINTMENT: Dr. Greg Mosier

TERM OF OFFICE: December 2025



**SIGNATURE OF APPOINTING COMMISSION MEMBER**

NOTICE: IF THERE ARE NO CONCERNS RAISED WITHIN THE INITIAL 7 BUSINESS DAY REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.



**Unified Government of Wyandotte**

**County/Kansas City, Kansas**

**Tyrone A. Garner, Mayor/CEO**

701 North Seventh Street, Ste. 926

Kansas City, Kansas 66101

(913) 573-5010

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Date: June 25, 2024

BOARD POSITION: Self-Supported Municipal Improvement Districts (SSMID)

INCUMBENT REPLACED: Edgar Galicia

TERM EXPIRATION DATE: 7-1-2024

APPOINTING COMMISSION MEMBER: Mayor Garner

**REQUEST FOR APPOINTMENT**

NAME OF NEW APPOINTMENT: Dr. Greg Mosier

ADDRESS: 5127 N. 127<sup>th</sup> St., KCK 66109

PHONE NUMBER: 572-355-1468

EMAIL ADDRESS: Gmosier@kckcc.edu

TERM OF OFFICE: December 2025



**SIGNATURE OF APPOINTING COMMISSION MEMBER**

NOTICE: IF THERE ARE NO CONCERNS RAISED WITHIN THE INITIAL 7 BUSINESS DAY REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.

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

SPECIAL MEETING, THURSDAY, MAY 30, 2024

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Meeting, Thursday, May 30, 2024, with nine members present: Bynum, Commissioner At-Large First District; Burns, Commissioner Second District; Ramirez, Commissioner Third District; Hill, Commissioner Fourth District; Kane, Commissioner Fifth District; Lopez, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO; presiding. Burroughs, Commissioner At-Large Second District; and Townsend, Commissioner First District; were absent. The following officials were also in attendance: David Johnston, County Administrator; Angela Lawson, Interim Chief Counsel (entered at 6:28 p.m.); Alan Howze, Assistant County Administrator; Casey Meyer, Senior Counsel; Shelley Kneuvean, Chief Financial Officer; Debbie Jonscher, Deputy Chief Financial Officer; and Monica L. Sparks, Interim Unified Government Clerk.

**Mayor Garner** said before I call the meeting to order I want to announce that we do have individuals attending remotely as well as on-site. All participants joining by phone, should please mute their phones at this time when not speaking to avoid background noise. During the meeting, make sure you announce yourself by name when called upon and title every time you speak so the public that is participating knows exactly who is speaking. This is critical given the number of remote participants and is also current guidance from the Kansas Attorney General's Office. Please make sure to speak clearly and at an audible level into the microphone to ensure that your comments are heard and an accurate record of the meeting can be made.

**Mayor Garner** called the meeting to order.

**NOTICE OF SPECIAL MEETING** of the Unified Government of Wyandotte County/Kansas City, Kansas, to be conducted in a hybrid format on Thursday, May 30, 2024, at 5:00 p.m. in the Fifth Floor Conference Room of the Municipal Office Building for a presentation regarding ARPA updates and end of winter warming shelter updates. Immediately following, there will be an

Executive Session regarding Litigation. Roll call was taken and there were nine “Ayes,” Kane, Lopez, Stites, Davis, Bynum, Burns, Ramirez, Hill, Garner.

**CONSENT TO MEETING** of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

**Mayor Garner** said I will now turn it over to our County Administrator, David Johnson, and he will take the meeting from this point.

**David Johnston, County Administrator**, said Alan, do you want to start with the warming shelter please.

**Alan Howze, Assistant County Administrator**, said you’ll hear first the report on this year’s winter warming shelter. It’s an effort that has gone on for the last four years and it saved kind of life and limb and every year it has gotten tighter in terms of the coordination and collaboration locally and regionally. Cross-Lines is our operator and I’ll ask them to come forward to the table.

I also want to kind of recognize a couple of UG staff who were heavily involved in this. I appreciate the role of KCK Fire, Chief Rubin’s willingness to step forward and especially community paramedic, Jessica Crouse, who showed up every time the shelter was opened to provide on-site medical care and our Community Development team. Yvette Miller has really lead the effort on funding, identifying funding, as well as our Budget team, so it really has been kind of a team effort. With that, I’m going to turn it over to Susila Jones, Executive Director of Cross-Lines.





**Susila Jones, Executive Director of Cross-Lines**, said I'm glad to be here today. With me is Rob Santel. We are going to give you an overview of the shelter activities this year as we seen it both in successes and the challenges we face. I'm going to turn it over to my colleague Rob.

**Rob Santel, Director of Program for Cross-Lines**, said I would like to echo what Alan said about the Unified Government staff that helped support this. This project was supported by the group of people within the UG that were helping us in the planning process, but the actual operations of it was helpfully implemented by having the Health Department staff and then even while we were operating the shelter we did have KCK Fire Department that was present nearly every night that we were open and the Kansas City, Kansas Police Department were also extremely supportive in their Community Policing Office as well as their co-responders.

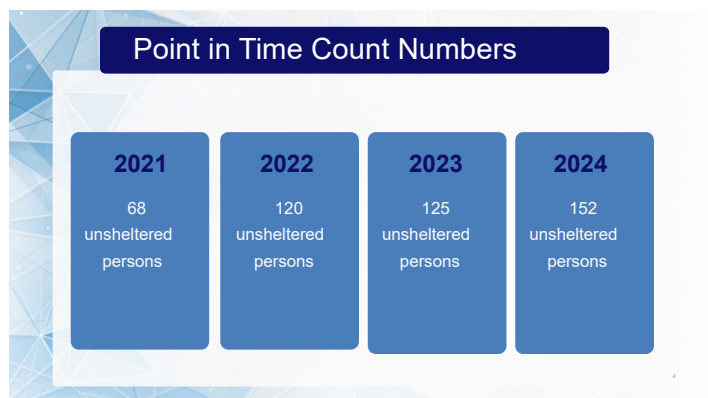


There is a video about the shelter. I won't labor you with that this evening, but you can access that. It kind of gives you an overview of that project and the community collaboration to help make that possible.



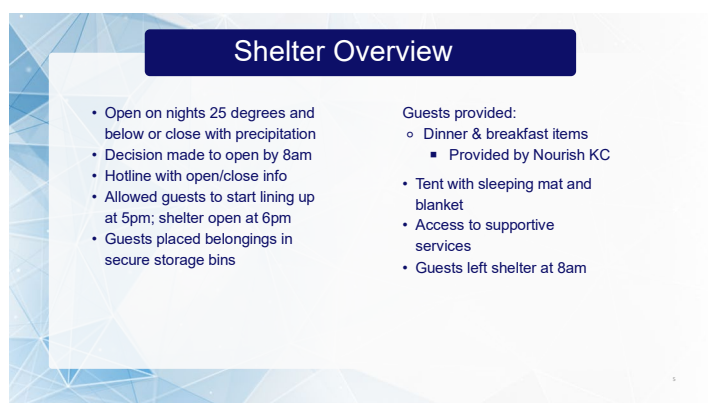
We are the lead agency for this project, but we do not take credit for this project. This project is only happening here in Wyandotte County because of the collaborations of the providers that are coming together to make sure that this can happen. We have a strong partnership with Wyandotte Behavioral Health Network, both Wyandotte Center & Kim Wilson Housing, in supporting the behavioral health pieces and substance use recovery and long-term housing support for folks that are experiencing homelessness. Our Spot KC, they're a LGBTQ run agency and work with LGBTQ youth that are experiencing homelessness and a distinctive part of this project that we are extremely proud of is all of the laundry needs that we had every night. There were logistic challenges to getting that laundry done because we're only open on nights that it was 25 and below and we couldn't always prepare for that, but that laundry need was taken care of by Our Spot KC. Their students would come in, they would gather the laundry, they would take it to Leah's Laundromat and then bring those laundered items back in, so it was also an employment piece for them providing engagement with those youth and getting them connected to this work as well.

Again, the Paramedicine Program through KCK Fire Department was extremely helpful. Care Beyond the Boulevard, they're an organization that provides medical care for folks that are experiencing homelessness on the streets and at least three or four different times that we were open they came in and did a clinic and kind of saw wraparound supports for individuals, help escalate them to higher levels of care if that was needed. Then, we did partner with Nourish KC for all the food, so they provided that nearly every night that we were open.



I want to direct your attention to the Point in Time Count Numbers. If you've heard me present before, you've heard me talk about the Point in Time Count. It's an annual census that we do, folks that are experiencing homelessness at any given point. We always choose a day in January, the coldest month, and during a 24-hour period of time we want to try to capture every person that is experiencing homelessness.

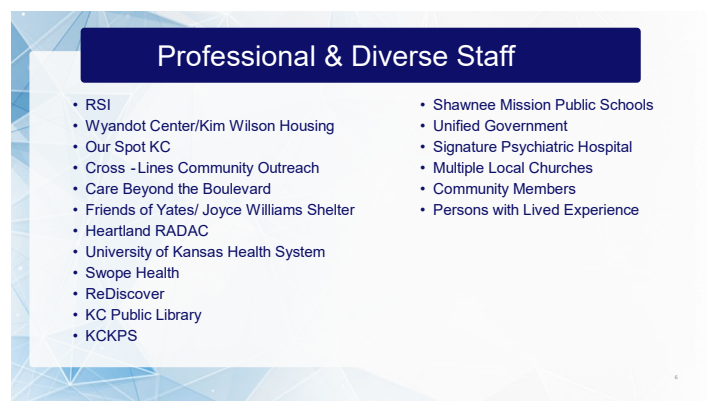
The data shows that in 2021 we had about 68 unsheltered persons, so these are persons that are sleeping outside on that night or a place that's not meant for human habitation. In 2022, that number dramatically increased to about 120 and in 2023 it was somewhat consistent with 125 and this last year we did see an increase up to 152 unsheltered persons experiencing homelessness here in Wyandotte County alone.



When you look at the Shelter Overview, it's open on nights when it's 25 degrees and below. There were some times when there was precipitation or rain or things like that or snow and we did make accommodations for us to be open. We make that decision by 8 a.m. each morning and then there is a hotline number that we activate that says yes the shelter is open or no the shelter is closed. Guests start lining up about 5 p.m. and then they can enter the shelter at 6 p.m. When guests come

in, they put all their belongings into a storage tote that we then zip tie closed. It's twofold, partly to make sure that there is a security component that nothing is coming into the shelter that could potentially be dangerous, but it's also a security piece for the individuals that are accessing the shelter. Those guests know that their belongings will be secured for the evening and won't be stolen. There's a lot of theft that does happen when people do access shelters.

When they arrive they're given a dinner as well as breakfast items before they leave. We do have tents. If you see pictures of the shelter, you'll notice that tent piece. That was a COVID mitigation that we instilled when this project was first kind of operationalized by the partners and then we've realized that has significant impact on the behavioral health pieces as well. People are given a sense of dignity, a sense of security by being in a tent. That has made a huge difference for us and so that's part of the reason why those tents are there. We put a sleeping mat in it as well as a blanket. Another distinctive piece is having access to supportive services. We'll talk about that in a minute, but those supportive service pieces are extremely critical to the shelter operations and then guests left at 8 a.m. each morning.



We did have a very diverse staffing for the shelter. You can see this listing here and this list is not fully comprehensive. There are others as well, but you can tell that part of this project—the success of this project is due to the inclusion of staff that are coming from a diverse and wide array of experiences, both professionals that work in the field, many whom already know the significant part of the population that we're serving, but other people with lived experience, community members and really engaging those pieces. Most every profit that is touching homelessness in Wyandotte County is connected to this project in some way, either supporting it by making sure that their clients are accessing the shelter, but we have a very strong network of communication

and collaboration here. That is very important and I will say on that note too, we have done presentations across the state and there are other communities that are looking to us here in Wyandotte County for how we are doing the shelter work and wanting to implement that in their own community. So, we are—I don't—I love to brag, but we are doing really good things here that other people are recognizing.

### Care Beyond the Blvd

- Provided on -site clinic at the shelter
- Testing, vaccinations, wound dressings, supporting to higher levels of care

### KCKFD Paramedicine

- Provided basic medical care at the shelter most nights it was open

Again, I already talked a little bit about Care Beyond the Boulevard, the KCK Fire Department, and you'll notice in this picture we have the co-responder from KCKPD, and they came in several of the mornings. Mornings were sometimes the more chaotic piece of folks exiting back into the cold and so we having those crisis folks on staff was extremely helpful as well.

### Shelter Statistics

- Open 15 nights starting Jan 8, 2024 (Shelter was prepared to open Dec 20, 2023)
- Shelter Capacity: 40 guests
  - Nights at capacity: 11 nights
  - Diversion to hotels: 3 nights
  - Highest census: 64 guests on 1/16/24 (low temp of -7)
- Total bed nights: 669
  - Bed nights in shelter: 633
  - Bed nights in hotel: 36

- Shelter stretches
  - 1 night: 2 instances
  - 13 nights: 1 stretch
- Preplanning for 24/7 care during cold spells

- Additional nights if opened earlier: 13
  - November: 8 nights
  - December: 5 nights

Here's a few statistics. We were open 15 nights and if you'll remember, the beginning of this year was exceptionally warm. It was one of the warmest winters that we've had here in Kansas City. I will say that we need to make sure that we're not making decisions in the future based on this winter because the other winters that we've experienced have had significantly more nights that we've been open, but this year we were open 15 nights. We did get everything set and ready

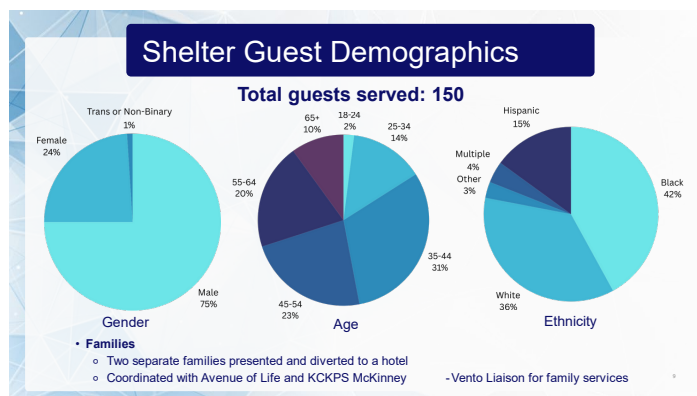


because we were able to access that building on December 1<sup>st</sup> and by December 20<sup>th</sup> it was ready to go, but we didn't have any cold nights until January 8<sup>th</sup> and that was an extremely long stretch. You'll remember that kind of arctic blast that came in through Kansas City.

The capacity of the shelter is at 40 and we hit that capacity 11 of the nights that we were open, so a significant number of those nights we were already at capacity. We would increase that capacity and also increase staffing on those nights because we want to make sure the people are inside and not outside and some of those nights that we were at our capacity, the highest we did divert some individuals to hotels. You'll notice that on January 16<sup>th</sup> there was a low temperature of -7 that evening and we did have 64 guests either in hotels or in the shelter piece. The hotel piece, sometimes it's asked why don't we just put people in hotels. Not every guest that we serve will be successful in a hotel and so that is a piece where we have to make sure who are the folks that are an appropriate fit to be in that kind of hotel setting. So, those are kind of those nights listed out here.

We did have a 13 night stretch and then we had kind of one nights that were elsewhere. During the arctic kind of blast that we had, there was some preplanning that was happening and more preplanning going into the future winters will be important to make sure that we have 24/7 places for people to be inside during those times. That arctic temperature, if you're in the—even outside waiting for more than 10 minutes, you can be exposed to frostbite and all those other pieces and so making sure that we have places for people to go during the day especially when there is snow and inclement weather, the library is not a place because they are closing off. So, we need to make sure that we have places outlined for people at all times during the day during those extreme days.

Before we were able to get the shelter up and running, there were 8 nights in November and 5 nights in December that would have met our criteria to be open had we not been open. We did experience some cold weather deaths here in Wyandotte County and those did occur in that late part of November and when cold temperatures were coming as well. I'm not aware of any other cold weather deaths that occurred after the shelter was able to be open.



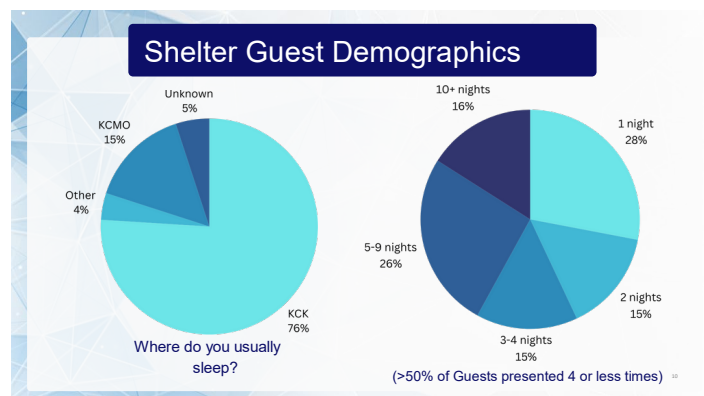
Here's a few demographic pieces just for your interests. Of those 15 nights that we were open we served 150 unique individuals, so that means 150 people accessed these services here in Wyandotte County amongst those 15 nights. You'll notice the gender piece is what we already know, about 75% male, 24% female and we are an inclusive shelter as well, so making sure that we are providing the space that is accessible for all persons, especially varying identifies, and so that is reflective in the guests that we did have stay in our shelter.

The age piece; I would like to draw your attention to if you look to kind of the left-hand side towards the top under age, you'll notice 20% between 55-64 and 10% 65 & up. So, that means 30% of the shelter guests were over 55. This is the trend that we're seeing across America and we call it the grain of homelessness, so folks that are falling into homelessness in that age category. It's extremely challenging and disturbing and we want to make sure that we are targeting resources and support for that population. We also had a few youth that showed up as well.

There's also the ethnicity breakdown. You see 42% Black, 36% White, 15% Hispanic. These numbers do not reflect the demographics of Wyandotte County as a whole, so we have to address that disparity, especially of Black men in our community that are experiencing homelessness in the long-term historical pieces that have led to that and continue with that today. So, that's important.

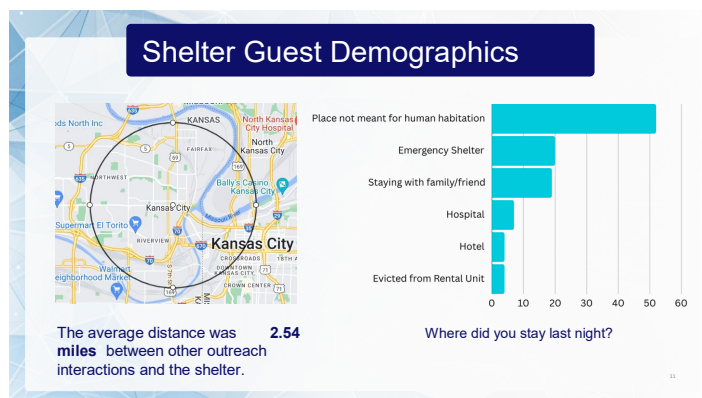
We only serve adults. We did have two different families that showed up at the shelter and we were able to partner with Avenue of Life and the KCK Public Schools to make sure that those households would be able to be diverted to another location or placed for that evening as well as get connected to wraparound support. One of those families is now in permanent housing and have been in permanent housing about two weeks after that incident and had been in a hotel during all of that stay and that's a huge success for the shelter.

Also, under age, one piece that I didn't put on here is the number of people over the age of 70. That is a disturbing number. We had one individual that was 78 years old, had significant barriers to finding housing and I can report to you now that individual is in permanent housing and is doing quite well.



We ask people where do you usually sleep. We try to get an idea, okay, are these folks—these 150 people are they coming from KCK or are they coming from outside of our community and accessing our shelter. We found that 76% of those individuals are here from KCK and that's consistent with our experience at Cross-Lines and through our Street Outreach efforts is the number of people that are falling into homelessness are falling into homelessness because they have lived here in KCK and are already here. We have only 15% coming from KCMO and we were able to work with providers in KCMO to make sure that those individuals were connected back to those projects and port of services in KCMO. So, the narrative around this increase of people coming from outside of our community is not correct. We find that the vast majority of folks that are experiencing homelessness here are from KCK.

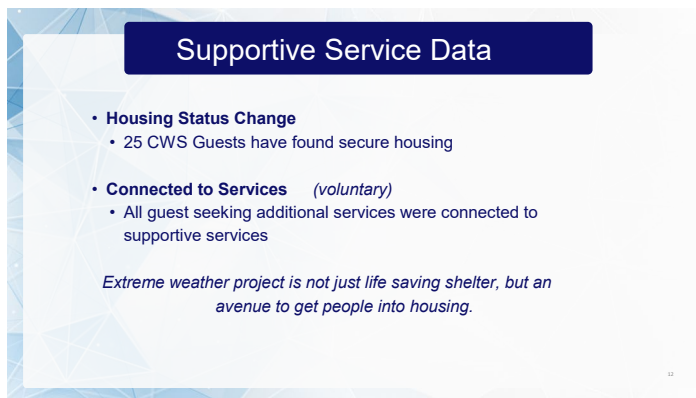
On the right-hand side, looking at the number of nights that a guest stayed, we had half of the guests, more than half of the guests were presenting four times or less and that indicates that a lot of folks are falling into homelessness during the wintertime and this is catching them and also connecting them back into those supports. So, helping them tap into their natural family supports, whatever that might look like, helping them connect in with permanent housing or other resources, but most of the guests that we're presenting only came to us a night or two and that is a significant piece as well.



We have a data tracking system. It's called Show The Way that we use it. It's GO Location Services for our homeless outreach efforts and with that effort we found that when you look at the outreach interactions an individual has had in the past and then when they showed up to present at the shelter, the average miles that a person was coming to the shelter from was 2.54 miles.

We also asked where did you stay last night and the vast majority of folks are staying in places not meant for human habitation. There are a few people that were staying in shelter where they had been in a different shelter, so some of our folks that were experiencing homelessness here in Wyandotte County had to go to a different community to access shelter and then on the nights that we were open came back to Wyandotte County to access shelter here, so there was some of that. Some people were staying with family and friends and were unable to return that evening they showed up.

The biggest piece—not the biggest, but the most concerning part is that a lot of folks are getting discharged from a hospital. Many times they're showing up to us with higher levels of care needs than we're able to provide and it's trying to navigate what those pieces look like. The last piece here, the evicted from rental unit. We did find several people, most of them were seniors that had been evicted that day from their housing and were accessing shelter because of that eviction.

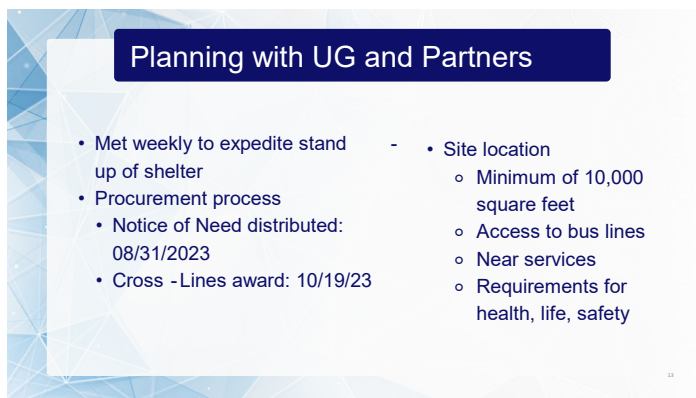


**Supportive Service Data**

- **Housing Status Change**
  - 25 CWS Guests have found secure housing
- **Connected to Services** *(voluntary)*
  - All guest seeking additional services were connected to supportive services

*Extreme weather project is not just life saving shelter, but an avenue to get people into housing.*

A component of this that we are most proud of is that while this is a lifesaving shelter and it is, and as Alan said, providing support from injury for cold weather injury to limbs or even death, we are also an avenue to getting people into housing. So, we have at least 25 individuals that we know of that has been able to secure housing through the work of our navigators in the community, both at Cross-Lines and other workers in the community as well, and that all guests that were coming to the shelter were able to connect to supportive services of some kind if they were interested. That was voluntary, but it required someone to be connected to those services, but that was available.

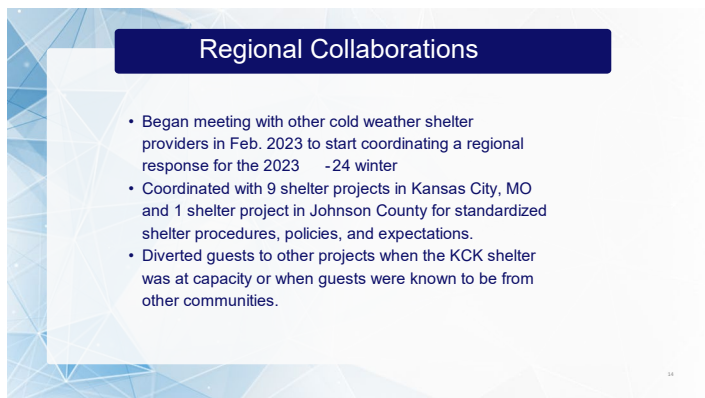


**Planning with UG and Partners**

- Met weekly to expedite stand up of shelter
- Procurement process
- Notice of Need distributed: 08/31/2023
- Cross -Lines award: 10/19/23
- Site location
  - Minimum of 10,000 square feet
  - Access to bus lines
  - Near services
  - Requirements for health, life, safety

We did meet with the UG pretty consistently to make sure this project could happen, so there was a procurement process, a Notice of Need, we did respond to that Notice of Need and were awarded that contract. When we look at a location, these are some of the things on the right-hand side that we're looking for, so a space or a site that can have at least 10,000 square feet, have accessibility to the bus lines, be connected to services or be near in proximity to those services, and then requirements for health, life, and safety of that space.



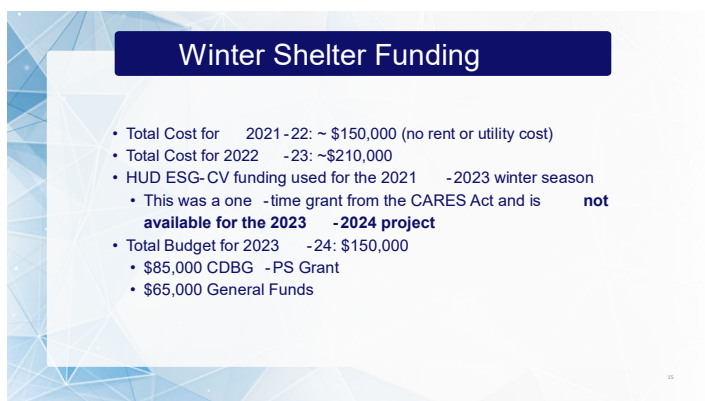


### Regional Collaborations

- Began meeting with other cold weather shelter providers in Feb. 2023 to start coordinating a regional response for the 2023 -24 winter
- Coordinated with 9 shelter projects in Kansas City, MO and 1 shelter project in Johnson County for standardized shelter procedures, policies, and expectations.
- Diverted guests to other projects when the KCK shelter was at capacity or when guests were known to be from other communities.

This year I'm very proud that we were able to have some strong regional collaborations so we worked with the city of Kansas City, Missouri who had really invested in cold weather operations this winter. We actually started meeting at the KCK cold weather shelter before we tore it down last winter or two winters ago. So, we were planning for this last winter for almost an entire year and we're working with projects on the Missouri side as well as projects in Johnson County making sure that we had standardized shelter procedures, policies, expectations, and then also lines of communication between the two. So, we did find that if someone was coming from outside of our community, we were able to connect them back to those other providers and have that kind of in real time.

I'll let Susila talk a little bit about the funding.



### Winter Shelter Funding

- Total Cost for 2021-22: ~ \$150,000 (no rent or utility cost)
- Total Cost for 2022 -23: ~\$210,000
- HUD ESG-CV funding used for the 2021 -2023 winter season
  - This was a one -time grant from the CARES Act and is **not available for the 2023 -2024 project**
- Total Budget for 2023 -24: \$150,000
  - \$85,000 CDBG -PS Grant
  - \$65,000 General Funds

**Ms. Jones** said this is just an overview of the previous year's funding where Cross-Lines has been involved with the shelter. 2021-22 the cost was \$150,000. That did not include rent or utilities. That was the year that we were at the Reardon Center, so those costs were not incurred. Two seasons ago was \$210,000. Both of those years were covered primarily by CARES dollars and so were not available for us going to this season.

Thanks to the staff of the UG, specifically Yvette, to really hone in on what dollars could be used and through the budgetary process this year, we were granted \$150,000 for the project. CDBG dollars covered \$85,000 and \$65,000 was allocated through General Funds.

| Winter Shelter Expenses |                |                |
|-------------------------|----------------|----------------|
| 2023 - 2024             |                |                |
| Item                    | Budgeted       | Actual         |
| Staffing                | 100,000        | 85,000         |
| Rent                    | 20,000         | 18,000         |
| Utilities               | 10,000         | 8,000          |
| Maintenance             | 5,000          | 4,000          |
| Supplies                | 5,000          | 4,000          |
| Food                    | 5,000          | 4,000          |
| Other                   | 5,000          | 4,000          |
| <b>Total</b>            | <b>150,000</b> | <b>127,000</b> |

This is our actual cost. This year we were under budget so the top lines you'll see for rent, utilities and maintenance. That was paid directly by the UG so Cross-Lines was not part of those. I believe John Kelly was able to negotiate with BPU to have a lower BPU cost, which is very appreciative and then the maintenance for the building.

The lower portion is what you'll see what Cross-Lines was reimbursed by the UG and what those direct costs were. Staffing is by far the largest expense. This is actually a lower number than previous years because we were open fewer nights, so staffing is where we're going to see fluctuation in budgets from year to year based on how many days we're open. The supplies, hotels, food and other costs.

On the right you'll see what Cross-Lines costs were that we incurred that were not reimbursed. The UG portion was right—was under the \$150,000 that was set-aside, which I think is a win. As we move forward, we will have to look at—supply costs will probably increase. We did not invest in new tents or bedding this year, so as we move forward, supplies will be an area that we're probably going to need to look for further allocations.

In addition to what is not shown here, is also the in-kind support of our other agency partners, so both Wyandotte Center, Care Beyond the Boulevard also contributed to this project, which is not reflective here as well as a lot of the in-kind donations for both food, clothing, and other supplies. So, overall we were very happy. We were able to save money this year. That was a benefit to all of us.



I would defer to Yvette if she has anything else to add on the budget. I do want to appreciate Yvette for her work. She makes sure that we're all following the areas that we need to and just appreciate the work that she does to make sure that this has happened successfully.

I do believe that is what we have for our presentation. I do just want to remind that this is saving life and limb. I think many of us remember that even people who went to the Chiefs game lost limbs this year and folks that were on the street didn't have as much resources, so we were able to make sure that people stayed safe and then in the end, as Rob said, many of those folks are now into permanent housing. We appreciate the continued support of the UG, of our partners, to make sure that this has happened.

**Commissioner Ramirez** said I just want to thank Cross-Lines and all the community partners who work together to put this on. This is amazing work. It shows that it is working. As you mentioned in the presentation, 25 individuals now have permanent housing. This is a subject near and dear to my heart. I always say whenever we have the discussion, you know, our homeless population, they are still human. They are still residents of this city and county and they should be treated as such, so I thank you for all the work that you do.

This warming shelter is just a band-aid, it's not the cure. We have a long way to go and so as long as I'm here I'm ready to help in any way, shape or form, but thank you for all that you do.

**Commissioner Hill** said I just want to say thank you also. I had a chance to visit your cold weather shelter this winter. It was clean and I could just tell it was very well organized. I appreciate what

you and the other volunteer organizations as well as community members are doing to help those that are less fortunate than ourselves. Thank you for your work.

**Commissioner Burns** said there's two other of us that are new on the Commission and you didn't give an address of where you're talking about. **Mr. Santel** said I can answer that. We were at 550 State Avenue for the last two winters. **Commissioner Burns** asked, are there adjoining neighbors around there? **Mr. Santel** said there are businesses on the south side of that street and then caddy-corner from it and then the federal courthouse is also next to that.

**Ms. Jones** said I would add that we know that location will not be available to us this coming year, so as we are moving forward with talk soon, we will have to identify another location. So, we do know that there's a tenant in that location and it will not be available to us.

**Commissioner Burns** said I also saw in there that 76% are Wyandotte County residents. Correct me if I'm wrong, but I'm speaking for the constituents that I represent, their concern that Wyandotte County is becoming a magnet for these poor people and I sympathize with their situation. I don't mean to be rash about it, but there is a concern that the more we help, the more are coming and I just want to know your opinion about that. **Ms. Santel** said I can touch that. This is a national problem that every city is dealing with, with this increase of folks experiencing homelessness. This is kind of across the board and so to that point, if we know someone is coming from out of our community, our hope is to get them connected back to that other place. So, there were at least four or five different individuals that we gave bus tickets to, to go back to their home community of origin. So, that did happen consistently that we were trying to make sure that wherever they were coming from that they were connected back to those supports. We have not seen necessarily that Kansas City is becoming a magnet. We're finding that people are falling into homelessness here locally is the biggest challenge.

**Mr. Santel** said, Mayor, can I say one more thing? **Mayor Garner** said yes, go ahead. **Mr. Santel** said we are planning to do a bus tour on June 21<sup>st</sup>, so we are inviting all of you. I'll send information to you later this week, but also legislators, we're inviting them to do this lunch and learn tour. We've been working with United Community Services out of Johnson County. They've been doing kind of these bus tours all around the state and they've decided they wanted to come here to Wyandotte County and we think it's a great idea and we've decided to do a bus

tour. So, we want to show you kind of what the ecosystem of homeless services looks like here in Wyandotte County and that partnerships and collaborations that are working with each other to make sure that this is happening as well as some of the options like Eden Village which is a solution for folks experiencing homelessness. We'll invite you all to that to experience those other providers that we're working with as well.

**Mayor Garner** said when I first met you all I believe there was a little miscommunication, which is fine. I was a brand new Mayor, but I had looked at what Mayor Bloomberg had done when he became a new Mayor and there was a facility similar that dealt with the homeless population. One of the things he acknowledged and recognized, and he actually shut that facility down, I'm not saying that's what I wanted to do, but he shut it down and identified a better location with enhanced wraparound services. I believe that coming out of my first interaction with you, I can say that I am extremely pleased on your progress because after that initial interaction with me, I don't think you all knew a lot about me, but I was on the Housing Authority Board. I worked for the Housing Authority in Kansas City, Missouri as well, plus I was at one time over the Community Policing Unit and we dealt a lot and interacted with our unhoused population trying to get them the type of services that they needed.

The unhoused and our indigent population has always been a value to me because they are our residents, but what I can say is that I believe I had a special meeting after that initial interaction. One of the things that came out of that was the lack of transparency, education as far as interaction with our neighborhoods, but what I can say, as you all have progressed to this point today I'm very pleased that as you have grown into providing this service, the transparency is on point. The education is on point. The information given to our neighborhoods and our neighborhood groups is on point. Your sharing this information with this body and answering these questions is on point and those were the things that I was looking for, but more importantly, the wraparound services because some of the initial questions I had asked concerned me about what were the wraparound services that were there. My concern wasn't so much for the service you provided as opposed to making sure it was the right service provided to our residents to make sure that they had the right wraparound services in that facility.

I think it was a learning experience for myself as well as for you all and I'm glad to see that you all have partnered to make sure the best you can with limited resources and limited funds



to try and provide those wraparound services for that population. The collaboration is really on point and thank you for being involved in the task force. That's even more important because I think those relationships have been key as well.

These are questions and I will go through them, but is there any process for determining an assessment needs of these individuals as—okay. Number one what are their needs so you can stabilize them? That's something I learned when I went to San Antonio and looked at their facility and then what services are you looking at or do you provide to stabilize them and then the biggest determining factor is, do you all look at why they're homeless in the first place and why that's so important is because I think it's incumbent upon all of us to try and find out how these individuals got into the situation they're in. Then, trying to get them from some point of poverty to self-sustainability and so that's the first question.

This next question goes in line with Commissioner Burns. That's a concern from people that I've heard especially when you talk about Wyandotte County tax dollars is making sure that we prioritize our residents. When you look at Wyandotte County we have almost 20% of our individuals living in poverty and then you add on top of that our homelessness of population and there is a huge migration. You can talk to any Community Police Officer that deals with homelessness. You can also talk to a lot of the service providers, even yourself. A lot of that has to do with the state of Missouri and some of the legislative actions that they've taken and so we're seeing a migration to Wyandotte County as well as Johnson County. I believe Lenexa as well as the county of Johnson have also looked at opening facilities to address the concern as well. When we talk about that, I believe you all did mention that you kind of triage too or you're looking to enhance and build upon that and so I was glad to see that.

The other big thing and the third question is, I know that we talk about the detrimental effects of the weather has on these individuals, getting them out of the cold, giving them a warm place to sleep, and making sure they have a hot meal and it's a safe place for them to rest comfortably, which is great. But if it's 10 degrees at night and it's 10 degrees in the morning and we release these individuals, they still have the risk of exposure that is no different from the evening. So, I'm willing to work with you all and, hopefully, identify maybe even with the task force, what do we do to accommodate these individuals beyond the hours of 8 a.m. when they're back out on the street?

Then, even more so, I believe the last time I've talked to one of you is, if Tyrone Garner is homeless and I've got a bed, I start from zero and I've got to get back in line and hope that I get a bed that following night, so I'm literally hanging around in close proximity to the shelter so it's easy for me to traverse to get back to and, hopefully, I can get a place in line to where I can have a place to sleep tonight. I don't know what the solution is for that, but I think that should be a big concern too is if I can get frostbite at night, I can get it in the morning as well and I know that people have died, but I think the risk is similar.

One of the things that I believe that you all know and I believe commissioners know and staff and this is for the general public. One of the things that I'll be recommending is an enhanced Willa Gill Center as we look for a move that will improve the services provided by Willa Gill and also, hopefully, enhance the services to have improved wraparound services to provide all those things that I'm talking about. Maybe extended hours, things that have showers, laundry, mail service, hot meals, job placement opportunities, mental wellness evaluations, limited medical care, expungement programs for those individuals that may need that service, addition referrals or counseling. Those are some of the things that come to mind when we enhance those services that maybe can go on into this new and improved Willa Gill Center wherever it will go and, hopefully, that something could be worked out where the partnership that you have will continue as well as with the extreme weather facility.

I know that funding is always an issue and it's no secret to this Commission and to our staff and probably a lot of our residents that I believe this is a beneficial service of the Unified Government, but it is not in my opinion an essential service of the Unified Government when you talk about what are the basic essential services that most municipalities are required to provide to the public. I believe that one of the goals, and I know that I heard that yesterday in our meeting, is that we want to make sure that we're getting these individuals from some level of poverty to self-sustainability. So, the goal should always be if I was a non-for-profit servicing this population to individuals to eventually service myself out of a job because we're getting close as we can to 100% self-sufficiency of the population that we have. I don't know if that's a goal, but I ask that all our social service agency that they really assist these individuals at least work towards that end.

When you talk about funding, one of the recommendations I've given to some of our commissioners and to our Administrator is looking at Casino funds and dedicating it to help with the sustainability of the facility, a potential sales tax. I know I mentioned that to the 4Core group,

recommended it. It was partially, I guess accepted, but not fully, but a bi-state sales tax that could really service and provide the financial resources to most of the counties within the Kansas City metropolitan area. So, those are just some of the ideas that I'm thinking and any ideas that you can think of because we want to make sure that if we're going to have these facilities, that they can be sustainable for the long run because we are talking about people's lives.

I did also talk about philanthropic type of program, that maybe we call it Dotte Cares and where we can have the type of programming and events to allow residents, churches, and corporations to pour money into a fund that can be directly allocated to the services that you talked about for your facility.

I was glad to see you talk about housing and the transitional aspect of that because that is really key. It is a problem nationally. I believe I mentioned that to you all yesterday. I've talked to several Mayors and it's not just an isolated problem here in Wyandotte County, the Kansas City metro. It is a national problem and the problem with that problem is nobody that I've talked to in D.C. appears to have a solution that is viable and sustainable that really gets us to the goal of mitigating this crisis in a way that really you can say, okay, we have gauged significant success. Different communities have tried different things. I believe that some have been successful at managing it so it's not as problematic, but it's still a problem just as it is for us.

I just want to say that I thank you for your service. Just know that me and my staff and I believe this Commission and the staff here at the Unified Government and a lot of good folks in this community, we do care about our people and we are willing to help, but we want to do so in a way that's responsible as well as fiscally responsible in a way that, hopefully, we're meeting the needs of our residents with the ultimate goal of getting them to some level of self-sufficiency. That's all I had to say, but thank you for your presentation.

**Mayor Garner** said our second presentation is an ARPA update. Mr. Johnston, do have some remarks?

The title slide features a dark blue background with a lighter blue vertical bar on the left and a large, faint circular graphic in the center. The text "American Rescue Plan Update (ARPA)" is centered in a white, sans-serif font.

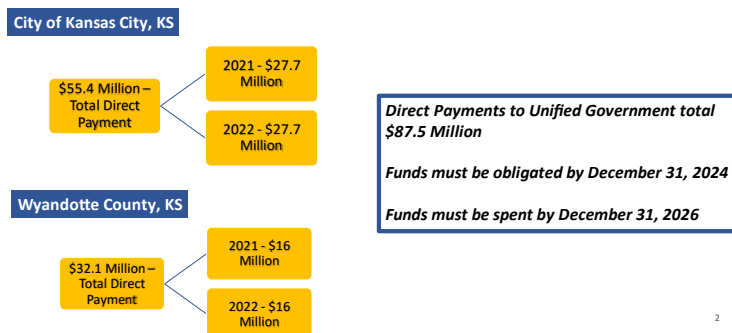
## American Rescue Plan Update (ARPA)

Full Commission Special Session  
May 30, 2024

**David Johnston, County Administrator**, said many of you have been curious of where we are on the ARPA money that was distributed to the UG in 2022. The Commission seated at the time took action to distribute it to various subrecipients, stakeholders in the community as well addressing some of the needs within KCK and Wyandotte County. So, Dr. Kneuvean is prepared to give you an update of where we are. Just to let you know, we do have operational deadlines set by the federal government that those funds must be—operational money needs to be spent by 2024, December 31. Capital can go forward if it's encumbered by that date through December 31, 2026. So, with that little intro, Dr. Kneuvean.

**Shelley Kneuvean, Chief Financial Officer**, said I've been here for a couple of months now and one of the first areas that Mr. Johnston asked me to look at was ARPA and how we were doing in terms of the progress on the funds that the UG was allocated. This presentation is intended to give you an update of all things ARPA.

## ARPA Local Fiscal Recovery Funds (LFRF) to Unified Government



So just a quick reminder, we got about \$87.5M in total that came to the city of Kansas City, Kansas as well as Wyandotte County. That was about a 63% and a 37% distribution and that happened over two years, over '21 and '22 and as was stated we do have the need to obligate funds by December 31, 2024. You'll see that we're well on our way, but we have some work to do and I just want to assure you and the key takeaway for you out of this presentation is that we will hit that deadline and we will not leave any money on the table. We will make sure we spend all of the funds that we were allocated.

## Administration of ARPA Funds

IParametrics consulting firm hired to assist with tracking and reporting on all funding groups for APRA (they also assist with other grant processes)

Quarterly Project Reports due to Treasury  
(Jan, April, July, Oct)

Review of all UG projects and contracts to ensure full obligation by 12/31/2024  
Sub-recipient review of projects to complete work by December 2024

Revenue Replacement Calculation for 2022 and 2023 Actuals

All funds must be encumbered by December 31, 2024; and spent by December 31, 2026\*

Most subrecipients must spend their funds by December 2024 unless an exception has been granted

Real quickly, we have a partner in Administration of ARPA funds and it's been very beneficial. An RFP process was done and a company called IParametrics was selected that does the assistance with tracking and reporting with a real focus on our subrecipients and so they've been very helpful

May 30, 2024

in helping to review requests for funding, ensure the funds are being used in a way that's compliant with their agreement and collecting data in terms of the impact that these dollars are having.

They also, as with all grant funds, there's compliance issues, so they help us with compliance. We have quarterly reports that are due to Treasury—to the United States Treasury and then they'll help us through closeout. So, through a little past 2026 we'll be partnering with them.

As I said, we've been reviewing all of the projects and the contracts and we also have worked with them to do something called Revenue Replacement and you may be familiar with that term for those that have been here. Initially Revenue Replacement was exactly what you think it is. It's revenue replacement. Because of COVID cities, counties, institutions of higher ed expected revenues that didn't manifest and so in order for these organizations to make themselves whole, there was some Revenue Replacement dollars that were made available. We'll talk through how those dollars have been used and then there's a go forward plan for '23, but really the use and the focus of that has evolved over time. In fact a lot of the rules for ARPA has evolved over time. It's kind of like the federal government's been flying an airplane while they're building it in midair. So, we've been trying to keep up and spend the dollars as they were intended.

| ARPA ALLOCATIONS APPROVED             |      |                      |                     |                     |
|---------------------------------------|------|----------------------|---------------------|---------------------|
| Board of Commission Actions           | Date | KCK                  | WYCO                | TOTAL               |
| US Treasury ARPA Allocation           |      | \$ 55,383,872        | \$ 32,132,644       | \$ 87,516,516       |
| Revenue Replacement   2020-2021       |      | (21,789,896)         | (9,366,502)         | (31,156,398)        |
| Immediate Needs   Public Health *     |      | (2,166,581)          | (11,200,973)        | (13,367,554)        |
| Immediate Needs   Housing Assistance* |      |                      | (1,850,000)         | (1,850,000)         |
| Immediate Needs   Grant Support *     |      | (885,478)            | (502,246)           | (1,387,725)         |
| Capital Improvement Needs   2022 *    |      | (18,360,278)         | (6,612,922)         | (24,973,200)        |
| Sub-recipient Awards   2022 *         |      | (12,181,639)         | 0                   | (12,181,639)        |
| Other Wyandotte County Cities         |      | 0                    | (2,600,000)         | (2,600,000)         |
| <b>Subtotal -ARPA Funds Allocated</b> |      | <b>\$ 55,383,872</b> | <b>\$32,132,644</b> | <b>\$87,516,516</b> |
| <b>TOTAL ARPA AVAILABLE</b>           |      | <b>0</b>             | <b>\$0</b>          | <b>\$0</b>          |

63% awarded to Kansas City, Kansas & 37% awarded to Wyandotte County



This next slide shows you an allocation of all the different categories that were undertaken. The Revenue Replacement, we'll talk about here in a minute, was an initial allocation that was distributed. We have immediate needs that were between Public Health and Housing Assistance. Grant support was an allocation that the Commission identified. We have Capital Improvement needs which those are for the UG specifically. We have partnerships with nonprofits that are subrecipient awards and then there was an allocation by the Commission to our two cities here in Wyandotte County for them to undertake some infrastructure. I'm going to give you an update on all of these.

## Initial 2020-2021 Revenue Replacement Categories

| Wyandotte County                        | Total Allocated      | Spent                | Remaining           |
|-----------------------------------------|----------------------|----------------------|---------------------|
| Salaries and Operations                 | 9,366,502.00         | 9,366,502.00         | -                   |
| <b>Total Revenue Replacement - WYCO</b> | <b>9,366,502.00</b>  | <b>9,366,502.00</b>  | <b>-</b>            |
|                                         |                      |                      |                     |
| Kansas City, Kansas                     | Total Allocated      | Spent                | Remaining           |
| Salaries and Operations                 | 14,789,896.00        | 14,789,896.00        | -                   |
| Kansas Avenue Bridge                    | 3,500,000.00         | -                    | 3,500,000.00        |
| Grant Match (grant list below)          | 3,500,000.00         | 1,261,000.00         | 2,239,000.00        |
| <b>Total Revenue Replacement-KCK</b>    | <b>21,789,896.00</b> | <b>16,050,896.00</b> | <b>5,739,000.00</b> |
|                                         |                      |                      |                     |
| <b>Grant match list:</b>                |                      |                      |                     |
| Bi-State Corridor Planning              | 350,000              | -                    | 350,000             |
| County-wide Vision Zero Action Plan     | 200,000              | -                    | 200,000             |
| State Ave Transit Enhancements          | 200,000              | -                    | 200,000             |
| Edwardsville Micro-transit              | 43,800               | -                    | 43,800              |
| 7th Street Corridor Improvements        | 227,200              | -                    | 227,200             |
| NE KCK Heritage Trail Phase I           | 240,000              | -                    | 240,000             |

- 2022 revenue replacement completed; projects designated from original list of initiatives (See Exhibit 1)
- 2023 revenue replacement calculations underway but not finalized as of this date

The Initial Revenue Replacement categories are listed out on the screen. A significant amount of this money was allocated towards salary and operations, so it was to help shore up the FY21 and 22 budget because we were able to demonstrate that we lost revenue as a result of COVID and so this helped us fund our operations. So, between those two numbers, that was about \$24M and that was already allocated, approved, and considered spent.

We had also two initiatives that the Commission had identified specifically. There's Kansas Avenue Bridge and initially that was identified for temporary improvements to that bridge, but as they did more study and research it was discovered, as you all probably know, that more extensive needs have been identified on that bridge and so some grants were sought, but we have

not been able to achieve getting those grants. So, I'm in discussions with Public Works about how we can utilize and get those dollars under contract for Kansas Avenue Bridge by December and we'll have a plan to move forward.

The second thing was the Commission identified a pot of money that they wanted—that you all wanted to have for grant match and that's been successful. It's still something that we're working on, but we've been able through 1.3 roughly million dollars of the grant match allocation, that has actually leveraged and this isn't on the slide, but it has actually leveraged another \$9.774M. Because we identified these dollars for these grants, it leveraged other dollars, federal dollars, that we otherwise would not have gotten.

## Immediate Needs Categories

- Immediate Needs – Public Health
  - Kansas City, Kansas - \$ 2,166,581 (spent \$1.1M)
  - Wyandotte County - \$11,200,973 (spent \$4.2M)
  - Examples of initiatives include Covid testing, vaccinations, public education, small business assistance, etc.
- Immediate Needs – Housing Assistance
  - Wyandotte County - \$1,850,000
  - 100% of funding paid to United Way

For the Immediate Needs Category and this is an area at the top on Public Health where we have some work to do. Originally we had about \$2.2M for Kansas City, Kansas and about \$11.2 for Wyandotte County, so between the two of them about \$13M identified as Public Health needs and examples were a variety of different kinds of testing. There was an incentive for employees to get testing, there was mobile testing, vaccination clinics that were undertaken, public education, there were a number of positions that were funded in the Health Department focused solely on COVID, education and some small business assistance, etc.

We haven't spent a whole lot of this money. We've spent about \$5.3M and so this is an area of focus, and as I said when I started, I will assure you we will find a plan to bring forward that will spend all of this money. It'll get uncovered because we don't ever want to give money back to the federal government, so a little work to do there. Most cases in looking at the details,

it was estimates of what we would do and the cost that we would spend were high and the cost came in lower. It's not that they didn't do the effort, it's that the cost was less than what they had originally expected. But again, keep in mind, this was on the heels of 2020 with COVID. Money was coming out very quickly. People were putting the plans together very quickly, so they were rough estimates and so that's getting refined over time.

The Immediate Needs Housing was a successful partnership. We partnered with United Way and through September of '21 through March of '22 they were able to spend all of their funds, \$1.8M. They assisted 1,299 individuals working with 12 nonprofits and it was primarily housing assistance for low-income households, families with children, persons under 24, pregnant women, domestic violence shelters, etc. It was all focused on housing, people that in particular were at-risk or already unhoused.

## Capital Improvements Projects

\$24,973,200 identified for capital improvements - 74% City and 26% County

### City

- Five HVAC projects (City Hall, Armourdale Rec, Lee Rec, Kensington Rec, & Parkwood Rec)
- One sanitary sewer and two storm sewer projects
- Bus shelter improvements & Microtransit Pilot Program
- KCKPD Real Crime Center Initiative
- Two parks (Klamm & Quindaro) and Parkwood Pool improvements

### County

- Three HVAC projects (Courthouse, Public Health Center, and Jail)
- Two trails (Wyandotte County and Pierson Park)
- Technology project for parks
- Sheriff Air Quality Filtration

100% will be encumbered by December 2024, all projects to be completed by December 2026 (or sooner)

The next category was Capital Improvements and there were a variety of things that were identified for the Capital Improvement money. It was about \$25M, 74% of that was identified as City projects, 26% was identified as County projects and this just provides you a summary of the nature, the type of projects that were identified. You can see that we had five HVAC projects, which as we've gotten into those, they're all HVAC projects, but they've also included some energy efficiency improvements. For example, at one of the rec centers there's an air-conditioning unit that's being replaced in the basketball court and they need to replace the windows in that area as well so that we get the best out of that new unit and we get the energy efficiency. Those are ready

for PO's to be issued, so that work is about to commence, but not yet quite under contract, but will be by next week.

City Hall was one of those and they're looking at the scope one more time to make sure they've got a good scope that's within budget and then they will be able to move forward through contracting.

There was the Sanitary and Storm Sewer projects. Those have been designed and surveyed and inspections are underway so work is happening on those projects. There were shelter improvements, bus shelter improvements, and Microtransit Pilot programs. The bus shelters, those have all been purchased and are going to be installed in the next month or two and the Microtransit Pilot program, they have an RFP ready to issue and so they'll be getting that out on the street to find partners to work with on that initiative.

You can just see there—I won't go through all of these, but we do have information on all of them if you're interested in any in particular, but we finished out, for example, Quindaro Park was something that we did complete. That was turning some tennis courts into a basketball court there to better meet the needs and demands of the area.

Then, we have the County projects, which were HVAC projects, two trails. There was a technology project which was cameras that were installed in a variety of rec centers and then some filtration improvements on the HVAC for the Sheriff's Office. We will meet the deadlines on these.

As I said, we're well underway and we'll have everything under contract by December of '24 and then we have until December of '26 to complete them, but I think they'll be done sooner than that.

## Capital Project Spending Update

| Capital Needs Allocations                                  | Department            | Allocation Amount-City | Allocation Amount-County | Encumbered        | Spent            | Remaining         |
|------------------------------------------------------------|-----------------------|------------------------|--------------------------|-------------------|------------------|-------------------|
| <b>Kansas City Kansas Projects:</b>                        |                       |                        |                          |                   |                  |                   |
| City Hall - Air Handling Systems P069                      | Buildings & Logistics | 4,733,563              |                          | 4,733,563         | -                | -                 |
| Armourdale Recreation Facility-Air Handling P070           | Buildings & Logistics | 219,916                |                          | 219,916           | -                | -                 |
| B. Lee Recreation Facility-Air Handling P071               | Buildings & Logistics | 18,165                 |                          | 18,165            | -                | -                 |
| Kensington Recreation Facility-Air Handling P072           | Buildings & Logistics | 731,994                |                          | 731,994           | -                | -                 |
| Parkwood Facility Recreation Facility-Air Handling P073    | Buildings & Logistics | 203,491                |                          | 203,491           | -                | -                 |
| Combined Sewer Separation 15 & 16, Jersey Creek Basin P079 | PW Engineering        | 2,000,000              |                          | 755,730           | -                | 1,244,270         |
| Wyandotte High Lombardy Drive Area (Storm) P080            | PW Engineering        | 3,365,907              |                          | 397,242           | 27,683           | 2,940,982         |
| Green Infrastructure - 8th Street Park (Storm) P081        | PW Engineering        | 6,201,492              |                          | 813,755           | 774,173          | 4,613,564         |
| UG Transit - Bus Shelter Improvements                      | Transit               | 100,000                |                          |                   | 48,753           | 51,247            |
| UG Transit - NE Microtransit Pilot                         | Transit               | 318,417                |                          | -                 | -                | 318,417           |
| UG KCKPD - Real-Time Crime Center                          | KCKPD                 | 157,333                |                          | -                 | 30,698           | 126,635           |
| UG Parks and Recreations - Klammer & Quindaro Parks        | Parks                 | 160,000                |                          | -                 | 80,000           | 80,000            |
| UG Parks and Recreation-Parkwood Pool                      | Parks                 | 150,000                |                          | -                 | -                | 150,000           |
| <b>Wyandotte County Projects:</b>                          |                       |                        |                          |                   |                  |                   |
| Courthouse - Air Handling Systems P074                     | Buildings & Logistics |                        | 2,500,000                | 2,500,000         | -                | -                 |
| Public Health Center - Air Handling Systems P075           | Buildings & Logistics |                        | 154,834                  | 154,834           | -                | -                 |
| Jail - Air Handling Systems P076                           | Buildings & Logistics |                        | 2,323,474                | -                 | -                | 2,323,474         |
| Wyandotte County Parks Trail P077                          | Parks                 |                        | 700,000                  | -                 | -                | 700,000           |
| Pierson Park Trail P078                                    | Parks                 |                        | 700,000                  | -                 | -                | 700,000           |
| UG Knowledge Dept - Parks facility public safety           | Technology            |                        | 194,114                  | -                 | 84,971           | 109,143           |
| UG Wyandotte County Sheriff-Air Quality Filtration         | Sheriff               |                        | 40,500                   | -                 | -                | 40,500            |
| <b>Total Capital Needs Allocations</b>                     |                       | <b>18,360,278</b>      | <b>6,612,922</b>         | <b>10,528,690</b> | <b>1,086,778</b> | <b>13,357,732</b> |

You do have a revised slide that was distributed to you. As we've been going through our financial system we've been refining this list and when we originally sent this out we showed some funds that are encumbered that aren't quite encumbered and so we had to modify that as well as the updated cost estimates in particular for those HVAC projects at the rec centers. So, we shared that with you through the Clerk's Office. I apologize for that, but we just wanted to make sure we got the most complete and accurate information to you as possible.

## Sub-recipient Spending Update

| Sub-recipient Allocations                                    | Allocation        | 20% payment      | Spend to Date    | Remaining        | UG to reimburse  |
|--------------------------------------------------------------|-------------------|------------------|------------------|------------------|------------------|
| Avenue of Life                                               | 1,225,438         | 245,088          | 1,189,295        | 36,143           | -                |
| Catholic Charities                                           | 41,000            | 8,200            | 41,000           | -                | -                |
| Local workforce Investment Area III Inc                      | 1,191,285         | 238,257          | 853,243          | 338,041          | 99,784           |
| El Centro Ice                                                | 500,000           | 100,000          | 157,781          | 342,219          | 242,219          |
| Mission Adelante                                             | 35,635            | 7,127            | 24,306           | 11,329           | 4,202            |
| Friends of Yates                                             | 390,450           | 78,090           | 2,785            | 387,666          | 309,576          |
| Our Spot KC                                                  | 1,000,000         | 200,000          | 669,425          | 330,575          | 130,575          |
| Mt Carmel Redevelopment                                      | 1,000,000         | 200,000          | 91,748           | 908,252          | 708,252          |
| KC Metropolitan Lutheran Ministry                            | 200,000           | 40,000           | 96,333           | 103,667          | 63,667           |
| Cross Lines Community Outreach (Community Market)            | 250,000           | 50,000           | 207,334          | 42,666           | -                |
| Cross Lines Community Outreach (Housing Stabilization)       | 387,500           | 77,500           | 330,421          | 57,079           | -                |
| The Toolbox Small Business resource Center                   | 22,360            | 4,472            | 5,611            | 16,749           | 12,277           |
| The Family Conservancy                                       | 2,000,000         | 400,000          | 973,925          | 1,026,075        | 626,075          |
| Community Housing of WYCO (CHWC)                             | 400,000           | 80,000           | 400,000          | -                | -                |
| Hillcrest Ministries of MidAmerica (Hillcrest Trans Housing) | 645,000           | 129,000          | 252,067          | 392,933          | 263,933          |
| The Village Initiative                                       | 325,000           | 65,000           | 260,000          | 65,000           | -                |
| Argentine Betterment Corporation                             | 113,000           | 22,600           | -                | 113,000          | 90,400           |
| Salvation Army                                               | 336,071           | 67,214           | -                | 336,071          | 268,857          |
| KUMC Project Eagle                                           | 1,500,000         | 300,000          | 330,684          | 1,169,316        | 869,316          |
| Young Women on the Move                                      | 618,900           | -                | -                | 618,900          | 618,900          |
| <b>Total Sub-recipient Allocations</b>                       | <b>12,181,639</b> | <b>3,010,048</b> | <b>5,885,958</b> | <b>6,295,681</b> | <b>4,308,032</b> |

- 19 outside agencies funded by the Commission (2 initiatives awarded for Cross Lines Community Outreach)
- All funds to be expended by December 2024 unless an exception has been granted
- Exhibit 2: Detailed progress reports attached for each agency

The next category was Subrecipient Spending and this is an update on spending by the subrecipients. We had 19 agencies that were funded and all of these funds also have to be either—

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these are a little bit more aggressive. They have to by contract be expended, not just encumbered, but expended by December of '24 unless an exception has been granted and we did have three that we had an exception that was granted for KU, the Argentine Betterment Council, and the Young Women's on the Move initiatives. Those are through—they're different dates. One's through December of '25, one's through July of '25 and one's through '26. All of them are on track to spend their money and move forward.

## Examples of Subrecipients Work

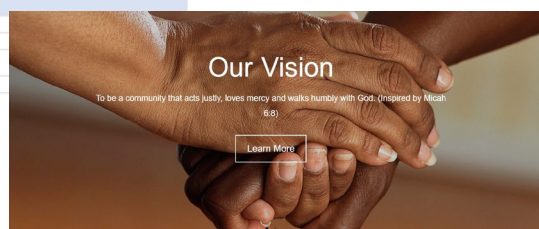
Wyandotte Subrecipient Project Q1 2024 Overview

### The Kansas City Metropolitan Lutheran Ministry

**Scope of Work:** MLM provides emergent and basic needs assistance, homeless assistance and homelessness prevention, and mitigation services to Wyandotte County residents. ARPA funds support case management salary, benefits, administrative and accounting costs to execute housing stability services.

| Original Budget | Spend to Date | Remaining Budget | UG still to reimburse |
|-----------------|---------------|------------------|-----------------------|
| \$200,000.00    | \$96,333.06   | \$103,666.94     | \$63,666.94           |

| Targeted Outcomes                                                       | Achieved to Date |
|-------------------------------------------------------------------------|------------------|
| Has helped individuals to pay for housing related assistance.           | 170              |
| Received direct assistance to prevent and end homelessness              | 177              |
| Assisted households with food, transportation, and furniture assistance | 3,639            |
| Applications have been received and reviewed for assistance             | 700              |



We thought what would be important is not just to tell you the numbers, but to tell you the impact of what these dollars are doing and have done. I randomly just picked three. They happen to be three in my head. They were alphabetical, but they're actually not. It was how our consultant had ordered their report. The first one was the Kansas City Metropolitan Lutheran Ministry. This was one that we had authorized \$200,000. They've spent about half of that to date and you can see the numbers there in terms of how many people that they've been able to help and how many thousands of households they were able to help with food, transportation, and furniture. This was primarily around the Unhoused Assistance Program, the wrap-around services that the Mayor just spoke about. That's what they were focused on.

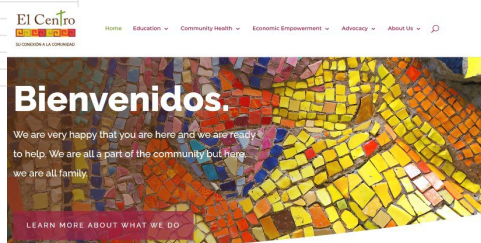


## Examples of Subrecipients Work

### El Centro

**Scope of Work:** Economic Empowerment Programs address workplace skill barriers, financial barriers, and language barriers through job training programs, weekly hiring events, and emergency assistance

| Original Budget                                          | Spend to Date | Remaining Budget | UG still to reimburse |
|----------------------------------------------------------|---------------|------------------|-----------------------|
| \$500,000.00                                             | \$157,780.77  | \$342,219.23     | \$242,219.23          |
| Targeted Outcomes                                        |               |                  | Achieved to Date      |
| Emergency assistance to households out of 60 households  |               |                  | 23                    |
| Job training has been provided to out of 80 individuals. |               |                  | 122                   |
| Hiring events have served out of 250 individuals.        |               |                  | 441                   |
| Total Additional services provided                       |               |                  | 485                   |
| Budget Coaching                                          |               |                  | 94                    |
| ITIN Applications                                        |               |                  | 44                    |
| VITA Assistance (services other than tax preparation)    |               |                  | 22                    |
| Tax Preparation                                          |               |                  | 325                   |



The next one is El Centro, which is an important partner of the UG and in our community and their initiative was a little different. This was all about workforce skills building to help people get jobs and help people understand financial—be more literate about financial matters, how to set up a bank account, how to balance a bank account; those sorts of things.

They had originally \$500,000. They've spent about \$157,000, but in that time and in that amount of money they've helped 1,556 people through their different programs. As we get to the next six months, you can imagine, because we'll be working very closely with them on the strategies to get that money spent and how many more thousands of people that they're going to be able to assist in the coming months.

## Examples of Subrecipients Work

### Catholic Charities of Northeast Kansas Inc

**Scope of Work:** CCNEK serves men experiencing homelessness through their Shalom House Transitional Program. Through the reopening of the Sanctuary of Hope, the resident capacity increases and can now offer two ADA compliant rooms. The addition of classroom space is for community engagement activities, employment and asset development services, life skills, and other topics of education that address the root causes of homelessness.

| Original Budget                                                                   | Spend to Date | Remaining Budget | UG still to reimburse                                                                              |
|-----------------------------------------------------------------------------------|---------------|------------------|----------------------------------------------------------------------------------------------------|
| \$41,000.00                                                                       | \$41,000.00   | \$0.00           | \$0.00                                                                                             |
| Targeted Outcomes                                                                 |               |                  | Achieved to Date                                                                                   |
| Served residential participants out of the expected 40                            |               |                  | 37                                                                                                 |
| Facility is at % complete and as equal to provide capacity for 50 recipients.     |               |                  | 100% Completed with the renovation of the two ADA rooms and 100% complete with the classroom space |
| Renovation is at % of the 2 ADA rooms and % complete with classroom space.        |               |                  | 100% completed                                                                                     |
| Individuals have utilized our intensive employment and asset development services |               |                  | 13                                                                                                 |
| Men who received support to grow their financial knowledge                        |               |                  | 4 new banking accounts, 8 others learned better financial habits                                   |





## Other Wyandotte County Communities

- **Bonner Springs, Kansas – \$1,300,000**

Water main / fire hydrants located along the following corridors:

- W. 2<sup>nd</sup> Street from S. Bluegrass Drive to Elm Street
- S. Nettleton Avenue from W. 2<sup>nd</sup> Street to Oak Street
- Elm Street from W. 2<sup>nd</sup> Street to W. Front Street
- W. Front Street from Elm Street to Oak Street

Bid opening in June 2024; work to be completed by December 2024

- **Edwardsville, Kansas - \$1,300,000**

Preconstruction costs related to the construction of new government facilities, specifically the Edwardsville Municipal Complex (“Project 1”); and

Preconstruction and construction costs for sidewalks to improve mobility and increase pedestrian access throughout the community of Edwardsville, specifically on 104<sup>th</sup> Street, which is an area devoid of any built environment enabling pedestrian mobility (“Project 2”).

Another category was to allocate some funds to the communities of Bonner Springs and Edwardsville and we worked closely with both of those communities to identify the infrastructure projects that they wanted to pursue.

For Bonner Springs, they’re doing a water main and fire hydrants that are along those corridors. They’ve actually finished their design and they’re bidding the project next month, so that work will be underway and we’ll meet that, not just the encumbrance by December of ‘24, but they expect the actual work will be done by December.

Edwardsville is doing some construction as well. They’re doing some preconstruction regarding a new governmental facility, City Hall type facility, and then also a sidewalk initiative throughout the community on 104<sup>th</sup> Street. They’re also in the process of design and construction and so we have confidence that those projects will get done too on time.

## ARPA Allocation Overall Summary Update

| ARPA Funding                        | City              | County            | Sub-Total         | Encumbered        | Spent             | Total             |
|-------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Revenue                             | 55,383,872        | 32,132,644        | 87,516,516        | -                 | -                 | 87,516,516        |
| Expense Allocations:                |                   |                   | -                 |                   |                   | -                 |
| Revenue Replacement: 2020 & 2021    | 21,789,896        | 9,366,502         | 31,156,398        | -                 | 31,156,398        | -                 |
| Immediate Needs: (PH, NEI, DI)      | 2,166,581         | 11,200,973        | 13,367,554        | -                 | 5,251,890         | 8,115,664         |
| Immediate Needs: Housing (UW)       | -                 | 1,850,000         | 1,850,000         | -                 | 1,850,000         | -                 |
| Immediate Needs: ARPA Grant Support | 885,478           | 502,247           | 1,387,725         | 690,653           | 697,072           | -                 |
| Capital Needs: May 2022             | 17,474,528        | 6,378,308         | 23,852,836        | 10,528,690        | 1,086,778         | 12,237,368        |
| Capital Needs: November 2022        | 885,750           | 234,614           | 1,120,364         |                   |                   | 1,120,364         |
| Sub-recipient Awards 2022           | 12,181,639        | -                 | 12,181,639        |                   | 5,885,958         | 6,295,681         |
| Other Wyandotte County Cities       | -                 | 2,600,000         | 2,600,000         | -                 | -                 | 2,600,000         |
| <b>Total</b>                        | <b>55,383,872</b> | <b>32,132,644</b> | <b>87,516,516</b> | <b>11,219,343</b> | <b>45,928,095</b> | <b>30,369,077</b> |

The overall summary, \$87M is how much we got and we've spent about \$46M, which when you think about it that way, that's a lot to go. But we have a plan of action in terms of our Capital projects to get them encumbered, under contract by December and then we have two more years to actually expend that money to do the projects, but we're proceeding aggressively to get those things done. We're not saying we want to wait until '26, it's that we're moving forward. We have confidence that we'll be able to spend these dollars down.

Like I said, we have some areas that we need to focus on and come up with some strategies in order to make sure that we can spend these monies in particular in that Public Health category and we've got meetings already scheduled to have those conversations to figure out what are the initiatives that are going on now. Did we capture all the cost and what are some of the additional things that we might want to be able to do and then we would bring that plan back to you all to consider.



## Questions?

With that, I'll stop and see if you have questions. Like I said, there's a couple of information items in your packet in terms of the overall allocations as well as the detailed reports on the progress of our subrecipients is in your packet. I'm glad to answer questions if you have any.

**Commissioner Ramirez** said first question, the report, is it in our agenda packet? **Ms. Kneuvean** was inaudible. **Commissioner Ramirez** said okay, I'll have to check that. The other question I had, you kind of touched on it towards the end, was the Immediate Needs to Public Health, the ones that we dedicated to the Public Health Department. During this time ARPA was—the majority of the funds were kind of—we were during the time of COVID, do those now that we're out of COVID, do those funds have to be COVID related expenses or can they be for general purposes of the Public Health Department? **Ms. Kneuvean** said it's an excellent question and I'm going to have to circle back on that because of when these were allocated. The rules kept changing over '21 and '22, so we'll need to confirm that, but my impression is that we have some flexibility with the funds to focus on. For example, if the Public Health Department has some Capital needs, that might be something that we could redirect those dollars because the feds later in the process said infrastructure, Capital projects, are eligible. We need to confirm that though, but first we want to meet with the partners and with the Health Department because it's not all the department, there's some partners in here too and understand what their plan of action is and what their strategy is to make sure we can kind of get on course to spend. Then, see what we have to then come back with some ideas.

**Commissioner Ramirez** said that was—when you mentioned about that meeting and coming back with a plan, okay.

**Commissioner Davis** said thank you for this presentation. Just for the community's awareness, I think when people see that presentation and they see the amount of dollars, dollars unspent, and then dollars encumbered, it would be like oh my goodness UG, you've had millions of dollars and you've not done anything with them and we've got all these needs. So, in layman's term, can you explain the difference between what it means for us to have—well, let's just go with the deadlines. By 2024 dollars to be encumbered and then for some folks those dollars need to be spent by the end of this year. Then, for UG those particular dollars need to be encumbered by the end of this year. I'm even confusing myself, so can you just explain the difference because I can already hear people saying what have you all done in the past 18 months, 20 months with these dollars. **Ms. Kneuvean** said encumbered means under contract, so it does not necessarily mean all the work is done. The requirement of the federal government is that all these dollars are under contract by December of '24 because remember, some of these dollars weren't even coming out until '22, so then in '23 was when a lot of the work started in terms of figuring out how to use the funds with the rules that were continuing to evolve and then into '24.

Then, you're right that there is until December of '26, the federal government has allowed certain kinds of expenditures to continue through '26, but not if they're not under contract by this December. As of this December, we would have all \$87M would either be under contract or spent and then we would have a plan moving forward in terms of then spending it down. The best example might be a Capital project, so our HVAC. There's been a lot of stuff done on the project because there's a lot of work that goes into it before you ever get to contract. They have to figure out the scope, they have to work their partners on what's needed, what's recommended and then they have to bid the project or get a proposal on the project and then they get to the contracting step. So, there's a lot of work that is occurring that the numbers don't tell you that story.

On a Capital project, we have to have it under contract by December and then we have up to December of '26, end of '26 to complete the project. That's the most simple way. For our subrecipients, for all but a couple, we put a requirement because we wanted to get the money out there to people to be impacted directly as quickly as possible and so their contracts say that they have to spend the money by the end of '24, so December of '24 with those couple of exceptions.

I know it's confusing in terms of the takeaway, but that's why my suggestion if you get asked questions about this, is that by '24 every single dollar will be under contract. It's just when do the dollars actually have to be spent because a Capital project takes a little bit longer, so we



have permission from the federal government to take that time to do the project. Everything will be under contract.

**Commissioner Davis** said two more questions. Do we have alternative projects or initiatives ready to go in the event or a plan in the event subrecipients aren't able to submit eligible costs for their ARPA allocation? **Ms. Kneuvean** said yes. Our partner, IParametrics, we've been meeting—Debbie and I have met with them several times in the last few weeks and they do performance reports and audits of each one of our subrecipients. Some of them are right on track, some of them are a little behind, so the plan is that they will work with that subrecipient to say okay, specifically what are we going to do to spend this money down. If they can't, then we'll have an alternative, which honestly we would probably be looking to some of the nonprofits that were on that list to bring it back to you all for consideration. But, the ones that have already spent their money and to see if they have a need and I'm sure that they do.

So, instead of going through another big process working with our existing partners and focusing on the ones that has successfully completed or nearly completed their initiative, but it's working with all of them. I don't have a sense that any of them won't be able to meet their objectives. In a couple cases I think it is much like we ran into with HVAC where people put together their initial estimates, they did what they said they were going to do, but it cost less and so then it's opportunity and figuring out how do you then advance that and make sure we take full advantage of these dollars.

**Commissioner Davis** said I would just say if we can have another update maybe sometime in the fall, kind of early fall, maybe September or October, around that time just so we know. It has been a very long time since we voted on this and now hearing this. I think myself and Commissioner Bynum were the only ones that served on that subcommittee, so that's why I'm asking these kind of really in-depth questions. I would appreciate more updates as we get to that end of 2024 deadline.

**Commissioner Kane** said, Mayor, I just think we found some of the money to build that park in Piper. We've had multiple meetings with the Piper School District, we've got a couple more. We're pretty close to coming up with an agreement and then that way we wouldn't have to take that out of the General budget. If I could make a motion, I would.

**Commissioner Bynum** said the presentation slides, I've not received them in any way. I have two pieces of paper and no email with slides in it. **Monica L. Sparks, Interim County Clerk**, said, Commissioner, they were attached in your notebook for tonight. They were in your pocket attached to the Notice of this meeting. **Commissioner Bynum** said they're attached in the Notice of the meeting. **Ms. Sparks** said you should have received them when you got your Planning & Zoning book. **Commissioner Bynum** said okay, so I don't get a paper book, but you're saying they're in electronic files somewhere. **Ms. Sparks** said they are.

**Debbie Jonscher, Deputy Chief Financial Officer**, said the two sheets you received tonight were updates that we made to the slides.

**Mr. Johnston** said I just want to conclude this presentation is to remind you that many of us who have had to live through this COVID and dealing with CARES and ARPA money. When it came time for ARPA, Dr. Kneuvean is right in saying that many cities started allocating and spending their money before the final rules of the federal government were made and then the federal government expected local governments to comply post award and it's like we had to work with our legislative delegations who do it. When I worked in Kentucky my colleagues all over the country were working to say this is unfair, this idea of creating rules after you awarded the money. So it was pretty much trying to create order out of chaos and I think by and large we've done a fantastic job on that.

Some of our Capital projects hadn't been started yet because some of the purchasing rules changed during the process and so we had to have our departments readjust bid packets and things like that. They were ready to go, but at the time of the award. Some of that you'll see in the fall better numbers, better catch-up. When we went to those workshops, we had federal folks come and say local governments, please understand one thing, ARPA is a jobs bill and so allowing us to keep revenue replacement because of revenue we lost due to deflated property during COVID, to lost sales tax revenue due to COVID, we were able to keep employees employed.

The same thing with our subrecipients, to keep their services going into the community we were allowed to provide them funding to respond to social services in the crisis and sometimes related due to COVID related issues, but it kept people employed. The Capital projects were to keep certain contractors employed during this crisis.

I think one of the things that we've all had to deal with since this started, I believe in 2020 with CARES money and then came ARPA money, many communities got spoiled with the significant amount of free cash and to deal with it. Then, when President Biden, I believe it was last year, made the proclamation the crisis is over, that was a strong message that the new federal funding is not coming. For those who received funding through CARES or through ARPA, you get spoiled and you enjoy this free money and you're able to do more into your community because of this unexpected federal funding, well then it stopped and you have to get back to a new equilibrium.

In some not-for-profits who we worked with, some of our own departments, it's like well you're going to keep the ARPA funded programs when ARPA funding is gone. I'm like no, not really, and that was a hard reality for people to look at, but I think we need to focus on the benefits. Employees were able to be employed whether in our government, whether not-for-profits, whether with contractors. People were able to keep jobs and keep food on the table, their bills paid because we never experienced a pandemic like this before.

It was a learning process. Many emergency management plans were adjusted. That's a benefit of this. The crisis is over. COVID is still around, but it's not to the level of what it was and we now know how to deal with it in better ways if it crops up again at a higher rate.

I think the message that Dr. Kneuvean is talking about, and we've seen it in cities and counties throughout our country, a lot of good work was allowed to be done during the crisis and post crisis because of this federal funding. So, we thank our federal legislative delegation and both Presidents to saying thank you for opening the door to keep our economies moving, our employees employed, and good things happening in our community.

**Mayor Garner** said I have a question. The Administrator alluded to the CARES act. Do we know how much the Unified Government got? That was before I became Mayor. What was that amount? **Ms. Jonscher** said I believe it might have been around \$32M. **Mayor Garner** said \$32M, so just from COVID relief, between two Presidential administrations, over \$100M. Do we, just coinciding with Commissioner Davis's request, have we given an update to your recollection on the allocations for the CARES Act as well? **Ms. Jonscher** said I believe that was done back, I think, before the ARPA money came in. **Mayor Garner** asked, has that money be spent? **Ms.**

**Jonscher** said yes, that was spent. I believe we only had a couple of months to spend that money. It was by the end of 2021 I think.

**Mayor Garner** said the last question. You mentioned that there may be some residual funds available. Do we have an estimate of that, what that would look like and I'm talking more in line of what we would give out grant wise to non-for-profits, community organizations. What would that look like? **Ms. Kneuvean** said we don't have an update on that yet, but that's the very next step of meeting with each one of these agencies because the goal would be that the ones that were allocated the funding, they spend their funding. We may need to get a strategy together with them of how to get that done, but through those conversations we'll identify if there's any opportunities there and that's the follow-up that we'll provide.

**Alan Howze, Assistant County Administrator**, said I might just add one little piece of context on the immediate needs from the ARPA funds. Those were—there's a significant chunk of that, \$5M or so, that was for vaccinations and that sort of thing, but through the work of our Health Department and our Emergency Management and Finance, they were actually able to submit those for FEMA reimbursement, so those dollars didn't actually get consumed—the ARPA dollars didn't get consumed. They got reimbursed through the federal government, so I think that fiscal stewardship has now created the opportunity to redeploy those ARPA funds to the benefit of the community, so that's part of what you're seeing here as well.

**Mayor Garner** said I say that and I know Commissioner Bynum and I think Commissioner Davis was on the task force that Commissioner Markley, I believe, chaired. I'm not really sure, and excuse my ignorance to that account, but how we prioritized or identified the recipients of the ARPA funds. Just maybe, as a reminder to the public, how we arrived at that. I say that because I have gotten complaints from some folks in the community, either they didn't know or they weren't involved or they did know and were involved and they didn't get awarded and they claim that their needs were just as great, if not greater, than some of the organizations that were allocated funds, particularly some folks that come from some of the most distressed zip codes in Kansas City, Kansas, which happens to be the eastern portion of our city. I'll just give you one facility, the Vernon Center, the services they provide to seniors and the historic nature of that facility.

Questions have been raised and just a little clarity, not just for me, but maybe for the public. If those funds are available, and I know we don't want to go through an entire process all over again, but is there a list of these organizations that maybe didn't receive funds, that maybe now may have an opportunity? And is there a window of opportunity for some identified Unified Government recognized social service agencies within the county, such as the Vernon Center, that may have an opportunity to apply and maybe get something if there's a residual amount of money left over that would be a benefit?

**Ms. Jonscher** said they did put out an application process. It was advertised I think on the website. We set up a specific ARPA website and gave a certain amount of time for applications, so we should have that information. The applications were reviewed by everyone on the committee and then the committee determined which ones were going to get funding and which ones did not. I do know there were a lot of applications. There were a lot more requests than there was money available, so we should have that information on all the groups that submitted applications. **Mr. Howze** said there was 172 applications for \$84M in requests that were submitted through that process. **Someone** asked, how many got funded (inaudible)? **Ms. Kneuvean** said it was 19.

**Mayor Garner** said so I guess the question is for staff and maybe the Commission, if there are residual funds, would it be an opportunity for this Commission to maybe allocate to those funds to other agencies beyond the 19 that didn't get the initial influx of funds?

**Commissioner Bynum** said I would say yes, but it would be quite urgent, you know, with looming deadlines. I think the other piece that is really important is the 172 applications totaled \$84M in requests and the first round of review was our consultant reviewing them for eligibility. They had to be eligible. It has to be an eligible application and once that was done, then the team did review rounds two and three and even yet then it was really, really difficult to just narrow it down to this group that got funded. As you saw on the slide, you have some groups that are not yet spending their money because everything about this process is extremely complex in my opinion. So, yes and it's a qualified yes, because spending the money will just be absolutely urgent just because of the looming deadline. Then, again, they would need to work with our staff to identify whether it's an ARPA eligible expenditure.

**Mr. Johnston** said I guess I'm just going to add, what you're getting from Dr. Kneuvean and Debbie is, they're going to work with all these subrecipients and if those meetings will show that they're not going to spend their allocated—because we're going to talk turkey to them now because of that timeline, Commissioner Bynum, is that you got to make some certain decisions sooner than later. If you're not going to accomplish what you said you're going to accomplish, we need to know sooner than later and have a drop-dead date with an amount that's going to be left over.

Once we have that information we can come back to the Commission and ask for redistribution to those other eligible ones that may not have received it and then say, okay, you got a short period of time to show that you can do it because December 31<sup>st</sup> is one of those non-negotiable deadlines that we have to deal with.

**Ms. Kneuvean** said just to add a little bit. We've got about \$12.2M that are under contract and that's an important point. We are in a contract with these agencies, so these dollars aren't available right now even if they haven't spent them, but we've got to get a plan of action with each of them to be able to spend those dollars in the way they said. To be honest, if they're not going to be able to meet that deadline, so that then we can look at what other opportunities and what direction we go at that point. My hope is it would have to happen sooner than September, October, it would probably be in the next month or two. Well, I guess that would be August, no, this is only May, so in June and July I'm like what day is it, in June and July that we would be able to come back with an assessment on that of okay, here's how many dollars we think might yet still be available.

**Commissioner Davis** said I'll just add one more thing. I'm really thankful for folks because I know the numbers don't tell the whole story. I mean if they were able to save money and that means—and that's reflective of the numbers, they're to be commended. Our staff, the subrecipients, they're to be commended for that work. So, very thankful for those that were able to say you know what, we thought we needed x, but we actually found ways to get the work done for less. I mean that's saving us dollars so that we can reallocate it towards other purposes, so very thankful for that.

**Mayor Garner** said thank you staff. I know in the interest of time—thank you so much, great presentation and great information. I know there's a request made from the Commission to



continue to have ongoing updates before we hit the drop-dead and I know our Administrator is taking notes, so it's already approved by me to Special Session these updates as it's convenient for staff to do so.

**Mayor Garner** said at this time the Commission will go into Executive Session regarding litigation. Do we have a motion for Executive Session?

**Commissioner Ramirez made a motion, seconded by Commissioner Burns, to go into Executive Session until 7:00 p.m. in the 5<sup>th</sup> floor conference room to consult with our attorneys and to discuss confidential matters related to pending and potential claims and litigation, as permitted under the Kansas Open Meetings Act; and that David Johnston, County Administrator; Angela Lawson, Acting Chief Counsel; Casey Meyer and Sheri Courtney, both Senior Counsel, Chief Karl Oakman; Deputy Chief Ken Anderson, Police Department; and Dave Wimberly, Risk Manager; and Emma Lee, Human Resources; be present to participate in the discussion and that we reconvene in open session at 7:00 p.m. here in the 5<sup>th</sup> floor conference room.** Roll call was taken and there were eight "Ayes," Kane, Lopez, Stites, Davis, Bynum, Burns, Ramirez, Hill.

**Mayor Garner** said I would like to let the public know we will be late this evening. Normally, we would have our 7:00 p.m. Commission meeting. It's still going to take place, but it will probably take place, I'm guessing, at probably about 7:20-7:25 p.m. Thank you for your patience and understanding as we get through our Executive Session.

**Present for the Executive Session:** Bynum, Commissioner At-Large First District; Burns, Commissioner Second District; Ramirez, Commissioner Third District; Hill, Commissioner Fourth District; Kane, Commissioner Fifth District; Lopez, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO, presiding. **Staff present:** David Johnston, County Administrator; Angela Lawson, Interim Chief Counsel; Casey Meyer and Sheri Courtney, Senior Counsel; Chief Karl Oakman, Police Department, Deputy Chief Ken Anderson, Police Department; Dave Wimberly, Risk Manager. Emma Lee, Human Resources, entered at 7:10 p.m.

**Mayor Garner** reconvened back into Special Meeting at 7:00 p.m.

**Commissioner Ramirez made a motion, seconded by Commissioner Davis, to extend the Executive Session until 7:20 p.m.** Roll call was taken and there were eight “Ayes,” Kane, Lopez, Stites, Davis, Bynum, Burns, Ramirez, Hill.

**Mayor Garner** reconvened back into Special Meeting at 7:20 p.m.

**Mayor Garner made a motion, seconded by Commissioner Bynum, to adjourn.** Roll call was taken and there were seven “Ayes,” Kane, Lopez, Stites, Bynum, Burns, Ramirez, Hill.

**MAYOR GARNER AJOURNED  
THE MEETING AT 7:21 p.m.**

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Monica L. Sparks  
Interim Unified Government Clerk

dt

May 30, 2024

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

SPECIAL MEETING, THURSDAY, JUNE 6, 2024

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Meeting, Thursday, June 6, 2024, with nine members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Burns, Commissioner Second District; Ramirez, Commissioner Third District; Hill, Commissioner Fourth District; Kane, Commissioner Fifth District; Lopez, Commissioner Sixth District; Stites, Commissioner Seventh District; and Mayor Garner, Mayor/CEO, presiding. Townsend, Commissioner First District; and Davis, Commissioner Eight District; were absent. The following officials were also in attendance: David Johnston, County Administrator; Wendy Green, Deputy Chief Counsel; Bridgette Cobbins and Alan Howze, Assistant County Administrators; Ross Stewart, Legal Counsel; Kevin Bibbs, IT Director; and Monica L. Sparks, Interim Unified Government Clerk.

**Mayor Garner** called the meeting to order at 4:30 p.m.

**ROLL CALL:** Lopez, Stites, Bynum, Burroughs, Burns, Ramirez, Hill, Kane, Garner.

**NOTICE OF SPECIAL MEETING** of the Unified Government of Wyandotte County/Kansas City, Kansas, to be conducted in person on Thursday, June 6, 2024, at 4:30 p.m. in the fifth floor conference room of the Municipal Office Building for an Executive Session regarding litigation.

**CONSENT TO MEETING** of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

**Mayor Garner** said at this time the Commission will go into Executive Session for consulting with the Counsel regarding pending litigation. Do we have a motion to go into Executive Session?

**Commissioner Ramirez made a motion, seconded by Commissioner Stites, to go into Executive Session until 5:15 p.m. to allow the Commission to discuss litigation matters with our attorneys, which is consultation with an attorney for the body that is deemed privileged as permitted under the Kansas Open Meetings Act and that staff requested by the Commission and Administration be present and if there is no further business that we return to open session at 5:15 p.m.** Roll call was taken and there were eight “Ayes,” Lopez, Stites, Bynum, Burroughs, Burns, Ramirez, Hill, Kane.

**Present for the Executive Session:** Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Burns, Commissioner Second District; Ramirez, Commissioner Third District; Hill, Commissioner Fourth District; Kane, Commissioner Fifth District; Lopez, Commissioner Sixth District; Stites, Commissioner Seventh District; and Garner, Mayor/CEO; presiding. **Staff present:** David Johnston, County Administrator; Wendy Green, Deputy Chief Counsel; Bridgette Cobbins and Alan Howze, Assistant County Administrators; Kevin Bibb, IT Director; and Ross Stewart, Legal Counsel.

**Mayor Garner** reconvened back into Special Meeting at 5:15 p.m.

**Commission Ramirez made a motion, seconded by Commissioner Stites, to extend the executive session until 5:30 p.m.** Roll call was taken and there were eight “Ayes,” Lopez, Stites, Bynum, Burroughs, Burns, Ramirez, Hill, Kane.

**Mayor Garner** reconvened back into Special Meeting at 5:31 p.m.

**Commissioner Ramirez made a motion, seconded by Commissioner Burns, to adjourn.** Roll call was taken and there were eight “Ayes,” Lopez, Stites, Bynum, Burroughs, Burns, Ramirez, Hill, Kane.

**MAYOR GARNER AJOURNED  
THE MEETING AT 5:32 p.m.**

June 6, 2024

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Monica L. Sparks  
Interim Unified Government Clerk

dt

June 6, 2024



# Unified Government Clerk's Office

Monica L. Sparks  
Interim Unified Government Clerk

701 North 7th Street, Suite 323  
Kansas City, Kansas 66101-3070

Phone: 913-573-5260  
Fax: 913-573-5299  
<http://www.wycokck.org>

## Memorandum

**To:** David Johnston  
County Administrator

**From:** Monica L. Sparks  
Interim UG Clerk

**Date:** May 9, 2024

**Re:** Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

BM



## **Weekly Business Material for May 3, 2024 – May 9, 2024**

### **1. SUMMONS:**

Eric Anderton vs. The Unified Government of Wyandotte County/ Kansas City, KS., Case No. WY-2024-CV-000305.

**Action:** Referred to Legal. Copy previously forwarded to Legal.

### **2. TRAVEL REQUESTS:**

- Jonathan Altarnifano, Alexander Beshears, Michael Buller, Andrew Creek, Ryan Creek, Willie Fields, Brian Goertz, Josh Gately, Lane Gates, Alissa Harris, Jay Hanson, Caton Lanter, Mason Lheureux, Sawyer Matz, Tyler Nevells, Andrew Rivera, Cameron Rogers, Gabriel Razo-Alatorre, Calvin Stey, Ryker Simpson, Troy Vogel, Tyler Williams, Peyton Waldo, and Brayden Zirkle, KCKFD, travel to Anniston, AL, from 7/14/2024 through 7/20/2024, to attend Hazmat Technician Training, Employee Training & Travel.
- Kay Sharp, Community Development, travel to Dallas, TX, from 5/29/2024 through 5/31/2024, to attend U.S. Housing Community Development Conference and Expo, CDBG.
- Byron Toy, Planning and Urban Design, travel to Chicago, IL, from 6/12/2024 through 6/13/2024, to attend 2024 Accela Training, Employee Training & Travel.

**Action:** Approved by Administrator's Office and received and filed.

### **3. APPLICATION FOR CMB LICENSE (PKG):**

- Value Grocers LLC, Regina Hinkle, d/b/a Save-A-Lot, 8115 State Ave, Kansas City, KS 66112.
- Value Grocers LLC, Tyrone Lewis, d/b/a Save-A-Lot, 2815 State Ave, Kansas City, KS 66102.

**Action:** Referred to License.

### **4. APPLICATION FOR DRINK EST./PUBLIC VENUE:**

- Club 403 Enterprises LLC, Gordon A. Scholes III, d/b/a 403 Club, 614 Reynolds Ave, Kansas City, KS 66101.
- JIAJ Inc, Diana Salazar, d/b/a Tapatio Mexican Grill, 151 S 18<sup>th</sup> Street, Kansas City, KS 66102.
- Hospitality Kansas City LLC, William W. Hutton, d/b/a Pinnacle, 1913 Pinnacle Way, Kansas City, KS 66112.

**Action:** Referred to License.

## **5. APPLICATION FOR CATERER/DRINK EST/HOTEL:**

- GWL KC Beverage Inc, Thomas Rehorn, d/b/a Great Wolf Lodge, 10401 Cabela Dr., Kansas City, KS 66112.
- Jay Ambe LLC, Dilip G. Patel, d/b/a Best Western KC Speedway Inn & Suites, France Family Drive, Kansas City, KS 66111.

**Action:** Referred to License.

## **6. APPLICATION FOR LIQ. TEMP. LIC:**

- Lao Buddhist Association of Olathe, Somphone Rounsouay, 1315 N 139<sup>th</sup> Street, Kansas City, KS 66012. This temporary permit is for 5/31/2024 at 9:00 am through 6/2/2024 at 11:00 pm.

**Action:** Referred to License.

## **7. PRIVATE SECURITY BUSINESS:**

- Daniels Security Service, Inc., D/B/A Daniels Security Service Inc, P.O Box 12354, Kansas City, KS 66112.
- Chesley Brown International, D/B/A Chesley Brown International, 8301 State Line Rd., Ste 204, Kansas City, MO 64114.

**Action:** Referred to License.



# Unified Government Clerk's Office

Monica L. Sparks  
Interim Unified Government Clerk

701 North 7th Street, Suite 323  
Kansas City, Kansas 66101-3070

Phone: 913-573-5260  
Fax: 913-573-5299  
<http://www.wycokck.org>

## Memorandum

**To:** David Johnston  
County Administrator

**From:** Monica L. Sparks  
Interim UG Clerk

**Date:** May 16, 2024

**Re:** Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

BM

## **Weekly Business Material for May 10, 2024 – May 16, 2024**

### **1. PUBLIC NOTICE:**

- Alandon Tow Service, 6224 Kansas Ave., Kansas City, KS 66111, held a public auto auction on May 7, 2024, at Alandon Tow Service.

**Action:** Received and filed.

### **2. BIDS:**

- Monica Sparks, Interim UG Clerk, listing bids received on May 15, 2024, for project #B40968 – CSO 44 Green Infrastructure Project, for the Public Works dept.

**Action:** Received and filed. Copy previously forwarded to County Administrator, Public Works, and Legislative Auditor.

### **3. CLAIM FOR DAMAGES:**

- Edgar Frye Kansas City, KS, alleging damage to vehicle on 4/18/2024.
- Larry Schmalz, Kansas City, KS, alleging damage to yard on 5/7/2024.
- Daila Prado, Kansas City, KS, alleging damage to vehicle on 5/15/2024.
- Sarah Curry, Kansas City, KS, alleging damage to vehicle on 4/17/2024.
- David Craven, Kansas City, KS, alleging damage to property on multiple dates from 5/27/2021 to 3/13/2024.
- Humberto Martinez, Galena, MO, alleging damage to vehicle on 1/13/2024.

**Action:** Received and filed. Copies previously forwarded to Legal.

### **4. SUMMONS:**

Izaiah Freeman vs. John Oropeza, et. al., and The Unified Government of Wyandotte County/ Kansas City, KS., Case No. WY-2024-CV-000305.

**Action:** Referred to Legal. Copy previously forwarded to Legal.

## 5. TRAVEL REQUESTS:

- Ramat Abanishe, KCKPD, travel to Dallas, TX, from 5/19/2024 through 5/23/2024, to attend Conference on Crimes Against Women, VAWA Training & Travel.
- Jennifer Amayo, KCKPD, travel to Tucson, AZ, from 5/23/2024 through 6/2/2024, to attend 15<sup>th</sup> Annual Camp Fury, Employee Training & Travel.
- Eric Bond and Christopher Handlin, KCKFD, travel to Baltimore, MD, from 6/5/2024 through 6/9/2024, to attend Baltimore Hazmat Conference, Employee Training & Travel.
- Yaminah Chapell, Livable Neighborhoods, travel to Birmingham, AL, from 5/5/2024 through 5/8/2024, to attend Main Street Conference, Livable Neighborhoods Task Force.
- Chet Englis, Ray Elmer, Chance Grey, Scott Hawley, and Mike Searcy, KCKFD, travel to Appleton, WI, from 5/14/2024 through 5/16/2024, to attend Appleton Wisconsin Pierce for rig inspection, Employee Training & Travel.
- Erik Graff, Wyatt Garcia, Joshua Medrano, Mark Nichols, Abdullah Saleem, Adam Svejda, and Nathaniel Sanderson KCKFD, travel to Anniston, AL, from 7/14/2024 through 7/20/2024, to attend Hazmat Technician Training, funded by DHS.
- Mark Gambrill, KCKPD, travel to Ackley, IA, from 3/28/2024 through 3/28/2024, to deliver ammunition, Employee Training & Travel.
- Monica Kennedy, KCKPD, travel to Washington DC, from 8/13/2024 through 8/16/2024, to attend Nat'l Sexual Assault Conference, VOCA Training & Travel.
- Ivan Novikov, and Jason Haworth, Neighborhood Resource Center, travel to Chicago, IL, from 6/12/2024 through 6/13/2024, to attend Accela User Conference, Employee Training & Travel.
- Karl Oakman, KCKPD, travel to Washington DC, from 5/15/2024 through 5/17/2024, to attend Chiefs of Police Executive Forum on Gun Crimes, Special Law Enforcement Trust Fund.

**Action:** Approved by Administrator's Office and received and filed.

## 6. BUSINESS BONDS:

- Electrical Bonds:
  - Bates Electric, Inc
  - Faraday Electrical
  - Integrity Electric LLC
  - Knight Electric, Inc
  - Pro Circuit, Inc
  - TMF Electric
- Plumber's Bonds:
  - J & S Plumbing and Heating LLC
  - KB Complete Plumbing & Air Conditioning LLC
  - N & E Plumbing LLC
  - Noone Plumbing & Excavating LLC
  - Quick Relief Plumbing
  - R2 Plumbing
- Mechanical/HVAC Bonds:
  - Ares Holdings LLC

- Central States Contracting Services Inc
- Kelly CAN Heating & Cooling LLC
- Myrick Mechanical LLC
- Polestar Plumbing Inc

**Action:** Referred to License.

## **7. CONTINUATION CERTIFICATES:**

- Mechanical/HVAC Bonds:
  - 5 Star Mechanical LLC
  - Martin Refrigeration LLC
- Electrical Bonds:
  - Hemmert Electric, Inc

**Action:** Referred to License.

## **8. CANCELLATION NOTICE OF INSURANCE/BOND:**

- Electrical Bonds:
  - Desing Build Electric LLC
  - Kansas City Electric Company LLC
- Septic Tank Installer & Cleaner Bonds:
  - Downing Septic and Grease Cleaning

**Action:** Referred to License.

## **9. SURETY RIDER:**

- Hamilton Plumbing Heating AC & Rooter (Electric)
- Hamilton Plumbing Heating AC & Rooter (Mechanical/HVAC)
- Hamilton Plumbing Heating AC & Rooter (Plumber)

**Action:** Referred to License.





# Unified Government Clerk's Office

Monica L. Sparks  
Interim Unified Government Clerk

701 North 7th Street, Suite 323  
Kansas City, Kansas 66101-3070

Phone: 913-573-5260  
Fax: 913-573-5299  
<http://www.wycokck.org>

## Memorandum

**To:** David Johnston  
County Administrator

**From:** Monica L. Sparks  
Interim UG Clerk

**Date:** May 23, 2024

**Re:** Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

RM

## **Weekly Business Material for May 17, 2024 – May 23, 2024**

### **1. CLAIM FOR DAMAGES:**

- Anthony Adair, Kansas City, KS, alleging violation of due process and damages on 5/13/2024.
- Al Eatman, Kansas City, KS, alleging damage to property on 5/2024.
- Keith Lumley, Kansas City, KS, alleging damage to vehicle near I-35 and 18<sup>th</sup> St Expressway on 5/2024.

**Action:** Received and filed. Copies previously forwarded to Legal.

### **2. APPLICATIONS FOR PRIVATE SECURITY BUSINESS:**

- Kansas City Ultimate Security Inc., D/B/A Kansas City Ultimate Security Inc., 16657 E 23<sup>rd</sup> St S Ste 371 Independence, MO 64055.

**Action:** Referred to License.



# Unified Government Clerk's Office

Monica L. Sparks  
Interim Unified Government Clerk

701 North 7th Street, Suite 323  
Kansas City, Kansas 66101-3070

Phone: 913-573-5260  
Fax: 913-573-5299  
<http://www.wycokck.org>

## Memorandum

**To:** David Johnston  
County Administrator

**From:** Monica L. Sparks  
Interim UG Clerk

**Date:** May 31, 2024

**Re:** Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

RM

## **Weekly Business Material for May 31, 2024 – June 6, 2024**

### **1. REPORT:**

- Financial report for the Self-Supporting Municipal District/Downtown Improvement District (SSMID) for the month of April 2024.
- Annual Financial report for the Self-Supporting Municipal District/Downtown Improvement District (SSMID) for 2023.

**Action:** Received and filed.

### **2. CLAIM FOR DAMAGES:**

- Kristi Mellon, Roeland Park, KS, alleging damage to vehicle near 18<sup>th</sup> and I-35 on 5/14/2024.
- Lara Fergusen, Kansas City, KS, alleging damage to vehicle near 38<sup>th</sup> and Wood Ave on 5/28/2024.
- Janice Sambol, The Colony, TX, alleging personal injury on 5/11/2024.
- Chad Russell, Manhattan, KS, alleging personal injury on 3/14/2024.
- Leah Williams, Kansas City, KS, alleging personal injury on 4/29/2024.
- Leah Owen, Shawnee, KS, alleging damage to vehicle near 7<sup>th</sup> St and I-35 on 3/9/2024.
- Barbara Lee, Kansas City, KS, alleging personal injury on 12/2/2022.

**Action:** Received and filed. Copies previously forwarded to Legal.

### **3. TRAVEL REQUESTS:**

- Felicia Atkins, Rayshunda White, and Elizabeth Lamb, Sherriff's Department, travel to Derby, KS, August 19-August 22, 2024, to attend Women in Command conference, Employee Training & Travel.
- Joseph Hall, Public Works/Water Pollution Control, travel to Denver, CO, August 6-August 9, 2024, to attend Safety 24 Conference + Expo, Sewer System Enterprise Fund.
- Fue Xiong, Public Works/WPC, travel to Oklahoma City, OK, June 19- June 21, 2024, to attend Residuals and Biosolids Conference 2024, Employee Training & Travel.

**Action:** Received and filed. Copies previously forwarded to Legal.

### **4. APPLICATIONS FOR LIQ. TEMP. LICENSE:**

- Zak Cummings, d/b/a Synergy Entertainment LLC, 600 N 7<sup>th</sup> St Kansas City, KS 66101 from 6/1/24 at 5:00 p.m. until 6/2/24 at 2:00 a.m.

**Action:** Referred to License.



# Report to Economic Development & Finance

| MEETING DATE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PRESENTER                                                             | DEPARTMENT |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|------------|
| JUN 03 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Jeffrey Conway, Assistant Counsel<br><br>jconway@wycokck.org<br>x5075 | Legal      |
| AGENDA ITEM #IV.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                       |            |
| RESOLUTION: SETTING PUBLIC HEARING (AMERICAN ROYAL DEVELOPMENT PROJECT)                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                       |            |
| BACKGROUND                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                       |            |
| Adoption of a resolution establishing the date and time of a public hearing regarding an Amended and Restated STAR Bond District Plan, a proposed STAR Bond Project Plan for project area 1, and a proposed First Amended and Restated STAR Bond Project Plan for project area 2, all within the existing Northwest Speedway STAR Bond District.                                                                                                                                                                        |                                                                       |            |
| RECOMMENDATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                       |            |
| Approve                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                       |            |
| BUDGET IMPACTS / FINANCIAL CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                       |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                       |            |
| IT/POLICY CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                       |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                       |            |
| PROCUREMENT CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                       |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                       |            |
| LEGAL CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                       |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                       |            |
| ATTACHMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                       |            |
| Resolution - PH regarding District, PA1, PA2 - American Royal (UG), Amended and Restated STAR Bond District Plan (Polsinelli-KL comments 5.15.24 clean), Project Area 1 STAR Bond Project Plan v3 (Polsinelli-KL comments 5.21.24 clean) (95051436v3)-c, Project Area 2 STAR Bond Project Plan v3 (Polsinelli-KL draft 5.21.24 clean) (95051463v3)-c, American Royal STAR Bond Feasibility Study REVISED FINAL 2024.02.26-c, Depiction of NW Speedway STAR Bond District 5.21.24, Rough Depiction_Project Areas 5.21.24 |                                                                       |            |

Approved by Mayor and/or Chair and Administrator to add to agenda.

*DOF 5/24/2024*  
*Approved Mayor [Signature] [Signature]*

(Published in *The Wyandotte Echo* on July 11 and July 18, 2024)

**RESOLUTION NO. R-\_\_-24**

**A RESOLUTION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING REGARDING AN AMENDED AND RESTATED STAR BOND DISTRICT PLAN, A PROPOSED STAR BOND PROJECT PLAN FOR PROJECT AREA 1, AND A PROPOSED FIRST AMENDED AND RESTATED STAR BOND PROJECT PLAN FOR PROJECT AREA 2, ALL WITHIN THE EXISTING NORTHWEST SPEEDWAY STAR BOND DISTRICT, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING.**

**WHEREAS**, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) desires to promote, stimulate and develop the general and economic welfare of the City of Kansas City, Kansas (the “City”) and the state of Kansas (the “State”) and to assist in the development and redevelopment of eligible areas within the City, thereby promoting the general welfare of the citizens of the State and the Unified Government, by acquiring property and providing for the development and redevelopment thereof and the financing relating thereto; and

**WHEREAS**, on December 14, 2016, the Secretary of Commerce of the State of Kansas (the “Secretary”) determined that the District (defined below) is an “eligible area” under provisions of the STAR Bonds Financing Act, K.S.A. 12-17,160, *et seq.*, as amended (the “Act”); and

**WHEREAS**, pursuant to the provisions of the Act, on December 15, 2016, after proper notice in accordance with the Act, a public hearing was held and the Unified Government passed Ordinance No. O-75-16, creating a STAR bond project district (the “District”) within the City containing one STAR bond project area, the boundaries of which were defined in said Ordinance; and

**WHEREAS**, a map depicting the boundaries of the District is attached hereto as **Exhibit A**, and the District is legally described, collectively, on **Exhibit B**; and

**WHEREAS**, on April 5, 2017, the Northwest Speedway STAR Bond District Project Plan (the “Original Project Plan”) was filed with the Unified Government Clerk, such Original Project Plan providing for the redevelopment of the project area then existing within the District; and

**WHEREAS**, on April 11, 2017, the Planning Commission of the Unified Government made a finding that the Original Project Plan was consistent with the intent of the City's comprehensive plan for the development of the City; and

**WHEREAS**, on October 26, 2017, after proper notice in accordance with the Act, a public hearing was held regarding the Original Project Plan and the Unified Government then adopted Ordinance No. O-62-17 approving the Original Project Plan; and

**WHEREAS**, on December 6, 2018, and prior to implementing the Original Project Plan, the Unified Government passed Ordinance No. O-52-18 approving the Northwest Speedway Amended STAR Bond District STAR Bond Financing Project Plan (the “First Amended Project Plan”) repealing and replacing the Original Project Plan in its entirety; and

**WHEREAS**, an Amended and Restated STAR Bond District Plan dated June 1, 2024, and attached hereto as **Exhibit C** (the “Amended STAR Bond District Plan”) was filed with the Unified Government Clerk



on June 5, 2024, which Amended STAR Bond District Plan proposes to divide the District into three (3) separate STAR bond project areas within the District (respectively, as generally depicted and described in **Exhibit A** and **Exhibit B**, “Project Area 1,” Project Area 2,” and “Project Area 3”) ; and

**WHEREAS**, the Unified Government intends to hold a public hearing to consider the Amended STAR Bond District Plan as a “substantial change” to the District; and

**WHEREAS**, the Act provides that prior to approving any “substantial change” to any STAR bond project district, the Unified Government shall, by resolution, call a public hearing to consider amendment of the STAR bond project district and shall give notice of the public hearing in accordance with the Act; and

**WHEREAS**, the Unified Government is considering adoption of a Second Amended and Restated Northwest Speedway STAR Bond District STAR Bond Financing Project Plan for Project Area 2, dated June 1, 2024 and filed with the Unified Government Clerk on June 5, 2024, which has been prepared by the Unified Government in consultation with the Unified Government’s Planning Commission pursuant to the Act, and provides for the redevelopment of real property within Project Area 2 and the repeal and replacement of the First Amended Project Plan (the “Project Area 2 Plan”); and

**WHEREAS**, in accordance with the Act, as a “substantial change” to such First Amended Project Plan, the governing body of the Unified Government wishes to hold a public hearing to consider adoption of the Project Area 2 Plan, and the governing body shall provide notice of such public hearing in accordance with the Act; and

**WHEREAS**, the Unified Government is considering adoption of a Northwest Speedway STAR Bond District STAR Bond Financing Project Plan for Project Area 1, dated June 1, 2024 and filed with the Unified Government’s Clerk on June 5, 2024, which has been prepared by the Unified Government in consultation with the Unified Government’s Planning Commission pursuant to the Act, and provides for the redevelopment of real property within Project Area 1 (the “Project Area 1 Plan”); and

**WHEREAS**, on June 10, 2024 the Planning Commission of the Unified Government made findings that the Project Area 1 Plan and Project Area 2 Plan are each consistent with the intent of the City’s comprehensive plan for the development of the City; and

**WHEREAS**, at the public hearing called herein, a representative of the Unified Government shall present the proposed Amended STAR Bond District Plan, Project Area 1 Plan, and Project Area 2 Plan, and all interested persons shall be given an opportunity to be heard; and

**WHEREAS**, the Unified Government desires to establish August 1, 2024, as the date for the public hearing on the Amended STAR Bond District Plan, the Project Area 1 Plan, the Project Area 2 Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

**Section 1. Consideration of Amended STAR Bond District Plan, Project Area 1 Plan, and Project Area 2 Plan.** The Unified Government is considering the approval of the Amended STAR Bond District Plan, Project Area 1 Plan, and Project Area 2 Plan, all pursuant to the Act.

**Section 2. STAR Bond District.** A map and legal description of the District and the three (3) project areas are attached hereto as **Exhibit A** and **Exhibit B**, respectively, which are incorporated herein by reference.

**Section 3. Proposed Project Area 1 Plan and Project Area 2 Plan.** The proposed Amended STAR Bond District Plan, Project Area 1 Plan, and Project Area 2 Plan, including a summary of the feasibility study, market study, relocation assistance plan and financial guarantees of the developer and a legal description and map of the area to be redeveloped or developed are public records, are available for public inspection during regular office hours in the office of the Unified Government Clerk, Municipal Office Building, 701 North 7th Street, Kansas City, Kansas.

**Section 4. Public Hearing.** Notice is hereby given that a public hearing will be held by the governing body of the Unified Government to consider the approval of the Amended STAR Bond District Plan, the adoption of the Project Area 1 Plan, and the adoption of the Project Area 2 Plan on **August 1, 2024**, at the Commission Meeting Room, located at Municipal Office Building, 701 North 7th Street, Kansas City, Kansas, the public hearing to commence at 7:00 p.m. or as soon thereafter as the Commission can hear the matter. At the public hearing, the governing body will receive public comment on the proposed Amended STAR Bond District Plan, Project Area 1 Plan, and Project Area 2 Plan and may, after the conclusion of such public hearing, consider the findings necessary for approval of the same pursuant to the Act.

**Section 5. Notice of Public Hearing.** The Unified Government Clerk is hereby authorized and directed to provide for notice of the public hearing by taking the following actions:

(a) A copy of this resolution shall be mailed by United States certified mail, return receipt requested, within 10 days of this date to:

- (i) the Board of County Commissioners of Wyandotte County, Kansas;
- (ii) the Boards of Education of U.S.D. No. 203 (Piper) and U.S.D. 204 (Bonner Springs); and
- (iii) each owner and occupant of land within the District.

(b) This resolution, specifically including **Exhibits A and B** attached hereto, shall be published twice on consecutive weeks in the official newspaper of the Unified Government, with the second publication occurring not less than one week nor more than two weeks preceding the date of the public hearing.

(c) Notice shall be conspicuously provided at a prominent location on the first page of the website of the Unified Government, such notice to provide a link to all documents and information required under the Act.

**Section 6. Applicable Incentives.** In accordance with K.S.A. 12-17,165(a)(5), the following state, federal, and local tax incentives apply, or are anticipated to apply, within the District, or for a business located or to be located within the District:

State grants (including Building a Stronger Economy (BASE) grant money); STAR bond financing; tax exempt financing; community improvement district financing; general improvement and assessment financing; tax increment financing; transportation development district financing; and/or economic development revenue bond financing and related tax abatements and exemptions.

**Section 7. Further Action.** The Mayor/CEO, County Manager, Unified Government Clerk and other officials and employees of the Unified Government, including the County Attorney, and Gilmore

& Bell, P.C., Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this resolution.

**Section 8. Effective Date.** This resolution shall be effective upon its adoption by the Commission of the Unified Government of Wyandotte County/Kansas City, Kansas.

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**ADOPTED** by the Commission of the Unified Government of Wyandotte County/Kansas City,  
Kansas on June 27, 2024.

[SEAL]

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Mayor/CEO

Attest:

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Interim Unified Government Clerk

Approved as to form:

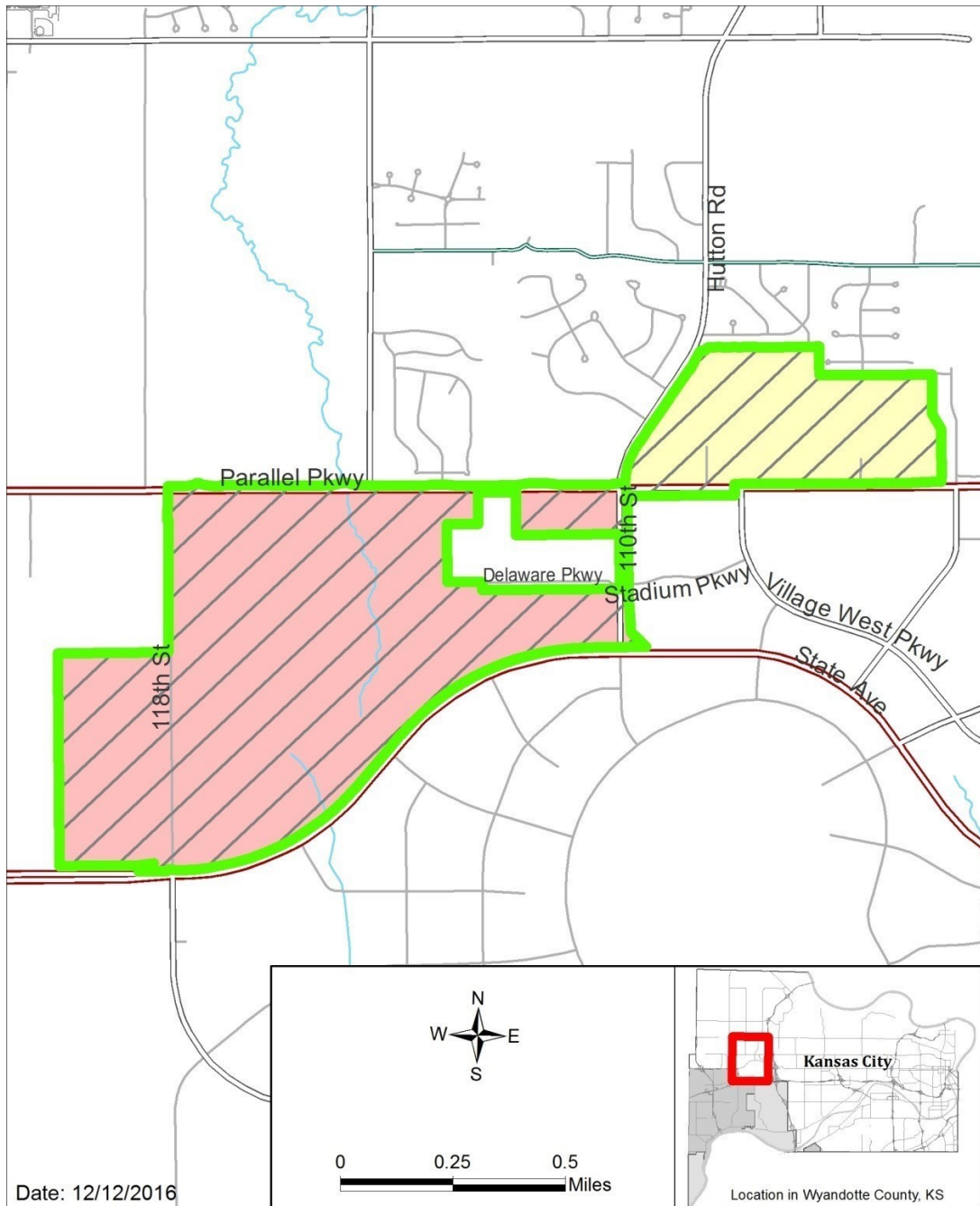
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Office of Chief Counsel

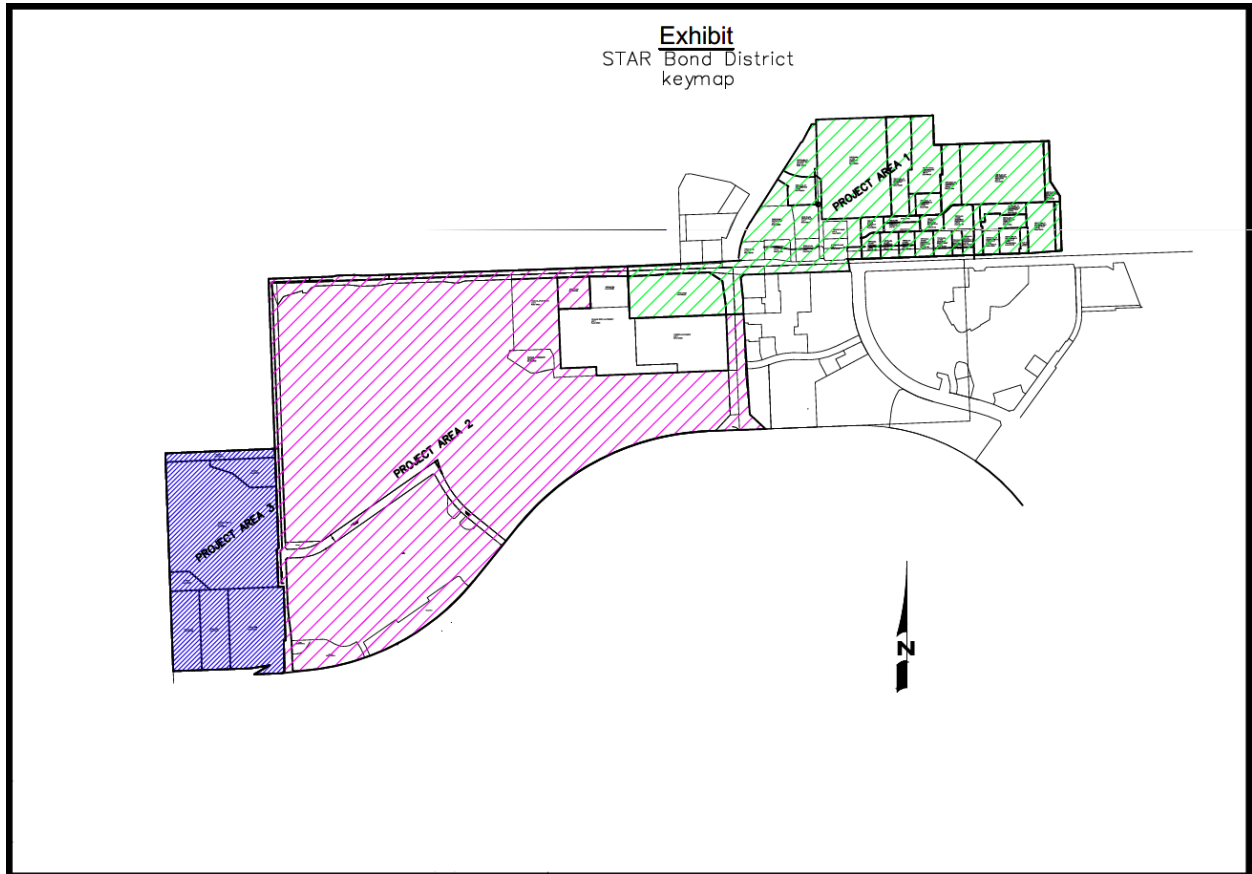
## EXHIBIT A

### MAP OF DISTRICT AND PROJECT AREAS 1, 2, AND 3

**District.**



**Project Areas 1, 2, and 3.**





## **EXHIBIT B**

### **LEGAL DESCRIPTION OF DISTRICT AND PROJECT AREAS 1, 2, AND 3**

#### **District.**

All that part of the Northeast Quarter and Southeast Quarter of Section 4, and all that part of Section 3, and all that part of the north half of Section 2, all in Township 11 South, Range 23 East, all that part of Lot 1, PIPER PLAZA, all that part of Lots 1, 2, 3, 4, and 5 of PIPER PLAZA SECOND PLAT, all that part of Lots 1 and 2 SECURITY BANK, all that part of Lots 14, 24, 25 and Tract C of PLAZA AT THE SPEEDWAY, and all that part of Tract D and Lot 53, PLAZA AT THE SPEEDWAY SECOND PLAT, and all that part of Lots 38, 39, 40, 41, and 42, PLAZA AT THE SPEEDWAY THIRD PLAT, and all that part of Lots 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52, PLAZA AT THE SPEEDWAY FOURTH PLAT, and all that part of Lots 53, 54, and 55, PLAZA AT THE SPEEDWAY FIFTH PLAT, and all that part of Lots 56, 57, Tract E1, and Tract E2, PLAZA AT THE SPEEDWAY SIXTH PLAT, and all that part of the Southeast Quarter and Southwest Quarter of Section 34, and all that part of the Southeast Quarter of Section 33, both in Township 10 South, Range 23 East, all being in the City of Kansas City, Wyandotte County, Kansas being generally described as follows: Beginning at the intersection of the south right-of-way line of Parallel Parkway and the west right-of-way line of N. 118<sup>th</sup> Street, thence southerly, with the west right-of-way line of N. 118<sup>th</sup> Street to the north line of Tract I, American Royal, thence Westerly along the Northerly line of said Tract I to the Northwest corner of said Tract I; thence Southerly, along the Westerly line of said American Royal and its prolongation thereof to the northerly right-of-way line of State Avenue; thence easterly, with the north right-of-way line of State Avenue to the east right-of-way line of N. 110<sup>th</sup> Street; thence northerly, with the east right-of-way line of N. 110<sup>th</sup> Street, to the south right-of-way line of Parallel Parkway; thence easterly, with the south right-of-way line of Parallel Parkway, to the west right-of-way line of Village West Parkway; thence northerly, with the west right-of-way line of Village West Parkway, to the north right-of-way line of Parallel Parkway; thence easterly, with the north right-of-way line of Parallel Parkway, to the easterly line of PLAZA AT THE SPEEDWAY SIXTH PLAT; thence northerly, with the east line of PLAZA AT THE SPEEDWAY SIXTH PLAT to the northeast corner thereof; thence westerly, with the north line of PLAZA AT THE SPEEDWAY SIXTH PLAT, to the northwest corner thereof, said point also being on the easterly line of PLAZA AT THE SPEEDWAY FIFTH PLAT; thence westerly and northerly, with the easterly line of PLAZA AT THE SPEEDWAY FIFTH PLAT, to the northeast corner thereof; thence westerly, with the north line of PLAZA AT THE SPEEDWAY FIFTH PLAT, and with the north line of PLAZA AT THE SPEEDWAY, to the northwest corner thereof, said point being on the east right-of-way line of Hutton Road; thence southwesterly, with the easterly right-of-way line of Hutton Road to the north right-of-way line of Parallel Parkway; thence westerly, with the north right-of-way line of Parallel Parkway, to the intersection of the north right-of-way line Parallel Parkway and the northerly prolongation of the west right-of-way line of N. 118<sup>th</sup> Street; thence southerly, with the northerly prolongation of the west right-of-way line of N. 118<sup>th</sup> Street, to the point of beginning.

Except all of Lot 1, LEGENDS APARTMENTS, and except all of Lot 1, VILLAGE WEST APARTMENTS, and except 3.6 acres more or less described in Book 1861 at Page 550.

The above described tract contains approximately 550 acres, more or less.

## **Project Area 1.**

All of Piper Plaza First and Second plat, all that part of The Plaza at the Speedway, First, Second, Third, Fourth, Fifth and Sixth plat, all that part of Security Bank, First Plat and all that part of the Section 2 & 34, Township 11 South, Range 23 East and Section 34, Township 10 S, Range 23 East, described as follows: Beginning at the extension of the Northerly line of Legends Apartments with the Easterly line of North 110<sup>th</sup> Street as it currently exists; thence Westerly along the Northerly line of said Legends Apartments to the Easterly line of Village West Apartments, a subdivision in the City of Kanas City, Wyandotte County, Kansas, according to the recorded plat thereof; thence Northerly along the Easterly line of said Village West Apartments and its extension thereof to the Southerly right-of-way line of Parallel Parkway as it exists; thence Easterly, along said Northerly right-of-way line to the Westerly right-of-way line of Village West Parkway, as it currently exists; thence Southerly to the Southerly right-of-way line of said Parallel Parkway; thence Westerly, along said Southerly right-of-way line to the Easterly right-of-way of said 110<sup>th</sup> Street; thence; thence Southerly, along said Easterly right-of-way line to the point of beginning.

The above described tract contains 134 acres, more or less.

## **Project Area 2.**

All that part of Section 2,3 & 4, Township 11 South, Range 23 East and all that part of Section 33 & 34, Township 10 South, Range 23 East, and all of Tract E & F, American Royal and all of Tract A, B, C, D AND Lot 1, American Royal, Second Plat and Parallel Apartments, subdivisions in the City of Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof: Beginning at the Northeasterly corner of Lot 1, Legends Apartments, a subdivision in the City of Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof; thence Easterly, along the prolongation of the Northerly line of said Lot 1 to the Easterly right-of-way line of 110<sup>th</sup> Street, as it currently exists; thence Southerly, along said Easterly right-of-way line to the Northerly right-of-way line of State Avenue, as it currently exists; thence Westerly, along said Northerly line, to the Westerly right-of-way line of North 118<sup>th</sup> Street, as it currently exists; thence Northerly, along said Westerly right-of-way line to the Northerly right-of-way line of Parallel Parkway, as it currently exists; thence Easterly along said Northerly right-of-way line to the prolongation of the Easterly line of the property defined in Book 1861, Page 550; thence Southerly, along said prolongation to the Southerly right-of-way line of said Parallel Parkway; thence Westerly, along said Southerly right-of-way line, to the Northwest corner of the property defined in Book 1861, Page 550; thence Southerly, along the Westerly line of the property defined in Book 1861, Page 550 to the Northerly line of Village West Apartments, a subdivision in the City of Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof; thence Westerly along said Northerly line to the West line of said Village West Apartments; thence Southerly, along the Westerly line of said Village West apartments to the Northerly line of Delaware Parkway, as it currently exists; thence Easterly along the Northerly line of said Delaware Parkway to the Westerly point of Delaware Parkway as shown on said Village West Apartments; thence Southerly to the Southerly right-of-way of said Delaware Parkway; thence Easterly, along said Southerly right-of-way line, to the Westerly right-of-way line of said 110<sup>th</sup> Street; thence Northerly along said Westerly right-of-way line to the point of beginning.

The above described tract contains approximately 337 acres, more or less.

**Project Area 3.**

All that part of the East Half of the Southeast Quarter of Section 4, Township 11 South, Range 23 East and all of Tracts H, I and G and All of Lot 3, American Royal, a subdivision in City of Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof: Beginning at the Northeast corner of said Tract I, thence Southerly along the Westerly right-of-way line of North 118<sup>th</sup> Street, as it currently exists to the Northerly right-of-way line of State Avenue, as it currently exists; thence Westerly, along said Northerly right-of-way line to the Westerly line of the East half of the Southeast Quarter of said Section 4; thence Northerly along said Westerly line to the Northwest corner of said Tract "I"; thence Easterly along the Northerly line of said Tract I to the point of beginning.

The above described tract contains approximately 73 acres, more or less.

**EXHIBIT C**  
**AMENDED STAR BOND DISTRICT PLAN**

**AMENDED AND RESTATED STAR BOND DISTRICT PLAN  
FOR  
NORTHWEST SPEEDWAY STAR BOND DISTRICT**

**May \_\_\_, 2024**



## **DESCRIPTION OF AMENDED AND RESTATED STAR BOND DISTRICT PLAN**

The STAR Bonds Financing Act, K.S.A. 12-17, 160 *et seq.*, as amended (the "**Act**") authorizes the Unified Government of Wyandotte County/Kansas City, Kansas (the "**Unified Government**") to establish STAR bond project districts within eligible areas of the city and county, and to approve STAR bond project district plans for the completion of STAR bond projects within such STAR bond project district, and to finance all or a portion of STAR bond project costs from state and local sales revenues derived from the STAR bond project district, other revenues described in the Act, or a combination thereof or from the proceeds of special obligation tax increment bonds of the Unified Government payable from such described revenues.

On October 27, 2016, the Board of Commissioners of the Unified Government adopted Resolution No. R-78-16, which made a finding that the Unified Government was considering the establishment of a STAR bond project district pursuant to the Act, set forth the boundaries of the proposed STAR bond project district, provided a summary of the proposed STAR bond project district plan, called a public hearing concerning the establishment of a STAR bond project district for December 15, 2016 and provided for notice of such public hearing as provided in the Act. On December 14, 2016, the Secretary of Commerce made a finding that the proposed STAR bond project district is an "eligible area" under the Act, and a public hearing was held on December 15, 2016 after due published, delivered and mailed notice in accordance with the provisions of the Act.

On December 15, 2016, pursuant to the provisions of the Act, the Board of Commissioners of the Unified Government adopted Ordinance No. O-75-16, which (a) created a STAR bond project district known as the Northwest Speedway STAR bond project district within Kansas City, Kansas (the "City"), the boundaries of which are depicted on *Exhibit A-1* attached hereto and a legal description of which is attached hereto as *Exhibit A-2* (the "**District**"), and (b) provided the following STAR bond district plan (the "**Original STAR Bond District Plan**") for the District:

The buildings and facilities to be constructed or improved in the STAR bond project district may be described in a general manner as a mixed-use development consisting of some or all of the following uses: livestock expo arena and other equestrian-related uses, education and conference center, entertainment complexes, other retail, restaurant, hotel, office and commercial uses, other sporting and recreational uses, any other uses allowable under the Act, and including acquiring real property rights and constructing any associated public and private infrastructure.

The District contained approximately 550 acres of real property within its boundaries and only one STAR bond project area.

Subsequently, on October 26, 2017 and pursuant to the Act, the Unified Government adopted Ordinance No. O-62-17 approving the Northwest Speedway STAR Bond District STAR Bond Financing Project Plan (the "**Original Project Plan**"), and, on December 6, 2018 and prior to implementing the Original Project Plan, the Unified Government adopted Ordinance No. O-52-18 approving the Northwest Speedway Amended STAR Bond District STAR Bond Financing

Project Plan (the “**First Amended Project Plan**”) repealing and replacing the Original Project Plan in its entirety.

The Unified Government and American Royal Association, a Missouri not-for-profit corporation (the “**Developer**”), now desire to amend the Original STAR Bond District Plan to provide for the concept of festival grounds and to create three (3) separate and distinct STAR bond project areas, all within the same geographic boundaries of the District.

A map depicting the boundaries of the District, as well as the boundaries of the proposed new STAR bond project areas within the District are attached hereto as ***Exhibits A*** through ***D***, respectively, all of which are hereby incorporated by reference.

**The amended and restated STAR Bond District Plan shall be as follows:**

The District will consist of three (3) project areas. The buildings and facilities to be constructed or improved in the STAR bond project district may be described in a general manner as a mixed-use development consisting of some or all of the following uses: livestock expo arena and other equestrian-related uses, education and conference centers and related facilities, entertainment complexes and festival grounds, other retail, restaurant, hotel, office and commercial uses, other sporting and recreational uses, and any other uses allowable under the Act, and including acquiring real property rights and constructing any associated public and private infrastructure.

**The three (3) project areas shall be described as follows:**

- Project Area 1 – Plaza at the Speedway. This Project Area includes approximately 360 acres, including: (a) all of the approximately 110 acres located north of Parallel Parkway between Hutton Road and I-435 and bounded on the north by the Prairie Country and Westmore Downs subdivisions, and including the existing Plaza at the Speedway shopping center, as shown in yellow shading on ***Exhibit A-1***; and (b) certain parcels comprising approximately 250 acres of property located south of Parallel Parkway and bounded on the west by N 118<sup>th</sup> Street, on the east by N. 110<sup>th</sup> Street and to the South by American Royal Way and State Avenue, all as generally shown on ***Exhibit B-1***. The legal description of Project Area 1 is attached as ***Exhibit B-2***. The buildings and facilities to be constructed or improved in Project Area 1 of the District may be described in a general manner as a mixed-use development consisting of some or all of the following uses: education and conference centers and related facilities, entertainment complexes, other retail, restaurant, hotel, office and other commercial uses, other sporting and recreational uses, and any other uses allowable under the Act, and including acquiring real property rights and constructing any associated public and private infrastructure.
- Project Area 2 -- Core Royal. This Project Area includes approximately 80 acres of property generally bounded on the west by north 118<sup>th</sup> Street, to the

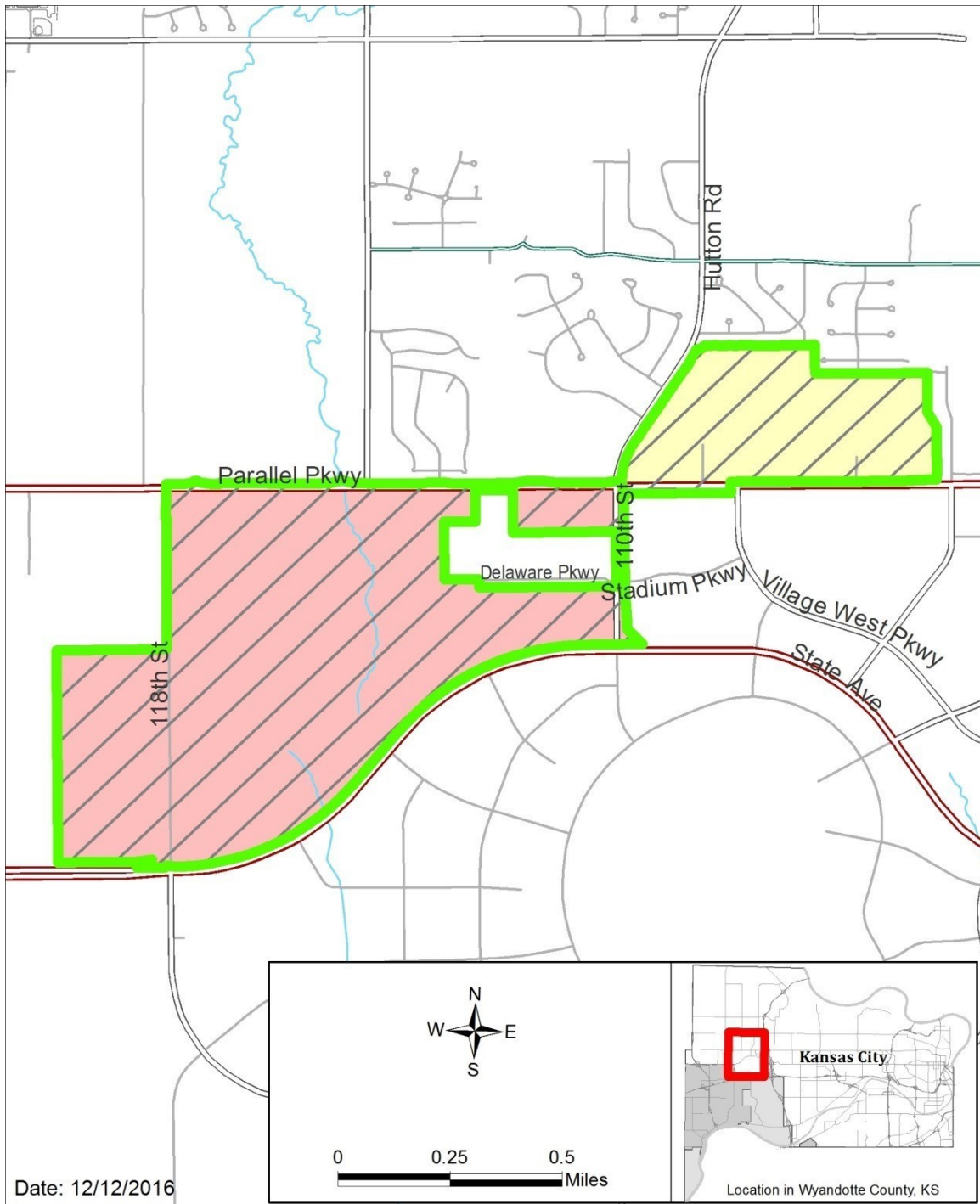
north by American Royal Way, to the east by N 115<sup>th</sup> Street and to the South by State Avenue, all as generally shown on ***Exhibit C-1***. The legal description of Project Area 2 is attached as ***Exhibit C-2***. The buildings and facilities to be constructed or improved in Project Area 2 of the District may be described in a general manner as a mixed-use development consisting of some or all of the following uses: livestock expo arena and other equestrian-related uses, education and conference centers and related facilities, entertainment complexes, other retail, restaurant, hotel, office and other commercial uses, other sporting and recreational uses, and any other uses allowable under the Act, and including acquiring real property rights and constructing any associated public and private infrastructure.

- Project Area 3 – Festival Grounds. This Project Area includes approximately 80 acres of property located west of the intersection of N 118<sup>th</sup> Street and American Royal Way, as more particularly shown on ***Exhibit D-1***. The legal description of Project Area 3 is attached as ***Exhibit D-2***. The buildings and facilities to be constructed or improved in Project Area 2 of the District may be described in a general manner as a mixed-use development consisting of some or all of the following uses: festival grounds, entertainment complexes, other retail, restaurant, hotel, office and other commercial uses, other sporting and recreational uses, and any other uses allowable under the Act, and including acquiring real property rights and constructing any associated public and private infrastructure.

This Amended and Restated STAR Bond District Plan hereby replaces the Original STAR Bond District Plan in its entirety.

## EXHIBIT A-1

### MAP OF STAR BOND DISTRICT



## **EXHIBIT A-2**

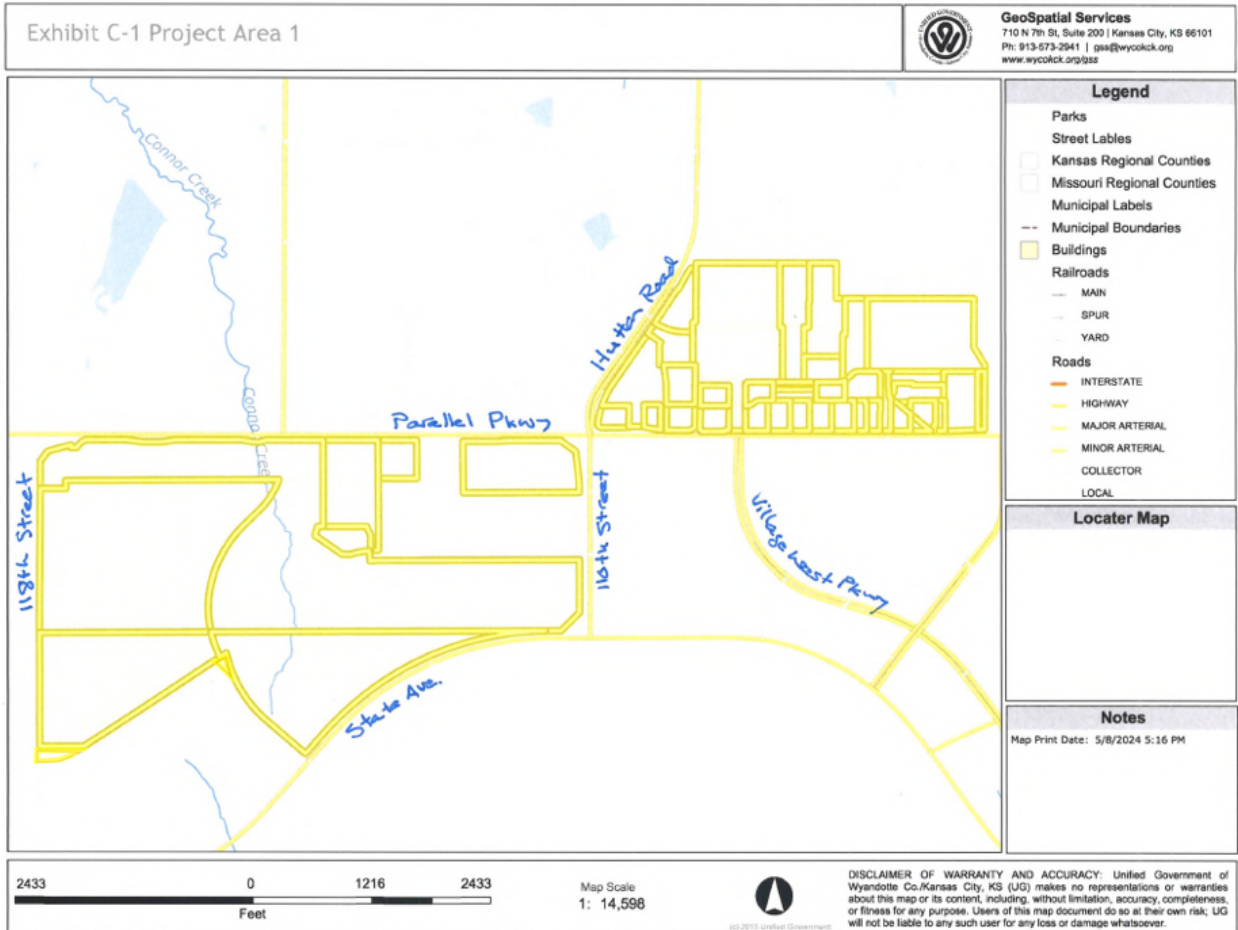
### **LEGAL DESCRIPTION OF STAR BOND DISTRICT**

All that part of the Northeast Quarter and Southeast Quarter of Section 4, and all that part of Section 3, and all that part of the north half of Section 2, all in Township 11 South, Range 23 East, all that part of Lot 1, PIPER PLAZA, all that part of Lots 1, 2, 3, 4, and 5 of PIPER PLAZA SECOND PLAT, all that part of Lots 1 and 2 SECURITY BANK, all that part of Lots 14, 24, 25 and C of PLAZA AT THE SPEEDWAY, and all that part of Lots D and 53, PLAZA AT THE SPEEDWAY SECOND PLAT, and all that part of Lots 38, 39, 40, 41, and 42, PLAZA AT THE SPEEDWAY THIRD PLAT, and all that part of Lots 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52, PLAZA AT THE SPEEDWAY FOURTH PLAT, and all that part of Lots 53, 54, and 55, PLAZA AT THE SPEEDWAY FIFTH PLAT, and all that part of Lots 56, 57, Tract E1, and Tract E2, PLAZA AT THE SPEEDWAY SIXTH PLAT, and all that part of the Southeast Quarter and Southwest Quarter of Section 34, and all that part of the Southeast Quarter of Section 33, both in Township 10 South, Range 23 East, all being in the City of Kansas City, Wyandotte County, Kansas being generally described as follows: Beginning at the intersection of the south right-of-way line of Parallel Parkway and the west right-of-way line of N. 118<sup>th</sup> Street, thence southerly, with the west right-of-way line of N. 118<sup>th</sup> Street to the north line of Parcel 953101; thence westerly with the north line of parcel 953101, to the northwest corner of said Parcel 953101; thence southerly, with the west line of Parcel 953101, and with the west line of Parcels 953103 and 953104 to the north right-of-way line of State Avenue; thence easterly, with the north right-of-way line of State Avenue to the east right-of-way line of N. 110<sup>th</sup> Street; thence northerly, with the east right-of-way line of N. 110<sup>th</sup> Street, to the south right-of-way line of Parallel Parkway; thence easterly, with the south right-of-way line of Parallel Parkway, to the west right-of-way line of Village West Parkway; thence northerly, with the west right-of-way line of Village West Parkway, to the north right-of-way line of Parallel Parkway; thence easterly, with the north right-of-way line of Parallel Parkway, to the easterly line of PLAZA AT THE SPEEDWAY SIXTH PLAT; thence northerly, with the east line of PLAZA AT THE SPEEDWAY SIXTH PLAT to the northeast corner thereof; thence westerly, with the north line of PLAZA AT THE SPEEDWAY SIXTH PLAT, to the northwest corner thereof, said point also being on the easterly line of PLAZA AT THE SPEEDWAY FIFTH PLAT; thence westerly and northerly, with the easterly line of PLAZA AT THE SPEEDWAY FIFTH PLAT, to the northeast corner thereof; thence westerly, with the north line of PLAZA AT THE SPEEDWAY FIFTH PLAT, and with the north line of PLAZA AT THE SPEEDWAY, to the northwest corner thereof, said point being on the east right-of-way line of Hutton Road; thence southwesterly, with the easterly right-of-way line of Hutton Road to the north right-of-way line of Parallel Parkway; thence westerly, with the north right-of-way line of Parallel Parkway, to the intersection of the north right-of-way line Parallel Parkway and the northerly prolongation of the west right-of-way line of N. 118<sup>th</sup> Street; thence southerly, with the northerly prolongation of the west right-of-way line of N. 118<sup>th</sup> Street, to the point of beginning.

Except all of Lot 1, LEGENDS APARTMENTS, and except all of Lot 1, VILLAGE WEST APARTMENTS, and except all of Parcel 949201.

The above described tract contains approximately 550 acres, more or less.

# **EXHIBIT B-1** **MAP OF PROJECT AREA 1**

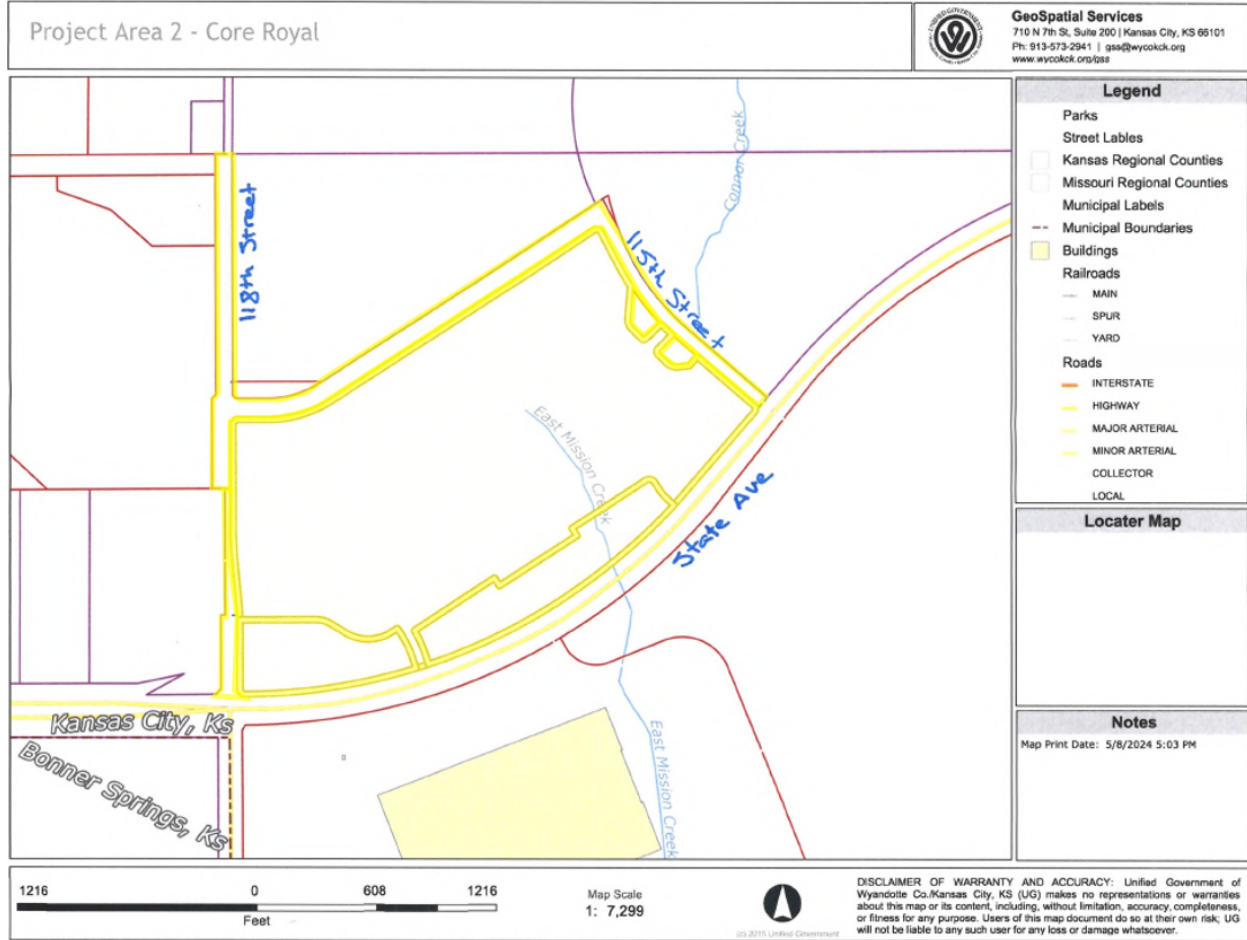




**EXHIBIT B-2**

**LEGAL DESCRIPTION OF PROJECT AREA 1**

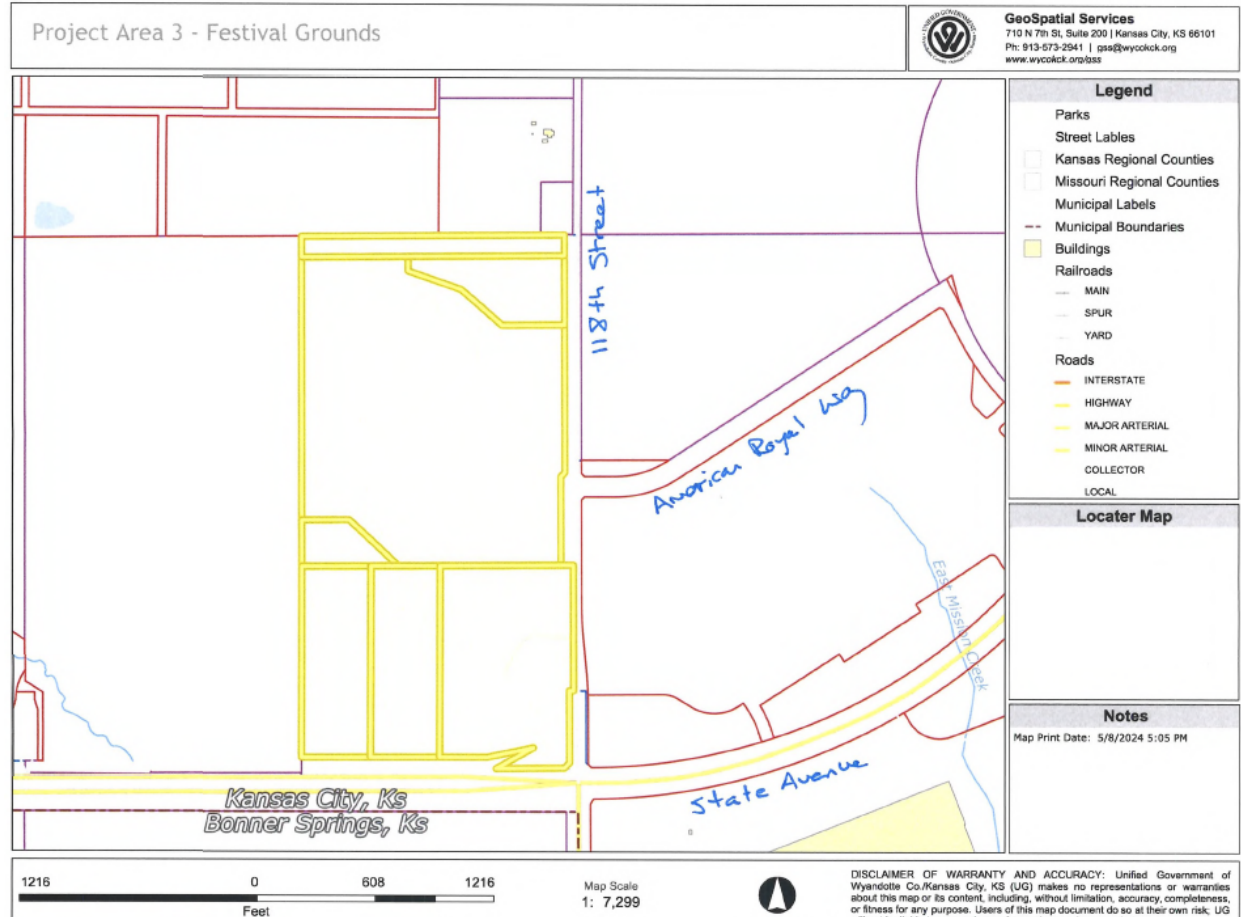
**EXHIBIT C-1**  
**MAP OF PROJECT AREA 2**



**EXHIBIT C-2**

**LEGAL DESCRIPTION OF PROJECT AREA 2**

**EXHIBIT D-1**  
**MAP OF PROJECT AREA 3**



**EXHIBIT D-2**

**LEGAL DESCRIPTION OF PROJECT AREA 3**

**NORTHWEST SPEEDWAY  
STAR BOND DISTRICT**

**STAR BOND FINANCING PROJECT PLAN  
FOR PROJECT AREA 1**

SUBMITTED TO THE UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY, KANSAS  
PURSUANT TO K.S.A. § 12-17,160 *et seq.*

\_\_\_\_\_, 2024



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## I. Introduction

American Royal Association, a Missouri not-for-profit corporation (the “**Developer**”), respectfully submits this STAR Bond Financing Project Plan (this “**Project Plan**”) for Project Area 1 of the Northwest Speedway STAR Bond District “**Project Area 1**”) to the Unified Government of Wyandotte County/Kansas City, Kansas (the “**Unified Government**”) for consideration by the Unified Government’s governing body pursuant to the Kansas STAR Bond Financing Act, K.S.A. § 12-17,160 *et seq.* (the “**Act**”).

Developer owns and/or controls certain real property located within Project Areas 1, 2 and 3 of the District and is the developer of such property within such Project Areas.

The American Royal has been a Kansas City tradition since 1899, celebrating the region’s rich agricultural heritage through competition, education and entertainment. Hosting the World’s largest barbecue contest, one of the Midwest’s largest and oldest livestock exhibitions, professional rodeos and prestigious horse shows, and as home to the national championship saddle bred horse competition, the American Royal brings with it a unique mix of uses that create a variety of tourism, education, and entertainment opportunities. It was against this background that the Developer began exploring options to relocate its operations to the State of Kansas (the “**State**”), and upon identifying a desirable site within the Unified Government, set in motion a plan to leave behind its existing antiquated out-of-state facility, and to construct a new state-of-the-art agricultural, education and entertainment destination within the State.

On December 15, 2016, the Unified Government adopted Ordinance No. O-75-16 that created the Northwest Speedway STAR Bond District (the “**District**”) with a single Project Area. By letter dated December 14, 2016, the Secretary deemed the District an “eligible area” as defined under the Act. Thereafter, on October 26, 2017 and pursuant to the Act, the Unified Government adopted Ordinance No. O-62-17 approving the Northwest Speedway STAR Bond District STAR Bond Financing Project Plan (the “**Original Project Plan**”), and, on December 6, 2018 and prior to implementing the Original Project Plan, the Unified Government adopted Ordinance No. O-52-18 approving the Northwest Speedway Amended STAR Bond District STAR Bond Financing Project Plan (the “**First Amended Project Plan**”) repealing and replacing the Original Project Plan in its entirety.

Contemporaneous with the approval of this Project Plan, the governing body of the Unified Government has approved certain amendments to the District to provide for three (3) separate and distinct Project Areas as further described herein. The First Amended Project Plan will be amended and restated as the Project Plan for Project Area 2 as a substantial change pursuant to the Act. This Project Plan constitutes the Project Plan for Project Area 1. It is anticipated that a Project Plan for Project Area 3 will be proposed and brought forward by the Developer separately at a future date. The 20-year term of the STAR bond project within Project Area 1 shall commence on the date of the approval of this Project Plan.

The District will include a major commercial entertainment and tourism area that will include, without limitation, a livestock expo arena, indoor/outdoor warm-up arena(s), agricultural-related ancillary facilities, and related and appurtenant uses (collectively, the “**Overall Project**”). A site plan generally depicting the Overall Project and District is attached hereto as Exhibit A. The Overall Project will be situated on certain real property within the District, which consists of approximately 550 acres generally located at the southwest and northeast corners of the intersection of North 110<sup>th</sup> Street and Parallel Parkway in the Wyandotte County (“**County**”), Kansas City (“**City**”), Kansas. The legal description for the District is attached to this Project Plan as Exhibit B-1 and a map showing the boundaries of the District is attached as Exhibit B-2. The unique mix of uses within the Overall Project is expected to create substantial tourism, education and entertainment opportunities not presently available in the City or the County. The Developer’s market analysis suggests that the Overall Project will attract a very broad base and desirable visitor demographics, consisting largely of agricultural- and entertainment-seeking participants and

spectators, and families seeking destination agricultural and entertainment opportunities. With the accompanying economic impacts, the Overall Project will become another driver of economic activity for the City, the County, the Unified Government and the State as a whole. These findings are further corroborated by the third-party Feasibility Study, as defined and summarized in this Project Plan.

At build-out and stabilization of the initial phases of the Overall Project, the total capital investment is estimated at approximately \$450 million, incremental annual sales are projected at approximately \$290 million, and annual visitation is estimated at approximately 2,000,000 attendee days. It is expected that capital investment and sales figures may exceed these numbers as additional destination attraction and commercial users are identified. This Project Plan proposes that the Secretary of Commerce for the State of Kansas (“**Secretary**”) approve the issuance of STAR bonds in a maximum aggregate amount sufficient to render \$155,000,000 in net STAR Bond proceeds for disbursement to Developer in connection with the Overall Project. Multiple phases within the District and the STAR Bond Project Areas are anticipated to be built in the future, which are projected to add substantial additional capital investment and otherwise enhance the Overall Project.

This Project Plan is for Project Area 1, including improvements to be designed, constructed and delivered by the Developer and/or other landowners in Project Area 1. However, it is anticipated that the initial STAR bond issuance will include a pledge of revenues from Project Area 1 to finance improvements in Project Areas 2 and 3.

The Overall Project development team brings substantial experience in developing large-scale commercial projects, including destination attraction-based projects that have previously qualified for STAR Bonds, to the Overall Project. The Developer feels that this background makes it particularly well-qualified to bring the unique development proposed under this Project Plan to fruition.

At the completion of the Overall Project, the Unified Government and the State of Kansas will have a new and unique destination experience that will draw visitors on a statewide and regional basis that will create significant related economic benefits both for the Unified Government and the State as a whole.

## II. **STAR Bond Project Plan for Project Area 1**

Pursuant to the Act, municipalities are authorized to utilize STAR Bond Financing for specific development projects through (1) the creation of a STAR Bond Project District, subject to a finding by the Secretary that the District plan is eligible for STAR Bond Financing, and (2) the adoption of a STAR Bond Project Plan that is subsequently approved by the Secretary.

This Project Plan is submitted for consideration by the Unified Government and, ultimately, the Secretary, and includes the following in accordance with the Act:

- A description and map of the project area to be redeveloped;
- A reference to the District plan that identifies the project area that is set forth in the project plan that is being considered;
- A detailed description of the buildings and facilities proposed to be constructed or improved;
- A summary of the feasibility study done as defined in the Act, and amendments thereto;
- The relocation assistance plan;

- Documentation indicating that the Overall Project will result in a capital investment in excess of \$75,000,000 and will generate gross annual sales revenue in excess of \$75,000,000; and
- The names of the owners, partners, officers or principals of the Developer of the project and of any associated business partner of the Developer of the project that is involved in the STAR bond project.

**A. Project Area 1**

The property subject to this Project Plan consists of approximately 360 acres within the District, generally located at the northeast and southwest corners of the intersection of North 110<sup>th</sup> Street and Parallel Parkway, all within the City and County, as generally depicted on Exhibit B-3, and other phases are contemplated to be built within Project Area 2 and Project Area 3 of the District which are projected to add substantial additional capital investment to the Overall Project. A legal description of the subject property for Project Area 1 is attached hereto as Exhibit C.

**B. Reference to District Plan and Other Project Areas.**

Contemporaneous with the approval of this Project Plan, the governing body of the Unified Government approved an Amended and Restated STAR Bond District Plan for the District (the “**District Plan**”), which provides as follows:

The District will consist of three (3) project areas. The buildings and facilities to be constructed or improved in the STAR bond project district may be described in a general manner as a mixed-use development consisting of some or all of the following uses: livestock expo arena and other equestrian-related uses, education and conference centers and related facilities, entertainment complexes and festival grounds, other retail, restaurant, hotel, office and commercial uses, other sporting and recreational uses, any other uses allowable under the Act, and including acquiring real property rights and constructing any associated public and private infrastructure.

The three (3) project areas are described in the District Plan as follows:

- Project Area 1 – Plaza at the Speedway. This Project Area includes approximately 360 acres, including: (a) all of the approximately 110 acres located north of Parallel Parkway between Hutton Road and I-435 and bounded on the north by the Prairie Country and Westmore Downs subdivision, and including the existing Plaza at the Speedway (defined herein) shopping center, as shown in yellow shading on Exhibit B-2 to this Project Plan; and (b) certain parcels comprising approximately 250 acres of property located south of Parallel Parkway and bounded on the west by N 118<sup>th</sup> Street, on the east by N. 110<sup>th</sup> Street and to the South by American Royal Way and State Avenue, all as generally shown on Exhibit B-3 to this Project Plan.
- Project Area 2 – Core Royal. This Project Area includes approximately 80 acres of property generally bounded on the west by north 118<sup>th</sup> Street, to the north by American Royal Way, to the east by N 115<sup>th</sup> Street and to the South by State Avenue, all as generally shown on Exhibit B-4 to this Project Plan.
- Project Area 3 – Festival Grounds. This Project Area includes approximately 80 acres of property located west of the intersection of N 118<sup>th</sup> Street and American Royal Way, as generally depicted on Exhibit B-5 to this Project Plan.

This Project Plan is consistent with the District Plan.

### **C. Description of Buildings and Facilities**

The portion of the Overall Project located within Project Area 1 includes the existing Plaza at the Speedway shopping center located north of Parallel Parkway and anticipates new development on the approximately 250 acres of property located south of Parallel Parkway and bounded on the west by N. 118<sup>th</sup> Street and on the east by N. 110<sup>th</sup> Street, which new development may be described as a mixed-use development consisting of some or all of the following uses: education and conference centers and related facilities, entertainment complexes, other retail, restaurant, hotel, office, multi-family and other commercial uses, other sporting and recreational uses, other family recreational tourism activities and any other uses allowable under the Act (collectively, the “**Project**”).

Other uses are currently envisioned for Project Areas 2 and 3 of the District, which other uses may be described as a mixed-use development consisting of some or all of the following uses: a livestock expo arena, indoor/outdoor arenas and other educational, agricultural and agricultural-related uses and ancillary facilities, entertainment complexes, festival grounds, and other commercial uses, other sporting and recreational uses, other family recreational tourism activities, and any other uses allowable under the Act (collectively, the “**Core Royal**”), including, without limitation, contemplated development of an American Royal festival grounds as a future second phase of the development designed and delivered by the Developer (the “**Festival Grounds**”).

The Overall Project will be combined with a strong existing retail base in this area of the City and County, as well as other possible future destination attractions. The synergy of concepts in the Overall Project is expected to draw the broadest possible segment of the agricultural and youth and family tourism markets. The Developer will also target national and regional retail and restaurant chains, which will complement the tourism draw associated with the Overall Project and existing and prospective development in this area of the City and County. At completion, the Overall Project will become a key piece of the Unified Government’s overall economy and will strengthen the Unified Government’s ability to draw visitors from outside of the immediate area.

### **D. Summary of Feasibility Study**

The Act requires that a feasibility study be prepared setting forth the following information: (i) whether a STAR bond project’s revenue and tax increment revenues and other available revenues are expected to exceed or be sufficient to pay for the project costs; (ii) the effect, if any, a STAR bond project will have on any outstanding special obligation bonds payable from certain revenues as described in the Act; (iii) a statement of how the jobs and taxes obtained from the STAR bond project will contribute significantly to the economic development of the state and region; (iv) visitation expectation and a plan describing how the number of visitors to the STAR bond project district will be tracked and reported to the secretary on an annual basis which shall include, but not be limited to, obtaining and reporting visitor residence zip code data to the Secretary, provided any visitor residence data requested by the Secretary for business located in the STAR bond district shall be provided in an aggregate manner without personally identifiable information; (v) the unique quality of the project; (vi) economic impact study; (vii) market study; (viii) market impact study; (ix) integration and collaboration with other resources or businesses; (x) the quality of service and experience provided, as measured against national consumer standards for the specific target market; (xi) project accountability, measured according to best industry practices; (xii) the expected return on state and local investment that the project is anticipated to produce; (xiii) a net return on investment analysis; (xiv) a statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the STAR bond project; (xv) an anticipated

principal and interest payment schedule on the bond issue; (xvi) a summary of community involvement, participation and support; and (xvii) a full disclosure and description of all state, federal and local tax incentives that apply or are anticipated to apply within the STAR bond district or any business located in the district.

In accordance with the Act, the Unified Government has a prepared a feasibility study conducted by Canyon Research Southwest, Inc. (“**Canyon**”), a qualified independent third-party consultant selected and approved by the Secretary specifically for that purpose. Titled “*STAR Bond Feasibility Study, A New American Royal, A Food and Agriculture Epicenter, 118<sup>th</sup> Street and State Avenue, Kansas City, Kansas,*” and dated February 2024 (the “**Feasibility Study**”), the Feasibility Study was prepared by Canyon under the control and oversight authority of the Secretary and the costs of which have been paid by Developer.

A summary of the Feasibility Study follows below.

### 1. **Sufficiency of the Project’s Revenues Compared to the Project’s Costs**

The Act requires an analysis of whether a project’s revenues are expected to exceed or be sufficient to pay for the costs of the Overall Project (the “**Overall Project Costs**”). This requires determining the Overall Project Costs, and the Overall Project Costs eligible for reimbursement with STAR Bond Proceeds (the “**Eligible Overall Project Costs**”), and comparing them to the STAR Bond Proceeds expected to be generated within each Project Area.

#### a. **Estimated Total Project Costs**

The total estimated cost to complete the Overall Project is approximately \$450 million. As determined from contract prices, engineering estimates, and estimates made by the Developer, a breakdown of the estimated costs by category is set forth below (a detailed budget is attached as Exhibit D):

| PROJECT COST ESTIMATES |           |                    |
|------------------------|-----------|--------------------|
| Cost Category          |           | Estimated Cost     |
| Property Acquisition   | \$        | 13,100,000         |
| Sitework               | \$        | 70,750,000         |
| Infrastructure         | \$        | 38,000,000         |
| Construction           | \$        | 269,000,000        |
| Soft Costs             | \$        | 51,150,000         |
| Contingency            | \$        | 8,000,000          |
| <b>TOTAL</b>           | <b>\$</b> | <b>450,000,000</b> |

#### b. **Estimated Costs Eligible for Reimbursement**

Of the total costs listed above, approximately \$391 million qualify under the Act as “Eligible Project Costs,” meaning that only those costs may be financed using STAR Bond Proceeds. These Eligible Project Costs are set forth by category and amount below (a detailed summary breakdown is attached as Exhibit E):

| ELIGIBLE COST ESTIMATES   |           |                         |
|---------------------------|-----------|-------------------------|
| Cost Category             |           | Estimated Eligible Cost |
| Property Acquisition      | \$        | 10,000,000              |
| Sitework                  | \$        | 41,799,213              |
| Infrastructure            | \$        | 38,000,000              |
| Construction              | \$        | 269,000,000             |
| Soft Costs                | \$        | 32,287,500              |
| Contingency               | \$        | TBD                     |
| <b>TOTAL PROJECT COST</b> | <b>\$</b> | <b>391,086,713</b>      |



### c. Tax Revenues Subject to Capture

STAR bond revenues from the District generated over the 20-year term (“**STAR Bond Revenues**”) are estimated to be approximately \$465.1 million<sup>1</sup> as set forth on Exhibit F attached hereto. Pursuant to the Act, STAR Bond Revenues can be generated from several sources, including, in relevant part:

- *Sales Tax & Use Tax Revenues* – the retail sales dollar amount generated within the District multiplied by: (A) the captured State sales and use tax rate as set forth in the Act, which is currently **6.50%** (the “**State Sales Tax Revenues**”); and (B) the captured local sales and use tax rate as set forth in the Act, which, based on the location of the Project, is currently **1.934368%** (the “**Local Sales Tax Revenues**”) consisting of (1) the City’s sales and use tax rate, less any portion thereof committed to other uses by election (currently 1% based on the total sales tax rate of 1.625% less 0.25% dedicated to emergency medical service and 0.375% for Unified Government public and safety neighborhood), and (2) the Unified Government’s share of the County’s sales and use tax rate, which is currently 0.934368% (based on the County’s total sales and use tax rate of 1% of which the Unified Government’s share is currently 93.4368%); for a total retail sales and use tax rate, as available for capture under the Act, equal to **8.434368%** from State Sales Tax Revenues and Local Sales Tax Revenues combined (collectively, the “**Sales Tax Revenues**”).
- *Transient Guest Tax Revenues* – the annual hotel/lodging revenues generated within the District multiplied by the eligible Transient Guest Tax rate as set forth in the Act (the “**TGT Revenues**”), which is currently **7.84%** (based on the total Transient Guest Tax rate of 8.00% from which the State deducts a 0.16% as an administrative fee, leaving the net eligible amount at 7.84%).
- *Community Improvement District Revenues* – the retail sales dollar amount generated within Project Area 2 and a portion of Project Area 3 of the District also falling within boundaries of a community improvement district (CID) to be established pursuant to K.S.A. 12-6a26 *et seq.*, if any, multiplied by the CID sales tax rate levied in such CID district, which is currently anticipated to be one percent (1.0%), if and to the extent that such CID sales tax revenues (or a portion thereof) may be pledged to pay STAR bonds if necessary and agreed upon by the Unified Government and Developer (as applicable, the “**CID Revenues**”).

#### Sales Tax Revenues

Although other phases are expected to be built within the District in the future and add substantial additional capital investment and otherwise enhance the Overall Project, for purposes of the Feasibility Study, it is conservatively assumed that STAR Bond Revenues (and the corresponding supportable bond debt estimates) for the Overall Project will be derived exclusively from the following sources within the District: (i) incremental sales and use taxes from the Plaza at the Speedway<sup>2</sup> (over and above “base sales

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<sup>1</sup> The Feasibility Study assumes (i) STAR Bond Revenues from the Plaza at the Speedway (defined below) will be limited to State Sales Tax Revenues, excluding approximately \$46.1 million in projected Local Sales Tax Revenues from Plaza at the Speedway, which when included (as anticipated) increases total projected STAR Bond Revenues to approximately \$511.2 million, shown as ‘Scenario 2’ in Exhibit F and Exhibit G; and (ii) a 1.0% CID sales tax imposed on sales from Project Area 2 and a portion of Project Area 3, and that a portion of the revenues generated therefrom may be pledged to pay STAR bonds if necessary and agreed upon by the Unified Government and Developer, which accounts for a projected approximately \$32.9 million of the total STAR Bond Revenues and, if not collected and/or pledged reduces total projected STAR Bond Revenues to approximately \$432.2 million if Local Sales Tax Revenue from Plaza at the Speedway are not included or a net decrease to approximately \$478.3 million if Local Sales Tax Revenues from Plaza at the Speedway are included).

<sup>2</sup> As used in this Project Plan, “**Plaza at the Speedway**” means the portion of the District located north of Parallel Parkway and east of N 110<sup>th</sup> Street / Hutton Road, as generally depicted in yellow shading on Exhibit B-2.

taxes”), (ii) sales and use taxes from Project Area 2, (iii) sales and use taxes from Project Area 3, and (iii) a CID overlay of Project Area 2 and a portion of Project Area 3 as described above.

Given that the Plaza at the Speedway was the only portion of the District generating existing sales at the time of its creation in December 2016, the retail sales dollar amount generated from the Plaza at the Speedway during a “base year,” defined as the 12-month period immediately prior to District creation (Dec. 2015 – Nov. 2016), constitute the “Base Sales” for the entire District. Currently, the existing sales within the District continue to come exclusively from the Plaza at the Speedway, but current sales from the Plaza at the Speedway far exceed its “base year” sales. As a result, all *incremental* sales at the Plaza at the Speedway and all *total* projected sales from all other portions of the District are assumed to be available for capture as STAR Bond Revenues. At full development and stabilization, it is anticipated that the Overall Project (including incremental sales from the Plaza at the Speedway) will produce annual sales volume of approximately \$292.6 million, based on the sales estimates summarized in the table below.

| PROJECTED ANNUAL INCREMENTAL SALES AT STABILIZATION |                                     |                        |
|-----------------------------------------------------|-------------------------------------|------------------------|
| Project Area                                        |                                     | Sales at Stabilization |
| 1                                                   | Plaza at the Speedway (incremental) | \$ 106,289,761         |
| 2                                                   | Core Royal                          | \$ 145,250,516         |
| 3                                                   | Festival Grounds                    | \$ 41,085,000          |
| <b>Total Annual Sales</b>                           |                                     | <b>\$ 292,625,277</b>  |

The combined retail sales tax rate, as available for capture under the Act, is 8.434368% (consisting of 6.50% State and 1.934368% local). At stabilization, the District is anticipated to generate \$22.6 million of annual Sales Tax Revenues, consisting of \$19.0 million of State Sales Tax Revenues and \$3.6 million of Local Sales Tax Revenues.<sup>3</sup> Through the maturity of the contemplated STAR Bonds, the District is projected to generate total Sales Tax Revenues of approximately \$432.2 million, consisting of approximately \$368.6 million in State Sales Tax Revenues and \$63.6 million in Local Sales Tax Revenues.<sup>4</sup> For purposes of the Feasibility Study, it is assumed that only the State Sales Tax Revenues from the Plaza at the Speedway will be captured as STAR Bond Revenues, although it is anticipated that Local Sales Tax Revenues from the Plaza at the Speedway may also be captured as STAR Bond Revenues. Accordingly, the total projected annual sales tax increment at stabilization, and total projected sales tax increment through maturity, are shown in the tables below both with and without Local Sales Tax Revenues from the Plaza at the Speedway for reference.

<sup>3</sup> These estimates exclude \$2.1 million in projected Local Sales Tax Revenues from the Plaza at the Speedway at stabilization, which when included (as anticipated) increases annual Sales Tax Revenues at stabilization to \$24.7 million, consisting of \$19.0 million of State Sales Tax Revenues and \$5.7 million of Local Sales Tax Revenues.

<sup>4</sup> These estimates exclude \$46.1 million in projected Local Sales Tax Revenues from the Plaza at the Speedway through maturity, which when included (as anticipated) increases total Sales Tax Revenues through maturity to \$478.4 million, consisting of approximately \$368.6 million in State Sales Tax Revenues and approximately \$109.7 million in Local Sales Tax Revenues.

| TAX INCREMENT <u>WITHOUT</u> LOCAL SALES TAX REVENUES FROM PLAZA AT THE SPEEDWAY |                                     |                  |                  |
|----------------------------------------------------------------------------------|-------------------------------------|------------------|------------------|
|                                                                                  | Project Area                        | At Stabilization | Through Maturity |
| 1                                                                                | Plaza at the Speedway (incremental) | \$ 6,908,834     | \$ 155,029,655   |
| 2                                                                                | Core Royal                          | \$ 12,250,963    | \$ 225,967,031   |
| 3                                                                                | Festival Grounds                    | \$ 3,465,260     | \$ 51,223,122    |
| Net Sales Tax Revenues                                                           |                                     | \$ 22,625,058    | \$ 432,219,809   |

| TAX INCREMENT <u>WITH</u> LOCAL SALES TAX REVENUES FROM PLAZA AT THE SPEEDWAY |                                     |                  |                  |
|-------------------------------------------------------------------------------|-------------------------------------|------------------|------------------|
|                                                                               | Project Area                        | At Stabilization | Through Maturity |
| 1                                                                             | Plaza at the Speedway (incremental) | \$ 8,964,870     | \$ 201,165,717   |
| 2                                                                             | Core Royal                          | \$ 12,250,963    | \$ 225,967,031   |
| 3                                                                             | Festival Grounds                    | \$ 3,465,260     | \$ 51,223,122    |
| Net Sales Tax Revenues                                                        |                                     | \$ 24,681,093    | \$ 478,355,871   |

### Transient Guest Tax Revenues

Currently no transient guest taxes are generated within the Overall Project. Although it is possible one or more hotels will be constructed within the District by the time of stabilization or thereafter, any such hotels and the transient guest taxes that may be generated from same are excluded from sales and tax increment projections for purposes of the Feasibility Study.

### CID Sales Tax Revenues

Based on the projected annual sales from the Core Royal complex in Project Area 2 and future Festival Grounds in Project Area 3 noted above, and an assumed 1.0% CID sales tax rate imposed thereon, at stabilization, the District is anticipated to generate \$1.9 million of CID sales tax, with total CID sales tax of approximately \$32.9 million through maturity of the District. A CID is not currently contemplated for any portion of Project Area 1.

#### **d. Estimated STAR Bond Net Proceeds**

Based on the Overall Project's captured STAR Bond Revenues and utilizing STAR Bond Project financing methodologies, the estimated STAR Bond net proceeds from the District are approximately \$199 million, as summarized in the table below, which includes projected STAR Bond net proceeds and CID Revenues.<sup>5</sup> Exhibit G sets forth the relevant calculations and assumptions utilized.

| STAR BOND NET PROCEEDS <u>WITHOUT</u> LOCAL SALES TAX REVENUES FROM PLAZA AT THE SPEEDWAY |                                     |                          |                          |                        |                |
|-------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|--------------------------|------------------------|----------------|
|                                                                                           | Project Area                        | State Sales Tax Revenues | Local Sales Tax Revenues | CID Sales Tax Revenues | Totals         |
| 1                                                                                         | Plaza at the Speedway (incremental) | \$ 61,752,498            |                          | \$ -                   | \$ 61,752,498  |
| 2                                                                                         | Core Royal                          | \$ 75,592,620            | \$ 22,495,991            | \$ 11,629,634          | \$ 109,718,245 |
| 3                                                                                         | Festival Grounds                    | \$ 18,838,062            | \$ 5,606,114             | \$ 2,898,163           | \$ 27,342,339  |
| Net Sales Tax Revenues                                                                    |                                     | \$ 156,183,179           | \$ 28,102,106            | \$ 14,527,797          | \$ 198,813,082 |

| STAR BOND NET PROCEEDS <u>WITH</u> LOCAL SALES TAX REVENUES FROM PLAZA AT THE SPEEDWAY |                                     |                          |                          |                        |                |
|----------------------------------------------------------------------------------------|-------------------------------------|--------------------------|--------------------------|------------------------|----------------|
|                                                                                        | Project Area                        | State Sales Tax Revenues | Local Sales Tax Revenues | CID Sales Tax Revenues | Totals         |
| 1                                                                                      | Plaza at the Speedway (incremental) | \$ 61,752,498            | \$ 18,377,239            | \$ -                   | \$ 80,129,738  |
| 2                                                                                      | Core Royal                          | \$ 75,592,620            | \$ 22,495,991            | \$ 11,629,634          | \$ 109,718,245 |
| 3                                                                                      | Festival Grounds                    | \$ 18,838,062            | \$ 5,606,114             | \$ 2,898,163           | \$ 27,342,339  |
| Net Sales Tax Revenues                                                                 |                                     | \$ 156,183,179           | \$ 46,479,345            | \$ 14,527,797          | \$ 217,190,322 |

<sup>5</sup> This estimate excludes \$46.1 million in Local Sales Tax Revenues projected from the Plaza at the Speedway, which when included (as anticipated), applying the same STAR Bond Project financing methodologies as mentioned above, is projected to generate an additional \$18.4 million of STAR Bond net proceeds, increasing total estimated STAR Bond net proceeds from the District to approximately \$217.2 million, shown in the second table below and as 'Scenario 2' in Exhibit G attached hereto.

### **e. Summary of the STAR Bond Revenues and Overall Project Costs**

The total of Eligible Overall Project Costs that can be financed under the Act is limited to the amount of revenues generated from the District. Based on this Project Plan's (1) estimated Overall Project Costs, and (2) estimated STAR Bond net proceeds, the STAR Bond net proceeds are expected to pay for the Overall Project's costs as contemplated under the Act when supplemented by private debt and equity and other private and public sources, including STAR Bond net proceeds generated from revenues available in Project Area 1 and other project areas within the District, all as more specifically agreed upon in the development agreement between Developer and the Unified Government (the "**Development Agreement**").

### **2. Impact on Outstanding Special Obligation Bonds**

As required by the Act, an evaluation was conducted as to the "effect, if any" the Overall Project would have on any outstanding STAR bonds as authorized pursuant to the Act. By year-end 2022, sixteen active STAR Bond districts in Kansas possessed outstanding bond principal balance totaling approximately \$526 million. Active STAR Bond districts include six in the Kansas City MSA, four projects in the Wichita MSA, and projects in Topeka, Manhattan, Salina, Dodge City, and Garden City. The active STAR Bond districts support a wide range of destination attractions including professional soccer stadium and training facilities, racetracks, minor league baseball stadium, an arena, indoor and outdoor athletic facilities, waterparks, downtown redevelopment, and others. The destination attractions planned for the new American Royal Food and Agriculture Epicenter do not exist within any of the active STAR Bond projects in Kansas.

Village West continues to be the number one tourist attraction in Kansas with more than 12 million annual visitors from throughout the Midwest region and beyond. Village West and Village East together create one of the Midwest's most unique and highly visited sports, entertainment, and shopping destinations. Development of the new American Royal Food and Agriculture Epicenter will have a positive impact on operations of the Kansas Speedway, Village West, and Village East by improving the synergy between the developments through the introduction of additional destination attractions and visitors.

The Feasibility Study concluded that given the noncompeting destination attractions and differing market niche, development of the new American Royal Food and Agricultural Epicenter will not have a measurable adverse impact on visitor volumes, retail sales volumes and STAR bond revenues on those STAR bond districts with outstanding bond debt. Therefore, the operation of additional development withing the new American Royal Food and Agriculture Epicenter is not anticipated to cause default in the payment of outstanding STAR bonds.

### **3. Significant Contribution to the Economic Development of the State and Region**

The economic impact on the surrounding economy will be substantial and the development of the Overall Project will provide significant economic development, tax revenues, tourism, and new jobs that will contribute significantly to the economic development of the Unified Government, the region and the State of Kansas as a whole. The Overall Project, with a total estimated capital investment of approximately \$450 million, will result in a substantial number of temporary construction jobs, and at full build-out, employ a significant number of full-time equivalent employees (and with annual payroll) commensurate with projects of similar scope and caliber. The construction-phase and operational-phase estimates projected in the Feasibility Study are summarized below.

Construction phase direct on-site employment associated with the Overall Project is estimated at approximately 2,714 full-time equivalent jobs. Indirect job creation is forecast at 778 and 222, respectively,

bringing the total construction-phase work force to 3,714 jobs. The construction phase total payroll is estimated at \$206 million. The State of Kansas is estimated to collect approximately \$8.07 million in personal income taxes relating from the payroll estimated with construction of in the District.

The development of the Overall Project will provide significant economic development and new jobs for the City of Kansas City, Kansas, State of Kansas, and Midwest Region. In addition to new construction jobs discussed above, the Feasibility Study estimates that, at full build out, the Overall Project will create approximately 650 full-time equivalent jobs with an annual payroll of \$20.8 million, generating approximately \$650,000 in annual income taxes for the State of Kansas.

In addition to significant economic activity and impacts from construction and continuing into operations, stabilized year gross visitor expenditures generated by visitors to the Overall Project are estimated at \$330 million, only \$181 million of which is expected to be captured in-District, resulting in substantial spin off benefits and activity for other area businesses and the associated tax revenues flowing to the State and Unified Government instead of the District.

#### **4. Projected Visitation & Tracking**

At full build out and stabilization, the Feasibility Study estimates that the Overall Project will conservatively generate 2,156,765 annual attendee days, including 779,618 attendee days from visitors traveling from more than 100 miles away, and in the ‘optimistic scenario’ projected by the study, that as many as 2,432,500 annual attendee days will be generated at stabilization, including with 882,725 attendee days from visitors traveling from more than 100 miles away in the more optimistic scenario set forth in the Feasibility Study.

The Feasibility Study discusses the Developer’s plan for tracking the number of visitors to the Overall Project and reporting that information to the Secretary annually, including visitors’ residence zip code data. In 2018, the Developer began implementing a visitor tracking system that tracks the participants, exhibitors, contestants, and public attendees. City/state residence information is collected for all participants who register through American Royal registration systems, and data collected from ticket sales is also able to track the purchasers’ locations. Parking and concession sales will all be cashless and thus allow for collection of location data as well, and Wi-Fi systems similarly require registration for access. Zip code residence data is collected through all of these sources and will be reported annually with any other information required pursuant to the Act.

#### **5. Market Study & Market Impact Study**

##### Market Study

The Market Study portion of the Feasibility Study evaluated the ability of the Overall Project to gain market share locally, regionally, and nationally, and its suitability to facilitate development of a multi-use arena and event space, by examining the local tourism market and its ability to support additional development, providing an overview of the competitive rodeo arena industry and discussing a survey of existing rodeos and rodeo arenas in Kansas and other comparable multi-purpose arenas, as compared and contrasted with the Overall Project uses. Conclusions and other takeaways from this portion of the Feasibility Study include that: Overall Project is well positioned geographically to cater to the western United States rodeo participants and fan base; the Overall Project’s inventory of horse stalls significantly exceeds that of the surveyed arenas and affords the Overall Project a significant competitive advantage when bidding for large-scale events; the usage of comparable multi-purpose arenas bodes well for the

potential of the Overall Project to host a suitable number of annual events and event days to support feasible development and operation; of the indoor arenas surveyed in eastern Kansas, the Stormont Vail Events Center in Topeka was deemed most competitive in terms of size and capacity but suffering from facility deficiencies such as its age, the absence of an outdoor arena, and having a small inventory of stalls and RV hookups; of the six existing indoor arenas surveyed in western Kansas, none were viewed as directly competitive to the Overall Project; of the surveyed multi-purpose arenas, the Lancaster Event Center in Lincoln, Nebraska was viewed as most comparable in terms of property amenities and hosts a significant number of regional/national/international events annually, boding well for the Overall Project's ability to do the same; when compared to the ten surveyed comparable arena venues, the design for the Overall Project affords the necessary location, features, and amenities to be competitive and attract promoters, sponsors, events and fans; and, based on the findings of the Market Study the report determined the viability of the new American Royal Food & Agriculture Epicenter to support future development and continued operation of a multi-purpose arena and event space.

### Market Impact Study

As part of the Market Impact Study, the Feasibility Study discusses Overall Project positioning and unique quality, synergy with area attractions and impacts on comparable area businesses. Conclusions and other highlights from those portions of the study are included below: the Overall Project is positioned as a premier food and agriculture event, entertainment and education destination support a regional, national and international draw; together with the existing visitor destinations nearby in Village West and Village East, the Overall Project's uses, concepts, and positioning are designed to create a unique attraction capable of generating large visitor volumes, drawing out-of-town travelers, and enhancing the Kansas City area's status as a regional tourism destination; by increasing the critical mass and scope of destination attractions, the Overall Project will improve Kansas City's competitive position as a sports and entertainment destination and complement the existing attractions at Village East and West by creating a unique sports, entertainment, and education destination; when combined with the Village East and West attractions, the Overall Project will further strengthen the draw and economic impact of Kansas' largest and most visited tourism destination; at build-out and stabilization by; out-of-town visitors to the District are forecast to generate \$320 million to \$359 million in annual expenditures on shopping, dining, entertainment, lodging, and transportation, not all of which will be satisfied by the planned on-site attractions; and the Overall Project will benefit existing sports, entertainment, retail, restaurant, and lodging businesses in the County, with businesses operating in the neighboring Village West and Village East STAR Bond Districts being the primary beneficiaries, and therefore is not expected to adversely impact the sales of the Cable Dahmer Arena, Starlight Theatre, or Azura Amphitheatre.

### **6. Expected Return on State and Local Investment**

The return on investment to the State of Kansas and Unified Government will be significant and long lasting, and will be measured in the form of increased annual retail sales, job creation and significant construction and other economic activity, and a number of other direct and indirect benefits including from substantial surrounding and supportive development the Overall Project is expected to attract.

### **7. Statement Concerning Revenues Pledged to Other Uses**

The Act inquires into the amount of local taxes in a municipality dedicated by the voters and unavailable for capture under the Act. In Kansas City, Kansas and Wyandotte County, the city sales tax rate is 1.625%, of which .25% has been dedicated by the voters to Emergency Medical Services and 0.375% has been dedicated to public safety and infrastructure. The county sales tax



rate is 1.00%, of which 0.065632% is currently dedicated to the cities of Bonner Springs and Edwardsville. As dedicated taxes, these revenues are not available to be captured for STAR Bond Project financing. Additionally, portions of the Plaza at the Speedway currently reside in a tax increment financing (TIF) district that captures certain local sales taxes. Until such TIF district is terminated, these local sales tax revenues will be unavailable for capture by the District; however, the current expectation is that the TIF district at Plaza at the Speedway will be terminated on or about the time this Project Plan is implemented.

#### **8. Other Public Assistance**

The Act also provides for disclosure of other state, federal and local tax incentives that apply or, pursuant to the project plan, are anticipated to apply within the District or that apply to any business located in or, pursuant to this Project Plan or a project plan for another Project Area, that will locate in the District. Other public assistance applicable or anticipated to apply with respect to the Overall Project include Kansas Building a Stronger Economy (BASE) grant program funding, Kansas Department of Transportation (KDOT) Economic Development Program funding and/or other KDOT funding, Industrial Revenue Bond (IRB) financing for sales tax exemption on construction materials, and a contemplated Community Improvement District (CID) and 1.0% CID sales tax located only in Project Area 2 and Project Area 3.

#### **9. Anticipated Principal and Interest Payment Schedule**

A schedule of principal and interest payments for a STAR Bond issuance for the District is attached as Exhibit G.

#### **10. Meetings and Minutes**

Upon approval of this Project Plan by the Unified Government and prior to transmittal to the Secretary, the Unified Government Clerk will attach the minutes of the Unified Government meetings where the Project was discussed as Exhibit H.

#### **E. Relocation Plan**

The property in Project Area 1 expected to be necessary to implement this Project Plan is not owned or controlled by Developer. In the event of the need for additional property in the Project Area, the same will be acquired via a negotiated arms-length transaction.

In the event the Unified Government is required to acquire any property located in Project Area 1, relocation payments shall be made to any persons or businesses that move from real property or that move personal property from real property as a result of the acquisition of the real property by the Unified Government in carrying out the provisions of the Act pursuant to K.S.A. 58-3508 and the requirements of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Such relocation payments shall be in the amount of the actual reasonable cost of moving to another location, or moving personal property to another location, within the greater metropolitan Kansas City area. No persons residing within Project Area 1 shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person at rents within their ability to pay, such housing units shall be suitable to the needs of such displaced persons and must be a decent, safe, sanitary and otherwise standard

dwelling. The Unified Government shall provide for the payment of any reasonable damages sustained by a retailer, as defined by the K.S.A. 79- 3702, and amendments thereto, by reason of the liquidation of inventories necessitated by the relocation.

**F. Officers of Developer**

The Developer, American Royal Association, is a 501(c)(3) not-for-profit organization. The names of the officers of Developer are attached hereto as Exhibit I.

**III. Conclusion**

Based on the foregoing, the Unified Government, the Developer hereby submits this Project Plan for public hearing and due consideration.

[Exhibits Follow]

## **EXHIBIT A**

### **Site Plan**



## **EXHIBIT B**

### **Legal Description of the STAR Bond District**

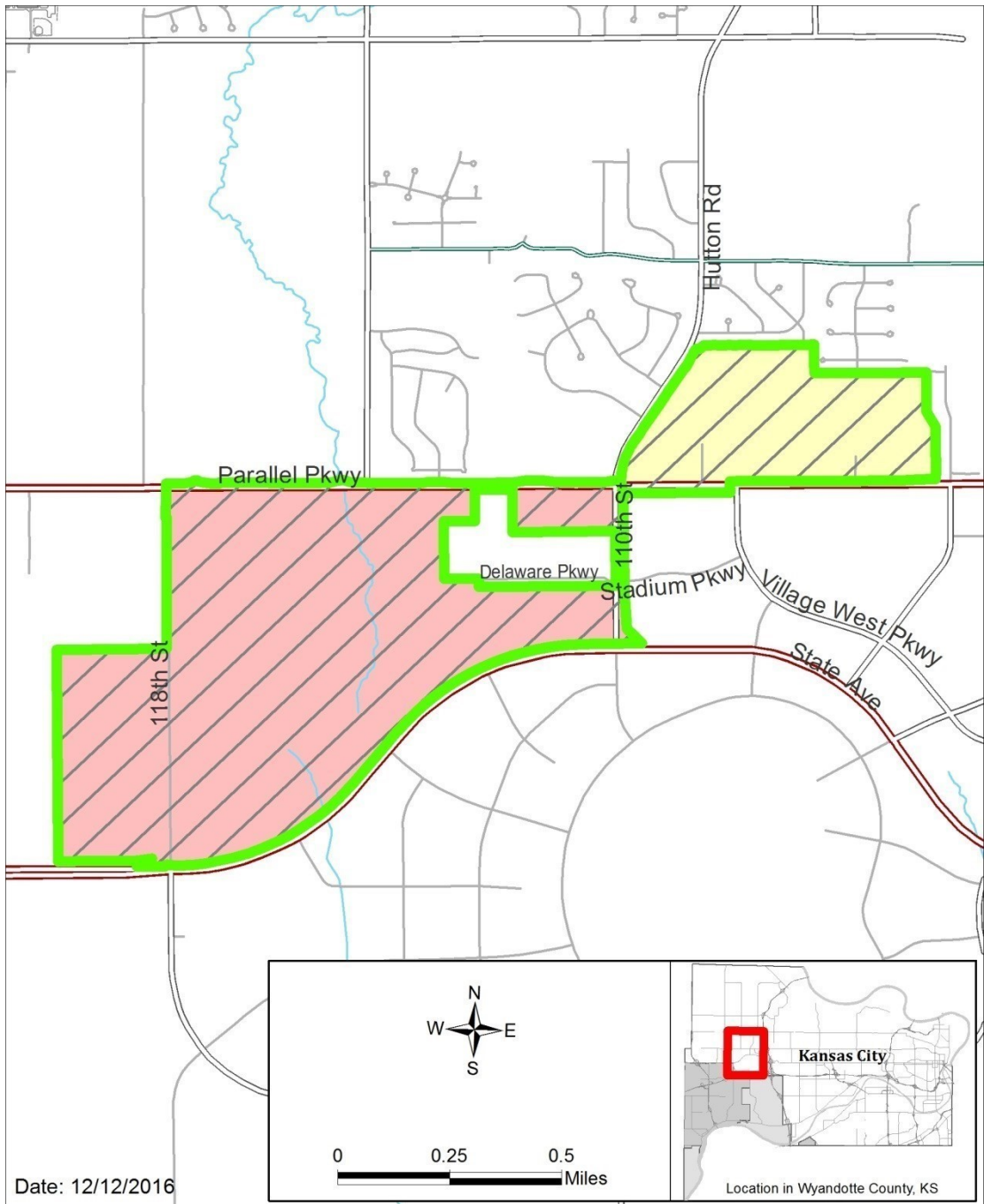
All that part of the Northeast Quarter and Southeast Quarter of Section 4, and all that part of Section 3, and all that part of the north half of Section 2, all in Township 11 South, Range 23 East, all that part of Lot 1, PIPER PLAZA, all that part of Lots 1, 2, 3, 4, and 5 of PIPER PLAZA SECOND PLAT, all that part of Lots 1 and 2 SECURITY BANK, all that part of Lots 14, 24, 25 and C of PLAZA AT THE SPEEDWAY, and all that part of Lots D and 53, PLAZA AT THE SPEEDWAY SECOND PLAT, and all that part of Lots 38, 39, 40, 41, and 42, PLAZA AT THE SPEEDWAY THIRD PLAT, and all that part of Lots 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52, PLAZA AT THE SPEEDWAY FOURTH PLAT, and all that part of Lots 53, 54, and 55, PLAZA AT THE SPEEDWAY FIFTH PLAT, and all that part of Lots 56, 57, Tract E1, and Tract E2, PLAZA AT THE SPEEDWAY SIXTH PLAT, and all that part of the Southeast Quarter and Southwest Quarter of Section 34, and all that part of the Southeast Quarter of Section 33, both in Township 10 South, Range 23 East, all being in the City of Kansas City, Wyandotte County, Kansas being generally described as follows: Beginning at the intersection of the south right-of-way line of Parallel Parkway and the west right-of-way line of N. 118<sup>th</sup> Street, thence southerly, with the west right-of-way line of N. 118<sup>th</sup> Street to the north line of Parcel 953101; thence westerly with the north line of parcel 953101, to the northwest corner of said Parcel 953101; thence southerly, with the west line of Parcel 953101, and with the west line of Parcels 953103 and 953104 to the north right-of-way line of State Avenue; thence easterly, with the north right-of-way line of State Avenue to the east right-of-way line of N. 110<sup>th</sup> Street; thence northerly, with the east right-of-way line of N. 110<sup>th</sup> Street, to the south right-of-way line of Parallel Parkway; thence easterly, with the south right-of-way line of Parallel Parkway, to the west right-of-way line of Village West Parkway; thence northerly, with the west right-of-way line of Village West Parkway, to the north right-of-way line of Parallel Parkway; thence easterly, with the north right-of-way line of Parallel Parkway, to the easterly line of PLAZA AT THE SPEEDWAY SIXTH PLAT; thence northerly, with the east line of PLAZA AT THE SPEEDWAY SIXTH PLAT to the northeast corner thereof; thence westerly, with the north line of PLAZA AT THE SPEEDWAY SIXTH PLAT, to the northwest corner thereof, said point also being on the easterly line of PLAZA AT THE SPEEDWAY FIFTH PLAT; thence westerly and northerly, with the easterly line of PLAZA AT THE SPEEDWAY FIFTH PLAT, to the northeast corner thereof; thence westerly, with the north line of PLAZA AT THE SPEEDWAY FIFTH PLAT, and with the north line of PLAZA AT THE SPEEDWAY, to the northwest corner thereof, said point being on the east right-of-way line of Hutton Road; thence southwestly, with the easterly right-of-way line of Hutton Road to the north right-of-way line of Parallel Parkway; thence westerly, with the north right-of-way line of Parallel Parkway, to the intersection of the north right-of-way line Parallel Parkway and the northerly prolongation of the west right-of-way line of N. 118<sup>th</sup> Street; thence southerly, with the northerly prolongation of the west right-of-way line of N. 118<sup>th</sup> Street, to the point of beginning.

Except all of Lot 1, LEGENDS APARTMENTS, and except all of Lot 1, VILLAGE WEST APARTMENTS, and except all of Parcel 949201.

The above described tract contains approximately 550 acres, more or less.

**EXHIBIT B-2**

**Depiction of the STAR Bond District**



# EXHIBIT B-3 Project Area 1

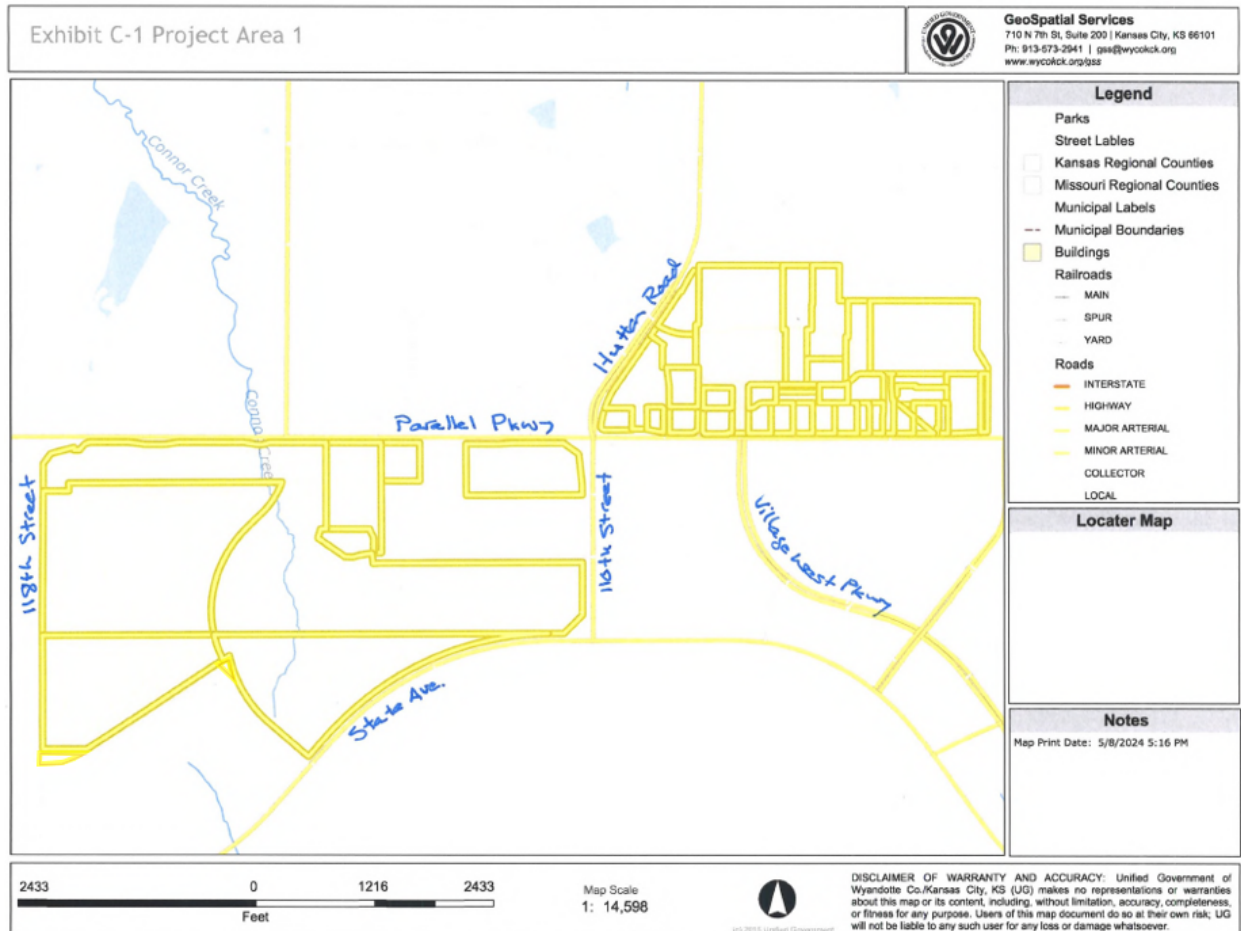




EXHIBIT B-4  
Project Area 2



Exhibit B-5  
Project Area 3

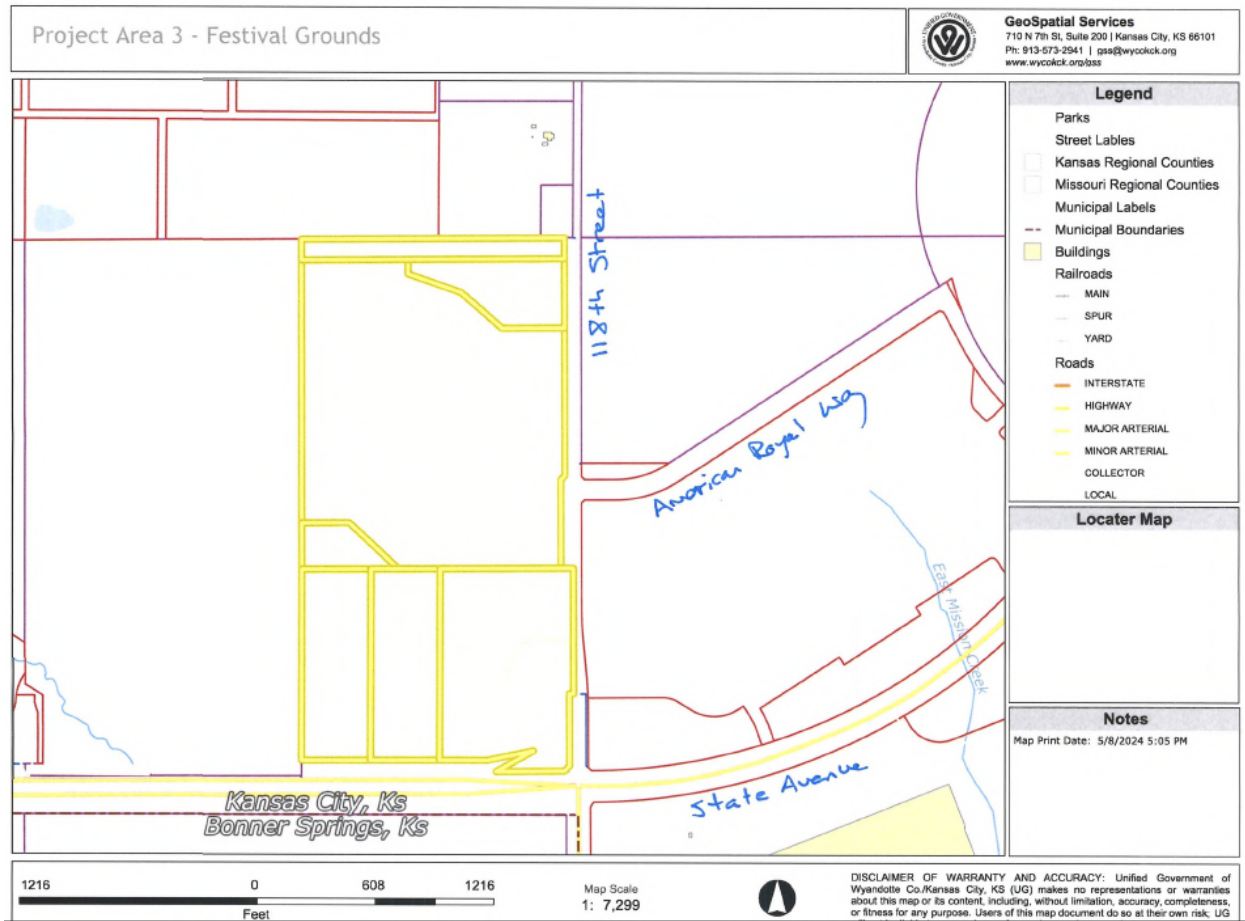


EXHIBIT C  
Legal Description of Project Area 1

## EXHIBIT D

### Estimated Project Costs

| GENERAL COST CATEGORIES                     | EST. PROJECT COSTS                 |                            |                                  |
|---------------------------------------------|------------------------------------|----------------------------|----------------------------------|
|                                             | Core Royal &<br>Ag. Education Ctr. | Future<br>Festival Grounds | Total Estimated<br>Project Costs |
| <b><u>Land Costs</u></b>                    |                                    |                            |                                  |
| Property Acquisition                        | \$ 10,000,000                      | \$ 3,100,000               | \$ 13,100,000                    |
| Subtotal:                                   | \$ 10,000,000                      | \$ 3,100,000               | \$ 13,100,000                    |
| <b><u>Sitework</u></b>                      |                                    |                            |                                  |
| Grading, Utilities, Paving, Landscaping     | \$ 23,000,000                      | incl.                      | \$ 23,000,000                    |
| Future Festival Grounds Site                | \$ -                               | \$ 47,750,000              | \$ 47,750,000                    |
| Subtotal:                                   | \$ 23,000,000                      | \$ 47,750,000              | \$ 70,750,000                    |
| <b><u>Infrastructure</u></b>                |                                    |                            |                                  |
| 115th - from 118th to 115th                 | \$ 2,000,000                       | \$ -                       | \$ 2,000,000                     |
| 118th - from State to north end of Site     | \$ 3,000,000                       | \$ -                       | \$ 3,000,000                     |
| Am. Royal Way (from 118th to 115th)         | \$ 6,000,000                       | \$ -                       | \$ 6,000,000                     |
| Future Festival - N/S & E/W Internal Drives | \$ -                               | \$ 27,000,000              | \$ 27,000,000                    |
| Subtotal:                                   | \$ 11,000,000                      | \$ 27,000,000              | \$ 38,000,000                    |
| <b><u>Construction</u></b>                  |                                    |                            |                                  |
| Exhibition Hall/Barns                       | \$ 80,000,000                      |                            | \$ 80,000,000                    |
| Arenas (Main/MP/Outdoor)                    | \$ 85,000,000                      | \$ -                       | \$ 85,000,000                    |
| Office HQ & Comm/Community Kitchen          | \$ 12,000,000                      | \$ -                       | \$ 12,000,000                    |
| Event Support and Storage Facilities        | \$ 8,000,000                       | \$ -                       | \$ 8,000,000                     |
| Agricultural Education Center               | \$ 47,000,000                      | \$ -                       | \$ 47,000,000                    |
| FF&E (incl. educational exhibits)           | \$ 24,000,000                      | \$ -                       | \$ 24,000,000                    |
| Future Festival - RR/Stage/Support          | \$ -                               | \$ 13,000,000              | \$ 13,000,000                    |
| Subtotal:                                   | \$ 256,000,000                     | \$ 13,000,000              | \$ 269,000,000                   |
| <b><u>Soft Costs</u></b>                    |                                    |                            |                                  |
| Design & Engineering Fees / Design          | \$ 29,000,000                      | \$ 5,000,000               | \$ 34,000,000                    |
| Professional Services & Fees                | \$ 10,000,000                      | \$ 1,000,000               | \$ 11,000,000                    |
| OH & Opening Operations                     | \$ 5,000,000                       | \$ 150,000                 | \$ 5,150,000                     |
| Planning, Zoning, and Permitting Fees       | incl.                              | incl.                      | incl.                            |
| Utility Development Fees                    | \$ 1,000,000                       | incl.                      | \$ 1,000,000                     |
| Subtotal:                                   | \$ 45,000,000                      | \$ 6,150,000               | \$ 51,150,000                    |
| <b><u>Contingency</u></b>                   |                                    |                            |                                  |
| Owner Cont.                                 | \$ 5,000,000                       | \$ 3,000,000               | \$ 8,000,000                     |
| <b>TOTALS</b>                               | <b>\$ 350,000,000</b>              | <b>\$ 100,000,000</b>      | <b>\$ 450,000,000</b>            |

*\*\*Subject to the terms and conditions of the Development Agreement: (i) the above descriptions of project components, project cost and eligible project cost categories, subtotals and totals, and the individual line item descriptions and amounts contained therein, are estimates only and subject to change as the STAR bond project progresses, including, but not limited to, as actual costs are incurred and revenues received; and (ii) reimbursable costs may be shifted among line items and expanded to include other reasonable variations from the descriptions set forth herein, so long as such costs are eligible for payment or reimbursement under K.S.A. 12-17, 160 et seq.*

## EXHIBIT E

### Estimated Eligible Project Costs

| GENERAL COST<br>CATEGORIES                  | PROJECT COST<br>ESTIMATES | ELIGIBLE PROJECT<br>COST ESTIMATES |
|---------------------------------------------|---------------------------|------------------------------------|
| <b><u>Land Costs</u></b>                    |                           |                                    |
| Property Acquisition                        | \$ 13,100,000             | \$ 10,000,000                      |
| Subtotal:                                   | \$ 13,100,000             | \$ 10,000,000                      |
| <b><u>Sitework</u></b>                      |                           |                                    |
| Grading, Utilities, Paving, Landscaping     | \$ 23,000,000             | \$ 23,000,000                      |
| Future Festival Grounds Site                | \$ 47,750,000             | \$ 18,799,213                      |
| Subtotal:                                   | \$ 70,750,000             | \$ 41,799,213                      |
| <b><u>Infrastructure</u></b>                |                           |                                    |
| 115th - from 118th to 115th                 | \$ 2,000,000              | \$ 2,000,000                       |
| 118th - from State to north end of Site     | \$ 3,000,000              | \$ 3,000,000                       |
| Am. Royal Way (from 118th to 115th)         | \$ 6,000,000              | \$ 6,000,000                       |
| Future Festival - N/S & E/W Internal Drives | \$ 27,000,000             | \$ 27,000,000                      |
| Subtotal:                                   | \$ 38,000,000             | \$ 38,000,000                      |
| <b><u>Construction</u></b>                  |                           |                                    |
| Exhibition Hall/Barns                       | \$ 80,000,000             | \$ 80,000,000                      |
| Arenas (Main/MP/Outdoor)                    | \$ 85,000,000             | \$ 85,000,000                      |
| Office HQ & Comm/Community Kitchen          | \$ 12,000,000             | \$ 12,000,000                      |
| Event Support and Storage Facilities        | \$ 8,000,000              | \$ 8,000,000                       |
| Agricultural Education Center               | \$ 47,000,000             | \$ 47,000,000                      |
| FF&E (incl. educational exhibits)           | \$ 24,000,000             | \$ 24,000,000                      |
| Future Festival - RR/Stage/Support          | \$ 13,000,000             | \$ 13,000,000                      |
| Subtotal:                                   | \$ 269,000,000            | \$ 269,000,000                     |
| <b><u>Soft Costs</u></b>                    |                           |                                    |
| Design & Engineering Fees / Design          | \$ 34,000,000             | \$ 22,666,667                      |
| Professional Services & Fees                | \$ 11,000,000             | \$ 7,333,333                       |
| OH & Opening Operations                     | \$ 5,150,000              | \$ 1,287,500                       |
| Planning, Zoning, and Permitting Fees       | incl.                     | incl.                              |
| Utility Development Fees                    | \$ 1,000,000              | \$ 1,000,000                       |
| Subtotal:                                   | \$ 51,150,000             | \$ 32,287,500                      |
| <b><u>Contingency</u></b>                   |                           |                                    |
| Owner Cont.                                 | \$ 8,000,000              | \$ -                               |
| <b>TOTALS</b>                               | <b>\$ 450,000,000</b>     | <b>\$ 391,086,713</b>              |

*\*\*Subject to the terms and conditions of the Development Agreement: (i) the above descriptions of project components, project cost and eligible project cost categories, subtotals and totals, and the individual line item descriptions and amounts contained therein, are estimates only and subject to change as the STAR bond project progresses, including, but not limited to, as actual costs are incurred and revenues received; and (ii) reimbursable costs may be shifted among line items and expanded to include other reasonable variations from the descriptions set forth herein, so long as such costs are eligible for payment or reimbursement under K.S.A. 12-17, 160 et seq.*

**EXHIBIT F**  
**STAR Bond Financing Projections – Scenario 1\***

*\*Excluding Local Sales Tax Revenues from the Plaza at the Speedway*

| Year          | STAR Bond Revenue                         |                                        |                                              | CID Revenue                            |                                              | Total Revenues       |
|---------------|-------------------------------------------|----------------------------------------|----------------------------------------------|----------------------------------------|----------------------------------------------|----------------------|
|               | Plaza at the Speedway<br>(Project Area 1) | Phase 1 Core Royal<br>(Project Area 2) | Phase 2 Festival Grounds<br>(Project Area 3) | Phase 1 Core Royal<br>(Project Area 2) | Phase 2 Festival Grounds<br>(Project Area 3) |                      |
| 2024          | \$3,780,552                               |                                        |                                              |                                        |                                              | \$3,780,552          |
| 2025          | \$4,138,638                               |                                        |                                              |                                        |                                              | \$4,138,638          |
| 2026          | \$4,505,676                               | \$7,343,545                            |                                              | \$870,669                              |                                              | \$12,719,890         |
| 2027          | \$4,881,891                               | \$7,899,117                            |                                              | \$936,539                              |                                              | \$13,717,547         |
| 2028          | \$5,267,510                               | \$8,894,664                            |                                              | \$1,054,574                            |                                              | \$15,216,748         |
| 2029          | \$5,662,771                               | \$9,939,226                            |                                              | \$1,178,420                            |                                              | \$16,780,417         |
| 2030          | \$6,067,912                               | \$10,992,227                           | \$1,113,337                                  | \$1,303,266                            | \$132,000                                    | \$19,608,742         |
| 2031          | \$6,483,182                               | \$11,889,443                           | \$2,304,607                                  | \$1,409,642                            | \$273,240                                    | \$22,360,114         |
| 2032          | \$6,908,836                               | \$12,250,963                           | \$3,465,260                                  | \$1,452,505                            | \$410,850                                    | \$24,488,414         |
| 2033          | \$7,345,128                               | \$12,557,237                           | \$3,551,892                                  | \$1,488,818                            | \$421,121                                    | \$25,364,196         |
| 2034          | \$7,792,328                               | \$12,871,167                           | \$3,640,689                                  | \$1,526,038                            | \$431,649                                    | \$26,261,872         |
| 2035          | \$8,250,709                               | \$13,192,949                           | \$3,731,706                                  | \$1,564,189                            | \$442,441                                    | \$27,181,994         |
| 2036          | \$8,720,549                               | \$13,522,771                           | \$3,824,999                                  | \$1,603,294                            | \$453,502                                    | \$28,125,115         |
| 2037          | \$9,202,135                               | \$13,860,840                           | \$3,920,624                                  | \$1,643,376                            | \$464,839                                    | \$29,091,814         |
| 2038          | \$9,695,762                               | \$14,207,361                           | \$4,018,639                                  | \$1,684,461                            | \$476,460                                    | \$30,082,683         |
| 2039          | \$10,201,728                              | \$14,562,545                           | \$4,119,105                                  | \$1,726,572                            | \$488,372                                    | \$31,098,322         |
| 2040          | \$10,720,343                              | \$14,926,609                           | \$4,222,083                                  | \$1,769,736                            | \$500,581                                    | \$32,139,352         |
| 2041          | \$11,251,924                              | \$15,299,773                           | \$4,327,635                                  | \$1,813,980                            | \$513,095                                    | \$33,206,408         |
| 2042          | \$11,796,795                              | \$15,682,269                           | \$4,435,826                                  | \$1,859,329                            | \$525,923                                    | \$34,300,141         |
| 2043          | \$12,355,287                              | \$16,074,325                           | \$4,546,722                                  | \$1,905,813                            | \$539,071                                    | \$35,421,218         |
| <b>Totals</b> | <b>\$155,029,656</b>                      | <b>\$225,967,031</b>                   | <b>\$51,223,124</b>                          | <b>\$26,791,223</b>                    | <b>\$6,073,143</b>                           | <b>\$465,084,177</b> |



**EXHIBIT F**  
**STAR Bond Financing Projections – Scenario 2\***

*\*Including Local Sales Tax Revenues from the Plaza at the Speedway*

| Year          | STAR Bond Revenue                         |                                        |                                              | CID Revenue                            |                                              | Total Revenues       |
|---------------|-------------------------------------------|----------------------------------------|----------------------------------------------|----------------------------------------|----------------------------------------------|----------------------|
|               | Plaza at the Speedway<br>(Project Area 1) | Phase 1 Core Royal<br>(Project Area 2) | Phase 2 Festival Grounds<br>(Project Area 3) | Phase 1 Core Royal<br>(Project Area 2) | Phase 2 Festival Grounds<br>(Project Area 3) |                      |
| 2024          | \$4,905,625                               |                                        |                                              |                                        |                                              | \$4,905,625          |
| 2025          | \$5,370,276                               |                                        |                                              |                                        |                                              | \$5,370,276          |
| 2026          | \$5,846,543                               | \$7,343,545                            |                                              | \$870,669                              |                                              | \$14,060,757         |
| 2027          | \$6,334,718                               | \$7,899,117                            |                                              | \$936,539                              |                                              | \$15,170,374         |
| 2028          | \$6,835,095                               | \$8,894,664                            |                                              | \$1,054,574                            |                                              | \$16,784,333         |
| 2029          | \$7,347,984                               | \$9,939,226                            |                                              | \$1,178,420                            |                                              | \$18,465,630         |
| 2030          | \$7,873,693                               | \$10,992,227                           | \$1,113,337                                  | \$1,303,266                            | \$132,000                                    | \$21,414,523         |
| 2031          | \$8,412,545                               | \$11,889,443                           | \$2,304,607                                  | \$1,409,642                            | \$273,240                                    | \$24,289,477         |
| 2032          | \$8,964,871                               | \$12,250,963                           | \$3,465,260                                  | \$1,452,505                            | \$410,850                                    | \$26,544,449         |
| 2033          | \$9,531,002                               | \$12,557,237                           | \$3,551,892                                  | \$1,488,818                            | \$421,121                                    | \$27,550,070         |
| 2034          | \$10,111,287                              | \$12,871,167                           | \$3,640,689                                  | \$1,526,038                            | \$431,649                                    | \$28,580,831         |
| 2035          | \$10,706,079                              | \$13,192,949                           | \$3,731,706                                  | \$1,564,189                            | \$442,441                                    | \$29,637,364         |
| 2036          | \$11,315,742                              | \$13,522,771                           | \$3,824,999                                  | \$1,603,294                            | \$453,502                                    | \$30,720,308         |
| 2037          | \$11,940,645                              | \$13,860,840                           | \$3,920,624                                  | \$1,643,376                            | \$464,839                                    | \$31,830,324         |
| 2038          | \$12,581,173                              | \$14,207,361                           | \$4,018,639                                  | \$1,684,461                            | \$476,460                                    | \$32,968,094         |
| 2039          | \$13,237,712                              | \$14,562,545                           | \$4,119,105                                  | \$1,726,572                            | \$488,372                                    | \$34,134,306         |
| 2040          | \$13,910,664                              | \$14,926,609                           | \$4,222,083                                  | \$1,769,736                            | \$500,581                                    | \$35,329,673         |
| 2041          | \$14,600,441                              | \$15,299,773                           | \$4,327,635                                  | \$1,813,980                            | \$513,095                                    | \$36,554,925         |
| 2042          | \$15,307,463                              | \$15,682,269                           | \$4,435,826                                  | \$1,859,329                            | \$525,923                                    | \$37,810,809         |
| 2043          | \$16,032,160                              | \$16,074,325                           | \$4,546,722                                  | \$1,905,813                            | \$539,071                                    | \$39,098,091         |
|               |                                           |                                        |                                              |                                        |                                              |                      |
| <b>Totals</b> | <b>\$201,165,720</b>                      | <b>\$225,967,031</b>                   | <b>\$51,223,124</b>                          | <b>\$26,791,223</b>                    | <b>\$6,073,143</b>                           | <b>\$511,220,238</b> |

# EXHIBIT G

## STAR Bond Amortization Schedule: STAR Bond Project – Scenario 1\*

*\*Excluding Local Sales Tax Revenues from the Plaza at the Speedway*

| NPV Revenues                                         |                                                 |                                   |                                         |                                  |
|------------------------------------------------------|-------------------------------------------------|-----------------------------------|-----------------------------------------|----------------------------------|
| Year                                                 | Plaza<br>at the<br>Speedway<br>(Project Area 1) | Core<br>Royal<br>(Project Area 2) | Festival<br>Grounds<br>(Project Area 3) | NPV @ 5%<br>STAR Bond<br>Revenue |
| 2024                                                 | \$2,880,420                                     |                                   |                                         | \$2,880,420                      |
| 2025                                                 | \$3,003,092                                     |                                   |                                         | \$3,003,092                      |
| 2026                                                 | \$3,113,740                                     | \$6,258,449                       |                                         | \$9,372,189                      |
| 2027                                                 | \$3,213,073                                     | \$6,411,357                       |                                         | \$9,624,430                      |
| 2028                                                 | \$3,301,785                                     | \$6,875,624                       |                                         | \$10,177,409                     |
| 2029                                                 | \$3,380,515                                     | \$7,317,208                       |                                         | \$10,697,723                     |
| 2030                                                 | \$3,449,880                                     | \$7,707,071                       | \$948,828                               | \$12,105,779                     |
| 2031                                                 | \$3,510,457                                     | \$7,939,182                       | \$1,870,545                             | \$13,320,184                     |
| 2032                                                 | \$3,562,798                                     | \$7,791,036                       | \$2,678,665                             | \$14,032,499                     |
| 2033                                                 | \$3,607,416                                     | \$7,605,534                       | \$2,614,884                             | \$13,827,834                     |
| 2034                                                 | \$3,644,809                                     | \$7,424,455                       | \$2,552,626                             | \$13,621,890                     |
| 2035                                                 | \$3,675,440                                     | \$7,247,678                       | \$2,491,849                             | \$13,414,967                     |
| 2036                                                 | \$3,699,752                                     | \$7,075,114                       | \$2,432,519                             | \$13,207,385                     |
| 2037                                                 | \$3,718,163                                     | \$6,906,657                       | \$2,374,602                             | \$12,999,422                     |
| 2038                                                 | \$3,731,061                                     | \$6,742,213                       | \$2,318,065                             | \$12,791,339                     |
| 2039                                                 | \$3,738,827                                     | \$6,581,690                       | \$2,262,872                             | \$12,583,389                     |
| 2040                                                 | \$3,741,803                                     | \$6,424,981                       | \$2,208,994                             | \$12,375,778                     |
| 2041                                                 | \$3,740,320                                     | \$6,272,013                       | \$2,156,398                             | \$12,168,731                     |
| 2042                                                 | \$3,734,677                                     | \$6,122,677                       | \$2,105,056                             | \$11,962,410                     |
| 2043                                                 | \$3,725,267                                     | \$5,976,885                       | \$2,054,937                             | \$11,757,089                     |
|                                                      |                                                 |                                   |                                         |                                  |
| <b>Totals</b>                                        | <b>\$70,173,293</b>                             | <b>\$124,679,824</b>              | <b>\$31,070,840</b>                     | <b>\$225,923,957</b>             |
| <b>Less: Bond Issuance Costs (12%)</b>               |                                                 |                                   |                                         | <b>-\$27,110,875</b>             |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                                                 |                                   |                                         | <b>\$198,813,082</b>             |

**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
STAR Bond Project – Scenario 2\***

*\*Including Local Sales Tax Revenues from the Plaza at the Speedway*

| <b>NPV Revenues</b>                                  |                                                           |                                            |                                                  |                                           |
|------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------|--------------------------------------------------|-------------------------------------------|
| <b>Year</b>                                          | <b>Plaza<br/>at the<br/>Speedway<br/>(Project Area 1)</b> | <b>Core<br/>Royal<br/>(Project Area 2)</b> | <b>Festival<br/>Grounds<br/>(Project Area 3)</b> | <b>NPV @ 5%<br/>STAR Bond<br/>Revenue</b> |
| 2024                                                 | \$3,737,619                                               |                                            |                                                  | \$3,737,619                               |
| 2025                                                 | \$3,896,797                                               |                                            |                                                  | \$3,896,797                               |
| 2026                                                 | \$4,040,373                                               | \$6,258,449                                |                                                  | \$10,298,822                              |
| 2027                                                 | \$4,169,268                                               | \$6,411,357                                |                                                  | \$10,580,625                              |
| 2028                                                 | \$4,284,380                                               | \$6,875,624                                |                                                  | \$11,160,004                              |
| 2029                                                 | \$4,386,540                                               | \$7,317,208                                |                                                  | \$11,703,748                              |
| 2030                                                 | \$4,476,547                                               | \$7,707,071                                | \$948,828                                        | \$13,132,446                              |
| 2031                                                 | \$4,555,151                                               | \$7,939,182                                | \$1,870,545                                      | \$14,364,878                              |
| 2032                                                 | \$4,623,068                                               | \$7,791,036                                | \$2,678,665                                      | \$15,092,769                              |
| 2033                                                 | \$4,680,965                                               | \$7,605,534                                | \$2,614,884                                      | \$14,901,383                              |
| 2034                                                 | \$4,729,486                                               | \$7,424,455                                | \$2,552,626                                      | \$14,706,567                              |
| 2035                                                 | \$4,769,233                                               | \$7,247,678                                | \$2,491,849                                      | \$14,508,760                              |
| 2036                                                 | \$4,800,781                                               | \$7,075,114                                | \$2,432,519                                      | \$14,308,414                              |
| 2037                                                 | \$4,824,670                                               | \$6,906,657                                | \$2,374,602                                      | \$14,105,929                              |
| 2038                                                 | \$4,841,406                                               | \$6,742,213                                | \$2,318,065                                      | \$13,901,685                              |
| 2039                                                 | \$4,851,484                                               | \$6,581,690                                | \$2,262,872                                      | \$13,696,045                              |
| 2040                                                 | \$4,855,345                                               | \$6,424,981                                | \$2,208,994                                      | \$13,489,320                              |
| 2041                                                 | \$4,853,420                                               | \$6,272,013                                | \$2,156,398                                      | \$13,281,831                              |
| 2042                                                 | \$4,846,098                                               | \$6,122,677                                | \$2,105,056                                      | \$13,073,831                              |
| 2043                                                 | \$4,833,889                                               | \$5,976,885                                | \$2,054,937                                      | \$12,865,711                              |
|                                                      |                                                           |                                            |                                                  |                                           |
| <b>Totals</b>                                        | <b>\$91,056,520</b>                                       | <b>\$124,679,824</b>                       | <b>\$31,070,840</b>                              | <b>\$246,807,184</b>                      |
| <b>Less: Bond Issuance Costs (12%)</b>               |                                                           |                                            |                                                  | <b>-\$29,616,862</b>                      |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                                                           |                                            |                                                  | <b>\$217,190,322</b>                      |

**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
Plaza at the Speedway (Project Area 1) – Scenario 1\***

*\*Excluding Local Sales Tax Revenues from the Plaza at the Speedway*

| <b>Year</b>                                          | <b>Gross<br/>STAR Bond<br/>Revenue</b> | <b>Present<br/>Value<br/>5.0%</b> | <b>Net<br/>Present<br/>Value</b> | <b>Less: Debt<br/>Coverage<br/>1.25</b> | <b>Net<br/>STAR Bond<br/>Proceeds</b> |
|------------------------------------------------------|----------------------------------------|-----------------------------------|----------------------------------|-----------------------------------------|---------------------------------------|
| 2024                                                 | \$3,780,552                            | 0.952381                          | \$3,600,526                      | \$720,105                               | \$2,880,420                           |
| 2025                                                 | \$4,138,638                            | 0.907029                          | \$3,753,865                      | \$750,773                               | \$3,003,092                           |
| 2026                                                 | \$4,505,676                            | 0.863838                          | \$3,892,174                      | \$778,435                               | \$3,113,740                           |
| 2027                                                 | \$4,881,891                            | 0.822702                          | \$4,016,341                      | \$803,268                               | \$3,213,073                           |
| 2028                                                 | \$5,267,510                            | 0.783526                          | \$4,127,231                      | \$825,446                               | \$3,301,785                           |
| 2029                                                 | \$5,662,771                            | 0.746215                          | \$4,225,644                      | \$845,129                               | \$3,380,515                           |
| 2030                                                 | \$6,067,912                            | 0.710681                          | \$4,312,350                      | \$862,470                               | \$3,449,880                           |
| 2031                                                 | \$6,483,182                            | 0.676839                          | \$4,388,071                      | \$877,614                               | \$3,510,457                           |
| 2032                                                 | \$6,908,834                            | 0.644609                          | \$4,453,497                      | \$890,699                               | \$3,562,797                           |
| 2033                                                 | \$7,345,128                            | 0.613913                          | \$4,509,269                      | \$901,854                               | \$3,607,416                           |
| 2034                                                 | \$7,792,328                            | 0.584679                          | \$4,556,011                      | \$911,202                               | \$3,644,809                           |
| 2035                                                 | \$8,250,709                            | 0.556837                          | \$4,594,300                      | \$918,860                               | \$3,675,440                           |
| 2036                                                 | \$8,720,549                            | 0.530321                          | \$4,624,690                      | \$924,938                               | \$3,699,752                           |
| 2037                                                 | \$9,202,135                            | 0.505068                          | \$4,647,704                      | \$929,541                               | \$3,718,163                           |
| 2038                                                 | \$9,695,761                            | 0.481017                          | \$4,663,826                      | \$932,765                               | \$3,731,061                           |
| 2039                                                 | \$10,201,728                           | 0.458112                          | \$4,673,534                      | \$934,707                               | \$3,738,827                           |
| 2040                                                 | \$10,720,343                           | 0.436297                          | \$4,677,254                      | \$935,451                               | \$3,741,803                           |
| 2041                                                 | \$11,251,924                           | 0.415520                          | \$4,675,400                      | \$935,080                               | \$3,740,320                           |
| 2042                                                 | \$11,796,795                           | 0.395730                          | \$4,668,346                      | \$933,669                               | \$3,734,677                           |
| 2043                                                 | \$12,355,287                           | 0.376890                          | \$4,656,584                      | \$931,317                               | \$3,725,267                           |
|                                                      |                                        |                                   |                                  |                                         |                                       |
| <b>Totals</b>                                        | <b>\$155,029,655</b>                   |                                   | <b>\$87,716,616</b>              | <b>\$17,543,323</b>                     | <b>\$70,173,293</b>                   |
| <b>Less: Bond Issuance Costs (12%)</b>               |                                        |                                   |                                  |                                         | <b>-\$8,420,795</b>                   |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                                        |                                   |                                  |                                         | <b>\$61,752,498</b>                   |



**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
Plaza at the Speedway (Project Area 1) – Scenario 2\***

*\*Including Local Sales Tax Revenues from the Plaza at the Speedway*

| <b>Year</b>                                          | <b>Gross<br/>STAR Bond<br/>Revenue</b> | <b>Present<br/>Value<br/>5.0%</b> | <b>Net<br/>Present<br/>Value</b> | <b>Less: Debt<br/>Coverage<br/>1.25</b> | <b>Net<br/>STAR Bond<br/>Proceeds</b> |
|------------------------------------------------------|----------------------------------------|-----------------------------------|----------------------------------|-----------------------------------------|---------------------------------------|
| 2024                                                 | \$4,905,625                            | 0.952381                          | \$4,672,024                      | \$934,405                               | \$3,737,619                           |
| 2025                                                 | \$5,370,276                            | 0.907029                          | \$4,870,996                      | \$974,199                               | \$3,896,797                           |
| 2026                                                 | \$5,846,543                            | 0.863838                          | \$5,050,466                      | \$1,010,093                             | \$4,040,373                           |
| 2027                                                 | \$6,334,718                            | 0.822702                          | \$5,211,585                      | \$1,042,317                             | \$4,169,268                           |
| 2028                                                 | \$6,835,095                            | 0.783526                          | \$5,355,475                      | \$1,071,095                             | \$4,284,380                           |
| 2029                                                 | \$7,347,984                            | 0.746215                          | \$5,483,176                      | \$1,096,635                             | \$4,386,540                           |
| 2030                                                 | \$7,873,693                            | 0.710681                          | \$5,595,684                      | \$1,119,137                             | \$4,476,547                           |
| 2031                                                 | \$8,412,545                            | 0.676839                          | \$5,693,939                      | \$1,138,788                             | \$4,555,151                           |
| 2032                                                 | \$8,964,871                            | 0.644609                          | \$5,778,837                      | \$1,155,767                             | \$4,623,069                           |
| 2033                                                 | \$9,531,002                            | 0.613913                          | \$5,851,206                      | \$1,170,241                             | \$4,680,965                           |
| 2034                                                 | \$10,111,287                           | 0.584679                          | \$5,911,857                      | \$1,182,371                             | \$4,729,486                           |
| 2035                                                 | \$10,706,079                           | 0.556837                          | \$5,961,541                      | \$1,192,308                             | \$4,769,233                           |
| 2036                                                 | \$11,315,742                           | 0.530321                          | \$6,000,976                      | \$1,200,195                             | \$4,800,781                           |
| 2037                                                 | \$11,940,645                           | 0.505068                          | \$6,030,838                      | \$1,206,168                             | \$4,824,670                           |
| 2038                                                 | \$12,581,173                           | 0.481017                          | \$6,051,758                      | \$1,210,352                             | \$4,841,406                           |
| 2039                                                 | \$13,237,712                           | 0.458112                          | \$6,064,355                      | \$1,212,871                             | \$4,851,484                           |
| 2040                                                 | \$13,910,664                           | 0.436297                          | \$6,069,181                      | \$1,213,836                             | \$4,855,345                           |
| 2041                                                 | \$14,600,441                           | 0.415520                          | \$6,066,775                      | \$1,213,355                             | \$4,853,420                           |
| 2042                                                 | \$15,307,463                           | 0.395730                          | \$6,057,622                      | \$1,211,524                             | \$4,846,098                           |
| 2043                                                 | \$16,032,160                           | 0.376890                          | \$6,042,361                      | \$1,208,472                             | \$4,833,889                           |
|                                                      |                                        |                                   |                                  |                                         |                                       |
| <b>Totals</b>                                        | <b>\$201,165,720</b>                   |                                   | <b>\$113,820,651</b>             | <b>\$22,764,130</b>                     | <b>\$91,056,521</b>                   |
| <b>Less: Bond Issuance Costs (12%)</b>               |                                        |                                   |                                  |                                         | <b>-\$10,926,783</b>                  |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                                        |                                   |                                  |                                         | <b>\$80,129,738</b>                   |

**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
Core Royal / Main Complex (Phase 1) (Project Area 2)**

| <b>Year</b>  | <b>Gross Revenue</b> | <b>Present Value 5.0%</b> | <b>Net Present Value</b> | <b>Less: Debt Coverage 1.25</b> | <b>Net Proceeds</b>                                  |
|--------------|----------------------|---------------------------|--------------------------|---------------------------------|------------------------------------------------------|
| 2026         | \$8,214,214          | 0.952381                  | \$7,823,062              | \$1,564,612                     | \$6,258,449                                          |
| 2027         | \$8,835,656          | 0.907029                  | \$8,014,196              | \$1,602,839                     | \$6,411,357                                          |
| 2028         | \$9,949,238          | 0.863838                  | \$8,594,530              | \$1,718,906                     | \$6,875,624                                          |
| 2029         | \$11,117,646         | 0.822702                  | \$9,146,510              | \$1,829,302                     | \$7,317,208                                          |
| 2030         | \$12,295,493         | 0.783526                  | \$9,633,838              | \$1,926,768                     | \$7,707,071                                          |
| 2031         | \$13,299,085         | 0.746215                  | \$9,923,977              | \$1,984,795                     | \$7,939,182                                          |
| 2032         | \$13,703,468         | 0.710681                  | \$9,738,794              | \$1,947,759                     | \$7,791,036                                          |
| 2033         | \$14,046,055         | 0.676839                  | \$9,506,918              | \$1,901,384                     | \$7,605,534                                          |
| 2034         | \$14,397,206         | 0.644609                  | \$9,280,569              | \$1,856,114                     | \$7,424,455                                          |
| 2035         | \$14,757,136         | 0.613913                  | \$9,059,598              | \$1,811,920                     | \$7,247,678                                          |
| 2036         | \$15,126,065         | 0.584679                  | \$8,843,892              | \$1,768,778                     | \$7,075,114                                          |
| 2037         | \$15,504,216         | 0.556837                  | \$8,633,321              | \$1,726,664                     | \$6,906,657                                          |
| 2038         | \$15,891,822         | 0.530321                  | \$8,427,767              | \$1,685,553                     | \$6,742,213                                          |
| 2039         | \$16,289,117         | 0.505068                  | \$8,227,112              | \$1,645,422                     | \$6,581,690                                          |
| 2040         | \$16,696,345         | 0.481017                  | \$8,031,226              | \$1,606,245                     | \$6,424,981                                          |
| 2041         | \$17,113,754         | 0.458112                  | \$7,840,016              | \$1,568,003                     | \$6,272,013                                          |
| 2042         | \$17,541,598         | 0.436297                  | \$7,653,347              | \$1,530,669                     | \$6,122,677                                          |
| 2043         | \$17,980,138         | 0.415520                  | \$7,471,107              | \$1,494,221                     | \$5,976,885                                          |
|              |                      |                           |                          |                                 |                                                      |
| <b>Total</b> | <b>\$252,758,254</b> |                           | <b>\$155,849,780</b>     | <b>\$31,169,956</b>             | <b>\$124,679,824</b>                                 |
|              |                      |                           |                          |                                 | <b>Less: Bond Issuance Costs (12%)</b>               |
|              |                      |                           |                          |                                 | <b>-\$14,961,579</b>                                 |
|              |                      |                           |                          |                                 | <b>STAR Bond Proceeds Available for Debt Service</b> |
|              |                      |                           |                          |                                 | <b>\$109,718,245</b>                                 |

Source: Canyon Research Southwest, Inc.; February 2024.



**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
American Royal Festival Grounds (Phase 2) (Project Area 3)**

| <b>Year</b>                                          | <b>Gross Revenue</b> | <b>Present Value<br/>5.0%</b> | <b>Net Present Value</b> | <b>Less: Debt Coverage<br/>1.25</b> | <b>Net Proceeds</b> |
|------------------------------------------------------|----------------------|-------------------------------|--------------------------|-------------------------------------|---------------------|
| 2030                                                 | \$1,245,337          | 0.952381                      | \$1,186,035              | \$237,207                           | \$948,828           |
| 2031                                                 | \$2,577,847          | 0.907029                      | \$2,338,182              | \$467,636                           | \$1,870,545         |
| 2032                                                 | \$3,876,110          | 0.863838                      | \$3,348,331              | \$669,666                           | \$2,678,665         |
| 2033                                                 | \$3,973,013          | 0.822702                      | \$3,268,606              | \$653,721                           | \$2,614,884         |
| 2034                                                 | \$4,072,338          | 0.783526                      | \$3,190,783              | \$638,157                           | \$2,552,626         |
| 2035                                                 | \$4,174,147          | 0.746215                      | \$3,114,811              | \$622,962                           | \$2,491,849         |
| 2036                                                 | \$4,278,500          | 0.710681                      | \$3,040,649              | \$608,130                           | \$2,432,519         |
| 2037                                                 | \$4,385,463          | 0.676839                      | \$2,968,252              | \$593,650                           | \$2,374,602         |
| 2038                                                 | \$4,495,099          | 0.644609                      | \$2,897,582              | \$579,516                           | \$2,318,065         |
| 2039                                                 | \$4,607,477          | 0.613913                      | \$2,828,590              | \$565,718                           | \$2,262,872         |
| 2040                                                 | \$4,722,664          | 0.584679                      | \$2,761,242              | \$552,248                           | \$2,208,994         |
| 2041                                                 | \$4,840,730          | 0.556837                      | \$2,695,498              | \$539,100                           | \$2,156,398         |
| 2042                                                 | \$4,961,749          | 0.530321                      | \$2,631,319              | \$526,264                           | \$2,105,056         |
| 2043                                                 | \$5,085,792          | 0.505068                      | \$2,568,671              | \$513,734                           | \$2,054,937         |
|                                                      |                      |                               |                          |                                     |                     |
| <b>Total</b>                                         | <b>\$57,296,265</b>  |                               | <b>\$38,838,550</b>      | <b>\$7,767,710</b>                  | <b>\$31,070,840</b> |
| <b>Less: Bond Issuance Costs (12%)</b>               |                      |                               |                          |                                     | <b>-\$3,728,501</b> |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                      |                               |                          |                                     | <b>\$27,342,339</b> |

Source: Canyon Research Southwest, Inc.; February 2024.

## **EXHIBIT H**

### **Meeting Minutes**

To be included after approval of Project Plan.

## **EXHIBIT I**

### **Officers of Developer**

#### **AMERICAN ROYAL ASSOCIATION**

##### **Officers of the Board of Governors**

Charlie Tetrick, Chairman  
Cynthia Savage, 1st Vice Chairman  
Angie Stanland, Vice Chairman  
Mariner Kemper, Vice Chairman  
John Mitchell, Jr., Vice Chairman

##### **American Royal Officers & Directors**

Gordon E. Lansford, III, Chairman  
Lindsey Smith, Corporate Secretary  
Bradley Bendle, Treasurer  
Jackie McClaskey, President/CEO

##### **Directors**

|                         |                  |
|-------------------------|------------------|
| Brad Bendle             | Bret Borota      |
| Carol Carlson           | Tim Congrove     |
| Andrew Fahey            | John Fuchs       |
| Walt George             | Mark Kolkhorst   |
| Ann Konecny             | Brian Illig      |
| Cliff Illig             | John Lagemann    |
| Gordon E. Lansford, III | Missy Love       |
| Alex Lowe               | Pat Macy         |
| Ford Maurer             | Russ Meinhardt   |
| John Moncke             | Blake Nelson     |
| Ben Nichols             | Jeanette Prenger |
| Mike Roos               | Duke Sand        |
| Jara Settles            | Lindsey Smith    |
| Mark Stewart            | David Stofer     |
| Sarah Tate              | Charlie Tetrick  |
| Ken Wagner              | Jack Ward        |
| Ryan Wilkerson          | Jeff Yowell      |

##### **Lifetime Directors**

|                         |                |
|-------------------------|----------------|
| Malcolm M. Aslin        | Bryan Beaver   |
| H.D. Cleberg            | David Fowler   |
| Mary Hunkeler           | Mariner Kemper |
| Brant Laue              | Pete Lemke     |
| Fred W. Lyons Jr.       | Greg Maday     |
| John Mitchell, Jr.      | Bob Petersen   |
| Cynthia Pistilli Savage | Angie Stanland |

**SECOND AMENDED AND RESTATED  
NORTHWEST SPEEDWAY  
STAR BOND DISTRICT**

**STAR BOND FINANCING PROJECT PLAN  
FOR PROJECT AREA 2**

SUBMITTED TO THE UNIFIED GOVERNMENT OF  
WYANDOTTE COUNTY/KANSAS CITY, KANSAS  
PURSUANT TO K.S.A. § 12-17,160 *et seq.*

, 2024

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## LIST OF EXHIBITS

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Exhibit B-2 – Map Depicting District  
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Exhibit H – Meeting Minutes  
Exhibit I – Officers of Developer

## I. Introduction

American Royal Association, a Missouri not-for-profit corporation (the “**Developer**”), respectfully submits this Second Amended and Restated Northwest Speedway STAR Bond District STAR Bond Financing Project Plan (this “**Project Plan**”) for Project Area 2 of the Northwest Speedway STAR Bond District “**Project Area 2**”) to the Unified Government of Wyandotte County/Kansas City, Kansas (the “**Unified Government**”) for consideration by the Unified Government’s governing body pursuant to the Kansas STAR Bond Financing Act, K.S.A. § 12-17,160 *et seq.* (the “**Act**”).

Developer owns and/or controls certain real property located within Project Areas 1, 2 and 3 of the District and is the developer of such property within such Project Areas.

The American Royal has been a Kansas City tradition since 1899, celebrating the region’s rich agricultural heritage through competition, education and entertainment. Hosting the World’s largest barbecue contest, one of the Midwest’s largest and oldest livestock exhibitions, professional rodeos and prestigious horse shows, and as home to the national championship saddle bred horse competition, the American Royal brings with it a unique mix of uses that create a variety of tourism, education, and entertainment opportunities. It was against this background that the Developer began exploring options to relocate its operations to the State of Kansas (the “**State**”), and upon identifying a desirable site within the Unified Government, set in motion a plan to leave behind its existing antiquated out-of-state facility, and to construct a new state-of-the-art agricultural, education and entertainment destination within the State.

On December 15, 2016, the Unified Government adopted Ordinance No. O-75-16 that created the Northwest Speedway STAR Bond District (the “**District**”) with a single Project Area. By letter dated December 14, 2016, the Secretary deemed the District an “eligible area” as defined under the Act. Thereafter, on October 26, 2017 and pursuant to the Act, the Unified Government adopted Ordinance No. O-62-17 approving the Northwest Speedway STAR Bond District STAR Bond Financing Project Plan (the “**Original Project Plan**”), and, on December 6, 2018 and prior to implementing the Original Project Plan, the Unified Government adopted Ordinance No. O-52-18 approving the Northwest Speedway Amended STAR Bond District STAR Bond Financing Project Plan (the “**First Amended Project Plan**”) repealing and replacing the Original Project Plan in its entirety.

Contemporaneous with the approval of this Project Plan, the governing body of the Unified Government has approved certain amendments to the District to provide for three (3) separate and distinct Project Areas as further described herein, and a Project Plan for Project Area 1. This Project Plan amends and restates the First Amended Project Plan as the Project Plan for Project Area 2 as a substantial change pursuant to the Act. This Project Plan constitutes the Project Plan for Project Area 2. It is anticipated that a Project Plan for Project Area 3 will be proposed and brought forward by the Developer separately at a future date. The 20-year term of the STAR bond project within Project Area 2 shall commence on the date of the approval of this Project Plan.

The District will include a major commercial entertainment and tourism area that will include, without limitation, a livestock expo arena, indoor/outdoor warm-up arena(s), agricultural-related ancillary facilities, and related and appurtenant uses (collectively, the “**Overall Project**”). A site plan generally depicting the Overall Project and District is attached hereto as Exhibit A. The Overall Project will be situated on certain real property within the District, which consists of approximately 550 acres generally located at the southwest and northeast corners of the intersection of North 110<sup>th</sup> Street and Parallel Parkway in the Wyandotte County (“**County**”), Kansas City (“**City**”), Kansas. The legal description for the District is attached to this Project Plan as Exhibit B-1 and a map showing the boundaries of the District is attached as Exhibit B-2. The unique mix of uses within the Overall Project is expected to create substantial tourism, education and entertainment opportunities not presently available in the City or the County. The



Developer's market analysis suggests that the Overall Project will attract a very broad base and desirable visitor demographics, consisting largely of agricultural- and entertainment-seeking participants and spectators, and families seeking destination agricultural and entertainment opportunities. With the accompanying economic impacts, the Overall Project will become another driver of economic activity for the City, the County, the Unified Government and the State as a whole. These findings are further corroborated by the third-party Feasibility Study, as defined and summarized in this Project Plan.

At build-out and stabilization of the initial phases of the Overall Project, the total capital investment is estimated at approximately \$450 million, incremental annual sales are projected at approximately \$290 million, and annual visitation is estimated at approximately 2,000,000 attendee days. It is expected that capital investment and sales figures may exceed these numbers as additional destination attraction and commercial users are identified. This Project Plan proposes that the Secretary of Commerce for the State of Kansas ("Secretary") approve the issuance of STAR bonds in a maximum aggregate amount sufficient to render \$155,000,000 in net STAR Bond proceeds for disbursement to Developer in connection with the Overall Project. Multiple phases within the District and the STAR Bond Project Areas are anticipated to be built in the future, which are projected to add substantial additional capital investment and otherwise enhance the Overall Project.

This Project Plan is for Project Area 2, including improvements to be designed, constructed and delivered by the Developer in Project Area 2. However, it is anticipated that the initial STAR bond issuance will include a pledge of revenues from Project Area 1 to finance improvements in Project Areas 2 and 3.

The Overall Project development team brings substantial experience in developing large-scale commercial projects, including destination attraction-based projects that have previously qualified for STAR Bonds, to the Overall Project. The Developer feels that this background makes it particularly well-qualified to bring the unique development proposed under this Project Plan to fruition.

At the completion of the Overall Project, the Unified Government and the State of Kansas will have a new and unique destination experience that will draw visitors on a statewide and regional basis that will create significant related economic benefits both for the Unified Government and the State as a whole.

## **II. STAR Bond Project Plan for Project Area 2**

Pursuant to the Act, municipalities are authorized to utilize STAR Bond Financing for specific development projects through (1) the creation of a STAR Bond Project District, subject to a finding by the Secretary that the District plan is eligible for STAR Bond Financing, and (2) the adoption of a STAR Bond Project Plan that is subsequently approved by the Secretary.

This Project Plan is submitted for consideration by the Unified Government and, ultimately, the Secretary, and includes the following in accordance with the Act:

- A description and map of the project area to be redeveloped;
- A reference to the District plan that identifies the project area that is set forth in the project plan that is being considered;
- A detailed description of the buildings and facilities proposed to be constructed or improved;
- A summary of the feasibility study done as defined in the Act, and amendments thereto;
- The relocation assistance plan;

- Documentation indicating that the Overall Project will result in a capital investment in excess of \$75,000,000 and will generate gross annual sales revenue in excess of \$75,000,000; and
- The names of the owners, partners, officers or principals of the Developer of the project and of any associated business partner of the Developer of the project that is involved in the STAR bond project.

**A. Project Area 2**

The property subject to this Project Plan consists of approximately 80 acres within the District, generally bounded on the west by north 118<sup>th</sup> Street, to the north by American Royal Way, to the east by N 115<sup>th</sup> Street and to the South by State Avenue, all within the City and County, as generally depicted on Exhibit B-4, and other phases are contemplated to be built within Project Area 1 and Project Area 3 of the District which are projected to add substantial additional capital investment to the Overall Project. A legal description of the subject property for Project Area 2 is attached hereto as Exhibit C.

**B. Reference to District Plan and Other Project Areas.**

Contemporaneous with the approval of this Project Plan, the governing body of the Unified Government approved an Amended and Restated STAR Bond District Plan for the District (the “**District Plan**”), which provides as follows:

The District will consist of three (3) project areas. The buildings and facilities to be constructed or improved in the STAR bond project district may be described in a general manner as a mixed-use development consisting of some or all of the following uses: livestock expo arena and other equestrian-related uses, education and conference centers and related facilities, entertainment complexes and festival grounds, other retail, restaurant, hotel, office and commercial uses, other sporting and recreational uses, any other uses allowable under the Act, and including acquiring real property rights and constructing any associated public and private infrastructure.

The three (3) project areas are described in the District Plan as follows:

- Project Area 1 – Plaza at the Speedway. This Project Area includes approximately 360 acres, including: (a) all of the approximately 110 acres located north of Parallel Parkway between Hutton Road and I-435 and bounded on the north by the Prairie Country and Westmore Downs subdivision, and including the existing Plaza at the Speedway (defined herein) shopping center, as shown in yellow shading on Exhibit B-2 to this Project Plan; and (b) certain parcels comprising approximately 250 acres of property located south of Parallel Parkway and bounded on the west by N 118<sup>th</sup> Street, on the east by N. 110<sup>th</sup> Street and to the South by American Royal Way and State Avenue, all as generally shown on Exhibit B-3 to this Project Plan.
- Project Area 2 – Core Royal. This Project Area includes approximately 80 acres of property generally bounded on the west by north 118<sup>th</sup> Street, to the north by American Royal Way, to the east by N 115<sup>th</sup> Street and to the South by State Avenue, all as generally shown on Exhibit B-4 to this Project Plan.
- Project Area 3 – Festival Grounds. This Project Area includes approximately 80 acres of property located west of the intersection of N 118<sup>th</sup> Street and American Royal Way, as generally depicted on Exhibit B-5 to this Project Plan.

This Project Plan is consistent with the District Plan.

### **C. Description of Buildings and Facilities**

The portion of the Overall Project located within Project Area 2 may be described as a mixed-use development consisting of some or all of the following uses: livestock expo arena, indoor/outdoor arenas and other agricultural and agricultural-related uses and ancillary facilities, livestock expo arena, indoor/outdoor arenas and other educational, agricultural and agricultural-related uses and ancillary facilities, entertainment complexes, and other commercial uses, other sporting and recreational uses, other family recreational tourism activities and any other uses allowable under the Act (collectively, the “**Project**”). The primary components of the Project are planned to include the following: a main arena with approximately 5,000 permanent seats and the capability for another approximately 3,000 temporary seats; a multi-purpose arena and an outdoor arena, each designed for permanent seating of approximately 3,500 seats with the capability for another approximately 3,000 temporary floor seats; a livestock exhibition hall/barns with the capability to hold approximately 1,500 horse stalls, approximately 3,750 head of cattle, 6x6 pens for approximately 5,000 mixed species of small animals and/or combinations of the foregoing; approximately 20,000 (more or less) square feet of administrative office and community/commercial kitchen space; and space for event support and storage facilities; an agricultural education center with approximately 80,000 square feet of learning and engagement space (which may be integrated within one or more of the other spaces described above) and which contemplates an additional 150,000 square feet of outdoor learning space; and other compatible, related or appurtenant improvements and uses. In addition, the arenas can be used for a variety of additional events and programming, including other family recreational tourism activities, sports activities (including, for example, basketball, volleyball or other multi-sport athletic facilities and uses) and other recreational and entertainment events and activities.

Other uses are currently envisioned for Project Areas 1 and 3 of the District, which other uses may be described as a mixed-use development consisting of some or all of the following uses: education and conference centers and related facilities, entertainment complexes, festival grounds, including, without limitation, contemplated development of an American Royal festival grounds as a future second phase of the development designed and delivered by the Developer (the “**Festival Grounds**”), other retail, restaurant, hotel, office, multi-family and other commercial uses, other sporting and recreational uses, other family recreational tourism activities, and any other uses allowable under the Act.

The Overall Project will be combined with a strong existing retail base in this area of the City and County, as well as other possible future destination attractions. The synergy of concepts in the Overall Project is expected to draw the broadest possible segment of the agricultural and youth and family tourism markets. The Developer will also target national and regional retail and restaurant chains, which will complement the tourism draw associated with the Overall Project and existing and prospective development in this area of the City and County. At completion, the Overall Project will become a key piece of the Unified Government’s overall economy and will strengthen the Unified Government’s ability to draw visitors from outside of the immediate area.

### **D. Summary of Feasibility Study**

The Act requires that a feasibility study be prepared setting forth the following information: (i) whether a STAR bond project’s revenue and tax increment revenues and other available revenues are expected to exceed or be sufficient to pay for the project costs; (ii) the effect, if any, a STAR bond project will have on any outstanding special obligation bonds payable from certain revenues as described in the Act; (iii) a statement of how the jobs and taxes obtained from the STAR bond project will contribute significantly to the economic development of the state and region; (iv) visitation expectation and a plan

describing how the number of visitors to the STAR bond project district will be tracked and reported to the secretary on an annual basis which shall include, but not be limited to, obtaining and reporting visitor residence zip code data to the Secretary, provided any visitor residence data requested by the Secretary for business located in the STAR bond district shall be provided in an aggregate manner without personally identifiable information; (v) the unique quality of the project; (vi) economic impact study; (vii) market study; (viii) market impact study; (ix) integration and collaboration with other resources or businesses; (x) the quality of service and experience provided, as measured against national consumer standards for the specific target market; (xi) project accountability, measured according to best industry practices; (xii) the expected return on state and local investment that the project is anticipated to produce; (xiii) a net return on investment analysis; (xiv) a statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the STAR bond project; (xv) an anticipated principal and interest payment schedule on the bond issue; (xvi) a summary of community involvement, participation and support; and (xvii) a full disclosure and description of all state, federal and local tax incentives that apply or are anticipated to apply within the STAR bond district or any business located in the district.

In accordance with the Act, the Unified Government has prepared a feasibility study conducted by Canyon Research Southwest, Inc. (“**Canyon**”), a qualified independent third-party consultant selected and approved by the Secretary specifically for that purpose. Titled “*STAR Bond Feasibility Study, A New American Royal, A Food and Agriculture Epicenter, 118<sup>th</sup> Street and State Avenue, Kansas City, Kansas,*” and dated February 2024 (the “**Feasibility Study**”), the Feasibility Study was prepared by Canyon under the control and oversight authority of the Secretary and the costs of which have been paid by Developer.

A summary of the Feasibility Study follows below.

# **1. Sufficiency of the Project’s Revenues Compared to the Project’s Costs**

The Act requires an analysis of whether a project’s revenues are expected to exceed or be sufficient to pay for the costs of the Overall Project (the “**Overall Project Costs**”). This requires determining the Overall Project Costs, and the Overall Project Costs eligible for reimbursement with STAR Bond Proceeds (the “**Eligible Overall Project Costs**”), and comparing them to the STAR Bond Proceeds expected to be generated within each Project Area.

## **a. Estimated Total Project Costs**

The total estimated cost to complete the Overall Project is approximately \$450 million. As determined from contract prices, engineering estimates, and estimates made by the Developer, a breakdown of the estimated costs by category is set forth below (a detailed budget is attached as Exhibit D):

| PROJECT COST ESTIMATES |                       |
|------------------------|-----------------------|
| Cost Category          | Estimated Cost        |
| Property Acquisition   | \$ 13,100,000         |
| Sitework               | \$ 70,750,000         |
| Infrastructure         | \$ 38,000,000         |
| Construction           | \$ 269,000,000        |
| Soft Costs             | \$ 51,150,000         |
| Contingency            | \$ 8,000,000          |
| <b>TOTAL</b>           | <b>\$ 450,000,000</b> |

## **b. Estimated Costs Eligible for Reimbursement**

Of the total costs listed above, approximately \$[391] million qualify under the Act as “Eligible Project Costs,” meaning that only those costs may be financed using STAR Bond Proceeds. These Eligible Project Costs are set forth by category and amount below (a detailed summary breakdown is attached as Exhibit E):

| ELIGIBLE COST ESTIMATES   |                         |
|---------------------------|-------------------------|
| Cost Category             | Estimated Eligible Cost |
| Property Acquisition      | \$ 10,000,000           |
| Sitework                  | \$ 41,799,213           |
| Infrastructure            | \$ 38,000,000           |
| Construction              | \$ 269,000,000          |
| Soft Costs                | \$ 32,287,500           |
| Contingency               | TBD                     |
| <b>TOTAL PROJECT COST</b> | <b>\$ 391,086,713</b>   |

**c. Tax Revenues Subject to Capture**

STAR bond revenues from the District generated over the 20-year term (“**STAR Bond Revenues**”) are estimated to be approximately \$465.1 million<sup>1</sup> as set forth on Exhibit F attached hereto. Pursuant to the Act, STAR Bond Revenues can be generated from several sources, including, in relevant part:

- *Sales Tax & Use Tax Revenues* – the retail sales dollar amount generated within the District multiplied by: (A) the captured State sales and use tax rate as set forth in the Act, which is currently **6.50%** (the “**State Sales Tax Revenues**”); and (B) the captured local sales and use tax rate as set forth in the Act, which, based on the location of the Project, is currently **1.934368%** (the “**Local Sales Tax Revenues**”) consisting of (1) the City’s sales and use tax rate, less any portion thereof committed to other uses by election (currently 1% based on the total sales tax rate of 1.625% less 0.25% dedicated to emergency medical service and 0.375% for Unified Government public and safety neighborhood), and (2) the Unified Government’s share of the County’s sales and use tax rate, which is currently 0.934368% (based on the County’s total sales and use tax rate of 1% of which the Unified Government’s share is currently 93.4368%); for a total retail sales and use tax rate, as available for capture under the Act, equal to **8.434368%** from State Sales Tax Revenues and Local Sales Tax Revenues combined (collectively, the “**Sales Tax Revenues**”).
- *Transient Guest Tax Revenues* – the annual hotel/lodging revenues generated within the District multiplied by the eligible Transient Guest Tax rate as set forth in the Act (the “**TGT Revenues**”), which is currently **7.84%** (based on the total Transient Guest Tax rate of 8.00% from which the State deducts a 0.16% as an administrative fee, leaving the net eligible amount at 7.84%).
- *Community Improvement District Revenues* – the retail sales dollar amount generated within Project Area 2 and a portion of Project Area 3 of the District also falling within boundaries of a community improvement district (CID) to be established pursuant to K.S.A. 12-6a26 *et seq.*, if any, multiplied by the CID sales tax rate levied in such CID district, which is currently anticipated to be one percent (1.0%), if and to the extent that such CID sales tax revenues (or a portion thereof) may

<sup>1</sup> The Feasibility Study assumes (i) STAR Bond Revenues from the Plaza at the Speedway (defined below) will be limited to State Sales Tax Revenues, excluding approximately \$46.1 million in projected Local Sales Tax Revenues from Plaza at the Speedway, which when included (as anticipated) increases total projected STAR Bond Revenues to approximately \$511.2 million, shown as ‘Scenario 2’ in Exhibit F and Exhibit G; and (ii) a 1.0% CID sales tax imposed on sales from Project Area 2 and a portion of Project Area 3, and that a portion of the revenues generated therefrom may be pledged to pay STAR bonds if necessary and agreed upon by the Unified Government and Developer, which accounts for a projected approximately \$32.9 million of the total STAR Bond Revenues and, if not collected and/or pledged reduces total projected STAR Bond Revenues to approximately \$432.2 million if Local Sales Tax Revenue from Plaza at the Speedway are not included or a net decrease to approximately \$478.3 million if Local Sales Tax Revenues from Plaza at the Speedway are included).

be pledged to pay STAR bonds if necessary and agreed upon by the Unified Government and Developer (as applicable, the “CID Revenues”).

### Sales Tax Revenues

Although other phases are expected to be built within the District in the future and add substantial additional capital investment and otherwise enhance the Overall Project, for purposes of the Feasibility Study, it is conservatively assumed that STAR Bond Revenues (and the corresponding supportable bond debt estimates) for the Overall Project will be derived exclusively from the following sources within the District: (i) incremental sales and use taxes from the Plaza at the Speedway<sup>2</sup> (over and above “base sales taxes”), (ii) sales and use taxes from Project Area 2, (iii) sales and use taxes from Project Area 3, and (iii) a CID overlay of Project Area 2 and a portion of Project Area 3 as described above.

Given that the Plaza at the Speedway was the only portion of the District generating existing sales at the time of its creation in December 2016, the retail sales dollar amount generated from the Plaza at the Speedway during a “base year,” defined as the 12-month period immediately prior to District creation (Dec. 2015 – Nov. 2016), constitute the “Base Sales” for the entire District. Currently, the existing sales within the District continue to come exclusively from the Plaza at the Speedway, but current sales from the Plaza at the Speedway far exceed its “base year” sales. As a result, all *incremental* sales at the Plaza at the Speedway and all *total* projected sales from all other portions of the District are assumed to be available for capture as STAR Bond Revenues. At full development and stabilization, it is anticipated that the Overall Project (including incremental sales from the Plaza at the Speedway) will produce annual sales volume of approximately \$292.6 million, based on the sales estimates summarized in the table below.

| <b>PROJECTED ANNUAL INCREMENTAL SALES AT STABILIZATION</b> |                                     |                               |
|------------------------------------------------------------|-------------------------------------|-------------------------------|
| <b>Project Area</b>                                        |                                     | <b>Sales at Stabilization</b> |
| 1                                                          | Plaza at the Speedway (incremental) | \$ 106,289,761                |
| 2                                                          | Core Royal                          | \$ 145,250,516                |
| 3                                                          | Festival Grounds                    | \$ 41,085,000                 |
| <b>Total Annual Sales</b>                                  |                                     | <b>\$ 292,625,277</b>         |

The combined retail sales tax rate, as available for capture under the Act, is 8.434368% (consisting of 6.50% State and 1.934368% local). At stabilization, the District is anticipated to generate \$22.6 million of annual Sales Tax Revenues, consisting of \$19.0 million of State Sales Tax Revenues and \$3.6 million of Local Sales Tax Revenues.<sup>3</sup> Through the maturity of the contemplated STAR Bonds, the District is projected to generate total Sales Tax Revenues of approximately \$432.2 million, consisting of approximately \$368.6 million in State Sales Tax Revenues and \$63.6 million in Local Sales Tax Revenues.<sup>4</sup> For purposes of the Feasibility Study, it is assumed that only the State Sales Tax Revenues from the Plaza at the Speedway will be captured as STAR Bond Revenues, although it is anticipated that Local Sales Tax Revenues from the Plaza at the Speedway may also be captured as STAR Bond Revenues. Accordingly, the total projected annual sales tax increment at stabilization, and total projected sales tax increment through maturity, are shown in the tables below both with and without Local Sales Tax Revenues from the Plaza at the Speedway for reference.

<sup>2</sup> As used in this Project Plan, “Plaza at the Speedway” means the portion of the District located north of Parallel Parkway and east of N 110<sup>th</sup> Street / Hutton Road, as generally depicted in yellow shading on Exhibit B-2.

<sup>3</sup> These estimates exclude \$2.1 million in projected Local Sales Tax Revenues from the Plaza at the Speedway at stabilization, which when included (as anticipated) increases annual Sales Tax Revenues at stabilization to \$24.7 million, consisting of \$19.0 million of State Sales Tax Revenues and \$5.7 million of Local Sales Tax Revenues.

<sup>4</sup> These estimates exclude \$46.1 million in projected Local Sales Tax Revenues from the Plaza at the Speedway through maturity, which when included (as anticipated) increases total Sales Tax Revenues through maturity to \$478.4 million, consisting of approximately \$368.6 million in State Sales Tax Revenues and approximately \$109.7 million in Local Sales Tax Revenues.



| TAX INCREMENT <u>WITHOUT</u> LOCAL SALES TAX REVENUES FROM PLAZA AT THE SPEEDWAY |                                     |                  |                  |
|----------------------------------------------------------------------------------|-------------------------------------|------------------|------------------|
|                                                                                  | Project Area                        | At Stabilization | Through Maturity |
| 1                                                                                | Plaza at the Speedway (incremental) | \$ 6,908,834     | \$ 155,029,655   |
| 2                                                                                | Core Royal                          | \$ 12,250,963    | \$ 225,967,031   |
| 3                                                                                | Festival Grounds                    | \$ 3,465,260     | \$ 51,223,122    |
| Net Sales Tax Revenues                                                           |                                     | \$ 22,625,058    | \$ 432,219,809   |

| TAX INCREMENT <u>WITH</u> LOCAL SALES TAX REVENUES FROM PLAZA AT THE SPEEDWAY |                                     |                  |                  |
|-------------------------------------------------------------------------------|-------------------------------------|------------------|------------------|
|                                                                               | Project Area                        | At Stabilization | Through Maturity |
| 1                                                                             | Plaza at the Speedway (incremental) | \$ 8,964,870     | \$ 201,165,717   |
| 2                                                                             | Core Royal                          | \$ 12,250,963    | \$ 225,967,031   |
| 3                                                                             | Festival Grounds                    | \$ 3,465,260     | \$ 51,223,122    |
| Net Sales Tax Revenues                                                        |                                     | \$ 24,681,093    | \$ 478,355,871   |

### Transient Guest Tax Revenues

Currently no transient guest taxes are generated within the Overall Project. Although it is possible one or more hotels will be constructed within the District by the time of stabilization or thereafter, any such hotels and the transient guest taxes that may be generated from same are excluded from sales and tax increment projections for purposes of the Feasibility Study.

### CID Sales Tax Revenues

Based on the projected annual sales from the Project in Project Area 2 and future Festival Grounds in Project Area 3 noted above, and an assumed 1.0% CID sales tax rate imposed thereon, at stabilization, the District is anticipated to generate \$1.9 million of CID sales tax, with total CID sales tax of approximately \$32.9 million through maturity of the District. A CID is not currently contemplated for any portion of Project Area 1.

#### **d. Estimated STAR Bond Net Proceeds**

Based on the Overall Project's captured STAR Bond Revenues and utilizing STAR Bond Project financing methodologies, the estimated STAR Bond net proceeds from the District are approximately \$199 million, as summarized in the table below, which includes projected STAR Bond net proceeds and CID Revenues.<sup>5</sup> Exhibit G sets forth the relevant calculations and assumptions utilized.

| STAR BOND NET PROCEEDS <u>WITHOUT</u> LOCAL SALES TAX REVENUES FROM PLAZA AT THE SPEEDWAY |                                     |                          |                          |                        |                |
|-------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|--------------------------|------------------------|----------------|
|                                                                                           | Project Area                        | State Sales Tax Revenues | Local Sales Tax Revenues | CID Sales Tax Revenues | Totals         |
| 1                                                                                         | Plaza at the Speedway (incremental) | \$ 61,752,498            |                          | \$ -                   | \$ 61,752,498  |
| 2                                                                                         | Core Royal                          | \$ 75,592,620            | \$ 22,495,991            | \$ 11,629,634          | \$ 109,718,245 |
| 3                                                                                         | Festival Grounds                    | \$ 18,838,062            | \$ 5,606,114             | \$ 2,898,163           | \$ 27,342,339  |
| Net Sales Tax Revenues                                                                    |                                     | \$ 156,183,179           | \$ 28,102,106            | \$ 14,527,797          | \$ 198,813,082 |

| STAR BOND NET PROCEEDS <u>WITH</u> LOCAL SALES TAX REVENUES FROM PLAZA AT THE SPEEDWAY |                                     |                          |                          |                        |                |
|----------------------------------------------------------------------------------------|-------------------------------------|--------------------------|--------------------------|------------------------|----------------|
|                                                                                        | Project Area                        | State Sales Tax Revenues | Local Sales Tax Revenues | CID Sales Tax Revenues | Totals         |
| 1                                                                                      | Plaza at the Speedway (incremental) | \$ 61,752,498            | \$ 18,377,239            | \$ -                   | \$ 80,129,738  |
| 2                                                                                      | Core Royal                          | \$ 75,592,620            | \$ 22,495,991            | \$ 11,629,634          | \$ 109,718,245 |
| 3                                                                                      | Festival Grounds                    | \$ 18,838,062            | \$ 5,606,114             | \$ 2,898,163           | \$ 27,342,339  |
| Net Sales Tax Revenues                                                                 |                                     | \$ 156,183,179           | \$ 46,479,345            | \$ 14,527,797          | \$ 217,190,322 |

<sup>5</sup> This estimate excludes \$46.1 million in Local Sales Tax Revenues projected from the Plaza at the Speedway, which when included (as anticipated), applying the same STAR Bond Project financing methodologies as mentioned above, is projected to generate an additional \$18.4 million of STAR Bond net proceeds, increasing total estimated STAR Bond net proceeds from the District to approximately \$217.2 million, shown in the second table below and as "Scenario 2" in Exhibit G attached hereto.

### **e. Summary of the STAR Bond Revenues and Overall Project Costs**

The total of Eligible Overall Project Costs that can be financed under the Act is limited to the amount of revenues generated from the District. Based on this Project Plan's (1) estimated Overall Project Costs, and (2) estimated STAR Bond net proceeds, the STAR Bond net proceeds are expected to pay for the Overall Project's costs as contemplated under the Act when supplemented by private debt and equity and other private and public sources, including STAR Bond net proceeds generated from revenues available in Project Area 1, Project Area 2 and Project Area 3 within the District, all as more specifically agreed upon in the development agreement between Developer and the Unified Government (the "**Development Agreement**").

### **2. Impact on Outstanding Special Obligation Bonds**

As required by the Act, an evaluation was conducted as to the "effect, if any" the Overall Project would have on any outstanding STAR bonds as authorized pursuant to the Act. By year-end 2022, sixteen active STAR Bond districts in Kansas possessed outstanding bond principal balance totaling approximately \$526 million. Active STAR Bond districts include six in the Kansas City MSA, four projects in the Wichita MSA, and projects in Topeka, Manhattan, Salina, Dodge City, and Garden City. The active STAR Bond districts support a wide range of destination attractions including professional soccer stadium and training facilities, racetracks, minor league baseball stadium, an arena, indoor and outdoor athletic facilities, waterparks, downtown redevelopment, and others. The destination attractions planned for the new American Royal Food and Agriculture Epicenter do not exist within any of the active STAR Bond projects in Kansas.

Village West continues to be the number one tourist attraction in Kansas with more than 12 million annual visitors from throughout the Midwest region and beyond. Village West and Village East together create one of the Midwest's most unique and highly visited sports, entertainment, and shopping destinations. Development of the new American Royal Food and Agriculture Epicenter will have a positive impact on operations of the Kansas Speedway, Village West, and Village East by improving the synergy between the developments through the introduction of additional destination attractions and visitors.

The Feasibility Study concluded that given the noncompeting destination attractions and differing market niche, development of the new American Royal Food and Agricultural Epicenter will not have a measurable adverse impact on visitor volumes, retail sales volumes and STAR bond revenues on those STAR bond districts with outstanding bond debt. Therefore, the operation of additional development withing the new American Royal Food and Agriculture Epicenter is not anticipated to cause default in the payment of outstanding STAR bonds.

### **3. Significant Contribution to the Economic Development of the State and Region**

The economic impact on the surrounding economy will be substantial and the development of the Overall Project will provide significant economic development, tax revenues, tourism, and new jobs that will contribute significantly to the economic development of the Unified Government, the region and the State of Kansas as a whole. The Overall Project, with a total estimated capital investment of approximately \$450 million, will result in a substantial number of temporary construction jobs, and at full build-out, employ a significant number of full-time equivalent employees (and with annual payroll) commensurate with projects of similar scope and caliber. The construction-phase and operational-phase estimates projected in the Feasibility Study are summarized below.

Construction phase direct on-site employment associated with the Overall Project is estimated at approximately 2,714 full-time equivalent jobs. Indirect job creation is forecast at 778 and 222, respectively,

bringing the total construction-phase work force to 3,714 jobs. The construction phase total payroll is estimated at \$206 million. The State of Kansas is estimated to collect approximately \$8.07 million in personal income taxes relating from the payroll estimated with construction of in the District.

The development of the Overall Project will provide significant economic development and new jobs for the City of Kansas City, Kansas, State of Kansas, and Midwest Region. In addition to new construction jobs discussed above, the Feasibility Study estimates that, at full build out, the Overall Project will create approximately 650 full-time equivalent jobs with an annual payroll of \$20.8 million, generating approximately \$650,000 in annual income taxes for the State of Kansas.

In addition to significant economic activity and impacts from construction and continuing into operations, stabilized year gross visitor expenditures generated by visitors to the Overall Project are estimated at \$330 million, only \$181 million of which is expected to be captured in-District, resulting in substantial spin off benefits and activity for other area businesses and the associated tax revenues flowing to the State and Unified Government instead of the District.

#### **4. Projected Visitation & Tracking**

At full build out and stabilization, the Feasibility Study estimates that the Overall Project will conservatively generate 2,156,765 annual attendee days, including 779,618 attendee days from visitors traveling from more than 100 miles away, and in the ‘optimistic scenario’ projected by the study, that as many as 2,432,500 annual attendee days will be generated at stabilization, including with 882,725 attendee days from visitors traveling from more than 100 miles away in the more optimistic scenario set forth in the Feasibility Study.

The Feasibility Study discusses the Developer’s plan for tracking the number of visitors to the Overall Project and reporting that information to the Secretary annually, including visitors’ residence zip code data. In 2018, the Developer began implementing a visitor tracking system that tracks the participants, exhibitors, contestants, and public attendees. City/state residence information is collected for all participants who register through American Royal registration systems, and data collected from ticket sales is also able to track the purchasers’ locations. Parking and concession sales will all be cashless and thus allow for collection of location data as well, and Wi-Fi systems similarly require registration for access. Zip code residence data is collected through all of these sources and will be reported annually with any other information required pursuant to the Act.

#### **5. Market Study & Market Impact Study**

##### Market Study

The Market Study portion of the Feasibility Study evaluated the ability of the Overall Project to gain market share locally, regionally, and nationally, and its suitability to facilitate development of a multi-use arena and event space, by examining the local tourism market and its ability to support additional development, providing an overview of the competitive rodeo arena industry and discussing a survey of existing rodeos and rodeo arenas in Kansas and other comparable multi-purpose arenas, as compared and contrasted with the Overall Project uses. Conclusions and other takeaways from this portion of the Feasibility Study include that: Overall Project is well positioned geographically to cater to the western United States rodeo participants and fan base; the Overall Project’s inventory of horse stalls significantly exceeds that of the surveyed arenas and affords the Overall Project a significant competitive advantage when bidding for large-scale events; the usage of comparable multi-purpose arenas bodes well for the

potential of the Overall Project to host a suitable number of annual events and event days to support feasible development and operation; of the indoor arenas surveyed in eastern Kansas, the Stormont Vail Events Center in Topeka was deemed most competitive in terms of size and capacity but suffering from facility deficiencies such as its age, the absence of an outdoor arena, and having a small inventory of stalls and RV hookups; of the six existing indoor arenas surveyed in western Kansas, none were viewed as directly competitive to the Overall Project; of the surveyed multi-purpose arenas, the Lancaster Event Center in Lincoln, Nebraska was viewed as most comparable in terms of property amenities and hosts a significant number of regional/national/international events annually, boding well for the Overall Project's ability to do the same; when compared to the ten surveyed comparable arena venues, the design for the Overall Project affords the necessary location, features, and amenities to be competitive and attract promoters, sponsors, events and fans; and, based on the findings of the Market Study the report determined the viability of the new American Royal Food & Agriculture Epicenter to support future development and continued operation of a multi-purpose arena and event space.

### Market Impact Study

As part of the Market Impact Study, the Feasibility Study discusses Overall Project positioning and unique quality, synergy with area attractions and impacts on comparable area businesses. Conclusions and other highlights from those portions of the study are included below: the Overall Project is positioned as a premier food and agriculture event, entertainment and education destination support a regional, national and international draw; together with the existing visitor destinations nearby in Village West and Village East, the Overall Project's uses, concepts, and positioning are designed to create a unique attraction capable of generating large visitor volumes, drawing out-of-town travelers, and enhancing the Kansas City area's status as a regional tourism destination; by increasing the critical mass and scope of destination attractions, the Overall Project will improve Kansas City's competitive position as a sports and entertainment destination and complement the existing attractions at Village East and West by creating a unique sports, entertainment, and education destination; when combined with the Village East and West attractions, the Overall Project will further strengthen the draw and economic impact of Kansas' largest and most visited tourism destination; at build-out and stabilization by; out-of-town visitors to the District are forecast to generate \$320 million to \$359 million in annual expenditures on shopping, dining, entertainment, lodging, and transportation, not all of which will be satisfied by the planned on-site attractions; and the Overall Project will benefit existing sports, entertainment, retail, restaurant, and lodging businesses in the County, with businesses operating in the neighboring Village West and Village East STAR Bond Districts being the primary beneficiaries, and therefore is not expected to adversely impact the sales of the Cable Dahmer Arena, Starlight Theatre, or Azura Amphitheatre.

### **6. Expected Return on State and Local Investment**

The return on investment to the State of Kansas and Unified Government will be significant and long lasting, and will be measured in the form of increased annual retail sales, job creation and significant construction and other economic activity, and a number of other direct and indirect benefits including from substantial surrounding and supportive development the Overall Project is expected to attract.

### **7. Statement Concerning Revenues Pledged to Other Uses**

The Act inquires into the amount of local taxes in a municipality dedicated by the voters and unavailable for capture under the Act. In Kansas City, Kansas and Wyandotte County, the city sales tax rate is 1.625%, of which .25% has been dedicated by the voters to Emergency Medical Services and 0.375% has been dedicated to public safety and infrastructure. The county sales tax

rate is 1.00%, of which 0.065632% is currently dedicated to the cities of Bonner Springs and Edwardsville. As dedicated taxes, these revenues are not available to be captured for STAR Bond Project financing. Additionally, portions of the Plaza at the Speedway currently reside in a tax increment financing (TIF) district that captures certain local sales taxes. Until such TIF district is terminated, these local sales tax revenues will be unavailable for capture by the District; however, the current expectation is that the TIF district at Plaza at the Speedway will be terminated on or about the time this Project Plan is implemented.

#### **8. Other Public Assistance**

The Act also provides for disclosure of other state, federal and local tax incentives that apply or, pursuant to the project plan, are anticipated to apply within the District or that apply to any business located in or, pursuant to this Project Plan or a project plan for another Project Area, that will locate in the District. Other public assistance applicable or anticipated to apply with respect to the Overall Project include Kansas Building a Stronger Economy (BASE) grant program funding, Kansas Department of Transportation (KDOT) Economic Development Program funding and/or other KDOT funding, Industrial Revenue Bond (IRB) financing for sales tax exemption on construction materials, and a contemplated Community Improvement District (CID) and 1.0% CID sales tax located only in Project Area 2 and Project Area 3.

#### **9. Anticipated Principal and Interest Payment Schedule**

A schedule of principal and interest payments for a STAR Bond issuance for the District is attached as Exhibit G.

#### **10. Meetings and Minutes**

Upon approval of this Project Plan by the Unified Government and prior to transmittal to the Secretary, the Unified Government Clerk will attach the minutes of the Unified Government meetings where the Project was discussed as Exhibit H.

#### **E. Relocation Plan**

The property in Project Area 2 expected to be necessary to implement this Project Plan is owned or controlled by Developer.

In the event the Unified Government is required to acquire any property located in Project Area 2, relocation payments shall be made to any persons or businesses that move from real property or that move personal property from real property as a result of the acquisition of the real property by the Unified Government in carrying out the provisions of the Act pursuant to K.S.A. 58-3508 and the requirements of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Such relocation payments shall be in the amount of the actual reasonable cost of moving to another location, or moving personal property to another location, within the greater metropolitan Kansas City area. No persons residing within Project Area 2 shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person at rents within their ability to pay, such housing units shall be suitable to the needs of such displaced persons and must be a decent, safe, sanitary and otherwise standard dwelling. The Unified Government shall provide for the payment of any reasonable damages

sustained by a retailer, as defined by the K.S.A. 79- 3702, and amendments thereto, by reason of the liquidation of inventories necessitated by the relocation.

**F. Officers of Developer**

The Developer, American Royal Association, is a 501(c)(3) not-for-profit organization. The names of the officers of Developer are attached hereto as Exhibit I.

**III. Conclusion**

Based on the foregoing, the Unified Government, the Developer hereby submits this Project Plan for public hearing and due consideration.

[Exhibits Follow]



## **EXHIBIT A**

### **Site Plan**



## **EXHIBIT B**

### **Legal Description of the STAR Bond District**

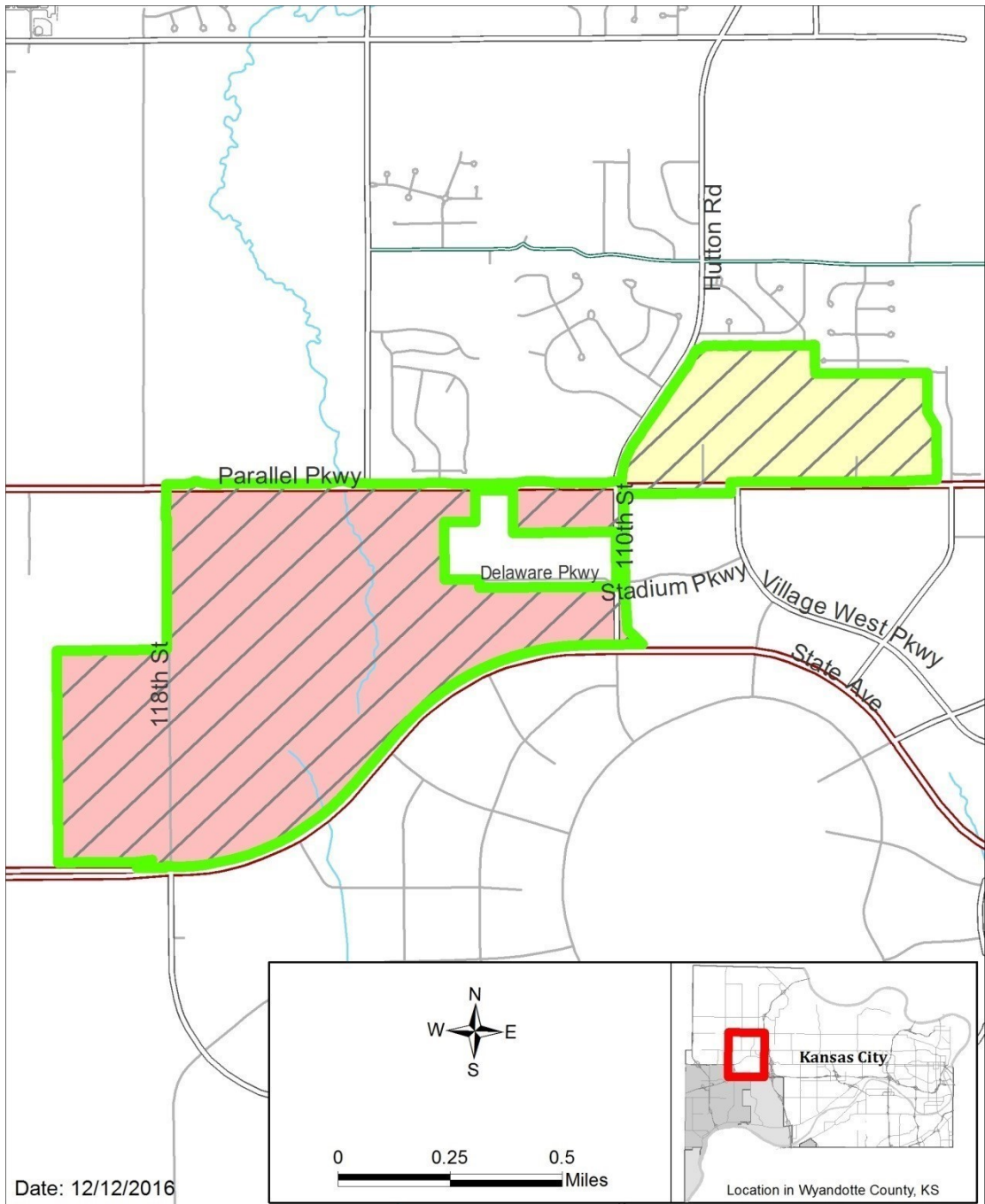
All that part of the Northeast Quarter and Southeast Quarter of Section 4, and all that part of Section 3, and all that part of the north half of Section 2, all in Township 11 South, Range 23 East, all that part of Lot 1, PIPER PLAZA, all that part of Lots 1, 2, 3, 4, and 5 of PIPER PLAZA SECOND PLAT, all that part of Lots 1 and 2 SECURITY BANK, all that part of Lots 14, 24, 25 and C of PLAZA AT THE SPEEDWAY, and all that part of Lots D and 53, PLAZA AT THE SPEEDWAY SECOND PLAT, and all that part of Lots 38, 39, 40, 41, and 42, PLAZA AT THE SPEEDWAY THIRD PLAT, and all that part of Lots 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52, PLAZA AT THE SPEEDWAY FOURTH PLAT, and all that part of Lots 53, 54, and 55, PLAZA AT THE SPEEDWAY FIFTH PLAT, and all that part of Lots 56, 57, Tract E1, and Tract E2, PLAZA AT THE SPEEDWAY SIXTH PLAT, and all that part of the Southeast Quarter and Southwest Quarter of Section 34, and all that part of the Southeast Quarter of Section 33, both in Township 10 South, Range 23 East, all being in the City of Kansas City, Wyandotte County, Kansas being generally described as follows: Beginning at the intersection of the south right-of-way line of Parallel Parkway and the west right-of-way line of N. 118<sup>th</sup> Street, thence southerly, with the west right-of-way line of N. 118<sup>th</sup> Street to the north line of Parcel 953101; thence westerly with the north line of parcel 953101, to the northwest corner of said Parcel 953101; thence southerly, with the west line of Parcel 953101, and with the west line of Parcels 953103 and 953104 to the north right-of-way line of State Avenue; thence easterly, with the north right-of-way line of State Avenue to the east right-of-way line of N. 110<sup>th</sup> Street; thence northerly, with the east right-of-way line of N. 110<sup>th</sup> Street, to the south right-of-way line of Parallel Parkway; thence easterly, with the south right-of-way line of Parallel Parkway, to the west right-of-way line of Village West Parkway; thence northerly, with the west right-of-way line of Village West Parkway, to the north right-of-way line of Parallel Parkway; thence easterly, with the north right-of-way line of Parallel Parkway, to the easterly line of PLAZA AT THE SPEEDWAY SIXTH PLAT; thence northerly, with the east line of PLAZA AT THE SPEEDWAY SIXTH PLAT to the northeast corner thereof; thence westerly, with the north line of PLAZA AT THE SPEEDWAY SIXTH PLAT, to the northwest corner thereof, said point also being on the easterly line of PLAZA AT THE SPEEDWAY FIFTH PLAT; thence westerly and northerly, with the easterly line of PLAZA AT THE SPEEDWAY FIFTH PLAT, to the northeast corner thereof; thence westerly, with the north line of PLAZA AT THE SPEEDWAY FIFTH PLAT, and with the north line of PLAZA AT THE SPEEDWAY, to the northwest corner thereof, said point being on the east right-of-way line of Hutton Road; thence southwestly, with the easterly right-of-way line of Hutton Road to the north right-of-way line of Parallel Parkway; thence westerly, with the north right-of-way line of Parallel Parkway, to the intersection of the north right-of-way line Parallel Parkway and the northerly prolongation of the west right-of-way line of N. 118<sup>th</sup> Street; thence southerly, with the northerly prolongation of the west right-of-way line of N. 118<sup>th</sup> Street, to the point of beginning.

Except all of Lot 1, LEGENDS APARTMENTS, and except all of Lot 1, VILLAGE WEST APARTMENTS, and except all of Parcel 949201.

The above described tract contains approximately 550 acres, more or less.

**EXHIBIT B-2**

**Depiction of the STAR Bond District**



# EXHIBIT B-3 Project Area 1

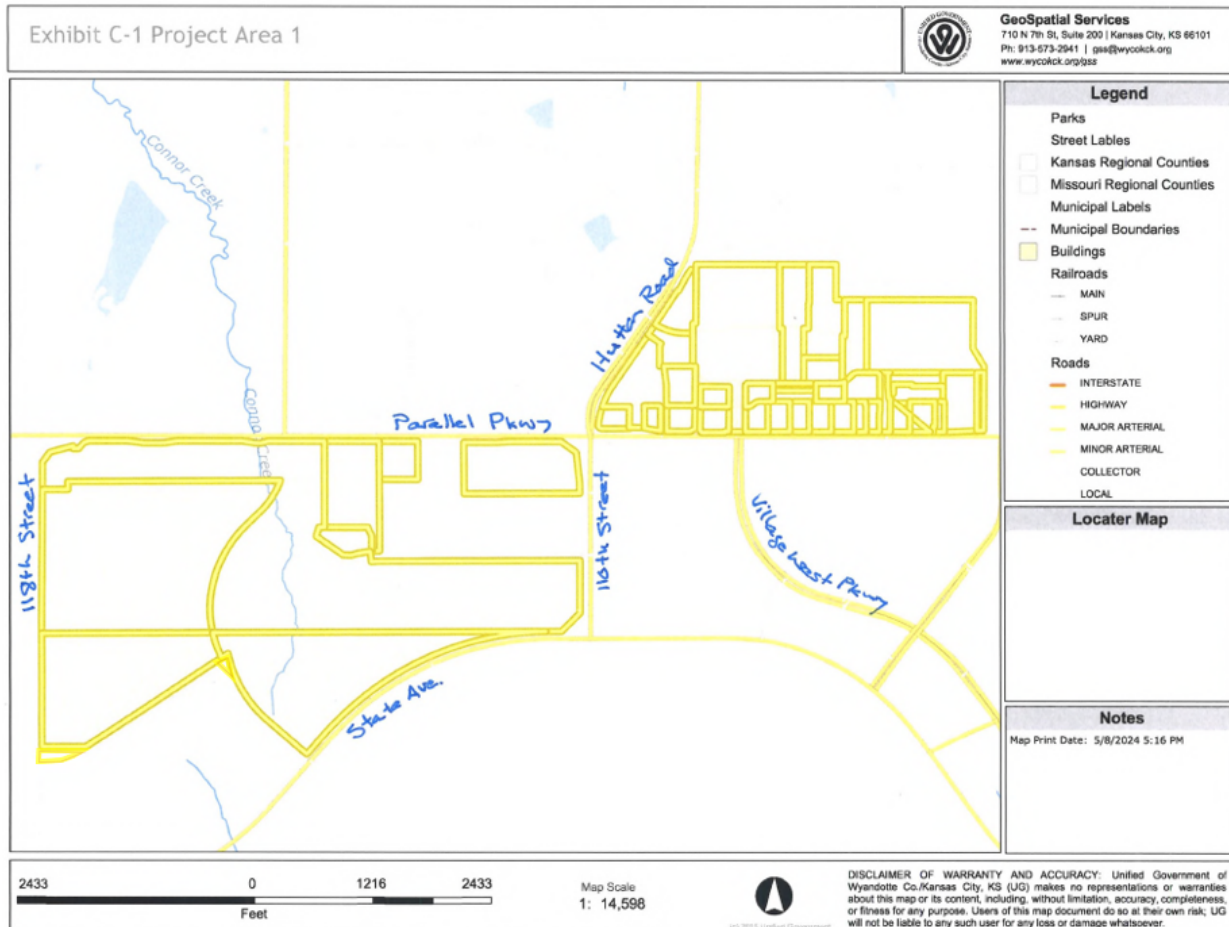




EXHIBIT B-4  
Project Area 2

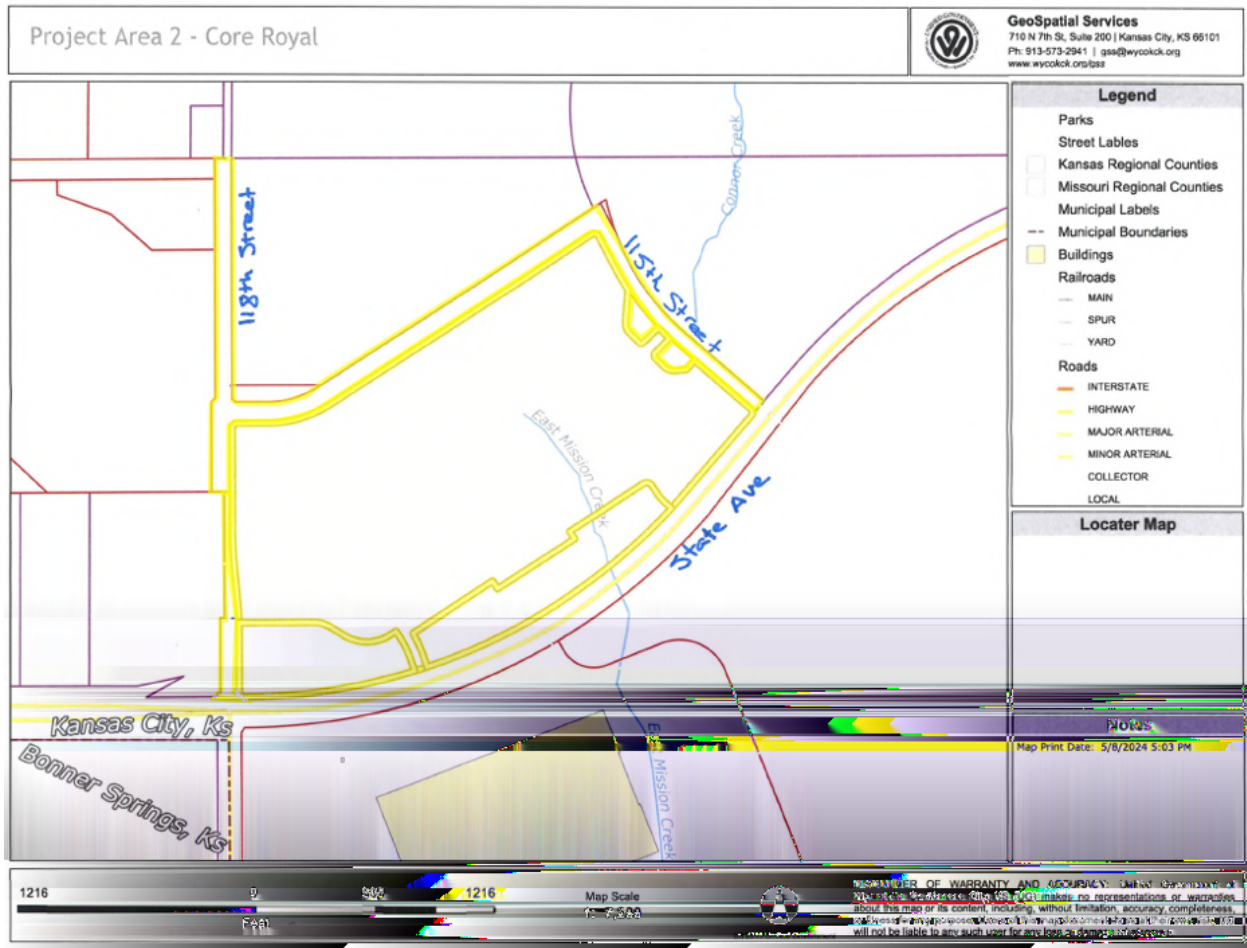


Exhibit B-5  
Project Area 3

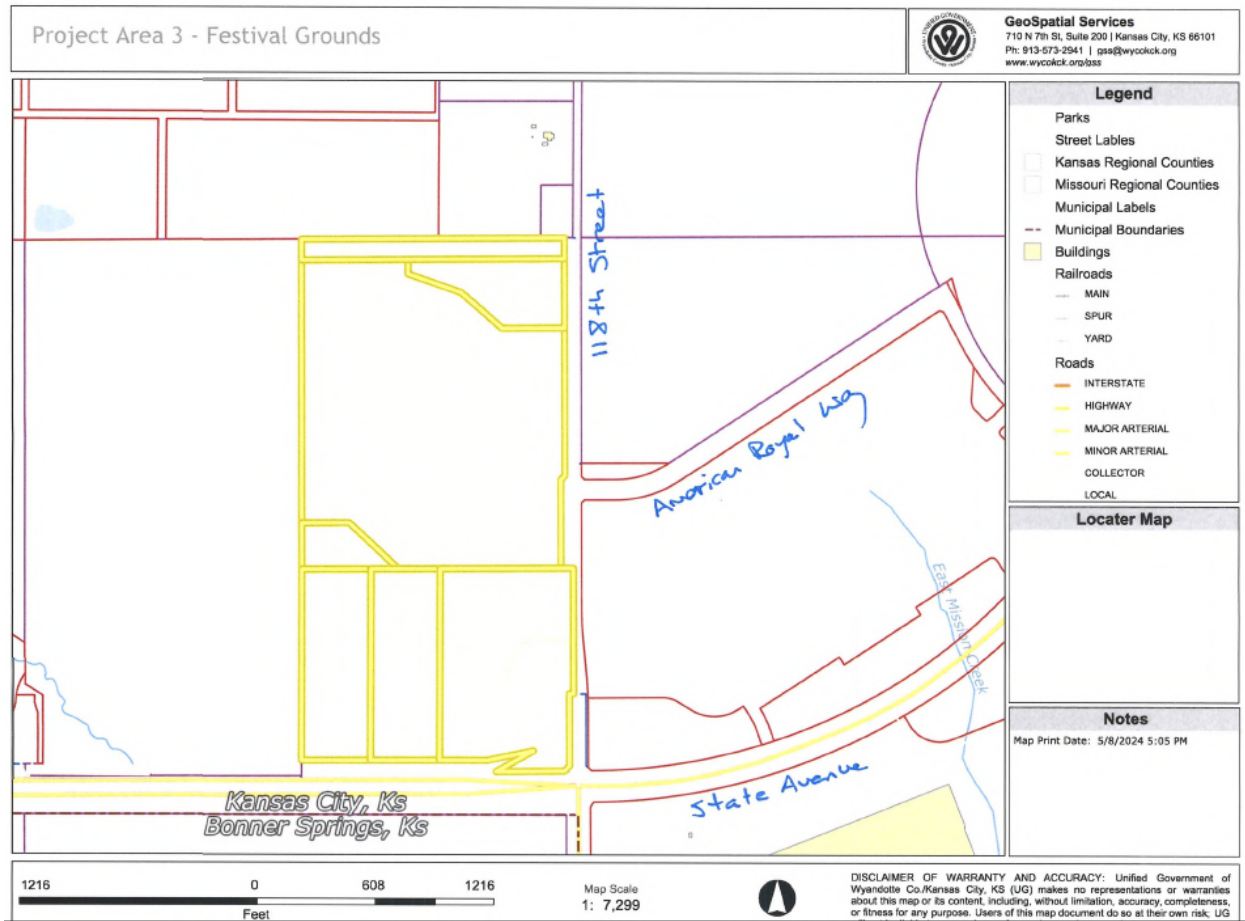




EXHIBIT C  
Legal Description of Project Area 2

## EXHIBIT D

### Estimated Project Costs

| GENERAL COST CATEGORIES                     | EST. PROJECT COSTS                 |                            |                                  |
|---------------------------------------------|------------------------------------|----------------------------|----------------------------------|
|                                             | Core Royal &<br>Ag. Education Ctr. | Future<br>Festival Grounds | Total Estimated<br>Project Costs |
| <b><u>Land Costs</u></b>                    |                                    |                            |                                  |
| Property Acquisition                        | \$ 10,000,000                      | \$ 3,100,000               | \$ 13,100,000                    |
| Subtotal:                                   | \$ 10,000,000                      | \$ 3,100,000               | \$ 13,100,000                    |
| <b><u>Sitework</u></b>                      |                                    |                            |                                  |
| Grading, Utilities, Paving, Landscaping     | \$ 23,000,000                      | incl.                      | \$ 23,000,000                    |
| Future Festival Grounds Site                | \$ -                               | \$ 47,750,000              | \$ 47,750,000                    |
| Subtotal:                                   | \$ 23,000,000                      | \$ 47,750,000              | \$ 70,750,000                    |
| <b><u>Infrastructure</u></b>                |                                    |                            |                                  |
| 115th - from 118th to 115th                 | \$ 2,000,000                       | \$ -                       | \$ 2,000,000                     |
| 118th - from State to north end of Site     | \$ 3,000,000                       | \$ -                       | \$ 3,000,000                     |
| Am. Royal Way (from 118th to 115th)         | \$ 6,000,000                       | \$ -                       | \$ 6,000,000                     |
| Future Festival - N/S & E/W Internal Drives | \$ -                               | \$ 27,000,000              | \$ 27,000,000                    |
| Subtotal:                                   | \$ 11,000,000                      | \$ 27,000,000              | \$ 38,000,000                    |
| <b><u>Construction</u></b>                  |                                    |                            |                                  |
| Exhibition Hall/Barns                       | \$ 80,000,000                      |                            | \$ 80,000,000                    |
| Arenas (Main/MP/Outdoor)                    | \$ 85,000,000                      | \$ -                       | \$ 85,000,000                    |
| Office HQ & Comm/Community Kitchen          | \$ 12,000,000                      | \$ -                       | \$ 12,000,000                    |
| Event Support and Storage Facilities        | \$ 8,000,000                       | \$ -                       | \$ 8,000,000                     |
| Agricultural Education Center               | \$ 47,000,000                      | \$ -                       | \$ 47,000,000                    |
| FF&E (incl. educational exhibits)           | \$ 24,000,000                      | \$ -                       | \$ 24,000,000                    |
| Future Festival - RR/Stage/Support          | \$ -                               | \$ 13,000,000              | \$ 13,000,000                    |
| Subtotal:                                   | \$ 256,000,000                     | \$ 13,000,000              | \$ 269,000,000                   |
| <b><u>Soft Costs</u></b>                    |                                    |                            |                                  |
| Design & Engineering Fees / Design          | \$ 29,000,000                      | \$ 5,000,000               | \$ 34,000,000                    |
| Professional Services & Fees                | \$ 10,000,000                      | \$ 1,000,000               | \$ 11,000,000                    |
| OH & Opening Operations                     | \$ 5,000,000                       | \$ 150,000                 | \$ 5,150,000                     |
| Planning, Zoning, and Permitting Fees       | incl.                              | incl.                      | incl.                            |
| Utility Development Fees                    | \$ 1,000,000                       | incl.                      | \$ 1,000,000                     |
| Subtotal:                                   | \$ 45,000,000                      | \$ 6,150,000               | \$ 51,150,000                    |
| <b><u>Contingency</u></b>                   |                                    |                            |                                  |
| Owner Cont.                                 | \$ 5,000,000                       | \$ 3,000,000               | \$ 8,000,000                     |
| <b>TOTALS</b>                               | <b>\$ 350,000,000</b>              | <b>\$ 100,000,000</b>      | <b>\$ 450,000,000</b>            |

*\*\*Subject to the terms and conditions of the Development Agreement: (i) the above descriptions of project components, project cost and eligible project cost categories, subtotals and totals, and the individual line item descriptions and amounts contained therein, are estimates only and subject to change as the STAR bond project progresses, including, but not limited to, as actual costs are incurred and revenues received; and (ii) reimbursable costs may be shifted among line items and expanded to include other reasonable variations from the descriptions set forth herein, so long as such costs are eligible for payment or reimbursement under K.S.A. 12-17, 160 et seq.*

## EXHIBIT E

### Estimated Eligible Project Costs

| GENERAL COST<br>CATEGORIES                  | PROJECT COST<br>ESTIMATES | ELIGIBLE PROJECT<br>COST ESTIMATES |
|---------------------------------------------|---------------------------|------------------------------------|
| <b><u>Land Costs</u></b>                    |                           |                                    |
| Property Acquisition                        | \$ 13,100,000             | \$ 10,000,000                      |
| Subtotal:                                   | \$ 13,100,000             | \$ 10,000,000                      |
| <b><u>Sitework</u></b>                      |                           |                                    |
| Grading, Utilities, Paving, Landscaping     | \$ 23,000,000             | \$ 23,000,000                      |
| Future Festival Grounds Site                | \$ 47,750,000             | \$ 18,799,213                      |
| Subtotal:                                   | \$ 70,750,000             | \$ 41,799,213                      |
| <b><u>Infrastructure</u></b>                |                           |                                    |
| 115th - from 118th to 115th                 | \$ 2,000,000              | \$ 2,000,000                       |
| 118th - from State to north end of Site     | \$ 3,000,000              | \$ 3,000,000                       |
| Am. Royal Way (from 118th to 115th)         | \$ 6,000,000              | \$ 6,000,000                       |
| Future Festival - N/S & E/W Internal Drives | \$ 27,000,000             | \$ 27,000,000                      |
| Subtotal:                                   | \$ 38,000,000             | \$ 38,000,000                      |
| <b><u>Construction</u></b>                  |                           |                                    |
| Exhibition Hall/Barns                       | \$ 80,000,000             | \$ 80,000,000                      |
| Arenas (Main/MP/Outdoor)                    | \$ 85,000,000             | \$ 85,000,000                      |
| Office HQ & Comm/Community Kitchen          | \$ 12,000,000             | \$ 12,000,000                      |
| Event Support and Storage Facilities        | \$ 8,000,000              | \$ 8,000,000                       |
| Agricultural Education Center               | \$ 47,000,000             | \$ 47,000,000                      |
| FF&E (incl. educational exhibits)           | \$ 24,000,000             | \$ 24,000,000                      |
| Future Festival - RR/Stage/Support          | \$ 13,000,000             | \$ 13,000,000                      |
| Subtotal:                                   | \$ 269,000,000            | \$ 269,000,000                     |
| <b><u>Soft Costs</u></b>                    |                           |                                    |
| Design & Engineering Fees / Design          | \$ 34,000,000             | \$ 22,666,667                      |
| Professional Services & Fees                | \$ 11,000,000             | \$ 7,333,333                       |
| OH & Opening Operations                     | \$ 5,150,000              | \$ 1,287,500                       |
| Planning, Zoning, and Permitting Fees       | incl.                     | incl.                              |
| Utility Development Fees                    | \$ 1,000,000              | \$ 1,000,000                       |
| Subtotal:                                   | \$ 51,150,000             | \$ 32,287,500                      |
| <b><u>Contingency</u></b>                   |                           |                                    |
| Owner Cont.                                 | \$ 8,000,000              | \$ -                               |
| <b>TOTALS</b>                               | <b>\$ 450,000,000</b>     | <b>\$ 391,086,713</b>              |

*\*\*Subject to the terms and conditions of the Development Agreement: (i) the above descriptions of project components, project cost and eligible project cost categories, subtotals and totals, and the individual line item descriptions and amounts contained therein, are estimates only and subject to change as the STAR bond project progresses, including, but not limited to, as actual costs are incurred and revenues received; and (ii) reimbursable costs may be shifted among line items and expanded to include other reasonable variations from the descriptions set forth herein, so long as such costs are eligible for payment or reimbursement under K.S.A. 12-17, 160 et seq.*

**EXHIBIT F**  
**STAR Bond Financing Projections – Scenario 1\***

*\*Excluding Local Sales Tax Revenues from the Plaza at the Speedway*

| Year          | STAR Bond Revenue                         |                                        |                                              | CID Revenue                            |                                              | Total Revenues       |
|---------------|-------------------------------------------|----------------------------------------|----------------------------------------------|----------------------------------------|----------------------------------------------|----------------------|
|               | Plaza at the Speedway<br>(Project Area 1) | Phase 1 Core Royal<br>(Project Area 2) | Phase 2 Festival Grounds<br>(Project Area 3) | Phase 1 Core Royal<br>(Project Area 2) | Phase 2 Festival Grounds<br>(Project Area 3) |                      |
| 2024          | \$3,780,552                               |                                        |                                              |                                        |                                              | \$3,780,552          |
| 2025          | \$4,138,638                               |                                        |                                              |                                        |                                              | \$4,138,638          |
| 2026          | \$4,505,676                               | \$7,343,545                            |                                              | \$870,669                              |                                              | \$12,719,890         |
| 2027          | \$4,881,891                               | \$7,899,117                            |                                              | \$936,539                              |                                              | \$13,717,547         |
| 2028          | \$5,267,510                               | \$8,894,664                            |                                              | \$1,054,574                            |                                              | \$15,216,748         |
| 2029          | \$5,662,771                               | \$9,939,226                            |                                              | \$1,178,420                            |                                              | \$16,780,417         |
| 2030          | \$6,067,912                               | \$10,992,227                           | \$1,113,337                                  | \$1,303,266                            | \$132,000                                    | \$19,608,742         |
| 2031          | \$6,483,182                               | \$11,889,443                           | \$2,304,607                                  | \$1,409,642                            | \$273,240                                    | \$22,360,114         |
| 2032          | \$6,908,836                               | \$12,250,963                           | \$3,465,260                                  | \$1,452,505                            | \$410,850                                    | \$24,488,414         |
| 2033          | \$7,345,128                               | \$12,557,237                           | \$3,551,892                                  | \$1,488,818                            | \$421,121                                    | \$25,364,196         |
| 2034          | \$7,792,328                               | \$12,871,167                           | \$3,640,689                                  | \$1,526,038                            | \$431,649                                    | \$26,261,872         |
| 2035          | \$8,250,709                               | \$13,192,949                           | \$3,731,706                                  | \$1,564,189                            | \$442,441                                    | \$27,181,994         |
| 2036          | \$8,720,549                               | \$13,522,771                           | \$3,824,999                                  | \$1,603,294                            | \$453,502                                    | \$28,125,115         |
| 2037          | \$9,202,135                               | \$13,860,840                           | \$3,920,624                                  | \$1,643,376                            | \$464,839                                    | \$29,091,814         |
| 2038          | \$9,695,762                               | \$14,207,361                           | \$4,018,639                                  | \$1,684,461                            | \$476,460                                    | \$30,082,683         |
| 2039          | \$10,201,728                              | \$14,562,545                           | \$4,119,105                                  | \$1,726,572                            | \$488,372                                    | \$31,098,322         |
| 2040          | \$10,720,343                              | \$14,926,609                           | \$4,222,083                                  | \$1,769,736                            | \$500,581                                    | \$32,139,352         |
| 2041          | \$11,251,924                              | \$15,299,773                           | \$4,327,635                                  | \$1,813,980                            | \$513,095                                    | \$33,206,408         |
| 2042          | \$11,796,795                              | \$15,682,269                           | \$4,435,826                                  | \$1,859,329                            | \$525,923                                    | \$34,300,141         |
| 2043          | \$12,355,287                              | \$16,074,325                           | \$4,546,722                                  | \$1,905,813                            | \$539,071                                    | \$35,421,218         |
| <b>Totals</b> | <b>\$155,029,656</b>                      | <b>\$225,967,031</b>                   | <b>\$51,223,124</b>                          | <b>\$26,791,223</b>                    | <b>\$6,073,143</b>                           | <b>\$465,084,177</b> |

**EXHIBIT F**  
**STAR Bond Financing Projections – Scenario 2\***

*\*Including Local Sales Tax Revenues from the Plaza at the Speedway*

| Year          | STAR Bond Revenue                         |                                        |                                              | CID Revenue                            |                                              | Total Revenues       |
|---------------|-------------------------------------------|----------------------------------------|----------------------------------------------|----------------------------------------|----------------------------------------------|----------------------|
|               | Plaza at the Speedway<br>(Project Area 1) | Phase 1 Core Royal<br>(Project Area 2) | Phase 2 Festival Grounds<br>(Project Area 3) | Phase 1 Core Royal<br>(Project Area 2) | Phase 2 Festival Grounds<br>(Project Area 3) |                      |
| 2024          | \$4,905,625                               |                                        |                                              |                                        |                                              | \$4,905,625          |
| 2025          | \$5,370,276                               |                                        |                                              |                                        |                                              | \$5,370,276          |
| 2026          | \$5,846,543                               | \$7,343,545                            |                                              | \$870,669                              |                                              | \$14,060,757         |
| 2027          | \$6,334,718                               | \$7,899,117                            |                                              | \$936,539                              |                                              | \$15,170,374         |
| 2028          | \$6,835,095                               | \$8,894,664                            |                                              | \$1,054,574                            |                                              | \$16,784,333         |
| 2029          | \$7,347,984                               | \$9,939,226                            |                                              | \$1,178,420                            |                                              | \$18,465,630         |
| 2030          | \$7,873,693                               | \$10,992,227                           | \$1,113,337                                  | \$1,303,266                            | \$132,000                                    | \$21,414,523         |
| 2031          | \$8,412,545                               | \$11,889,443                           | \$2,304,607                                  | \$1,409,642                            | \$273,240                                    | \$24,289,477         |
| 2032          | \$8,964,871                               | \$12,250,963                           | \$3,465,260                                  | \$1,452,505                            | \$410,850                                    | \$26,544,449         |
| 2033          | \$9,531,002                               | \$12,557,237                           | \$3,551,892                                  | \$1,488,818                            | \$421,121                                    | \$27,550,070         |
| 2034          | \$10,111,287                              | \$12,871,167                           | \$3,640,689                                  | \$1,526,038                            | \$431,649                                    | \$28,580,831         |
| 2035          | \$10,706,079                              | \$13,192,949                           | \$3,731,706                                  | \$1,564,189                            | \$442,441                                    | \$29,637,364         |
| 2036          | \$11,315,742                              | \$13,522,771                           | \$3,824,999                                  | \$1,603,294                            | \$453,502                                    | \$30,720,308         |
| 2037          | \$11,940,645                              | \$13,860,840                           | \$3,920,624                                  | \$1,643,376                            | \$464,839                                    | \$31,830,324         |
| 2038          | \$12,581,173                              | \$14,207,361                           | \$4,018,639                                  | \$1,684,461                            | \$476,460                                    | \$32,968,094         |
| 2039          | \$13,237,712                              | \$14,562,545                           | \$4,119,105                                  | \$1,726,572                            | \$488,372                                    | \$34,134,306         |
| 2040          | \$13,910,664                              | \$14,926,609                           | \$4,222,083                                  | \$1,769,736                            | \$500,581                                    | \$35,329,673         |
| 2041          | \$14,600,441                              | \$15,299,773                           | \$4,327,635                                  | \$1,813,980                            | \$513,095                                    | \$36,554,925         |
| 2042          | \$15,307,463                              | \$15,682,269                           | \$4,435,826                                  | \$1,859,329                            | \$525,923                                    | \$37,810,809         |
| 2043          | \$16,032,160                              | \$16,074,325                           | \$4,546,722                                  | \$1,905,813                            | \$539,071                                    | \$39,098,091         |
|               |                                           |                                        |                                              |                                        |                                              |                      |
| <b>Totals</b> | <b>\$201,165,720</b>                      | <b>\$225,967,031</b>                   | <b>\$51,223,124</b>                          | <b>\$26,791,223</b>                    | <b>\$6,073,143</b>                           | <b>\$511,220,238</b> |

**EXHIBIT G**

**STAR Bond Amortization Schedule:  
STAR Bond Project – Scenario 1\***

*\*Excluding Local Sales Tax Revenues from the Plaza at the Speedway*

| <b>NPV Revenues</b>                                  |                                                           |                                            |                                                  |                                           |
|------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------|--------------------------------------------------|-------------------------------------------|
| <b>Year</b>                                          | <b>Plaza<br/>at the<br/>Speedway<br/>(Project Area 1)</b> | <b>Core<br/>Royal<br/>(Project Area 2)</b> | <b>Festival<br/>Grounds<br/>(Project Area 3)</b> | <b>NPV @ 5%<br/>STAR Bond<br/>Revenue</b> |
| 2024                                                 | \$2,880,420                                               |                                            |                                                  | \$2,880,420                               |
| 2025                                                 | \$3,003,092                                               |                                            |                                                  | \$3,003,092                               |
| 2026                                                 | \$3,113,740                                               | \$6,258,449                                |                                                  | \$9,372,189                               |
| 2027                                                 | \$3,213,073                                               | \$6,411,357                                |                                                  | \$9,624,430                               |
| 2028                                                 | \$3,301,785                                               | \$6,875,624                                |                                                  | \$10,177,409                              |
| 2029                                                 | \$3,380,515                                               | \$7,317,208                                |                                                  | \$10,697,723                              |
| 2030                                                 | \$3,449,880                                               | \$7,707,071                                | \$948,828                                        | \$12,105,779                              |
| 2031                                                 | \$3,510,457                                               | \$7,939,182                                | \$1,870,545                                      | \$13,320,184                              |
| 2032                                                 | \$3,562,798                                               | \$7,791,036                                | \$2,678,665                                      | \$14,032,499                              |
| 2033                                                 | \$3,607,416                                               | \$7,605,534                                | \$2,614,884                                      | \$13,827,834                              |
| 2034                                                 | \$3,644,809                                               | \$7,424,455                                | \$2,552,626                                      | \$13,621,890                              |
| 2035                                                 | \$3,675,440                                               | \$7,247,678                                | \$2,491,849                                      | \$13,414,967                              |
| 2036                                                 | \$3,699,752                                               | \$7,075,114                                | \$2,432,519                                      | \$13,207,385                              |
| 2037                                                 | \$3,718,163                                               | \$6,906,657                                | \$2,374,602                                      | \$12,999,422                              |
| 2038                                                 | \$3,731,061                                               | \$6,742,213                                | \$2,318,065                                      | \$12,791,339                              |
| 2039                                                 | \$3,738,827                                               | \$6,581,690                                | \$2,262,872                                      | \$12,583,389                              |
| 2040                                                 | \$3,741,803                                               | \$6,424,981                                | \$2,208,994                                      | \$12,375,778                              |
| 2041                                                 | \$3,740,320                                               | \$6,272,013                                | \$2,156,398                                      | \$12,168,731                              |
| 2042                                                 | \$3,734,677                                               | \$6,122,677                                | \$2,105,056                                      | \$11,962,410                              |
| 2043                                                 | \$3,725,267                                               | \$5,976,885                                | \$2,054,937                                      | \$11,757,089                              |
|                                                      |                                                           |                                            |                                                  |                                           |
| <b>Totals</b>                                        | <b>\$70,173,293</b>                                       | <b>\$124,679,824</b>                       | <b>\$31,070,840</b>                              | <b>\$225,923,957</b>                      |
| <b>Less: Bond Issuance Costs (12%)</b>               |                                                           |                                            |                                                  | <b>-\$27,110,875</b>                      |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                                                           |                                            |                                                  | <b>\$198,813,082</b>                      |



**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
STAR Bond Project – Scenario 2\***

*\*Including Local Sales Tax Revenues from the Plaza at the Speedway*

| <b>NPV Revenues</b>                                  |                                                           |                                            |                                                  |                                           |
|------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------|--------------------------------------------------|-------------------------------------------|
| <b>Year</b>                                          | <b>Plaza<br/>at the<br/>Speedway<br/>(Project Area 1)</b> | <b>Core<br/>Royal<br/>(Project Area 2)</b> | <b>Festival<br/>Grounds<br/>(Project Area 3)</b> | <b>NPV @ 5%<br/>STAR Bond<br/>Revenue</b> |
| 2024                                                 | \$3,737,619                                               |                                            |                                                  | \$3,737,619                               |
| 2025                                                 | \$3,896,797                                               |                                            |                                                  | \$3,896,797                               |
| 2026                                                 | \$4,040,373                                               | \$6,258,449                                |                                                  | \$10,298,822                              |
| 2027                                                 | \$4,169,268                                               | \$6,411,357                                |                                                  | \$10,580,625                              |
| 2028                                                 | \$4,284,380                                               | \$6,875,624                                |                                                  | \$11,160,004                              |
| 2029                                                 | \$4,386,540                                               | \$7,317,208                                |                                                  | \$11,703,748                              |
| 2030                                                 | \$4,476,547                                               | \$7,707,071                                | \$948,828                                        | \$13,132,446                              |
| 2031                                                 | \$4,555,151                                               | \$7,939,182                                | \$1,870,545                                      | \$14,364,878                              |
| 2032                                                 | \$4,623,068                                               | \$7,791,036                                | \$2,678,665                                      | \$15,092,769                              |
| 2033                                                 | \$4,680,965                                               | \$7,605,534                                | \$2,614,884                                      | \$14,901,383                              |
| 2034                                                 | \$4,729,486                                               | \$7,424,455                                | \$2,552,626                                      | \$14,706,567                              |
| 2035                                                 | \$4,769,233                                               | \$7,247,678                                | \$2,491,849                                      | \$14,508,760                              |
| 2036                                                 | \$4,800,781                                               | \$7,075,114                                | \$2,432,519                                      | \$14,308,414                              |
| 2037                                                 | \$4,824,670                                               | \$6,906,657                                | \$2,374,602                                      | \$14,105,929                              |
| 2038                                                 | \$4,841,406                                               | \$6,742,213                                | \$2,318,065                                      | \$13,901,685                              |
| 2039                                                 | \$4,851,484                                               | \$6,581,690                                | \$2,262,872                                      | \$13,696,045                              |
| 2040                                                 | \$4,855,345                                               | \$6,424,981                                | \$2,208,994                                      | \$13,489,320                              |
| 2041                                                 | \$4,853,420                                               | \$6,272,013                                | \$2,156,398                                      | \$13,281,831                              |
| 2042                                                 | \$4,846,098                                               | \$6,122,677                                | \$2,105,056                                      | \$13,073,831                              |
| 2043                                                 | \$4,833,889                                               | \$5,976,885                                | \$2,054,937                                      | \$12,865,711                              |
|                                                      |                                                           |                                            |                                                  |                                           |
| <b>Totals</b>                                        | <b>\$91,056,520</b>                                       | <b>\$124,679,824</b>                       | <b>\$31,070,840</b>                              | <b>\$246,807,184</b>                      |
| <b>Less: Bond Issuance Costs (12%)</b>               |                                                           |                                            |                                                  | <b>-\$29,616,862</b>                      |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                                                           |                                            |                                                  | <b>\$217,190,322</b>                      |

**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
Plaza at the Speedway (Project Area 1) – Scenario 1\***

*\*Excluding Local Sales Tax Revenues from the Plaza at the Speedway*

| <b>Year</b>                                          | <b>Gross<br/>STAR Bond<br/>Revenue</b> | <b>Present<br/>Value<br/>5.0%</b> | <b>Net<br/>Present<br/>Value</b> | <b>Less: Debt<br/>Coverage<br/>1.25</b> | <b>Net<br/>STAR Bond<br/>Proceeds</b> |
|------------------------------------------------------|----------------------------------------|-----------------------------------|----------------------------------|-----------------------------------------|---------------------------------------|
| 2024                                                 | \$3,780,552                            | 0.952381                          | \$3,600,526                      | \$720,105                               | \$2,880,420                           |
| 2025                                                 | \$4,138,638                            | 0.907029                          | \$3,753,865                      | \$750,773                               | \$3,003,092                           |
| 2026                                                 | \$4,505,676                            | 0.863838                          | \$3,892,174                      | \$778,435                               | \$3,113,740                           |
| 2027                                                 | \$4,881,891                            | 0.822702                          | \$4,016,341                      | \$803,268                               | \$3,213,073                           |
| 2028                                                 | \$5,267,510                            | 0.783526                          | \$4,127,231                      | \$825,446                               | \$3,301,785                           |
| 2029                                                 | \$5,662,771                            | 0.746215                          | \$4,225,644                      | \$845,129                               | \$3,380,515                           |
| 2030                                                 | \$6,067,912                            | 0.710681                          | \$4,312,350                      | \$862,470                               | \$3,449,880                           |
| 2031                                                 | \$6,483,182                            | 0.676839                          | \$4,388,071                      | \$877,614                               | \$3,510,457                           |
| 2032                                                 | \$6,908,834                            | 0.644609                          | \$4,453,497                      | \$890,699                               | \$3,562,797                           |
| 2033                                                 | \$7,345,128                            | 0.613913                          | \$4,509,269                      | \$901,854                               | \$3,607,416                           |
| 2034                                                 | \$7,792,328                            | 0.584679                          | \$4,556,011                      | \$911,202                               | \$3,644,809                           |
| 2035                                                 | \$8,250,709                            | 0.556837                          | \$4,594,300                      | \$918,860                               | \$3,675,440                           |
| 2036                                                 | \$8,720,549                            | 0.530321                          | \$4,624,690                      | \$924,938                               | \$3,699,752                           |
| 2037                                                 | \$9,202,135                            | 0.505068                          | \$4,647,704                      | \$929,541                               | \$3,718,163                           |
| 2038                                                 | \$9,695,761                            | 0.481017                          | \$4,663,826                      | \$932,765                               | \$3,731,061                           |
| 2039                                                 | \$10,201,728                           | 0.458112                          | \$4,673,534                      | \$934,707                               | \$3,738,827                           |
| 2040                                                 | \$10,720,343                           | 0.436297                          | \$4,677,254                      | \$935,451                               | \$3,741,803                           |
| 2041                                                 | \$11,251,924                           | 0.415520                          | \$4,675,400                      | \$935,080                               | \$3,740,320                           |
| 2042                                                 | \$11,796,795                           | 0.395730                          | \$4,668,346                      | \$933,669                               | \$3,734,677                           |
| 2043                                                 | \$12,355,287                           | 0.376890                          | \$4,656,584                      | \$931,317                               | \$3,725,267                           |
|                                                      |                                        |                                   |                                  |                                         |                                       |
| <b>Totals</b>                                        | <b>\$155,029,655</b>                   |                                   | <b>\$87,716,616</b>              | <b>\$17,543,323</b>                     | <b>\$70,173,293</b>                   |
| <b>Less: Bond Issuance Costs (12%)</b>               |                                        |                                   |                                  |                                         | <b>-\$8,420,795</b>                   |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                                        |                                   |                                  |                                         | <b>\$61,752,498</b>                   |

**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
Plaza at the Speedway (Project Area 1) – Scenario 2\***

*\*Including Local Sales Tax Revenues from the Plaza at the Speedway*

| <b>Year</b>                                          | <b>Gross<br/>STAR Bond<br/>Revenue</b> | <b>Present<br/>Value<br/>5.0%</b> | <b>Net<br/>Present<br/>Value</b> | <b>Less: Debt<br/>Coverage<br/>1.25</b> | <b>Net<br/>STAR Bond<br/>Proceeds</b> |
|------------------------------------------------------|----------------------------------------|-----------------------------------|----------------------------------|-----------------------------------------|---------------------------------------|
| 2024                                                 | \$4,905,625                            | 0.952381                          | \$4,672,024                      | \$934,405                               | \$3,737,619                           |
| 2025                                                 | \$5,370,276                            | 0.907029                          | \$4,870,996                      | \$974,199                               | \$3,896,797                           |
| 2026                                                 | \$5,846,543                            | 0.863838                          | \$5,050,466                      | \$1,010,093                             | \$4,040,373                           |
| 2027                                                 | \$6,334,718                            | 0.822702                          | \$5,211,585                      | \$1,042,317                             | \$4,169,268                           |
| 2028                                                 | \$6,835,095                            | 0.783526                          | \$5,355,475                      | \$1,071,095                             | \$4,284,380                           |
| 2029                                                 | \$7,347,984                            | 0.746215                          | \$5,483,176                      | \$1,096,635                             | \$4,386,540                           |
| 2030                                                 | \$7,873,693                            | 0.710681                          | \$5,595,684                      | \$1,119,137                             | \$4,476,547                           |
| 2031                                                 | \$8,412,545                            | 0.676839                          | \$5,693,939                      | \$1,138,788                             | \$4,555,151                           |
| 2032                                                 | \$8,964,871                            | 0.644609                          | \$5,778,837                      | \$1,155,767                             | \$4,623,069                           |
| 2033                                                 | \$9,531,002                            | 0.613913                          | \$5,851,206                      | \$1,170,241                             | \$4,680,965                           |
| 2034                                                 | \$10,111,287                           | 0.584679                          | \$5,911,857                      | \$1,182,371                             | \$4,729,486                           |
| 2035                                                 | \$10,706,079                           | 0.556837                          | \$5,961,541                      | \$1,192,308                             | \$4,769,233                           |
| 2036                                                 | \$11,315,742                           | 0.530321                          | \$6,000,976                      | \$1,200,195                             | \$4,800,781                           |
| 2037                                                 | \$11,940,645                           | 0.505068                          | \$6,030,838                      | \$1,206,168                             | \$4,824,670                           |
| 2038                                                 | \$12,581,173                           | 0.481017                          | \$6,051,758                      | \$1,210,352                             | \$4,841,406                           |
| 2039                                                 | \$13,237,712                           | 0.458112                          | \$6,064,355                      | \$1,212,871                             | \$4,851,484                           |
| 2040                                                 | \$13,910,664                           | 0.436297                          | \$6,069,181                      | \$1,213,836                             | \$4,855,345                           |
| 2041                                                 | \$14,600,441                           | 0.415520                          | \$6,066,775                      | \$1,213,355                             | \$4,853,420                           |
| 2042                                                 | \$15,307,463                           | 0.395730                          | \$6,057,622                      | \$1,211,524                             | \$4,846,098                           |
| 2043                                                 | \$16,032,160                           | 0.376890                          | \$6,042,361                      | \$1,208,472                             | \$4,833,889                           |
|                                                      |                                        |                                   |                                  |                                         |                                       |
| <b>Totals</b>                                        | <b>\$201,165,720</b>                   |                                   | <b>\$113,820,651</b>             | <b>\$22,764,130</b>                     | <b>\$91,056,521</b>                   |
| <b>Less: Bond Issuance Costs (12%)</b>               |                                        |                                   |                                  |                                         | <b>-\$10,926,783</b>                  |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                                        |                                   |                                  |                                         | <b>\$80,129,738</b>                   |

**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
Core Royal / Main Complex (Phase 1) (Project Area 2)**

| <b>Year</b>  | <b>Gross Revenue</b> | <b>Present Value 5.0%</b> | <b>Net Present Value</b> | <b>Less: Debt Coverage 1.25</b> | <b>Net Proceeds</b>                                  |
|--------------|----------------------|---------------------------|--------------------------|---------------------------------|------------------------------------------------------|
| 2026         | \$8,214,214          | 0.952381                  | \$7,823,062              | \$1,564,612                     | \$6,258,449                                          |
| 2027         | \$8,835,656          | 0.907029                  | \$8,014,196              | \$1,602,839                     | \$6,411,357                                          |
| 2028         | \$9,949,238          | 0.863838                  | \$8,594,530              | \$1,718,906                     | \$6,875,624                                          |
| 2029         | \$11,117,646         | 0.822702                  | \$9,146,510              | \$1,829,302                     | \$7,317,208                                          |
| 2030         | \$12,295,493         | 0.783526                  | \$9,633,838              | \$1,926,768                     | \$7,707,071                                          |
| 2031         | \$13,299,085         | 0.746215                  | \$9,923,977              | \$1,984,795                     | \$7,939,182                                          |
| 2032         | \$13,703,468         | 0.710681                  | \$9,738,794              | \$1,947,759                     | \$7,791,036                                          |
| 2033         | \$14,046,055         | 0.676839                  | \$9,506,918              | \$1,901,384                     | \$7,605,534                                          |
| 2034         | \$14,397,206         | 0.644609                  | \$9,280,569              | \$1,856,114                     | \$7,424,455                                          |
| 2035         | \$14,757,136         | 0.613913                  | \$9,059,598              | \$1,811,920                     | \$7,247,678                                          |
| 2036         | \$15,126,065         | 0.584679                  | \$8,843,892              | \$1,768,778                     | \$7,075,114                                          |
| 2037         | \$15,504,216         | 0.556837                  | \$8,633,321              | \$1,726,664                     | \$6,906,657                                          |
| 2038         | \$15,891,822         | 0.530321                  | \$8,427,767              | \$1,685,553                     | \$6,742,213                                          |
| 2039         | \$16,289,117         | 0.505068                  | \$8,227,112              | \$1,645,422                     | \$6,581,690                                          |
| 2040         | \$16,696,345         | 0.481017                  | \$8,031,226              | \$1,606,245                     | \$6,424,981                                          |
| 2041         | \$17,113,754         | 0.458112                  | \$7,840,016              | \$1,568,003                     | \$6,272,013                                          |
| 2042         | \$17,541,598         | 0.436297                  | \$7,653,347              | \$1,530,669                     | \$6,122,677                                          |
| 2043         | \$17,980,138         | 0.415520                  | \$7,471,107              | \$1,494,221                     | \$5,976,885                                          |
|              |                      |                           |                          |                                 |                                                      |
| <b>Total</b> | <b>\$252,758,254</b> |                           | <b>\$155,849,780</b>     | <b>\$31,169,956</b>             | <b>\$124,679,824</b>                                 |
|              |                      |                           |                          |                                 | <b>Less: Bond Issuance Costs (12%)</b>               |
|              |                      |                           |                          |                                 | <b>-\$14,961,579</b>                                 |
|              |                      |                           |                          |                                 | <b>STAR Bond Proceeds Available for Debt Service</b> |
|              |                      |                           |                          |                                 | <b>\$109,718,245</b>                                 |

Source: Canyon Research Southwest, Inc.; February 2024.



**EXHIBIT G (CONT'D)**

**STAR Bond Amortization Schedule:  
American Royal Festival Grounds (Phase 2) (Project Area 3)**

| <b>Year</b>                                          | <b>Gross Revenue</b> | <b>Present Value<br/>5.0%</b> | <b>Net Present Value</b> | <b>Less: Debt Coverage<br/>1.25</b> | <b>Net Proceeds</b> |
|------------------------------------------------------|----------------------|-------------------------------|--------------------------|-------------------------------------|---------------------|
| 2030                                                 | \$1,245,337          | 0.952381                      | \$1,186,035              | \$237,207                           | \$948,828           |
| 2031                                                 | \$2,577,847          | 0.907029                      | \$2,338,182              | \$467,636                           | \$1,870,545         |
| 2032                                                 | \$3,876,110          | 0.863838                      | \$3,348,331              | \$669,666                           | \$2,678,665         |
| 2033                                                 | \$3,973,013          | 0.822702                      | \$3,268,606              | \$653,721                           | \$2,614,884         |
| 2034                                                 | \$4,072,338          | 0.783526                      | \$3,190,783              | \$638,157                           | \$2,552,626         |
| 2035                                                 | \$4,174,147          | 0.746215                      | \$3,114,811              | \$622,962                           | \$2,491,849         |
| 2036                                                 | \$4,278,500          | 0.710681                      | \$3,040,649              | \$608,130                           | \$2,432,519         |
| 2037                                                 | \$4,385,463          | 0.676839                      | \$2,968,252              | \$593,650                           | \$2,374,602         |
| 2038                                                 | \$4,495,099          | 0.644609                      | \$2,897,582              | \$579,516                           | \$2,318,065         |
| 2039                                                 | \$4,607,477          | 0.613913                      | \$2,828,590              | \$565,718                           | \$2,262,872         |
| 2040                                                 | \$4,722,664          | 0.584679                      | \$2,761,242              | \$552,248                           | \$2,208,994         |
| 2041                                                 | \$4,840,730          | 0.556837                      | \$2,695,498              | \$539,100                           | \$2,156,398         |
| 2042                                                 | \$4,961,749          | 0.530321                      | \$2,631,319              | \$526,264                           | \$2,105,056         |
| 2043                                                 | \$5,085,792          | 0.505068                      | \$2,568,671              | \$513,734                           | \$2,054,937         |
|                                                      |                      |                               |                          |                                     |                     |
| <b>Total</b>                                         | <b>\$57,296,265</b>  |                               | <b>\$38,838,550</b>      | <b>\$7,767,710</b>                  | <b>\$31,070,840</b> |
| <b>Less: Bond Issuance Costs (12%)</b>               |                      |                               |                          |                                     | <b>-\$3,728,501</b> |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                      |                               |                          |                                     | <b>\$27,342,339</b> |

Source: Canyon Research Southwest, Inc.; February 2024.

## **EXHIBIT H**

### **Meeting Minutes**

To be included after approval of Project Plan.



## **EXHIBIT I**

### **Officers of Developer**

#### **AMERICAN ROYAL ASSOCIATION**

##### **Officers of the Board of Governors**

Charlie Tetrick, Chairman  
Cynthia Savage, 1st Vice Chairman  
Angie Stanland, Vice Chairman  
Mariner Kemper, Vice Chairman  
John Mitchell, Jr., Vice Chairman

##### **American Royal Officers & Directors**

Gordon E. Lansford, III, Chairman  
Lindsey Smith, Corporate Secretary  
Bradley Bendle, Treasurer  
Jackie McClaskey, President/CEO

##### **Directors**

|                         |                  |
|-------------------------|------------------|
| Brad Bendle             | Bret Borota      |
| Carol Carlson           | Tim Congrove     |
| Andrew Fahey            | John Fuchs       |
| Walt George             | Mark Kolkhorst   |
| Ann Konecny             | Brian Illig      |
| Cliff Illig             | John Lagemann    |
| Gordon E. Lansford, III | Missy Love       |
| Alex Lowe               | Pat Macy         |
| Ford Maurer             | Russ Meinhardt   |
| John Moncke             | Blake Nelson     |
| Ben Nichols             | Jeanette Prenger |
| Mike Roos               | Duke Sand        |
| Jara Settles            | Lindsey Smith    |
| Mark Stewart            | David Stofer     |
| Sarah Tate              | Charlie Tetrick  |
| Ken Wagner              | Jack Ward        |
| Ryan Wilkerson          | Jeff Yowell      |

##### **Lifetime Directors**

|                         |                |
|-------------------------|----------------|
| Malcolm M. Aslin        | Bryan Beaver   |
| H.D. Cleberg            | David Fowler   |
| Mary Hunkeler           | Mariner Kemper |
| Brant Laue              | Pete Lemke     |
| Fred W. Lyons Jr.       | Greg Maday     |
| John Mitchell, Jr.      | Bob Petersen   |
| Cynthia Pistilli Savage | Angie Stanland |

# STAR BOND FEASIBILITY STUDY

The New American Royal  
A Food and Agriculture Epicenter  
118th Street and State Avenue  
Kansas City, Kansas

February  
2024

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# **CANYON RESEARCH SOUTHWEST, INC.**

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**COMMERCIAL REAL ESTATE RESEARCH AND ANALYSIS**

**STAR BOND FEASIBILITY STUDY  
A NEW AMERICAN ROYAL  
A FOOD AND AGRICULTURE EPICENTER  
118<sup>th</sup> STREET AND STATE AVENUE  
KANSAS CITY, KANSAS**

February 2024

Prepared for:

Kansas Department of Commerce  
1000 SW Jackson, Suite 100  
Topeka, KS 66612

Prepared by:

Canyon Research Southwest, Inc.  
505 Ellicott Street, Suite A202  
Buffalo, NY 14203

PR# 2024.01.01

505 ELLICOTT STREET, SUITE A202 / BUFFALO, NY 14203 / (716) 327-5576

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# CANYON RESEARCH SOUTHWEST, INC.

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COMMERCIAL REAL ESTATE RESEARCH AND ANALYSIS

February 26, 2024

Robert North  
Kansas Department of Commerce  
1000 SW Jackson, Suite 100  
Topeka, KS 66612

Re: STAR Bond Feasibility Study  
America Royal in Kansas City, Kansas

Mr. North:

STAR Bond funding is being sought to assist in funding a portion of the new American Royal Food & Agriculture Epicenter at the northeast corner of 118<sup>th</sup> Street and State Avenue in Kansas City, Kansas. Pursuant to the STAR Bond Financing Act (the “Act”), Canyon Research Southwest, Inc. has prepared the attached *STAR Bond Feasibility Study* for the project.

The American Royal Food & Agriculture Epicenter is designed as a year-round entertainment venue that cater to a market not currently being serviced by other sports and entertainment venues within Village West. The initial phase is scheduled for completion in early 2026 and features two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, 1,540-stall barn, 79,400 square foot Education Center with an additional 148,500 square feet of outdoor space, and 50 RV spaces.

Upon review of the report, should any questions arise, or additional information requested, you can contact me at (716) 327-5576.

Respectfully submitted,

**CANYON RESEARCH SOUTHWEST, INC.**

Eric S. Lander, Principal

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# SUMMARY OF MAJOR FINDINGS

Sales Tax Revenue (“STAR”) bond financing is being sought to assist in funding a portion of the new American Royal Food and Agriculture Epicenter at the northeast corner of 118<sup>th</sup> Street and State Avenue in Kansas City, Kansas.

The new American Royal Food and Agriculture Epicenter is designed as a year-round entertainment venue that cater to a market not currently being serviced by other sports and entertainment venues within Village West. The initial phase is scheduled for completion in early 2026 and features two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, 1,540-stall barn, 79,400 square foot Education Center with an additional 148,500 square feet of outdoor space, and 50 RV spaces.

As part of the STAR bond application process Canyon Research Southwest, Inc. has prepared the enclosed *STAR Bond Feasibility Study*. The study evaluates the feasibility of the American Royal Food and Agriculture Epicenter project by addressing each of the evaluation criteria outlined in Kansas statutes. The report’s major findings are summarized in the text below.

## **Tourism Impact Assessment**

The Kansas City MSA serves as a regional tourism destination attracting visitors within a 500-mile radius and beyond. A wide selection of shopping and a host of sports, gaming, entertainment, family, and cultural attractions are the economic engines for the Kansas City tourism market. The Kansas City MSA hosts approximately 24.5 million visitors annually providing a large potential market from which the local attractions can draw from.

Visitation to the Kansas City MSA is comprised of 53 percent day trips (13.3 million visitors) and 47 percent overnight trips (11.9 million visitors). Visitors from outside of Kansas account for 80 percent of day trip visitors and 86 percent of overnight visitors to the Kansas City MSA. About one-third of overnight visitors originate between 200 and 300 miles away and over one-third travel more than 500 miles. The Kansas and Kansas City MSA tourism markets are well on its way to recovery from the COVID 19 pandemic and will assist the new American Royal venue in attracting out-of-state visitors.

Village West is the most visited tourism destination in Kansas, hosting over 12 million annual visitors. The Compass Minerals National Performance Center, Children’s Mercy Park, Wyandotte Sporting Fields, Kansas Speedway, and Legends Field have positioned the Village East and Village West Districts as a major sports and entertainment destination. The addition of new American Royal Food and Agriculture Epicenter will complement these existing venues and elevate the status of Village East and Village West as Kansas’ largest tourism destination.

Visitor expenditures in Wyandotte County rose from \$452.55 million in 2015 to \$557.37 million by 2019, equating to 16.5 percent of the Northeast regions total. During 2020, visitor expenditures declined 23.5 percent to \$426.59 million. By 2021, visitor expenditures rebounded to \$542.34 million. The new American Royal Food and Agriculture Epicenter will benefit from the strong tourism markets in the Kansas City MSA and Wyandotte County.

The new American Royal Food & Agriculture Epicenter is designed as an entertainment venue that will serve as a regional visitor destination. The project will complement the existing attractions operating in the Kansas City MSA and Village West by providing destination attractions capable of generating increased visitation and visitor expenditures to the area. The project will also improve the competitive position of Kansas within the Kansas City MSA tourism market and assist in garnering a larger market share of the visitor market.

## **Market Study Conclusions**

Three indoor arenas were surveyed in eastern Kansas, located 50 to 194 miles from the new American Royal site. The Kansas Star Arena and Stormont Vail Events Center were deemed the most comparable in terms of arena size, seating capacity, on-site restaurants, hotels, and event center. In terms of proximity, number of event venues and seating capacity, and presence of a hotel, food service, and other amenities, the Stormont Vail Events Center in Topeka, Kansas is deemed the most competitive to the new American Royal Food and Agriculture Epicenter.

Six arenas were surveyed in western Kansas that operate indoor arenas. All the surveyed indoor arenas are owned by a public entity or university and are located 106 to 374 miles from the new American Royal site. None of the existing indoor arenas operating in western Kansas were viewed directly competitive to the new American Royal Food and Agriculture Epicenter, lacking in such areas as arena floor area, seating capacity, number of stalls, and absence of a covered warm-up arena, outdoor arena, and on-site RV park and hotel.

Ten comparable high-quality multi-purpose arenas and equestrian centers were surveyed in the western states to determine the competitive positioning of the new American Royal Food and Agriculture Epicenter. When compared to the ten surveyed venues, the design for the new American Royal Food and Agriculture Epicenter affords the necessary location, features, and amenities to be competitive and attract promoters, sponsors, events, and fans.

Of the surveyed multi-purpose arenas, the Lancaster Event Center in Lincoln, Nebraska is the most comparable in terms of property amenities, including a 5,000-seat multi-purpose arena, four pavilions, and exhibit space. The facility hosts 320 events annually, including 200 local events and 120 regional/national/international. This bodes well for the new American Royal Food and Agriculture Epicenter to host regional, national, and international events.

The ten surveyed multi-purpose arenas in the western United States host 27 to 320 annual events, averaging 109 events. The usage of the comparable multi-purpose arenas bodes well for the potential of the new American Royal Food and Agriculture Epicenter to host a suitable number of annual events and event days to support feasible development and operation. The design for the new American Royal Food and Agriculture Epicenter affords the necessary location, features, and amenities to be competitive and attract promoters, sponsors, events, and fans.

Of the surveyed multi-purpose arenas, the Lancaster Event Center in Lincoln, Nebraska is the most comparable in terms of property amenities, including a 5,000-seat multi-purpose arena, four pavilions, and exhibit space. The facility hosts 320 events annually, including 200 local events and 120 regional/national/international. This bodes well for the new American Royal Food and Agriculture Epicenter to host regional, national, and international events.

The new American Royal's Education Center will be approximately 79,400 square feet and will feature a 30,000 square foot to 35,000 square foot event hall, nine classrooms, auditorium, demonstration space, and broadcast studio. An additional 148,500 square feet of outdoor learning space is also planned for Phase 1 of the new American Royal.

Eight of the Village West hotels offer meeting space, most consisting of one small meeting room. Meeting space ranges from 224 to 4,450 square feet with seating capacities of six to 210 people. Only the Great Wolf Lodge has meeting space and on-site food service, with three meeting rooms totaling 4,450 square feet of space and a seating capacity of 50 to 210 people. The Chateau Avalon can accommodate events for up to 22 people. Therefore, none of the existing Village West hotels will serve as direct competition for the meeting space planned for the new American Royal. The American Royal can partner with Village West hotels to host smaller breakout meetings.

## **Assessment of Potential Markets**

The new American Royal Food and Agriculture Epicenter is designed to be a premier rodeo, equestrian, entertainment, and educational venue with the potential to host major events and draw from a regional and national market area. Given the project's location off Interstate 70, facility programming, and proximity to Village West and Village East, the project will serve as a destination attraction. Potential sources of visitation include: 1) area residents, 2) out-of-town visitors, and 3) regional market.

When compared to the demographic characteristics of rodeo, sports, and music fans, the 100-mile and 500-mile radius market areas represent a strong market for rodeo, equestrian, agricultural, sporting, and live music events. Favorable demographic characteristics include large population bases, large populations of residents ages 18 to 44 years, high rate of educational attainment, and high rates middle- and high-income households.

The local market is defined as the geographic area within a 100-mile radius from which supports a population of 3.2 million residents and the population demographics provide a large market for social and business events, consumer and trade shows, education programs, and entertainment and food events.

The Kansas City MSA hosts 24.5 million visitors annually providing a large potential market for entertainment food events. The regional market includes the country's 43 million rodeo fans and a population of 14.4 million people.

An estimated 67.8 million people reside within a 500-mile radius of the new American Royal Food and Agriculture Epicenter site, providing for a large potential regional market.

The existing American Royal is a well-established rodeo, equestrian, agricultural, food, and educational venue that has attracted a growing number of events and attendance in recent years. The new American Royal Food and Agriculture Epicenter's designed attractions and facility programming will expand the event calendar, attendance, and regional draw. Its proximity to Village West and Village East, Kansas' largest tourism destination attracting 12 million visitors annually, increases the exposure of new American Royal Food and Agriculture Epicenter and provides the opportunity to capture area residents, out-of-town visitors, and a regional market.

## **Market Impact Study Findings**

The *Market Impact Study* focused on these issues as they relate to the new American Royal Food and Agriculture Epicenter project:

1. Project positioning and unique quality
2. Project's synergy with area attractions
3. Impact on comparable market area businesses
4. Expected draw of tourists from out-of-state and from more than 100 miles away
5. Estimate the project's retail sales at build-out
6. Impact on active STAR bond projects

### **Project Positioning and Unique Quality**

The new American Royal Food and Agriculture Epicenter is positioned as a premier food and agriculture event, entertainment, and education destination supporting a regional, national, and international draw. Together with the existing visitor destinations within the Village East and West Districts, the new American Royal's uses, concepts, and positioning are designed to create a unique attraction capable of generating large visitor volumes, drawing out-of-town travelers, and enhancing the Kansas City area's status as a regional tourism destination.

### **Synergy with Area Attractions**

Much like business clusters, the clustering of destination attractions creates the critical mass necessary to generate and sustain increased visitation and expenditures. Most tourism clusters also have strong linkages to other closely related and supporting industries such as transportation, lodging, retail, food, and beverage. Therefore, the larger cluster of attractions a tourist destination supports the greater the direct and indirect economic benefits.

The new American Royal Food and Agriculture Epicenter is located adjacent to the Village East and Village West Districts which serve as Kansas' largest and most visited destination attraction.

Village West is home to such major destination attractions as the Kansas Speedway, Children's Mercy Park, JustBats Field, Hollywood Casino, Nebraska Furniture Mart, Cabela's, and Legends Outlets. The principal existing attraction at Village East is the Compass Minerals National Performance Center home of the U.S. Soccer program.

Village East Project Areas 1 and 4 are being developed with Homefield, Homefield Outdoor, and Homefield Youth Baseball Complex. The Margaritaville Hotel is currently under construction on the former Schlitterbahn Water Park site.

To conclude, by increasing the critical mass and scope of destination attractions the new American Royal Food and Agriculture Epicenter will improve Kansas City's competitive position as a sports and entertainment destination as well as complement the existing attractions at Village East and West by creating a unique sports, entertainment, and education destination. Furthermore, the new American Royal Food and Agriculture Epicenter when combined with the Village East and West

attractions will further strengthen the draw and economic impact of Kansas’ largest and most visited tourism destination.

## **Impact on Comparable Area Businesses**

The new American Royal Food and Agriculture Epicenter includes two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, and a festival area designed to host 8,000 to 12,000 people for single-day events.

The new American Royal Food and Agriculture Epicenter will introduce new sports, entertainment, and education attractions not currently available in Wyandotte County and the Kansas City MSA. By 2032, at build-out and stabilization, out-of-town visitors to the Project District are forecast to generate \$320 million to \$359 million in annual expenditures on shopping, dining, entertainment, lodging, and transportation, not all of which will be satisfied by the planned on-site attractions.

The new American Royal Food and Agriculture Epicenter will benefit existing sports, entertainment, retail, restaurant, and lodging businesses in Wyandotte County, with businesses operating in the neighboring Village West and Village East STAR Bond Districts being the primary beneficiaries. Therefore, this report concluded that the new American Royal Food and Agriculture Epicenter is not expected to adversely impact the sales of the 5,800-seat Cable Dahmer Arena, 7,739-seat Starlight Theatre, and 18,000-seat Azura Amphitheatre.

## **Forecast Customer/Visitor Counts**

Stabilized year visitation (2032) to the new American Royal Food and Agriculture Epicenter site is estimated at 2.16 million to 2.43 million visitors. Regional visitors traveling more than 100 miles are forecast to account for 36 percent of total visitation, totaling 779,618 to 882,725 visitors.

Out-of-state residents are estimated to account for 71 percent of total visitation, or 1.53 million to 1.73 million visitors per year.

### **New American Royal Food and Agriculture Epicenter Estimated Stabilized Year (2032) Visitation Patterns**

| <b>Visitor Origination</b>   | <b>Total<br/>Visitors</b> | <b>Out-of-State<br/>Visitors</b> | <b>Market<br/>Share</b> |
|------------------------------|---------------------------|----------------------------------|-------------------------|
| <b>Conservative Scenario</b> |                           |                                  |                         |
| Total Visitors               | 2,156,765                 |                                  |                         |
| Outside of a 100-Mile Radius | 779,618                   | 1,534,486                        | 71.1%                   |
| <b>Optimistic Scenario</b>   |                           |                                  |                         |
| Total Visitors               | 2,432,500                 |                                  |                         |
| Outside of a 100-Mile Radius | 882,725                   | 1,734,100                        | 71.3%                   |

## **Estimated Retail Sales**

By 2032, at build-out and stabilization, visitors to the new American Royal Food and Agriculture Epicenter is estimated to generate gross annual sales of \$330 million to \$370 million within the District and captured off-site by businesses throughout the Kansas City MSA. This analysis applied the conservative scenario sales estimates.

Given the on-site attractions and programming, the new American Royal Food and Agriculture Epicenter is estimated to capture 75 percent of day tripper expenditures and 48 percent of overnight visitor expenditures, totaling an estimated \$186 million in on-site expenditures at project stabilization in 2032.

At project stabilization in 2032, the remaining \$144 million in expenditures generated by visitors to the new American Royal Food and Agriculture Epicenter will be captured off-site by businesses operating throughout the Kansas City MSA.

### **Estimated Retail Sales at Stabilization (2032) New American Royal Food and Agriculture Epicenter**

| Year | Visitor<br>Days | Day<br>Trippers | Overnight<br>Visitors | Total Visitor<br>Day | Expenditures<br>Overnight | American<br>Day | Royal<br>Capture<br>Overnight | American<br>Royal<br>Expenditures |
|------|-----------------|-----------------|-----------------------|----------------------|---------------------------|-----------------|-------------------------------|-----------------------------------|
| 2026 | 1,182,340       | 650,287         | 532,053               | \$45,520,090         | \$100,558,017             | \$38,799,081    | \$48,267,848                  | \$87,066,929                      |
| 2027 | 1,310,918       | 721,005         | 589,913               | \$51,732,107         | \$114,280,928             | \$38,799,081    | \$54,854,846                  | \$93,653,926                      |
| 2028 | 1,440,133       | 792,073         | 648,060               | \$58,252,046         | \$128,684,066             | \$43,689,035    | \$61,768,352                  | \$105,457,386                     |
| 2029 | 1,570,008       | 863,504         | 706,504               | \$65,092,989         | \$143,796,330             | \$48,819,742    | \$69,022,238                  | \$117,841,980                     |
| 2030 | 1,865,565       | 1,026,061       | 839,504               | \$79,280,546         | \$175,137,933             | \$59,460,409    | \$84,066,208                  | \$143,526,617                     |
| 2031 | 2,134,066       | 1,173,736       | 960,330               | \$92,958,254         | \$205,353,234             | \$69,718,691    | \$98,569,552                  | \$168,288,243                     |
| 2032 | 2,305,292       | 1,267,910       | 1,037,381             | \$102,927,121        | \$227,375,366             | \$77,195,340    | \$109,140,176                 | \$186,335,516                     |

## **Impact on Active STAR Bond Projects**

The new American Royal Food & Agriculture Epicenter will be a year-round entertainment venue and education center. The initial phase will be completed in early 2026 and features two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, 1,540-stall barn, 79,400 square foot Education Center, and 50 RV spaces.

By year-end 2022, sixteen active STAR Bond Districts in Kansas possessed an outstanding bond principal balance totaling approximately \$526 million. Active STAR Bond Districts include six in the Kansas City MSA, four projects in the Wichita MSA, and projects in Topeka, Manhattan, Salina, Dodge City, and Garden City. The active STAR Bond Districts support a wide range of destination attractions including professional soccer stadium and training facilities, racetracks, minor league baseball stadium, an arena, indoor and outdoor athletic facilities, waterparks, downtown redevelopment, and others. The destination attractions planned for the new American



Royal Food and Agriculture Epicenter do not exist within any of the active STAR Bond Projects in Kansas.

Village West continues to be the number one tourist attraction in Kansas with more than 12 million annual visitors from throughout the Midwest region and beyond. Village West and Village East together create one of the Midwest's most unique and highly visited sports, entertainment, and shopping destinations. Development of the new American Royal Food and Agriculture Epicenter will have a positive impact on operations of the Kansas Speedway, Village West, and Village East by improving the synergy between the developments through the introduction of additional destination attractions and visitors.

The study concluded that given the noncompeting destination attractions and differing market niche, development of the new American Royal Food and Agriculture Epicenter will not have a measurable adverse impact on visitor volumes, retail sales volumes and STAR bond revenues on those STAR Bond Districts with outstanding bond debt. Therefore, the operation of additional development within the new American Royal Food and Agriculture Epicenter is not anticipated to cause default in the payment of outstanding STAR bonds.

## **Economic Impact Study Findings**

The *Economic Impact Assessment* examines the economic implications of the construction and operation of the new American Royal Food and Agriculture Epicenter in terms of the direct and indirect growth in employment, income, and consumption. The project's economic impact has been measured in terms of both construction-phase and operational-phase.

### **Construction-Phase**

Phase 1 construction costs for the Main Complex are estimated at \$350 million. The economic benefits associated with the construction phase are estimated at a total economic output of \$490 million, direct and indirect job creation of 2,889 full-time equivalent jobs, and \$160 million in payroll. The State of Kansas is estimated to collect \$6.28 million in personal income taxes associated with the construction payroll.

Construction costs for the Festival Grounds are estimated at \$100 million. Economic benefits associated with the construction phase area estimated at a total economic output of \$140 million, direct and indirect job creation of 825 full-time equivalent jobs, and \$45.8 million in payroll. The State of Kansas is estimated to collect \$1.79 million in personal income taxes associated with the construction payroll.

## Construction-Phase Economic Impact Estimates New American Royal Food and Agriculture Epicenter

|                                  | Main<br>Complex | Festival<br>Grounds | Project<br>Totals |
|----------------------------------|-----------------|---------------------|-------------------|
| Direct Construction Expenditures | \$350,000,000   | \$100,000,000       | \$450,000,000     |
| Total Economic Impact            | \$490,000,000   | \$140,000,000       | \$630,000,000     |
| Job Creation                     |                 |                     |                   |
| Direct                           | 2,111           | 603                 | 2,714             |
| Indirect                         | 778             | 222                 | 1,000             |
| Total                            | 2,889           | 825                 | 3,714             |
| Payroll                          |                 |                     |                   |
| Direct                           | \$114,194,645   | \$32,627,041        | \$146,821,686     |
| Indirect                         | \$46,126,085    | \$13,178,882        | \$59,304,967      |
| Total                            | \$160,320,730   | \$45,805,923        | \$206,126,653     |
| State Income Taxes               | \$6,280,250     | \$1,794,357         | \$8,074,607       |

Source: Canyon Research Southwest, Inc.

### **Operational-Phase**

Operation of the initial phase of the new American Royal is estimated to generate stabilized year net expenditures of \$65.5 million, net economic impact of \$91.7 million in total economic output, 430 direct and indirect jobs, \$16.6 million in annual payroll, and \$490,220 in State personal income tax collections.

The Festival Grounds is estimated to generate stabilized year net expenditures of \$17.9 million, net economic impact of \$25.1 million in total economic output, 142 direct and indirect jobs, \$4.2 in annual payroll, and \$116,582 in State personal income tax collections.

At build-out and stabilized occupancy, the new American Royal Food and Agriculture Epicenter is estimated to attract 2.16 million to 2.43 million annual visitors, including 779,618 to 882,725 visitors from over 100 miles away. Total lodging demand is estimated at 519,745 annual room nights, sufficient to support 2,034 hotel rooms. These lodging supply and demand forecasts illustrate the significant impact the new American Royal Food and Agriculture Epicenter will have on the Kansas City area hotel market and the potential to support additional hotel development.

To conclude, the new American Royal Food and Agriculture Epicenter will contribute significantly to the state and local economy by generating construction and permanent jobs; attracting out-of-state visitors, spending, and lodging demand; strengthening the Kansas City area's status as a tourist destination; and yielding state income tax revenues.

## Operational-Phase Economic Impact Estimates New American Royal Food and Agriculture Epicenter

|                                                | Main<br>Complex | Festival<br>Grounds | Project<br>Totals |
|------------------------------------------------|-----------------|---------------------|-------------------|
|                                                |                 |                     |                   |
| <b>Total Net Economic Impact of Operations</b> |                 |                     |                   |
| Stabilized Year Net Expenditures               | \$65,487,131    | \$17,906,610        | \$83,393,741      |
| Total Net Output                               | \$91,681,984    | \$25,069,253        | \$116,751,237     |
|                                                |                 |                     |                   |
| Job Creation                                   |                 |                     |                   |
| Direct                                         | 40              | 14                  | 54                |
| Indirect                                       | 468             | 128                 | 596               |
| Total                                          | 508             | 142                 | 650               |
|                                                |                 |                     |                   |
| Payroll                                        |                 |                     |                   |
| Direct                                         | \$4,000,000     | \$698,000           | \$4,698,000       |
| Indirect                                       | \$12,636,000    | \$3,456,000         | \$16,092,000      |
| Total                                          | \$16,636,000    | \$4,154,000         | \$20,790,000      |
|                                                |                 |                     |                   |
| State Income Taxes                             | \$490,220       | \$163,426           | \$653,646         |

Source: Canyon Research Southwest, Inc.

# **STAR Bond Revenue Projections**

The STAR bond revenue projections and supportable bond debt estimates contained in this study are derived exclusively from four sources within the Northwest Speedway STAR Bond District: 1) incremental sales from the Plaza at the Speedway (over and above the “base year” sales), 2) the new American Royal complex to be developed at the northeast and northwest corners of 118<sup>th</sup> Street and State Avenue, 3) the American Royal festival grounds anticipated to be developed on the west side of 118<sup>th</sup> Street, and 4) a Community Improvement District sales tax levy.

The STAR Bond funding capacity of the new American Royal Food and Agriculture Epicenter Phases 1 and 2 was quantified through calculating the net present value of the annual Sales Tax Special Obligation Bond (“STAR”) revenues and Community Improvement District (CID) Sales Tax revenue throughout the maturity of the project plan. This report assumed that all STAR bond revenue would be used to pay bond debt. The net present value was calculated using an annual sales growth rate of 2.5 percent, debt service reserve and bond issuance costs of 12.0 percent, debt coverage ratio of 1.25 and a discount (“yield”) rate of 5.0 percent.

**This analysis assumes that STAR Bond and CID revenues generated by the new American Royal Food and Agriculture Epicenter Phases 1 and 2 will commence in 2024 with maturity in 2043. Phases 1 and 2 will be designated separate Project Areas with STAR Bond revenues commencing in 2026 for Phase 1 and 2030 for Phase 2.**

As outlined in the tables on pages xiii to xiv, throughout the statutory 20-year STAR bond maturity period the gross Sales Tax Special Obligation Bond and CID Sales Tax revenues generated by the Plaza at the Speedway and new American Royal Food and Agriculture Epicenter Phases 1 and 2 are estimated at \$465 million.

Accounting for bond issuance costs and reserve fund allocation, net present value proceeds of \$198.8 million are available to service bond principal and interest payments. Net proceeds amount to \$61.8 million for the Plaza at the Speedway, \$109.7 million for Phase 1 (Main Complex) and \$27.3 million for Phase 2 (Festival Grounds).

**Supportable STAR Bond Debt Estimates  
Plaza at the Speedway and American Royal  
Food and Agriculture Epicenter Phases 1 & 2**

| NPV Revenues                                         |                             |                      |                     |                                  |
|------------------------------------------------------|-----------------------------|----------------------|---------------------|----------------------------------|
| Year                                                 | Plaza<br>at the<br>Speedway | Main<br>Complex      | Festival<br>Grounds | NPV @ 5%<br>STAR Bond<br>Revenue |
| 2024                                                 | \$2,880,420                 |                      |                     | \$2,880,420                      |
| 2025                                                 | \$3,003,092                 |                      |                     | \$3,003,092                      |
| 2026                                                 | \$3,113,740                 | \$6,258,449          |                     | \$9,372,189                      |
| 2027                                                 | \$3,213,073                 | \$6,411,357          |                     | \$9,624,430                      |
| 2028                                                 | \$3,301,785                 | \$6,875,624          |                     | \$10,177,409                     |
| 2029                                                 | \$3,380,515                 | \$7,317,208          |                     | \$10,697,723                     |
| 2030                                                 | \$3,449,880                 | \$7,707,071          | \$948,828           | \$12,105,779                     |
| 2031                                                 | \$3,510,457                 | \$7,939,182          | \$1,870,545         | \$13,320,184                     |
| 2032                                                 | \$3,562,798                 | \$7,791,036          | \$2,678,665         | \$14,032,499                     |
| 2033                                                 | \$3,607,416                 | \$7,605,534          | \$2,614,884         | \$13,827,834                     |
| 2034                                                 | \$3,644,809                 | \$7,424,455          | \$2,552,626         | \$13,621,890                     |
| 2035                                                 | \$3,675,440                 | \$7,247,678          | \$2,491,849         | \$13,414,967                     |
| 2036                                                 | \$3,699,752                 | \$7,075,114          | \$2,432,519         | \$13,207,385                     |
| 2037                                                 | \$3,718,163                 | \$6,906,657          | \$2,374,602         | \$12,999,422                     |
| 2038                                                 | \$3,731,061                 | \$6,742,213          | \$2,318,065         | \$12,791,339                     |
| 2039                                                 | \$3,738,827                 | \$6,581,690          | \$2,262,872         | \$12,583,389                     |
| 2040                                                 | \$3,741,803                 | \$6,424,981          | \$2,208,994         | \$12,375,778                     |
| 2041                                                 | \$3,740,320                 | \$6,272,013          | \$2,156,398         | \$12,168,731                     |
| 2042                                                 | \$3,734,677                 | \$6,122,677          | \$2,105,056         | \$11,962,410                     |
| 2043                                                 | \$3,725,267                 | \$5,976,885          | \$2,054,937         | \$11,757,089                     |
|                                                      |                             |                      |                     |                                  |
| <b>Totals</b>                                        | <b>\$70,173,293</b>         | <b>\$124,679,824</b> | <b>\$31,070,840</b> | <b>\$225,923,957</b>             |
| <b>Less: Bond Issuance Costs (12%)</b>               |                             |                      |                     | <b>-\$27,110,875</b>             |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                             |                      |                     | <b>\$198,813,082</b>             |

Source: Canyon Research Southwest, Inc.; February 2024.





**STAR BOND FEASIBILITY STUDY  
A NEW AMERICAN ROYAL  
A FOOD AND AGRICULTURE EPICENTER  
118<sup>th</sup> STREET AND STATE AVENUE  
KANSAS CITY, KANSAS**

February 2024

# INTRODUCTION

## **Study Objective and Organization**

Sales Tax Revenue (“STAR”) bonds as authorized by the STAR Bond Financing Act, K.S.A. 12-17,160, et seq. are being sought to assist in funding a portion of the new American Royal Food and Agriculture Epicenter at the northeast corner of 118<sup>th</sup> Street and State Avenue in Kansas City, Kansas.

STAR bonds provide Kansas municipalities the opportunity to issue bonds to finance the development of major commercial entertainment and tourism areas and use revenues received by the city and county from any transient guest taxes, local sales taxes and use taxes generated by the development to pay off the bonds. STAR bonds possess a 20-year term. To be considered a major commercial entertainment and tourism area, a proposed project must be capable of being characterized as a statewide and regional destination and include a high-quality innovative entertainment and tourism attraction, containing unique features which will increase tourism, generate significant positive and diverse economic and fiscal impacts and be capable of sustainable development over time. The STAR bond program in Kansas was scheduled to expire on July 1, 2017. In June 2017, Gov. Brownback signed a bill reauthorizing the STAR Bond program for three more years, with a sunset date of July 1, 2020. During the 2020 Kansas Legislative Session, the STAR Bond program was extended until July 1, 2021. During the 2021 Kansas Legislative Session, the STAR Bond program was extended until July 1, 2026.

The Kansas Secretary of Commerce approves the use of STAR bond proceeds within a STAR Bond Project District once the District is established by a governing body.

Pursuant to the STAR Bond Financing Act, STAR Bond Project Plans must be accompanied by a *Feasibility Study* that examines the impact of the proposed development or special bond project upon similar businesses in the project market area, quantifies out-of-state visitation, forecasts the project’s economic impact and evaluates the project’s ability to remain profitable past the term of the STAR bonds. According to K.S.A. 12-17,116(b) the *Feasibility Study* should contain the following:

- Whether a STAR bond project’s revenue and tax increment revenue and other available revenues are expected to exceed or be enough to pay for the project costs.
- The effect, if any, a STAR bond project will have on any outstanding special obligation bonds payable from the revenues described in K.S.A. 12-17,169.
- A statement of how the jobs and taxes obtained from the STAR bond project will contribute significantly to the economic development of the state and region.
- Visitation expectations; the unique quality of the project; economic impact study; and integration and collaboration with other resources or businesses.

- The quality of service, and experience provided, as measured against national consumer standards for the specific target market.
- Project accountability measured according to best industry practices.
- The expected return on state and local investment that the project is anticipated to produce.
- A statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the project and, if the revenues are so committed, a detailed explanation of the commitment and the effect.
- An anticipated principal and interest payment schedule on the bond issue.

The *Market Study* component of the *Feasibility Study* determines the ability of the STAR bond project to gain market share locally, regionally, and nationally and the ability of the project to gain enough market share to:

- Remain profitable past the term of repayment; and
- Maintain status as a significant factor for travel decisions.

The *Marketing Impact Study* component of the *Feasibility Study* examines the impact of the special bond project upon similar businesses in the project's market area (i.e., that the project will increase total sales in the surrounding area, not diminish sales from existing retailers).

# **American Royal Project Plan**

STAR Bond financing is being sought to fund a portion of the proposed new American Royal Food & Agriculture Epicenter at the northeast corner of 118<sup>th</sup> Street and State Avenue in Kansas City, Kansas. An aerial photo of the property is depicted on page 5 with the Project Plan depicted on page 6 and Phase 1 of the project on page 7.

Approvals already completed in the creation and execution of the Northwest Speedway STAR Bond District and changes currently under consideration are outlined in the text below.

- In December 2016, the Northwest Speedway STAR Bond District was established pursuant to Ordinance No. O-75-16 adopted by the Unified Government.
- In October 2017, the Northwest Speedway STAR Bond District STAR Bond Financing Project Plan was adopted pursuant to Ordinance No. O-62-17 approved by the Unified Government.
- In December 2018, the Amended Project Plan was adopted pursuant to Ordinance No. O-52-18 approved by the Unified Government.
- A Second Amended Project Plan is currently being considered for adoption to repeal and replace the first Amended Project Plan. As amended, the 20-year STAR bond term will commence upon the adoption of the Second Amended Project Plan.

The American Royal Food & Agriculture Epicenter property is located immediately west of Village West, a 1,500-acre retail, dining, and entertainment destination that opened in 2002 at the intersection of Interstate 70 and 435 in Kansas City, Kansas. Village West is the most popular tourist destination in Kansas attracting 12 million annual visitors. Major attractions at Village West include the Kansas Speedway, Children's Mercy Park, Legends Field, Great Wolf Lodge, Nebraska Furniture Mart, and Legends at Village West.

The American Royal, which began in 1899 as the National Hereford Show, has evolved into a year-round entertainment, food, and education center. American Royal is now home to a nationally competitive youth and open livestock show, the world's largest barbecue competition, a national equine championship, youth and professional rodeos, elementary and secondary education outreach, and a collegiate scholarship program. Attendance originates from 46 states and 14 countries. With a long-standing history in Kansas City and brand prominence around the world, the new 1.0 million square foot American Royal will be a destination for national and global events, transforming from a 14-week season of events to a year-round event destination.

The new American Royal Food & Agriculture Epicenter will be a year-round entertainment venue and education center that caters to a market not currently being serviced by other sports and entertainment venues within Village East or West. The initial phase is scheduled for completion in early 2026 and features two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, 1,540-stall barn, 79,400 square foot Education Center, 148,500 square feet of outdoor learning space, and 50 RV spaces.

The Education Center will be approximately 80,000 square feet and will feature a 30,000 square foot to 35,000 square foot event hall, nine classrooms, auditorium, demonstration space, and broadcast studio. The event hall and auditorium will be available for rent to host such events as corporate and executive meetings.

A second phase of the American Royal project will include a 120-acre festival site scheduled to open by 2030. The project will include a festival area with a concert lawn and 1,000 RV/trailer parking spaces. A permanent building will feature showers, restrooms, hospitality, climate control, guest services, concessions, convening area, green room, and multi-use space. The festival area will be designed for multiple types of events with attendance ranging from 8,000 to 12,000 people for single-day events to as much as 100,000 for multi-day events. The festival area is anticipated to host one to three events per month.

In recent years, the existing American Royal venue has hosted a growing number of events, event days, and attendance. During 2011, the American Royal hosted 54 events encompassing 165 event days and a total attendance of 266,900 people. In 2020 and 2021, the American Royal held many of its events but was unable to function at full capacity due to the pandemic. By 2022, the American Royal exceeded pre-pandemic levels, hosting 129 events encompassing 295 event days and a total attendance of 390,910 people. The event schedule by event type for 2022 is outlined in the table below.

### **Existing American Royal 2022 Event Schedule**

| <b>Event Type</b>              | <b># of Events</b> | <b>Event Days</b> | <b>Total Attendance</b> |
|--------------------------------|--------------------|-------------------|-------------------------|
| Livestock, Equine & Pet Events | 22                 | 86                | 207,863                 |
| Branded Social Events/Meetings | 46                 | 99                | 7,819                   |
| Business/Professional Events   | 18                 | 21                | 1,120                   |
| Consumer/Trade Shows           | 2                  | 6                 | 62,625                  |
| Education Programs & Events    | 26                 | 46                | 10,749                  |
| Entertainment & Food Events    | 15                 | 37                | 100,734                 |
| <b>Totals</b>                  | <b>129</b>         | <b>295</b>        | <b>390,910</b>          |

It is estimated that all events in the existing American Royal complex will move to the new venue or be replaced by a similar event. The new state-of-the-art complex with additional services, space, and venues is expected to generate increased attendance for existing events. In addition, some existing events will be held simultaneously to increase participation from new attendees across all events.

Site work is currently underway on the American Royal Food & Agriculture Epicenter property. Off-site improvements include four lanes of traffic, curbing, and streetlights on State Avenue and four lanes of traffic on 118<sup>th</sup> Street. A traffic signal controls the intersection of 118<sup>th</sup> Street and State Avenue. The Urban Outfitters distribution center and Kansas Speedway are located to the south on State Avenue.

## American Royal Food & Agriculture Epicenter Property



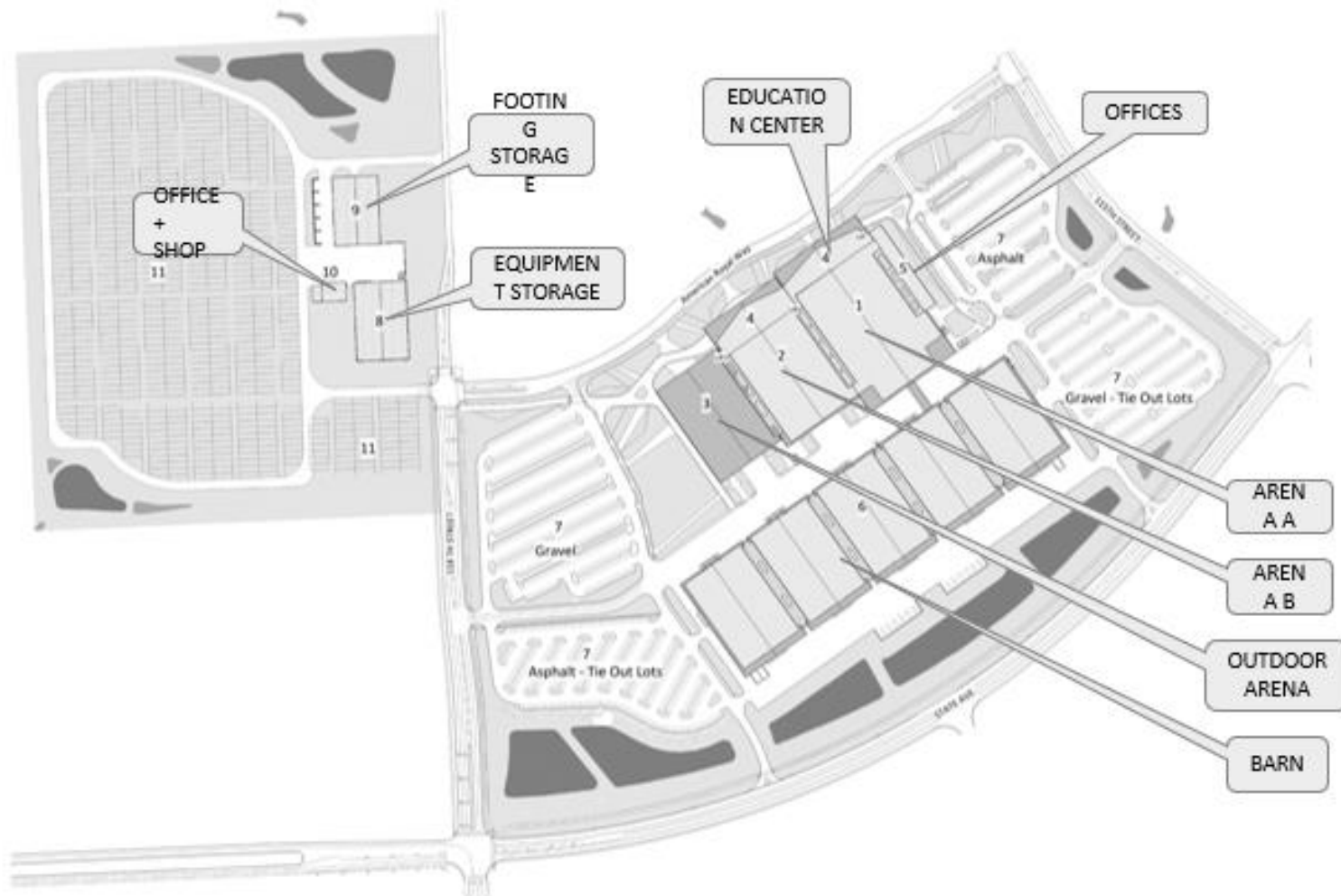


## American Royal Food & Agriculture Epicenter Project Plan



## American Royal Food & Agriculture Epicenter Phase 1

Site Plan



# TOURISM IMPACT ASSESSMENT

Kansas City is a regional tourist and family destination, drawing visitors from throughout the Midwest and beyond. The *Tourism Impact Assessment* examined the potential of the new American Royal Food and Agriculture Epicenter to serve as a regional tourism destination capable of drawing out-of-town visitors and capturing visitor expenditures. This analysis quantifies trends in visitation and spending for both Kansas and the Kansas City area.

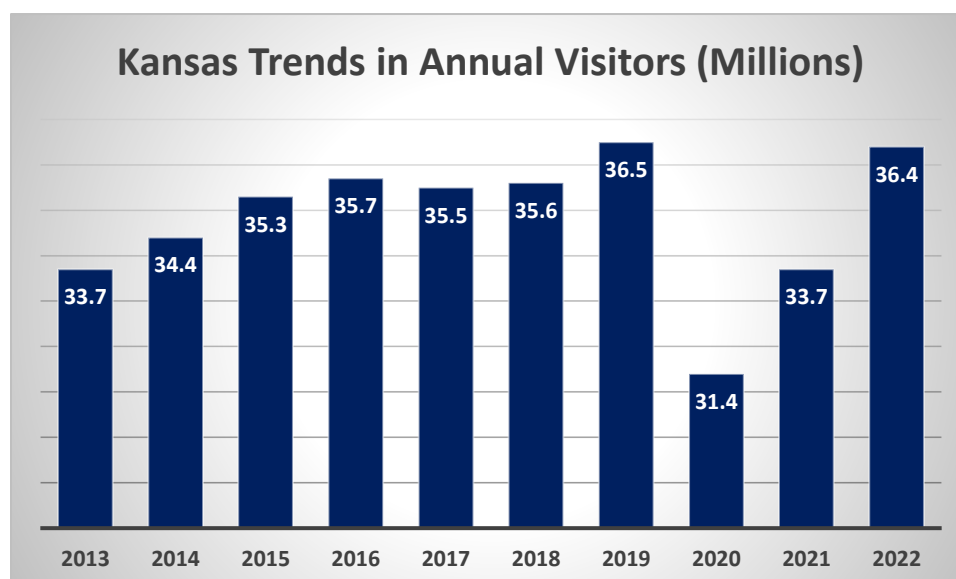
## Tourism Market Trends

### Kansas Tourism Market Trends

According to the latest *Economic Impact of Travel in Kansas 2022* prepared by Tourism Economics, during 2022 direct visitor spending of \$7.7 billion in Kansas generated a total economic impact of \$12.5 billion, 88,509 jobs, and wages of \$3.4 billion.

During 2020, the COVID 19 pandemic had an adverse impact on tourism's impact on the Kansas economy yielding sharp declines in visitation, spending, jobs, and tax revenues. By 2022, the state's tourism industry had recovered, with visitation, spending, jobs, and tax revenues near or exceeding pre-pandemic levels.

From 2013 through 2019, annual visitation to Kansas increased by 2.8 million visitors. During 2019, visitation to Kansas grew by 2.5 percent to 36.5 million visitors, including 21.6 million day-travelers and 14.9 million overnight visitors. Resulting from the adverse impact of the COVID 19 pandemic on the tourism industry, during 2020 total visitation to Kansas declined by 14.1 percent to 31.4 million visitors. Over the past two years visitation to Kansas rebounded, reported at 33.7 million visitors in 2021 and 36.4 million visitors by 2022. The recent recovery in visitation will assist the new American Royal Food and Agriculture Epicenter to garner increased attendance and revenues.



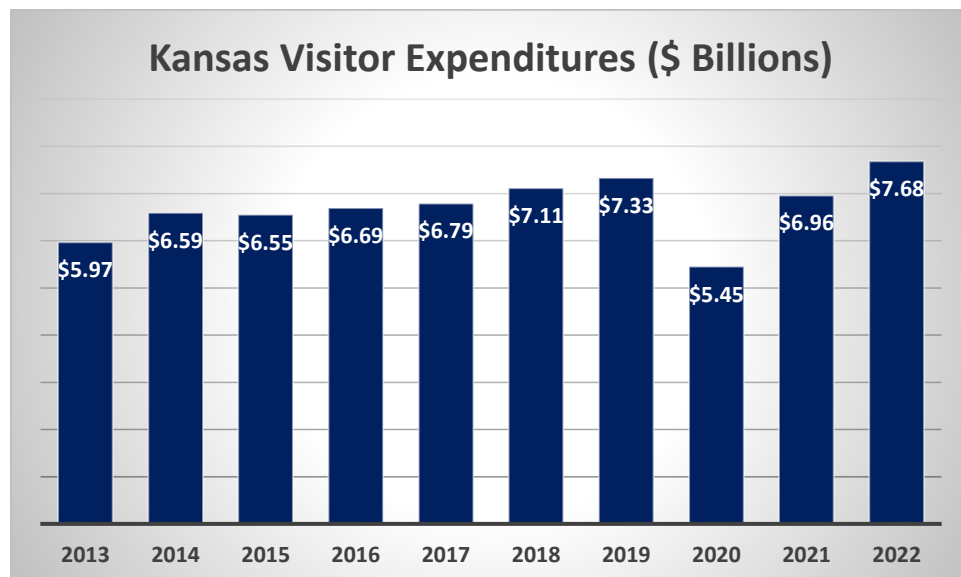
During 2020, day trippers to Kansas City totaled 19.4 million, spending an average of \$70 per visitor with overnight visitors totaling 15.9 million and spending \$340 per visitor. By 2022, day trippers to Kansas City totaled 20.5 million with overnight visitors totaling 15.9 million. Overnight visitors comprised about 44 percent of all visitors but accounted for 76 percent of all visitor expenditures. Day trippers on average spent \$90 during their stay while overnight visitors spent \$367.

### Trips and Visitor Spending; 2017-2022

|                                             | 2017           | 2018           | 2019           | 2020           | 2021           | 2022           |
|---------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <b>Total Visitors (Millions)</b>            | <b>35.5</b>    | <b>35.6</b>    | <b>36.5</b>    | <b>31.4</b>    | <b>33.7</b>    | <b>36.4</b>    |
| Day                                         | 21.1           | 21.0           | 21.6           | 19.4           | 19.4           | 20.5           |
| Overnight                                   | 14.4           | 14.5           | 14.9           | 12.0           | 14.3           | 15.9           |
| <b>Total Visitor Spending (\$ Millions)</b> | <b>\$6,794</b> | <b>\$7,107</b> | <b>\$7,327</b> | <b>\$5,446</b> | <b>\$6,960</b> | <b>\$7,677</b> |
| Day                                         | \$1,684        | \$1,747        | \$1,695        | \$1,352        | \$1,701        | \$1,840        |
| Overnight                                   | \$5,110        | \$5,360        | \$5,632        | \$4,093        | \$5,259        | \$5,836        |
| <b>Per Traveler Trip Spending</b>           | <b>\$192</b>   | <b>\$200</b>   | <b>\$200</b>   | <b>\$173</b>   | <b>\$207</b>   | <b>\$211</b>   |
| Day                                         | \$80           | \$83           | \$78           | \$70           | \$88           | \$90           |
| Overnight                                   | \$355          | \$368          | \$378          | \$340          | \$368          | \$367          |

Source: Tourism Economics.

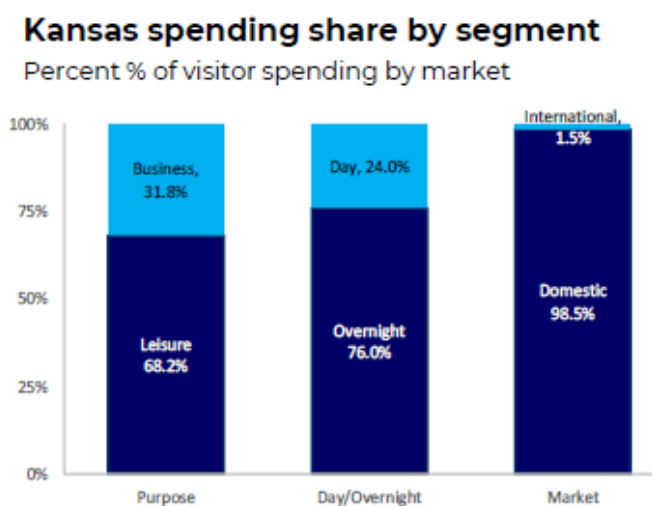
Visitor spending in Kansas grew from \$5.97 billion in 2013 to \$7.33 billion in 2019, an increase of 22.8 percent. During 2020, visitor expenditures declined by 25.6 percent to \$5.45 billion as the pandemic placed constraints on travel and tourism. During 2021, visitor expenditure in Kansas began to recover, increasing 27.7 percent to \$6.96 billion. By 2022, visitor expenditures reached \$7.68 billion, exceeding pre-pandemic levels.



During 2022, leisure travelers accounted for 68.2 percent of all visitor expenditures in Kansas, or \$5.24 billion, up from \$3.65 billion in 2020. Business travelers accounted for 31.8 percent of all visitor expenditures, or \$2.44 billion, up from \$1.8 billion in 2020.

During 2022, spending per visitor to Kansas averaged \$211, up from \$173 in 2020. Day travelers spent on average \$90 and overnight visitors spent \$367. Overnight travelers accounted for 76 percent of all visitor spending, or \$5.84 billion. Day travelers accounted for 24 percent of total visitor expenditures in 2022, equating to \$1.84 billion.

Domestic travelers to Kansas accounted for 98.5 percent of all visitor expenditures, or \$7.56 billion, up from \$5.4 billion in 2020. Foreign travelers accounted for just 1.5 percent of statewide visitor expenditures, or \$115 million, up from \$39 million in 2020.



Source: Tourism Economics

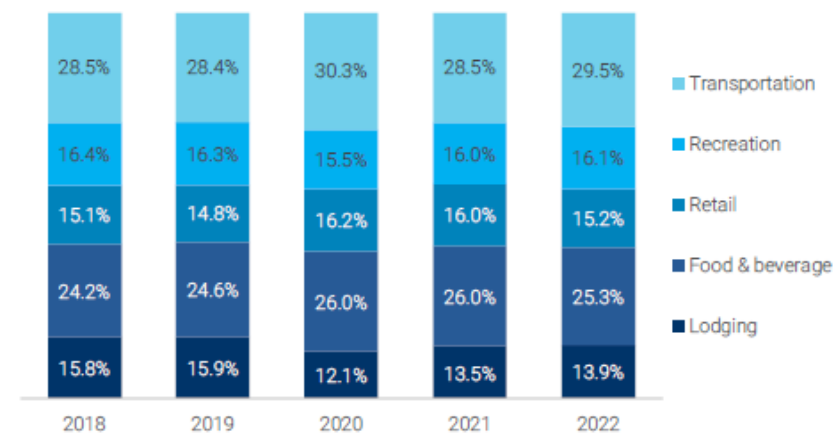
During 2021, the Northeast Region (includes Kansas City MSA) and South Central (includes Wichita MSA) captured the State's highest levels of tourism expenditures, accounting for market shares of 45.7 percent (\$3.178 billion) and 28.6 percent (\$1.988 billion), respectively.

The bar chart on the following page illustrates annual tourism expenditure patterns in Kansas by sector from 2018 through 2022. During 2022, tourism expenditures in Kansas amounted to \$7.677 billion with local transportation accounting for the largest share (29.5%). Collectively, food and beverage, retail, and lodging represented 54.4 percent of total visitor expenditures.

From 2018 to 2022, transportation (1.0 percentage point), food and beverage (0.9 percentage point), and retail (0.1 percentage point) expenditures experienced gains in market share. The tourism expenditure sectors experiencing declines in market share were lodging and recreation, declining by 1.9 and 0.3 percentage points, respectively.

### Visitor spending shares in Kansas, 2018-2022

By category, %



Source: Tourism Economics

From 2017 to 2019, tourism expenditures in Kansas rose by 7.9 percent. Recreation accounted for the largest percentage increase in expenditures totaling 10.5 percent, followed by food and beverage at 8.9 percent and transportation at 8.2 percent. In terms of absolute growth in sales, transportation led all categories with an increase of \$158 million, followed by food and beverage rose at \$147 million and recreation at \$113 million.

During 2020, visitor expenditures declined by 25.7 percent as the pandemic placed constraints on travel and tourism. Those categories experiencing the largest declines in expenditures included lodging (-\$505 million), transportation (-\$431 million), and food and beverage (-\$389 million).

By 2022, overall visitor expenditures in Kansas exceeded pre-pandemic levels. Of the major tourism sectors, only lodging had not achieved pre-pandemic expenditure levels. From 2019 to 2022, those categories reporting the largest gains in expenditures included transportation (+\$184 million), food and beverage (+\$137 million), and retail (+\$81 million).

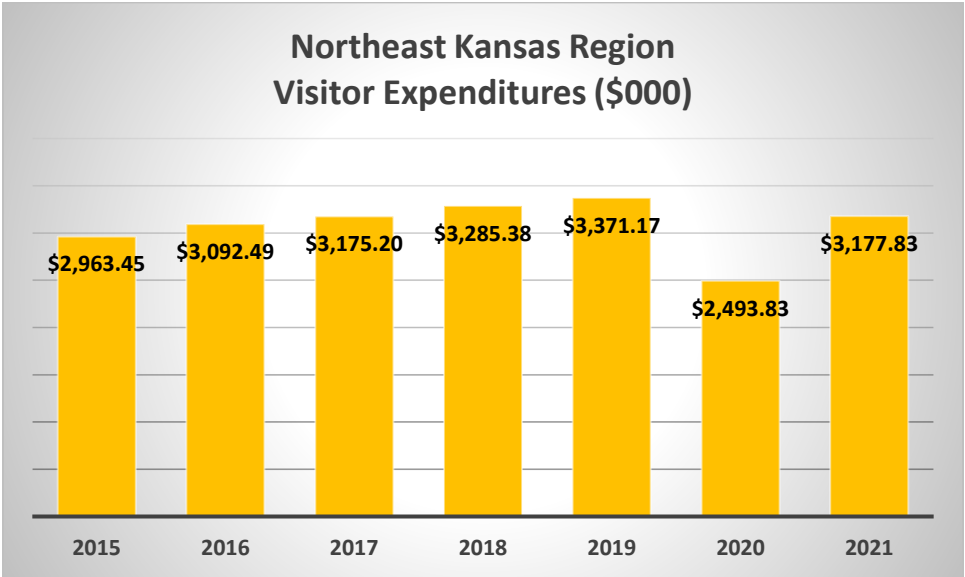
### Kansas Trends in Tourism Expenditures by Category

|                   | Expenditures (\$ Billions) |         |         |         |         |         | Change to 2019 |
|-------------------|----------------------------|---------|---------|---------|---------|---------|----------------|
|                   | 2017                       | 2018    | 2019    | 2020    | 2021    | 2022    |                |
| Lodging           | \$1,100                    | \$1,122 | \$1,163 | \$658   | \$937   | \$1,065 | 91.6%          |
| Food & Beverage   | \$1,657                    | \$1,723 | \$1,804 | \$1,415 | \$1,809 | \$1,941 | 107.6%         |
| Retail            | \$1,028                    | \$1,076 | \$1,086 | \$880   | \$1,114 | \$1,167 | 107.5%         |
| Recreation        | \$1,079                    | \$1,135 | \$1,192 | \$842   | \$1,114 | \$1,237 | 103.8%         |
| Transportation    | \$1,924                    | \$2,022 | \$2,082 | \$1,651 | \$1,986 | \$2,266 | 108.9%         |
| Totals            | \$6,788                    | \$7,077 | \$7,327 | \$5,446 | \$6,960 | \$7,677 | 104.8%         |
| Percentage Change | 1.4%                       | 4.3%    | 3.5%    | -25.7%  | 27.8%   | 10.3%   |                |

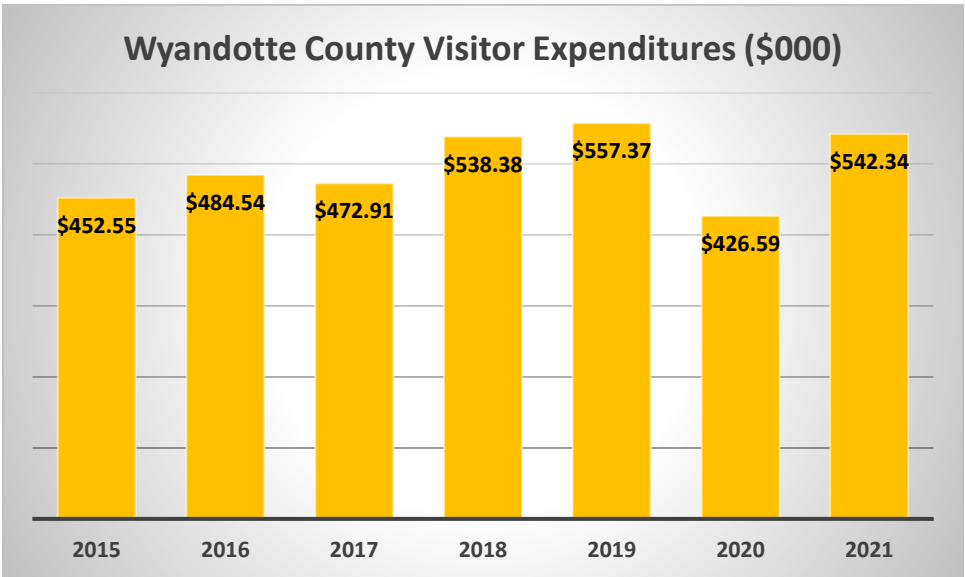
Source: Tourism Economics.



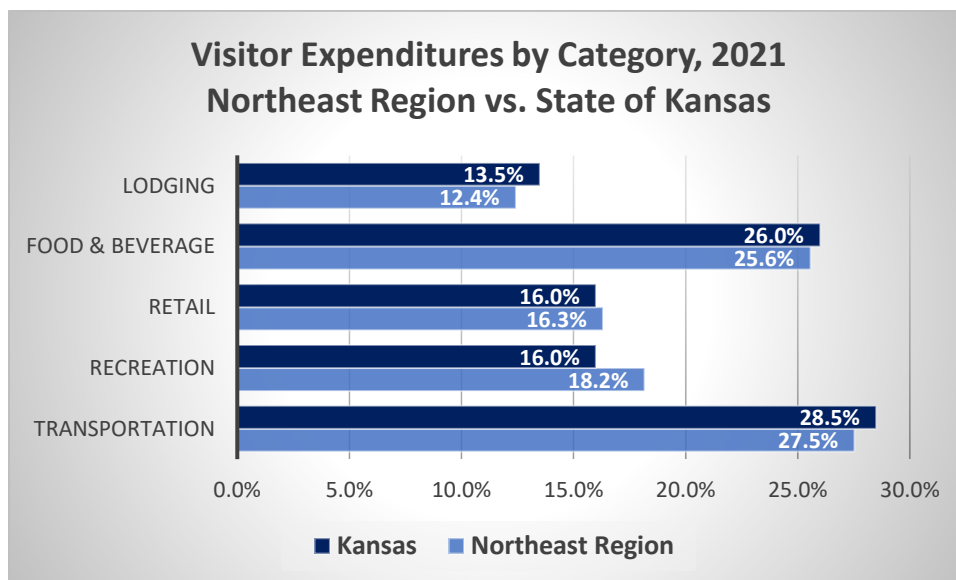
The new American Royal Food and Agriculture Epicenter site is located within Kansas’ Northeast Region (includes Kansas City MSA). From 2015 through 2019, the Northeast region experienced steady gains in visitor expenditures. By 2019, visitor expenditures within the region reached \$3.37 billion, equating to 46 percent of the statewide total. During 2020, visitor expenditures in Northeast Kansas dipped 26 percent to \$2.49 billion as the COVID 19 pandemic placed restrictions on travel and tourism. By 2021, visitor expenditures rebounded to \$3.18 billion.



The new American Royal Food and Agriculture Epicenter site is in Wyandotte County whose visitor expenditure rose from \$452.55 million in 2015 to \$557.37 million by 2019, equating to 16.5 percent of the Northeast regions total. During 2020, visitor expenditures declined 23.5 percent to \$426.59 million. By 2021, visitor expenditures rebounded to \$542.34 million. The new American Royal Food and Agriculture Epicenter will benefit from the strong tourism markets in Northeast Kansas and Wyandotte County.

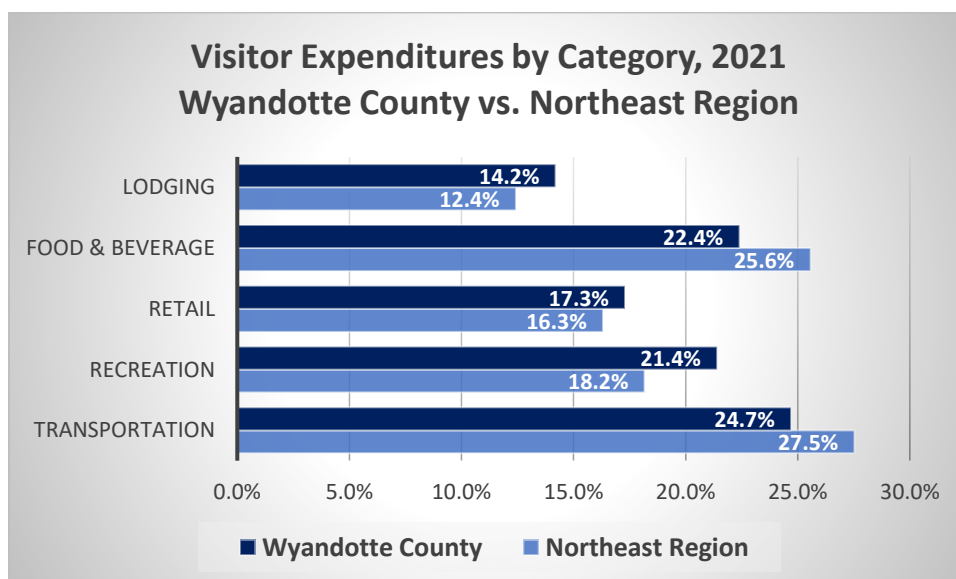


During 2021, tourism expenditures within the 14-county Northeast Kansas region were led by transportation at \$874.8 million, food and beverage at \$812.5 million, and recreation at \$577.4 million.



When compared to statewide norms, as a percentage of total sales the Northeast region supported above average visitor expenditures on retail and recreation. Tourism expenditures on lodging, food and beverage, and transportation recreation in the Northeast region fall below the statewide norms.

During 2021, tourism expenditures within Wyandotte County were led by transportation at \$133.8 million, food and beverage at \$121.4 million, and recreation at \$116.3 million. When compared to the Northeast region norms, as a percentage of total sales supported above average visitor expenditures on lodging, retail, and recreation. Tourism expenditures on food and beverage and transportation recreation in Wyandotte County fall below the statewide norms.



## **Kansas City Visitor Attractions**

The Kansas City MSA is a regional tourist and family destination boasting a wide selection of shopping and a host of sports, gaming, entertainment, family, and cultural attractions. The Kansas City MSA hosts approximately 24.5 million visitors annually providing a large potential market from which the local attractions can draw from.

Major art and cultural attractions include the Nelson-Atkins Museum of Art, Kauffman Center for the Performing Arts, and Kansas City Repertory Theatre. The most well attended family attractions include Oceans of Fun / Worlds of Fun (1.1 million annual visitors), Kansas City Zoo (1.0 million annual visitors), and Science City @ Union Station (200,000 annual visitors). Principal sports venues in the Kansas City area that are home to major sports teams include Arrowhead Stadium, Kauffman Stadium, and Children's Mercy Park. Other major sports venues include T-Mobile Arena and Kansas Speedway. Major cultural, family and sporting attractions operating in the Kansas City MSA are listed in the table on the following page.

Over the last twenty years, several high-profile tourism attractions opened in the Kansas City MSA have produced a measurable increase in tourism visitation. The largest tourism attraction on the Kansas side of the metropolitan area is Village West located at the confluence of Interstates 70 and 435. Village West is now home to the Kansas Speedway, Children's Mercy Park home to Sporting KC, Legends Field, Nebraska Furniture Mart, Cabela's, and Legends Outlet Center. An estimated 12 million people visit Village West each year to shop, dine, and attend sporting events.

The Compass Minerals National Performance Center located within the Village East Project District is the \$75 million, 81,000 square foot training home of Sporting Kansas City as well as Children's Mercy Sports Medicine Center and the U.S. Soccer National Coaching Education Center. Opened in March 2018, the facility includes a 12,870 square foot sports performance gym, four hydrotherapy and recovery hydrotherapy pools, three natural grass soccer fields, and two synthetic lighted fields. The facility is capable of hosting clubs and national teams, making Kansas City the hub for youth soccer development and sports medicine services in the United States.

New tourism attractions on the Missouri side of the border include the \$325 million Kauffman Center for the Performing Arts, a \$135 million upgrade to the Kansas City's Bartle Hall convention center, 18,500-seat T-Mobile Arena, College Basketball Experience, \$200 million expansion to the Nelson-Atkins Museum of Art, Sealife Aquarium and LegoLand Discovery Center at Crown Center, and the Kansas City Power & Light District that occupies a nine-block area downtown housing restaurants, night clubs, entertainment venues, shopping and offices.

The 11,500-seat CPKC Stadium now under construction at Berkley Riverfront Park in Kansas City, Missouri will be the first soccer stadium purpose-built for a professional women's soccer team. As part of a 50-year lease agreement with Port KC, the stadium will occupy a 7.08-acre site on the east end of the park. The stadium is scheduled for completion by March 2024.

The Compass Minerals National Performance Center, Children's Mercy Park, Wyandotte Sporting Fields, Kansas Speedway, and Legends Field have positioned Village East and West as a major sports and entertainment destination. The addition of new American Royal Food and Agriculture Epicenter will complement these existing venues and elevate the status of Village East and West as Kansas' largest tourism destination.

## Kansas City Area Major Attractions

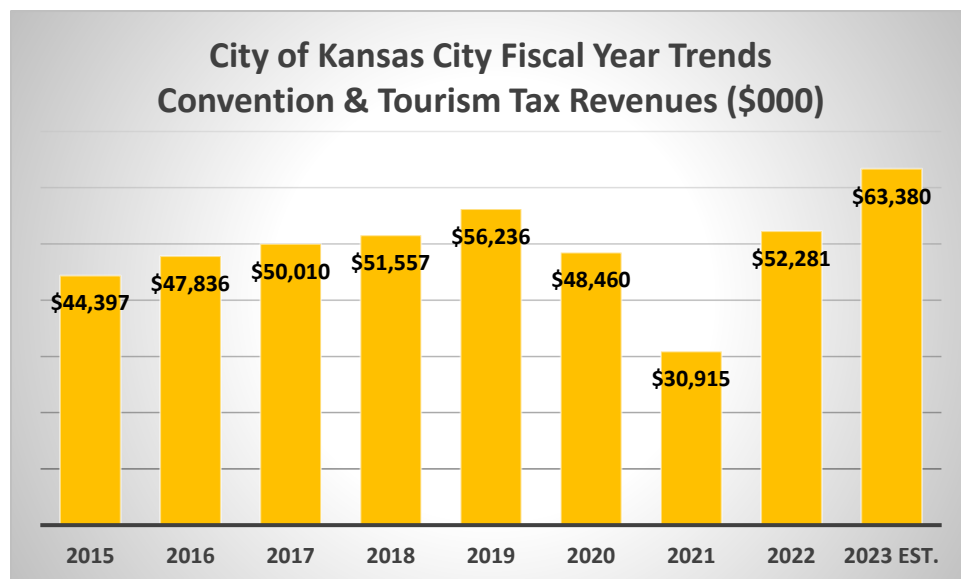
| Attraction                                   | Location               |
|----------------------------------------------|------------------------|
| <b>Art &amp; Cultural Attractions</b>        |                        |
| Kauffman Center for the Performing Arts      | Kansas City, Missouri  |
| Kemper Museum of Contemporary Art            | Kansas City, Missouri  |
| Nelson-Atkins Museum of Art                  | Kansas City, Missouri  |
| Kansas City Repertory Theatre                | Kansas City, Missouri  |
| Municipal Auditorium Music Hall              | Kansas City, Missouri  |
| Arvest Bank Theatre at The Midland           | Kansas City, Missouri  |
| American Royal Museum                        | Kansas City, Missouri  |
| American Jazz Museum                         | Kansas City, Missouri  |
| Harry S. Truman Library & Museum             | Independence, Missouri |
| Johnson County Arts & Heritage Center        | Overland Park, Kansas  |
| Museum at Prairiefire                        | Overland Park, Kansas  |
| Nerman Museum of Contemporary Art            | Overland Park, Kansas  |
|                                              |                        |
| <b>Family Attractions</b>                    |                        |
| Kansas City Zoo                              | Kansas City, Missouri  |
| Oceans of Fun / Worlds of Fun                | Kansas City, Missouri  |
| Adventure Oasis Water Park                   | Kansas City, Missouri  |
| Science Center @ Union Station               | Kansas City, Missouri  |
| Sealife Aquarium & LegoLand Discovery Center | Kansas City, Missouri  |
|                                              |                        |
| <b>Sports Venues</b>                         |                        |
| Arrowhead Stadium (Kansas City Chiefs)       | Kansas City, Missouri  |
| Kauffman Stadium (Kansas City Royals)        | Kansas City, Missouri  |
| Children's Mercy Park (Sporting KC)          | Kansas City, Kansas    |
| T-Mobile Arena                               | Kansas City, Missouri  |
| Legends Field (Kansas City Monarchs)         | Kansas City, Kansas    |
| Cable Dahmer Arena (Kansas City Mavericks)   | Independence, Missouri |
| Kansas Speedway                              | Kansas City, Kansas    |
| Compass Minerals National Performance Center | Kansas City, Kansas    |
| CPKC Stadium (Kansas City Current)           | Kansas City, Missouri  |
| Swope Soccer Village                         | Kansas City, Missouri  |
| Wyandotte Sporting Fields                    | Kansas City, Kansas    |
| Olathe Soccer Complex                        | Olathe, Kansas         |
| Overland Park Soccer Complex                 | Overland Park, Kansas  |

## **Kansas City Tourism Market**

The City of Kansas City, Missouri levies a Convention & Tourism Tax of 7.5 percent on hotel room revenues. The City of Kansas City fiscal year runs from May 1<sup>st</sup> through April 30<sup>th</sup>.

From FY 2015 through FY 2019, the Kansas City hospitality market experienced strong gains in Convention & Tourism Tax revenues, an indication of growing inventory of guest rooms, room demand, and average daily rates. Tax revenues generated by Kansas City, Missouri hotels increased from \$44.4 million in FY 2015 to \$56.2 million by FY 2019, up 49.2 percent.

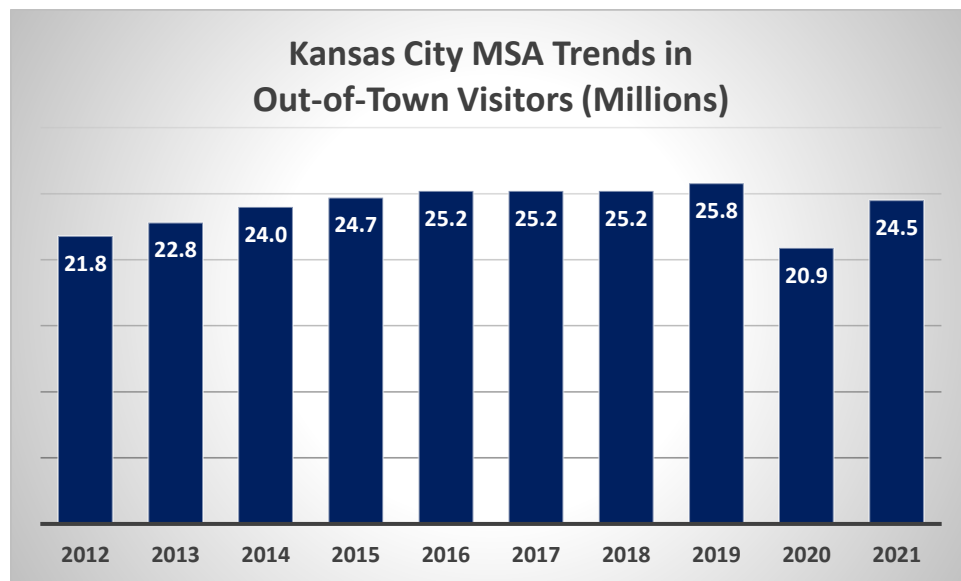
Since April 2020, dramatic declines in business and leisure travel as well as business shutdowns stemming from the COVID-19 pandemic resulted in sharp declines in lodging revenues. During FY 2020 tax revenues declined 13.8 percent to \$48.5 million as the pandemic took hold. Tax revenues continued to decline during FY 2021, down 36.2 percent to \$30.9 million.



During FY 2022, Convention & Tourism Tax revenues rebounded to \$52.3 million, up 69.1 percent to \$63.4 million. The City of Kansas City estimated FY 2023 Convention & Tourism Tax revenues at \$63.38 million which exceeded pre-pandemic levels.

According to the *2021 Economic Impact Study & Visitor Profile* prepared for VisitKC by Tourism Economics, out-of-town visitation to the Kansas City MSA, defined as the 5-county region of Clay, Jackson, and Platte counties in Missouri and Johnson and Wyandotte counties in Kansas, grew steadily from 2012 through 2019 reaching a high of 25.8 million visitors during 2019. During this 8-year period, annual visitation to the Kansas City MSA rose by 18.3 percent, or an increase of 4.0 million annual visitors.

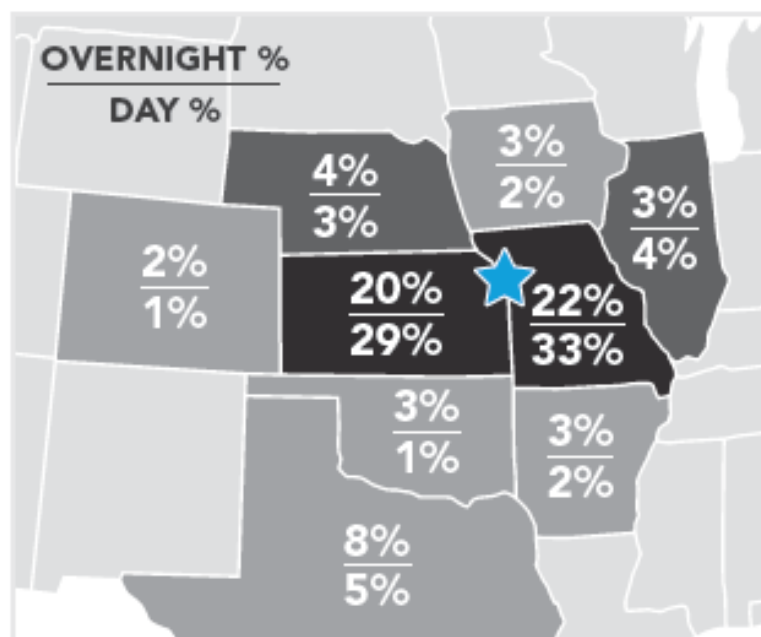
During 2020, visitation to the Kansas City MSA declined 19.0 percent to 20.9 million visitors as the COVID-19 pandemic placed travel restrictions. By 2021, visitation began to recover reaching 24.5 million, a 17.2 percent increase over 2020.



Tourism has a profound impact on the Kansas City MSA, generating 40,983 local jobs, direct expenditures of \$3.1 billion, a total economic impact of \$5.3 billion, and \$215.2 million in local tax revenue.

During 2021, visitors from outside of Kansas accounted for 71 percent of day trip visitors and 80 percent of overnight visitors to the Kansas City MSA. Leading states of origin for overnight visitors to the Kansas City MSA included Missouri (22%), Texas (8%), Nebraska (4%); Iowa (3%); and Illinois (3%). Overall, about one-third of overnight visitors originate between 200 and 300 miles away and over one-third travel more than 500 miles. These visitation patterns support Kansas City's status as a regional tourism destination which will assist the new American Royal venue in attracting visitors from outside of Kansas and the Kansas City MSA.

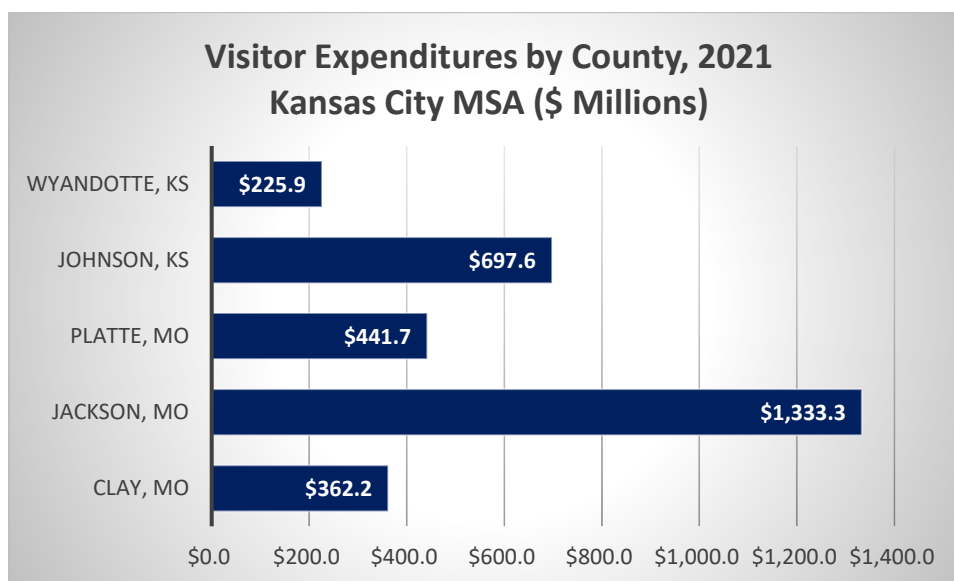
## VISITORS BY STATE





Visitation to the Kansas City MSA is comprised of 56 percent day trips (13.7 million visitors) and 44 percent overnight trips (10.8 million visitors). Leisure visitors to the Kansas City region accounted for 88 percent of all overnight visitors (9.5 million visitors). These visitation patterns bode well for the opportunity of the new American Royal venue to attract high volumes of out-of-state visitors.

The portion of the Kansas City MSA in Kansas includes both Johnson and Wyandotte counties. Tourism expenditures within these two counties amounted to \$923.5 million, equating to just 30.2 percent of total direct visitor spending in the Kansas City MSA. Johnson County accounted for three-quarters of tourism expenditures on the Kansas side of the Kansas City MSA, or \$697.6 million. Meanwhile, Missouri garnered 69.8 percent of the MSA tourism expenditures, or \$2.14 billion. The bar chart below illustrates visitor expenditures in the Kansas City MSA by county.



The top activities of overnight leisure visitors to Kansas City included shopping (25%); convention/conference (17%); museum (14%); youth sports (15%); sightseeing (15%); and bar/nightclub (13%). The high visitor counts, tourist characteristics, and preferred activities provide the opportunity for the Kansas City MSA to support specialty retail, restaurants, entertainment venues, and destination attractions.

## **Conclusions**

The Kansas City MSA is a regional tourist and family destination boasting a wide selection of shopping and a host of sports, gaming, entertainment, family, and cultural attractions. The Kansas City MSA hosts approximately 24.5 million visitors annually providing a large potential market from which the local attractions can draw from.

Visitation to the Kansas City MSA is comprised of 53 percent day trips (13.3 million visitors) and 47 percent overnight trips (11.9 million visitors). Visitors from outside of Kansas account for 80 percent of day trip visitors and 86 percent of overnight visitors to the Kansas City MSA. About one-third of overnight visitors originate between 200 and 300 miles away and over one-third travel

more than 500 miles. These visitation patterns support Kansas City's status as a regional tourism destination.

The Compass Minerals National Performance Center, Children's Mercy Park, Wyandotte Sporting Fields, Kansas Speedway, and Legends Field have positioned Village East and West as a major sports and entertainment destination. The addition of new American Royal Food and Agriculture Epicenter will complement these existing venues and elevate the status of Village East and West as Kansas' largest tourism destination.

The new American Royal Food and Agriculture Epicenter site is in the Northeast Kansas region. Prior to the COVID 19 pandemic the Northeast Kansas region was experiencing steady gains in visitor expenditures. During 2020, visitor expenditures in Northeast Kansas dipped 26 percent to \$2.49 billion as the COVID 19 pandemic placed restrictions on travel and tourism. By 2021, visitor expenditures rebounded to \$3.18 billion.

Visitor expenditures in Wyandotte County rose from \$452.55 million in 2015 to \$557.37 million by 2019, equating to 16.5 percent of the Northeast regions total. During 2020, visitor expenditures declined 23.5 percent to \$426.59 million. By 2021, visitor expenditures rebounded to \$542.34 million. The new American Royal Food and Agriculture Epicenter will benefit from the strong tourism markets in Northeast Kansas and Wyandotte County.

The Kansas City MSA serves as a regional tourism destination attracting visitors within a 500-mile radius and beyond. Village West is the most visited tourism destination in Kansas, hosting over 12 million annual visitors. The Kansas and Kansas City MSA tourism markets are well on its way to recovery from the COVID 19 pandemic and will assist the new American Royal venue in attracting out-of-state visitors.

The American Royal Food & Agriculture Epicenter is designed as an entertainment venue that will serve as a regional visitor destination. The new American Royal will complement the existing attractions operating in the Kansas City MSA and Village West by providing destination attractions capable of generating increased visitation and expenditures to the area. The project will also improve the competitive position of Kansas within the Kansas City MSA tourism market and assist in garnering a larger market share of the visitor market.

# MARKET STUDY

The *Market Study* portion of the report evaluates the ability of the new American Royal Food & Agriculture Epicenter to gain market share locally, regionally, and nationally and the ability of the project to gain market share to:

- Remain profitable past the term of repayment, and
- Maintain status as a significant factor for travel decisions.

The *Market Study* portion of the report evaluates the suitability of the new American Royal Food & Agriculture Epicenter to facilitate development of a multi-use arena and event space. In doing so, the *Market Study* examined Kansas City's tourism market and the ability of the local market to support additional retail, hotel, and auto mall development.

The new American Royal Food and Agriculture Epicenter will feature two indoor arenas and one outdoor arena. During 2022, the existing American Royal hosted 22 livestock, equine, and pet events with total attendance of 207,863. The section of the study provides an overview of the competitive rodeo arena industry by discussing: 1) rodeo industry overview, 2) list of Kansas rodeos, 3) survey of rodeo arenas in Kansas, and 4) survey of comparable multi-use arenas.

Based on the findings of the Market Study the report determined the viability of the new American Royal Food & Agriculture Epicenter to support future development and continued operation of a multi-purpose arena and event space.

## Rodeo Industry Overview

Rodeo is a competitive equestrian sport that arose out of the working practices of cattle herding in Spain and Mexico, expanding throughout the Americas and to other nations. It was originally based on the skills required of the working vaqueros and later, cowboys, in what today is the western United States, western Canada, and northern Mexico. Today, it is a sporting event that involves horses and other livestock, designed to test the skill and speed of the cowboys and cowgirls. American-style professional rodeos generally comprise the following events: tie-down roping, team roping, steer wrestling, saddle bronc riding, bareback bronc riding, bull riding and barrel racing. The events are divided into two basic categories: the rough stock events and the timed events. Depending on sanctioning organization and region, other events such as breakaway roping, goat tying, and pole bending may also be a part of some rodeos.

American rodeo, particularly popular today throughout the western United States, and in the Canadian province of Alberta, is the official state sport of Wyoming, South Dakota, and Texas. The iconic silhouette image of a "Bucking Horse and Rider" is a federal and state-registered trademark of the State of Wyoming.

In the United States, professional rodeos are governed and sanctioned by the Professional Rodeo Cowboys Association ("PRCA") and Women's Professional Rodeo Association ("WPRA"), while other associations govern assorted children's, high school, collegiate, and other amateur or semi-

professional rodeos. Associations also exist for Native Americans and other minority groups. The traditional season for competitive rodeo runs from spring through fall, while the modern professional rodeo circuit runs longer, and concludes with the PRCA National Finals Rodeo (“NFR”) in Las Vegas, Nevada, held every December.

The Professional Rodeo Cowboys Association is the largest rodeo organization in the world. The PRCA sanctions events in the United States, Canada, and Mexico, with the championship event being the National Finals Rodeo. The PRCA sanctions approximately 650 multi-event rodeos each year in 38 states and Canada. PRCA’s membership totals 4,727 cowboys and 1,195 contract personnel (performers and workers). The PRCA’s 6.3 million rodeo attendees across the country are about 47 percent male and 53 percent female, 51 percent have household income of \$50,000 or more, and 77 percent own their home.

The International Pro Rodeo Association (“IPRA”) is the sports second largest professional rodeo association sanctioning nearly 300 rodeos. The IPRA has a membership base of over 2,400 members and currently sanctions rodeos across the United States with 26 rodeos held in Oklahoma, eleven in Missouri, one in Nebraska, and five in Kansas (Gyp Hills Roundup Rodeo, Columbus Saddle Club Rodeo, Lakin KPRA Rodeo, Sedan Round-up Club Rodeo, and Barber County Rodeo).

The United Rodeo Association is a non-profit organization established in 1962 that sanctions rodeos primarily in the nine-state area of Illinois, Iowa, Kansas, Missouri, Minnesota, Nebraska, Oklahoma, South Dakota, and Wisconsin. The URA has averaged 800 members each of the past few years and annually approves or co-approves an average of more than 100 rodeos.

Rodeo sports have come a long way since their birth and have remained popular in the U.S., not just in rural and Western areas, but as family entertainment events in large cities east of the Mississippi River. Professional events draw large crowds, and youth participation has seen steady growth, with the National High School Rodeo Association (“NHSRA”) reporting about 12,000 members. The NHSRA produces two of the largest rodeos in the world: The National High School Finals Rodeo and the National Junior High Finals Rodeo. Both finals rodeos are comprised of the top four athletes in each rodeo event qualifying from 43 U.S. states, five Canadian provinces, Australia, and Mexico.

Rodeo is extremely popular within the western states of Texas, Oklahoma, Kansas, Nebraska, South Dakota, Wyoming, and Colorado. Kansas Professional Rodeo Association’s 40+ sanctioned annual rodeos draw heavily from these surrounding states. The new American Royal Food and Agriculture Epicenter is well positioned geographically to cater to the western United States rodeo participants and fan base.

## **Kansas Rodeos**

The Professional Rodeo Cowboys Association (“PRCA”), Kansas Professional Rodeo Association (“KPRA”), and United Rodeo Association (“URA”) sanction rodeo events in Kansas. Collectively, the three organizations sanction 40 rodeos annually in Kansas, including 19 rodeos by the PRCA, 18 rodeos by the KPRA, and 13 rodeos by URA. The table on the following page provides a list of cities in Kansas hosting PRCA and KPRA rodeo events.

## PRCA and KPRA Sanctioned Kansas Rodeos – 2023

| Rodeo Date     | Rodeo Name                         | Location           | Miles to KCKS | Sponsor Purse |
|----------------|------------------------------------|--------------------|---------------|---------------|
|                | <b>PRCA Sanctioned Rodeos</b>      |                    |               |               |
| Jan. 20-21     | PRCA Championship Rodeo            | Park City, KS      | 182           | \$20,761      |
| May 5 - 6      | Haysville Saddle Club Rodeo        | Haysville, KS      | 191           | \$9,600       |
| May 19 - 20    | Abbyville Frontier Days            | Abbyville, KS      | 224           | \$23,750      |
| June 1 - 3     | Bennington PRCA Rodeo              | Bennington, KS     | 158           | \$19,999      |
| June 1 - 3     | Flint Hills Rodeo                  | Strong City, KS    | 119           | \$21,000      |
| July 19 - 22   | Kansas' Largest Night Rodeo        | Pretty Prairie, KS | 230           | \$30,000      |
| July 27 - 29   | Kaw Valley Rodeo                   | Manhattan, KS      | 106           | \$27,000      |
| July 28 - 29   | Wilson County Pro Rodeo            | Fredonia, KS       | 152           | \$11,250      |
| August 1 - 6   | Dodge City Roundup Rodeo           | Dodge City, KS     | 323           | \$198,000     |
| August 1 - 4   | Wild Bill Hickok Rodeo             | Abilene, KS        | 138           | \$39,000      |
| August 2 - 6   | Dodge City Breakaway               | Dodge City, KS     | 323           | \$15,000      |
| August 3 - 5   | Kansas' Biggest Rodeo              | Phillipsburg, KS   | 280           | \$71,500      |
| August 11 - 12 | Linn County Fair & Rodeo           | Mound City, KS     | 80            | \$14,904      |
| August 16 - 17 | Inter-State Rodeo                  | Coffeyville, KS    | 168           | \$27,000      |
| August 18 - 19 | Eureka Pro Rodeo                   | Eureka, KS         | 153           | \$21,450      |
| August 18 - 19 | Seward County PRCA Rodeo           | Liberal, KS        | 396           | \$20,761      |
| August 25 - 26 | Big 94.5 Country Topeka PRCA Rodeo | Topeka, KS         | 50            | \$10,500      |
| Sept. 1-2      | Longford PRCA Rodeo                | Longford, KS       | 154           | \$13,913      |
| Sept. 9th      | Burden PRCA Rodeo                  | Burden, KS         | 200           | \$8,115       |
|                |                                    |                    |               |               |
|                | <b>KPRA Sanctioned Rodeos</b>      |                    |               |               |
| May 19 - 20    | Greensburg Rodeo                   | Greensburg, KS     | 293           |               |
| May 27 - 28    | Ft. Wallace Rodeo                  | Ft. Wallace, KS    | 381           |               |
| June 2 - 3     | Gyp Hills Roundup Rodeo            | Medicine Lodge, KS | 270           |               |
| June 2 - 3     | Syracuse Saddle Club Rodeo         | Syracuse, KS       | 413           |               |
| June 9 - 10    | Plainville Saddle Club Rodeo       | Plainville, KS     | 268           |               |
| June 10th      | Meade County Rodeo                 | Meade, KS          | 356           |               |
| June 16 - 17   | Gove County Rodeo Club Rodeo       | Park, KS           | 313           |               |
| July 13 - 15   | McCracken Rodeo                    | McCracken, KS      | 286           |               |
| July 14 - 15   | Lakin KPRA Rodeo                   | Lakin, KS          | 385           |               |
| July 15th      | Clark County Fair & Rodeo          | Ashland, KS        | 340           |               |
| July 18 - 19   | Ellis County Fair Rodeo            | Hays, KS           | 255           |               |
| July 21 - 22   | Lane County Rodeo                  | Dighton, KS        | 351           |               |
| July 21 - 22   | Sheridan County Fair Rodeo         | Hoxie, KS          | 333           |               |
| July 22nd      | Scott County Stampede              | Scott City, KS     | 374           |               |
| July 27th      | Haskell County Rodeo               | Sublette, KS       | 373           |               |
| July 28 - 29   | Leoti Rodeo                        | Leoto, KS          | 404           |               |
| August 11 - 12 | Morton County Fair & Rodeo         | Elkhart, KS        | 451           |               |
| Sept. 22 - 24  | KPRA Finals                        | Dodge City, KS     | 323           |               |

Source: PRCA and KPRA.

The PRCA sanctions more than 650 top-of-the-line, multiple-event rodeos in 44 states and four Canadian provinces. The PRCA sanctions 19 rodeos in Kansas with the season running from May through January. The closest sanctioned rodeos to the new American Royal site are in Topeka (50 miles), Mound City (80 miles), and Manhattan (106 miles). Most sanctioned rodeos are in central and west Kansas. Conversations with the PRCA indicated given the distance in Kansas of sanctioned rodeos and design of the proposed indoor and outdoor arenas, the PRCA would be interested in sanctioning a rodeo at the new American Royal Food and Agriculture site.

The KPRA has over 500 members and sanctions 18 rodeo events in Kansas. Kansas sanctioned rodeo events comprise a regional market area with participants and spectators traveling from Colorado, Nebraska, South Dakota, Wyoming, Oklahoma, and Texas. No rodeo events in Kansas operate within a 100-mile radius of the new American Royal Food and Agriculture Epicenter site. Conversation with the KPRA indicated that the new American Royal's indoor arenas would be suitable for hosting a winter series event that runs five weekends.

The United Rodeo Association ("URA") is a non-profit organization established in 1962 that sanctions rodeos primarily in the nine-state area of Illinois, Iowa, Kansas, Missouri, Minnesota, Nebraska, Oklahoma, South Dakota, and Wisconsin. The URA has averaged 800 members each of the past few years and annually approves or co-approves an average of more than 100 rodeos. For 2023, the URA has approved 13 rodeos in Kansas, including:

- 52nd Annual Burlingame Saddle Club Rodeo (May 19-20)
- Abdallah Shriners Rodeo (June 15-16)
- Doniphan County Fair Association Rodeo (June 16-17)
- Chief White Cloud Rodeo (June 30 & July 1)
- Louisburg Stampede (July 1<sup>st</sup>)
- Hepler Ruritarian Rodeo (July 3-4)
- N.E. Kansas Rodeo (July 14-15)
- Miami County Fair & Rodeo (July 28-29)
- Crawford Co Fair Rodeo (August 2-3)
- Johnson County Fair Rodeo (August 3<sup>rd</sup>)
- Rodeo Gold (September 2-3)
- Chanute Bit & Spur Saddle Club Rodeo (September 29-30)
- URA Finals in Topeka, Kansas (November 3-5)

The table on page 24 identifies the number of entries by event in Kansas Pro Rodeo Association ("KPRA") sanctioned rodeos held in Kansas During 2022. The number of entries ranged from a low of 41 to a high of 200, averaging 107 entries per rodeo.

During 2022, the most participated events at KPRA rodeos included breakaway roping (627 entries), open team roping (539 entries), barrel racing (511 entries), toe down roping (269 entries, and 40/40 team roping (244 entries).



## KPRA Sanctioned Kansas Rodeo Entries – 2022

| Rodeo Name                   | Location       | Tie Down<br>Roping | Breakaway<br>Roping | Barrel<br>Racing | Open Team<br>Roping | 40/40 Team<br>Roping | Steer<br>Wrestling | Ranch<br>Broncs | Saddle<br>Broncs | Bull<br>Riding | Barebacks | Total<br>Entries |
|------------------------------|----------------|--------------------|---------------------|------------------|---------------------|----------------------|--------------------|-----------------|------------------|----------------|-----------|------------------|
| Triangle Rodeo Club Rodeo    | Greensburg     | 19                 | 38                  | 31               | 30                  | 41                   |                    |                 |                  |                |           | 159              |
| Ft. Wallace Rodeo            | Wallace        | 8                  | 16                  | 20               | 11                  |                      | 7                  | 4               | 5                | 11             |           | 82               |
| Gyp Hills Roundup Rodeo      | Medicine Lodge |                    | 30                  | 22               | 27                  | 5                    |                    |                 |                  |                |           | 84               |
| Plainville Saddle Club Rodeo | Plainville     | 8                  | 14                  | 11               | 14                  | 5                    | 7                  | 7               | 4                | 15             | 2         | 87               |
| Meade County Rodeo           | Meade          |                    | 20                  | 19               | 21                  | 10                   | 13                 |                 |                  |                |           | 83               |
| Gove County Rodeo            | Park           | 7                  | 14                  | 16               | 15                  |                      | 12                 | 7               | 6                | 8              |           | 85               |
| Elk County Rodeo             | Moline         | 10                 | 45                  | 26               | 68                  |                      | 14                 |                 | 12               | 18             | 7         | 200              |
| McCracken Rodeo              | McCracken      | 21                 | 29                  | 31               | 26                  | 15                   |                    |                 |                  |                |           | 122              |
| American Legion Rodeo        | Erie           | 15                 | 26                  | 25               | 23                  |                      | 9                  |                 | 9                | 7              | 3         | 117              |
| Lakin KPRA Rodeo             | Lakin          | 25                 | 39                  | 38               | 32                  | 15                   |                    |                 |                  |                |           | 149              |
| Clark County Fair & Rodeo    | Ashland        | 8                  | 33                  | 22               | 25                  | 16                   | 9                  |                 |                  |                |           | 113              |
| Scott County Stampede Rodeo  | Scott City     | 11                 | 23                  | 16               | 14                  | 12                   |                    |                 |                  |                |           | 76               |
| Ulysses Stampede             | Ulysses        | 27                 | 48                  | 34               | 30                  | 16                   |                    |                 |                  |                |           | 155              |
| Ellis County Fair & Rodeo    | Hays           | 9                  | 21                  | 22               | 19                  | 10                   | 8                  | 5               |                  | 14             |           | 108              |
| Lane County Rodeo            | Dighton        | 12                 | 30                  |                  | 19                  | 13                   |                    |                 |                  |                |           | 74               |
| Sheridan County Fair & Rodeo | Hoxie          | 12                 | 28                  | 26               | 18                  | 9                    |                    |                 |                  |                |           | 93               |
| Thomas County Fair & Rodeo   | Colby          | 9                  | 28                  | 17               | 17                  | 11                   | 3                  | 3               | 2                | 9              | 2         | 101              |
| Sublette KPRA Rodeo          | Sublette       |                    | 24                  | 24               | 28                  |                      |                    |                 |                  |                |           | 76               |
| Barber County Rodeo          | Hardtner       | 28                 | 38                  | 38               | 32                  | 12                   | 16                 |                 |                  |                |           | 164              |
| Leoti KPRA Rodeo             | Leoti          | 11                 | 18                  | 16               | 13                  | 12                   | 3                  | 14              | 1                | 11             | 1         | 100              |
| Morton County Fair & Rodeo   | Elkhart        |                    | 27                  | 29               | 17                  | 15                   |                    |                 |                  |                |           | 88               |
| Knock the Dust Off Rodeo     | Odin           | 4                  | 6                   | 7                | 3                   |                      | 4                  | 5               | 2                | 9              | 1         | 41               |
| Gray County Rodeo            | Cimarron       | 13                 | 32                  | 21               | 25                  | 14                   | 15                 |                 |                  |                |           | 120              |
| KPRA Finals Rodeo            | Dodge City     | 12                 |                     |                  | 12                  | 13                   | 12                 | 6               | 12               | 12             | 6         | 85               |
| <b>Totals</b>                |                | <b>269</b>         | <b>627</b>          | <b>511</b>       | <b>539</b>          | <b>244</b>           | <b>132</b>         | <b>51</b>       | <b>53</b>        | <b>114</b>     | <b>22</b> | <b>2,562</b>     |

## **Kansas Indoor Rodeo Arenas**

This section of the study identifies indoor rodeo arenas operating in Kansas that are considered competition to the three arenas planned for the new American Royal site.

### **Eastern Kansas Indoor Rodeo Arenas**

Three indoor arenas were surveyed in the eastern portion of Kansas, including the Kansas Star Arena, Stormont Vail Events Center, and Arnold Arena. A description of each indoor arena is provided in the text below.

#### **Kansas Star Arena**

The Kansas Star Arena is part of the Kansas Star Casino complex in Mulvane, Kansas, located south of the Wichita MSA and 194 miles from the new American Royal site. The Kansas Star Arena is 42,000 square feet with a seating capacity of 3,400 people and up to 6,000 for concerts. Owned by Boyd Gaming, the Kansas Star Casino offers over 1,300 slot machines, over 43 table games, and four restaurants. A 300-room Hampton Inn & Suites is connected to the casino. The Kansas Star Event Center opened in 2011 and features six meeting rooms totaling 57,095 square feet of meeting/event space. The Kansas Star Equestrian Pavilion consists of an open-air practice arena, 183 stalls, wash racks, and show offices.

The Kansas Star Arena is a multi-purpose entertainment venue that has hosted concerts by notable performing artists, as well as the Miss Kansas USA pageant, mixed martial arts events by Bellator MMA, and equestrian events such as the Professional Rodeo Cowboys Association's National Finals Steer Roping which in 2022 had a record purse of \$500,000. The National Finals Steer Roping is being held again on November 17 and 18, 2023 with a purse of \$455,000. For 2021, the Wichita Force indoor football team officially relocated to the Kansas Star Arena.



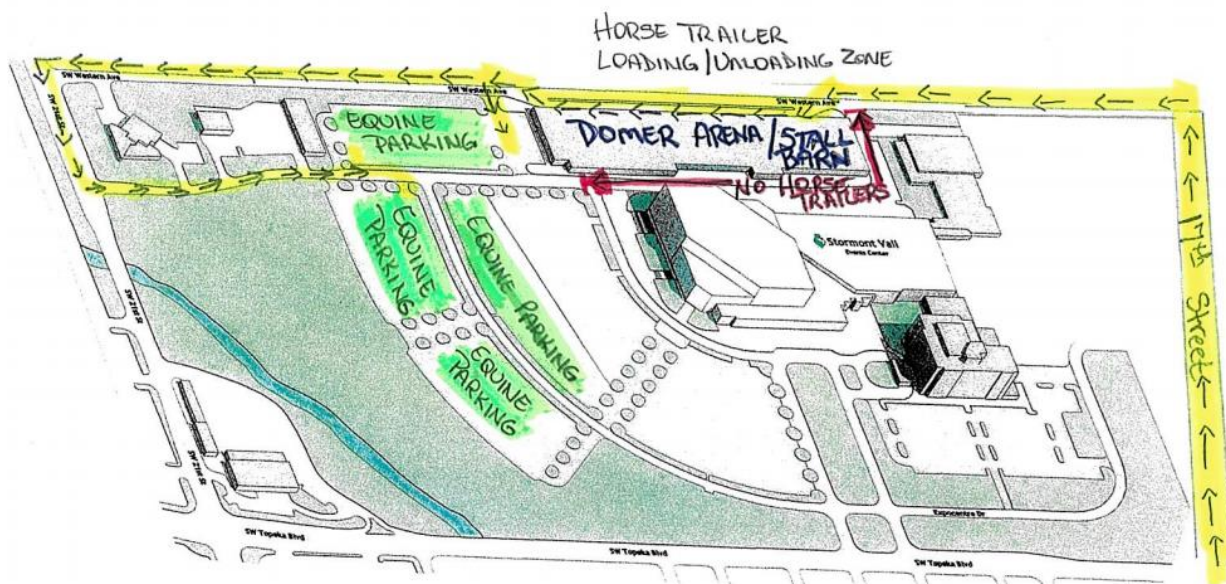
The Kansas Star Arena features an indoor arena with permanent seating for 3,400 spectators, concessions, and an on-site hotel, RV park, and restaurants. However, the facility lacks the number of stalls and there is also no outdoor arena. Given its distance away, it has been determined that the Kansas Star Arena poses as moderate competition to the new American Royal venue.

## **Stormont Vail Events Center**

The Stormont Vail Events Center campus in Topeka (50 miles west of the new American Royal site), formerly known as the Kansas Expocentre, is Topeka's largest event complex and has long hosted agriculture, farming, exhibitions, education, sports, and entertainment events. The 80-acre campus includes the Domer Livestock Arena, 7,100-seat Landon Arena, Exhibition Hall, Heritage Hall, and Agriculture Hall. Stormont Vail Health signed a 10-year contract in June 2020 with Shawnee County and managing partner Spectra to rebrand the Expocentre as Stormont Vail Events Center. After a first-year payment of \$325,000, Stormont Vail will pay \$250,000 annually over the next decade.

The Domer Livestock Arena is used for horse shows such as roping, team penning, reining horse shows, barrel racing, sales, and rodeo competitions. The arena also hosts exotic animal shows, dog shows, the Shawnee County 4-H Fair, and other livestock events. During 2022, the Domer Livestock Arena hosted eight rodeo events. During 2023, the arena hosted the Topeka Breakaway Roping on August 25<sup>th</sup> and 26<sup>th</sup> and United Rodeo Association Finals from November 3<sup>rd</sup> through 5<sup>th</sup>. The arena offers the following features:

- 240'x120' competition arena floor
- 200'x150' covered exercise area
- 1,400 bleacher seats
- Stall Barn with 223, 10'x10' stalls
- 106 electrical hook-ups for trailers and campers with dump station
- Full-service café
- Paved parking lot
- Wash bays



The Stormont Vail Events Center campus underwent a \$48 million renovation project that was completed in May 2021. The two-year project involved improvements and additions to the Domer Livestock Arena, Landon Arena, and Exhibition Hall. Renovations to the Domer Livestock Arena included new stalls and panels, fully closed-in exercise arena, new box office, remodeled café, LED lighting, sound system, bleachers, bathroom, and plumbing upgrades.

Built in 1987, the Landon Arena boasts 7,100 permanent seats, 2,550 floor seats, 22,500 square foot floor space, and a state-of-the-art sound system and LED lighting. The venue hosts sporting events, concerts, ice shows, family shows, and exhibitions. Renovations to Landon Arena included new seating and premium seating options, a party deck bar, and additional suites.

The Exhibition Hall features a seating capacity for 6,200 spectators, 73,500 square foot floor space, show office, concessions, three restroom areas, six loading docks, and space for over 300, 10'x10' booths. The Exhibition Hall was expanded by 40 percent and now can accommodate growing events. The venue hosts trade shows, conventions, conferences, banquets, and sporting events.

Heritage Hall has 5,750 square feet of climate-controlled space, a stage, and seating capacity for 350 people. The venue hosts weddings, receptions, private parties, and meetings.

The Agriculture Hall offers 17,800 square feet of climate-controlled space and a seating capacity of 2,400 people. The venue hosts parties, dances, dinners, and events.

A 5.0-acre parcel is reserved on the Expo grounds for the location of a privately built hotel, and in 1998 John Q. Hammons opened the 224-room Capital Plaza Hotel featuring a restaurant, lounge, pool, fitness center, ballroom, and a climate-controlled walkway connecting to the Expocentre.

When compared to the new American Royal Food and Agriculture Epicenter, the Stormont Vail Events Center operates a hotel and several flexible event venues with varying seating capacity capable of hosting a wide range of livestock events, sporting events, concerts, ice shows, family shows, trade shows, conferences, and banquets. Facility deficiencies include its age, the absence of an outdoor arena, and a small inventory of stalls and RV hookups.

## **Arnold Arena**

Arnold Arena is located on the Fort Scott Community College Campus south of the Kansas MSA along U.S. Highway 69, approximately 96 miles from the new American Royal site. Home to the Fort Scott Community College rodeo team, Arnold Arena features an indoor arena, complete with roping and bucking cuts, an outdoor roping arena, and new offices with a practice facility in the rear. The indoor arena allows students the ability to practice all year round.

The outdoor arena is capable of hosting larger outside rodeos in the fall and spring seasons. The indoor practice facility has a bucking machine and room for roping and tying dummies. The bucking machine allows rough stock practice while the dummies allow timed event student athletes to rope and tie as well. The new office facility includes two coaches' offices, and a small computer lab for the rodeo student athletes to do homework and research. It also includes an area for meetings and an area to study film from practice or rodeos.

Compared to the new American Royal Food and Agriculture Epicenter, the Arnold Arena lacks the number of stalls, covered warm-up arena, and on-site hotel to be viewed directly competitive.

## **Western Kansas Indoor Rodeo Arenas**

Conversations with the Kansas Professional Rodeo Association identified six indoor rodeo arenas operating in western Kansas, including facilities in Dodge City, Lyons, Scott City, Kingman, Manhattan, and Hutchinson. A description of each indoor arena is provided below.

### **Western State Bank Expo Center**

Opened during 2012 in Dodge City, the Western State Bank Expo Center is multi-purpose event facility that features an indoor rodeo arena and hosts a wide range of events, including:

- Business Meetings
- Equine Events
- Equipment and Product Demonstrations
- Farm and Ranch Shows
- Livestock Sales and Shows
- Private Parties
- Training and Educational Seminars

The Western State Bank Expo Center is located 323 miles southwest of the new American Royal site and is owned and operated by Ford County. The rodeo arena features a 244' x 122' dirt floor, covered stall barn with wash rack, electricity, and water for 120 stalls, concession area with a kitchen and seating for 40 people, and 75-seat capacity conference room. The exhibit hall offers 90,000 square feet of indoor exhibit space with concrete flooring and a one million square foot outdoor exhibit area offers electricity for exhibits and trailer/RV parking. During 2022, the Western State Bank Expo Center hosted eight rodeos.

The Western State Bank Expo Center hosts more than 100 equine and equine-related events and activities each year, including multi-day events and single day private rentals. Nationally sanctioned events include the World Series of Team Roping and Patriot Team Roping qualifiers, and the Women's Ranch Rodeo World Finals. Also, the Young Guns Timed Event Extravaganza is held each winter. Events draw participants from more than a dozen states.

Compared to the new American Royal venue, the Western State Bank Center's floor area and number of stalls are insufficient to be considered directly competitive. In addition, the facility lacks an outdoor arena, warm up arena, RV park, and on-site hotel.

### **Bar K Bar Arena**

The Bar K Bar Arena in Lyons, Kansas (225 miles southwest of the new American Royal site) is a 64,500 square foot building featuring a 240' x 125' arena floor with two wash racks, and bleacher seating. Additional amenities include a lighted outdoor arena, RV parking, 140 stalls (92 stalls inside the arena and 48 stalls outside under cover), restaurant, showers, and show office. The arena hosts horse shows, livestock shows, agriculture shows, auctions, ropings, team pennings, exhibits, rodeos, and barrel racing. The facility was built by the citizens of Rice County and operates under Celebration Centre LLC. During 2022, the Bar K Arena hosted 54 rodeo events.



Compared to the new American Royal venue, the Bar K Bar Arena's floor area and number of stalls are insufficient to be considered directly competitive. In addition, the facility lacks an outdoor arena, warm up arena, and on-site hotel.

### **Scott County Rodeo Arena**

The Scott County Indoor Arena and Activities Center is located 374 miles west of the new American Royal site on the Scott County Fairgrounds in Scott City, Kansas. The 37,180 square foot arena opened during the summer of 2000 and is home to the Scott County Stampede Rodeo that drew 76 entries in 2022. The stall barn and enclosed addition were added in 2007, providing cover for livestock and competitors during inclement weather and making it possible to host large events year around. For 2023, 181 public and private events are booked. Arena facilities include:

- 100' x 220' arena floor
- Meeting room with kitchen
- Restrooms with showers
- Large crow's nest on west end of the arena and smaller crow's nest on east side
- Laser lights for barrels and computerized scoreboard
- Radiant heaters over bleacher area
- Covered roping area
- Stall barn with 43 stalls with covered 12' lean-to
- Four covered pens
- RV sites on fair grounds

The arena is used year around and hosts high school rodeos, barrel races, team ropings, mounted shootings, ranch rodeos, clinics, all school reunions, and a circus.

Compared to the new American Royal venue, the Scott County Indoor Arena's floor area, seating capacity, and number of stalls are insufficient to be considered directly competitive. The facility's distance, location off Interstate 70 and absence of a covered warm up arena, outdoor arena, and on-site hotel also greatly reduces its competitiveness.



## **Kingman Expo Center**

Kingman Expo Center located west of Wichita in Kingman, Kansas (228 miles southwest of the new American Royal site) is home to an indoor rodeo arena, and outdoor rodeo arena and event space that will accommodate community events as well as private events. Kingman County and the City of Kingman partnered to fund upgraded facilities at the Kingman Expo Center. Both governments have invested hundreds of thousands of dollars to create first class indoor and outdoor facilities for the community.

The indoor arena is 100' x 200' with seating for 750 and a heating system. The arena is equipped with permanent bucking chutes along with roping boxes, catch pens and a return alley for cattle events. A public announcer system is available with many options for hookup to accommodate specific needs. An announcer's box is located near the bucking chutes.



There are stalls for 110 animals, 42 camper hookups and three meeting rooms along with a commercial kitchen. The meeting rooms are climate controlled to get out of the heat on summer days or warm up during those winter months. Restrooms are located both inside as well as outside.

The outdoor arena features 127' x 240' of floor area with brand new Priefert rodeo panels and chutes. The ground is completely new and perfect for any of your rodeo, roping and horse show needs. Bleacher seating accommodates up to 450 people.

Compared to the new American Royal venue, the Kingman Center's floor area for both the indoor and outdoor arenas, seating capacity, and number of stalls are insufficient to be viewed directly competitive. In addition, the facility lacks a covered warm-up arena and on-site hotel.

## **Weber Arena**

Kansas State University in Manhattan, Kansas offers a variety of facilities for the KSU Rodeo Team/Club. The facilities include:

- 21-stall horse barn
- Burtis Arena- large outdoor arena & calf lane
- Round pen
- Weber Arena- indoor arena located on campus inside Weber Hall

The 3,500-seat Weber Arena that is a part of Weber Hall and was designed to serve research, teaching, and extension through use as a feeding laboratory for nutrition studies, a class laboratory for animal evaluation, a site for student activities such as The Little American Royal and a Collegiate Rodeo, a place for National Breed Associations to hold meetings and a place where state breed associations could hold shows and sales. The building was built in 1958 and renovated in 1985.

Weber Arena is located 106 miles west of the new American Royal site. The annual Kansas State University Intercollegiate Rodeo is held at Weber Arena. The rodeo is in its 76<sup>th</sup> year and is sanctioned through the National Intercollegiate Rodeo Association. The event draws more than 450 contestants from the 20 schools and more than 10,000 spectators.



A list of Kansas State University rodeo events for 2023 are listed below.

- Bull Clinic (Manhattan, KS) - January 20-22
- Ranch Rodeo (Manhattan, KS)- January 27-28
- Kansas State University Iron Woman (Manhattan, KS)- February 4
- Kansas State University Queen Contest (Manhattan, KS)- February 10-11
- Kansas State University Rodeo (Manhattan, KS)- February 17-19
- Fort Scott Community College Rodeo (Fort Scott, KS)- March 10-12
- Garden City Community College Rodeo (Garden City, KS)- March 31- April 2
- South Western Oklahoma State University Rodeo (Weatherford, OK)- April 13-15
- Fort Hays State University Rodeo (Hays, Kansas)- April 20-22
- Oklahoma Panhandle State University Rodeo (Guymon, OK)- April 27-29

Compared to the new American Royal venue, the Weber Arena lacks the floor area and number of stalls to be viewed directly competitive. In addition, the facility lacks a covered warm-up arena and on-site hotel.

The Kansas State Department of Animal Science has raised \$81.4 million for upgrades to several departments and is hoping to raise additional funds to build a world-class livestock arena that would replace the Weber Arena. The proposed 3,000-seat arena would include luxury boxes, a full-plan parking lot with utility hookups and other amenities needed to host livestock events.

### **Expo Center at Kansas State Fairgrounds, Hutchinson**

The 280-acre Kansas State Fairgrounds in Hutchinson, Kansas (211 miles southwest of the new American Royal site) includes several event buildings and livestock facilities, making it one of the largest events and show venues in the state. The fairground event facilities host more than 500 events every year with local, regional, national, and international appeal, including:

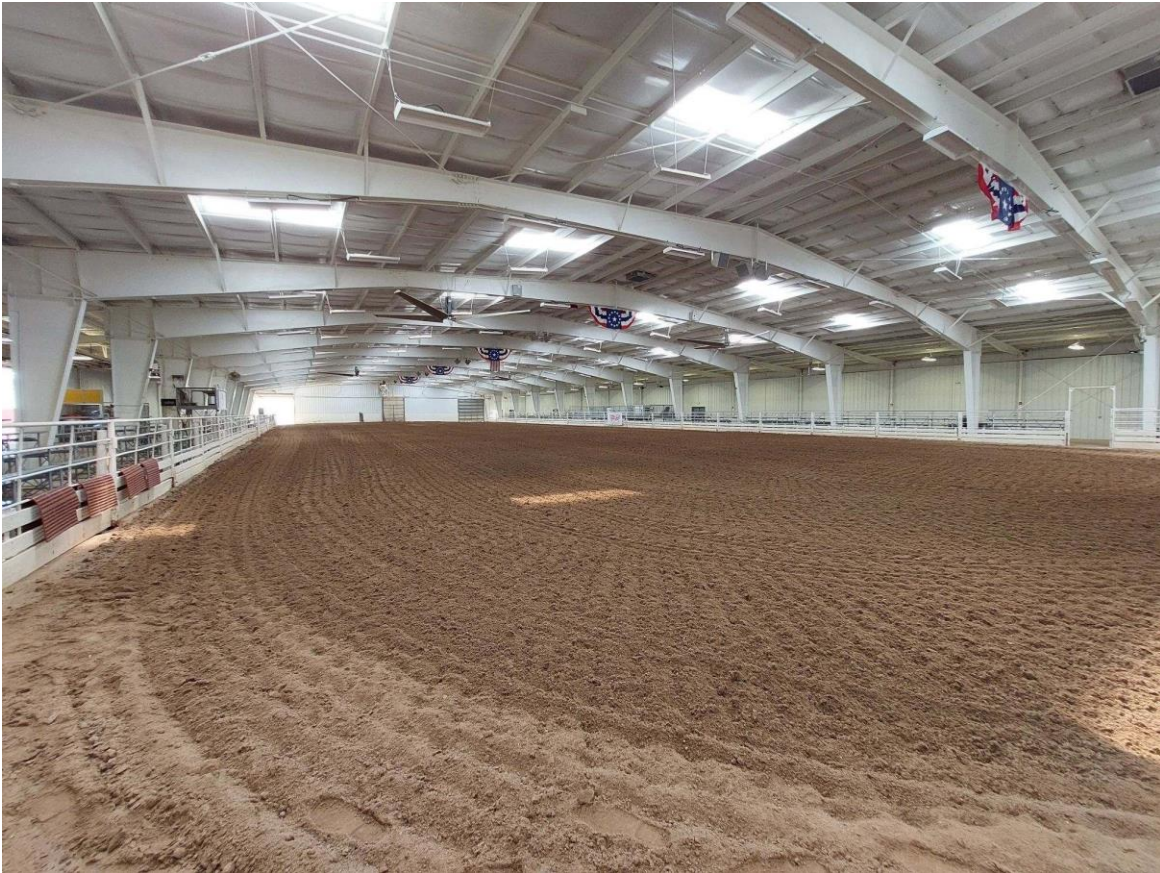
- Corporate Parties, Meetings and Picnics
- Auctions
- Craft and Antique Fairs
- Equestrian and Livestock Shows
- Sporting Events
- RV Camping
- RV and Motorcycle Rallies
- Trade Shows and Conventions
- Concerts and Festivals
- Weddings and Receptions

The Expo Center is located at the southeast end of the fairgrounds. The Expo Center opened in 1964 and renovated in 2003. The building offers ADA accessible restrooms, wheelchair accessible seating, concessions, a large office, and a modern look outside. The arena can accommodate a variety of events including horse shows, rodeos, dog shows, team roping, cutting events, heavy equipment demonstrations, circuses, and trade shows.

- Heated indoor 98' x 270' arena
- Covered Open Air Expo II 187' x 95' arena
- Covered walk-way between arenas
- Contract Concessionaire
- 200 permanent stalls
- Other converted stalls available
- Seating for 900
- PA system

The Kansas State Fair RV Park contains 211 full-service 50amp hook-ups.

Much like the new American Royal venue, the Expo Center and Expo II at the Kansas State Fairgrounds in Hutchinson offers both indoor and outdoor arenas, stalls, concessions, permanent seating, and an RV park. However, the Expo Center and Expo II do not compare in terms of arena floor sizes, seating capacity, and the number of stalls. There is also no outdoor arena and an on-site hotel. Therefore, it has been determined that the Expo Center and Expo II are not directly competitive.



## **Conclusions**

Three indoor arenas were surveyed in eastern Kansas, located 50 to 194 miles from the new American Royal site. Two of the indoor arenas are owned by a public entity or community college, with the Kansas Star Arena a privately-owned facility.

The Kansas Star Arena and Stormont Vail Events Center are deemed the most comparable to the new American Royal facility, in terms of arena size, seating capacity, on-site restaurants, hotels, and event center. In terms of proximity, number of event venues and seating capacity, and presence of a hotel, food service, and other amenities, the Stormont Vail Events Center is deemed the most competitive to the new American Royal Food and Agriculture Epicenter.

Six arenas were surveyed in western Kansas that operate indoor arenas. All the surveyed indoor arenas are owned by a public entity or university and are located 106 to 374 miles from the new American Royal site. None of the existing indoor arenas operating in western Kansas were viewed directly competitive to the new American Royal Food and Agriculture Epicenter, lacking in such areas as arena floor area, seating capacity, number of stalls, and absence of a covered warm-up arena, outdoor arena, and on-site RV park and hotel.



## Comparable Multi-Use Arenas

Comparable high-quality indoor rodeo arenas and equestrian centers were surveyed in the western states to determine the competitive positioning of the new American Royal Food and Agriculture Epicenter. Our research identified ten comparable indoor arenas, each described below.

### Tri State Expo

The Tri State Expo in Amarillo, Texas is a multi-building event center on 129 acres that hosts the Tri-State Fair and Rodeo. During 2023, the facility will host 58 major events that include the PRCA Rodeo, team roping, barrel racing, horse sales, horse shows, cooking competitions, shooting events, circus, and banquets. Chartered in 1923, the Amarillo Tri-State Exposition is a public non-profit 501(c)(3) organization operated under the supervision of a volunteer Board of Directors.

The 5,000-seat Amarillo National Center includes a 150' x 300' dirt floor, floor seating for an additional 5,000 spectators, private club, PA system, video board, restrooms, vendor spaces, six bucking chutes, and covered livestock holding pens. Adjacent to the Amarillo National Center is the Tommy Grant Arena which is a covered 107' x 173' venue and the Vance Reed Livestock Center featuring a 54,000 square foot asphalt floor, 300 temporary stalls, wash rack, and restrooms.

The 44,000 square foot Rex Baxter Exhibit Building has 2,188 seats, concrete floor, heated and insulated, restrooms, PA system, and offices. The 14,430 square foot Commercial Exhibits Hall has banquet seating for 400 to 600 people, full kitchen, tile floor, restrooms, and climate-control.

The Bill Cody Equestrian Center is a dirt arena with heating in grandstands, 235 permanent stalls, and livestock holding pens. The Glenn McMennamy Livestock Building features a 55,000 square foot asphalt floor, partial heat, restrooms, 320 temporary stalls, and wash rack. The South Warm-up Arena is a 90' x 250' sand-based arena with 6-foot side fencing, open sides, and sound and lighting. The Stall Barns have 203 permanent stalls.



## **Stephens County Fair and Expo**

The Stephens County Fair and Expo in Duncan, Oklahoma features such equine facilities as a 1,100-seat main indoor arena, 900-seat livestock arena, two barns, stall barn, and warm-up area. Both indoor and outdoor arenas with seating for 500 to 2,000 are available to reserve for rodeos and other Western events. The fairgrounds host numerous events and activities throughout the year, including:

- Professional and Youth Rodeos
- Calf Roping
- Team Roping Competitions
- Barrel Racing
- The National Swine Registry "Fall Classic"
- Craft Shows
- Coin Shows
- Family Reunions
- Birthday Parties
- Fish and Tackle Shows
- Stephens County Junior Livestock Show
- Stephens County Free Fair
- Circus

The Stephens County Expo Arena features 89,600 square feet under roof, a 17,289 square foot arena floor of concrete on the north end, and a 130' x 250' dirt floor. The concrete area is primarily used for vendor booths and livestock pens and horse stalls. The arena is heated and air conditioned for year around use with a lobby, permanent seating for 1,100 and portable seating for 900. Adjoining the arena to the north is the South Barn, a 25,500 square foot building with a concrete livestock holding area with wash racks and restrooms. Extending south of the arena is a covered warm-up area and cattle holding area.

The Livestock Arena is a 21,000 square foot building with a 66' x 125' concrete arena floor, permanent seating for 700, concessions, and restrooms. To the north of the Livestock Arena is the North Barn, an 18,000 square foot heated building housing a concrete livestock holding area, wash racks, an office, concessions, and restrooms.

The facility has a total of 215, 10' x 10' horse stalls. A covered area adjacent to the wash racks has 72 horse stalls.

During 2023, 81 events were held for a total of 143 event days. Fourteen rodeos are scheduled with signature rodeo events including the Red River Ranch Rode (2 days), PRCA Rodeo (3 days), Tri-K Barrel Race (3 days), WSPBR Bull Riding (3 days), Cord McCoy Pro Rodeo (2 days), American Heritage Bucking Bull (3 days), and Noon Lions Club Rodeo (2 days).

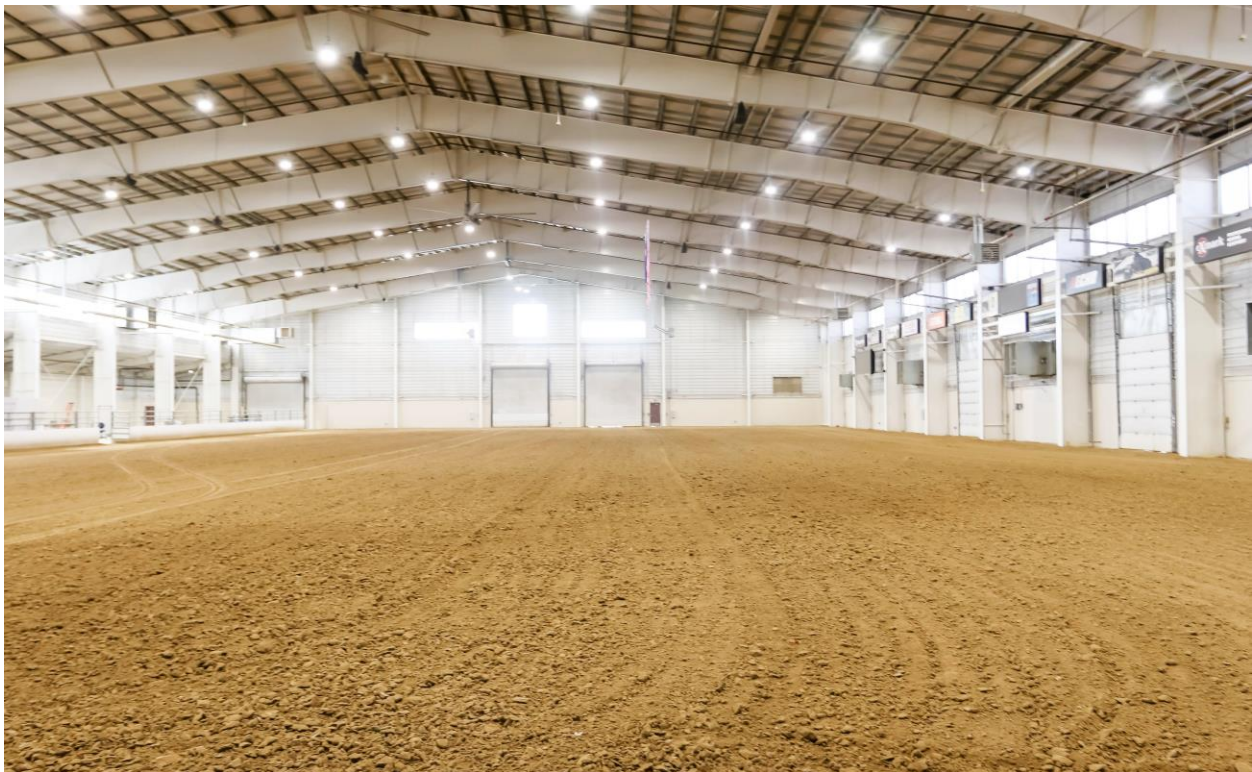
## **The Ranch Events Complex**

Originally constructed in 2003, The Ranch Events Complex in Loveland, Colorado has undergone significant phases of development and today offers over 375,000 square feet of indoor and outdoor event space, including six event halls and five arenas. Key facilities operating within The Ranch Events Complex include the following:



- Budweiser Events Center – multi-purpose arena, 7,200 seats, concrete floor, 25 suites
- First National Bank Exposition Building – 36,000 sf exhibition space and 2,900 sf meeting space
- MAC Equipment Inc. Indoor Arena – 150' x 300' arena, 1,000 seats, dirt floor
- MAC Equipment Inc. Livestock Pavilions – 96,000 sf, 360 horse stalls, dirt floor
- The Ranch Arena – 90' x 100', dirt floor
- Round Up Outdoor Arena – 120' x 240' arena, 100 seats, dirt floor
- Long Horn Outdoor Arena – 120' x 240' arena, 100 seats, dirt floor
- Thomas M. McKee 4-H Youth & Community Building – 12,500 sf exhibition space, 5,950 sf meeting space
- Embassy Suite – 263 rooms, 40,000 sf of flexible meeting space

The MAC Equipment, Inc. Indoor Arena & Livestock Pavilions features 180,000 square feet of space, including a 45,000 square foot indoor arena with a 150' x 300' arena floor, 1,000 seats, food service area, four sets of restrooms, and 90' x 100' warm-up arena. The East and West Pavilions each occupy 48,000 square feet, 180 stalls, and heated wash-racks. Fifty RV hookups accompany the arena and livestock pavilions. During 2019, the MAC Equipment, Inc. Indoor Arena & Livestock Pavilions hosted 71 horse shows, livestock events, and small animal shows.



Secondary equestrian and livestock event venues within The Ranch Event Complex include The Ranch Arena, an indoor facility with a 90' x 100' arena floor and a dirt floor and Round Up Outdoor Arena and Long Horn Outdoor Arena, both with a 120' x 240 arena floor, dirt floor, and 100 seats.

## **Midland County Horseshoe Arena**

Midland County Horseshoe Arena in Midland, Texas is a 100+ acre multi-purpose facility that is county-owned and managed by Horseshoe Hospitality Services. The county is responsible for maintenance and capital improvements to the property. The facility opened in 2006 and in 2014 underwent a \$24 million expansion that added a 52,998 square foot exhibit hall and in 2016 an amphitheater with seating. An aerial of the existing facility appears below.



The Horseshoe Arena is climate-controlled, with 34,628 square feet (125' x 280') of floor area, dirt floor, holding pens, 2,000 fixed bleacher seats, concessions, two barns with 351, 10' x 10' stalls, and indoor livestock barn with 280' x 110' floor area. The venue is used for equine and livestock events and is available for rent at \$1,000 to \$4,000 per event. The Livestock Barn rents for \$500 per event. The facility operates 75 RV hookups with water, sewer, and electricity.

The Pavilion is a 52,998 square foot exhibition hall divisible into three sections with a seating capacity from 450 to 5,648 guests. The venue hosts performances, meetings, conferences, holiday parties, and more. An amphitheater opened in 2016 with floor seating for 1,300 and lawn seating for 3,000. Pavilion and amphitheater rentals run \$500 to \$2,500 per event.

The venue has played host to Championship rodeos, equestrian competitions, concerts, sporting events, trade shows, conventions, and community events. During 2022 the venue hosted 149 events for a total of 240 event days.



## **Mallet Event Center & Arena**

The Mallet Event Center & Arena (“MECA”) in Levelland, Texas is a \$15 million multi-purpose project that was completed in January 2012. Hockley County operates the facility. MECA offers a climate-controlled, Kiser designed arena of 150’ x 300’ with 1,933 seats. There is also an attached indoor, warm-up arena that is 150’ x 100’ and covered penning of 145’ x 100’.



The banquet hall can be divided into three sections for a total seating of over 600 people. The facility also offers a patio area with two gas fire pits for guest use.

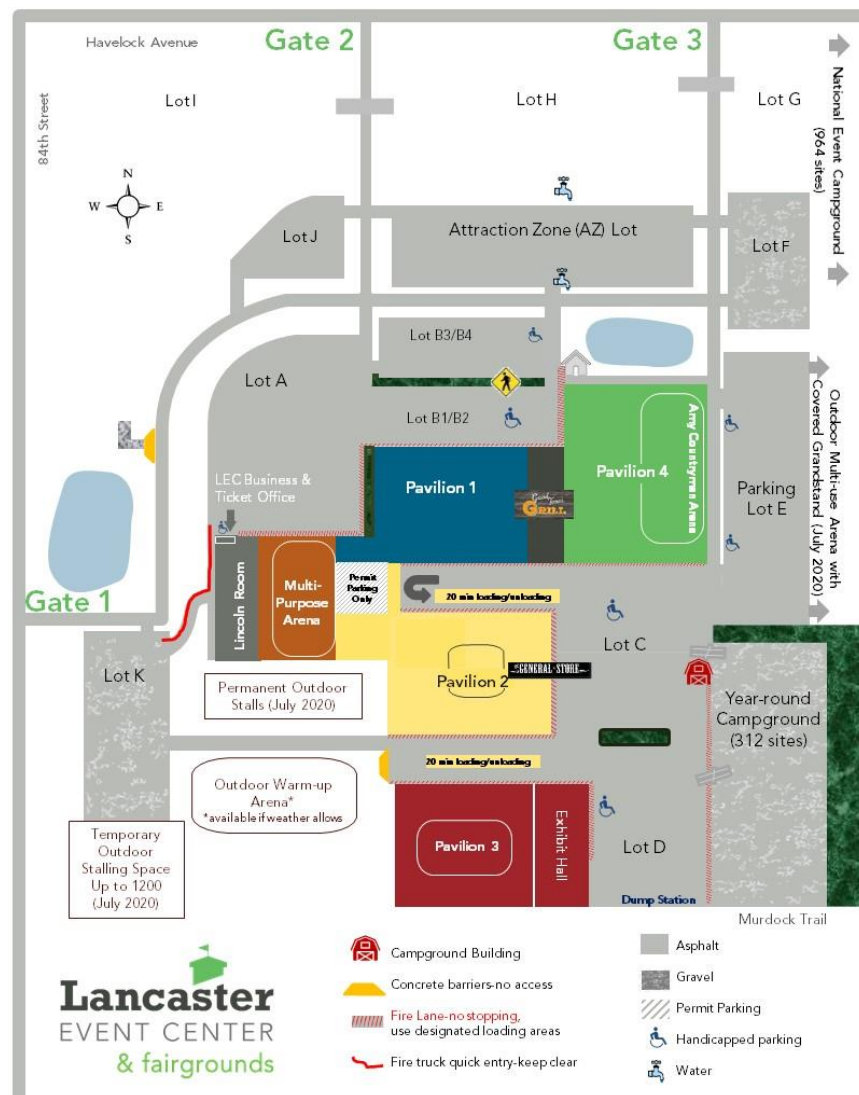
Additional amenities include 288 horse stalls in a covered outdoor horse barn with lights and water and 84 self-contained RV spaces. Hockley County is exploring the opportunity to develop an on-site hotel and related facilities.



During 2023, the MECA hosted 119 events. Equine events included roping (22 events), horse sales (12 events), barrel racing (10 events), rodeos (4 events), and livestock shows (3 events). Notable events include the JRCA Finals (3 days), World Series Team Roping (3 days), ABC Pro Rodeo (2 days), and Clovis Horse Sale (4 days).

## Lancaster Event Center

The Lancaster Event Center (“LEC”) in Lincoln, Nebraska is home to the Lancaster County Super Fair as well as hosts trade shows, equine shows, and receptions. The property is 160 acres and includes a multi-purpose arena, four pavilions, exhibit space, and a 312-site campground.



The Ag Society opened the LEC in 2001 to be home of the Lancaster County Fair as its needs outgrew borrowed buildings on the former State Fairgrounds. LEC has grown to be a nationally recognized multi-use event center with over 320 events bringing 500,000 visitors who stay over 1.2 million visitor days for regional/national events.

**Multi-Purpose Arena** – the 36,500 square foot indoor arena features a 110’ x 215’ floor area and seating for up to 5,000 spectators.

**Pavilion 1** - This 80,850 square foot indoor venue features a 70’ x 200’ arena floor, 400 livestock stalls, and seating for up to 11,000 spectators.

Pavilion 2 - This 80,850 square foot indoor venue features a 70' x 200' arena floor, 382 livestock stalls, and seating for up to 11,000 spectators.

Pavilion 3 - This 72,657 square foot indoor venue features a 115' x 220' arena floor, 64 livestock stalls, and seating for up to 10,000 spectators. An outdoor warm-up arena is located adjacent to Pavilion 3.

Pavilion 4 - This 87,596 square foot indoor venue features a 125' x 300' arena floor, 99 livestock stalls, and seating for up to 12,000 spectators.

Lincoln Room – This 17,200 square foot event space adjacent to the Multi-Purpose Arena possesses a seating capacity of 1,800.

Exhibit Hall – This 11,500 square foot event space is part of Pavilion 3 and accommodates up to 1,225 guests.

#### Major Events

- 320 events annually—200 local, 120+ regional/national/international
- Nebraska's largest county fair – 120K visitors over 10 days
- 2nd largest indoor ag show—1,700 ag experts from 27 states & Canada attract 20K ag producers from 5 states
- 125+ horse show event days
- 75+ trade show/sale event days
- 20+ motorsports events (indoor & outdoor)
- 80+ ag business & ag education events
- 150+ non-profit event days
- Won four years of World's largest rodeo - National High School Finals Rodeo (NHSFR) vs. venues nationwide –2020 (canceled), 2021, 2026, and 2027
- World's largest RV event: Family Motor Coach Association (FMCA) International RV Convention (postponed from 2020 to 2022) with 1,000-2,000 RVs

#### Annual Economic Impact

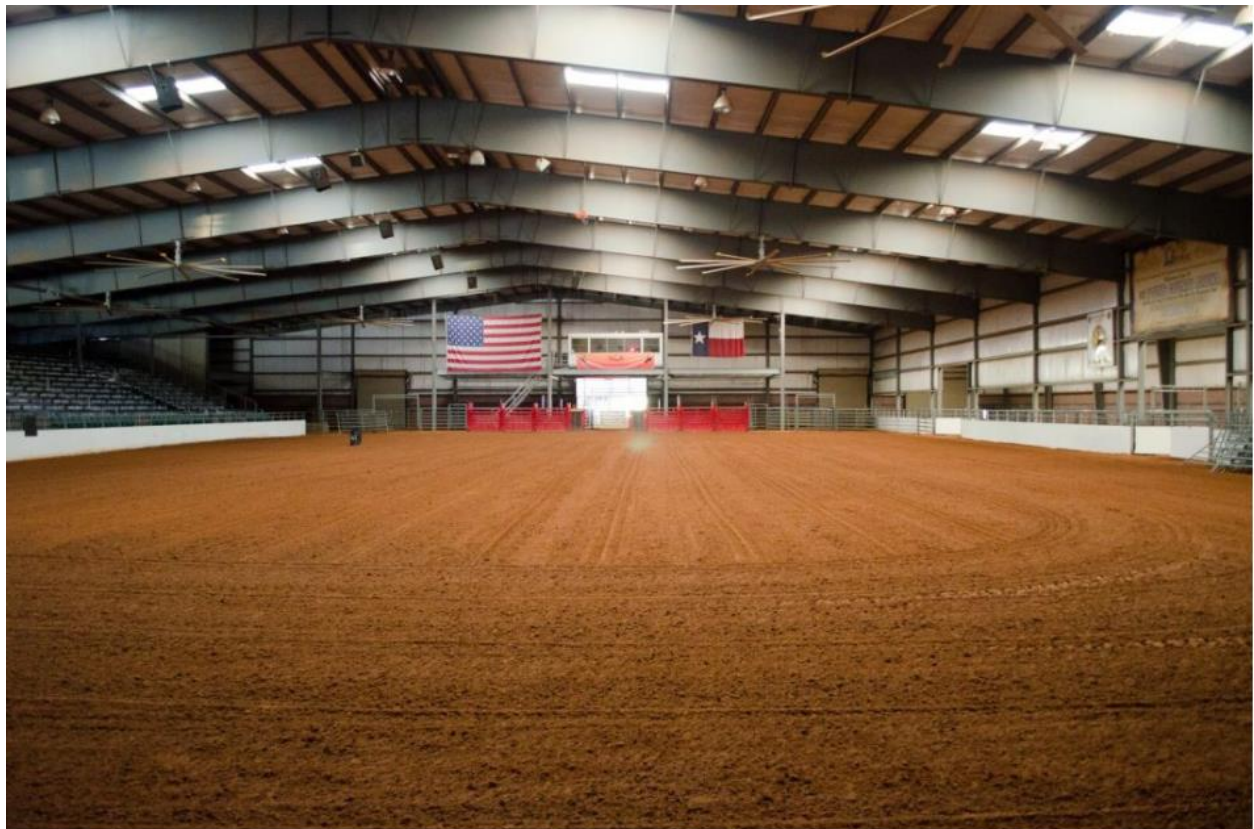
- Nebraska's 3<sup>rd</sup> largest out-of-state visitor attraction
- 67 percent of visitors at 120 regional/national events from outside of county/state
- Draws visitors from 40+ states annually
- \$50 -60 Million economic visitor impact per year for Lancaster County & Nebraska
- LEC's visitor spending adds 700 full-time equivalent jobs-majority off grounds
- 98 percent of 1,623 participant families from out of state at NHSFR (43 states, 5 Canadian provinces, Mexico, Australia & New Zealand)

## **Young County Arena**

Young County Arena, Graham, Texas Located in Graham, Texas, the Young county Arena is a multi-purpose event center that sits on 6.2 acres of land. It is co-operated by the city of Graham and Young County. The facility has two different arenas that host a variety of large events such as rodeos, bull riding competitions, barrel racing, team ropings, concerts, motocross, circuses, dog shows, livestock shows and more.

The Young County Arena was a community project. Construction began in 2000 and has progressed in phases. In 2004, the City of Graham contracted with Young County to manage the facility. The initial phase was the construction of the main covered arena. In 2006, the outdoor arena and stall area were added. The parking lot and landscaping beds were completed in 2007.

The indoor arena is a fully enclosed 250' x 150' venue with seating for 2,500 spectators. The arena offers six bucking chutes, a press box, a concession area, and heating for the winter and fans for the summer.



The outdoor Outback Arena is a covered 120' x 250' venue that offers seating for 250 spectators and a mobile concession stand. In addition to the arenas, the facility offers six large livestock pens, 60 RV parking spaces, 300, 12' x 12' stalls, a 5,000 square foot banquet room, and a 10,000 square foot foyer that is used for trade show vendor booths.

The largest segment of users are rodeo/action events, accounting for 56 percent of total events last year. The second largest segment is social events. A total of 139 events were hosted in 2023.



## **McGee Park**

McGee Park in Farmington, New Mexico consists of several different facilities operated by San Juan County. The facility contains a Convention Center, a Multi-Use Building with three classrooms, and 14,000 square feet of convention space that can be sectioned off for various uses.

The 49,500 square foot Convention Center has a 40' x 60' stage food service, and a seating capacity of 800 to 5,000 guests depending on the layout. The Convention Center rental includes tables and chairs, a distribution panel (two 400 amp, three-phase service), portable PA system, podium, patio area, stereo with radio tuner, cassette, and CD player. For other events and meetings, the facility also has a 5-room, 18,750 square foot multi-use building.

The 68,000 square foot Memorial Coliseum is one of only four indoor arenas in New Mexico and the second largest arena in the state with an area that measures 29,000 square feet. The facility has 5,137 grandstand seats, along with up to 3,000 seats on the arena floor, depending on the event. It also has an attached 130' x 30' pavilion, a 180' x 38' patio, and two concession stands. The Coliseum is a complete rodeo facility that contains a roping chute, holding and sorting pens, an announcers stand at both ends of the arena, remote lighting & restroom facilities. The building has a ceiling peak of 38 feet and can hold a 24' x 40' portable stage. The Memorial Coliseum hosts such equine events as rodeos, bull riding, barrel racing, cutting horse competitions, horse shows, horse sales, roping events, and livestock sales and shows.

Located adjacent to the Coliseum is the Indoor Riding arena that is used for events such as beef shows, clinics, and rodeos. The 128' x 220' arena has seating for 1,250, is equipped with a cooling and heating system, and an announcer stand. In addition to the two indoor arenas, McGee Park also has an Outdoor Arena. The arena is 100' x 200' and has seating for 1,250. Used in the spring and summer, the arena is used for events such as barrel races, ropings, and clinics. In addition to the arenas McGee Park has 100 permanent covered horse stalls along with more than 500 pony pens just outside the facility on the San Juan County Fairgrounds.

Within the Fairground complex are 574 on-site RV spaces with electricity and water and more than 200 dry RV spaces.

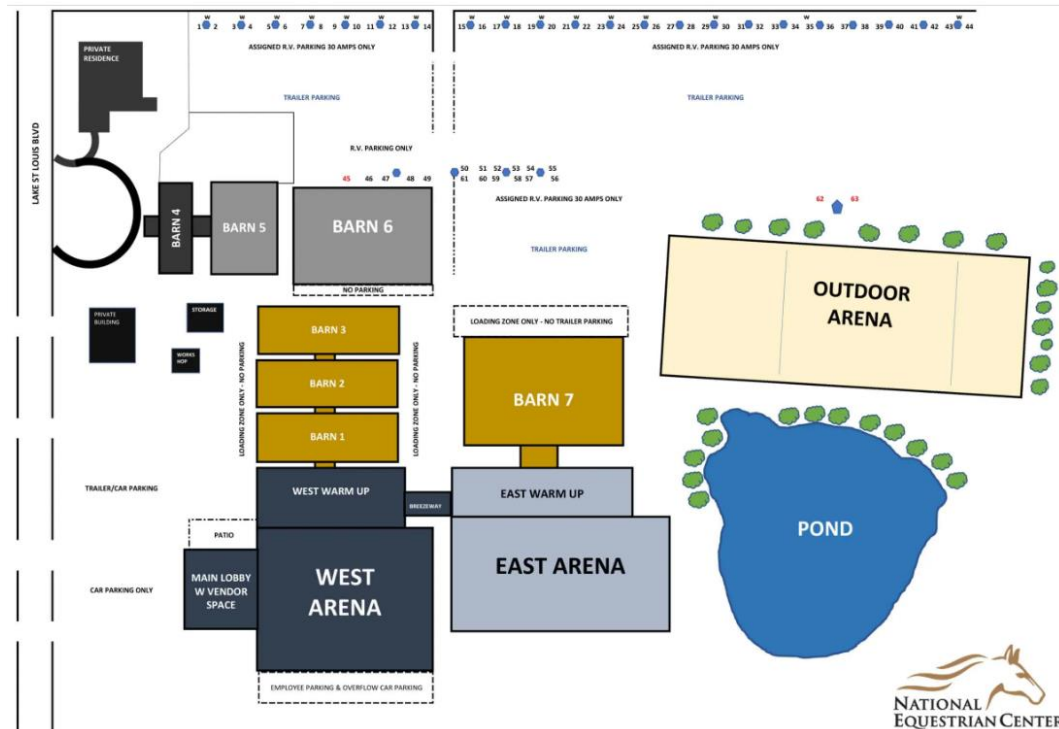
McGee Park has hosted to a variety of events including the following:

- Rocky Mountain Ramble RV Rally (a division of Family Motor Coach)
- National High School Finals Rodeo (World's Largest Rodeo)
- Jordan World Circus
- Four Corners Oil & Gas Conference
- Concerts by Clay Walker, George Strait, Toby Keith, Tracy Byrd and many more!
- Fraziers Carnival

According to their 2022 event calendar, the facility generated a total of 77 events and over 200 event days last year. Sixty-one (61 percent) of these events were rodeo/action activities, followed by the "other" category (21 percent), which primarily consists of public riding and practice sessions. Types of events hosted at Memorial Coliseum include rodeos, barrel racing, bull riding, livestock shows/sales, horse shows, dog shows, concerts, circuses, home and garden shows, wrestling matches, classic car shows, cage fights, and gymnastics.

## National Equestrian Center St. Louis

The West Arena is the National Equestrian Center's ("NEC") premier competition space with two indoor arenas, an outdoor arena, permanent VIP boxes, grandstand seating, and a banquet hall. A total of 27 major public equestrian events were hosted in 2023. Events hosted by the NEC include signature events, regional and national horse shows, rodeos, livestock competitions, community events, dog shows, and open rides.



The West Arena features a 120' x 240' arena floor and adjoining 100' x 200' warm-up. Both arenas offer equines the benefits of world-class GGT™ Fiber Footing installed over GGT™ Butterfly Mats. The climate-controlled indoor West Arena features grandstand seating for 1,500 and 26 VIP boxes for a total capacity of 2,250 spectators.

- 120' x 240' West Arena
- 100' x 200' West Warm Up
- World-Class GGT™ Fiber Footing
- 26 Permanent ringside VIP Boxes
- NEC's Canter Cafe & Grill
- Overlook Mezzanine Banquet Hall
- Grandstand seating up to 1,500
- Total Spectator Occupancy 2,250

NEC's East Arena offers a 140' x 225' competition space and an adjoining 65' x 80' warm-up. In 2019, NEC restored its cattle loading chute and installed semi-permanent holding and working pens just outside the East Warm-Up, making the delivery, use and departure of cattle more efficient. In 2020, NEC added shade-cover over the cattle holding pens to shelter livestock from full-sun conditions. The East Arena's south-side concourse now has increased grandstand seating for up to 350 people and provides more convenient access to the East Show Office as well as to

food and drink in NEC's Side Pass Standing Cafe. The wide packed-dirt concourse on the north-side is utilized for portable VIP booths, pop-up bars and catering, additional temporary seating, vendors, awards displays and more.

- 140' x 225' East Arena
- 65' x 80' East Warm Up
- Eureka HG Sugar Sand Footing
- Crow's Nest for Exclusive Guests
- NEC's Side-Pass Standing Cafe
- Grandstand seating up to 350
- Total Spectator Occupancy 700

The NEC's Outdoor Arena is 240' x 700' and can be sub-divided to meet the needs of specific events. Six double-gated entrances, each 12' wide, allow horses, equipment trailers, and motorized vehicles to enter and exit the arena easily. The NEC's portable PA system operates with wireless microphones and reaches dual zones for messaging into separate riding areas. The two-way radio system enables barn calls to air remotely into all stabling barns on the property. Several tail-gating spots are located along the Outdoor Arena's north and west sides, making for a festive, social environment for VIP guests and fundraising campaigns.

- 240' x 700' Outdoor Arena
- Divisible for Multiple Rings
- Blended All Weather Sand and Screenings Footing
- Multiple Tailgating Spots
- Open Pavilions with Table Seating
- Total Spectator Occupancy Variable

The NEC's Clinician's Arena is a 75' x 135' riding barn with six 10' x 10' permanent stalls. Fully enclosed with gate-access on all sides, it is ideal for small group instruction, demonstration rides, one-on-one private lessons, and other training/learning activities. Organizers can choose to add limited bleacher seating, schooling equipment, food and beverage service, and other equipment and services to meet the needs of the event.

- 75' x 135' Clinician's Arena
- (6) 10' x 10 Stalls
- River-Sand Footing
- LED Lighting
- Multiple entrance and egress gates
- Total Spectator Occupancy 30-40

The three stabling barns are joined under continuous roof and connect directly to NEC's West Arena. Each barn features 80 stalls in a climate-controlled environment with overhead heating units and ventilation fans; no-slip packed dirt floors; multiple wash racks with free-standing hand washing stations, nearby permanent restroom, and shower facilities. Accommodating a total of 240 stalls, these barns contain permanent 10'x10' stalls with rubber mat and/or limestone chat floors, electrical outlets at each stall, and sliding door fronts.

NEC offers 63 RV spaces with electrical and water hookups, with scheduled dump services available upon request.

## **Andrews County Expo Center**

The Andrews County Expo Center in Andrews, Texas was built with county funds consisting of a main arena, warm-up arena, stall barn, and RV hookups.

The main ACE Arena is a 150' x 300' climate-controlled venue with 1,800 seats, six bucking chutes, scoreboard, announcer stand, PA system, concessions, and an adjacent 160' x 120' enclosed warm-up arena. The footing in the indoor arena is sandy loam and can be hardened to do circuses and weddings, though 80 percent of their estimated annual 52 events consist of rodeos, roping and barrel racings. Other hosted events include concerts, motocross, church events, and youth events.



Other on-site amenities include 57 RV spaces and 195 indoor stalls in a barn.

## **Conclusions**

The table on the following page summarizes the amenities available for the ten comparable equestrian and multi-purpose arenas as well as the number of annual events hosted.

The new American Royal Food and Agriculture Epicenter will feature two indoor arenas, an outdoor arena, 1,540 stalls, and 1,050 RV spaces. The main indoor arena includes a 130' x 260' arena floor and seating for 1,500 spectators. The outdoor arena will feature a 150' x 350' arena floor and seating for 300 spectators.

The new American Royal Food and Agriculture Epicenter will feature two indoor arenas with permanent seating for 3,500 and 5,000 spectators, an outdoor arena with 3,500 permanent seats. All the surveyed facilities include an indoor arena with seating capacity ranges from 350 to 5,000, averaging 2,918 seats. The proposed arena's seating capacity falls comfortably within the range of the surveyed arenas with the most comparable arenas including the 5,000-seat Tri State Expo, 5,000-seat Lancaster Event Center, and 2,500-seat Young County Arena.

The new American Royal Food and Agriculture Epicenter is designed with 1,540 stalls. The ten surveyed multi-purpose arenas maintain 100 to 945 stalls, averaging 342 stalls. The proposed arena's inventory of stalls falls significantly exceeds that of the surveyed arenas largely because the three planned arenas need the capacity should multiple events occur simultaneously. The large inventory of stalls affords the new American Royal a significant competitive advantage when bidding for large-scale events.

The new American Royal Food and Agriculture Epicenter is designed with 1,250 RV spaces, including 50 spaces in Phase 1 and 1,200 spaces in Phase 2. All but two of the surveyed multi-purpose arenas maintain on-site RV spaces ranging from 50 to 574 stalls, averaging 159 stalls. The large inventory of RV spaces affords the new American Royal a significant competitive advantage when hosting large-scale events.

The ten surveyed multi-purpose arenas host 27 to 320 annual events, averaging 109 events. The usage of the comparable multi-purpose arenas bodes well for the potential of the new American Royal Food and Agriculture Epicenter to host a suitable number of annual events and event days to support feasible development and operation.

To conclude, when compared to the ten surveyed comparable arena venues, the design for the new American Royal Food and Agriculture Epicenter affords the necessary location, features, and amenities to be competitive and attract promoters, sponsors, events, and fans.

Of the surveyed multi-purpose arenas, the Lancaster Event Center in Lincoln, Nebraska is the most comparable in terms of property amenities, including a 5,000-seat multi-purpose arena, four pavilions, and exhibit space. The facility hosts 320 events annually, including 200 local events and 120 regional/national/international. This bodes well for the new American Royal Food and Agriculture Epicenter to host regional, national, and international events.

## Comparable Equestrian and Multi-Purpose Arenas

| Facility                           | Location        | Year Opened | Indoor Arena | Climate | Permanent Seating | Additional Arena     | # of Stalls | RV Spaces | Annual Events |
|------------------------------------|-----------------|-------------|--------------|---------|-------------------|----------------------|-------------|-----------|---------------|
|                                    |                 |             |              |         |                   |                      |             |           |               |
| American Royal                     | Kansas City, KS | Planned     | (2) Indoor   | HVAC    | 3,500-5,000       | (1) Outdoor          | 1,540       | 1,050     |               |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| Tri State Expo                     | Amarillo, TX    |             | 150' x 300'  | HVAC    | 5,000             | 170' x 274' Indoor   | 428         |           | 58            |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| Stephans County Fair & Expo        | Duncan, OK      |             | 130'x250'    | HVAC    | 1,100             | 66'x125' Indoor      | 215         |           | 81            |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| The Ranch Events Complex           | Loveland, CO    | 2003        | 150'x300'    | HVAC    | 1,000             | (2) 120'x240' Indoor | 360         | 50        | 71            |
| Indoor Arena & Livestock Pavilions |                 |             |              |         |                   |                      |             |           |               |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| Midland County Horseshoe Arena     | Midland, TX     | 2006        | 125'x280'    | HVAC    | 2,000             | 110'x280' Indoor     | 351         | 75        | 149           |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| Mallet Event Center & Arena        | Levelland, TX   | 2012        | 150'x300'    | HVAC    | 1,933             | 100'x150' Indoor     | 288         | 84        | 119           |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| Lancaster Event Center             | Lincoln, NE     |             | 110'x215'    |         | 5,000             | (2) 70'x200 Indoor   | 945         | 312       | 320           |
|                                    |                 |             |              |         |                   | (1) 115'x220' Indoor |             |           |               |
|                                    |                 |             |              |         |                   | (1) 125'x300' Indoor |             |           |               |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| Young County Arena                 | Graham, TX      | 2004/06     | 150'x250'    | Heat    | 2,500             | 120'x250' Outdoor    | 300         | 60        | 139           |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| McGee Park                         | Farmington, NM  | 2006        | 128'x220'    | HVAC    | 1,250             | 100'x200' Outdoor    | 100         | 574       | 77            |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| National Equestrian Center         | St. Louis, MO   |             | 120'x240'    | HVAC    | 2,250             | 240'x700' Outdoor    | 240         | 63        | 27            |
|                                    |                 |             | 140'x240'    | HVAC    | 350               |                      |             |           |               |
|                                    |                 |             |              |         |                   |                      |             |           |               |
| Andrews County Expo Center         | Andrews, TX     | 2006        | 150'x300'    | HVAC    | 1,800             | 120'x160' Outdoor    | 195         | 57        | 52            |

Source: Canyon Research Southwest.



## **Village West Hotel and Conference Market**

The new America Royal's Education Center will be approximately 80,000 square feet and will feature a 30,000 square foot to 35,000 square foot event hall, nine classrooms, auditorium, demonstration space, and broadcast studio. The event hall and auditorium will be available for rent to host such events as corporate and executive meetings. This section of the study inventories hotels in Village West that operate meeting and banquet space to gauge the level of competition in the immediate area. The convenient availability of hotel rooms will also assist in supporting major events hosted by the new American Royal Food and Agriculture Epicenter.

Village West attracts over 12 million annual visitors and the principal attractions (i.e., Kansas Speedway, Hollywood Casino, Children's Mercy Park, Nebraska Furniture Mart, etc.) supporting expanded geographic trade area and large out of town visitation and lodging demand. Therefore, Village West supports a large concentration of hotel properties offering a wide range product types and lodging demand segments. Most of the existing hotels were built over 15 years ago with Homewood Suites the newest hotel built in 2018.

Ten hotel properties totaling 1,107 guest rooms now operate within Village West (see table on the following page). A wide range of hotel products and price ranges are available within Village West including limited-service, all-suites, and boutique hotels.

Limited-service properties operating within Village West include Hampton Inn (built in 2003), Holiday Inn Express (built in 2005), and Best Western Premier (built in 2011). Property amenities include an indoor pool, business center, fitness center, and small meeting space. These properties total 254 guest rooms offering current daily rooms rates of \$92 to \$157.

All-suite hotel properties operating within the Village West submarket include Candlewood Suites, Comfort Suites, Country Inn & Suites, Homewood Suites, and Residence Inn by Marriott. Totalling 511 guest rooms, these all-suite properties reported current daily room rates ranging from \$81 to \$413. Common property amenities among these hotel properties include an indoor pool, fitness center, business center, and meeting space.

The 61-room Chateau Avalon opened in 2004 is an upscale boutique hotel operating a full-service spa with current daily room rates of \$140 to \$389. The 281-room Great Wolf Lodge was built in 2003 whose principal attraction is an indoor waterpark. Additional properties amenities include four indoor pools, four restaurants, two lounges/bars, spa, and 4,450 square feet of meeting space. Daily room rates currently range from \$149 to \$299 for 448 to 836 square foot suites.

No full-service hotels currently operate at Village West.

Eight of the Village West hotels offer meeting space, most consisting of one small meeting room. Meeting space ranges from 224 to 4,450 square feet with seating capacities of six to 210 people. Only the Great Wolf Lodge has meeting space and on-site food service, with three meeting rooms totaling 4,450 square feet of space and a seating capacity of 50 to 210 people. The Chateau Avalon can accommodate events for up to 22 people. Therefore, none of the existing Village West hotels will serve as direct competition for the meeting space planned for the new American Royal. The American Royal can partner with Village West hotels to host smaller breakout meetings.

## Village West Hotel Properties

| Hotel Property                     | Year Built | # of Rooms   | Daily Rate  | Pool   | Business Center | Fitness Center | Bar/ Lounge | Restaurant | Meeting Space | Seating Capacity |
|------------------------------------|------------|--------------|-------------|--------|-----------------|----------------|-------------|------------|---------------|------------------|
| <b>Boutique Properties</b>         |            |              |             |        |                 |                |             |            |               |                  |
| Chateau Avalon                     | 2004       | 61           | \$140-\$389 |        | X               | X              | X           |            | 240 SF        | 22               |
| Great Wolf Lodge                   | 2003       | 281          | \$149-\$299 | Indoor | X               | X              | X           | X          | 4,450 SF      | 50 to 120        |
| <b>All-Suite Properties</b>        |            |              |             |        |                 |                |             |            |               |                  |
| Candlewood Suites                  | 2007       | 95           | \$91-\$104  |        | X               | X              |             |            | None          |                  |
| Comfort Suites                     | 2007       | 84           | \$83-\$105  | Indoor | X               | X              |             |            | 224 SF        | 6 to 24          |
| County Inn & Suites                | 2008       | 116          | \$81-\$106  | Indoor | X               | X              |             |            | 1 Room        | 40               |
| Homewood Suites by Hilton          | 2018       | 108          | \$182-\$195 | Indoor | X               | X              |             |            | 720 SF        |                  |
| Residence Inn by Marriott          | 2016       | 108          | \$214-\$413 | Indoor | X               | X              |             |            | 566 SF        | 40               |
| <b>Limited-Services Properties</b> |            |              |             |        |                 |                |             |            |               |                  |
| Best Western Premier               | 2011       | 82           | \$92-\$139  | Indoor | X               | X              | X           |            | 1 Room        |                  |
| Hampton Inn by Hilton              | 2003       | 76           | \$101-\$157 | Indoor | X               | X              |             |            | None          |                  |
| Holiday Inn Express                | 2005       | 96           | \$99-\$113  | Indoor | X               | X              |             |            | 1 Room        |                  |
| <b>Total Guest Room</b>            |            | <b>1,107</b> |             |        |                 |                |             |            |               |                  |

Source: Canyon Research Southwest, Inc.; January 2024.

Since 2016, two hotel properties totaling 216 guest rooms have opened at Village West, including Residence Inn by Marriott and Homewood Suites by Hilton. As the hotel market absorbed these new additions to supply the overall room demand, ADR, RevPAR, and revenue levels improved while occupancies suffered a slight decline.

The COVID 19 pandemic hit the local and national hospitality markets hard marked by declining demand, occupancies, and revenues. The Village West hotel market is no different with operating performance in 2020 down significantly over 2019 levels. Recent operating trends suggest that the Village West hotel market has rebounded, posting steady gains in room demand, occupancy, ADR, RevPAR, and total revenue.

Despite the recent interruption in the lodging business, the fundamentals of the Village West hotel market remain strong supported by an Interstate 70 location host of destination shopping, dining, sports, and entertainment attractions that draw over 12 million annual visitors.

Two hotels are currently under construction within the Homefield project at Village East, including an 87-room Fairfield Inn by Marriott and 230-room Margaritaville resort hotel. Named after Jimmy Buffet's song of the same name, the hotel will include a "Land Shark" restaurant and an indoor pool with a rock-climbing wall and a ninja course. Margaritaville has resorts at popular destinations like Lake of the Ozarks, Nashville, Palm Springs, and the Bahamas.

# ASSESSMENT OF POTENTIAL MARKETS

The *Assessment of Potential Markets* examines the proposed new American Royal Food and Agriculture Epicenter's potential sources of visitation and defines market area socioeconomic characteristics such as population and household growth trends, household types, age composition, household incomes, and educational attainment.

## **Socio-Economic Characteristics**

During 2022, the existing American Royal venue hosted 22 livestock, equine, and pet events yielding 86 event days and total attendance of 207,863 people. These events accounted for over 53 percent of American Royal's attendance. Entertainment and food events accounted for 15 events, 37 event days, and attendance of 100,734 people. The new American Royal venue will also host sporting events. The socio-economic characteristics of these primary attendance groups are provided in the text to follow.

### **Rodeo Fans**

The Professional Rodeo Cowboys Association ("PRCA") estimates the United States fan base at 43 million people, of which 6.3 million annually attend a PRCA rodeo event. The socio-economic profile of the PRCA rodeo attendee fan base includes:

Gender: 49% male and 51% female

Age: 30% are ages 18 to 34 years, 53% are ages 25 to 54 years, and 44% 50 years and older

Marital Status: 58% are married and 47% have children at home

Education: 57% have some college and 26% are college graduates

Household Income: 51% earn \$50,000+, 34% earn \$75,000+, and 20% earn \$100,000+

Homeownership: 70% own their home

Pro rodeo fans come from all walks of life, but as a group, they are demographically like NASCAR fans, and are likely to enjoy hunting, fishing, camping, country music, and professional sports.

### **Entertainment Fans**

MusicWatch, Inc., surveyed over 1,000 18 to 49 year-olds in North America who have attended at least one music festival in the past 12 months. Based on music festival demographics, their average age is 32, and they are more likely to be male (59%) than female (41%). They are affluent, earning more than \$75,000 a year, and their favorite genres are alternative, modern rock, classic rock, and pop.

### **Sports Fans**

Sports fans are individuals who are interested in and follow a sport, team, and/or athlete. Sport spectators are those individuals who actively witness a sporting event in person or through some form of media. Overall, sports fans are more likely to be male (60% male and 40% female), two-

thirds are college educated, are between the ages of 18 and 49 years, and earn over \$75k annually. The percentage of avid sports fans by age include 18 to 34 years (36%), 35 to 44 years (47%), 45 to 64 years (37%), and 65+ years (17%).

Seventy percent of Americans say they are sports fans, according to a new national survey of more than 3,200 United States residents released in February 2023 by the Siena College Research Institute and St. Bonaventure University's Jandoli School of Communication. Twenty-one percent of Americans are "Avid" fans who watch sports, sports news, talk about sports, check scores and in many cases play fantasy sports almost every single day, while another 26 percent of "Involved" fans engage with sports at least several times weekly.

## **Market Area Demographics**

The new American Royal Food and Agriculture Epicenter is capable of hosting rodeos, equestrian events, agricultural events, consumer and trade shows, education programs, sporting events, entertainment events, and food events.

According to the Professional Rodeo Cowboys Association, 18 percent of rodeo fans have driven 250 to 499 miles to attend a rodeo event. Attendance for the existing American Royal originates from 46 states and 14 countries. The Market Area for the new American Royal Food and Agriculture Epicenter will depend on the event type (i.e., rodeo, agricultural event, entertainment event etc.) and size (i.e., local, regional, or national event).

A market area's demographic factors play a significant role in the travel industry in terms of frequency of travel and expenditures. This section of the report examines demographic factors impacting the new American Royal Food and Agriculture Epicenter, including population and household growth trends, age distribution, educational attainment, and household income. Demographic data was provided by Esri Business Analyst, a national demographic research firm. Quantifying these demographic characteristics will assist in estimating the impact the surrounding population will have on attendance at the new American Royal Food and Agriculture Epicenter.

This analysis defined the primary market area as a 100-mile radius for a local event and 500-mile radius for regional events. National events can draw participants and spectators from throughout the county, with some larger rodeo events drawing from thousands of miles. The new American Royal Food and Agriculture Epicenter's market areas are illustrated in the map on the following page with demographic trends depicted in the table on page 55.

The 100-mile radius market area includes the metropolitan areas of Kansas City and Topeka. Metropolitan areas within a 250-mile radius include St. Louis, Wichita, Omaha, and Des Moines. The 500-mile market area includes the metropolitan areas of Chicago, Milwaukee, Minneapolis, Indianapolis, Louisville, Nashville, Memphis, Tulsa, Oklahoma City, and Dallas.

## New American Royal Market Areas



The demographic factors are favorable for daytrip visitation to the Kansas City MSA by residents residing within a 100-mile radius from the new American Royal site. The local market area within a 100-mile radius from the new American Royal site supports a population of 3.2 million residents. The population has increased from 3.0 million residents in 2010. By gender, males account for 49.8 percent of the population with females totaling 50.2 percent. Residents ages 15 to 34 years account for 26.5 percent, those 35 to 44 years representing 13.2 percent, and residents 45 to 64 years accounting for 24.2 percent. The educational attainment of adults 25+ years of age equals 45.9 percent are college graduates. The \$98,329 income for the 100-mile radius population is \$60,596, with 47.5 percent earning \$75,000 or more annually and 33.4 percent earning \$100,000 or more annually. The high income and educational attainment levels increase the frequency of travel and expenditures, as well as attendance at sports and entertainment events.

The population located within a 250-mile radius from the new American Royal site is currently 14.4 million. Since 2010, the population has increased by 6.7 percent. The population within a 250-mile radius provides a for a large potential market for weekend and overnight trips to the Kansas City MSA. By gender, males account for 49.6 percent of the population with females



totaling 50.4 percent. Residents ages 15 to 34 years account for 26.4 percent, those 35 to 44 years representing 12.9 percent, and residents 45 to 64 years accounting for 24.1 percent. The educational attainment of adults 25+ years of age equals 43.6 percent are college graduates. The household income for the 250-mile radius population is \$93,837, with 44.4 percent earning \$75,000 or more annually and 30.7 percent earning \$100,000 or more annually. The high income and educational attainment levels increase the frequency of travel and expenditures, as well as attendance at sports and entertainment events.

The current population within a 500-mile radius of 67.8 million residents represents a growth rate of 6.7 percent since 2010. By gender, within the regional market area males account for 49.5 percent of the population with females totaling 50.5 percent. Residents ages 15 to 34 years account for 26.5 percent, those 35 to 44 years representing 13.2 percent, and residents 45 to 64 years accounting for 24.3 percent. The educational attainment of adults 25+ years of age equals 44.1 percent are college graduates. The household income for the 500-mile radius population is \$98,338, with 46.1 percent earning \$75,000 or more annually and 32.8 percent earning \$100,000 or more annually. The high income and educational attainment levels increase the frequency of travel and expenditures, as well as attendance at sports and entertainment events.

To conclude, the Kansas City MSA and new American Royal site benefit from a central location within the Midwest which provides convenient access to a large and growing population. When compared to the demographic characteristics of rodeo, sports, and music fans, the 100-mile and 500-mile radius market areas represent a strong market for rodeo, equestrian, agricultural, sports, and music events. Favorable demographic characteristics include large population bases, large populations of residents ages 18 to 44 years, high rate of educational attainment, and high rates middle- and high-income households.

## Market Area Demographic Trends

| Demographic Characteristic                                   | 100-Mile Radius  | 250-Mile Radius  | 500-Mile Radius   |
|--------------------------------------------------------------|------------------|------------------|-------------------|
| <b>Population</b>                                            |                  |                  |                   |
| 2010 Census                                                  | 2,998,454        | 13,492,810       | 63,520,199        |
| 2020 Census                                                  | 3,175,644        | 14,193,318       | 66,847,164        |
| 2023 Estimate                                                | 3,219,914        | 14,398,342       | 67,794,678        |
| 2028 Forecast                                                | 3,250,121        | 14,557,311       | 68,731,742        |
| <b>Households by Type (2023)</b>                             |                  |                  |                   |
| Total Households                                             | 1,286,947        | 5,734,478        | 26,686,665        |
| Family Households                                            | 62.8%            | 63.4%            | 64.0%             |
| Married Couple Family                                        | 46.7%            | 47.7%            | 46.7%             |
| With Own Children                                            | 18.2%            | 18.2%            | 18.0%             |
| Nonfamily Households                                         | 7.0%             | 6.9%             | 6.8%              |
| Householder Living Alone                                     | 29.4%            | 29.2%            | 28.8%             |
| All Households with Children                                 | 27.2%            | 26.9%            | 27.2%             |
| <b>Distribution of Population by Age (2023)</b>              |                  |                  |                   |
| 0-14 Years                                                   | 18.8%            | 18.6%            | 18.6%             |
| 15-24 Years                                                  | 13.1%            | 13.1%            | 12.9%             |
| 25-34 Years                                                  | 13.4%            | 13.3%            | 13.6%             |
| 35-44 Years                                                  | 13.2%            | 12.9%            | 13.2%             |
| 45-64 Years                                                  | 24.2%            | 24.1%            | 24.3%             |
| 65+ Years                                                    | 17.4%            | 18.2%            | 17.3%             |
| <b>Distribution in Household Income (2023)</b>               | <b>1,286,845</b> | <b>5,734,330</b> | <b>26,686,037</b> |
| Less than \$15,000                                           | 8.5%             | 9.2%             | 9.4%              |
| \$15,000 - \$24,999                                          | 6.9%             | 7.6%             | 7.4%              |
| \$25,000 - \$34,999                                          | 7.8%             | 8.3%             | 8.0%              |
| \$35,000 - \$49,999                                          | 11.8%            | 12.4%            | 11.7%             |
| \$50,000 - \$74,999                                          | 17.7%            | 18.1%            | 17.5%             |
| \$75,000 - \$99,999                                          | 14.1%            | 13.7%            | 13.3%             |
| \$100,000 - \$149,999                                        | 17.2%            | 16.2%            | 16.7%             |
| \$150,000 - \$199,999                                        | 8.4%             | 7.4%             | 7.8%              |
| \$200,000+                                                   | 7.8%             | 7.1%             | 8.3%              |
| Average Household Income                                     | \$98,329         | \$93,837         | \$98,338          |
| <b>Educational Attainment for Residents 25+ Years (2023)</b> |                  |                  |                   |
| Total Population 25+                                         | 2,194,645        | 9,844,880        | 46,424,745        |
| Less than 9th Grade                                          | 2.1%             | 2.6%             | 3.4%              |
| 9th - 12th Grade, No Diploma                                 | 4.3%             | 4.9%             | 5.3%              |
| High School Graduate                                         | 24.3%            | 25.0%            | 24.2%             |
| GED/Alternative Credential                                   | 3.9%             | 4.4%             | 4.4%              |
| Some College, No Degree                                      | 19.4%            | 19.5%            | 18.7%             |
| Associate Degree                                             | 8.6%             | 9.8%             | 9.8%              |
| Bachelor's Degree                                            | 23.4%            | 21.7%            | 22.0%             |
| Graduate/Professional Degree                                 | 13.9%            | 12.1%            | 12.3%             |

Source: Esri Business Analyst and U.S. Census.

## **Potential Sources of Visitors/Customers**

The potential sources of visitors and customers to the new American Royal Food and Agriculture Epicenter are influenced by a variety of factors, including:

- The Kansas tourism industry supports a regional trade area.
- The Kansas City MSA supports a wide variety of attractions that draw visitors to the region.
- The existing American Royal is an established entertainment and food destination.
- The American Royal site's mix of attractions and events will create a visitor destination and heighten visitor volumes.
- Property location near the interchange of Interstates 70 and 435.
- Site accessibility and travel times to major markets.
- The country's large rodeo fan base and rodeo associations that sponsor rodeo events.

Given the new American Royal Food and Agriculture Epicenter site's location off Interstate 70, facility programming, and proximity to Village West, the project will serve as a destination attraction. Potential sources of visitation include: 1) area residents, 2) out-of-town visitors, and 3) regional market.

### **Resident Market**

The new American Royal Food and Agriculture Epicenter's social and business events, consumer and trade shows, education programs, and entertainment and food events are expected to draw residents residing within a 100-mile radius.

According to Esri Business Analyst, demographic characteristics of the population within a 100-mile radius includes 3.2 million residents, of which 26.5 percent are ages 15 to 34 years, 13.2 percent are 35 to 44 years of age, and 24.2 percent are 45 to 64 years of age. The educational attainment of adults 25+ years of age equals 45.9 percent are college graduates. The average household is \$98,329, with 47.5 percent earning \$75,000 or more annually and 33.4 percent earning \$100,000 or more annually. These 100-mile radius demographics provide for a large potential market from which the new American Royal Food and Agriculture Epicenter can draw.

### **Tourist Market**

The new American Royal Food and Agriculture Epicenter site is located within the Kansas City MSA. According to a recent study published by VisitKC, the Kansas City MSA hosts 24.5 million visitors annually, generating an economic impact of \$5.3 billion. The place of origination by day trippers is led by Kansas City (35%), St. Louis (11%), Springfield, MO (10%), St. Joseph, MO (7%), and Topeka, KS (7%). Overnight visitors originate from Kansas City (9%), St. Louis (8%), Wichita (7%), Columbia/Jefferson City (6%), and Omaha (5%).

The new American Royal Food and Agriculture Epicenter site has the potential to serve as a major tourism destination for the Kansas City MSA, generating visitation and visitor expenditures. The site benefits from the vehicular traffic on Interstate 70 and proximity to Village West, Kansas' largest tourism destination attracting 12 million annual visitors.

## **Regional Market**

The new American Royal Food and Agriculture Epicenter will be a premier rodeo, equestrian, entertainment, and educational venue with the potential to host major events and draw from a regional and national market area. In 2020, the Travel Industry Association of America estimated that sports travel made up 8 percent of the total domestic travel market in the same year, resulting in 190 million domestic trips. Rodeo has 43 million fans nationwide, providing a large potential market to draw fan attendance. From February through December, 50 rodeo events are held in Kansas. The Professional Rodeo Cowboy Association (“PRCA”) has 4,727 members and sanctions more than 600 rodeos per year while the KPRA has over 500 members and sanctions 40+ rodeos per year, providing the new American Royal Food and Agriculture Epicenter with a source for hosting rodeo events, participants, and spectators.

According to Travel Leaders Group, 39.5 percent of people travel within their home state while 33.1 percent travel to a border state. Kansas supports a regional visitor market with the largest sources of overnight visitors residing in the surrounding states of Missouri, Nebraska, Iowa, and Oklahoma. A 500-mile radius from the Kansas City MSA includes such metropolitan markets as St. Louis, Wichita, Topeka, Omaha, Denver, Des Moines, Chicago, Milwaukee, Minneapolis, Indianapolis, Louisville, Nashville, Memphis, Tulsa, Oklahoma City, and Dallas. According to Esri Business Analyst, 67.8 million people reside within a 500-mile radius of the new American Royal Food and Agriculture Epicenter site, providing for a large potential regional market.

## **Conclusions**

The Kansas City MSA supports a sizable tourism market supported by a wide range of cultural, family, and sports attractions. The Kansas City MSA hosts 24.5 million visitors annually, generating an economic impact of \$5.3 billion. The new American Royal Food and Agriculture Epicenter is designed to be a premier rodeo, equestrian, entertainment, and educational venue with the potential to host major events and draw from a regional and national market area.

Given the new American Royal Food and Agriculture Epicenter site’s location off Interstate 70, facility programming, and proximity to Village West, the project will serve as a destination attraction. Potential sources of visitation include: 1) area residents, 2) out-of-town visitors, and 3) regional market.

When compared to the demographic characteristics of rodeo, sports, and music fans, the 100-mile and 500-mile radius market areas represent a strong market for rodeo, equestrian, agricultural, sporting, and live music events. Favorable demographic characteristics include large population bases, large populations of residents ages 18 to 44 years, high rate of educational attainment, and high rates middle- and high-income households.

The local market includes the geographic area within a 100-mile radius from which supports a population of 3.2 million residents and the population demographics provide a large market for social and business events, consumer and trade shows, education programs, and entertainment and food events.

The Kansas City MSA hosts 24.5 million visitors annually providing a large potential market for entertainment food events. The regional market includes the country's 43 million rodeo fans and a population of 14.4 million people.

An estimated 67.8 million people reside within a 500-mile radius of the new American Royal Food and Agriculture Epicenter site, providing for a large potential regional market.

To conclude, the existing American Royal is a well-established rodeo, equestrian, agricultural, food, and educational venue that has attracted a growing number of events and attendance in recent years. The new American Royal Food and Agriculture Epicenter's designed attractions and facility programming will expand the event calendar, attendance, and regional draw. Its proximity to Village West, Kansas' largest tourism destination attracting 12 million visitors annually, increases the exposure of new American Royal Food and Agriculture Epicenter and provide the opportunity to capture area residents, out-of-town visitors, and a regional market.

# **SITE EVALUATION**

The Site Evaluation section determined the suitability of the new American Royal Food and Agriculture Epicenter site in Kansas City, Kansas to accommodate development of the three proposed multi-purpose arenas.

## **Multi-Purpose Arena**

The initial phase of the new American Royal Food and Agriculture Epicenter will feature two indoor arenas with permanent seating of 3,500 seats and 5,000 seats and a 3,500-seat outdoor arena.

Rodeo requires a large multi-purpose venue with open space, lots of seating and outbuildings to accommodate large animals in a manner consistent with animal welfare rules. For the NHSRA's events, organizers look for several factors. Two important venue requirements are enough camping spots and horse stalls.

The site characteristics were evaluated to determine the potential of the new American Royal Food and Agriculture Epicenter site. Factors include:

1. Site Size and Configuration
2. Site Access and Visibility
3. Available Infrastructure
4. Market Area Demographics
5. Lodging Accommodations
6. Inventory of Horse Stalls

### **Site Size and Configuration**

The property possesses the size and configuration to accommodate development of the three planned indoor and outdoor arenas at the new American Royal Food and Agriculture Epicenter site as well as the associated 1,540-stall barn, 79,400 square foot Education Center, 148,500 square feet of outdoor learning space, and 1,050 RV spaces.

### **Site Access and Visibility**

Convenient vehicular access and visibility are paramount to the project's success. The proposed Multi-Purpose Arena and Equestrian Center property is located near the intersection of Interstates 70 and 435 with direct access to Interstate 70 via the 110<sup>th</sup> Street interchange, providing suitable site access and visibility.

According to the Kansas Department of Transportation, average daily traffic counts in 2021 on Interstate 70 at the 110<sup>th</sup> Street interchange totaled 56,700 vehicles. On State Avenue adjacent to the American Royal site average daily traffic counts total 10,795 vehicles. These high traffic counts provide a captive audience for the planned arenas, hotels, restaurants, and retail shops.



## **Available Infrastructure**

The property possesses the infrastructure needed to facilitate development of the new American Royal Food and Agriculture Epicenter site. Off-site improvements include four lanes of traffic, curbing, and streetlights on State Avenue and four lanes of traffic on 118<sup>th</sup> Street. A traffic signal controls the intersection of 118<sup>th</sup> Street and State Avenue. All utilities are to the site.

## **Market Area Demographics**

The new American Royal Food and Agriculture Epicenter is capable of hosting rodeos, equestrian events, agricultural events, consumer and trade shows, sporting events, entertainment events, and food events. Market area demographics directly impact fan participation in such events as rodeos, equestrian activities, entertainment, and sports.

The demographic characteristics within the 100-mile and 500-mile radius from the new American Royal Food and Agriculture Epicenter site represent a strong market for rodeo, equestrian, agricultural, entertainment, and sporting events. Favorable demographic characteristics include large population bases, high percent of married couples with children, large populations of residents ages 25 to 54 years, high rate of educational attainment, and high rates middle- and high-income households.

## **Lodging Accommodations**

The new American Royal Food and Agriculture Epicenter will attract out-of-town visitors. Therefore, lodging will be needed to accommodate visitors to the project.

Ten hotel properties totaling 1,107 guest rooms operate within Village West including limited-service, all-suites, and boutique hotels.

The two mixed-use developments immediately adjacent to the new American Royal Food and Agriculture Epicenter site are designed for three full-service hotels totaling 500 guest rooms.

## **Inventory of Horse Stalls**

The Project Plan for the new American Royal Food and Agriculture Epicenter site calls for a total of 1,540 stalls which are sufficient to support multiple events held simultaneously at the three arenas.

## **Conclusions**

The new American Royal Food and Agriculture Epicenter site at 118<sup>th</sup> Street and State Avenue possesses the necessary size, configuration, access, visibility, infrastructure, market area demographics, availability of lodging, and planned inventory of horse stalls to accommodate feasible development and continued operation of the three arenas planned for the new American Royal Food and Agriculture Epicenter.

# MARKET IMPACT STUDY

The *Market Impact Study* examined the impact the new American Royal Food and Agriculture Epicenter will have on the local economy and tourism industry. Specific issues examined include:

1. Project positioning and unique quality.
2. Project's synergy with area attractions.
3. Expected draw of tourists from out-of-state and from more than 100 miles away.
4. Estimate the project's retail sales at build-out.
5. Impact on comparable market area businesses.
6. Impact on active STAR bond projects in the Kansas City area.

## **Project Positioning and Unique Quality**

The Village East and Village West Districts serve as a regional visitor destination anchored by such attractions as the Kansas Speedway, two sports stadiums, state-of-the-art multi-sport athletic training complex, Nebraska Furniture Mart, Cabela's, Great Wolfe Lodge, and Hollywood Casino. The addition of the new American Royal Food and Agriculture Epicenter will complement these existing attractions and elevate the status of Village East and Village West Districts as Kansas' most visited tourism destination.

The mission of the new American Royal Food and Agriculture Epicenter is to be the nation's leader for food and agriculture education, events, and engagement. The vision is a world where food and agriculture are celebrated, and all generations are committed to its future. The purpose of American Royal is to champion food and agriculture.

The American Royal Board of Directors identified that a pivotal moment and a tremendous opportunity exists to build a state-of-the-art agricultural showcase, entertainment venue, and learning environment unmatched in the United States. The quality and size of the current American Royal facility limits the organization from achieving its full potential and having the difference-making impact of which it is capable. The new facility will revitalize American Royal as a forward-leaning industry partner. The goal is simple, build the nation's premiere food and agricultural epicenter.

With the opportunity to own and operate its own facility for the first time in its history, the new American Royal Food and Agriculture Epicenter will be committed to operational excellence based on four value-add principals of leadership, teamwork, customer experience, and continuous improvement.

The American Royal engaged in an experiential design process to build a state-of-the-art events and educational complex. By visiting numerous facilities across the United States and Canada, holding focus groups with existing and potential customers, and collecting feedback through hundreds of interviews, the design-built team and American Royal staff developed a design intended to create and shape an incredible attendee experience. Facilities across North America were evaluated to identify pros and cons of designs and experiences. The resulting purpose-built facility will create a premier experience and attract food and agricultural activities, educational exhibits and programs, and a variety of events year-round.

The new American Royal Food and Agriculture Epicenter will be a world-class, purpose-built facility featuring over one million square feet of indoor and outdoor event and educational space allowing for an expansion of the current 14-week programming to a year-round events and activities center. The new facility will cater to a market not currently being serviced by other sports and entertainment venues within the Village East and Village West Districts. When fully developed, the new American Royal will function as a food, entertainment, and educational destination serving a regional and national market with a principal market area within a 500-mile radius.

The principal attractions that will distinguish the new American Royal Food and Agriculture Epicenter as a destination development capable of generating out-of-town visitation and expenditures include two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, 79,400 square foot Education Center, and 148,500 square feet of outdoor learning space. Phase 2 will include a 120-acre festival area designed to host 8,000 to 12,000 people for single-day events to as much as 100,000 for multi-day events.

The new American Royal Food and Agriculture Epicenter will be situated within 500 miles from the states that produce more than half of the United States agriculture. Over fifteen (15) land-grant universities are within a one-day drive. It will be a focal point in the Animal Health Corridor.

The new American Royal Food and Agriculture Epicenter is designed to host food and agriculture education and entertainment events with a national and global reach. The new facility will enable the growth of existing events and the versatile facilities will allow for the expansion of events and scope of offerings. The event facilities will be larger in size than the current space with more space for exhibitors, vendors, and spectators. Design features will provide a home for competitive events, entertainment and gatherings of scale and scope not presently attainable in the current facility. Strategic objectives of the new American Royal Food and Agriculture Epicenter are summarized below.

**Produce High-Quality Agricultural Events and Experiences:** The new American Royal will be America's destination of choice for livestock shows, BBQ competitions, equine events, rodeos, and other high-quality competitive food and agriculture events and experiences.

**Deliver Agricultural Discovery, Learning, and Engagement:** The new American Royal will create a learning experience for all ages that will tell the agriculture story and create pride in the agricultural heritage of the region and nation.

**Inspire and Develop Talent for Food and Agriculture:** The new American Royal will help develop the next generation of leaders for the food, agriculture, and natural resources industries.

**Build the Nation's Premier Agriculture Event, Entertainment, and Engagement Campus:** The new American Royal will be an agriculture showcase, competition venue, and learning environment unmatched in the nation.

**Lead and Influence Food and Agriculture:** The new American Royal will be a trusted convener, meaningful partner, respected resource, and influential leader for food, natural resources, and agriculture.

**Be a High-Performance Organization:** The new American Royal will be an authentic and high-performance non-profit organization that provides exceptional stakeholder experiences, engages and adds value to the community, stewards the resources entrusted to it, and is committed to operational excellence that leads to short-term acceleration and long-term, sustainable growth of the organization.

To conclude, the new American Royal Food and Agriculture Epicenter is positioned as a premier food and agriculture event, entertainment, and education destination supporting a regional, national, and international draw. Together with the existing visitor destinations within the Village East and West Districts, the new American Royal's uses, concepts, and positioning are designed to create a unique attraction capable of generating large visitor volumes, drawing out-of-town travelers, and enhancing the Kansas City area's status as a regional tourism destination.

## **Synergy with other Area Attractions**

According to the World Tourism Organization (WTO), tourism and travel is the world's largest industry. Hence it is an important vehicle for regional and national economic development. Attractions are an extremely important part of the tourism industry and serve as a primary driver of tourism activity. According to Swarbrooke (1995, p. 3) tourist attractions are the most important component in the tourism industry. Without attractions there would be no need for other tourism services. Many tourist attractions possess strong entertainment connections, including sports venues, theatres, and museums.

Much like business clusters, the clustering of destination attractions creates the critical mass necessary to generate and sustain increased visitation and expenditures. Most tourism clusters also have strong linkages to other closely related and supporting industries such as transportation, lodging, retail, food and beverage. Therefore, the larger cluster of attractions a tourist destination supports the greater the direct and indirect economic benefits.

The Kansas City MSA serves as a regional tourist destination given its central location within the Midwest and wide selection of sports, entertainment, cultural, upscale shopping and dining, gaming, and recreational attractions. During 2018, out-of-town visitation to the Kansas City area totaled a record level of 25.2 million visitors generating an overall \$5.6 billion economic impact. Based on the theory of tourism clusters, the introduction of additional complimentary destination attractions will improve the Kansas City area's status as a regional destination and generate increased visitation counts, expenditures, and economic activity.

The new American Royal Food and Agriculture Epicenter is located adjacent to the Village East and Village West Districts which serve as Kansas' largest and most visited destination attraction.

Village West is home to such major destination attractions as the Kansas Speedway, Children's Mercy Park, JustBats Field, Hollywood Casino, Nebraska Furniture Mart, Cabela's, and Legends Outlets. The principal existing attraction at Village East is the Compass Minerals National Performance Center home of the U.S. Soccer program. The facility has five full-size soccer fields and the 81,100-square-foot building houses professional training facilities, U.S. Soccer National Coaching Education Center, and Children's Mercy Sports Medicine and Rehabilitation Center.

U.S. Soccer signed a 20-year lease to be the primary tenant of the training center with Sporting KC using it as a training home.

Village East Project Areas 1 and 4 are being developed with Homefield, Homefield Outdoor, and Homefield Youth Baseball Complex. The Margaritaville Hotel is currently under construction on the former Schlitterbahn Water Park site.

Homefield is designed as an indoor/outdoor sports facility featuring twelve volleyball courts that can be converted to ten basketball courts, physical therapy center, parents lounge, food service, and other multi-functional spaces. The \$60 million, 150,000 square foot venue is under construction and scheduled to open in March 2024.

Homefield Outdoor is designed as a multi-sport adventure and training complex. Homefield Outdoor will include outdoor recreation space, which may include camping, a ropes course, zip line, and various water sports.

The Homefield Youth Baseball Complex is under construction and will feature an eight-field all-turf baseball complex.

The synergy created by Children's Mercy Park, Sporting KC, and the Compass Minerals National Performance Center has profoundly impacted Kansas City's status as a regional, national, and international soccer destination. The Kansas Speedway, JustBats Field, and Hollywood Casino offer complementary sports and entertainment venues that have elevated the status of Village East and West as Kansas' leading visitor destination.

The major attractions operating at Village East and West have established a major sports and entertainment destination with a regional and national draw. The addition of the new American Royal Food and Agriculture Epicenter will complement the existing sports and entertainment venues by offering differing content and expanding the sports and entertainment market.

To conclude, by increasing the critical mass and scope of destination attractions the new American Royal Food and Agriculture Epicenter will improve Kansas City's competitive position as a sports and entertainment destination as well as complement the existing attractions at Village East and West by creating a unique sports, entertainment, and education destination. Furthermore, the new American Royal Food and Agriculture Epicenter when combined with the Village East and West attractions will further strengthen the draw and economic impact of Kansas' largest and most visited tourism destination.

## **Estimated Customer/Visitor Counts**

STAR bond financing is being sought to assist in the development of the new American Royal Food and Agriculture Epicenter in Kansas City, Kansas. To assist in evaluating STAR bond applications the Kansas Secretary of Commerce has published guidelines regarding a proposed project's economic impact. The following criteria were applied when considering the tourism potential of a project applying for STAR bond financing:

- Out-of-state visitation from multiple states should have a target of 20 percent of total annual visitation to be considered a major, unique, destination attraction.
- A target of 30 percent of total annual visitation should be drawn from greater than 100 miles distance from the attraction community.

The Kansas STAR Bond Act requires that the Feasibility Study include visitation expectations and a plan describing how the number of visitors to the STAR bond project district will be tracked and reported to the Secretary on an annual basis and such plan shall include, but not limited to, obtaining and reporting visitor residence zip code data to the Secretary.

In 2018, the American Royal began an event visitor tracking system that tracks all participants, exhibitors, contestants, and public attendees. Cities and states are collected for all participants who register through American Royal registration systems. Ticket sales data is also able to track locations of purchasers. Parking and concession sales will all be cashless and thus allow for collection of location data. Wi-Fi systems will also require registration for access. Zip codes will be collected through all of these sources and provided to the Kansas Secretary of Commerce on an annual basis as required per KSA 12-17,166(b)(4).

Visitation estimates for the proposed new American Royal Food and Agriculture Epicenter are segmented into two sources, including: 1) increased attendance of existing American Royal events and 2) attendance of new events and project components. Estimating stabilized year visitation involved: 1) estimated 2025 attendance for the existing events and stabilized year attendance in the new American Royal and 2) estimating the annual number, mix, and attendance of new events hosted at the new American Royal Food and Agriculture site.

## **Attendance Growth of Existing Events**

In recent years, the existing American Royal venue has hosted a growing number of events, event days, and attendance. During 2011, the American Royal hosted 54 events encompassing 165 event days and a total attendance of 266,900 people. In 2020 and 2021, the American Royal held many of its events but was unable to function at full capacity due to the pandemic. By 2022, the American Royal exceeded pre-pandemic levels, hosting 129 events encompassing 295 event days and a total attendance of 390,910 people. The event schedule by event type for 2022 is outlined in the table on the following page.



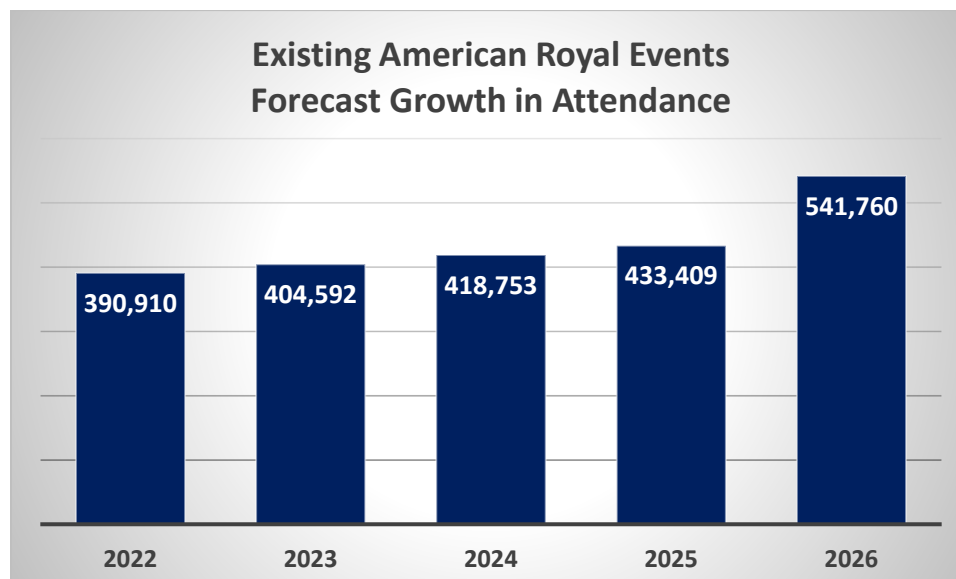
## Existing American Royal 2022 Event Schedule

| Event Type                     | # of Events | Event Days | Total Attendance |
|--------------------------------|-------------|------------|------------------|
| Livestock, Equine & Pet Events | 22          | 86         | 207,863          |
| Branded Social Events/Meetings | 46          | 99         | 7,819            |
| Business/Professional Events   | 18          | 21         | 1,120            |
| Consumer/Trade Shows           | 2           | 6          | 62,625           |
| Education Programs & Events    | 26          | 46         | 10,749           |
| Entertainment & Food Events    | 15          | 37         | 100,734          |
| <b>Totals</b>                  | <b>129</b>  | <b>295</b> | <b>390,910</b>   |

It is estimated that all events in the existing American Royal complex will move to the new venue or be replaced by a similar event. The new state-of-the-art complex with additional services, space, and venues is expected to generate increased attendance for existing events. In addition, some existing events will be held simultaneously to increase participation from new attendees across all events.

During 2011, the existing American Royal hosted 54 events, 165 event days, and total attendance of 266,900 spectators. By 2022, operations improved to 129 events, 295 event days, and total attendance of 390,910 spectators. During this 12-year timeframe attendance grew at an average annual rate of 3.5 percent. The new American Royal Food and Agriculture Epicenter is scheduled to open by early 2026. Based on an annualized growth rate of 3.5 percent, by 2025 the existing American Royal is estimated to support attendance of 433,409 spectators.

The increased capacity and programming of the three arenas planned for American Royal Food and Agriculture Epicenter is anticipated to generate escalated attendance to existing events once they move to the new location. Attendance of existing events when moved to the new location is expected to increase 20 to 25 percent during the initial year of operation in 2026, equating to total attendance of 520,090 to 541,760. **This is an increase of 129,180 to 150,850 spectators over 2022 levels.**



## **Attendance of New Events**

The new American Royal Food and Agriculture Epicenter will operate as a year-round event venue designed to accommodate a variety of equestrian and non-equestrian events. Phase 1 with two indoor arenas with permanent seating for 3,500 to 5,000 spectators with 3,000 additional floor seats and a 3,500-seat outdoor arena, the new American Royal Food and Agriculture Epicenter will have the capacity to host significantly more annual events and spectators. The initial phase is scheduled to open by 2026 with operations ramping up to stabilization by Year 5 in 2030. This section of the study estimates stabilized year attendance levels for the initial phase.

Events currently held at the existing American Royal will account for approximately one-third of the new facility's event calendar. The increased physical capacity and a year-round event calendar will allow the new American Royal Food and Agriculture Epicenter to host multiple events simultaneously, providing the opportunity for significant growth in the number of annual events and total attendance. A second phase of the American Royal project will include a 120-acre festival site scheduled to open by 2030.

To estimate the number and types of new events that could potentially be held at the new American Royal Food and Agriculture Epicenter, comparable multi-purpose arenas were researched. There are several types of touring events that could potentially utilize the proposed arena, such as concerts, circuses, stage productions, religious events, and conferences. Based on the seating capacity and amenities of the new American Royal Food and Agriculture Epicenter and associated project components, prospective event types include:

- Rodeos
- Livestock Shows
- Equestrian Clinics
- Agricultural Equipment Shows
- Shooting Sports
- Concerts
- Car Shows
- Circus
- Rodeos
- Conferences
- Trade Shows
- BBQ Competitions
- Arts and Crafts Shows
- Antique Shows
- RV and Boat Shows
- Religious Events

The United States and Kansas rodeo markets will provide the new American Royal Food and Agriculture Epicenter with a source for hosting rodeo events. From February through December, 50 pro rodeo events are held in Kansas, including 40 pro rodeo events sanctioned collectively by the Professional Rodeo Cowboys Association ("PRCA"), Kansas Professional Rodeo Association ("KPRA"), and United Rodeo Association ("URA"). The PRCA has 4,727 national members and sanctions more than 650 rodeos per year while the KPRA has over 500 members and sanctions 40+ rodeos per year.

Surveyed indoor arenas operating in Kansas hosted 54 to 181 events during 2022. The Western State Bank Expo Center in Dodge City, Kansas hosted more than 100 equine and equine-related events drawing participants from more than a dozen states. The Bar K Bar Arena in Lyons, Kansas hosted 54 rodeo events. In 2023, the Scott County Indoor Arena and Activities Center located on the Scott County Fairgrounds hosted a total of 181 public and private events.

The ten surveyed multi-purpose arenas host 27 to 320 annual events, averaging 109 events. The usage of the comparable multi-purpose arenas bodes well for the potential of the new American Royal Food and Agriculture Epicenter to host a suitable number of annual events and event days to support feasible development and operation.

Of the surveyed multi-purpose arenas, the Lancaster Event Center in Lincoln, Nebraska is the most comparable in terms of property amenities, including a 5,000-seat multi-purpose arena, four pavilions, and exhibit space. The facility hosts 320 events annually, including 200 local events and 120 regional/national/international. This bodes well for the new American Royal Food and Agriculture Epicenter to host regional, national, and international events.

Based on the capacity of the three planned arenas the new American Royal Food and Agriculture Epicenter is estimated to host 110 to 120 additional annual events at stabilized operations. This estimate includes events hosted by the American Royal Association as well as rentals to outside groups and promoters. Combined with the 129 current events, the new American Royal Food and Agriculture Epicenter is estimated host 239 to 249 annual events.

Potential events capable of being hosted by the new American Royal Food and Agriculture Epicenter are broken into six categories, including: 1) rodeos, livestock, and other equestrian events, 2) consumer and trade shows, 3) social and business events, 4) educational events, 5) sports events, and 6) entertainment events such as concerts, arts and crafts festivals, car shows, and RV and boat shows. The mix and distribution of events was based on the venue's planned features and amenities as well as the actual distribution of events for comparable multi-purpose arenas.

Professional rodeo events hosted by the new American Royal Food and Agriculture Epicenter will originate from sanctioned events by Professional Rodeo Cowboys Association ("PRCA"), Kansas Professional Rodeo Association ("KPROA"), and United Rodeo Association ("URA"). College rodeo events would originate from the National Collegiate Rodeo Association which has 17 colleges and universities in the Central Plains Region. Kansas member schools include Kansas State University, Colby Community College, Dodge City Community College, Fort Scott Community College, Garden City Community College, Coffeyville Community College, and Fort Hays State University. Kansas High School and Junior High School Rodeo Association could sponsor rodeo events at the new American Royal Food and Agriculture Epicenter.

The table on page 70 provides the event mix for comparable multi-purpose arenas and equestrian centers. The share by event is summarized below.

- Rodeos accounted for 16.0 to 80.0 percent of the events held at each venue, averaging 39.5 percent.
- Horse shows accounted for 1.0 to 39.1 percent of the events held at each venue, averaging 10.2 percent.

- Livestock and agriculture events accounted for 1.0 to 25.0 percent of the events held at each venue, averaging 9.7 percent.
- Dog shows accounted for 1.0 to 5.0 percent of the events held at each venue, averaging 2.8 percent.
- Consumer and trade shows accounted for 2.0 to 23.4 percent of the events held at each venue, averaging 7.0 percent.
- Entertainment shows accounted for 5.0 to 13.0 percent of the events held at each venue, averaging 7.7 percent.
- All other events accounted for 5.0 to 68.0 percent of the events held at each venue, averaging 32.7 percent.

Rodeos, livestock, and equine events are held over a 1- to 3-day period. By the stabilized year rodeos, livestock, and equine events are estimated to account for 20 percent of all new events held at the new American Royal Food and Agriculture Epicenter, equating to 20 to 22 annual events. Based on the rodeo and equine event schedule hosted by the comparable multi-purpose arenas, by the stabilized year the mix of equine events held at the new American Royal Food and Agriculture Epicenter is estimated yield 90 to 99 event days and average attendance of 4,200 spectators.

Potential consumer and trade shows include such events as car shows, boat and RV shows, and agriculture, healthcare, technology, and food industry trade shows. Such events accounted for 10 percent of the events hosted by the surveyed comparable multi-purpose arenas. By the stabilized year, consumer and trade shows held at the new American Royal Food and Agriculture Epicenter are estimated at 8 to 9 events annually, generating 24 to 27 event days and average attendance of 196,800 to 221,400 attendees.

Social and business events include weddings, banquets, conferences, and seminars. Based on the meeting and conference space capacity of the new American Royal Food and Agriculture Epicenter, by the stabilized year social and business events are estimated to account for 40 percent of the entire event schedule, translating to 42 to 44 annual events. Social events are estimated to account for 20 to 21 annual events, producing 250 to 262 event days and a total attendance of 2,200 to 2,300 attendees. Business events are estimated to account for 22 to 23 annual events, producing 50 to 53 event days and total attendance of 21,250 to 22,525 attendees.

### Comparable Multi-Purpose Event Mix

| Venue                          | Rodeo /<br>Action | Horse<br>Shows | Livestock<br>AG | Dog<br>Shows | Consumer<br>Trade | Entertain   | Carnival /<br>Circus | Concerts    | Arts &<br>Crafts | Other        |
|--------------------------------|-------------------|----------------|-----------------|--------------|-------------------|-------------|----------------------|-------------|------------------|--------------|
| Stephens County Fair & Expo    | 17.3%             | 4.9%           | 23.5%           |              | 2.5%              | 8.6%        | 3.7%                 | 3.7%        | 2.5%             | 33.3%        |
| Midland County Horseshoe Arena | 16.0%             | 4.0%           | 3.0%            | 3.0%         | 7.0%              | 13.0%       |                      |             |                  | 54.0%        |
| Mallet Event Center & Arena    | 17.0%             | 1.0%           | 12.0%           |              | 2.0%              |             |                      |             |                  | 68.0%        |
| Expo Center of Taylor County   | 28.0%             | 4.0%           | 6.0%            |              | 7.0%              | 5.0%        |                      |             |                  | 50.0%        |
| Young County Arena             | 56.0%             | 8.0%           | 2.0%            | 2.0%         | 2.0%              | 7.0%        |                      |             |                  | 23.0%        |
| McGee Park                     | 62.0%             |                | 1.0%            | 1.0%         | 5.0%              | 9.0%        |                      |             |                  | 22.0%        |
| Andrews County Expo Center     | 80.0%             |                | 5.0%            | 5.0%         |                   | 5.0%        |                      |             |                  | 5.0%         |
| Lancaster Event Center         |                   | 39.1%          | 25.0%           |              | 23.4%             | 6.3%        |                      |             |                  | 6.3%         |
| <b>Averages</b>                | <b>39.5%</b>      | <b>10.2%</b>   | <b>9.7%</b>     | <b>2.8%</b>  | <b>7.0%</b>       | <b>7.7%</b> | <b>3.7%</b>          | <b>3.7%</b> | <b>2.5%</b>      | <b>32.7%</b> |

The presence of a 79,400 square foot Education Center and 148,500 square feet of outdoor learning space will assist in driving educational events. By the stabilized year, the new American Royal Food and Agriculture Epicenter is estimated to host 25 to 28 educational exhibits and programs annually, generating 100 to 112 event days and 42,500 to 47,600 attendees.

Sports events and tournaments capable of being hosted by the new American Royal Food and Agriculture Epicenter include basketball, volleyball, wrestling, soccer, tennis, and others. By the stabilized year sports events are estimated to account for 7 percent of all events held at the new American Royal Food and Agriculture Epicenter. The 7 to 8 annual events are estimated to generate 21 to 24 event days and 63,000 to 72,000 attendees.

Potential entertainment events to be held at the new American Royal Food and Agriculture Epicenter include concerts, circus, food festivals, dog shows, BMX and monster truck competitions, antique fairs, and demolition derbies. Such events accounted for 10 percent of the events hosted by the surveyed comparable multi-purpose arenas. By the stabilized year, the new American Royal Food and Agriculture Epicenter is estimated to host 8 to 9 entertainment events, generating 40 to 45 event days and 260,000 to 292,500 attendees.

By the stabilized year in 2030 (operational year 5) the new event schedule by type for the new American Royal Food and Agriculture Epicenter is estimated to generate 110 to 120 annual events, equating to 575 to 622 event days and total attendance of 963,750 to 1,074,125 attendees.

### **New American Royal Food and Agriculture Epicenter Estimated Stabilized Year New Events by Type (2030)**

| <b>Event Type</b>          | <b>Annual<br/>Low</b> | <b>Events<br/>High</b> | <b>Event<br/>Low</b> | <b>Days<br/>High</b> | <b>Total<br/>Low</b> | <b>Attendance<br/>High</b> |
|----------------------------|-----------------------|------------------------|----------------------|----------------------|----------------------|----------------------------|
| Rodeos, Livestock & Equine | 20                    | 22                     | 90                   | 99                   | 378,000              | 415,800                    |
| Consumer and Trade Shows   | 8                     | 9                      | 24                   | 27                   | 196,800              | 221,400                    |
| Social and Business        | 42                    | 44                     | 300                  | 315                  | 23,450               | 24,825                     |
| Educational                | 25                    | 28                     | 100                  | 112                  | 42,500               | 47,600                     |
| Sports                     | 7                     | 8                      | 21                   | 24                   | 63,000               | 72,000                     |
| Entertainment              | 8                     | 9                      | 40                   | 45                   | 260,000              | 292,500                    |
| <b>Totals</b>              | <b>110</b>            | <b>120</b>             | <b>575</b>           | <b>622</b>           | <b>963,750</b>       | <b>1,074,125</b>           |

## **Festival Grounds Attendance**

The second phase of the American Royal project will include a 120-acre festival site scheduled to open by 2030. The project will include a festival area with a concert lawn and 1,200 RV/trailer parking spaces. A permanent building will feature showers, restrooms, hospitality, climate control, guest services, concessions, convening area, green room, and multi-use space. The festival area will be designed for multiple types of events with attendance ranging from 8,000 to 12,000 people for single-day events to as much as 100,000 for multi-day events.



Activity at the festival grounds, except for the trailer and RV parking, is expected to occur primarily between March and October. The festival area is anticipated to host one to three events per month with stabilized operations anticipated to occur during Year 3 in 2032. Year 1 is expected to operate at approximately 35 percent capacity with Year 2 at approximately 75 percent, before stabilizing in Year 3. The hosted events will be one- to three-day events with the peak of activity occurring during the warmer months from May through August.

By the stabilized year, the festival grounds are estimated to host 12 to 15 annual events, resulting in 30 to 38 event days and total attendance of 495,000 to 627,000 spectators.

### **New American Royal Food and Agriculture Epicenter Festival Grounds Stabilized Year Attendance**

| Year | Annual<br>Low | Events<br>High | Event<br>Low | Days<br>High | Total<br>Low | Attendance<br>High |
|------|---------------|----------------|--------------|--------------|--------------|--------------------|
| 2030 | 4             | 5              | 10           | 13           | 165,000      | 214,500            |
| 2031 | 9             | 11             | 23           | 29           | 379,500      | 478,500            |
| 2032 | 12            | 15             | 30           | 38           | 495,000      | 627,000            |

## **Estimated Total Visitation**

Stabilized year visitation estimates for the new American Royal Food and Agriculture Epicenter are segmented into four sources, including: 1) existing events, 2) growth in existing events and 3) new events, and 4) the festival grounds.

During 2022, the existing American Royal hosted 129 events, 295 event days, and total attendance of 390,910 spectators. Prior to opening of the new American Royal Food and Agriculture Epicenter, attendance at existing events at the American Royal is forecast to increase at an annualized rate of 3.5 percent, increasing by 129,180 to 150,850 visitors over 2022 levels. By 2026, attendance at existing events at American Royal are estimated at 520,090 to 541,760 visitors.

### **New American Royal Food and Agriculture Epicenter Estimated Stabilized Year Visitation by Project Component**

|                               | Annual<br>Low | Events<br>High | Event<br>Low | Days<br>High | Total<br>Low | Attendance<br>High |
|-------------------------------|---------------|----------------|--------------|--------------|--------------|--------------------|
| Existing Events (2022)        | 129           | 129            | 295          | 295          | 390,910      | 390,910            |
| Existing Events Growth (2026) |               |                |              |              | 129,180      | 150,850            |
| New Events (2030)             | 110           | 120            | 575          | 622          | 963,750      | 1,074,125          |
| Festival Grounds (2032)       | 12            | 15             | 30           | 38           | 495,000      | 627,000            |

Future growth of existing events from 2026 to 2032 attendance is projected to continue at an average annual rate of 3.5 percent, reaching 639,322 to 665,961 attendees. Following stabilization in 2030, the growth through 2032 in new events hosted by the new American Royal Food and Agriculture Epicenter is estimated to continue at a rate of 3.0 percent per year, reaching 1.02 million to 1.14 million by 2032. The festival grounds are forecast to achieve stabilized operations by 2032 with attendance of 495,000 to 627,000 attendees.

### **New American Royal Food and Agriculture Epicenter Attendance thru Overall Stabilized Year**

| Year | Existing<br>Low | Events<br>High | New<br>Low | Events<br>High | Festival<br>Low | Grounds<br>High | Total<br>Low | Attendance<br>High |
|------|-----------------|----------------|------------|----------------|-----------------|-----------------|--------------|--------------------|
| 2026 | 520,090         | 541,760        | 578,250    | 644,475        |                 |                 | 1,098,340    | 1,186,235          |
| 2027 | 538,293         | 560,722        | 674,625    | 751,888        |                 |                 | 1,212,918    | 1,312,609          |
| 2028 | 557,133         | 580,347        | 771,000    | 859,300        |                 |                 | 1,328,133    | 1,439,647          |
| 2029 | 576,633         | 600,659        | 867,375    | 966,713        |                 |                 | 1,444,008    | 1,567,371          |
| 2030 | 596,815         | 621,682        | 963,750    | 1,074,125      | 165,000         | 214,500         | 1,725,565    | 1,910,307          |
| 2031 | 617,704         | 643,441        | 992,663    | 1,106,349      | 379,500         | 478,500         | 1,989,866    | 2,228,290          |
| 2032 | 639,323         | 665,961        | 1,022,442  | 1,139,539      | 495,000         | 627,000         | 2,156,766    | 2,432,501          |

By 2032, attendance for the entire new American Royal Food and Agriculture Epicenter site is estimated to stabilize at 2.16 million to 2.43 million attendees. **Following project stabilization in 2032, no annual increases in attendance to the American Royal were applied.**

## **Regional and Out-of-State Visitation**

Total visitation estimates for the new American Royal Food and Agriculture Epicenter site are segmented into two geographic market areas, including: 1) regional visitors residing outside of a 100-mile radius and 2) out-of-state visitors.

### **Regional Visitors Residing Outside of a 100-Mile Radius**

According to Esri Business Analyst, the 2023 population within a 250-mile radius from the new American Royal Food and Agriculture Epicenter site is estimated at 67.8 million. The population within a 100-mile radius of 3.2 million accounts for 4.7 percent of the total trade area population. The estimated population within a 100- to 500-mile radius of 64.5 million represents 95.3 percent of the trade area population.

According to the *2021 Economic Impact Study & Visitor Profile* prepared for VisitKC by Tourism Economics, visitors from Kansas and Missouri account for 62 percent of day trip visitors and 42 percent of overnight visitors to the Kansas City MSA, for a total of 13.03 million visitors or 53.2 percent of all visitors.

For events hosted by the existing American Royal, it is estimated that visitors traveling more than 100 miles are estimated to account for 35 percent of total visitation, or 55,578 to 64,902 annual visitors.

For new events hosted by the new American Royal Food and Agriculture Epicenter, it is estimated that visitors traveling more than 100 miles are estimated to account for 35 percent of total visitation, or 357,855 to 398,839 annual visitors.

For festival ground events, it is estimated that visitors traveling more than 100 miles are estimated to account for 40 percent of total visitation, or 198,000 to 250,800 annual visitors.

### **New American Royal Food and Agriculture Epicenter Stabilized Year Visitation from 100+ Miles**

|                  | Stabilized<br>Low | Attendance<br>High | 100+ Mile<br>Capture |  | 100+ Mile<br>Low | Visitors<br>High |
|------------------|-------------------|--------------------|----------------------|--|------------------|------------------|
| Existing Events  | 639,323           | 665,961            | 35%                  |  | 223,763          | 233,086          |
| New Events       | 1,022,442         | 1,139,539          | 35%                  |  | 357,855          | 398,839          |
| Festival Grounds | 495,000           | 627,000            | 40%                  |  | 198,000          | 250,800          |
| <b>Totals</b>    | <b>2,156,765</b>  | <b>2,432,500</b>   |                      |  | <b>779,618</b>   | <b>882,725</b>   |

Total stabilized year (2032) visitation to the new American Royal Food and Agriculture Epicenter is estimated at 2.16 million to 2.43 million visitors. Stabilized year visitation from outside of a 100-mile radius is estimated at 779,618 to 882,725 visitors, accounting for approximately 36 percent of the total.

### **Out-of-State Visitors**

According to the *2021 Economic Impact Study & Visitor Profile* prepared for VisitKC by Tourism Economics, out-of-town visitation to the Kansas City MSA, defined as the 5-county region of Clay, Jackson, and Platte counties in Missouri and Johnson and Wyandotte counties in Kansas, reached 24.5 million visitors during 2021.

During 2021, visitors from outside of Kansas accounted for 71 percent of day trip visitors and 80 percent of overnight visitors to the Kansas City MSA, for a total of 20.874 million visitors or 82.8 percent of all visitors. Leading states of origin for overnight visitors to the Kansas City MSA included Missouri (22%), Texas (8%), Nebraska (4%); Iowa (3%); and Illinois (3%). Overall, about one-third of overnight visitors originate between 200 and 300 miles away and over one-third travel more than 500 miles. These visitation patterns support Kansas City's status as a regional tourism destination which will assist the new American Royal venue in attracting visitors from outside of Kansas and the Kansas City MSA.

According to Travel Leaders Group, 39.5 percent of people travel within their home state while 33.1 percent travel to a border state. Kansas supports a regional tourism market with the largest sources of visitors from the surrounding states of Missouri, Nebraska, Colorado, and Oklahoma. The trade area within a 100- to 250-mile radius supports a population of 11.18 million and includes Missouri, Nebraska, Iowa, Colorado, and Oklahoma. The population of Kansas residing within the 100- to 250-mile radius of 175,456 represents 1.6 percent of the trade area population.

According to Gravy Analytics, during 2021 concert goers traveled a median of 120 miles to attend a concert or music festival, 100 miles for a sports event, and 60 miles for a business event. A recent study from Price4Limo revealed that more than one in ten music fans travel 500 miles or more to attend concerts.

For events hosted by the existing American Royal, it is estimated that out-of-state visitors are estimated to account for 70 percent of total visitation, or 447,526 to 466,173 annual visitors.

For new events hosted by the new American Royal Food and Agriculture Epicenter, it is estimated that out-of-state visitors are estimated to account for 70 percent of total visitation, or 715,709 to 797,677 annual visitors.

For festival ground events, it is estimated that out-of-state visitors are estimated to account for 75 percent of total visitation, or 371,250 to 470,250 annual visitors.

### **New American Royal Food and Agriculture Epicenter Out-of-State Visitation Estimates**

|                  | Total Visitors   |                  | Out of State Capture |  | Out-of-State Visitors |                  |
|------------------|------------------|------------------|----------------------|--|-----------------------|------------------|
|                  | Low              | High             |                      |  | Low                   | High             |
| Existing Events  | 639,323          | 665,961          | 70%                  |  | 447,526               | 466,173          |
| New Events       | 1,022,442        | 1,139,539        | 70%                  |  | 715,709               | 797,677          |
| Festival Grounds | 495,000          | 627,000          | 75%                  |  | 371,250               | 470,250          |
| <b>Totals</b>    | <b>2,156,765</b> | <b>2,432,500</b> |                      |  | <b>1,534,486</b>      | <b>1,734,100</b> |

In summary, given the regional market area supported by the new American Royal Food and Agriculture Epicenter, out-of-state residents are forecast to account for approximately 71 percent of total visitation, or 1.53 million to 1.73 million visitors annually.

### **Summary**

Stabilized year visitation (2032) to the new American Royal Food and Agriculture Epicenter site is estimated at 2.16 million to 2.43 million visitors. Regional visitors traveling more than 100 miles are forecast to account for approximately 36 percent of total visitation, totaling 779,618 to 882,725 visitors.

Out-of-state residents are estimated to account for 71 percent of total visitation, or 1.53 million to 1.73 million visitors per year.

## New American Royal Food and Agriculture Epicenter Estimated Stabilized Year (2032) Visitation Patterns

| Visitor Origination          | Total Visitors | Out-of-State Visitors | Market Share |
|------------------------------|----------------|-----------------------|--------------|
| <b>Conservative Scenario</b> |                |                       |              |
| Total Visitors               | 2,156,765      |                       |              |
| Outside of a 100-Mile Radius | 779,618        | 1,534,486             | 71.1%        |
| <b>Optimistic Scenario</b>   |                |                       |              |
| Total Visitors               | 2,432,500      |                       |              |
| Outside of a 100-Mile Radius | 882,725        | 1,734,100             | 71.3%        |

Many visitors to the new American Royal Food and Agriculture Epicenter are anticipated to attend multi-day events. Therefore, total visitor days have been estimated along with total visitor days to existing American Royal events.

For the new American Royal Food and Agriculture Epicenter, visitor days were estimated based on historic attendance records, the anticipated event schedule and event type, the venue's seating capacity. Multi-day events include such types as business/professional events, education programs, and livestock, equine, and pet events.

## New American Royal Food and Agriculture Epicenter Estimated Visitor Days thru Overall Stabilized Year

| Year | Existing Low | Events High | New Low   | Events High | Festival Low | Grounds High | Visitor Low | Days High |
|------|--------------|-------------|-----------|-------------|--------------|--------------|-------------|-----------|
| 2026 | 520,090      | 541,760     | 662,250   | 728,475     |              |              | 1,182,340   | 1,270,235 |
| 2027 | 538,293      | 560,722     | 772,625   | 849,888     |              |              | 1,310,918   | 1,410,609 |
| 2028 | 557,133      | 580,347     | 883,000   | 971,300     |              |              | 1,440,133   | 1,551,647 |
| 2029 | 576,633      | 600,659     | 993,375   | 1,092,713   |              |              | 1,570,008   | 1,693,371 |
| 2030 | 596,815      | 621,682     | 1,103,750 | 1,214,125   | 165,000      | 214,500      | 1,865,565   | 2,050,307 |
| 2031 | 617,704      | 643,441     | 1,136,863 | 1,250,549   | 379,500      | 478,500      | 2,134,066   | 2,372,490 |
| 2032 | 639,323      | 665,961     | 1,170,968 | 1,288,065   | 495,000      | 627,000      | 2,305,292   | 2,581,027 |

Total visitor days are estimated at 1.18 million to 1.27 million during 2026 which include both existing and new events. The Festival Grounds is scheduled to open in 2030, boosting attendance to 1.87 million to 2.05 million visitor days. By 2032 when the Festival Grounds achieve stabilization, total visitor days reach 2.3 million to 2.58 million.

## **Estimated Retail Sales Potential**

This section of the study estimates retail sales generated by visitors to the new American Royal Food and Agriculture Epicenter.

### **Total Visitor Expenditure Estimates**

On-site visitation will drive sales at both the new American Royal Food and Agriculture Epicenter as well as off-site businesses operating in the Kansas City MSA such as hotels, restaurants, entertainment venues, and retail stores. Therefore, annual sales were estimated for both in and outside of the proposed STAR Bond District based on estimated annual visitation counts and published visitor expenditures to the Kansas City MSA for both day trippers and overnight visitors.

The initial phase of the new American Royal Food and Agriculture Epicenter is scheduled to open by 2026 with the Festival Grounds opening in 2030. The initial phase is scheduled to achieve stabilized operations by 2030 with total visitor days estimated at 1,111,987 to 1,247,229. The Festival Grounds are anticipated to achieve stabilization by 2032 with total visitor days estimated at 495,000 to 627,000. By 2032, visitor days for the entire new American Royal Food and Agriculture Epicenter site are estimated at 2.3 million to 2.58 million.

According to the *2021 Economic Impact Study & Visitor Profile* prepared for VisitKC by Tourism Economics, Visitation to the Kansas City MSA is comprised of 56 percent day trips (13.7 million visitors) and 44 percent overnight trips (10.8 million visitors). The *Economic Impact of Travel in Kansas 2022* prepared by Tourism Economics, reported that during 2022 visitation to Kansas was comprised of 56 percent day trippers to (20.5 million) with overnight visitors totaling 44 percent (15.9 million). This analysis utilized a visitor profile consisting of 45 percent overnight visitors and 55 percent day trippers.

According to the *2021 Economic Impact Study & Visitor Profile*, during 2021, day trip spending in the Kansas City MSA averaged \$63 per person with overnight visitors spending \$171 per day.

### **Average Per Person Expenditures Kansas City MSA Visitors, 2021**

| <b>Expenditure</b>                | <b>Overnight<br/>Visitors</b> | <b>Day<br/>Trippers</b> |
|-----------------------------------|-------------------------------|-------------------------|
| Lodging                           | \$62                          | \$0                     |
| Food & Beverage                   | \$40                          | \$18                    |
| Retail                            | \$27                          | \$21                    |
| Entertainment/Recreation          | \$24                          | \$12                    |
| Transportation                    | \$18                          | \$12                    |
| <b>Total Visitor Expenditures</b> | <b>\$171</b>                  | <b>\$63</b>             |

Source: VisitKC.

According to the latest *Economic Impact of Travel in Kansas 2022* prepared by Tourism Economics, during 2022, day trippers to Kansas on average spent \$90 during their stay while overnight visitors spent \$367 per trip.



Accounting for the scheduled 2026 opening of the first phase of the new American Royal Food and Agriculture Epicenter, average daily expenditures are estimated at \$70 for day trippers and \$189 for overnight visitors. Through 2032 at stabilization of the Festival Grounds, average visitor expenditures were escalated at an annual rate of 2.5 percent.

Based on the visitation and visitor expenditure assumptions listed above, under the conservative scenario annual gross visitor expenditures generated by visitors to the new American Royal Food and Agriculture Epicenter increase from \$146 million in 2026 to \$330 million by 2032.

### **Estimated Total Visitor Expenditures (Conservative Scenario) New American Royal Food and Agriculture Epicenter**

| Year | Visitor<br>Days | Day<br>Trippers | Overnight<br>Visitors | Visitor<br>Day | Expenditures<br>Overnight | Total Visitor<br>Expenditures |
|------|-----------------|-----------------|-----------------------|----------------|---------------------------|-------------------------------|
| 2026 | 1,182,340       | 650,287         | 532,053               | \$45,520,090   | \$100,558,017             | \$146,078,107                 |
| 2027 | 1,310,918       | 721,005         | 589,913               | \$51,732,107   | \$114,280,928             | \$166,013,036                 |
| 2028 | 1,440,133       | 792,073         | 648,060               | \$58,252,046   | \$128,684,066             | \$186,936,112                 |
| 2029 | 1,570,008       | 863,504         | 706,504               | \$65,092,989   | \$143,796,330             | \$208,889,319                 |
| 2030 | 1,865,565       | 1,026,061       | 839,504               | \$79,280,546   | \$175,137,933             | \$254,418,479                 |
| 2031 | 2,134,066       | 1,173,736       | 960,330               | \$92,958,254   | \$205,353,234             | \$298,311,488                 |
| 2032 | 2,305,292       | 1,267,910       | 1,037,381             | \$102,927,121  | \$227,375,366             | \$330,302,487                 |

Under the optimistic scenario annual gross visitor expenditures generated by visitors to the new American Royal Food and Agriculture Epicenter increase from \$157 million in 2026 to \$370 million by 2032.

### **Estimated Total Visitor Expenditures (Optimistic Scenario) New American Royal Food and Agriculture Epicenter**

| Year | Visitor<br>Days | Day<br>Trippers | Overnight<br>Visitors | Visitor<br>Day Trippers | Expenditures<br>Overnight | Total Visitor<br>Expenditures |
|------|-----------------|-----------------|-----------------------|-------------------------|---------------------------|-------------------------------|
| 2026 | 1,270,235       | 698,629         | 571,606               | \$48,904,048            | \$108,033,487             | \$156,937,534                 |
| 2027 | 1,410,609       | 775,835         | 634,774               | \$55,666,162            | \$122,971,612             | \$178,637,773                 |
| 2028 | 1,551,647       | 853,406         | 698,241               | \$62,762,661            | \$138,648,423             | \$201,411,084                 |
| 2029 | 1,693,371       | 931,354         | 762,017               | \$70,207,672            | \$155,095,129             | \$225,302,801                 |
| 2030 | 2,050,307       | 1,127,669       | 922,638               | \$87,131,481            | \$192,481,364             | \$279,612,845                 |
| 2031 | 2,372,490       | 1,304,869       | 1,067,620             | \$103,343,791           | \$228,295,829             | \$331,639,620                 |
| 2032 | 2,581,027       | 1,419,565       | 1,161,462             | \$115,238,182           | \$254,571,620             | \$369,809,803                 |

## **American Royal Estimated Sales**

By 2032, at build-out and stabilization, visitors to the new American Royal Food and Agriculture Epicenter is estimated to generate gross annual sales of \$330 million to \$370 million captured both within the District and by off-site businesses throughout the Kansas City MSA. This analysis applied the conservative scenario sales estimates.

Given the on-site attractions and programming, the new American Royal Food and Agriculture Epicenter is estimated to capture 75 percent of day tripper expenditures and 48 percent of overnight visitor expenditures, totaling an estimated \$186 million in on-site expenditures at project stabilization in 2032.

At project stabilization in 2032, the remaining \$144 million in expenditures generated by visitors to the new American Royal Food and Agriculture Epicenter will be captured off-site by businesses operating throughout the Kansas City MSA.

### **Estimated Retail Sales at Stabilization (2032) New American Royal Food and Agriculture Epicenter**

| Year | Visitor<br>Days | Day<br>Trippers | Overnight<br>Visitors | Total Visitor<br>Day | Expenditures<br>Overnight | American<br>Day | Royal<br>Capture<br>Overnight | American<br>Royal<br>Expenditures |
|------|-----------------|-----------------|-----------------------|----------------------|---------------------------|-----------------|-------------------------------|-----------------------------------|
| 2026 | 1,182,340       | 650,287         | 532,053               | \$45,520,090         | \$100,558,017             | \$38,799,081    | \$48,267,848                  | \$87,066,929                      |
| 2027 | 1,310,918       | 721,005         | 589,913               | \$51,732,107         | \$114,280,928             | \$38,799,081    | \$54,854,846                  | \$93,653,926                      |
| 2028 | 1,440,133       | 792,073         | 648,060               | \$58,252,046         | \$128,684,066             | \$43,689,035    | \$61,768,352                  | \$105,457,386                     |
| 2029 | 1,570,008       | 863,504         | 706,504               | \$65,092,989         | \$143,796,330             | \$48,819,742    | \$69,022,238                  | \$117,841,980                     |
| 2030 | 1,865,565       | 1,026,061       | 839,504               | \$79,280,546         | \$175,137,933             | \$59,460,409    | \$84,066,208                  | \$143,526,617                     |
| 2031 | 2,134,066       | 1,173,736       | 960,330               | \$92,958,254         | \$205,353,234             | \$69,718,691    | \$98,569,552                  | \$168,288,243                     |
| 2032 | 2,305,292       | 1,267,910       | 1,037,381             | \$102,927,121        | \$227,375,366             | \$77,195,340    | \$109,140,176                 | \$186,335,516                     |

## **Capture of Out-of-State Visitor Expenditures**

Out-of-state visitors to the new American Royal Food and Agriculture Epicenter are forecast to generate expenditures during their stay captured both within the District and off-site throughout the Kansas City MSA. Visitor expenditures for Kansas, Missouri, and Wyandotte County were estimated based on the following factors impacting the Kansas City MSA tourism market:

- Retail space inventory by state and Wyandotte County
- Retail sales volumes by state and Wyandotte County
- Lodging inventory by state and Wyandotte County
- Transient lodging tax revenues by state and Wyandotte County
- Segmentation of day trips verse overnight stays
- Visitor expenditures by state and Wyandotte County
- Visitor expenditures in Wyandotte County by expenditure type

- Proximity to the Village West and Village East Project Areas

By 2032 at stabilization of the entire new American Royal Food and Agriculture Epicenter site, out-of-state visitors are estimated to account for 71 percent of total visitation, or 1,534,486 to 1,734,100 visitor days per year. Of the out-of-state visitor days, an estimated 45 percent will be overnight visitors and 55 percent will be day trippers.

By 2032 at project stabilization, under the conservative scenario, direct tourism expenditures by out-of-state visitors to the new American Royal Food and Agriculture Epicenter are estimated at \$220 million. On-site capture of these out-of-state visitor expenditures are estimated at 70 percent to 75 percent of day tripper expenditures and 45 percent to 50 percent of overnight visitor expenditures for a total of \$116 million to \$127 million. Out-of-state visitor expenditures spent outside of the American Royal District are estimated at \$92 million to \$104 million, illustrating the positive impact the District will have on other area businesses.

Kansas is estimated to capture 80 percent of day trip expenditures and 65 percent of overnight visitor expenditures spent outside of the American Royal District, equating to \$63 million to \$70 million in annual expenditures by out-of-state visitors. Wyandotte County as a capture of Kansas visitor expenditures is estimated to capture 65 percent of day trip expenditures and 50 percent of overnight visitor expenditures, for a total of \$33.5 million to \$37.7 million in annual expenditures by out-of-state visitors.

### **Estimated Out-of-State Visitor Expenditures at Stabilization (2032)** **Generated by the New American Royal Food and Agriculture Epicenter**

|                                                                | Day Trip<br>Visitors | Overnight<br>Visitors | Total<br>Expenditures |
|----------------------------------------------------------------|----------------------|-----------------------|-----------------------|
| Annual Out-of-State Visitor Days                               | 843,967              | 690,519               | 1,534,486             |
| Average Expenditure Per Day                                    | \$81.18              | \$219.18              |                       |
| Total Annual Out-of-State Visitor Expenditures                 | \$68,513,265         | \$151,347,889         | \$219,861,154         |
| Less: American Royal District Visitor Expenditure Capture      | \$47,959,286         | \$68,106,550          | \$116,065,836         |
|                                                                | \$51,384,949         | \$75,673,944          | \$127,058,893         |
| Visitor Expenditures Outside of American Royal District        | \$20,553,980         | \$83,241,339          | \$103,795,318         |
|                                                                | \$17,128,316         | \$75,673,944          | \$92,802,261          |
| <b>Visitor Expenditures Outside of American Royal District</b> |                      |                       |                       |
| Kansas                                                         | \$16,443,184         | \$54,106,870          | \$70,550,054          |
|                                                                | \$13,702,653         | \$49,188,064          | \$62,890,717          |
| Missouri                                                       | \$4,110,796          | \$29,134,469          | \$33,245,264          |
|                                                                | \$3,425,663          | \$26,485,881          | \$29,911,544          |
| Wyandotte County                                               | \$10,688,069         | \$27,053,435          | \$37,741,505          |
|                                                                | \$8,906,725          | \$24,594,032          | \$33,500,756          |

## **Impact on Comparable Market Area Businesses**

Future development of the new American Royal Food and Agriculture Epicenter includes two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, 79,400 square foot Education Center, and 148,500 square feet of outdoor learning space. Phase 2 will include a 120-acre festival area designed to host 8,000 to 12,000 people for single-day events to as much as 100,000 for multi-day events.

This section of the study examined the possible impact of the new American Royal Food and Agriculture Epicenter upon similar businesses in the Kansas City MSA (i.e., that the project will increase total the surrounding area, not diminish sales from existing retailers in the surrounding area). Indoor and outdoor sports and entertainment venues operating in the Kansas City MSA were surveyed to identify venues comparable to the new American Royal Food and Agriculture Epicenter.

The **5,800-seat Cable Dahmer Arena** at the intersection on Interstates 70 and 470 in Independence, Missouri is the only mid-size indoor arena operating in the Kansas City MSA that is comparable to the indoor arenas planned for the new American Royal Food and Agriculture Epicenter. The \$60 million multi-purpose arena opened in 2009 and serves as the home and administrative offices for the Kansas City Mavericks in the ECHL, as well as hosting the home games of the Kansas City Comets of the Major Arena Soccer League. The arena is owned by the City of Independence and maintains a second sheet of ice in the Events Center. Facility amenities include:

- Two, 8' 3-13/16" Tall x 35' 4-5/16" Wide Daktronics sidewall video boards at 6mm pixel density
- Two, 12'5" Tall x 71'9" Wide Daktronics endwall video boards at 6mm pixel density
- More video board pixels than the T-Mobile Center
- 360° LED ribbon board (used as scorebars under each video wall)
- 200 VIP style loge seats
- 8 Visiting locker rooms
- 29 luxury suites
- 4 full-service concession stands
- 7 full-service box office windows

The Cable Dahmer Arena hosts more than 100 events every year, including trade shows, professional and amateur sporting events, festivals, community events, concerts, comedians, and others. The arena has hosted many artists including Ariana Grande, Bruno Mars, Alan Jackson, and many more. The arena hosted episodes of AEW Dynamite and the 91st annual Boys MSHSAA State Wrestling Tournament and the 3rd annual Girls MSHSAA State Wrestling Tournament.

The Cable Dahmer Arena is 32 miles east of the new American Royal Food and Agriculture Epicenter on the opposite end of the Kansas City MSA. Given the presence of two anchor professional sports teams, an extensive event calendar, and distance, construction of America

Royal's two indoor arenas are not anticipated to adversely impact operations of the Cable Dahmer Arena.

The Festival Grounds at the new American Royal is designed for an outdoor event space capable of accommodating 8,000 to 12,000 spectators. Two outdoor amphitheaters operate in the Kansas City MSA, including the 18,000-seat Azura Amphitheater in Bonner Springs, Kansas and 7,739-seat Starlight Theatre in Kansas City, Missouri.

The **Azura Amphitheater** is an open-air amphitheater located at 126<sup>th</sup> Street and State Avenue in Bonner Springs, Kansas, one mile west of the new American Royal Food and Agriculture Epicenter. The venue is owned by the Unified Government of Wyandotte County and Kansas City, Kansas and shares its grounds with the Kansas City Renaissance Festival and National Agricultural Center and Hall of Fame and is located adjacent to the Wyandotte County Park. The Azura Amphitheatre can host up to 18,000 spectators and features 3,100 reserved seats, multiple open-air suites, and lawn seating. Through the years the stage has fought several limitations as the 37-foot roof is well below the norm, which often proves challenging to book shows.

Designed by Bird Engineering, the amphitheater opened in 1984 as the Sandstone, also has previously been known as Verizon Wireless Amphitheater, Capitol Federal Park at Sandstone Amphitheater and Cricket Wireless Amphitheater. In recent years, the venue has undergone renovations, including removing reserve seats closest to the stage to provide an up-front general admission experience, upgraded VIP Club, and new sound and video systems. The venue was renamed Azura Amphitheater prior to the 2021 season. New West Presentations remained as the management organization for the venue.

The amphitheater canceled all shows during 2020 due to the COVID-19 pandemic and reopened a year later. During the 2023 concert season the Azura Amphitheater hosted 15 performances by such notable artists as Willie Nelson, Weezer, Dwight Yoakam, Fall Out Boy, Incubus, Godsmack, and Breakaway 2023. Shows booked for the 2024 concert season include Sessanta (3 bands), Noah Kahan, Breakaway Kansas City Music Festival (2 days), Country Stampeded (3 days), Hozier, and Green Day.

**The Starlight Theatre** is a 7,739-seat outdoor amphitheater located at Swopes Park in Kansas City, Missouri, that presents Broadway shows and concerts. It is one of the two major remaining self-producing outdoor theatres in the U.S. and Starlight's Cohen stagehouse also permits it to present national Broadway touring shows. Starlight opened its first Broadway season with the performance of *The Desert Song* on June 25, 1951. For more than 70 years, Starlight Theatre has been Kansas City's home for the best live arts experiences, hosting concerts, Broadway shows, dance groups, Disney shows, special events, and free events.

In 1958, Jerry Lewis paid for a stage extension that covered the orchestra pit. In the early 1980s, the stage was extended over the orchestra pit, bringing on stage action closer to the audience. This extension lasted until 2000 with the building of the 10-story Jeannette and Jerome Cohen Community Stage encompassing 12,000 square feet of enclosed climate-controlled space. Starlight began presenting major national tours in 2000 to bring more recent and contemporary Broadway musicals to Kansas City.

To provide entertainment year-round to current patrons and new audiences, Starlight created a live indoor theatre series called Starlight Indoors that premiered in 2015. Featuring small comedies,

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musicals, parodies, and other unconventional shows, Starlight Indoors is presented inside the heated performance space of Starlight's Cohen Community Stage House.

During 2023, Broadway shows hosted by the Starlight Theatre included Tootsie, Jesus Christ Superstar, Legally Blonde, RAIN – A Tribute to the Beatles, 1776, and Jagged Little Pill. Shows scheduled for the 2024 season include:

- The Cher Show
- STOMP
- Disney's The Little Mermaid
- Shrek The Musical
- Come From Away
- West Side Story
- Peter Pan

The new American Royal Food and Agriculture Epicenter is positioned to introduce new sports, entertainment, and education attractions not currently available in Wyandotte County and Kansas City MSA. By 2032, at build-out and stabilization, out-of-town visitors to the Project District is forecast to generate \$320 million to \$359 million in annual expenditures on shopping, dining, entertainment, lodging, and transportation, not all of which will be satisfied by the planned on-site attractions. The new American Royal Food and Agriculture Epicenter will benefit existing sports, entertainment, retail, restaurant, and lodging businesses in Wyandotte County, with businesses operating in the neighboring Village West and Village East STAR Bond Districts being the primary beneficiaries. Therefore, this report concludes that the new American Royal Food and Agriculture Epicenter is not expected to adversely impact the sales of the Kansas City area's two existing outdoor amphitheaters and mid-sized arena.



## **Impact on Active STAR Bond Projects**

As an economic development incentive, the State of Kansas adopted STAR bond legislation that affords bond financing for eligible development projects. STAR bonds provide Kansas municipalities the opportunity to issue bonds to finance the development of major commercial entertainment and tourism areas and use sales tax revenue generated by the development to pay off the bonds. To be considered a major commercial entertainment and tourism area, a proposed project must be capable of being characterized as a statewide and regional destination and include a high-quality innovative entertainment and tourism attraction, containing unique features which will increase tourism, generate significant positive and diverse economic and fiscal impacts and be capable of sustainable development over time.

STAR bond financing allows eligible projects to capture local and county portion of sales taxes generated within the established district for use in reimbursing such project costs as land acquisition, infrastructure improvements and certain soft costs. The state may also agree to contribute its portion of the sales tax revenue generated within the district.

STAR Bond Project Districts in Kansas that have issued STAR bonds with outstanding balances currently remaining are summarized in the table on the following page.

The principal tourism attractions for the new American Royal Food and Agriculture Epicenter include two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, and 79,400 square foot Education Center. To determine if the future development of the new American Royal Food and Agriculture Epicenter will have a measurable adverse impact on visitor volumes, retail sales volumes, and STAR bond revenues on the STAR Bond Districts with outstanding bond debt, a comparison was made of each project's major attraction(s), market positioning and target market. The possible synergy of these projects was also considered.

## **U.S. Soccer Training Center/Village East Project Area 4**

In December 2017, the \$75 million Compass Minerals National Performance Center home of the U.S. Soccer program opened in Village East Project Area 4 at the southeast corner of 98<sup>th</sup> Street and Parallel Parkway in Kansas City, Kansas just three miles from Children's Mercy Park, home to the Sporting KC. The facility has five full-size soccer fields and the 81,100-square-foot building houses professional training facilities, U.S. Soccer National Coaching Education Center, and Children's Mercy Sports Medicine and Rehabilitation Center. U.S. Soccer signed a 20-year lease to be the primary tenant of the training center with Sporting KC using it as a training home.

The Compass Minerals National Performance Center serves as the premier destination in the United States for players, coaches, and referees to train, develop and educate on a year-round basis. The facility is designed to host national and local coaching courses, USSF staff meetings, player, and referee focused events, NSCAA courses and U.S. National Team camps and practices. The facility also offers a top-of-the-line training facility and centralized home base for premier international soccer clubs touring the United States. During 2019, attendance at the Compass Minerals National Performance Center was reported at more than 1.3 million visitors.

## Active STAR Bond Financed Projects

| STAR Bond District / Major Attraction  | Year Bonds Issued | 2022 Revenues       | Bonds Issued         | Bonds Outstanding    |
|----------------------------------------|-------------------|---------------------|----------------------|----------------------|
| U.S. Soccer Training Center            | 2015              | \$5,359,565         | \$65,229,560         | \$95,418,031         |
| Pinnacle National Development Center   |                   |                     |                      |                      |
| Children's Mercy Park                  | 2010              | \$5,359,565         | \$150,289,488        | \$0                  |
| Schlitterbahn                          | 2013              | \$6,198,385         | \$85,160,000         | \$74,805,000         |
| Kansas Speedway                        | 1999              | \$2,628,937         | \$24,300,413         | \$12,265,000         |
| City of Overland Park                  |                   |                     |                      |                      |
| Prairiefire                            | 2012              | \$4,329,058         | \$64,990,000         | \$64,860,000         |
| Bluhawk                                | 2022              | \$272,176           | \$53,540,000         | \$53,540,000         |
| City of Topeka                         |                   |                     |                      |                      |
| Heartland Park                         | 2017              | \$433,683           | \$10,405,000         | \$2,146,150          |
| City of Wichita                        |                   |                     |                      |                      |
| K-96 Greenwich Stryker Soccer Complex  | 2017              | \$13,643,096        | \$71,305,500         | \$32,095,000         |
| River District Lawrence Dupont Stadium | 2018              | \$3,673,619         | \$42,140,000         | \$42,140,000         |
| City of Derby                          |                   |                     |                      |                      |
| Field Station: Dinosaurs               | 2017              | \$7,890,676         | \$20,465,000         | \$0                  |
| Sports Zone                            | 2020              |                     | \$14,375,000         | \$10,375,000         |
| Rock Climbing Gym                      | 2022              |                     | \$35,285,000         | \$38,285,000         |
| City of Goddard                        |                   |                     |                      |                      |
| Olympic Park Project                   | 2019              | \$4,429,354         | \$25,880,000         | \$16,160,000         |
|                                        | 2021              | \$4,429,354         | \$11,065,000         | \$11,065,000         |
| City of Atchison                       | 2018              | \$351,646           | \$2,370,000          | \$1,655,000          |
| Amelia Earhart Aviation Museum         |                   |                     |                      |                      |
| City of Manhattan                      |                   |                     |                      |                      |
| Flint Hills Discovery Center           | 2009              | \$6,015,698         | \$65,229,559         | \$0                  |
| Museum of Art & Light                  | 2022              |                     | \$24,975,000         | \$14,770,000         |
| City of Salina                         |                   |                     |                      |                      |
| Salina Fieldhouse                      | 2018              | \$2,347,215         | \$22,570,000         | \$16,585,000         |
| City of Dodge City                     |                   |                     |                      |                      |
| Boot Hill Museum                       | 2015              | \$1,600,817         | \$13,150,000         | \$8,255,000          |
| Long Branch Lagoon Water Park          | 2018              | \$1,198,502         | \$15,960,000         | \$13,640,000         |
| City of Garden City                    | 2019              | \$6,152,821         | \$29,540,000         | \$18,105,330         |
| <b>Totals</b>                          |                   | <b>\$76,314,167</b> | <b>\$848,224,520</b> | <b>\$526,164,511</b> |

Source: STAR Bond Annual Report 2022.

In June 2017, Sporting KC opened the Wyandotte Sporting Fields on 90<sup>th</sup> Street north of State Avenue. The 52-acre complex features eight full-sized turf fields and four grass fields. Sporting KC is running the fields with Heartland Soccer hosting soccer tournaments. Together, the NTCDC and Wyandotte Sporting Field elevate Kansas City as a hotbed for soccer.

STAR Bond in the amount of \$65.2 million were issued to assist in financing construction of the U.S. Soccer Training Center. By year-end 2022, \$95.4 million in bond debt remained outstanding.

The Compass Minerals National Performance Center is geared specifically for soccer. The new American Royal Food and Agriculture Epicenter will not be directly competitive and not adversely impact the Compass Minerals National Performance Center's visitor volumes, retail sales volumes, and STAR bond revenues.

## **Schlitterbahn/Village East Project Area 1 and 2A**

In September 2015, \$85.2 million in STAR Bonds were issued for Village East Project Areas 1 and 2A that assisted in the financing of the river system and additional infrastructure and improvements for the Schlitterbahn Waterpark and the Legends Auto Plaza. By year-end 2022, the outstanding balance for the STAR Bonds was reported at \$74,805,000.

The Schlitterbahn Waterpark closed in 2019 and the property is now being redeveloped into the \$500 million Homefield Project featuring a 150,000 square foot indoor multi-sport facility, state-of-the-art baseball complex with eight lighted fields, and 299-room Margaritaville Resort with two pools, FlowRider surfing simulator, 20,000 square foot family entertainment center, and multiple restaurants.

The Homefield Project is designed as an indoor and outdoor multi-sport facility. The new American Royal Food & Agriculture Epicenter is designed as a year-round entertainment venue that caters to a market not currently being serviced by other sports and entertainment venues within Village East or West. Thus, the new American Royal Food and Agriculture Epicenter will not pose as a direct competitor and not adversely impact the Homefield Project's visitor volumes, retail sales volumes, and STAR bond revenues.

## **Kansas Speedway/Village West**

Village West is a 400-acre mixed-use development at the intersection of Interstates 70 and 435 in Kansas City, Kansas located immediately west of the Project District. Village West is designed as a sports, entertainment, and retail destination with principal entertainment attractions including the Kansas Speedway, Children's Mercy Park, Community America Ballpark, and Hollywood Casino. These destination attractions have a major influence on retail sales at Village West by generating high attendance volumes and providing regional and national recognition. The Kansas Speedway is the only STAR Bond project at Village West that still has bonds outstanding.

Opened in August 2001, the \$250 million Kansas Speedway features a 1.5-mile tri-oval NASCAR track and an 80,000-seat grandstand. The Kansas Speedway was the first STAR Bond project in Kansas. The Kansas Speedway continues to host two NASCAR events each year, including the NASCAR Cup Series Hollywood Casino 400 as well as other racing and related events.

According to the *STAR Bond Annual Report 2022* published by the Department of Commerce, in 1999, \$24.3 million in STAR Bonds were issued to finance the Kansas Speedway and as of year-end 2022 the remaining principal balance amounted to \$12,265,000. The debt service reserve fund as of year-end 2022 stood at \$954,265.

The new American Royal Food and Agriculture Epicenter will not compete directly with the Kansas Speedway. In fact, the potential exists for synergy between the two projects as evident by the fact that the Kansas Speedway has hosted American Royal barbecue competitions.

In September 2020, the Unified Government approved the release of 65 acres within the Kansas Speedway STAR Bond District for the construction of a \$400 million Urban Outfitters omnichannel distribution center. The facility was completed on October 26, 2022, and employs about 2,000 jobs.

The Children's Mercy Park, an 18,467-seat soccer stadium, opened at Village West in June 2011. The facility is home to Sporting KC, a franchise of Major League Soccer ("MLS"). The seating capacity can be increased to 25,000 for concerts. The stadium hosts more than 100 annual events including high school soccer and lacrosse tournaments, music festivals, charitable events, training, and retreats. In 2022, the National Women's Soccer League moved their games from Legends Field to Children's Mercy Park. All games in 2022 were at full capacity. STAR bonds totaling \$150.3 million were issued in 2010 to construct Children's Mercy Park and the bonds have been paid in full.

Opened in May 2003, Community America Ballpark is an open-air stadium with a capacity of just under 7,200 that includes suites, fixed seats, picnic and grass seating areas, and standing areas. The stadium was home to the Kansas City T-Bones minor league baseball team through the 2019 season. The stadium was renamed JustBats Field and is now home to the Kansas City Monarchs.

Hollywood Casino at Kansas Speedway opened in early 2012 featuring a 100,000 square foot casino floor, a lounge, and several dining and entertainment concepts.

The experience with Village West demonstrates the value of STAR bonds as a development tool to attract unique, regional shopping and entertainment attractions to Kansas. The one-of-kind entertainment concepts and exceptional regional transportation access allows Village West to penetrate a trade area within a 4-hour drive time and host approximately 12 million visitors annually. Village West's expanded regional draw has attracted such major retail entities as Nebraska Furniture Mart, Cabela's, and Legends at Village West outlet center. The following retail projects are currently operating in Village West:

- Cabela's is a sporting goods retailer specializing in hunting, fishing, camping and related outdoor merchandise. Cabela's was the first tenant to operate within Village West, opening a 188,000 square foot large-format destination retail store in August 2002. The Village West store is Cabela's only store in Kansas or Missouri and services a 250-mile trade area.
- Nebraska Furniture Mart Store, a retailer of furniture, floor coverings, appliances, and electronics products, opened in August 2003. The Village West store is Nebraska Furniture Mart's first full-product-line extension location and services a trade area encompassing a

300-mile radius. Built on 80 acres, the 2-story superstore features over 1.0 million square feet of retail and distribution space.

- The Legends Outlets Kansas City is a 970,035 square foot destination outlet center. The Legends 14 Theatres opened in November 2005. Grand opening for the balance of the destination development occurred on April 22, 2006. The property has since been repositioned as an outlet center boasting a wide mix of national retailers. Major retailers now open for business include Target, JC Penney, HomeGoods, Dave & Busters, TJ Maxx, Off Broadway Shoes, and Old Navy. To date, 80 national and regional retailers are open for business in the shopping center.

Prompted by the regional draw, special events and high visitor volumes ten hotels totaling 1,111 guest rooms now operate within the Village West Tourism District include the Great Wolf Lodge, Chateau Avalon, Best Western, Candlewood Suites, Comfort Inn, Country Inn & Suites, Hampton Inn, Holiday Inn Express, Residence Inn by Marriott, and Homewood Suites.

Village West continues to be the number one tourist attraction in Kansas with more than 12 million annual visitors from throughout the Midwest region and beyond. Village West and Village East together create one of the Midwest's most unique and highly visited sports, entertainment, and shopping destinations. Development of the new American Royal Food and Agriculture Epicenter will have a positive impact on operations of Village West and the Kansas Speedway by improving the synergy between the two developments through the introduction of additional destination attractions and visitors.

## **Prairiefire at LionsGate**

Prairiefire at LionsGate is located on the south side of 135th Street bounded by Nall Avenue to the east and Lamar Avenue to the west. What sets Prairiefire at LionsGate apart from existing lifestyle and entertainment centers in the Kansas City area is the inclusion of a cultural and educational facility as the destination attraction.

The 35,000 square foot Museum at Prairiefire was established based on a pioneering content partnership with the American Museum of Natural History ("AMNH") and opened to the public on May 12, 2014. The museum is focused on enhancing public understanding of natural history and sciences. The museum includes a Discovery Room, which is an exciting gateway to science and natural history for children aged 3 and older, as well as engaging permanent halls and experiences, education programs and science videos, among others. The museum has hosted traveling exhibits by AMNH as well as other science related programming. In a typical year, over 325,000 visitors attend the museum. Since opening in 2014, visitors from more than 2,150 zip codes and 15 foreign countries have visited the museum.

Prairiefire at LionsGate is being developed in two phases. Construction of the initial phase of Prairiefire began in early January 2013 and included the first retail spaces on the east and west sides of the development. REI opened in October 2013 and the remainder of retail and entertainment uses opened in May 2014. Additional retailers now open for business include Home Goods, AMC Dine-in Theaters, Pinstripes Bistro/ Bowling/Bocce, Rock & Brews, Brass Onion, and Veritas Whiskey & Wine Bar. Also open are The Residences at Prairiefire and the West End Flats at Prairiefire apartment communities and The Prairiefire Villas.

Phase 2, currently underway, includes restaurants and entertainment uses, a grocery store, and other commercial businesses. Chicken ‘n’ Pickle, featuring pickleball, outdoor lawn games, and other outdoor amenities, opened in December 2021 and was fully operational during 2022.

According to the *STAR Bond Annual Report 2022*, STAR bonds up to \$81 million have been authorized for Prairiefire at LionsGate. To date, \$64.99 million in STAR Bonds have been issued with an outstanding principal balance of \$64.86 million. During 2022, the district collected \$4.33 million in sales tax revenues and made a bond interest payment of \$3.5 million. The debt service reserve fund stood at \$3.0 million by year-end 2022. In December 2023, bondholders were sent a notice of default after Prairiefire could not pay off \$15 million in debt by its maturity date, which is the first slice of \$65 million in STAR bonds issued in 2012.

Given the distinctly different destination attractions and distance apart, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on Prairiefire at Lionsgate’s visitor volumes, retail sales volumes, and STAR bond revenues.

## **Bluhawk**

The BluHawk Amended Project Plan was approved Oct. 18, 2019, with \$53.54 million in bond proceeds issued in December 2022. The project at 159<sup>th</sup> Street and U.S. Highway 69 in Overland Park is a Price Brothers development project that will be anchored by a 420,000 square foot multi-sport facility which will be built in phases. The first phase is under construction and scheduled to open by Fall 2024, consisting of 260,000 square feet, NFL-size ice rink, 8 basketball courts (convertible to 16 volleyball/pickleball courts), a 40,000 square foot turf field, locker rooms, training area, sprinting track, café, and sports medicine center. The family entertainment center will house arcade games, bowling, laser tag, an e-sports center, golf simulators, and a roll glider.

Given the distinctly different destination attractions and distance apart, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on Bluhawk’s visitor counts, retail sales volumes, and STAR bond revenues.

## **Heartland Park**

Heartland Park in Topeka, Kansas is a world-class multi-purpose motor sports track and entertainment venue. Since it opened in 1989, it has provided in-state and out-of-state visitors with fun, exciting opportunities. The redevelopment for Heartland Park included asphalt replacement for drag and road course tracks, repair and resurfacing of all paddock/pit areas, a consolidated timing and scoring building, garages, maintenance and technical inspection buildings, tire buildings, and pavilions. Today’s facility features a NHRA-sanctioned ¼-mile drag strip, a 2.5-mile road course with four different configurations, a 3/8-mile banked clay oval, a 22-acre asphalt pad for autocross and drift events, and a dirt motocross track.

In June 2019, Heartland Park hosted the Kicker Country Stampede, one of the largest country music festivals in the country with more than 150,000 visitors in attendance. Heartland Park will be the permanent site for the Stampede going forward. During 2019, total attendance to Heartland Park was reported at 338,000 visitors.



Since issuing the bonds, Heartland Park was sold to a new operator, and neither the City of Topeka nor the initial developer retain any ownership of the facility. The new operator is expanding the programming. The park continues to host Country Stampede, an annual 3-day outdoor music and camping festival and other unique events.

STAR Bond financing in the amount of \$10.4 million was issued for the development of Heartland Park. During 2022, Heartland Park generated STAR Bond sales tax revenues of \$433,683 and by year-end the outstanding principal balance had been reduced to \$2,146,150.

Given the distinctly different destination attractions, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on Heartland Park.

## **K-96 Greenwich District**

In June 2013, the Kansas Secretary of Commerce approved the K-96 & Greenwich STAR Bond District located on a 423-acre site at the intersection of K-96 Highway and Greenwich Road in Wichita, Kansas. The District's Project Plan focuses on creating an athletic and recreation attraction complemented by a mix of retail, employment, and lodging uses. The Project Plan designates the site for 1.4 million square feet of commercial development anchored by a major state-of-the-art indoor multisport athletic complex. Additional project components include a mix of big-box retailers, destination restaurants, lodging, and medical office space. Today the District supports approximately 838,710 square feet of existing commercial space.

The initial phase of development located south of K-96 includes a variety of big-box retailers, restaurants, and hotels. In spring 2012, Cabela's, a premier retailer of hunting, fishing, and outdoor gear, opened an 80,000 square foot store. Additional retailers within the District include Super Target, World Market, Hobby Lobby with Chili's, McDonalds, Subway and Kanza Bank occupying out parcels. A 71,680 square foot Academy Sports store opened in 2015. Existing hotels include Hampton Inn & Suites, Holiday Inn Express & Suites, and Staybridge Suites.

In December 2015, the \$14 million Wichita Sports Forum and Aviate Extreme opened on the 106 acres located north of K-96. The indoor multisport facility and extreme air sports trampoline park occupies a 148,534 square foot building. The athletic complex features basketball, baseball, softball, soccer, volleyball, and fitness/training facilities. Also developing on the north 106 acres is Greenwich Place, a power center anchored by World Market, Home Goods, Ross, Mardel, DSW, Bed Bath & Beyond, and Steinmart. A La Quinta Inn & Suites is also open.

In December 2013, STAR bonds were issued in the amount of \$36,325,000 and have been paid in full. In August 2017, an additional \$71,305,000 in STAR Bonds was issued that combined the original bond issue. By December 31, 2022, the principal balance for this bond issue amounted to \$32,095,000. During 2022, the K-96 Greenwich District collected \$13.64 million in sales tax revenues and at year-end the project debt service reserve fund balance totaled \$2.87 million.

The City of Wichita expanded the District to include the 10-field Stryker Soccer Complex on the west side of Greenwich Road at 29<sup>th</sup> Street North. A \$19.1 million upgrade included new artificial turf fields, improved lighting, locker rooms, and construction of one regulation-sized indoor turf field that opened in late spring 2019.

The K-96 Greenwich Project District features a multi-sport athletic complex that includes indoor and outdoor athletic facilities and with the addition of the Stryker Soccer Complex, the primary emphasis of K-96 Greenwich is on soccer. Therefore, given the differing destination attractions and distance apart, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on the operations of the K-96 Greenwich Project District.

## **River District**

The Wichita River District Phase 1 included three projects, including the Keeper of the Plains sculpture, plaza and pedestrian bridge, the East Riverbank Redevelopment project and the WaterWalk fountain and public plaza area.

Phase 2 included improvements to the west bank of the Arkansas River, north of the Douglas Street Bridge and adjacent to the private development site of the River Vista Apartments project. The West Bank Apartments complex includes boat and bike rental facilities and storage for rowing shells, as well as improvements to Delano Park.

Because of the unique characteristics of the Wichita River District, particularly since the district did not begin as a “Greenfield,” but already contained several active businesses, it was possible to use the STAR bond resources in a “pay-as-you-go” manner. Today the Wichita River District supports a wide range of attractions, including:

- The Keeper of the Plains Plaza and Pedestrian Bridges (dedicated in May 2007)
- Water Walk Place building and public parking garage
- The Water Walk Garden (opened in July 2010)
- Fountain at Water Walk (completed in October 2012)
- Marriott Fairfield Inn and Suites (hotel opened in June 2011)
- Wichita Boathouse remodel
- Floating stage
- Broadview Hotel (renovations complete and hotel reopened in August 2011)

Complimenting the public improvements, to date an estimated \$72 million in private investment has been reported. Major private investment projects include:

- WaterWalk Main Place and Gander Mountain - \$29 million
- Marriott Fairfield Hotel - \$12.35 million
- Drury Broadview Hotel remodel and renovation - \$29 million
- Wichita Area Association of Realtors office building - \$1.6 million
- Wichita Boathouse renovation - \$650,000

During 2015, STAR Bonds in the amount of \$4.84 million were issued and have been paid in full.

Amended project plans included the city’s Advanced Learning Library, which opened in 2018 and provided funding to redevelop Lawrence Dumont Stadium into a multi-sport stadium and to attract a major league-affiliated baseball team to Wichita. Lawrence-Dumont Stadium was demolished in late 2018 to make way for construction of the new baseball stadium to be named Riverfront Stadium. In September 2018, the city announced an agreement to locate the New Orleans MiLB

team to Wichita for the 2020 season. The team is known as the Wichita Wind Surge. In 2018, \$42.14 million in STAR Bonds were issued to assist in funding the new stadium. By year-end 2022 the outstanding principal balance was reported at \$42.14 million.

Given the distinctly different destination attractions and distance apart, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on the operations of the Wichita River District.

## **City of Derby District**

The Derby STAR Bond District incorporates approximately 300 acres surrounding the intersection of East Patriot Avenue/East 63<sup>rd</sup> Street South and Rock Road in Derby, Kansas.

The District is comprised of four tracts of land, including: 1) the North Tract located at the northwest corner of East Patriot Avenue/East 63<sup>rd</sup> Street South and South Rock Road; 2) the South Tract located at the southeast and southwest corners of East Patriot Avenue/East 63<sup>rd</sup> Street South and Rock Road; 3) the ROW Tract situated along East Patriot Avenue/East 63<sup>rd</sup> Street South between the North and South Tracts; and 4) the East Tract located on the east side of Rock Road between East Patriot Avenue/East 63<sup>rd</sup> Street and Tall Tree Road. The District is designed for the development of a unique mixed-use project featuring amusement, sports, entertainment, commercial, and lodging opportunities.

The North Tract is designed for a family attraction, a medical complex, and mixed-use development. Opened in May 2018, Field Station Dinosaurs serves as the project's destination attraction. The outdoor attraction geared to children ages 3-11 includes life size animatronic dinosaurs and educational exhibits based on the latest scientific theories and discoveries; an 18-hole miniature golf course with each hole depicting an historic dinosaur; the Kansas Climb tri-level ropes course; and an open-air amphitheater. FSD enjoyed its highest annual attendance since opening in 2018. The attraction's visitor count was up 23 percent over the same period last year and up 70 percent from the park's opening season in 2018. STAR bonds amounting to \$20,465,000 were issued in 2017 and have been paid in full.

In 2020, STAR bonds were issued to finance construction for two additional projects. The first project consists of an indoor/outdoor multisport attraction and the Derby Sports Zone, which features indoor and outdoor hard courts, sand courts and a restaurant. The Derby Sports Zone opened late in the summer of 2022 and features indoor and outdoor hard courts, outdoor sand courts, an outdoor games area, and a full-service, sit-down restaurant. The venue accommodates the play of badminton, paddleball, sand volleyball, sand soccer, yard games, spikeball, and sand wrestling. In 2020, STAR bonds in the amount of \$14,375,000 were issued to assist in funding the Derby Sports Zone. By year-end 2022, the fund principal balance was reported at \$10,375,000.

A rock-climbing gym and an outdoor covered BMX bike pump track are part of the third phase. In 2022, STAR bonds amounting to \$38,285,000 were issued to support development of the venues.

An outdoor adventure sports complex will be completed in Phase 4. This phase consists of a unique to the region man-made lagoon designed for various water sports, an indoor water park, an aerial park and glamping.

The South Tract is designed as a major shopping destination. The initial phase of the Derby Marketplace located at the northeast corner of Rock Road and Meadowlark Boulevard opened in 2014 anchored by a 123,000 square foot Target store and 122,000 square foot Dillons Marketplace. Junior anchors include Ross, TJ Maxx, Hobby Lobby, Petco, Ulta Beauty, and Famous Footwear. Out parcels are occupied by several chain restaurants including Buffalo Wild Wings, Chick-fil-A, IHOP, Olive Garden, Panda Express Panera Bread, and Starbucks.

Given the distinctly different destination attractions and distance apart, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on the operations of the City of Derby Project District.

## **Olympic Park Project**

In May 2014, the Kansas Commerce Secretary approved the Olympic Park STAR Bond Project Plan and the issuance of up to \$25.4 million in net STAR Bond financing. The City of Goddard committed to contribute \$4.75 million for infrastructure improvements and private investments will reach \$44 million. Total project costs are estimated at \$155 million.

The Olympic Park Project includes a 150-room hotel and conference center attached to a 66,000 square foot aquatic facility. The aquatic facility includes two Olympic standard competition pools, a diving well, platform diving, water polo event space and seating for 1,600. The project also includes four turf baseball/softball fields. In May 2021, five competition baseball/softball fields and three outdoor sand sports fields were approved to be added to the project.

In February 2020, the Genesis Sports Complex opened within the Olympic Park Project District featuring five (5) synthetic turf baseball fields designed to host league and tournament play. The turf fields eliminate rain outs and extend league play. Additional complex features include replay cameras, shaded bleachers, adjustable outfield fences, LED lighting, and air-conditioned concessions with an upper deck. The health club, hotel, pre-school, competitive aquatic center, and waterpark, all opened during the first half of 2021.

The Olympic Park Phase 2 Project Plan calls for development of five (5) additional turf baseball fields and a Sand Sports Complex featuring three (3) outdoor sand soccer fields. This expansion of the Genesis Sports Complex will be located immediately west of the existing facility. The addition of five turf baseball fields will improve the ability of the Genesis Sports Complex to host regional baseball and softball tournaments.

To assist in funding development of the Olympic Park Project, STAR bonds in the amount of \$25.88 million were issued in 2019 with another \$11,065,000 issued in 2021. By year-end 2022, the principal balances stood at \$16,160,000 for the 2019 issue and \$11,065,000 for the 2021 issue.

Given the distinctly different destination attractions and distance apart, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on the operations of the Olympic Park Project District.

## **City of Atchison**

The building that houses the destination attraction in the STAR Bond project area, the Amelia Earhart Hangar Museum, was completed in late 2019. The museum features a rare aircraft, a 1935 Lockheed Elecra L-10E, “Muriel”- as well as a flight simulator and 14 state-of-the-art interactive education exhibits. The Amelia Earhart Hangar Museum opened in April 2023. Throughout 2022, the Museum hosted visitors at special events like the Amelia Earhart Festival but was otherwise closed for heavy construction.

Construction of the Farmers Market in downtown Atchison was completed in May 2019, in time for the start of the season.

STAR Bond financing in the amount of \$2.37 million was issued to assist in construction of the Amelia Earhart Aviation Museum and Farmers Market pavilions. By year-end 2022, the remaining principal balance on the bonds was \$1,655,000.

Given the distinctly different destination attractions and distance apart, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on the operations of the City of Atchison Project District.

## **City of Manhattan District**

The Downtown Manhattan Redevelopment District serves as central Kansas’ premier tourism attraction, anchored by the Flint Hills Discovery Center, and complemented by a mix of retail, dining, conference, and lodging venues. Given the unique market positioning, association with the Flint Hills Discovery Center, and the impact of the visitor and tourist markets, the Downtown Manhattan Redevelopment District serves as a regional destination.

Manhattan received \$41 million in STAR bonds from the State of Kansas and the Department of Commerce in 2006. The total amount of the STAR bonds reached \$50 million by 2009 due to updated estimates and costs. Those bonds paid for the construction of the Flint Hills Discovery Center and assist in land acquisition, public infrastructure, streetscape, landscape, and public park improvements in the South End.

The Downtown Manhattan Redevelopment District split up into two project areas consisting of a North Area and a South Area.

The North Area Project Plan calls for 250,000 square feet of commercial and retail space, and approximately 200 residential units. The City of Manhattan and Dial Realty entered into a development agreement for development of the North Area. The shopping center opened in 2006.

The South Area Project Plan consists of the Flint Hills Discovery Center, three hotels, a conference center, approximately 70,000 square feet of commercial space, 400-stall parking garage, 24 new living units, and a publicly owned one-acre park. In November 2011, the Hilton Garden Inn and Manhattan Conference Center opened, followed by completion of the 35,000 square foot Flint Hills Discover Center and Blue Earth Plaza in 2012. During 2018, the Flint Hills Discovery Center hosted 84,893 visitors from 48 states and 36 countries. The 84-room Candlewood Suites opened

in 2013 and the 78-room Holiday Inn Express & Suites and 4-story residential buildings were completed in 2015.

The Downtown Manhattan Redevelopment District's original Series 2009-1 Bonds amounting to \$50.0 million were paid in full and the Series 2009-2 with an outstanding balance of \$6,105,000 scheduled to be paid in full by June 2021.

In March 2022, the Downtown Manhattan Redevelopment District boundaries were expanded to incorporate a second phase of the STAR Bond project and bonds were issued in the summer of 2022 in the amount of \$24,975,000. The new project includes the construction of a \$43.6 million, 50,000 square foot state of the art museum featuring immersive exhibits and interactive displays, public infrastructure, streetscape, and landscaping. The Museum of Art and Light anticipates drawing over 150,000 visitors annually. The museum is now under construction and scheduled to open by October 2024.

The Downtown Manhattan Redevelopment District's principal attractions include the Flint Hills Discovery Center and the Museum of Art and Light. Therefore, given the distinctly different destination attractions and distance apart, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on the operations of the City of Manhattan Project District.

## **City of Salina**

Prior to approval of the STAR Bond District downtown Salina was suffering from a significant relocation of businesses to elsewhere in the city, leaving downtown commercial space more than 50 percent vacant. The Project Plan called for the construction of several catalyst projects and streetscape improvements.

The 68,500 square foot Salina Fieldhouse was completed in late 2017 and serves as the centerpiece of the transformative STAR Bond district in downtown Salina. The Salina Fieldhouse features multi-purpose hardwood and synthetic courts, as well as turf fields. Three hardwood and three synthetic basketball courts can convert into eight volleyball courts or six futsal courts. While turf fields accommodate soccer, football, kickball, baseball, softball and field hockey, hardwood and synthetic courts accommodate volleyball, futsal, dodgeball, cheer, dance, and other activities. The facility also contains specialized equipment such as drop-down batting cages and pitching tunnels. The venue hosts basketball, volleyball and other court sports-related tournaments that draw participants from across the region. More than 12,000 spectators visited in 2022.

Other attractions in the District include The Alley (entertainment center); Old Chicago Pizza; Homewood Suites, Barillo Grill; and other new retailers. The Garage opened in October 2021 and hosts the Crossroad Car Experience with interactive exhibits, restored classic cars and the Kustom Kemps of America Museum, which showcases custom cars designed by the brightest car minds in the country. Both the streetscape in the district and the improvements to Stiefel Theatre were completed in 2023.

In 2018, STAR Bond financing in the amount of \$22.57 million was issued to assist in construction of the various attractions. By year-end 2022, the remaining principal balance on the bonds was \$16,585,000 and debt service reserve account amounted to \$1.37 million.



The Salina STAR Bond District's destination attractions include a multi-sport athletic complex and family entertainment center. The new American Royal Food & Agriculture Epicenter is designed as a year-round entertainment and educational venue. Thus, the new American Royal Food and Agriculture Epicenter will not pose as a direct competitor and not adversely impact the Salina STAR Bond District's visitor volumes, retail sales volumes, and STAR bond revenues.

## **City of Dodge City**

The Power Center Area in Dodge City includes a variety of museums, entertainment venues, hotel, and retail spaces. It also includes the world-renowned Boot Hill Museum; themed and aesthetic improvements to Front Street and Wyatt Earp; a themed water park/aquatic facility; and regional specialty-themed retail and restaurant concepts. Additional development continues in both areas of the project. New developments include the Dodge City Brewery, SMH Engineering office, Red Beard Coffee Company, and other smaller local restaurants. The renovated Boot Hill Museum is open and continues to attract visitors from across the world. The downtown streetscape project broke ground in December 2022 and will improve the look of the downtown area and attract additional visitors to the area.

The Western-themed Long Branch Lagoon Water Park has attracted more than 200,000 visitors since opening. The Guymon Petro Bar and Grill located in the historic Guymon Petro building is opened, as are the Boot Hill Distillery, Holiday Inn Express and other retail, and restaurant attractions.

STAR Bond financing in the amount of \$13.15 million was issued in 2015 with an additional \$15.96 million issued in 2018 to assist in construction of the attractions within the City of Dodge City District. During 2022, STAR Bond revenue collections were reported of \$1,600,817 for the 2015 bond issue and \$1,198,502 for the 2018 bond issue. By year-end 2022, the remaining principal balance on the bonds was \$8,255,000 for the 2015 bond issue and \$13,640,000 for the 2018 bond issue.

Given the distance and distinctly different destination attractions, development of the American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on the operations of the City of Dodge City Project District.

## **City of Garden City**

The Garden City STAR Bond district includes a Heritage Inn & Suites, Parrot Cove Water Park, and Schulman Crossing anchored by Menards, Hobby Lobby, Dick's Sporting Goods, TJ Maxx, Ross, and Petco. The project also includes the Sports of the World Complex that features indoor soccer fields, indoor basketball courts, indoor trampoline park, indoor baseball cages, outdoor sand volleyball courts, outdoor pickle ball courts and outdoor cornhole courts. Additionally, the complex will have tournament, conference, and service amenities such as conference rooms, locker rooms, event rooms and a full-service restaurant and concession facilities. After a construction pause in 2021, preliminary site work and vertical construction resumed in 2023.

In 2019, STAR Bond financing in the amount of \$29.54 million was issued to assist in construction of the attractions within the City of Garden City Project District. During 2022, the District

generated \$6,152,821 in STAR Bond sales tax revenues and by year-end the bond fund principal balance amounted to \$18,105,330 with the debt service reserve fund totaling \$2.34 million.

The Garden City Project District's principal destination attraction features a multi-sport athletic complex that includes indoor basketball courts and outdoor sand volleyball courts. The new American Royal Food and Agriculture Epicenter will cater to a different market niche. Therefore, development of the new American Royal Food and Agriculture Epicenter is not anticipated to have an adverse impact on the operations of the City of Garden City Project District.

## **Conclusions**

The new American Royal Food & Agriculture Epicenter will be a year-round entertainment venue and education center. The initial phase is scheduled for completion in early 2026 and features two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, 1,540-stall barn, 79,400 square foot Education Center, 148,500 square feet of outdoor learning space, and 50 RV spaces.

By year-end 2022, sixteen active STAR Bond Districts in Kansas possessed an outstanding bond principal balance totaling approximately \$526 million. Active STAR Bond Districts include six in the Kansas City MSA, four projects in the Wichita MSA, and projects in Topeka, Manhattan, Salina, Dodge City, and Garden City. The active STAR Bond Districts support a wide range of destination attractions including professional soccer stadium and training facilities, racetracks, minor league baseball stadium, an arena, indoor and outdoor athletic facilities, waterparks, downtown redevelopment, and others. The destination attractions planned for the new American Royal Food and Agriculture Epicenter do not exist within any of the active STAR Bond Projects in Kansas.

Village West continues to be the number one tourist attraction in Kansas with more than 12 million annual visitors from throughout the Midwest region and beyond. Village West and Village East together create one of the Midwest's most unique and highly visited sports, entertainment, and shopping destinations. Development of the new American Royal Food and Agriculture Epicenter will have a positive impact on operations of the Kansas Speedway, Village West, and Village East by improving the synergy between the developments through the introduction of additional destination attractions and visitors.

The study concluded that given the noncompeting destination attractions and differing market niche, development of the new American Royal Food and Agriculture Epicenter will not have a measurable adverse impact on visitor volumes, retail sales volumes and STAR bond revenues on those STAR Bond Districts with outstanding bond debt. Therefore, the operation of additional development within the new American Royal Food and Agriculture Epicenter is not anticipated to cause default in the payment of outstanding STAR bonds.

## ECONOMIC IMPACT STUDY

The following economic impacts were forecast when considering the tourism potential of a project applying for STAR bond financing:

- Direct expenditures: Visitor spending that directly supports the jobs and incomes of people and firms that deal directly with visitors.
- Indirect expenditures: Changes in sales, income or jobs in regional sectors that supply goods and services in support of direct expenditure entities.
- Direct job creation: The total number of jobs (distinguished as full-time or part-time) supported by the target attraction.
- Creation of overnight hotel stays.

The *Economic Impact Assessment* examines the economic implications of the construction and operation of the new American Royal Food and Agriculture Epicenter in terms of the direct and indirect growth in employment, income, and consumption. The project's economic impact was measured in terms of both construction-phase and operational-phase.

Direct impacts measure the spending and job creation that occurs as a direct result of the operations and activities that occur as part of the new American Royal Food and Agriculture Epicenter Project. Indirect impacts consist of re-spending of the initial or direct expenditures, or the supply of goods or services resulting from the initial direct spending as part of the new American Royal Food and Agriculture Epicenter Project.

Economic impacts measure the effects of economic stimuli or new demand for goods and services in the local economy. New demand in this case is created by the new retailers in the market and hotel, and the additional spending they will support. The secondary impacts of supplier expenditures by these businesses, employee spending and visitor spending are called multiplier effects. Multiplier effects are a way of representing the larger effects on the local economy of an initial increase in demand. Multipliers translate a known (or assumed) direct effect into an estimated total impact equal to the direct effect plus an indirect effect. For example, 100 jobs in a new manufacturing plant (the direct effect) might lead indirectly to 60 more jobs in the local service sector (the indirect effect). In this case, the total impact would be 160 jobs, and the employment multiplier would be 1.6.

The indirect effects may result from several diverse kinds of linkages. Some examples would be new sales to the manufacturing plant, sales to the new workers, additional sales to the sellers, and even expanded sales to an expanded government made necessary by the expanded economy. The indirect effects also may include investment and the migration of workers.

Wages for both the construction and operations phases were determined by consulting the *Occupational Employment and Wage Estimates May 2022* for the Kansas City MSA published by the U.S. Department of Labor.

## **Construction-Phase**

Project cost estimates for the new American Royal Food and Agriculture Epicenter Project summarized in the table below total \$450 million, including \$350 million for the site work, infrastructure, arenas, exhibition hall/barns, learning center, administrative offices, and maintenance buildings associated with Phase 1 and \$100 million for the Festival Grounds. Project cost estimates for each project component are identified in the table below.

### **American Royal Food & Agriculture Epicenter Construction Budget by Project Phase**

| <b>Project Component</b>                      | <b>Budgeted Cost</b> |
|-----------------------------------------------|----------------------|
|                                               |                      |
| <b>Main Complex (Phase 1)</b>                 |                      |
|                                               |                      |
| Site Preparation and Infrastructure           | \$42,000,000         |
|                                               |                      |
| Arenas                                        |                      |
| Main Indoor Arena                             | \$53,000,000         |
| Auxiliary Arena                               | \$35,000,000         |
| Outdoor Arena                                 | \$12,000,000         |
|                                               |                      |
| Exhibition Halls / Barns                      | \$92,000,000         |
| Learning and Engagement Center                | \$50,000,000         |
| Maintenance Buildings                         | \$5,000,000          |
| Administrative Offices and Commercial Kitchen | \$12,000,000         |
| Non-Design and Construction                   | \$49,000,000         |
|                                               |                      |
| <b>Phase 1 Total Construction Costs</b>       | <b>\$350,000,000</b> |
|                                               |                      |
| <b>Festival Grounds (Phase 2)</b>             |                      |
|                                               |                      |
| Site Preparation (Including RV Spaces)        | \$49,000,000         |
| Infrastructure                                | \$30,000,000         |
| Buildings and Stage                           | \$15,000,000         |
| Non-Design and Construction                   | \$6,000,000          |
|                                               |                      |
| <b>Phase 2 Total Construction Costs</b>       | <b>\$100,000,000</b> |
| <b>Grand Total Construction Costs</b>         | <b>\$450,000,000</b> |

The economic impact estimates associated with the construction phase of the new American Royal Food and Agriculture Epicenter Project for each Project Area are identified in the table on page 100.

Phase 1 construction costs for the Main Complex are estimated at \$350 million. The economic benefits associated with the construction phase are estimated at a total economic output of \$490 million, direct and indirect job creation of 2,889 full-time equivalent jobs, and \$160 million in payroll. The State of Kansas is estimated to collect \$6.28 million in personal income taxes associated with the construction payroll.

Construction costs for the Festival Grounds are estimated at \$100 million. Economic benefits associated with the construction phase area estimated at a total economic output of \$140 million, direct and indirect job creation of 825 full-time equivalent jobs, and \$45.8 million in payroll. The State of Kansas is estimated to collect \$1.79 million in personal income taxes associated with the construction payroll.

As depicted in the table on page 100, full construction of the new American Royal Food and Agriculture Epicenter Project is estimated to generate a total economic output of \$630 million, direct and indirect job creation of 3,714 full-time equivalent jobs, \$206 million in payroll, and \$8.07 million in State income tax revenue.

The *Occupational Employment and Wage Estimates May 2022* for the Kansas City MSA published by the U.S. Department of Labor quoted an annual mean wage for all construction related occupations in the Kansas City MSA of \$60,080. The mean annual wages for specific construction related jobs include \$78,010 for first-line supervisors, \$59,250 for carpenters, \$46,900 for construction laborers, \$56,220 for drywall installers, \$66,960 for electricians, \$54,890 for painters, \$66,420 for plumbers, \$55,950 for structural iron and steel works, \$55,640 for roofers.

During 2017 the State of Kansas imposed a three-bracket structure for individual state income taxes (2.9%, 4.9% and 5.2%, respectively for 2017). For tax year 2018 the tax rates increased to 3.1 percent for the bottom bracket for income of less than \$15,000 for singles and \$30,000 for married couples filing jointly. The middle bracket includes incomes of \$15,000 to \$30,000 for singles and \$30,000 to \$60,000 for married couples filing jointly with taxes calculated for singles at 5.25 percent for income over \$15,000 less \$323 for singles and 5.25 percent for income over \$30,000 less \$645 for married couples filing jointly. Taxes are calculated for the top bracket at 5.7 percent for income over \$30,000 less \$458 for singles and \$60,000 less \$915 for married couples filing jointly. The Kansas withholding tax brackets remained unchanged for tax seasons 2019 through 2023.

Kansas allows itemized deductions and taxpayers can claim the same itemized deductions reported on the Federal return. Standard deductions under the Tax Reform Law are increased to \$3,500 for singles or married filing separately and \$8,000 for married couples filing jointly. This analysis applied a blended standard deduction for single and married couples of \$5,750. Kansas has no personal exemption.

Based on a direct and indirect construction payroll of approximately \$206 million, State withholding taxes generated during the construction phase are estimated at \$8.07 million.

**Construction-Phase Economic Impact Estimates  
New American Royal Food and Agriculture Epicenter**

|                                  | <b>Main<br/>Complex</b> | <b>Festival<br/>Grounds</b> | <b>Project<br/>Totals</b> |
|----------------------------------|-------------------------|-----------------------------|---------------------------|
| Direct Construction Expenditures | \$350,000,000           | \$100,000,000               | \$450,000,000             |
| Total Economic Impact            | \$490,000,000           | \$140,000,000               | \$630,000,000             |
| Job Creation                     |                         |                             |                           |
| Direct                           | 2,111                   | 603                         | 2,714                     |
| Indirect                         | 778                     | 222                         | 1,000                     |
| Total                            | 2,889                   | 825                         | 3,714                     |
| Payroll                          |                         |                             |                           |
| Direct                           | \$114,194,645           | \$32,627,041                | \$146,821,686             |
| Indirect                         | \$46,126,085            | \$13,178,882                | \$59,304,967              |
| Total                            | \$160,320,730           | \$45,805,923                | \$206,126,653             |
| State Income Taxes               | \$6,280,250             | \$1,794,357                 | \$8,074,607               |

Source: Canyon Research Southwest, Inc.



## **Operational-Phase**

Economic impacts realized through the operation of the new American Royal Food and Agriculture Epicenter include jobs, payroll, spending, and taxes.

Jobs and Income – these impacts estimate new employment and the associated income earned by local residents because of the new spending generated by the new American Royal Food and Agriculture Epicenter. For example, spending captured at local restaurants will support that industry’s employment base and will lead to income for its employees.

Spending - for the new American Royal Food and Agriculture Epicenter includes the actual spending by event attendees for the purchase of tickets, food and drinks, merchandise, and other items, both within the facility and throughout the city. The spending that is captured locally is part of a facility’s economic impact. This spending can be separated into gross and net impacts. Gross impacts include the spending by local residents, as described above, and can be considered the full economic activity associated with a facility. This spending by local residents is considered to be “transfer spending” that would have otherwise been spent locally, although some would likely leave the area for entertainment in other markets. Net impacts, which are a subset of gross impacts, only include the spending by non-local residents.

The *Occupational Employment and Wage Estimates May 2022* for the Kansas City MSA published by the U.S. Department of Labor quoted an annual mean wage of \$58,250 for all workers in the Kansas City MSA. Average mean wages for select occupations include \$31,080 for food preparation and serving, \$27,910 for cashiers, \$54,400 for chefs, \$55,630 for food service managers, \$31,390 for restaurant cooks, \$23,300 for servers, \$34,040 for bartenders, \$39,470 for security guards, \$43,230 for first-line supervisors of entertainment and recreation, \$25,080 for amusement and recreation, and \$48,220 for maintenance workers.

The existing American Royal employs 24 full-time equivalent jobs for both association and building project. Annual payroll without benefits is approximately \$2.25 million. Does not include 6 to 10 operations employees who work hourly or on a temp status. By 2030, the new American Royal Food and Agriculture Epicenter is expected to be employ 40 full-time equivalent workers plus 8 to 16 operations employees and additional contractors. Annual payroll is expected to be \$4.0 million.

At build-out and stabilization of the Festival Grounds, direct full-time equivalent employment is estimated at 14 jobs with a total annual payroll of \$698,000.

The other component of the economic activity generated by operation of the new American Royal Food and Agriculture Epicenter is the expenditures spent locally by out-of-town event attendees on items such as lodging, meals, and entertainment. At build-out and stabilization, out-of-state attendance from outside of 100 miles to the new American Royal Food and Agriculture Epicenter is estimated at 437,903 visitors, including 289,403 visitors to Phase 1 and 148,500 visitors at the Festival Grounds.

Stabilized year gross visitor expenditures generated by visitors to the new American Royal Food and Agriculture Epicenter are estimated at \$330 million, of which an estimated at \$181 million is

captured within the Project District. Net expenditures by out-of-state visitors traveling from 100+ miles are estimated at \$83 million, yielding total net economic output of \$116.8 million.

Operation of the initial phase of the new American Royal is estimated to generate stabilized year net expenditures of \$65.5 million, net economic impact of \$91.7 million in total economic output, 430 direct and indirect jobs, \$16.6 million in annual payroll, and \$490,220 in State personal income tax collections.

The Festival Grounds is estimated to generate stabilized year net expenditures of \$17.9 million, net economic impact of \$25.1 million in total economic output, 142 direct and indirect jobs, \$4.2 in annual payroll, and \$116,582 in State personal income tax collections.

At build-out and stabilized occupancy, the new American Royal Food and Agriculture Epicenter is estimated to attract 2.16 million to 2.43 million annual visitors, including 779,618 to 882,725 visitors from over 100 miles away. Assuming 60 percent of these visitors stay overnight, 1.8 guests per room, and an average stay of two nights, total demand for overnight accommodations is estimated at 519,745 annual room nights. At an average annual occupancy rate of 70 percent, the estimated room night demand is enough to support 2,034 hotel rooms. These lodging supply and demand forecasts illustrate the significant impact the new American Royal Food and Agriculture Epicenter will have on the Kansas City area hotel market and the potential to support additional hotel development.

To conclude, the new American Royal Food and Agriculture Epicenter Project will contribute significantly to the state and local economy by generating construction and permanent jobs; attracting out-of-state visitors, spending, and lodging demand; strengthening the Kansas City area's status as a tourist destination; and yielding state income tax revenues.

**Operational-Phase Economic Impact Estimates  
New American Royal Food and Agriculture Epicenter**

|                                                | <b>Main<br/>Complex</b> | <b>Festival<br/>Grounds</b> | <b>Project<br/>Totals</b> |
|------------------------------------------------|-------------------------|-----------------------------|---------------------------|
|                                                |                         |                             |                           |
| <b>Total Net Economic Impact of Operations</b> |                         |                             |                           |
| Stabilized Year Net Expenditures               | \$65,487,131            | \$17,906,610                | \$83,393,741              |
| Total Net Output                               | \$91,681,984            | \$25,069,253                | \$116,751,237             |
|                                                |                         |                             |                           |
| Job Creation                                   |                         |                             |                           |
| Direct                                         | 40                      | 14                          | 54                        |
| Indirect                                       | 468                     | 128                         | 596                       |
| Total                                          | 508                     | 142                         | 650                       |
|                                                |                         |                             |                           |
| Payroll                                        |                         |                             |                           |
| Direct                                         | \$4,000,000             | \$698,000                   | \$4,698,000               |
| Indirect                                       | \$12,636,000            | \$3,456,000                 | \$16,092,000              |
| Total                                          | \$16,636,000            | \$4,154,000                 | \$20,790,000              |
|                                                |                         |                             |                           |
| State Income Taxes                             | \$490,220               | \$163,426                   | \$653,646                 |

Source: Canyon Research Southwest, Inc.

# STAR BOND REVENUE PROJECTIONS

The STAR bond program provides Kansas municipalities the opportunity to issue bonds to finance the development of major commercial entertainment and tourism areas and use sales tax revenue generated by the development to pay off the bonds. STAR bonds possess a 20-year term. An eligible area for the STAR bond program includes a historic theater, major tourism area, major motorsports complex, auto racetrack facility, river walk canal facility, major multi-sport athletic complex or a major commercial entertainment and tourism area.

Financing for a portion of the new American Royal Food and Agriculture Epicenter will be provided by STAR bond and Community Improvement District sales taxes generated by the Project District. Applicable STAR bond sales tax revenues applicable to will be generated by both the new American Royal Food and Agriculture Epicenter and Northwest Speedway STAR Bond District.

The STAR bond revenue projections and supportable bond debt estimates contained in this study are derived exclusively from four sources within the Northwest Speedway STAR Bond District: 1) incremental sales from the Plaza at the Speedway (over and above the “base year” sales), 2) the new American Royal complex to be developed at the northeast and northwest corners of 118<sup>th</sup> Street and State Avenue, 3) the American Royal festival grounds anticipated to be developed on the west side of 118<sup>th</sup> Street, and 4) a Community Improvement District sales tax levy.

A Community Improvement District (CID) is planned to be established coterminous with the boundaries of the new American Royal Food and Agriculture Epicenter site, with an additional 1.0 percent sales tax to be levied through maturity of the STAR Bond District.

This section of the study quantifies the supportable bond debt by preparing an amortization schedule using estimated STAR bond sales tax revenue streams available through maturity of the 20-year term. **This analysis assumes that STAR Bond and CID revenues generated by the new American Royal Food and Agriculture Epicenter Phases 1 and 2 will commence in 2024 with maturity in 2043. Phases 1 and 2 will be designated separate Project Areas with STAR Bond revenues commencing in 2026 for Phase 1 and 2030 for Phase 2.**

## **Northwest Speedway STAR Bond Revenues**

Incremental sales from the Plaza at the Speedway portion of the Northwest Speedway STAR Bond District located north of Parallel Parkway east of 110<sup>th</sup> Street will be pledged to the new American Royal Food and Agriculture Epicenter. The 850,000 square foot Plaza at the Speedway is anchored by Sam’s Club, Walmart Supercenter, and Kohl’s. Other tenants include Taco Bell, Olive Garden, Red Lobster, Chick-fil-A, Jack in the Box, and Wendy’s.

The Northwest Speedway STAR Bond District was established pursuant to Ordinance No. O-75-16 adopted by the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas on December 15, 2016, and published December 22, 2016, thereby establishing the “base year” to be the 12-month period immediately prior (Dec. 2015 – Nov. 2016), all in accordance with the Kansas STAR bonds financing act, K.S.A. 12-17,160 et seq.

On October 26, 2017, the Unified Government adopted Ordinance No. O-62-17 approving a STAR bond project plan for the District, and prior to implementing the Original Project Plan, the Unified

Government adopted Ordinance No. O-52-18 on December 6, 2018, approving an amended STAR bond project plan for the District, which repealed and replaced the Original Project Plan in its entirety. Due to the COVID-19 pandemic, the project was then paused shortly thereafter. Accordingly, these projections assume that a second amended STAR bond project plan for the District (the “Second Amended Project Plan”) will be adopted repealing and replacing the First Amended Project Plan, and that the 20-year term of the STAR bond project described herein will commence on the date of the approval of the Second Amended Project Plan.

STAR Bond revenues will be generated by the state sales tax of 6.5 percent on the incremental sales from the Plaza at the Speedway. Given that the Plaza at the Speedway was the only existing sales-tax-producing development within the District at the time of creation, base sales are the gross sales from the Plaza at the Speedway during the 12 months prior to creation of the Northwest Speedway STAR bond District (December 2015 – November 2016) and are equal to \$162,198,246 (“Base Sales”) based on \$10,542,898 of State sales and use tax generation.

From December 2021 to November 2022, the Plaza at the Speedway generated \$13,633,265 in State sales and use tax, which equates to \$209,742,543 in gross sales, or \$47,544,117 in incremental sales over the Base Sales. Throughout maturity of the STAR Bond District sales from the Plaza at the Speedway are projected to grow at an annual average growth rate of 2.5 percent. For 2024, gross sales were estimated at \$220,360,759. The vacant former Best Buy store was not included in the STAR Bond revenue projections.

As calculated in the table on the following page, gross STAR bond revenues from the Plaza at the Speedway for the 20-year STAR Bond period (2024-2043) total \$155 million.

## **American Royal STAR Bond Revenues**

The STAR Bond Act allows for the pledge of 100 percent of the tax increment revenue received by the city from any local sales and use taxes, including the city’s share of any county sales tax, which are collected within the STAR bond project district. The STAR bond financing for the new American Royal Food and Agriculture Epicenter will be repaid by certain incremental retail sales taxes.

Taxable retail sales generated by businesses operating in the Project District are subject to a sales tax rate of 9.125 percent consisting of 6.5 percent for the State of Kansas, 1.0 percent for Wyandotte County and 1.625 percent for the City of Kansas City. Accounting for dedicated sales taxes (which are not pledged), the effective STAR Bond eligible sales tax rate is 8.434368 percent.

### **STAR Bond Effective Sales Tax Rate American Royal STAR Bond Project District**

| Taxing Jurisdiction   | Tax Rate      | % Allocation | STAR Bond Dedicated |
|-----------------------|---------------|--------------|---------------------|
|                       |               |              |                     |
| State of Kansas       | 6.500%        | 100.0000%    | 6.500000%           |
| Wyandotte County      | 1.000%        | 93.4368%     | 0.934368%           |
| City of Kansas City   | 1.625%        | 61.5385%     | 1.000000%           |
|                       |               |              |                     |
| <b>Total Tax Rate</b> | <b>9.125%</b> |              | <b>8.434368%</b>    |

## STAR Bond Revenue Estimates @ Plaza at the Speedway

| Year          | Base Year Sales | Forecast Sales | Incremental Sales | State of Kansas 6.50% | Total STAR Bond Revenue |
|---------------|-----------------|----------------|-------------------|-----------------------|-------------------------|
| 2024          | \$162,198,426   | \$220,360,759  | \$58,162,333      | \$3,780,552           | \$3,780,552             |
| 2025          | \$162,198,426   | \$225,869,778  | \$63,671,352      | \$4,138,638           | \$4,138,638             |
| 2026          | \$162,198,426   | \$231,516,522  | \$69,318,096      | \$4,505,676           | \$4,505,676             |
| 2027          | \$162,198,426   | \$237,304,435  | \$75,106,009      | \$4,881,891           | \$4,881,891             |
| 2028          | \$162,198,426   | \$243,237,046  | \$81,038,620      | \$5,267,510           | \$5,267,510             |
| 2029          | \$162,198,426   | \$249,317,973  | \$87,119,547      | \$5,662,771           | \$5,662,771             |
| 2030          | \$162,198,426   | \$255,550,922  | \$93,352,496      | \$6,067,912           | \$6,067,912             |
| 2031          | \$162,198,426   | \$261,939,695  | \$99,741,269      | \$6,483,182           | \$6,483,182             |
| 2032          | \$162,198,426   | \$268,488,187  | \$106,289,761     | \$6,908,834           | \$6,908,834             |
| 2033          | \$162,198,426   | \$275,200,392  | \$113,001,966     | \$7,345,128           | \$7,345,128             |
| 2034          | \$162,198,426   | \$282,080,402  | \$119,881,976     | \$7,792,328           | \$7,792,328             |
| 2035          | \$162,198,426   | \$289,132,412  | \$126,933,986     | \$8,250,709           | \$8,250,709             |
| 2036          | \$162,198,426   | \$296,360,722  | \$134,162,296     | \$8,720,549           | \$8,720,549             |
| 2037          | \$162,198,426   | \$303,769,740  | \$141,571,314     | \$9,202,135           | \$9,202,135             |
| 2038          | \$162,198,426   | \$311,363,984  | \$149,165,558     | \$9,695,761           | \$9,695,761             |
| 2039          | \$162,198,426   | \$319,148,083  | \$156,949,657     | \$10,201,728          | \$10,201,728            |
| 2040          | \$162,198,426   | \$327,126,785  | \$164,928,359     | \$10,720,343          | \$10,720,343            |
| 2041          | \$162,198,426   | \$335,304,955  | \$173,106,529     | \$11,251,924          | \$11,251,924            |
| 2042          | \$162,198,426   | \$343,687,579  | \$181,489,153     | \$11,796,795          | \$11,796,795            |
| 2043          | \$162,198,426   | \$352,279,768  | \$190,081,342     | \$12,355,287          | \$12,355,287            |
|               |                 |                |                   |                       |                         |
| <b>Totals</b> |                 |                |                   |                       | <b>\$155,029,655</b>    |

Source: Canyon Research Southwest, Inc.; February 2024.



The *Market Impact Study* section of the report estimated conservative and optimistic annual retail sales revenues at build-out and stabilization of the new American Royal Food and Agriculture Epicenter. For this analysis, the conservative retail sales forecasts were applied.

From 2003 through 2022 the Consumer Price Index (“CPI”) rose at an average annual rate of 2.47 percent, ranging from a low of -0.4 percent in 2009 to a high of 8.0 percent in 2022. Through maturity of the STAR bonds retail and lodging sales volumes within the Project District are escalated at an annual rate of 2.5 percent.

By 2032, attendance for the entire new American Royal Food and Agriculture Epicenter site is estimated to stabilize at 2.16 million to 2.43 million attendees. **Following project stabilization in 2032, no annual increases in attendance to the new American Royal were applied.**

### **Phase 1**

The new American Royal Food and Agriculture Epicenter Phase 1 is scheduled for completion in early 2026 and will feature two indoor arenas with permanent seating of 3,500 seats and 5,000 seats, 3,500-seat outdoor arena, 1,540-stall barn, 79,400 square foot Education Center, 148,500 square feet of outdoor living space, and 50 RV spaces.

Retail sales through build-out and stabilization of Phase 1 are estimated at \$87.1 million in 2026; \$93.7 million in 2027; \$105.5 million in 2028; \$117.8 million in 2029; and \$130.3 million at stabilization in 2030.

As outlined in the table on page 108, throughout the 20-year term the new American Royal Food and Agriculture Epicenter Phase 1 is forecast to generate total STAR bond revenue of approximately \$226 million and CID sales tax revenue of \$26.8 million.

### **Phase 2 – Festival Grounds**

The new American Royal Food and Agriculture Epicenter Phase 2 will include a 120-acre Festival Grounds scheduled to open by 2030. The project will include a festival area with a concert lawn and 1,200 RV/trailer parking spaces.

Taxable sales through build-out and stabilization of the Festival Grounds are estimated at \$13.2 million in 2030; \$27.3 million in 2031; and \$41.1 million at stabilization in 2032.

As outlined in the table on page 109, throughout the 20-year term the Festival Grounds are forecast to generate total STAR bond revenue of \$51.2 million and CID sales tax revenue of \$6.1 million.

### **Total Revenue**

As outlined in the table on page 110, throughout the 20-year life of the new American Royal Food and Agriculture Epicenter STAR Bond District, the Plaza at the Speedway and American Royal Phases 1 and 2 are estimated to generate net revenues of \$465 million, including STAR Bond revenues of \$432.2 million and CID sales tax revenue of \$32.9 million.

# STAR Bond Revenue Estimates

## American Royal Food and Agriculture Epicenter Phase 1

| STAR Bond Revenue |               |  |               |              |              |              |               |
|-------------------|---------------|--|---------------|--------------|--------------|--------------|---------------|
| Forecast          |               |  | State of      | Wyandotte    | City of      | CID Sales    | Total         |
| Year              | Sales         |  | Kansas        | County       | Kansas City  | Tax Revenue  | Revenue       |
|                   |               |  | 6.50%         | 0.934368%    | 1.00%        | 1.00%        |               |
| 2026              | \$87,066,929  |  | \$5,659,350   | \$813,526    | \$870,669    | \$870,669    | \$8,214,214   |
| 2027              | \$93,653,926  |  | \$6,087,505   | \$875,072    | \$936,539    | \$936,539    | \$8,835,656   |
| 2028              | \$105,457,386 |  | \$6,854,730   | \$985,360    | \$1,054,574  | \$1,054,574  | \$9,949,238   |
| 2029              | \$117,841,980 |  | \$7,659,729   | \$1,101,078  | \$1,178,420  | \$1,178,420  | \$11,117,646  |
| 2030              | \$130,326,617 |  | \$8,471,230   | \$1,217,730  | \$1,303,266  | \$1,303,266  | \$12,295,493  |
| 2031              | \$140,964,243 |  | \$9,162,676   | \$1,317,125  | \$1,409,642  | \$1,409,642  | \$13,299,085  |
| 2032              | \$145,250,516 |  | \$9,441,284   | \$1,357,174  | \$1,452,505  | \$1,452,505  | \$13,703,468  |
| 2033              | \$148,881,779 |  | \$9,677,316   | \$1,391,104  | \$1,488,818  | \$1,488,818  | \$14,046,055  |
| 2034              | \$152,603,823 |  | \$9,919,249   | \$1,425,881  | \$1,526,038  | \$1,526,038  | \$14,397,206  |
| 2035              | \$156,418,919 |  | \$10,167,230  | \$1,461,528  | \$1,564,189  | \$1,564,189  | \$14,757,136  |
| 2036              | \$160,329,392 |  | \$10,421,410  | \$1,498,067  | \$1,603,294  | \$1,603,294  | \$15,126,065  |
| 2037              | \$164,337,627 |  | \$10,681,946  | \$1,535,518  | \$1,643,376  | \$1,643,376  | \$15,504,216  |
| 2038              | \$168,446,067 |  | \$10,948,994  | \$1,573,906  | \$1,684,461  | \$1,684,461  | \$15,891,822  |
| 2039              | \$172,657,219 |  | \$11,222,719  | \$1,613,254  | \$1,726,572  | \$1,726,572  | \$16,289,117  |
| 2040              | \$176,973,650 |  | \$11,503,287  | \$1,653,585  | \$1,769,736  | \$1,769,736  | \$16,696,345  |
| 2041              | \$181,397,991 |  | \$11,790,869  | \$1,694,925  | \$1,813,980  | \$1,813,980  | \$17,113,754  |
| 2042              | \$185,932,941 |  | \$12,085,641  | \$1,737,298  | \$1,859,329  | \$1,859,329  | \$17,541,598  |
| 2043              | \$190,581,264 |  | \$12,387,782  | \$1,780,730  | \$1,905,813  | \$1,905,813  | \$17,980,138  |
|                   |               |  |               |              |              |              |               |
| Totals            |               |  | \$174,142,947 | \$25,032,861 | \$26,791,223 | \$26,791,223 | \$252,758,254 |

Source: Canyon Research Southwest, Inc.; February 2024.

**STAR Bond Revenue Estimates**  
**American Royal Food and Agriculture Epicenter**  
**Phase 2 - Festival Grounds**

| STAR Bond Revenue |                |  |                          |                               |                              |                                |                         |
|-------------------|----------------|--|--------------------------|-------------------------------|------------------------------|--------------------------------|-------------------------|
| Year              | Forecast Sales |  | State of Kansas<br>6.50% | Wyandotte County<br>0.934368% | City of Kansas City<br>1.00% | CID Sales Tax Revenue<br>1.00% | Total STAR Bond Revenue |
| 2030              | \$13,200,000   |  | \$858,000                | \$123,337                     | \$132,000                    | \$132,000                      | \$1,245,337             |
| 2031              | \$27,324,000   |  | \$1,776,060              | \$255,307                     | \$273,240                    | \$273,240                      | \$2,577,847             |
| 2032              | \$41,085,000   |  | \$2,670,525              | \$383,885                     | \$410,850                    | \$410,850                      | \$3,876,110             |
| 2033              | \$42,112,125   |  | \$2,737,288              | \$393,482                     | \$421,121                    | \$421,121                      | \$3,973,013             |
| 2034              | \$43,164,928   |  | \$2,805,720              | \$403,319                     | \$431,649                    | \$431,649                      | \$4,072,338             |
| 2035              | \$44,244,051   |  | \$2,875,863              | \$413,402                     | \$442,441                    | \$442,441                      | \$4,174,147             |
| 2036              | \$45,350,153   |  | \$2,947,760              | \$423,737                     | \$453,502                    | \$453,502                      | \$4,278,500             |
| 2037              | \$46,483,906   |  | \$3,021,454              | \$434,331                     | \$464,839                    | \$464,839                      | \$4,385,463             |
| 2038              | \$47,646,004   |  | \$3,096,990              | \$445,189                     | \$476,460                    | \$476,460                      | \$4,495,099             |
| 2039              | \$48,837,154   |  | \$3,174,415              | \$456,319                     | \$488,372                    | \$488,372                      | \$4,607,477             |
| 2040              | \$50,058,083   |  | \$3,253,775              | \$467,727                     | \$500,581                    | \$500,581                      | \$4,722,664             |
| 2041              | \$51,309,535   |  | \$3,335,120              | \$479,420                     | \$513,095                    | \$513,095                      | \$4,840,730             |
| 2042              | \$52,592,273   |  | \$3,418,498              | \$491,405                     | \$525,923                    | \$525,923                      | \$4,961,749             |
| 2043              | \$53,907,080   |  | \$3,503,960              | \$503,691                     | \$539,071                    | \$539,071                      | \$5,085,792             |
|                   |                |  |                          |                               |                              |                                |                         |
| <b>Totals</b>     |                |  | <b>\$39,475,429</b>      | <b>\$5,674,550</b>            | <b>\$6,073,143</b>           | <b>\$6,073,143</b>             | <b>\$57,296,265</b>     |

Source: Canyon Research Southwest, Inc.; February 2024.

**Total STAR Bond Revenue Estimates**  
**American Royal Food and Agriculture Epicenter**

| Year          | Plaza<br>at the<br>Speedway | STAR Bond Revenue          |                                | CID Revenue                |                                | Total<br>Revenues    |
|---------------|-----------------------------|----------------------------|--------------------------------|----------------------------|--------------------------------|----------------------|
|               |                             | Phase 1<br>Main<br>Complex | Phase 2<br>Festival<br>Grounds | Phase 1<br>Main<br>Complex | Phase 2<br>Festival<br>Grounds |                      |
| 2024          | \$3,780,552                 |                            |                                |                            |                                | \$3,780,552          |
| 2025          | \$4,138,638                 |                            |                                |                            |                                | \$4,138,638          |
| 2026          | \$4,505,676                 | \$7,343,545                |                                | \$870,669                  |                                | \$12,719,890         |
| 2027          | \$4,881,891                 | \$7,899,117                |                                | \$936,539                  |                                | \$13,717,547         |
| 2028          | \$5,267,510                 | \$8,894,664                |                                | \$1,054,574                |                                | \$15,216,748         |
| 2029          | \$5,662,771                 | \$9,939,226                |                                | \$1,178,420                |                                | \$16,780,417         |
| 2030          | \$6,067,912                 | \$10,992,227               | \$1,113,337                    | \$1,303,266                | \$132,000                      | \$19,608,742         |
| 2031          | \$6,483,182                 | \$11,889,443               | \$2,304,607                    | \$1,409,642                | \$273,240                      | \$22,360,114         |
| 2032          | \$6,908,836                 | \$12,250,963               | \$3,465,260                    | \$1,452,505                | \$410,850                      | \$24,488,414         |
| 2033          | \$7,345,128                 | \$12,557,237               | \$3,551,892                    | \$1,488,818                | \$421,121                      | \$25,364,196         |
| 2034          | \$7,792,328                 | \$12,871,167               | \$3,640,689                    | \$1,526,039                | \$431,649                      | \$26,261,872         |
| 2035          | \$8,250,709                 | \$13,192,949               | \$3,731,706                    | \$1,564,189                | \$442,441                      | \$27,181,994         |
| 2036          | \$8,720,549                 | \$13,522,771               | \$3,824,999                    | \$1,603,294                | \$453,502                      | \$28,125,115         |
| 2037          | \$9,202,135                 | \$13,860,840               | \$3,920,624                    | \$1,643,376                | \$464,839                      | \$29,091,814         |
| 2038          | \$9,695,762                 | \$14,207,361               | \$4,018,639                    | \$1,684,461                | \$476,460                      | \$30,082,683         |
| 2039          | \$10,201,728                | \$14,562,545               | \$4,119,105                    | \$1,726,572                | \$488,372                      | \$31,098,322         |
| 2040          | \$10,720,343                | \$14,926,609               | \$4,222,083                    | \$1,769,736                | \$500,581                      | \$32,139,352         |
| 2041          | \$11,251,924                | \$15,299,773               | \$4,327,635                    | \$1,813,981                | \$513,095                      | \$33,206,408         |
| 2042          | \$11,796,795                | \$15,682,269               | \$4,435,826                    | \$1,859,329                | \$525,922                      | \$34,300,141         |
| 2043          | \$12,355,287                | \$16,074,325               | \$4,546,722                    | \$1,905,813                | \$539,071                      | \$35,421,218         |
|               |                             |                            |                                |                            |                                |                      |
| <b>Totals</b> | <b>\$155,029,656</b>        | <b>\$225,967,031</b>       | <b>\$51,223,124</b>            | <b>\$26,791,223</b>        | <b>\$6,073,143</b>             | <b>\$465,084,177</b> |

Source: Canyon Research Southwest, Inc.

## **Supportable Bond Debt Estimates**

The STAR Bond funding capacity of the new American Royal Food and Agriculture Epicenter Phases 1 and 2 was determined through calculating the net present value of the annual Sales Tax Special Obligation Bond (“STAR”) revenues throughout the maturity of the project plan. This report assumed that all STAR bond revenue would be used to pay bond debt. The net present value was calculated using an annual sales growth rate of 2.5 percent, debt service reserve and bond issuance costs of 12.0 percent, debt coverage ratio of 1.25 and a discount (“yield”) rate of 5.0 percent.

Throughout the statutory 20-year STAR bond maturity period the gross Sales Tax Special Obligation Bond and CID Sales Tax revenues generated by the Plaza at the Speedway and new American Royal Food and Agriculture Epicenter Phases 1 and 2 are estimated at \$465 million. Accounting for bond issuance costs and reserve fund allocation, net present value proceeds of \$198.8 million are available to service bond principal and interest payments. Net proceeds amount to \$61.8 million for the Plaza at the Speedway, \$109.7 million for Phase 1 (Main Complex) and \$27.3 million for Phase 2 (Festival Grounds).

The Kansas STAR Bond Act requires that the Feasibility Study include a full disclosure and description of all state, federal, and local tax incentives that apply or, pursuant to the project plan, are anticipated to apply within the STAR Bond District or that apply to any business located in or, pursuant to the project plan, that will be located in the district. In the case of the new American Royal Food and Agriculture Epicenter, such additional incentives include:

- \$3.0 million in Kansas Building a Strong Economy (BASE) grant funding from the state to support certain infrastructure and related investments associated with the development of the new American Royal Food and Agriculture Epicenter. Kansas BASE grant funding comes from a portion of the funds provided by the federal government to the State of Kansas under the Coronavirus State Fiscal Recovery Funds established pursuant to Section 602 of Title VI of the Social Security Act, as added by Section 9901 of the federal American Rescue Plan Act of 2021.
- Industrial Revenue Bond (IRB) financing from the Unified Government, solely for the purpose of obtaining a sales tax exemption on construction materials.
- \$5.0 million in anticipated funding from the Kansas Department of Transportation to assist with the financing of certain public road improvements and related infrastructure work.

## Supportable STAR Bond Debt Estimates Plaza at the Speedway

| Year         | Gross<br>STAR Bond<br>Revenue                        | Present<br>Value<br>5.0% | Net<br>Present<br>Value | Less: Debt<br>Coverage<br>1.25 | Net<br>STAR Bond<br>Proceeds |
|--------------|------------------------------------------------------|--------------------------|-------------------------|--------------------------------|------------------------------|
| 2024         | \$3,780,552                                          | 0.952381                 | \$3,600,526             | \$720,105                      | \$2,880,420                  |
| 2025         | \$4,138,638                                          | 0.907029                 | \$3,753,865             | \$750,773                      | \$3,003,092                  |
| 2026         | \$4,505,676                                          | 0.863838                 | \$3,892,174             | \$778,435                      | \$3,113,740                  |
| 2027         | \$4,881,891                                          | 0.822702                 | \$4,016,341             | \$803,268                      | \$3,213,073                  |
| 2028         | \$5,267,510                                          | 0.783526                 | \$4,127,231             | \$825,446                      | \$3,301,785                  |
| 2029         | \$5,662,771                                          | 0.746215                 | \$4,225,644             | \$845,129                      | \$3,380,515                  |
| 2030         | \$6,067,912                                          | 0.710681                 | \$4,312,350             | \$862,470                      | \$3,449,880                  |
| 2031         | \$6,483,182                                          | 0.676839                 | \$4,388,071             | \$877,614                      | \$3,510,457                  |
| 2032         | \$6,908,834                                          | 0.644609                 | \$4,453,497             | \$890,699                      | \$3,562,798                  |
| 2033         | \$7,345,128                                          | 0.613913                 | \$4,509,269             | \$901,854                      | \$3,607,416                  |
| 2034         | \$7,792,328                                          | 0.584679                 | \$4,556,011             | \$911,202                      | \$3,644,809                  |
| 2035         | \$8,250,709                                          | 0.556837                 | \$4,594,300             | \$918,860                      | \$3,675,440                  |
| 2036         | \$8,720,549                                          | 0.530321                 | \$4,624,690             | \$924,938                      | \$3,699,752                  |
| 2037         | \$9,202,135                                          | 0.505068                 | \$4,647,704             | \$929,541                      | \$3,718,163                  |
| 2038         | \$9,695,761                                          | 0.481017                 | \$4,663,826             | \$932,765                      | \$3,731,061                  |
| 2039         | \$10,201,728                                         | 0.458112                 | \$4,673,534             | \$934,707                      | \$3,738,827                  |
| 2040         | \$10,720,343                                         | 0.436297                 | \$4,677,254             | \$935,451                      | \$3,741,803                  |
| 2041         | \$11,251,924                                         | 0.415520                 | \$4,675,400             | \$935,080                      | \$3,740,320                  |
| 2042         | \$11,796,795                                         | 0.395730                 | \$4,668,346             | \$933,669                      | \$3,734,677                  |
| 2043         | \$12,355,287                                         | 0.376890                 | \$4,656,584             | \$931,317                      | \$3,725,267                  |
|              |                                                      |                          |                         |                                |                              |
| <b>Total</b> | <b>\$155,029,655</b>                                 |                          | <b>\$87,716,617</b>     | <b>\$17,543,323</b>            | <b>\$70,173,293</b>          |
|              | <b>Less: Bond Issuance Costs (12%)</b>               |                          |                         |                                | <b>-\$8,420,795</b>          |
|              | <b>STAR Bond Proceeds Available for Debt Service</b> |                          |                         |                                | <b>\$61,752,498</b>          |

Source: Canyon Research Southwest, Inc.; February 2024.



**Supportable STAR Bond Debt Estimates**  
**American Royal Food and Agriculture Epicenter Phase 1**

| Year         | Gross Revenue                                        | Present Value<br>5.0% | Net Present Value    | Less: Debt Coverage<br>1.25 | Net Proceeds         |
|--------------|------------------------------------------------------|-----------------------|----------------------|-----------------------------|----------------------|
| 2026         | \$8,214,214                                          | 0.952381              | \$7,823,062          | \$1,564,612                 | \$6,258,449          |
| 2027         | \$8,835,656                                          | 0.907029              | \$8,014,196          | \$1,602,839                 | \$6,411,357          |
| 2028         | \$9,949,238                                          | 0.863838              | \$8,594,530          | \$1,718,906                 | \$6,875,624          |
| 2029         | \$11,117,646                                         | 0.822702              | \$9,146,510          | \$1,829,302                 | \$7,317,208          |
| 2030         | \$12,295,493                                         | 0.783526              | \$9,633,838          | \$1,926,768                 | \$7,707,071          |
| 2031         | \$13,299,085                                         | 0.746215              | \$9,923,977          | \$1,984,795                 | \$7,939,182          |
| 2032         | \$13,703,468                                         | 0.710681              | \$9,738,794          | \$1,947,759                 | \$7,791,036          |
| 2033         | \$14,046,055                                         | 0.676839              | \$9,506,918          | \$1,901,384                 | \$7,605,534          |
| 2034         | \$14,397,206                                         | 0.644609              | \$9,280,569          | \$1,856,114                 | \$7,424,455          |
| 2035         | \$14,757,136                                         | 0.613913              | \$9,059,598          | \$1,811,920                 | \$7,247,678          |
| 2036         | \$15,126,065                                         | 0.584679              | \$8,843,892          | \$1,768,778                 | \$7,075,114          |
| 2037         | \$15,504,216                                         | 0.556837              | \$8,633,321          | \$1,726,664                 | \$6,906,657          |
| 2038         | \$15,891,822                                         | 0.530321              | \$8,427,767          | \$1,685,553                 | \$6,742,213          |
| 2039         | \$16,289,117                                         | 0.505068              | \$8,227,112          | \$1,645,422                 | \$6,581,690          |
| 2040         | \$16,696,345                                         | 0.481017              | \$8,031,226          | \$1,606,245                 | \$6,424,981          |
| 2041         | \$17,113,754                                         | 0.458112              | \$7,840,016          | \$1,568,003                 | \$6,272,013          |
| 2042         | \$17,541,598                                         | 0.436297              | \$7,653,347          | \$1,530,669                 | \$6,122,677          |
| 2043         | \$17,980,138                                         | 0.415520              | \$7,471,107          | \$1,494,221                 | \$5,976,885          |
|              |                                                      |                       |                      |                             |                      |
| <b>Total</b> | <b>\$252,758,254</b>                                 |                       | <b>\$155,849,780</b> | <b>\$31,169,956</b>         | <b>\$124,679,824</b> |
|              | <b>Less: Bond Issuance Costs (12%)</b>               |                       |                      |                             | <b>-\$14,961,579</b> |
|              | <b>STAR Bond Proceeds Available for Debt Service</b> |                       |                      |                             | <b>\$109,718,245</b> |

Source: Canyon Research Southwest, Inc.; February 2024.

**Supportable STAR Bond Debt Estimates**  
**American Royal Food and Agriculture Epicenter**  
**Phase 2 – Festival Grounds**

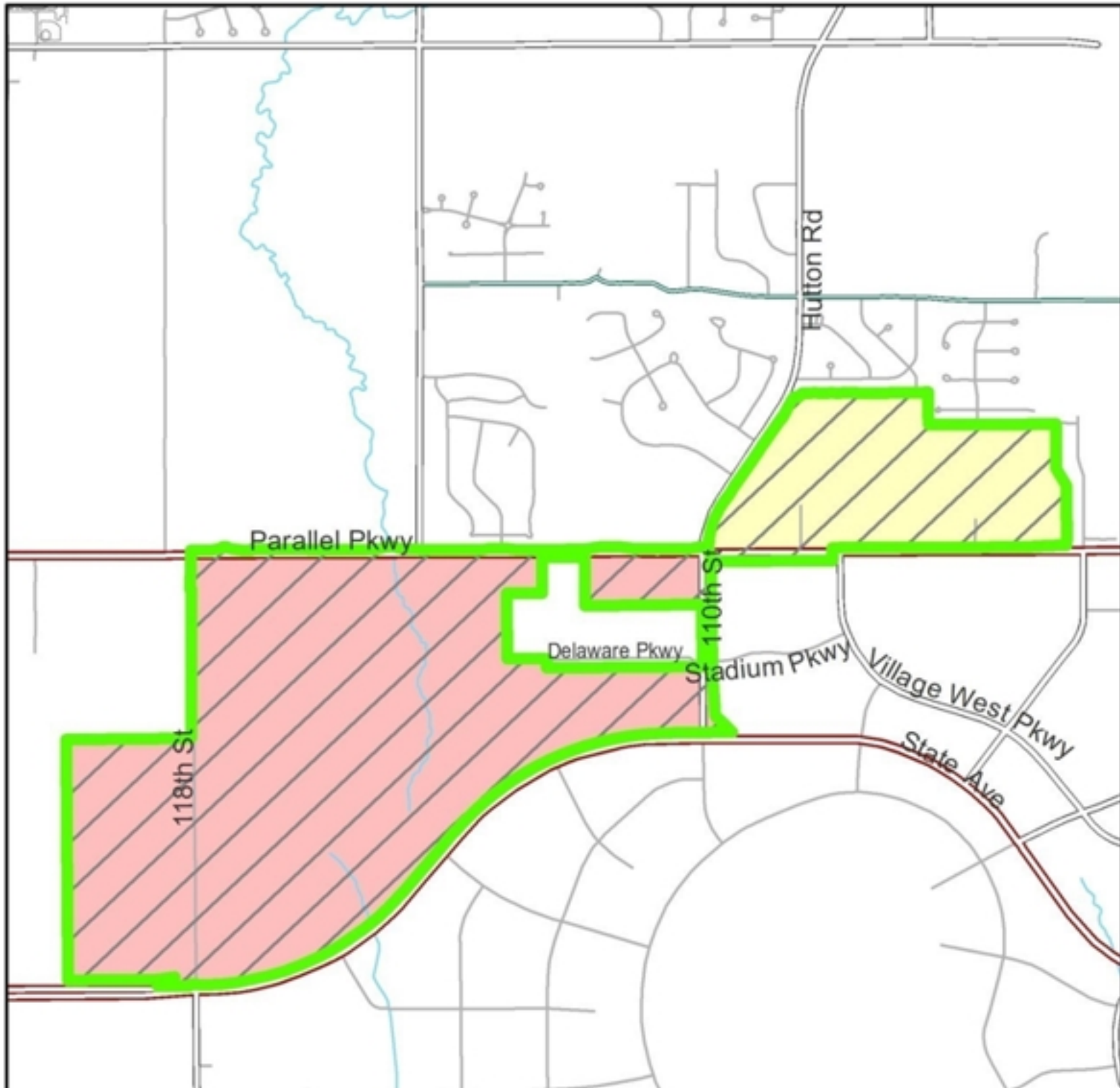
| <b>Year</b>  | <b>Gross Revenue</b>                                 | <b>Present Value 5.0%</b> | <b>Net Present Value</b> | <b>Less: Debt Coverage 1.25</b> | <b>Net Proceeds</b> |
|--------------|------------------------------------------------------|---------------------------|--------------------------|---------------------------------|---------------------|
| 2030         | \$1,245,337                                          | 0.952381                  | \$1,186,035              | \$237,207                       | \$948,828           |
| 2031         | \$2,577,847                                          | 0.907029                  | \$2,338,182              | \$467,636                       | \$1,870,545         |
| 2032         | \$3,876,110                                          | 0.863838                  | \$3,348,331              | \$669,666                       | \$2,678,665         |
| 2033         | \$3,973,013                                          | 0.822702                  | \$3,268,606              | \$653,721                       | \$2,614,884         |
| 2034         | \$4,072,338                                          | 0.783526                  | \$3,190,783              | \$638,157                       | \$2,552,626         |
| 2035         | \$4,174,147                                          | 0.746215                  | \$3,114,811              | \$622,962                       | \$2,491,849         |
| 2036         | \$4,278,500                                          | 0.710681                  | \$3,040,649              | \$608,130                       | \$2,432,519         |
| 2037         | \$4,385,463                                          | 0.676839                  | \$2,968,252              | \$593,650                       | \$2,374,602         |
| 2038         | \$4,495,099                                          | 0.644609                  | \$2,897,582              | \$579,516                       | \$2,318,065         |
| 2039         | \$4,607,477                                          | 0.613913                  | \$2,828,590              | \$565,718                       | \$2,262,872         |
| 2040         | \$4,722,664                                          | 0.584679                  | \$2,761,242              | \$552,248                       | \$2,208,994         |
| 2041         | \$4,840,730                                          | 0.556837                  | \$2,695,498              | \$539,100                       | \$2,156,398         |
| 2042         | \$4,961,749                                          | 0.530321                  | \$2,631,319              | \$526,264                       | \$2,105,056         |
| 2043         | \$5,085,792                                          | 0.505068                  | \$2,568,671              | \$513,734                       | \$2,054,937         |
|              |                                                      |                           |                          |                                 |                     |
| <b>Total</b> | <b>\$57,296,265</b>                                  |                           | <b>\$38,838,550</b>      | <b>\$7,767,710</b>              | <b>\$31,070,840</b> |
|              | <b>Less: Bond Issuance Costs (12%)</b>               |                           |                          |                                 | <b>-\$3,728,501</b> |
|              | <b>STAR Bond Proceeds Available for Debt Service</b> |                           |                          |                                 | <b>\$27,342,339</b> |

Source: Canyon Research Southwest, Inc.; February 2024.

**Supportable STAR Bond Debt Estimates  
Plaza at the Speedway and American Royal  
Food and Agriculture Epicenter Phases 1 & 2**

| NPV Revenues                                         |                             |                      |                     |                                  |
|------------------------------------------------------|-----------------------------|----------------------|---------------------|----------------------------------|
| Year                                                 | Plaza<br>at the<br>Speedway | Main<br>Complex      | Festival<br>Grounds | NPV @ 5%<br>STAR Bond<br>Revenue |
| 2024                                                 | \$2,880,420                 |                      |                     | \$2,880,420                      |
| 2025                                                 | \$3,003,092                 |                      |                     | \$3,003,092                      |
| 2026                                                 | \$3,113,740                 | \$6,258,449          |                     | \$9,372,189                      |
| 2027                                                 | \$3,213,073                 | \$6,411,357          |                     | \$9,624,430                      |
| 2028                                                 | \$3,301,785                 | \$6,875,624          |                     | \$10,177,409                     |
| 2029                                                 | \$3,380,515                 | \$7,317,208          |                     | \$10,697,723                     |
| 2030                                                 | \$3,449,880                 | \$7,707,071          | \$948,828           | \$12,105,779                     |
| 2031                                                 | \$3,510,457                 | \$7,939,182          | \$1,870,545         | \$13,320,184                     |
| 2032                                                 | \$3,562,798                 | \$7,791,036          | \$2,678,665         | \$14,032,499                     |
| 2033                                                 | \$3,607,416                 | \$7,605,534          | \$2,614,884         | \$13,827,834                     |
| 2034                                                 | \$3,644,809                 | \$7,424,455          | \$2,552,626         | \$13,621,890                     |
| 2035                                                 | \$3,675,440                 | \$7,247,678          | \$2,491,849         | \$13,414,967                     |
| 2036                                                 | \$3,699,752                 | \$7,075,114          | \$2,432,519         | \$13,207,385                     |
| 2037                                                 | \$3,718,163                 | \$6,906,657          | \$2,374,602         | \$12,999,422                     |
| 2038                                                 | \$3,731,061                 | \$6,742,213          | \$2,318,065         | \$12,791,339                     |
| 2039                                                 | \$3,738,827                 | \$6,581,690          | \$2,262,872         | \$12,583,389                     |
| 2040                                                 | \$3,741,803                 | \$6,424,981          | \$2,208,994         | \$12,375,778                     |
| 2041                                                 | \$3,740,320                 | \$6,272,013          | \$2,156,398         | \$12,168,731                     |
| 2042                                                 | \$3,734,677                 | \$6,122,677          | \$2,105,056         | \$11,962,410                     |
| 2043                                                 | \$3,725,267                 | \$5,976,885          | \$2,054,937         | \$11,757,089                     |
|                                                      |                             |                      |                     |                                  |
| <b>Totals</b>                                        | <b>\$70,173,293</b>         | <b>\$124,679,824</b> | <b>\$31,070,840</b> | <b>\$225,923,957</b>             |
| <b>Less: Bond Issuance Costs (12%)</b>               |                             |                      |                     | <b>-\$27,110,875</b>             |
| <b>STAR Bond Proceeds Available for Debt Service</b> |                             |                      |                     | <b>\$198,813,082</b>             |

Source: Canyon Research Southwest, Inc.; February 2024.



**Legend:**

STAR Bond District



Plaza at the  
Speedway

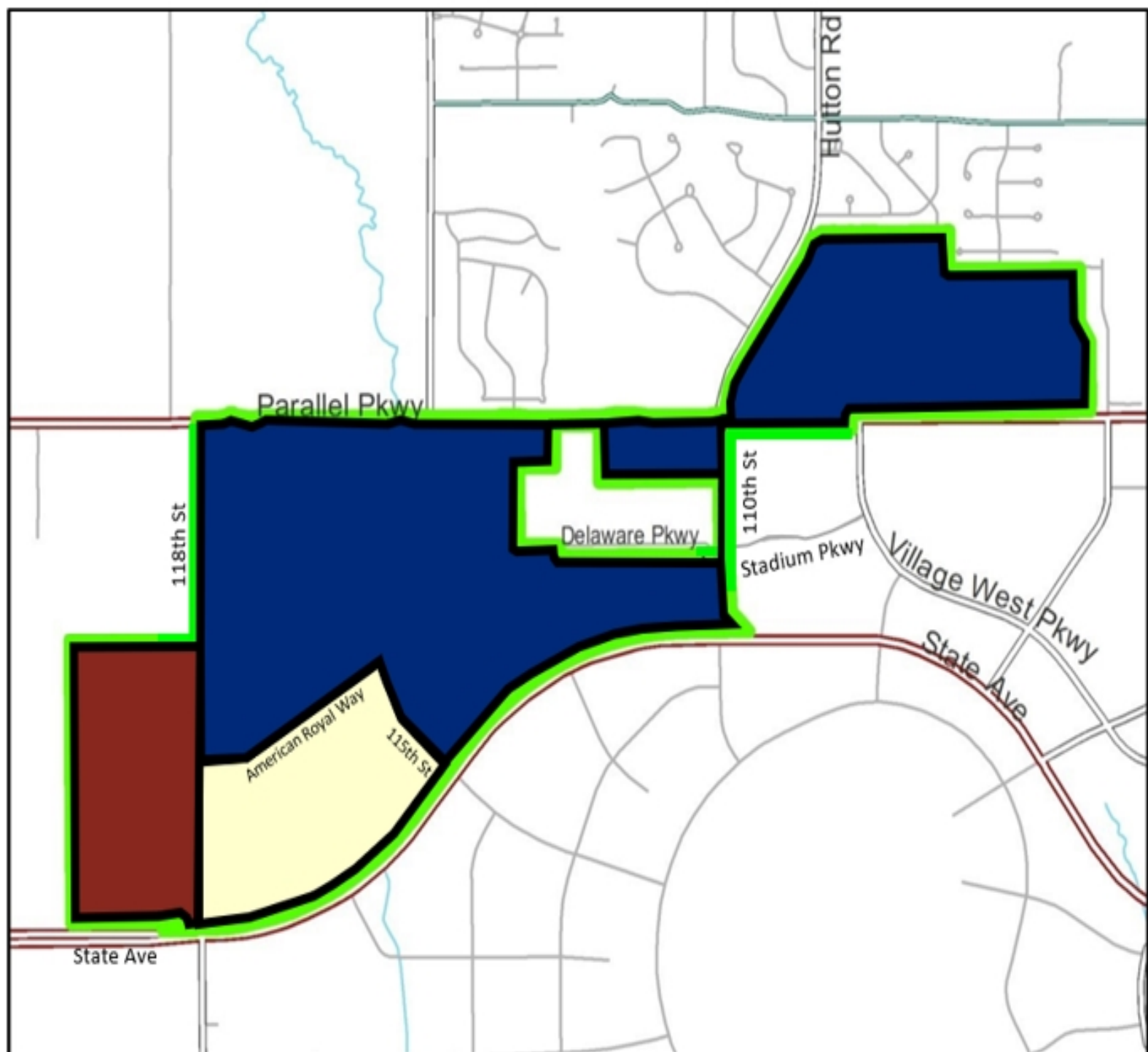


Non-Plaza at  
the Speedway



0 0.25 0.5  
Miles





**Legend:**

STAR Bond District



Project Area 1



Project Area 2



Project Area 3



0 0.25 0.5  
Miles





# Report to Full Commission

| MEETING DATE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PRESENTER                                                                             | DEPARTMENT           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|----------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <div>Jeffrey Conway, Assistant Counsel</div> <div>jconway@wycokck.org<br/>x5075</div> | Economic Development |
| AGENDA ITEM #XII.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                       |                      |
| PUBLIC HEARING/ORDINANCE: CREATION OF A KAW RIVER BRIDGE COMMUNITY IMPROVEMENT DISTRICT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                       |                      |
| BACKGROUND                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                       |                      |
| <p>Commission action related to the Kaw River Bridge project:</p> <ol style="list-style-type: none"> <li>1. Conduct a public hearing to receive comments regarding the creation of the Kaw River Bridge Community Improvement District and levy a sales tax within the district;</li> <li>2. Approve an Ordinance authorizing the creation of the Kaw River Bridge Community Improvement District and levy a CID sales tax within the district.</li> </ol> <p><i>On April 29, 2024, the <b>Economic Development and Finance Standing Committee</b>, chaired by Commissioner Burroughs, voted unanimously to approve and forward to the full commission.</i></p> <p><i>On May 30, 2024, the <b>Board of Commission</b> voted unanimously to adopt Resolution R-24-24 to set the public hearing.</i></p> |                                                                                       |                      |
| RECOMMENDATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                       |                      |
| Approve                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                       |                      |
| BUDGET IMPACTS / FINANCIAL CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                       |                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                       |                      |
| IT/POLICY CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                       |                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                       |                      |
| PROCUREMENT CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                       |                      |
| 06/27/24                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                       |                      |
| LEGAL CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                       |                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                       |                      |
| ATTACHMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                       |                      |
| Ordinance - CID Establishment - Kaw Bridge (UG), Letter & Certificate of Mailing - Kaw Bridge CID (UG)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                       |                      |



Approved by Mayor and/or Chair and Administrator to add to agenda.

(Published in *The Wyandotte Echo* on July 4, 2024)

**ORDINANCE NO. O-\_\_\_\_-24**

**AN ORDINANCE AUTHORIZING THE CREATION OF THE KAW RIVER BRIDGE COMMUNITY IMPROVEMENT DISTRICT IN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS; AUTHORIZING THE MAKING OF CERTAIN PROJECT IMPROVEMENTS RELATING THERETO; APPROVING THE ESTIMATED COSTS OF SUCH PROJECT IMPROVEMENTS; AND LEVYING A COMMUNITY IMPROVEMENT DISTRICT SALES TAX WITHIN SUCH DISTRICT.**

**WHEREAS**, K.S.A. 12-6a26 *et seq.* (the “Act”) authorizes the governing body of any city or county to create community improvement districts to finance projects within such defined area of the city or county and to levy a community improvement district sales tax within the community improvement district to finance projects; and

**WHEREAS**, a petition dated April [REDACTED], 2024 (the “Petition”) was filed with the Clerk of the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”), proposing the creation of the Kaw River Bridge Community Improvement District (“CID”) under the Act with the imposition of a two percent (2.00%) CID sales tax (the “CID Sales Tax”) in order to pay the costs of projects as described in the Petition (the “Projects”); and

**WHEREAS**, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act; and

**WHEREAS**, the Unified Government intends to create the CID and to levy the CID Sales Tax as requested in the Petition; and

**WHEREAS**, the Act provides that prior to creating any community improvement district and imposing a community improvement district sales tax, the governing body shall, by resolution, direct and order a public hearing on the advisability of creating such community improvement district and the construction of such community improvement district projects therein, and to give notice of the hearing by publication at least once each week for two (2) consecutive weeks in the official Unified Government newspaper and by certified mail to all property owners within the proposed community improvement district, the second publication to be at least seven (7) days prior to the hearing and such certified mail sent at least ten (10) days prior to such hearing; and

**WHEREAS**, the Board of Commissioners of the Unified Government (the “Governing Body”) adopted Resolution No. R-[REDACTED]-24 on May 30, 2024 (the “Resolution”) directing that a public hearing on the proposed CID within the Unified Government be held on June 27, 2024, declaring its intent to impose the CID Sales Tax, and requiring that the Unified Government Clerk provide for notice of such public hearing as set forth in the Act; and

**WHEREAS**, the Resolution was mailed (by certified mail) to all property owners within the proposed CID on June [REDACTED], 2024, and published once each week for two (2) consecutive weeks in *The Wyandotte Echo*, the official Unified Government newspaper, on June 6 and 13, 2024; and

**WHEREAS**, on June 27, 2024, the Governing Body conducted a public hearing on the advisability of the proposed CID; and

**WHEREAS**, the Governing Body hereby finds and determines it to be advisable to create the CID and set forth the boundaries thereof, authorize the Projects relating thereto, approve the estimated costs of the Projects and approve the method of financing the same, all in accordance with the provisions of the Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

**SECTION 1. Creation of Community Improvement District; Boundaries.** The Governing Body hereby finds and determines that it is advisable to create, in accordance with the provisions of the Act, the CID within the Unified Government to be referred to as the Kaw River Bridge Community Improvement District. A legal description of the boundaries of the proposed CID is set forth on **Exhibit A**, attached hereto and incorporated by reference herein. A map generally outlining the boundaries of the proposed CID is attached as **Exhibit B**, attached hereto and incorporated by reference herein.

**SECTION 2. Authorization of Community Improvement District Projects and Estimated Costs.**

(a) The general nature of the Projects is approved as follows:

The redevelopment of the historic Rock Island Railroad Bridge (the “Bridge”), located on both sides of and over the Kansas (Kaw) River. The general nature of the Projects is to promote economic development within the CID, all of which shall be accomplished by providing community improvement district financing in accordance with the Petition, the Act, and the UG's policy, to finance the demolition, construction, design, maintenance, and procurement of certain improvements, costs, and services within the CID, including but not limited to: property acquisition, infrastructure and site work related items, streets, sidewalks, parking improvements, buildings, facilities, tenant improvements, landscaping, stream corridor improvements, utilities, signage, lighting, art, other cultural amenities, soft costs of the project (including interest), and the UG's administrative costs in establishing and administering the CID, and any other items permitted to be financed within the CID under the Act. Without limiting the generality of the foregoing, the Projects may include the design, development and construction and of an innovative trail, public gathering space and commercial facilities on the Bridge, consisting of a variety of components and unique offerings, including: (a) a public pathway across the Bridge to connect the West Bottoms area of Kansas City, Missouri to existing levee trails along the west side of the Kansas River and associated amenities; (b) multi-purpose commercial space located on the Bridge consisting of an open-air coffee roastery/shop and bar, one or more restaurants, and retail; (c) unique common spaces for public gathering and viewing, events and entertainment; and (d) an outdoor food hall, including commercial kitchens for local chefs to serve visitors.

(b) The total estimated total costs of the Projects are \$14,989,212.55 plus any financing costs which are eligible pursuant to the Act, and any fees or expenses of the Unified Government in connection with the Projects.

### **SECTION 3. Method of Financing.**

(a) It is proposed that the Projects be financed through a combination of private equity, private debt, certain grant moneys received from the State of Kansas, and available funds of the Unified Government in an amount not to exceed \$2,471,678.80 (plus interest and subject to modification by the UG), and pay-as-you-go CID financing (including the CID Sales Tax), as defined in the Act and that certain Kaw River Bridge Cooperative and Development Agreement dated as of June 7, 2021 (together with any and all amendments thereto, the "Agreement") between the UG and Flying Truss, LLC, a Missouri limited liability company.

The CID Sales Tax shall be two percent (2.0%) on the sale of tangible personal property at retail or the rendering or furnishing of services which are taxable pursuant to the Kansas Retailers' Sales Tax Act (K.S.A. 79-3601 *et seq.*) within the CID, such CID Sales Tax to commence on October 1, 2024, or such other date as shall be approved by ordinance of the Governing Body, and to continue for a maximum term of twenty-two (22) years.

(b) There will be no CID special assessments.

(c) There will be no issuance of CID bonds.

**SECTION 4. Effective Date.** This Ordinance shall take effect and be in full force from and after its passage by the Governing Body and publication once in the official newspaper of the Unified Government pursuant to applicable law.

**SECTION 5. Recording.** The Clerk shall file a certified copy of this Ordinance with the Register of Deeds of Wyandotte County, Kansas.

[Balance of page intentionally left blank]

**PASSED** by the Governing Body on this June 27, 2024 and **APPROVED AND SIGNED** by the Mayor/CEO.

(SEAL)

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Tyrone Garner, Mayor/CEO

ATTEST:

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Monica Sparks,  
Interim Unified Government Clerk

Approved as to Form:

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Unified Government Legal Department

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF PROPOSED KAW RIVER BRIDGE COMMUNITY IMPROVEMENT DISTRICT**

The following property located in Kansas City, Wyandotte County, Kansas:

#### **Tract A (Bridge Parcel)**

Lot 1, Final Plat of Rock Island Bridge on Kaw, Part of Fractional Section 14, Township 11 South, Range 25 East, a subdivision in Kansas City, Wyandotte County, Kansas.

#### **Tract B (West Property)**

##### **Parcel 1**

A parcel of land being a part of Lot 1A, "RIVER PARK", a subdivision of land in Kansas City, Wyandotte County, Kansas as recorded in Plat Book 39 at Page 3. Said parcel being the same as transferred by a Quit Claim Deed from St. Louis Southwestern Railway Company to the City of Kansas City, Missouri as recorded in Book 3320 at Page 402 at the Register of Deeds Office in Wyandotte County, Kansas. Said parcel being more particularly described by Steven C Shafer, PLS 852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on Grid North Kansas State Plane Coordinate System North Zone, the State Line between Kansas and Missouri in the Northwest Quarter of Section 7, Township 49 North, Range 33 West of the 5th Principal Meridian having a bearing of South 1°56'53" East.)

Beginning at the Northeast corner of said Lot 1A, said point being on the Westerly U.S. Harbor Line of the Kaw River;

Thence Southerly along said Westerly U.S. Harbor Line and Easterly line of said Lot 1A, on a curve concave to the Southwest having a radius of 1,176.08 feet, an arc distance of 20.00 feet, said curve having a chord bearing of South 11°11'17" East, 20.00 feet;

Thence Westerly parallel with and 20.00 feet Southerly of the North Line of said Lot 1A, on a curve concave to the North having a radius of 486.34 feet, an arc distance of 50.08 feet, to a point 50.00 feet Westerly as measured at right angles to the Westerly U.S. Harbor Line, said curve having a chord bearing of South 81°59'21" West, 50.06 feet;

Thence Northerly parallel with and 50.00 feet Westerly of said Westerly U.S. Harbor Line, on a curve concave to the Southwest having a radius 1,126.08 feet, an arc distance of 20.13 feet, said curve having a chord bearing North 11°19'57" West, 20.13 feet, to a point on the North line of said Lot 1A;

Thence Easterly on said North line of Lot 1A, on a curve concave to the North having a radius of 466.34 feet, an arc distance of 50.14 feet, said curve having a chord bearing North 82°07'45" East, 50.12 feet, to the Point of Beginning;

Said parcel containing 1,002 square feet or 0.0230 acres more or less. Subject to all easements and restrictions of record.

##### **Parcel 2**

Lot 1A, River Park, a subdivision of land in Kansas City, Wyandotte County, Kansas.



**Tract C (East Property)**

A tract of land in Fractional Section 14, Township 11 South, Range 25 East of the 6th Principal Meridian in Kansas City, Wyandotte County, Kansas. Said tract being the same as transferred by a Quit Claim Deed from the Stockyards Preservation Company to the City of Kansas City, Missouri as recorded in Book 3324 at Page 102 at the Register of Deeds Office in Wyandotte County, Kansas. Said parcel being more particularly described by Steven C Shafer, PLS 852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on Grid North Kansas State Plane Coordinate System North Zone, the State Line between Kansas and Missouri in the Northwest Quarter of Section 7, Township 49 North, Range 33 West of the 5th Principal Meridian having a bearing of South 1°56'53" East.)

Commencing at the Northwest corner of Fractional Section 7, Township 49 North, Range 33 West, of the 5th Principal Meridian, monumented by a reinforcing bar and disk on the State Line between Kansas and Missouri;

Thence South 01°56'53" East, 854.18 feet, on said State Line, to a point on the North Right of Way line of the Chicago, Rock Island and Pacific Railroad and the Point of Beginning of said tract;

Thence South 01°56'53" East, 30.02 feet, on said State Line, to a point on the South Right of Way line of said railroad and the South line of said Quit Claim Deed in Book 3324 at Page 102;

Thence North 89°41'27" West, 94.12 feet, on the South Right of Way line of said railroad, to a point the Easterly U.S Harbor Line for the Kaw River and the Easterly line of the description of Tract A;

Thence Northerly on said U.S. Harbor Line, on a curve concave to the West, having a radius of 1910.08 feet, an arc distance of 30.49 feet, said curve having a chord bearing North 09°55'42" West, 30.49 feet;

Thence South 89°41'27" East, 98.36 feet, on the North Right of Way line of said railroad and said Quit Claim Deed, to the Point of Beginning;

Said tract containing 2,887 square feet or 0.0663 acres more or less. Subject to all easements and restrictions of record.

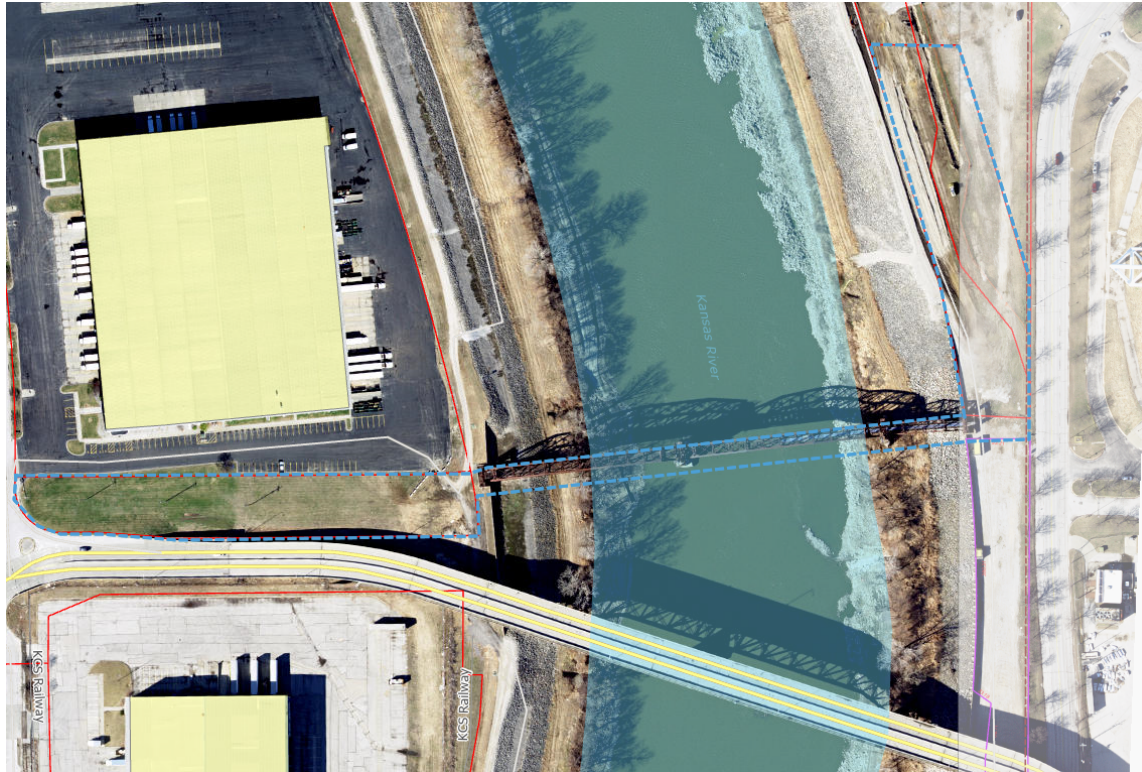
**Tract D (Levee Park)**

Tract B, The Helm, a subdivision of a portion of Lot 1 of Fractional Section 14, Township 11 South, Range 25 East of the Sixth Principal Meridian in Kansas City, Wyandotte County, Kansas, according to the recorded plat thereof.

Subject to easements, covenants, restrictions and reservations of record, if any.

## EXHIBIT B

### MAP OF PROPOSED KAW RIVER BRIDGE COMMUNITY IMPROVEMENT DISTRICT\*



\*Light blue dashed line delineates CID.

[LETTERHEAD]

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

DATE: June \_\_, 2024

TO: All property owners in the proposed Kaw River Bridge Community Improvement District

FROM: Unified Government of Wyandotte County/Kansas City, Kansas  
Monica Sparks, Interim Unified Government Clerk

RE: June 27, 2024, Public Hearing on Kaw River Bridge Community Improvement District

On June 27, 2023, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) will hold a public hearing on the proposed Kaw River Bridge Community Improvement District, pursuant to K.S.A. 12-6a26 *et seq.*, as amended. Enclosed please find a resolution of the governing body of the City providing notice of the public hearing.

Sincerely,

Monica Sparks  
Interim Unified Government Clerk

**CERTIFICATE OF MAILING**

I, Monica Sparks, Interim Unified Government Clerk for the Unified Government of Wyandotte County/Kansas City, Kansas (the “City”), do hereby certify that on June \_\_\_, 2024, the Clerk's office sent a copy of Resolution No. R-\_\_\_\_-24 via certified mail to all owners of land within the proposed The Crossing Community Improvement District.

Copies of the certified mail receipts are attached hereto.

Dated: \_\_\_\_\_, 2024

\_\_\_\_\_  
Interim Unified Government Clerk



## Report to Full Commission

| MEETING DATE                                                                                                                                                                                                  | PRESENTER                                                                                                                                                        | DEPARTMENT            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
|                                                                                                                                                                                                               | <div>Lisa Rangel, Professional Assistant</div> <div>Diana Segui, Professional Asst</div> <div>lrangel@wycokck.org,<br/>dsegui@wycokck.org<br/>x5141, x5095</div> | Commissioners' Office |
| AGENDA ITEM #XIV.1.                                                                                                                                                                                           |                                                                                                                                                                  |                       |
| TRAVEL REQUEST: COMMISSIONER DAVIS                                                                                                                                                                            |                                                                                                                                                                  |                       |
| BACKGROUND                                                                                                                                                                                                    |                                                                                                                                                                  |                       |
| Request to travel for Unified Government business to St. Louis, MO, to attend the Reclaiming Vacant Properties 2024 Conference, and to Tampa Bay, FL, to attend the NLC City Summit - Cities Strong Together. |                                                                                                                                                                  |                       |
| RECOMMENDATION                                                                                                                                                                                                |                                                                                                                                                                  |                       |
| Approve                                                                                                                                                                                                       |                                                                                                                                                                  |                       |
| BUDGET IMPACTS / FINANCIAL CONSIDERATIONS                                                                                                                                                                     |                                                                                                                                                                  |                       |
|                                                                                                                                                                                                               |                                                                                                                                                                  |                       |
| IT/POLICY CONSIDERATIONS                                                                                                                                                                                      |                                                                                                                                                                  |                       |
|                                                                                                                                                                                                               |                                                                                                                                                                  |                       |
| PROCUREMENT CONSIDERATIONS                                                                                                                                                                                    |                                                                                                                                                                  |                       |
|                                                                                                                                                                                                               |                                                                                                                                                                  |                       |
| LEGAL CONSIDERATIONS                                                                                                                                                                                          |                                                                                                                                                                  |                       |
|                                                                                                                                                                                                               |                                                                                                                                                                  |                       |
| ATTACHMENTS                                                                                                                                                                                                   |                                                                                                                                                                  |                       |
| ADAVIS_2024 Travel Request_v2                                                                                                                                                                                 |                                                                                                                                                                  |                       |

Approved by Mayor and/or Chair and Administrator to add to agenda.



**Andrew Davis**  
Commissioner, District 8  
Board of Commissioners

701 N. 7<sup>th</sup> Street, Room 979  
Kansas City, Kansas 66101  
Phone: (913) 573-5040  
Fax: (913) 573-5050

**MEMORANDUM**

**TO:** Mayor/CEO Tyrone Garner  
Board of Commissioners

**FROM:** Commissioner Andrew Davis

**DATE:** June 4, 2024

**SUBJECT: REQUEST TO TRAVEL**

This is a request for approval to travel for Unified Government business to attend the following conferences:

- Reclaiming Vacant Properties 2024 Conference
- NLC City Summit – Cities Strong Together

Further, I respectfully request approval to use the funds set aside in the training and travel budget established in the Unified Government Commission Resolution No. R-13-13, Current Rules of Procedure Article VIII, Travel Policy, Sections 801 and 802, to pay the travel expenses of this trip.

I ask that this request be placed on the Thursday, June 27, 2024 agenda before the Board of Commissioners.

c: David Johnston, County Administrator  
Monica Sparks, Deputy County Clerk  
Adam Browne, Legislative Auditor





## Report to Full Commission

| MEETING DATE                                                                                                     | PRESENTER                                                                                      | DEPARTMENT         |
|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|--------------------|
|                                                                                                                  | <div>Nichole Marlowe, Administrative Support Supervisor</div><br>nmarlowe@wycokck.org<br>x8361 | Parks & Recreation |
| AGENDA ITEM #XIV.2.                                                                                              |                                                                                                |                    |
| APPROVAL: DISBURSEMENT OF 2024 CASINO GRANT FUNDS                                                                |                                                                                                |                    |
| BACKGROUND                                                                                                       |                                                                                                |                    |
| Request approval to disburse 2024 UG/Hollywood Casino grant funds as recommended by the Mayor and Commissioners. |                                                                                                |                    |
| RECOMMENDATION                                                                                                   |                                                                                                |                    |
| Approve                                                                                                          |                                                                                                |                    |
| BUDGET IMPACTS / FINANCIAL CONSIDERATIONS                                                                        |                                                                                                |                    |
| NA                                                                                                               |                                                                                                |                    |
| IT/POLICY CONSIDERATIONS                                                                                         |                                                                                                |                    |
|                                                                                                                  |                                                                                                |                    |
| PROCUREMENT CONSIDERATIONS                                                                                       |                                                                                                |                    |
|                                                                                                                  |                                                                                                |                    |
| LEGAL CONSIDERATIONS                                                                                             |                                                                                                |                    |
|                                                                                                                  |                                                                                                |                    |
| ATTACHMENTS                                                                                                      |                                                                                                |                    |
| Casino Grant Reso 2024 FINAL, 2024 Award List - Print v 2, 2024 Award Presentation v2 (1)                        |                                                                                                |                    |

Approved by Mayor and/or Chair and Administrator to add to agenda.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, beginning in 2013, Kansas Entertainment, LLC, which operates the Hollywood Casino at Kansas Speedway, has disbursed a lump sum payment of \$500,000.00 in January of each year to the Unified Government (“the funds”); and

WHEREAS, under the Development Agreement between the Unified Government and Kansas Entertainment, the funds are to be disbursed at the Unified Government’s sole discretion to fund “Wyandotte County social services and charitable community activities”; and

WHEREAS, on January 22, 2015, the Unified Government Board of Commissioners (“the Board of Commissioners”) adopted guidelines for the disbursement of the funds; and

WHEREAS, under the 2015 guidelines, the Greater Kansas City Community Foundation has reviewed all grant applications for eligibility and submitted the list of eligible applications to the Board of Commissioners, which serves as the Selection Committee for disbursement of the funds; and

WHEREAS, the total grant amount to be disbursed for 2024 after allowance for grant administration is \$459,560.00; and

WHEREAS, the Commissioners and the Mayor has each designated in writing how they wish to allocate their share of the total funds (\$41,778.18 each);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KANSAS:

That the Board of Commissioners hereby ratifies and adopts the 2024 grant awards attached hereto; directs the County Administrator and the Fund Administrator to communicate with the grant recipients and to disburse the funds; directs the County Administrator to execute any grant assurances necessary to fulfill the intent of the Commission; directs the County Administrator and the Fund Administrator to review the annual report of each recipient agency regarding outcomes of the grant program; and directs the County Administrator to take such other action as necessary to effectuate the intent of this resolution.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KANSAS THIS \_\_\_\_ DAY OF JUNE, 2024.

---

Tyron Garner, Mayor/CEO

Attest:

---

Unified Government Clerk

Approved as to Form:

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| Organization Name                                                                                 | 2023 Award  | 2024 Request | Com. Rec. Amount | % of Request Rec. | # Com. Rec. |
|---------------------------------------------------------------------------------------------------|-------------|--------------|------------------|-------------------|-------------|
| Oak Ridge Youth Development School                                                                | \$10,000.00 | \$25,000.00  | \$23,778.18      | 95.11%            | 7           |
| Police Athletic League of KCK                                                                     | \$18,137.00 | \$57,800.00  | \$21,000.00      | 36.33%            | 4           |
| Hillcrest Ministries of MidAmerica, Inc.                                                          | \$27,468.50 | \$40,000.00  | \$19,828.18      | 49.57%            | 7           |
| Full Throttle Foundation KC                                                                       | \$4,500.00  | \$20,000.00  | \$16,355.60      | 81.78%            | 5           |
| Friends of Yates, Inc.                                                                            | \$19,000.00 | \$40,000.00  | \$16,000.00      | 40.00%            | 5           |
| Leavenworth Road Association on behalf of Presidential Highfields Homeowners Association          | \$26,500.00 | \$43,834.00  | \$15,278.18      | 34.85%            | 3           |
| Jerry Lee Jarrett Life center                                                                     |             | \$35,000.00  | \$14,500.00      | 41.43%            | 4           |
| Argentine Betterment Corporation on behalf of American Legion Post 213 (Argentine Eagles)         | \$3,000.00  | \$13,000.00  | \$12,875.78      | 99.04%            | 3           |
| Bethel Neighborhood Center                                                                        | \$4,000.00  | \$20,000.00  | \$12,750.00      | 63.75%            | 4           |
| Bishop Ward High School                                                                           | \$5,587.00  | \$19,000.00  | \$12,000.00      | 63.16%            | 2           |
| Piper Soccer Club                                                                                 | \$11,087.00 | \$25,000.00  | \$10,778.18      | 43.11%            | 2           |
| Argentine Betterment Corporation                                                                  | \$25,350.00 | \$100,000.00 | \$10,500.00      | 10.50%            | 2           |
| Community Housing of Wyandotte County, Inc. on behalf of Strawberry Hill Neighborhood Association | \$11,000.00 | \$10,000.00  | \$10,500.00      | 105.00%           | 3           |
| Rosedale Development Association                                                                  | \$11,000.00 | \$15,000.00  | \$10,500.00      | 70.00%            | 2           |
| Bonner Springs/Edwardsville Education Foundation                                                  | \$11,087.00 | \$15,800.00  | \$10,000.00      | 63.29%            | 1           |
| Vaughn-Trent Community Services, Inc.                                                             |             | \$25,000.00  | \$10,000.00      | 40.00%            | 1           |
| Young Women on the Move                                                                           | \$7,500.00  | \$15,000.00  | \$10,000.00      | 66.67%            | 3           |
| Murals of Inspiration                                                                             | \$8,987.00  | \$25,000.00  | \$9,778.00       | 39.11%            | 5           |
| Heartland 180                                                                                     |             | \$2,500.00   | \$8,500.00       | 340.00%           | 5           |
| Farm School at Gibbs Road                                                                         | \$8,000.00  | \$26,685.00  | \$8,355.60       | 31.31%            | 1           |
| Community Garden Inc                                                                              | \$11,287.00 | \$50,726.00  | \$8,335.60       | 16.43%            | 1           |
| El Centro, Inc.                                                                                   | \$1,900.00  | \$15,000.00  | \$8,000.00       | 53.33%            | 3           |
| United Prayer Movement                                                                            | \$20,000.00 | \$20,000.00  | \$8,000.00       | 40.00%            | 2           |
| Victory Hills Baptist Church                                                                      | \$5,500.00  | \$10,000.00  | \$8,000.00       | 80.00%            | 4           |
| Groundwork Northeast Revitalization Group, Inc.                                                   | \$11,800.00 | \$25,000.00  | \$7,500.00       | 30.00%            | 4           |
| Lowriding 2 Success Bike Club KCKS                                                                | \$6,187.00  | \$9,000.00   | \$7,500.00       | 83.33%            | 4           |

| Organization Name                                         | 2023 Award  | 2024 Request | Com. Rec. Amount | % of Request Rec. | # Com. Rec. |
|-----------------------------------------------------------|-------------|--------------|------------------|-------------------|-------------|
| Village Initiative Inc., The                              | \$10,000.00 | \$50,000.00  | \$7,500.00       | 15.00%            | 3           |
| Wyandotte County Parks Foundation                         |             | \$8,000.00   | \$6,177.80       | 77.22%            | 2           |
| Piper Education Foundation on behalf of Piper USD 203     | \$5,000.00  | \$19,200.00  | \$6,000.00       | 31.25%            | 1           |
| Quindaro Development Corporation                          |             | \$12,000.00  | \$6,000.00       | 50.00%            | 2           |
| YouthFront, Inc.                                          | \$5,000.00  | \$10,000.00  | \$5,778.18       | 57.78%            | 1           |
| Armourdale Renewal Association (ARA)                      |             | \$6,400.00   | \$5,200.00       | 81.25%            | 3           |
| KC United! Youth Sports and Education Initiative          | \$10,562.00 | \$20,000.00  | \$5,078.18       | 25.39%            | 4           |
| AIM HIGH Initiative                                       |             | \$25,000.00  | \$5,000.00       | 20.00%            | 1           |
| Boy Scouts                                                | \$5,000.00  | \$10,000.00  | \$5,000.00       | 50.00%            | 1           |
| Mt. Carmel Redevelopment Corporation, Inc.                | \$6,000.00  | \$30,000.00  | \$5,000.00       | 16.67%            | 3           |
| Working Families' Friend                                  | \$5,000.00  | \$20,000.00  | \$5,000.00       | 25.00%            | 3           |
| Turner Recreation Commission                              | \$7,500.00  | \$12,000.00  | \$4,677.80       | 38.98%            | 2           |
| Avenue Of Life Inc                                        | \$12,500.00 | \$75,000.00  | \$4,500.00       | 6.00%             | 3           |
| Cross-Lines Community Outreach                            | \$7,568.50  | \$20,000.00  | \$4,500.00       | 22.50%            | 4           |
| Friends of KCK Animal Services                            |             | \$15,000.00  | \$4,000.00       | 26.67%            | 2           |
| Kansas City Kansas School Foundation For Excellence, Inc. | \$2,000.00  | \$5,000.00   | \$4,000.00       | 80.00%            | 3           |
| Kansas City Pregnancy Clinic                              |             | \$25,000.00  | \$4,000.00       | 16.00%            | 3           |
| Sue's Safe Haven Inc                                      |             | \$53,599.40  | \$4,000.00       | 7.46%             | 1           |
| CASA of Johnson and Wyandotte Counties                    |             | \$5,000.00   | \$3,500.00       | 70.00%            | 1           |
| Cornerstones of Care                                      |             | \$7,000.00   | \$3,500.00       | 50.00%            | 1           |
| KCK United                                                |             | \$10,000.00  | \$3,500.00       | 35.00%            | 3           |
| Ladies that Lean                                          |             | \$20,000.00  | \$3,500.00       | 17.50%            | 2           |
| Black MasterMind Group Charitable Foundation              |             | \$10,000.00  | \$3,000.00       | 30.00%            | 2           |
| Kansas City Kansas Baseball Association                   | \$3,000.00  | \$5,000.00   | \$3,000.00       | 60.00%            | 1           |
| Kansas City Kansas West Kiwanis Foundation                | \$4,600.00  | \$6,300.00   | \$2,500.00       | 39.68%            | 2           |
| McNewtons Community Outreach Foundation                   |             | \$10,000.00  | \$2,500.00       | 25.00%            | 1           |
| Pharmacy of Grace                                         | \$500.00    | \$20,000.00  | \$2,500.00       | 12.50%            | 3           |
| St. Peter Christian Methodist Episcopal Church,           |             | \$3,000.00   | \$2,278.18       | 75.94%            | 2           |
| Burmese Community of Kansas, The                          |             | \$63,257.00  | \$2,000.00       | 3.16%             | 1           |

| Organization Name                                      | 2023 Award | 2024 Request | Com. Rec. Amount | % of Request Rec. | # Com. Rec. |
|--------------------------------------------------------|------------|--------------|------------------|-------------------|-------------|
| Cultivate KC                                           | \$3,500.00 | \$10,000.00  | \$2,000.00       | 20.00%            | 1           |
| Fountain of Life Inc                                   |            | \$10,000.00  | \$2,000.00       | 20.00%            | 2           |
| KC Blind All-Stars Foundation                          |            | \$25,000.00  | \$2,000.00       | 8.00%             | 1           |
| National Agricultural Center and Hall of Fame          | \$2,500.00 | \$12,324.00  | \$2,000.00       | 16.23%            | 2           |
| Family Conservancy, The                                | \$2,000.00 | \$20,000.00  | \$1,500.00       | 7.50%             | 2           |
| Giving the Basics, Inc.                                | \$3,500.00 | \$20,000.00  | \$1,500.00       | 7.50%             | 1           |
| Special Olympics Kansas, Inc.                          |            | \$6,500.00   | \$1,500.00       | 23.08%            | 1           |
| Turner House Clinic, Inc. d/b/a Vibrant Health         |            | \$8,500.00   | \$1,500.00       | 17.65%            | 2           |
| Delaware Highlands Assisted Living                     |            | \$500.00     | \$1,200.00       | 240.00%           | 3           |
| Central Avenue Betterment Association                  |            | \$10,000.00  | \$1,000.00       | 10.00%            | 1           |
| Harvesters Community Food Network                      |            | \$25,000.00  | \$1,000.00       | 4.00%             | 1           |
| Historic Westheight Neighborhood Assoc                 | \$5,500.00 | \$8,000.00   | \$1,000.00       | 12.50%            | 1           |
| HopeBUILDERS Home Repair                               |            | \$25,000.00  | \$1,000.00       | 4.00%             | 1           |
| KIM WILSON HOUSING                                     |            | \$5,000.00   | \$1,000.00       | 20.00%            | 1           |
| Our Spot KC                                            |            | \$10,000.00  | \$1,000.00       | 10.00%            | 1           |
| Gilda's Club Kansas City                               |            | \$1,750.00   | \$778.18         | 44.47%            | 1           |
| Boys & Girls Clubs of Greater Kansas City              |            | \$20,000.00  | \$500.00         | 2.50%             | 1           |
| Care Beyond The Boulevard                              | \$3,500.00 | \$20,000.00  | \$500.00         | 2.50%             | 1           |
| Downtown Shareholders of Kansas City, KS, Incorporated |            | \$16,000.00  | \$500.00         | 3.13%             | 1           |
| Girls on the Run Serving Greater Kansas City           |            | \$10,000.00  | \$500.00         | 5.00%             | 1           |
| Hope United Church                                     |            | \$10,000.00  | \$500.00         | 5.00%             | 1           |
| Total Recommended Award Amount                         | \$458,282  |              |                  |                   |             |
| # of 2023 Awardees Recommended for Award in 2024       | 43         |              |                  |                   |             |





# Hollywood Casino Grant Award Recommendations

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June 27, 2024



# 2024 Recommendations

| Organization Name                                                                                 | 2023 Award  | 2024 Request | Com. Rec. Amount | % of Request Rec. | # Com. Rec. |
|---------------------------------------------------------------------------------------------------|-------------|--------------|------------------|-------------------|-------------|
| Oak Ridge Youth Development School                                                                | \$10,000.00 | \$25,000.00  | \$23,778.18      | 95.11%            | 7           |
| Police Athletic League of KCK                                                                     | \$18,137.00 | \$57,800.00  | \$21,000.00      | 36.33%            | 4           |
| Hillcrest Ministries of MidAmerica, Inc.                                                          | \$27,468.50 | \$40,000.00  | \$19,828.18      | 49.57%            | 7           |
| Full Throttle Foundation KC                                                                       | \$4,500.00  | \$20,000.00  | \$16,355.60      | 81.78%            | 5           |
| Friends of Yates, Inc.                                                                            | \$19,000.00 | \$40,000.00  | \$16,000.00      | 40.00%            | 5           |
| Leavenworth Road Association on behalf of Presidential Highfields Homeowners Association          | \$26,500.00 | \$43,834.00  | \$15,278.18      | 34.85%            | 3           |
| Jerry Lee Jarrett Life center                                                                     |             | \$35,000.00  | \$14,500.00      | 41.43%            | 4           |
| Argentine Betterment Corporation on behalf of American Legion Post 213 (Argentine Eagles)         | \$3,000.00  | \$13,000.00  | \$12,835.78      | 98.74%            | 3           |
| Bethel Neighborhood Center                                                                        | \$4,000.00  | \$20,000.00  | \$12,750.00      | 63.75%            | 4           |
| Bishop Ward High School                                                                           | \$5,587.00  | \$19,000.00  | \$12,000.00      | 63.16%            | 2           |
| Piper Soccer Club                                                                                 | \$11,087.00 | \$25,000.00  | \$10,778.18      | 43.11%            | 2           |
| Argentine Betterment Corporation                                                                  | \$25,350.00 | \$100,000.00 | \$10,500.00      | 10.50%            | 2           |
| Community Housing of Wyandotte County, Inc. on behalf of Strawberry Hill Neighborhood Association | \$11,000.00 | \$10,000.00  | \$10,500.00      | 105.00%           | 3           |
| Rosedale Development Association                                                                  | \$11,000.00 | \$15,000.00  | \$10,500.00      | 70.00%            | 2           |
| Bonner Springs/Edwardsville Education Foundation                                                  | \$11,087.00 | \$15,800.00  | \$10,000.00      | 63.29%            | 1           |
| Vaughn-Trent Community Services, Inc.                                                             |             | \$25,000.00  | \$10,000.00      | 40.00%            | 1           |
| Young Women on the Move                                                                           | \$7,500.00  | \$15,000.00  | \$10,000.00      | 66.67%            | 3           |
| Murals of Inspiration                                                                             | \$8,987.00  | \$25,000.00  | \$9,778.00       | 39.11%            | 5           |
| Heartland 180                                                                                     |             | \$2,500.00   | \$8,500.00       | 340.00%           | 5           |
| Farm School at Gibbs Road                                                                         | \$8,000.00  | \$26,685.00  | \$8,355.60       | 31.31%            | 1           |
| Community Garden Inc                                                                              | \$11,287.00 | \$50,726.00  | \$8,335.60       | 16.43%            | 1           |
| El Centro, Inc.                                                                                   | \$1,900.00  | \$15,000.00  | \$8,000.00       | 53.33%            | 3           |
| United Prayer Movement                                                                            | \$20,000.00 | \$20,000.00  | \$8,000.00       | 40.00%            | 2           |
| Victory Hills Baptist Church                                                                      | \$5,500.00  | \$10,000.00  | \$8,000.00       | 80.00%            | 4           |
| Groundwork Northeast Revitalization Group, Inc.                                                   | \$11,800.00 | \$25,000.00  | \$7,500.00       | 30.00%            | 4           |
| Lowriding 2 Success Bike Club KCKS                                                                | \$6,187.00  | \$9,000.00   | \$7,500.00       | 83.33%            | 4           |
| Village Initiative Inc., The                                                                      | \$10,000.00 | \$50,000.00  | \$7,500.00       | 15.00%            | 3           |

# 2024 Recommendations

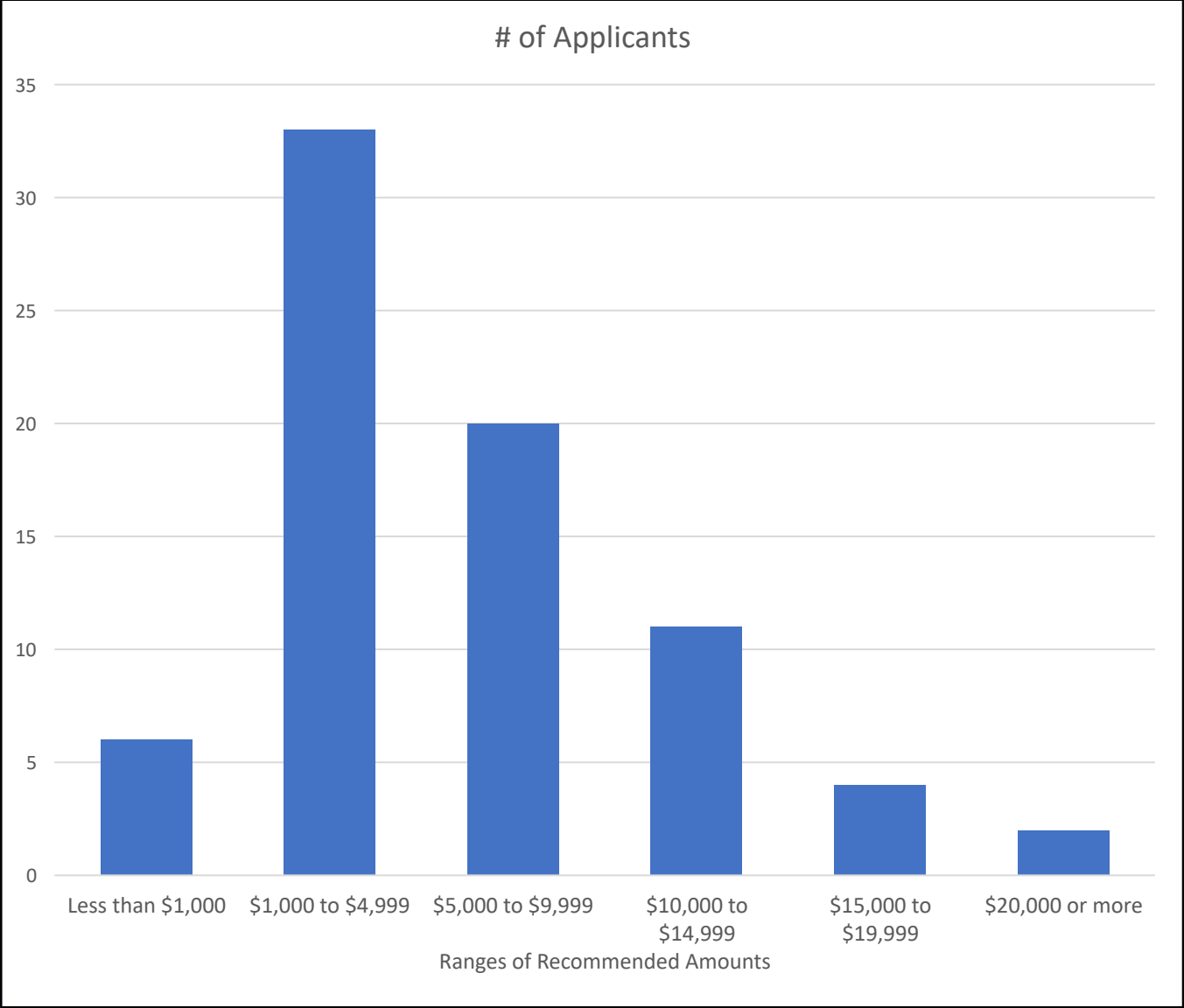
| Organization Name                                         | 2023 Award Amt. | 2024 Request Amt. | Com. Rec. Amount | % of Request Rec. | # Com. Rec. |
|-----------------------------------------------------------|-----------------|-------------------|------------------|-------------------|-------------|
| Wyandotte County Parks Foundation                         |                 | \$8,000.00        | \$6,177.80       | 77.22%            | 2           |
| Piper Education Foundation on behalf of Piper USD 203     | \$5,000.00      | \$19,200.00       | \$6,000.00       | 31.25%            | 1           |
| Quindaro Development Corporation                          |                 | \$12,000.00       | \$6,000.00       | 50.00%            | 2           |
| YouthFront, Inc.                                          | \$5,000.00      | \$10,000.00       | \$5,778.18       | 57.78%            | 1           |
| Armourdale Renewal Association (ARA)                      |                 | \$6,400.00        | \$5,200.00       | 81.25%            | 3           |
| KC United! Youth Sports and Education Initiative          | \$10,562.00     | \$20,000.00       | \$5,078.18       | 25.39%            | 4           |
| AIM HIGH Initiative                                       |                 | \$25,000.00       | \$5,000.00       | 20.00%            | 1           |
| Boy Scouts                                                | \$5,000.00      | \$10,000.00       | \$5,000.00       | 50.00%            | 1           |
| Mt. Carmel Redevelopment Corporation, Inc.                | \$6,000.00      | \$30,000.00       | \$5,000.00       | 16.67%            | 3           |
| Working Families' Friend                                  | \$5,000.00      | \$20,000.00       | \$5,000.00       | 25.00%            | 3           |
| Turner Recreation Commission                              | \$7,500.00      | \$12,000.00       | \$4,677.80       | 38.98%            | 2           |
| Avenue Of Life Inc                                        | \$12,500.00     | \$75,000.00       | \$4,500.00       | 6.00%             | 3           |
| Cross-Lines Community Outreach                            | \$7,568.50      | \$20,000.00       | \$4,500.00       | 22.50%            | 4           |
| Friends of KCK Animal Services                            |                 | \$15,000.00       | \$4,000.00       | 26.67%            | 2           |
| Kansas City Kansas School Foundation For Excellence, Inc. | \$2,000.00      | \$5,000.00        | \$4,000.00       | 80.00%            | 3           |
| Kansas City Pregnancy Clinic                              |                 | \$25,000.00       | \$4,000.00       | 16.00%            | 3           |
| Sue's Safe Haven Inc                                      |                 | \$53,599.40       | \$4,000.00       | 7.46%             | 1           |
| CASA of Johnson and Wyandotte Counties                    |                 | \$5,000.00        | \$3,500.00       | 70.00%            | 1           |
| Cornerstones of Care                                      |                 | \$7,000.00        | \$3,500.00       | 50.00%            | 1           |
| KCK United                                                |                 | \$10,000.00       | \$3,500.00       | 35.00%            | 3           |
| Ladies that Lean                                          |                 | \$20,000.00       | \$3,500.00       | 17.50%            | 2           |
| Black MasterMind Group Charitable Foundation              |                 | \$10,000.00       | \$3,000.00       | 30.00%            | 2           |
| Kansas City Kansas Baseball Association                   | \$3,000.00      | \$5,000.00        | \$3,000.00       | 60.00%            | 1           |
| Kansas City Kansas West Kiwanis Foundation                | \$4,600.00      | \$6,300.00        | \$2,500.00       | 39.68%            | 2           |
| McNewtons Community Outreach Foundation                   |                 | \$10,000.00       | \$2,500.00       | 25.00%            | 1           |
| Pharmacy of Grace                                         | \$500.00        | \$20,000.00       | \$2,500.00       | 12.50%            | 3           |
| St. Peter Christian Methodist Episcopal Church,           |                 | \$3,000.00        | \$2,278.18       | 75.94%            | 2           |

# 2024 Recommendations

| Organization Name                                      | 2023<br>Award Amt. | 2024<br>Request Amt. | Com. Rec.<br>Amount | % of Request<br>Rec. | # Com.<br>Rec. |
|--------------------------------------------------------|--------------------|----------------------|---------------------|----------------------|----------------|
| Burmese Community of Kansas, The                       |                    | \$63,257.00          | \$2,000.00          | 3.16%                | 1              |
| Cultivate KC                                           | \$3,500.00         | \$10,000.00          | \$2,000.00          | 20.00%               | 1              |
| Fountain of Life Inc                                   |                    | \$10,000.00          | \$2,000.00          | 20.00%               | 2              |
| KC Blind All-Stars Foundation                          |                    | \$25,000.00          | \$2,000.00          | 8.00%                | 1              |
| National Agricultural Center and Hall of Fame          | \$2,500.00         | \$12,324.00          | \$2,000.00          | 16.23%               | 2              |
| Family Conservancy, The                                | \$2,000.00         | \$20,000.00          | \$1,500.00          | 7.50%                | 2              |
| Giving the Basics, Inc.                                | \$3,500.00         | \$20,000.00          | \$1,500.00          | 7.50%                | 1              |
| Special Olympics Kansas, Inc.                          |                    | \$6,500.00           | \$1,500.00          | 23.08%               | 1              |
| Turner House Clinic, Inc. d/b/a Vibrant Health         |                    | \$8,500.00           | \$1,500.00          | 17.65%               | 2              |
| Delaware Highlands Assisted Living                     |                    | \$500.00             | \$1,200.00          | 240.00%              | 3              |
| Central Avenue Betterment Association                  |                    | \$10,000.00          | \$1,000.00          | 10.00%               | 1              |
| Harvesters Community Food Network                      |                    | \$25,000.00          | \$1,000.00          | 4.00%                | 1              |
| Historic Westheight Neighborhood Assoc                 | \$5,500.00         | \$8,000.00           | \$1,000.00          | 12.50%               | 1              |
| HopeBUILDERS Home Repair                               |                    | \$25,000.00          | \$1,000.00          | 4.00%                | 1              |
| KIM WILSON HOUSING                                     |                    | \$5,000.00           | \$1,000.00          | 20.00%               | 1              |
| Our Spot KC                                            |                    | \$10,000.00          | \$1,000.00          | 10.00%               | 1              |
| Gilda's Club Kansas City                               |                    | \$1,750.00           | \$778.18            | 44.47%               | 1              |
| Boys & Girls Clubs of Greater Kansas City              |                    | \$20,000.00          | \$500.00            | 2.50%                | 1              |
| Care Beyond The Boulevard                              | \$3,500.00         | \$20,000.00          | \$500.00            | 2.50%                | 1              |
| Downtown Shareholders of Kansas City, KS, Incorporated |                    | \$16,000.00          | \$500.00            | 3.13%                | 1              |
| Girls on the Run Serving Greater Kansas City           |                    | \$10,000.00          | \$500.00            | 5.00%                | 1              |
| Hope United Church                                     |                    | \$10,000.00          | \$500.00            | 5.00%                | 1              |
| Total Recommended Award Amount                         | \$458,242          |                      |                     |                      |                |
| # of 2023 Awardees Recommended for Award in 2024       | 43                 |                      |                     |                      |                |

# 2024 Recommended Amount Ranges

| Total Recommended Amount | # of Applicants |
|--------------------------|-----------------|
| Less than \$1,000        | 6               |
| \$1,000 to \$4,999       | 33              |
| \$5,000 to \$9,999       | 20              |
| \$10,000 to \$14,999     | 11              |
| \$15,000 to \$19,999     | 4               |
| \$20,000 or more         | 2               |





# Recommendations By Commissioner

| 2024 Recommendations By Commissioner |           |                             |                          |                                                                   |
|--------------------------------------|-----------|-----------------------------|--------------------------|-------------------------------------------------------------------|
| Commissioner Name                    |           | # of Applicants Recommended | Total Amount Recommended | # of Times Commissioner Gave An Applicant Its Only Recommendation |
| Burns, Jr.                           | Bill      | 6                           | \$41,778.18              | 0                                                                 |
| Burroughs                            | Tom       | 10                          | \$40,500.00              | 1                                                                 |
| Bynum                                | Melissa   | 30                          | \$41,778.18              | 2                                                                 |
| Davis                                | Andrew    | 12                          | \$41,778.00              | 1                                                                 |
| Garner                               | Tyrone    | 43                          | \$41,778.18              | 8                                                                 |
| Hill                                 | Evelyn    | 22                          | \$41,778.18              | 3                                                                 |
| Kane                                 | Mike      | 9                           | \$41,778.18              | 2                                                                 |
| Lopez                                | Philip    | 6                           | \$41,738.18              | 2                                                                 |
| Ramirez                              | Christian | 7                           | \$41,778.18              | 3                                                                 |
| Stites                               | Chuck     | 12                          | \$41,778.18              | 4                                                                 |
| Townsend                             | Gayle     | 18                          | \$41,778.18              | 4                                                                 |
|                                      |           |                             |                          |                                                                   |
| Average                              |           | 16                          | \$41,658.33              |                                                                   |
|                                      |           |                             | Total                    | 30                                                                |





Report to

| MEETING DATE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | PRESENTER                                                              | DEPARTMENT          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|---------------------|
| JUN 03 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Jud Knapp, Acting Land Bank Manager<br><br>jknapp@wycokck.org<br>x5472 | Land Bank Approvals |
| AGENDA ITEM #                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                        |                     |
| <b>LAND BANK OPTIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                        |                     |
| <b>BACKGROUND</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                        |                     |
| <p>The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed items and forward it to the Land Bank Board of Trustees for final consideration, submitted by Jud Knapp, Land Bank Manager.</p> <p>Please visit the site to review the applications below.</p> <p><a href="https://gisapp.wycokck.org/Landbank.html">https://gisapp.wycokck.org/Landbank.html</a></p> <p>179 Single Family Homes<br/>6 Multi Family Units<br/>1 Commercial</p> |                                                                        |                     |
| <b>RECOMMENDATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                        |                     |
| Approve                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                        |                     |
| <b>BUDGET IMPACTS / FINANCIAL CONSIDERATIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                        |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                        |                     |
| <b>IT/POLICY CONSIDERATIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                        |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                        |                     |
| <b>PROCUREMENT CONSIDERATIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                        |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                        |                     |
| <b>LEGAL CONSIDERATIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                        |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                        |                     |
| <b>ATTACHMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                        |                     |
| NCD Memo Land Bank Options 06.03.24 ver 1, Burcham Residential Land Bank Development                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                        |                     |

Approved by Mayor and/or Chair and Administrator to add to agenda.

*Handwritten signatures and dates:*  
 [Signature] 5/17/2024  
 A. [Signature] 5-20-24



**Wyandotte County Land Bank**  
Economic Development Department  
Jud Knapp, Manager

701 North 7<sup>th</sup> St., 4th Floor  
Kansas City, Kansas 66101

Phone: (913) 573-5472  
Fax: (913) 573-5745  
Email: [jknapp@wycokck.org](mailto:jknapp@wycokck.org)

## **M E M O R A N D U M**

**TO:** Full Commission  
**FROM:** Jud Knapp, Land Bank Manager  
**DATE:** June 20, 2024  
**SUBJECT:** Option applications for consideration

The following **option application(s)** were presented at the 06/03/2024 meeting:  
Please visit the new site to review the applications below  
<https://gisapp.wycokck.org/Landbank.html>

**A. Single Family Homes – 179 Homes**

1. CHWC – 1 home
  - i. 3037 N 18<sup>th</sup> St – 293031
2. Chris Solutions LLC – 1 home
  - i. 3000 N 40<sup>th</sup> St – 105425
3. Chris Solutions LLC – 2 Homes
  - i. 4845 Yecker Ave – 178629
  - ii. 4937 Rowland Ave – 177732
4. Pillar KC LLC – 1 home
  - i. 3012 N 63<sup>rd</sup> St – 924004
5. Pillar KC LLC – 1 home
  - i. 1023 Ann Ave – 080479
6. T&M Construction – 1 home
  - i. 3006 Hutchings St – 158548
7. JM Framing LLC – 1 home
  - i. 1022 Barnett Ave – 080506
8. Alejandro Torres – 1 home
  - i. 240 S Bethany St – 070106
9. Israel – 1 home
  - i. 102 N Early St – 120119
  - ii. Narrow lot
11. Noe Maderos – 2 homes
  - iii. 2452 S 12<sup>th</sup> St Ter – 129370
  - iv. 2511 S 12<sup>th</sup> Ter – 129320
12. Burcham Residential – 166 homes  
Sorted by Neighborhood group.

v. St. Joseph Watchdogs – 14 homes

1. 29 S MILL ST - 121118
2. 37 S MILL ST - 121116
3. 711 PACIFIC AVE - 121721
4. 39 S MILL ST - 121115
5. 44 S MILL ST - 70305
6. 370 S MILL ST - 71373
7. 307 S BOEKE ST - 71252
8. 305 S BOEKE ST - 71253
9. 27 S MILL ST - 121119
10. 46 S COY ST - 121145
11. 361 S 10TH ST - 71295
12. 359 S 10TH ST - 71384
13. 31 S MILL ST – 121117

vi. Prescott – 27 homes

1. 1512 LOWELL AVE - 66343
2. 1211 PACIFIC AVE - 67304
3. 1241 RIDGE AVE - 67000
4. 8 S 10TH ST - 69503
5. 322 S 14TH ST - 67815
6. 116 S 16TH ST - 66328
7. 1212 HOMER AVE - 67305
8. 1225 GILMORE AVE - 67342
9. 318 S 14TH ST - 67814
10. 1023 LOWELL AVE - 69516
11. 1023 LOWELL AVE - 69516
12. 1509 PACIFIC AVE - 66749
13. 209 S 12TH ST - 70114
14. 312 S VALLEY ST - 67525
15. 1218 BUNKER AVE - 67116
16. 112 S 17TH ST - 66310
17. 1257 BUNKER AVE - 67068
18. 1210 PACIFIC AVE - 67097
19. 1220 PACIFIC AVE - 67093
20. 249 S VALLEY ST - 67328
21. 1251 LOWELL AVE – 67046

vii. WCAC – 1 home

1. 3048 Ford Ave – 56717

viii. Kensington Community – 12 homes

1. 1128 N 32ND ST - 63649
2. 1709 N 26TH ST - 68552
3. 1407 N 32ND ST - 63578
4. 1717 N 31ST ST - 75815
5. 1708 N 31ST ST - 75827
6. 1708 N 30TH ST - 75807
7. 3232 EVERETT AVE – 63566

ix. Historic Westheight – 6 homes

1. 1724 N 24TH ST - 68524

2. 1731 N 24TH ST - 68518
3. 1735 N 24TH ST - 68519
4. 1720 N 24TH ST - 68525

x. Cathedral – 45 homes

1. 1023 SANDUSKY AVE - 90215
2. 208 N THORPE ST - 67218
3. 220 N THORPE ST - 67220
4. 219 N THORPE ST - 103059
5. 412 N 10TH ST - 90206
6. 1131 SANDUSKY AVE - 90154
7. 1027 ORVILLE AVE - 90192
8. 1011 SANDUSKY AVE - 90210
9. 254 N 10TH ST - 93602
10. 1026 ELLA AVE - 92609
11. 1011 OHIO AVE - 93612
12. 258 N 10TH ST - 93611
13. 1020 SANDUSKY AVE - 90183
14. 1052 ARMSTRONG AVE - 80427
15. 1009 SPLITLOG AVE - 92662
16. 713 N 12TH ST - 80831
17. 1149 ANN AVE - 80829
18. 1055 GRANDVIEW BLVD - 80575
19. 1024 GRANDVIEW BLVD - 80559
20. 1145 ANN AVE - 80827
21. 1147 ANN AVE - 80828
22. 1214 ARMSTRONG AVE - 80894
23. 1009 ANN AVE - 80475
24. 1221 SANDUSKY AVE - 102630
25. 1213 ANN AVE - 80938
26. 308 N 10TH ST - 92658
27. 1221 ANN AVE - 80942
28. 1026 GRANDVIEW BLVD - 80558
29. 1120 SANDUSKY AVE - 90230
30. 1030 GRANDVIEW BLVD - 80557
31. 1045 ANN AVE - 80486
32. 1016 GRANDVIEW BLVD - 80560
33. 1015 SANDUSKY AVE - 90212
34. 1013 SANDUSKY AVE - 90211
35. 1146 ORVILLE AVE - 92407
36. 1018 SPLITLOG AVE - 92652
37. 327 N THORPE ST - 102544
38. 1052 ELLA AVE - 92618
39. 1241 ANN AVE – 80948

xi. Riverview – 59 homes

1. 949 RIVERVIEW AVE - 223214
2. 947 RIVERVIEW AVE - 223213
3. 942 RIVERVIEW AVE - 223207
4. 951 OHIO AVE - 93298

5. 917 OHIO AVE - 93212
6. 14 N BOEKE ST - 69148
7. 275 N 9TH ST - 93102
8. 274 N 9TH ST - 93175
9. 941 OHIO AVE - 93219
10. 129 N FERREE ST - 93504
11. 841 TENNY AVE - 119946
12. 843 ORVILLE AVE - 90499
13. 953 REYNOLDS AVE - 93403
14. 744 SIMPSON AVE - 121018
15. 953 OHIO AVE - 93297
16. 226 N 8TH ST - 119919
17. 808 RIDGE AVE - 120309
18. 223 N EARLY ST - 119814
19. 230 N EARLY ST - 119818
20. 251 N EARLY ST - 119803
21. 846 OHIO AVE - 92839
22. 929 SPLITLOG AVE - 92870
23. 844 OHIO AVE - 92926
24. 807 SPLITLOG AVE - 119034
25. 800 SPLITLOG AVE - 119038
26. 808 SPLITLOG AVE - 119041
27. 235 N MILL ST - 93001
28. 736 SPLITLOG AVE - 119004
29. 915 ELLA AVE - 92922
30. 716 ORVILLE AVE - 118827
31. 325 N 10TH ST - 92901
32. 737 TAUROMEE AVE - 81463
33. 926 SPLITLOG AVE - 92889
34. 919 ELLA AVE - 92915
35. 911 ELLA AVE - 92916
36. 273 N 9TH ST - 93220
37. 931 REYNOLDS AVE - 93411
38. 11 N FERREE ST - 69287
39. 12 N BOEKE ST - 69149
40. 229 N EARLY ST - 119811
41. 847 ELLA AVE - 92805
42. 745 SANDUSKY AVE - 118814
43. 854 OHIO AVE - 92836
44. 842 OHIO AVE - 92840
45. 933 ORVILLE AVE - 90382
46. 970 REYNOLDS AVE - 223217
47. 909 OHIO AVE - 93215
48. 318 N 7TH ST TRFY - 119137
49. 911 ORVILLE AVE - 90375
50. 714 ORVILLE AVE - 118828
51. 805 SANDUSKY AVE – 90453

xii. Strawberry Hill – 1 home

- 1. 647 N Tenny Ave – 119432
- xiii. Caring Neighborhood Assoc. – 1 home
  - 1. 436 Walker Ave – 082217
- xiv. No neighborhood group – 1 home
  - 1. 3812 N Washington Ave - 063102

**B. Multi Family – 6 units**

- 2. JM Framing LLC – 2 Units
  - i. 1711 Greeley Ave – 115977
- 3. Ryan Barr – 2 Units
  - ii. 2219 S Ferree St – 126608

**C. Commercial – 1**

- 1. JM Framing
  - i. 1139 Minnesota Ave – 080784





**BURCHAM**  
— RESIDENTIAL —

Building Attainable Housing in Kansas City, KS

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Introduction

Factory Built Housing Primer

Project Description

Location

Rents

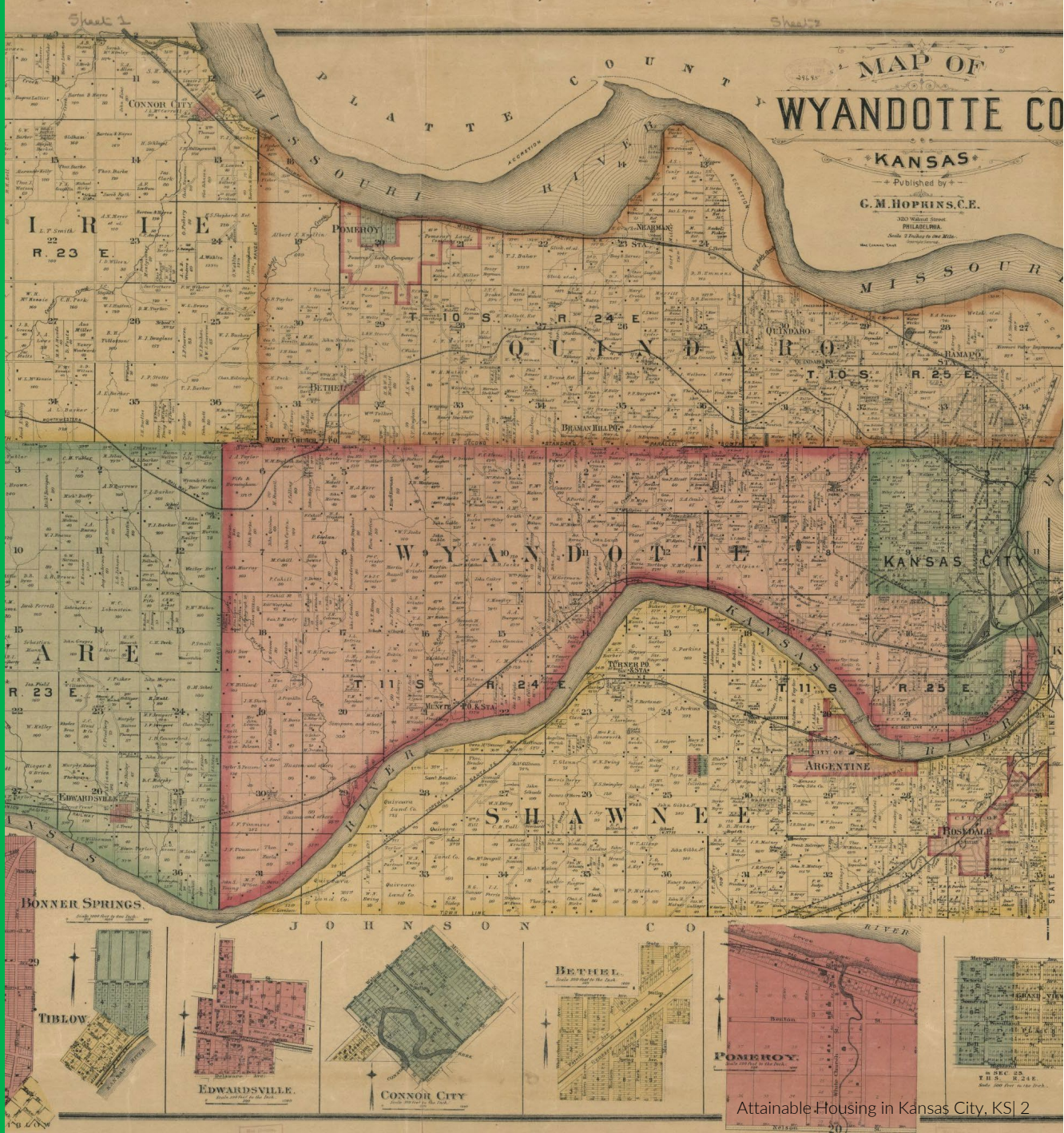
Project Budget

Development Partners

Construction Timeline

Team Experience

# SUMMARY



Attainable Housing in Kansas City, KS 2

# INTRODUCTION

## **Building Attainable Housing in Kansas City, KS**

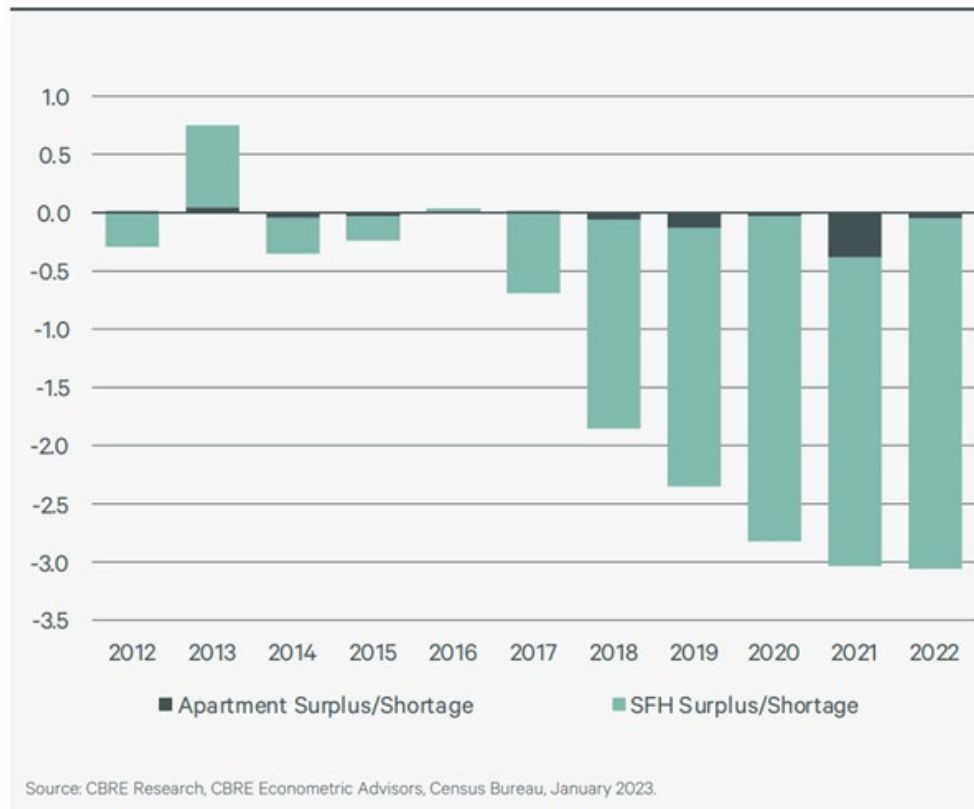


# The Housing Problem

## Multiple Factors Combine to Put Affordability Out of Reach

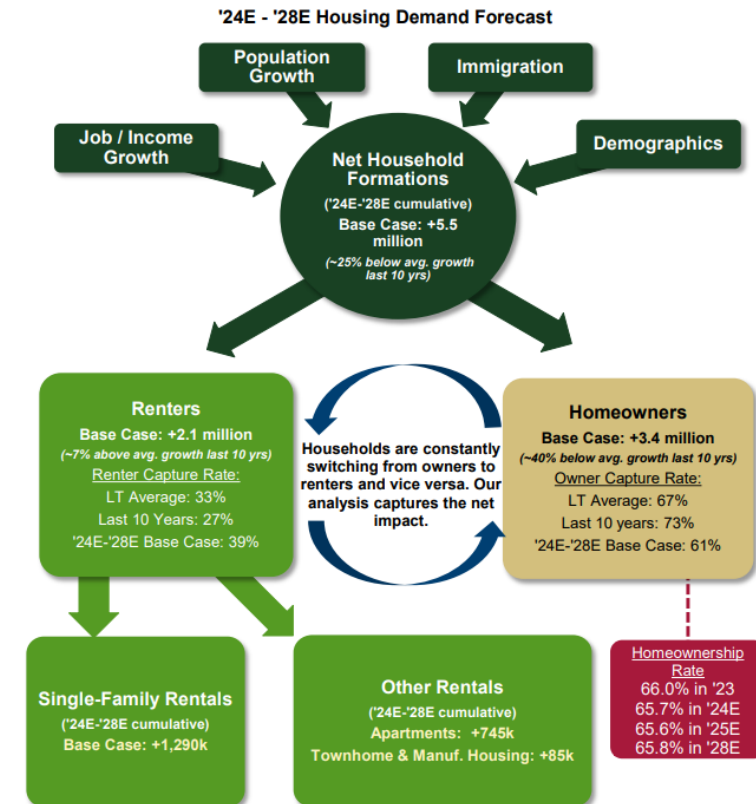
### There is a shortage of 3 and 4-Bedroom homes...

The US currently has a shortage of approximately 3 million homes<sup>1</sup>, almost all of which are 3 and 4-bedroom single family homes.



### ... and the shortage is getting worse

The US is going to need an additional 4.7 million new single family homes for purchase and rent over the next 5 years, compared to only 745,000 new apartment units, per Green Street.<sup>2</sup>



# A Housing Solution

ADDRESSING DEMAND, WITH AN ATTAINABLE SOLUTION

## Burcham Develops Communities of Factory Built 3- and 4-Bedroom Single Family Homes



### Developing Communities

#### CrossMod Single Family For Rent

- **Target** – Families with household incomes between 60% - 80% of AMI.

#### Modular Single Family For Sale

- **Target** – Families with household incomes between 80% - 120% of AMI.



### Lowest Cost Solution Through Factory Built Home Methods

#### Quality

- Built in climate-controlled factories
- Proven designs and production techniques that have been used for 50+ years
- Built to Dept. of Energy Zero Energy Ready standard

#### Cost Arbitrage

- Vertical construction costs are 15 to 30% cheaper than site-built construction



### Intentionally Focused on 3- and 4-Bedroom Single Family Detached Homes

#### Low Vacancy

- Owner-occupied single family homes are at an all-time low vacancy (0.7%) across the US since data began in 1968<sup>1</sup>.
- 3+ bedroom rental units have the lowest vacancy of any unit type of as of Q4 2023<sup>1</sup>.
- Single family detached homes have the best fundamentals for tapping into demand for 3+ bedroom units:
  - 3+ bedroom units make up only 11.4% of apartment units and 4.5% of large apartment property units<sup>1</sup>.

<sup>1</sup> US Census (Q4 2023)

# Factory Built Housing

**Building Attainable Housing in Kansas City, KS**



# WHAT IS FACTORY BUILT HOUSING

## Factory-Built Housing Methods

Panelized / Pre-Cut

Modular

CrossMod

Manufactured

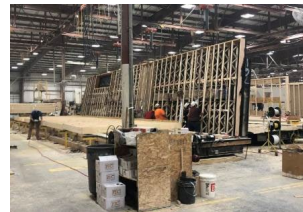
Tiny Homes

RVs

## Burcham Focuses on Two Specific Methods...

**Modular Homes** – Type of prefabricated home that is built in sections, or modules, in a factory setting and then transported to the home site where they are assembled and installed on a permanent foundation. These modules are typically constructed using the same materials and the same building codes as traditional stick-built homes, but the construction process is more controlled and efficient.

**CrossMod Homes** – CrossMod homes combine the building efficiency of off-site construction with the foundational durability associated with on-site construction. Additionally, CrossMod homes include additional features built on-site, which are common with traditional on site-built homes. Specifically, CrossMod homes have a permanent foundation, an on-site built porch and attached garage, and a more traditionally pitched roof. Both Fannie Mae and Freddie Mac have developed special financing programs more similar to conventional mortgages for CrossMod homes.



# BENEFITS OF FACTORY-BUILT HOUSING

## A DIVERSE ECOSYSTEM OF DISRUPTION



**Reduced Construction Defect Risk** – Every unit is an individually built structure, which significantly reduces the risk of major construction defects compared to site built homes.



**Energy Efficient & Reduced Waste**– The construction and set-up of factory-built homes create 50% to 70% less waste than traditional home-building. Residents and Homeowners living in the homes experience long-term savings due to reduced energy consumption



**Better Capital Utilization** – The ability to speed up or slow down home installations mid-project, allows for just in time construction and less idle capital.

### Construction Start to Completion Time [Months]

| Manufactured Home | CrossMod Home | Site-Built Home <sup>1</sup> | Apartment Building <sup>2</sup> |
|-------------------|---------------|------------------------------|---------------------------------|
| 1.5               | 2.0           | 6.1                          | 16.6                            |

<sup>1</sup> US Census, 1-Unit structures Built for Sale, average 2015-2022

<sup>2</sup> US Census, 20-Unit structures, average 2015-2022

### Less On-Site Trades = Lowers Costs / Risk

| Subcontractor Trade       | FACTORY | HYBRID | ON-SITE |
|---------------------------|---------|--------|---------|
| Framing                   | ✓       |        |         |
| Roofing                   |         | ✓      |         |
| Foundations               |         |        | ✓       |
| Exterior Siding           |         | ✓      |         |
| Exterior Doors & Siding   | ✓       |        |         |
| Masonry Work              |         |        | ✓       |
| Drywall                   | ✓       |        |         |
| Painting & Wall Coverings | ✓       |        |         |
| Interior Doors            | ✓       |        |         |
| Finish Carpentry          | ✓       |        |         |
| HVAC                      | ✓       |        |         |
| Electrical Wiring         | ✓       |        |         |
| Plumbing                  | ✓       |        |         |
| Kitchen Cabinets          | ✓       |        |         |
| Kitchen Countertops       | ✓       |        |         |
| Carpeting                 | ✓       |        |         |
| Ceramic Tiles             | ✓       |        |         |
| Hardwood Flooring         | ✓       |        |         |
| Concrete Flatwork         |         |        | ✓       |
| Landscaping               |         |        | ✓       |

Factory-built methods allow for on-site trades to be significantly reduced. This allows for more efficient project management, less weather delays and more predictable timelines. Importantly, it also provides a cost advantage which allows for the homes to sold and rented for affordable price points.

# QUALITY OF FACTORY-BUILT HOUSING



**Controlled Environment** – Every home is built in an environment that eliminates weather conditions and other external factors. Consistency of the assembly line results in high precision of construction.



**Quality Control**– Each home is inspected 20 times prior to it leaving the factory floor. Extensive oversight by Quality Control supervisors creates a high quality and durable home.



**Voted America's Most Trusted Home Manufacturer for the last 4 Years**

## Quality Control Inspections

| # of Stations in Factory | # of Quality Control Supervisors | # of 3 <sup>rd</sup> Party Inspections | # of Internal QA Inspections | Total # of Inspections |
|--------------------------|----------------------------------|----------------------------------------|------------------------------|------------------------|
| 16                       | 16                               | 2                                      | 2                            | 20                     |

# Project Description

**Building Attainable Housing in Kansas City, KS**

# Project Introduction

**Burcham**, alongside its nonprofit partner, **Jubilee Housing**, intends to develop Factory Built single family homes on vacant land bank lots. The goal is to establish a scalable model for affordable and environmentally conscious housing solutions.

The project will consist of 138 vacant lots. There will be ~166, three-bedroom two bath, 1,056 SF units.

The homes will be available for rent between \$1,160 - \$1,680 through the Low Income Housing Tax Credit program and offered for sale at end of the 15-year compliance period. The average rental rate will be \$1,575.

The total construction costs of the project will be ~\$41,402,000.



~\$41.5MM  
Project Cost

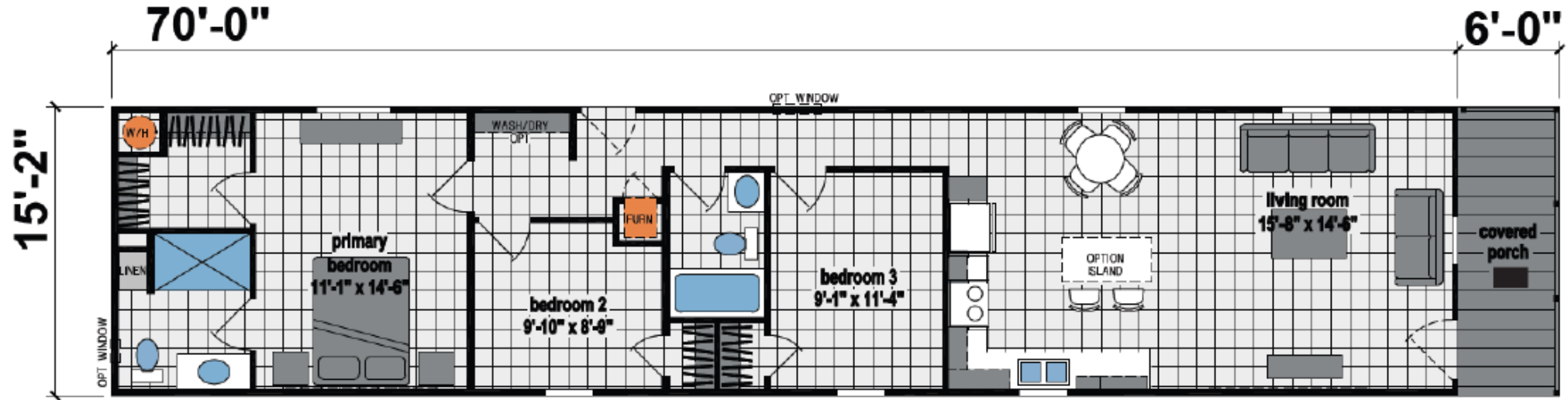
166 Units

3 Bedrooms  
2 Bathrooms  
1,056 SF

Affordability:  
between 30% -  
60% of AMI

# Floor Plan

## Spacious Three Bedroom units



### Unit Type

Bedrooms: 3  
Bathrooms: 2  
Square Footage: 1,056



# Renderings



## Unit Amenities:

- Energy Star 3.0 Rated
- Permanent Foundations
- 4' x 12' Roof Pitch
- Upgraded Fixtures
- Energy Efficient
- Stainless Steel Appliances

## Variation in Design:

These two home designs including variations in porches and color finishes will be used throughout the project.



# Interior Finishes





# Comparison of Current Housing



The Narrow Lots lead to limited home dimensions. The design focus will be placed on the front of the homes and replicating the existing neighborhood aesthetic.

# Comparison of Current Housing

The project will replicate the neighborhood character of the existing housing stock.



# Location

**Building Attainable Housing in Kansas City, KS**

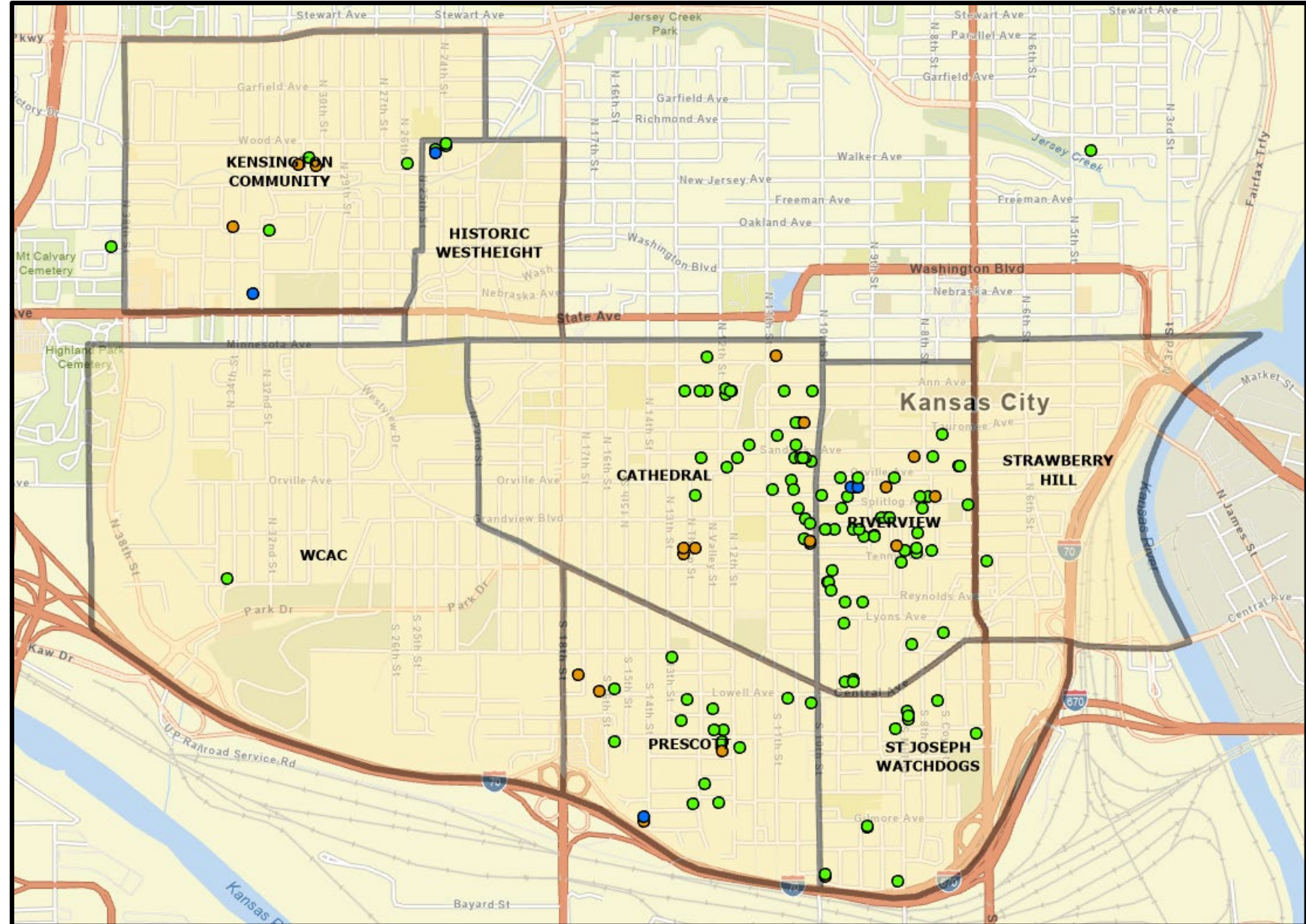


# Location

| Neighborhood Group                                 | # of Parcels | # of Homes |
|----------------------------------------------------|--------------|------------|
| Prescott/South of Central Neighborhood Association | 21           | 27         |
| Riverview                                          | 51           | 59         |
| Cathedral Neighborhood Association                 | 39           | 45         |
| St Joseph Watchdogs                                | 13           | 14         |
| Strawberry Hill Neighborhood Association           | 1            | 1          |
| Historic Westheight Neighborhood Association       | 4            | 6          |
| Kensington Community Area Watch                    | 7            | 12         |
| Caring Neighborhood Association                    | 1            | 1          |
| No Neighborhood Group                              | 1            | 1          |
| Total                                              | 138          | 166        |

## Number of Homes

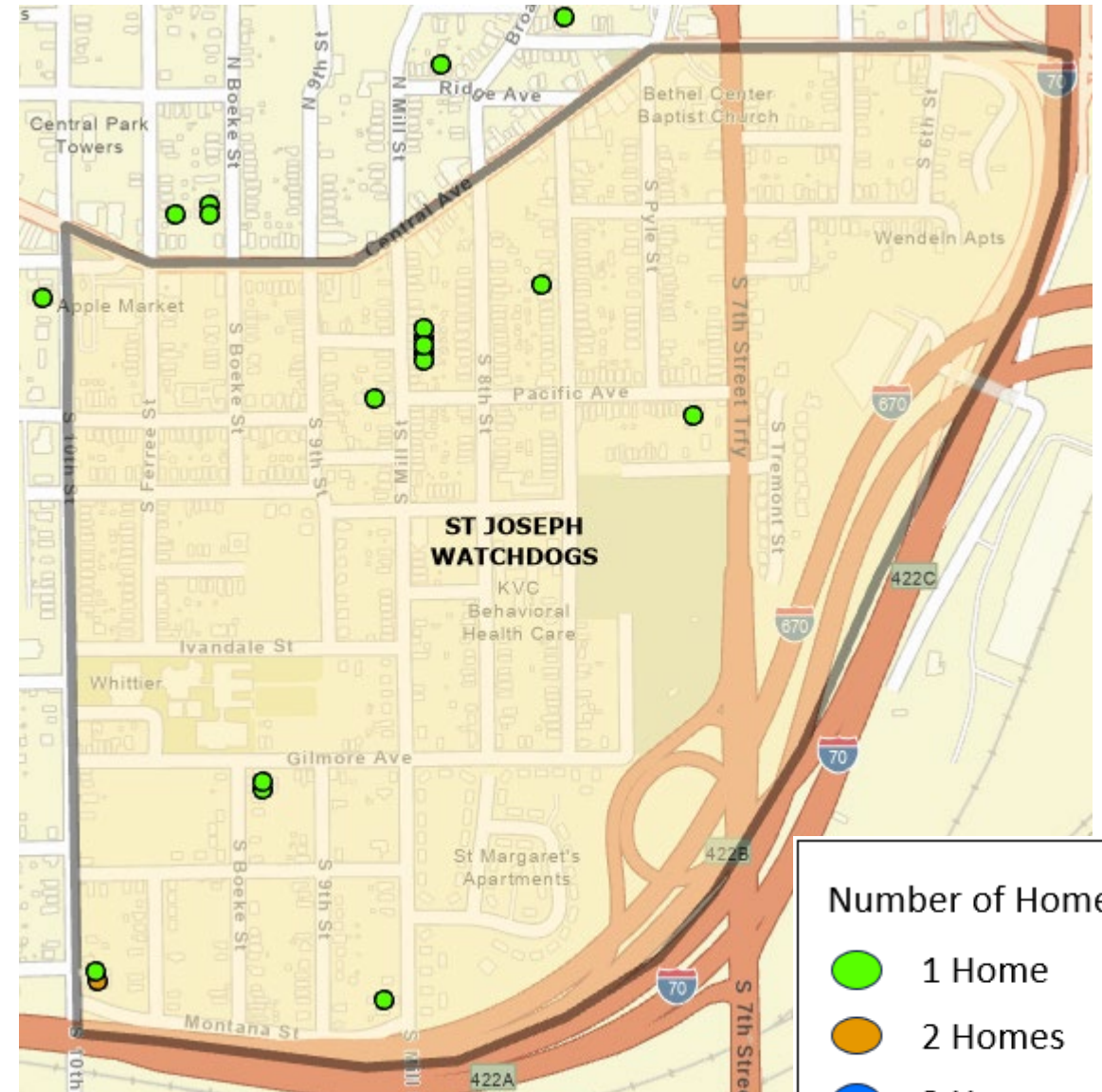
- 1 Home
- 2 Homes
- 3 Homes





# Location- St. Joseph Watchdogs

| Address                  | Zoning | Frontage     | # of Homes |
|--------------------------|--------|--------------|------------|
| 29 S MILL ST - 121118    | R-1(B) | 31           | 1          |
| 37 S MILL ST - 121116    | R-1(B) | 30           | 1          |
| 711 PACIFIC AVE - 121721 | R-1(B) | 25           | 1          |
| 39 S MILL ST - 121115    | R-1(B) | 30           | 1          |
| 44 S MILL ST - 70305     | R-1    | 43           | 1          |
| 370 S MILL ST - 71373    | R-1(B) | 25           | 1          |
| 307 S BOEKE ST - 71252   | R-1(B) | 30           | 1          |
| 305 S BOEKE ST - 71253   | R-1(B) | 30           | 1          |
| 27 S MILL ST - 121119    | R-1(B) | 34           | 1          |
| 46 S COY ST - 121145     | R-1(B) | 37           | 1          |
| 361 S 10TH ST - 71295    | R-1(B) | 50           | 2          |
| 359 S 10TH ST - 71384    | R-1(B) | 25           | 1          |
| 31 S MILL ST - 121117    | R-1(B) | 35           | 1          |
|                          |        | <b>Total</b> | <b>14</b>  |

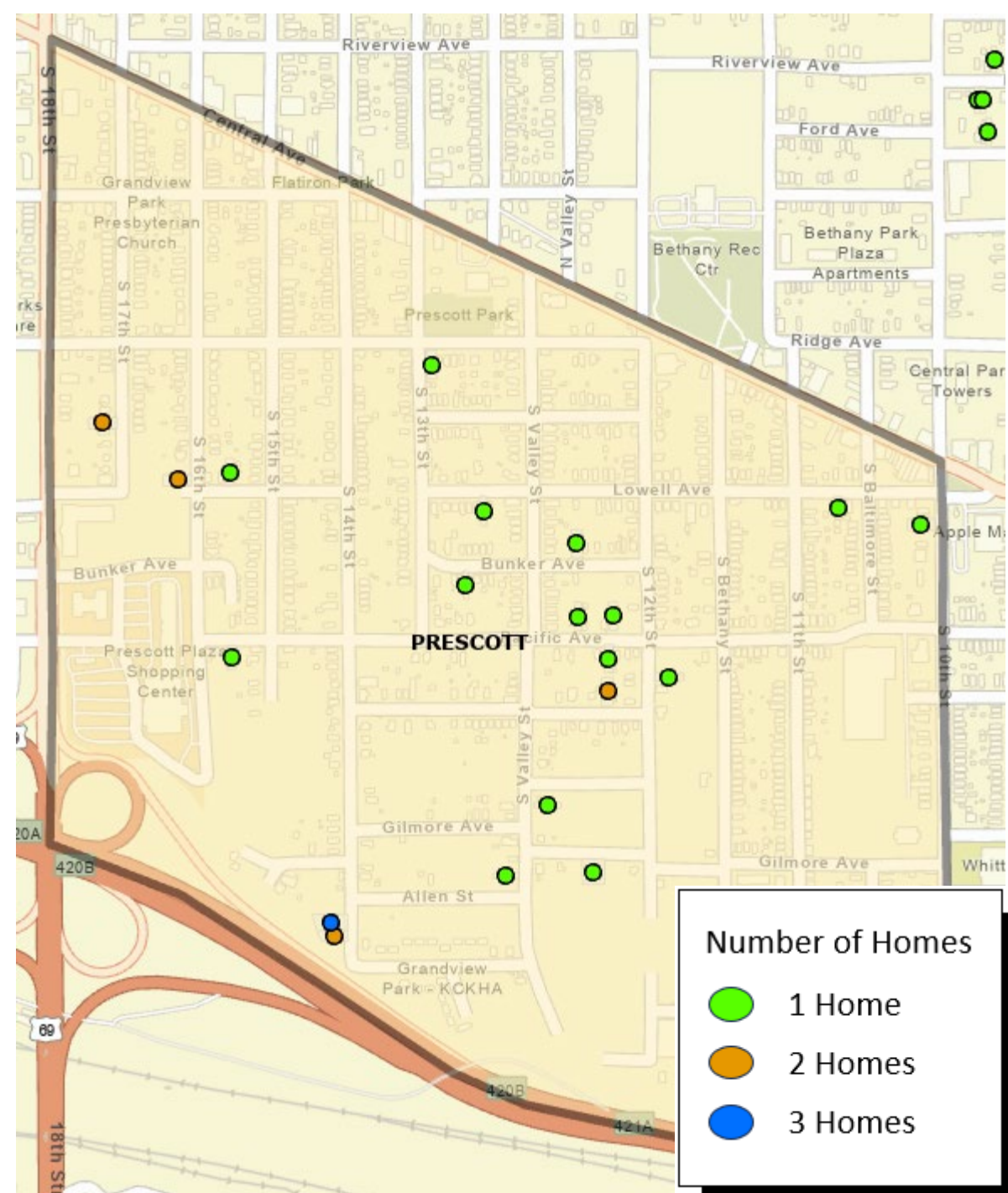


*Neighborhood Comments*

# Location - Prescott

| Address                  | Zoning | Frontage     | # of Homes |
|--------------------------|--------|--------------|------------|
| 1512 LOWELL AVE - 66343  | R-1(B) | 37.5         | 1          |
| 1211 PACIFIC AVE - 67304 | R-1(B) | 37.5         | 1          |
| 1241 RIDGE AVE - 67000   | R-1(B) | 45           | 1          |
| 8 S 10TH ST - 69503      | R-1(B) | 50           | 1          |
| 322 S 14TH ST - 67815    | R-1(B) | 50           | 2          |
| 116 S 16TH ST - 66328    | R-1(B) | 50           | 2          |
| 1212 HOMER AVE - 67305   | R-1(B) | 50           | 2          |
| 1225 GILMORE AVE - 67342 | R-1(B) | 100          | 1          |
| 318 S 14TH ST - 67814    | R-1(B) | 75           | 3          |
| 1023 LOWELL AVE - 69516  | R-1(B) | 31           | 1          |
| 1023 LOWELL AVE - 69516  | R-1(B) | 31           | 1          |
| 1509 PACIFIC AVE - 66749 | R-1(B) | 40           | 1          |
| 209 S 12TH ST - 70114    | R-1(B) | 38           | 1          |
| 312 S VALLEY ST - 67525  | R-1(B) | 25           | 1          |
| 1218 BUNKER AVE - 67116  | R-1(B) | 40           | 1          |
| 112 S 17TH ST - 66310    | R-1(B) | 50           | 2          |
| 1257 BUNKER AVE - 67068  | R-1(B) | 25           | 1          |
| 1210 PACIFIC AVE - 67097 | R-1(B) | 38           | 1          |
| 1220 PACIFIC AVE - 67093 | R-1(B) | 32           | 1          |
| 249 S VALLEY ST - 67328  | R-1(B) | 25           | 1          |
| 1251 LOWELL AVE - 67046  | R-1(B) | 30           | 1          |
|                          |        | <b>Total</b> | <b>27</b>  |

## Neighborhood Comments







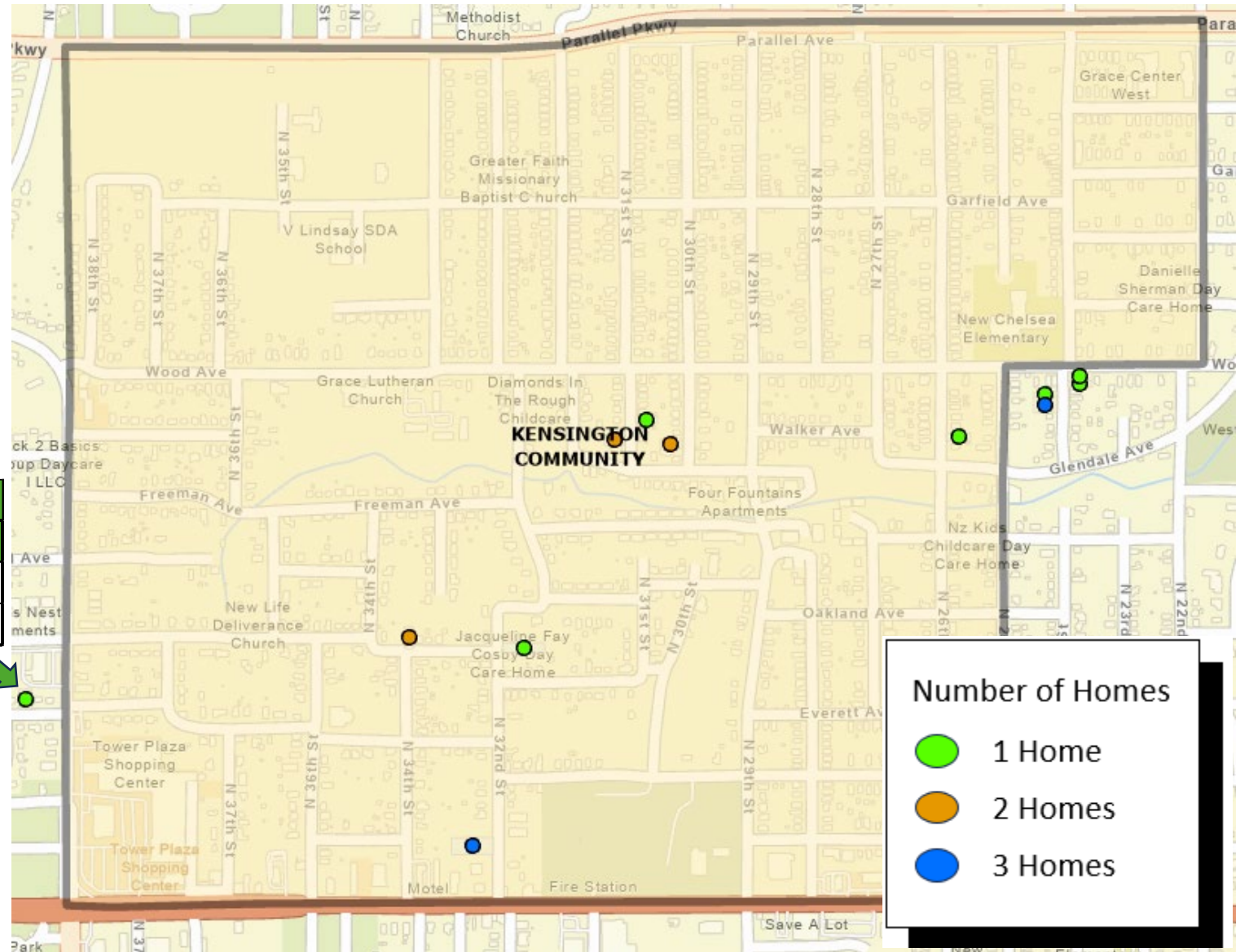
# Location-Kensington Community

| Address                  | Zoning | Frontage     | # of Homes |
|--------------------------|--------|--------------|------------|
| 1128 N 32ND ST - 63649   | R-1(B) | 85           | 3          |
| 1709 N 26TH ST - 68552   | R-1(B) | 42           | 1          |
| 1407 N 32ND ST - 63578   | R-1(B) | 45           | 1          |
| 1717 N 31ST ST - 75815   | R-1(B) | 33           | 1          |
| 1708 N 31ST ST - 75827   | R-1(B) | 50           | 2          |
| 1708 N 30TH ST - 75807   | R-1(B) | 50           | 2          |
| 3232 EVERETT AVE - 63566 | R-1(B) | 50           | 2          |
|                          |        | <b>Total</b> | <b>12</b>  |

## No Neighborhood Group

| Address                        | Zoning | Frontage     | # of Homes |
|--------------------------------|--------|--------------|------------|
| 3812 N Washington Ave - 063102 | R-1(B) | 65           | 1          |
|                                |        | <b>Total</b> | <b>1</b>   |

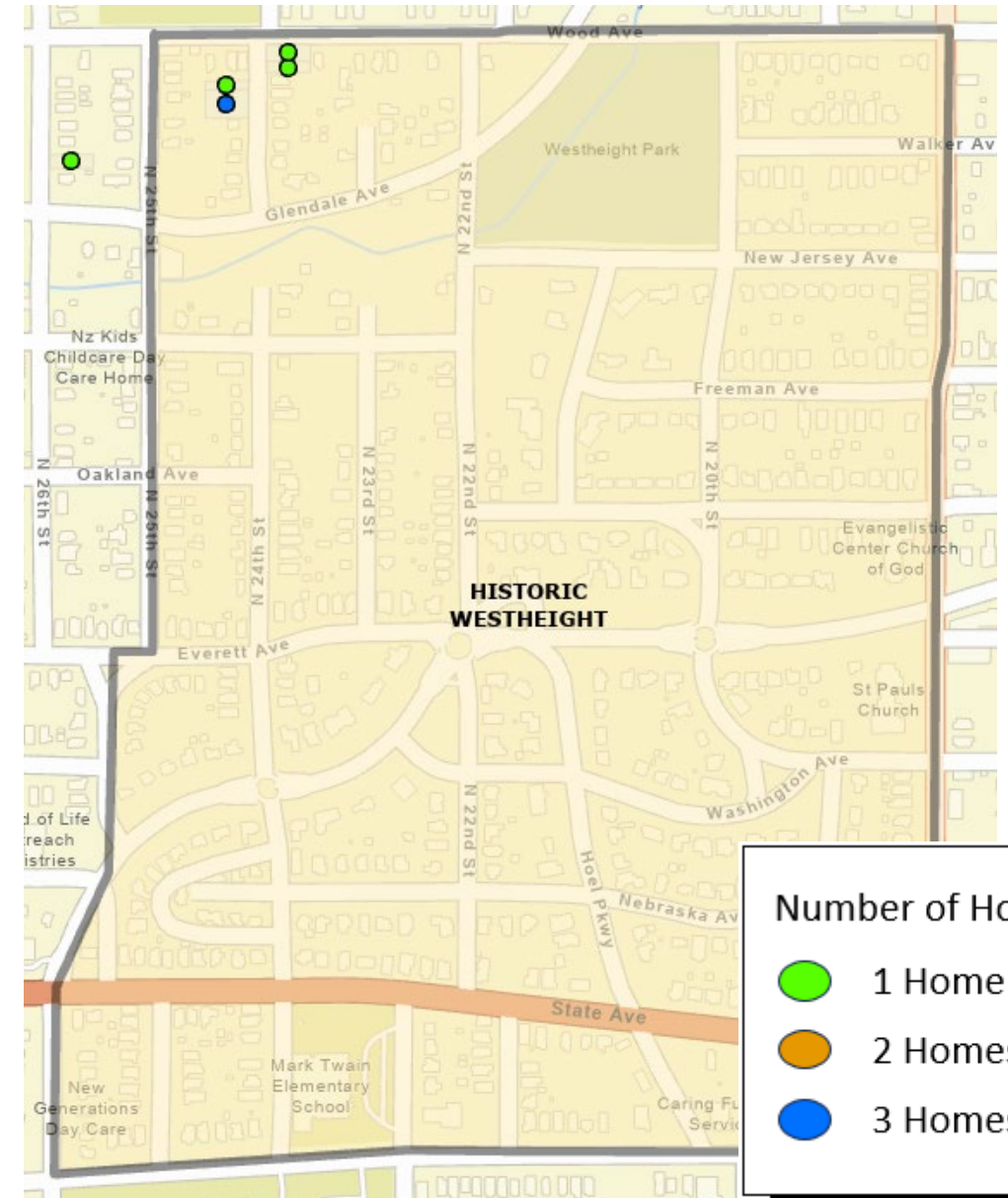
## Neighborhood Comments



# Location- Historic Westheight

| Address                | Zoning | Frontage     | # of Homes |
|------------------------|--------|--------------|------------|
| 1724 N 24TH ST - 68524 | R-1(B) | 25           | 1          |
| 1731 N 24TH ST - 68518 | R-1(B) | 30           | 1          |
| 1735 N 24TH ST - 68519 | R-1(B) | 50           | 1          |
| 1720 N 24TH ST - 68525 | R-1(B) | 75           | 3          |
|                        |        | <b>Total</b> | <b>6</b>   |

## Neighborhood Comments

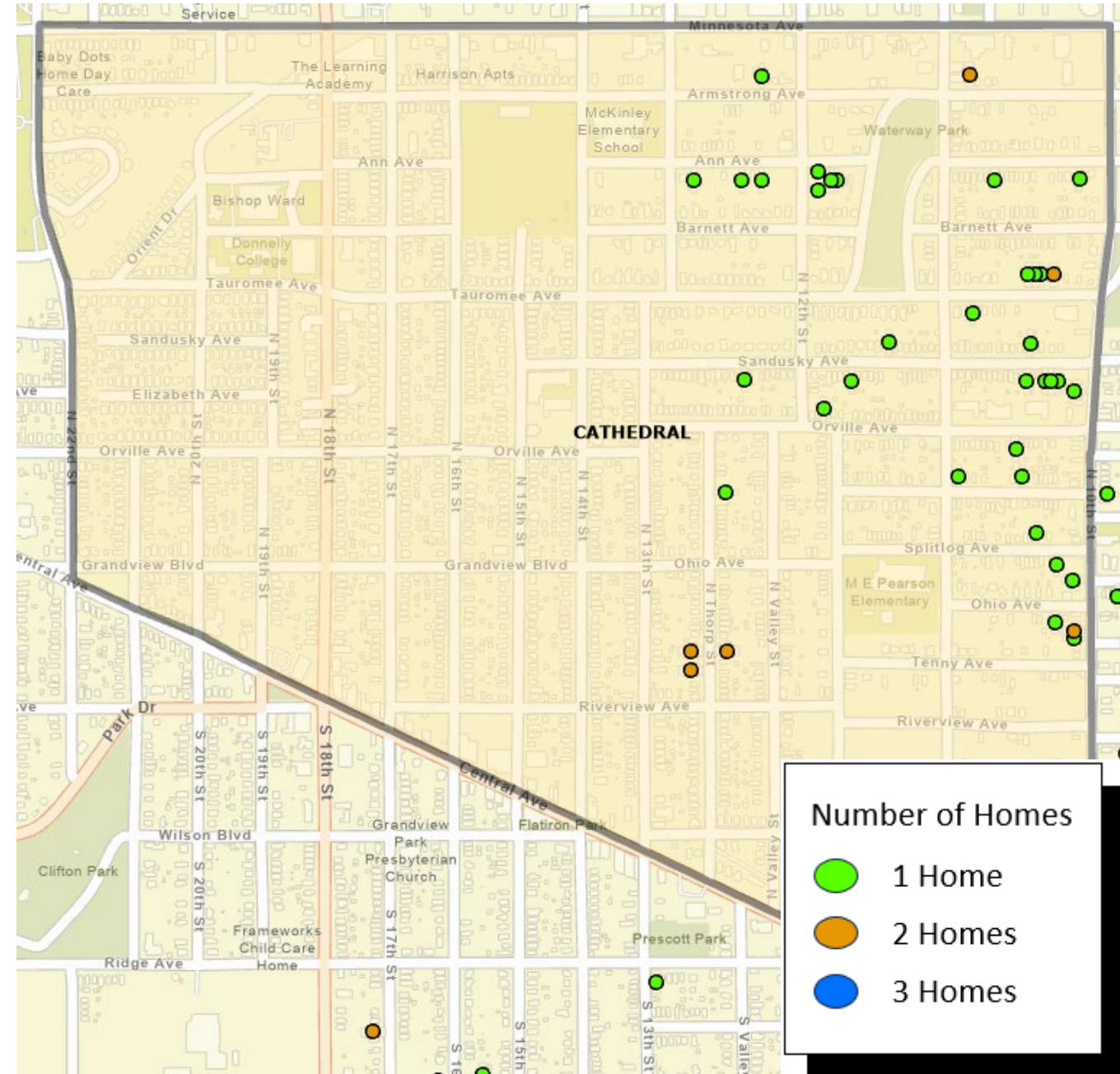




# Location- Cathedral

- 45 Homes
- 39 Land Bank lots

## *Neighborhood Comments*





# Location - Cathedral

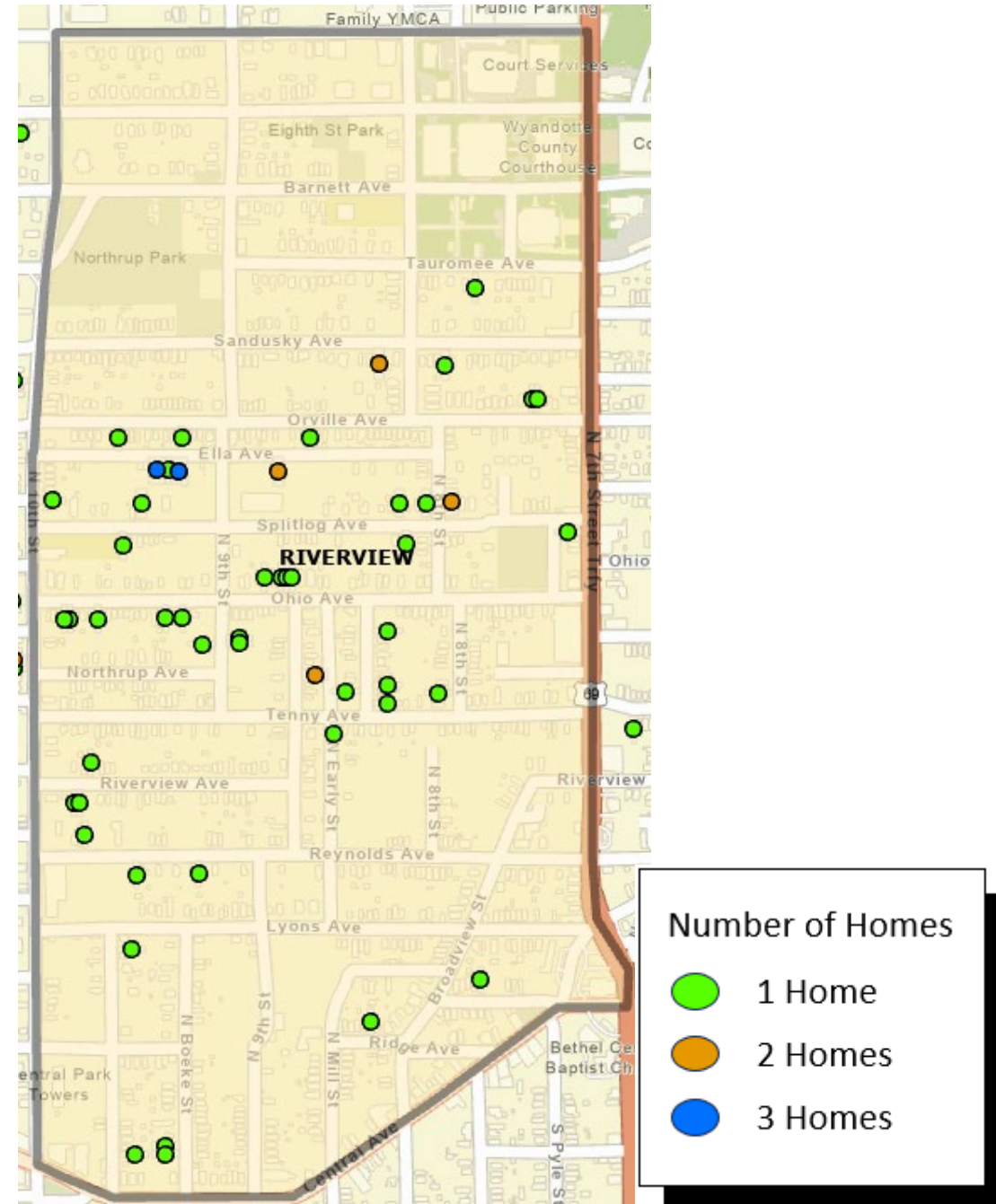
| Address                     | Zoning | Frontage | # of Homes |
|-----------------------------|--------|----------|------------|
| 1023 SANDUSKY AVE - 90215   | R-1(B) | 30       | 1          |
| 208 N THORPE ST - 67218     | R-1(B) | 50       | 2          |
| 220 N THORPE ST - 67220     | R-1(B) | 50       | 2          |
| 219 N THORPE ST - 103059    | R-1(B) | 50       | 2          |
| 412 N 10TH ST - 90206       | R-1(B) | 25       | 1          |
| 1131 SANDUSKY AVE - 90154   | R-1(B) | 31       | 1          |
| 1027 ORVILLE AVE - 90192    | R-1(B) | 37.5     | 1          |
| 1011 SANDUSKY AVE - 90210   | R-1(B) | 39       | 1          |
| 254 N 10TH ST - 93602       | R-1(B) | 25       | 1          |
| 1026 ELLA AVE - 92609       | R-1(B) | 24       | 1          |
| 1011 OHIO AVE - 93612       | R-1(B) | 40.7     | 1          |
| 258 N 10TH ST - 93611       | R-1(B) | 50       | 2          |
| 1020 SANDUSKY AVE - 90183   | R-1(B) | 30       | 1          |
| 1052 ARMSTRONG AVE - 80427  | R-1(B) | 50       | 2          |
| 1009 SPLITLOG AVE - 92662   | R-1(B) | 25       | 1          |
| 713 N 12TH ST - 80831       | R-1(B) | 31       | 1          |
| 1149 ANN AVE - 80829        | R-1(B) | 30       | 1          |
| 1055 GRANDVIEW BLVD - 80575 | R-1(B) | 21       | 1          |
| 1024 GRANDVIEW BLVD - 80559 | R-1(B) | 25       | 1          |

| Address                     | Zoning | Frontage     | # of Homes |
|-----------------------------|--------|--------------|------------|
| 1145 ANN AVE - 80827        | R-1(B) | 25           | 1          |
| 1147 ANN AVE - 80828        | R-1(B) | 25           | 1          |
| 1214 ARMSTRONG AVE - 80894  | R-1(B) | 27           | 1          |
| 1009 ANN AVE - 80475        | R-1(B) | 25           | 1          |
| 1221 SANDUSKY AVE - 102630  | R-1(B) | 25           | 1          |
| 1213 ANN AVE - 80938        | R-1(B) | 25           | 1          |
| 308 N 10TH ST - 92658       | R-1(B) | 41.67        | 1          |
| 1221 ANN AVE - 80942        | R-1(B) | 25           | 1          |
| 1026 GRANDVIEW BLVD - 80558 | R-1(B) | 35           | 1          |
| 1120 SANDUSKY AVE - 90230   | R-1(B) | 29           | 1          |
| 1030 GRANDVIEW BLVD - 80557 | R-1(B) | 40           | 1          |
| 1045 ANN AVE - 80486        | R-1(B) | 50           | 1          |
| 1016 GRANDVIEW BLVD - 80560 | R-1(B) | 50           | 2          |
| 1015 SANDUSKY AVE - 90212   | R-1(B) | 33           | 1          |
| 1013 SANDUSKY AVE - 90211   | R-1(B) | 30           | 1          |
| 1146 ORVILLE AVE - 92407    | R-1(B) | 30           | 1          |
| 1018 SPLITLOG AVE - 92652   | R-1(B) | 25           | 1          |
| 327 N THORPE ST - 102544    | R-1(B) | 25           | 1          |
| 1052 ELLA AVE - 92618       | R-1(B) | 25           | 1          |
| 1241 ANN AVE - 80948        | R-1(B) | 25           | 1          |
|                             |        | <b>Total</b> | <b>45</b>  |

# Location- Riverview

- 59 Homes
- 51 Land Bank lots

## *Neighborhood Comments*



# Location - Riverview

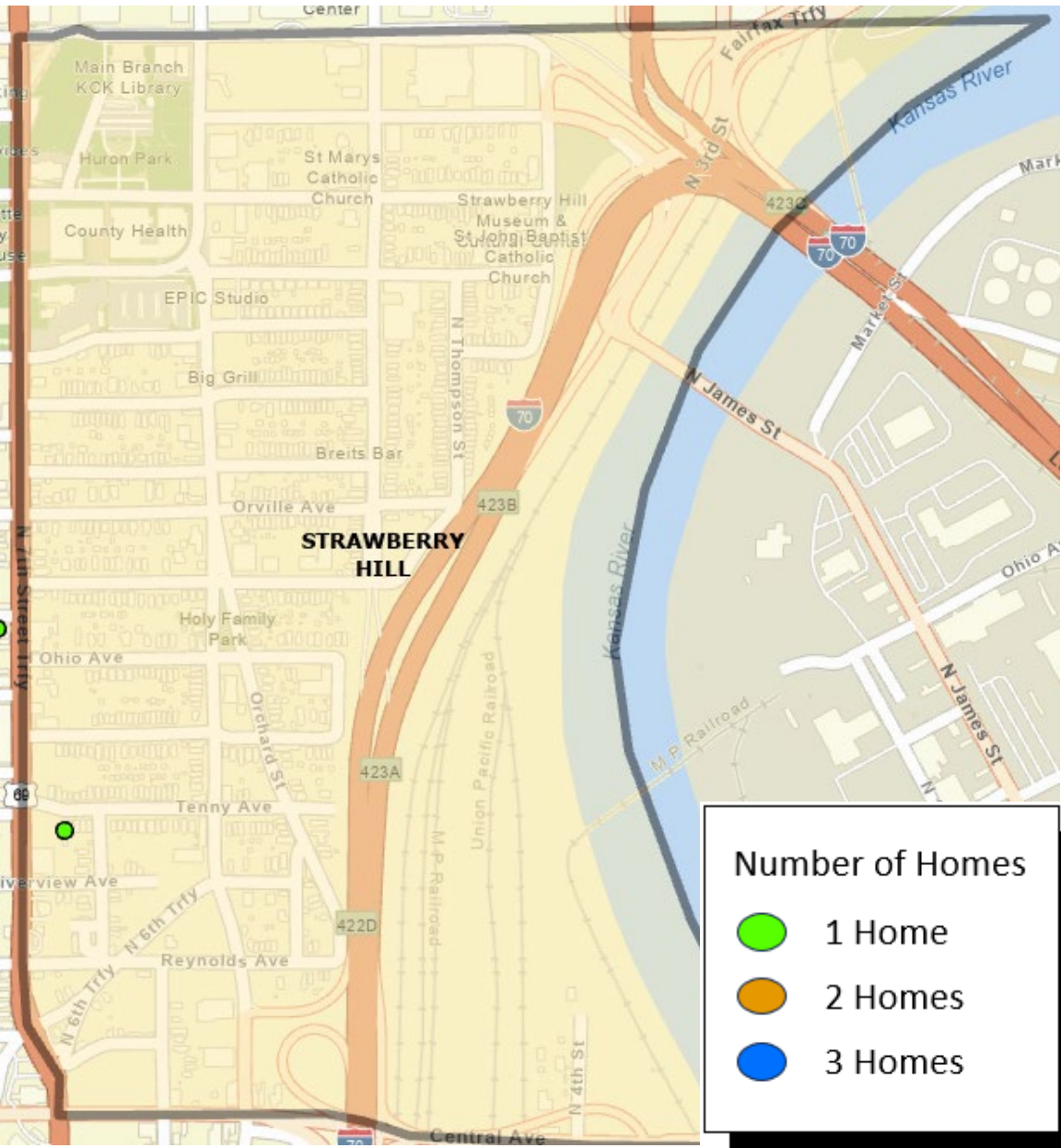
| Address                    | Zoning | Frontage | # of Homes |
|----------------------------|--------|----------|------------|
| 949 RIVERVIEW AVE - 223214 | R-1(B) | 25       | 1          |
| 947 RIVERVIEW AVE - 223213 | R-1(B) | 25       | 1          |
| 942 RIVERVIEW AVE - 223207 | R-1(B) | 25       | 1          |
| 951 OHIO AVE - 93298       | R-1(B) | 25       | 1          |
| 917 OHIO AVE - 93212       | R-1(B) | 25       | 1          |
| 14 N BOEKE ST - 69148      | R-1(B) | 34       | 1          |
| 275 N 9TH ST - 93102       | R-1(B) | 25       | 1          |
| 274 N 9TH ST - 93175       | R-1(B) | 25       | 1          |
| 941 OHIO AVE - 93219       | R-1(B) | 25       | 1          |
| 129 N FERREE ST - 93504    | R-1(B) | 25       | 1          |
| 841 TENNY AVE - 119946     | R-1(B) | 25       | 1          |
| 843 ORVILLE AVE - 90499    | R-1(B) | 30       | 1          |
| 953 REYNOLDS AVE - 93403   | R-1(B) | 25       | 1          |
| 744 SIMPSON AVE - 121018   | R-1(B) | 25       | 1          |
| 953 OHIO AVE - 93297       | R-1(B) | 25       | 1          |
| 226 N 8TH ST - 119919      | R-1(B) | 25       | 1          |
| 808 RIDGE AVE - 120309     | R-1(B) | 28       | 1          |
| 223 N EARLY ST - 119814    | R-1(B) | 25       | 1          |
| 230 N EARLY ST - 119818    | R-1(B) | 25       | 1          |
| 251 N EARLY ST - 119803    | R-1(B) | 25       | 1          |
| 846 OHIO AVE - 92839       | R-1(B) | 25       | 1          |
| 929 SPLITLOG AVE - 92870   | R-1(B) | 30       | 1          |
| 844 OHIO AVE - 92926       | R-1(B) | 25       | 1          |
| 807 SPLITLOG AVE - 119034  | R-1(B) | 30       | 1          |
| 800 SPLITLOG AVE - 119038  | R-1(B) | 40       | 1          |

| Address                    | Zoning | Frontage     | # of Homes |
|----------------------------|--------|--------------|------------|
| 808 SPLITLOG AVE - 119041  | R-1(B) | 40           | 1          |
| 235 N MILL ST - 93001      | R-1(B) | 50           | 2          |
| 736 SPLITLOG AVE - 119004  | R-1(B) | 60           | 2          |
| 915 ELLA AVE - 92922       | R-1(B) | 25           | 1          |
| 716 ORVILLE AVE - 118827   | R-1(B) | 25           | 1          |
| 325 N 10TH ST - 92901      | R-1(B) | 30           | 1          |
| 737 TAUROMEE AVE - 81463   | R-1(B) | 25           | 1          |
| 926 SPLITLOG AVE - 92889   | R-1(B) | 50           | 1          |
| 919 ELLA AVE - 92915       | R-1(B) | 75           | 3          |
| 911 ELLA AVE - 92916       | R-1(B) | 75           | 3          |
| 273 N 9TH ST - 93220       | R-1(B) | 25           | 1          |
| 931 REYNOLDS AVE - 93411   | R-1(B) | 25           | 1          |
| 11 N FERREE ST - 69287     | R-1(B) | 27           | 1          |
| 12 N BOEKE ST - 69149      | R-1(B) | 34           | 1          |
| 229 N EARLY ST - 119811    | R-1(B) | 25           | 1          |
| 847 ELLA AVE - 92805       | R-1(B) | 50           | 2          |
| 745 SANDUSKY AVE - 118814  | R-1(B) | 37           | 1          |
| 854 OHIO AVE - 92836       | R-1(B) | 25           | 1          |
| 842 OHIO AVE - 92840       | R-1(B) | 25           | 1          |
| 933 ORVILLE AVE - 90382    | R-1(B) | 33           | 1          |
| 970 REYNOLDS AVE - 223217  | R-1(B) | 25           | 1          |
| 909 OHIO AVE - 93215       | R-1(B) | 25           | 1          |
| 318 N 7TH ST TRFY - 119137 | R-1(B) | 26           | 1          |
| 911 ORVILLE AVE - 90375    | R-1(B) | 28           | 1          |
| 714 ORVILLE AVE - 118828   | R-1(B) | 25           | 1          |
| 805 SANDUSKY AVE - 90453   | R-1(B) | 50           | 2          |
|                            |        | <b>Total</b> | <b>59</b>  |

# Location- Strawberry Hill

| Address                  | Zoning | Frontage     | # of Homes |
|--------------------------|--------|--------------|------------|
| 647 N Tenny Ave - 119432 | R-1(B) | 25           | 1          |
|                          |        | <b>Total</b> | <b>1</b>   |

## Neighborhood Comments



# Rents & Affordability

## **Building Attainable Housing in Kansas City, KS**

# Projected Rental Rates & Affordability

| Rent [3BD]       |         |
|------------------|---------|
| FMR [KC Metro]   | \$1,645 |
| Subject Property | \$1,599 |

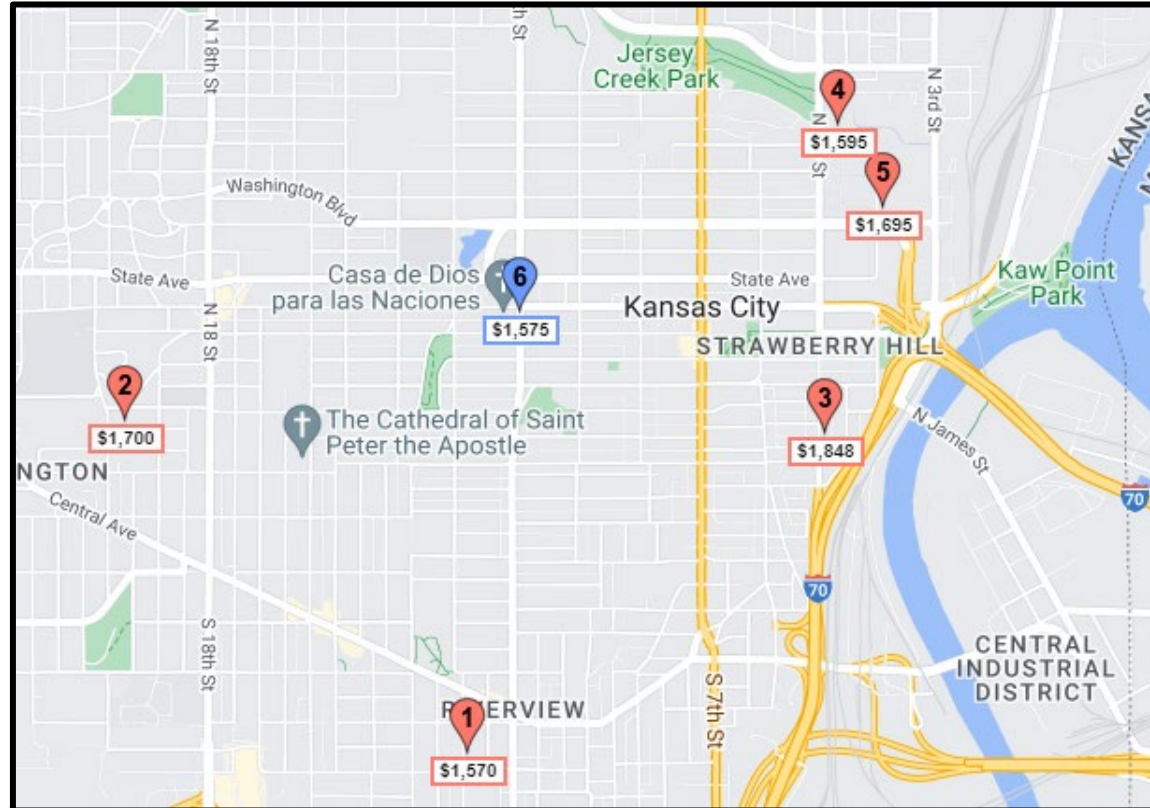
Rents are below HUD Fair Market Rents for the KC MSA. These rents are deemed affordable for families making 54% of Area Median Income.

This project will be significantly reducing the average age of the housing stock in the city.

| Age of Housing Stock within a 1-mile Radius |               |            |
|---------------------------------------------|---------------|------------|
| Age                                         | # of          |            |
|                                             | Housing Units | % of Total |
| 2010 or newer                               | 69            | 2%         |
| 2000 - 2009                                 | 461           | 10%        |
| 1990 - 1999                                 | 118           | 3%         |
| 1980 - 1989                                 | 125           | 3%         |
| 1970 - 1979                                 | 500           | 11%        |
| 1960 - 1969                                 | 258           | 6%         |
| 1950 - 1959                                 | 506           | 11%        |
| 1940 - 1949                                 | 1033          | 23%        |
| 1939 or later                               | 1482          | 33%        |
|                                             | 4552          | 100%       |



# Rental Rate Comparables



| Rent Comparables |                   |                      |      |       |         |       |           |
|------------------|-------------------|----------------------|------|-------|---------|-------|-----------|
| No.              | Name              | Proximity to Subject | Year | Bd/Ba | Rent    | SF    | Rent / SF |
| 1                | 61 S 11th St      | 0.7 miles            | 1925 | 2/1   | \$1,570 | 940   | \$1.67    |
| 2                | 2030 Sandusky Ave | 1.8 miles            | 1927 | 4/2   | \$1,700 | 1,562 | \$1.09    |
| 3                | 423 N 5th St      | 1.0 miles            | 1900 | 3/1   | \$1,848 | 968   | \$1.91    |
| 4                | 424 Freeman Ave   | 1.8 miles            | 1999 | 3/2   | \$1,595 | 1,305 | \$1.22    |
| 5                | 1307 N 4th St     | 1.7 miles            | 1999 | 4/2   | \$1,695 | 1,600 | \$1.06    |
|                  |                   | 1.4 miles            | 1950 | n.a.  | \$1,682 | 1,275 | \$1.32    |
| 6                | Subject           | n.a.                 | 2025 | 3/2   | \$1,575 | 1,056 | \$1.49    |

# Income Limits & Example Jobs

Residency of the homes will be restricted to households making below the following incomes:

| Household Size | Income Limit |
|----------------|--------------|
| 1              | \$43,080     |
| 2              | \$49,200     |
| 3              | \$55,380     |
| 4              | \$61,500     |
| 5              | \$66,420     |
| 6              | \$71,340     |

Type of Jobs that fit within the income ranges:

| Job               | Average Salary |
|-------------------|----------------|
| Teacher           | \$56,799       |
| Firefighter       | \$52,723       |
| Police Officer    | \$59,601       |
| Construction Work | \$45,734       |
| UG Employee       | \$62,360       |
| Registered Nurse  | \$61,093       |

# Rental Rate Comparables [Photos]

Subject Property - \$1,599 / month



425 N 5<sup>th</sup> - \$1,848 / month



61 S 11<sup>th</sup> - \$1,570 / month



2030 Sandusky - \$1,700 / month

# Project Budget

**Building Attainable Housing in Kansas City, KS**

# Project Budget

|                           |              |
|---------------------------|--------------|
| <b><u>Home Costs</u></b>  |              |
| Subtotal:                 | \$13,917,257 |
| <b><u>Land Costs</u></b>  |              |
| Land                      | \$69,000     |
| <b><u>Site Costs</u></b>  |              |
| Subtotal:                 | \$21,600,000 |
| <b><u>Soft Costs</u></b>  |              |
| Subtotal:                 | \$4,140,000  |
| <b><u>Contingency</u></b> |              |
| Contingency               | \$1,676,619  |
| Subtotal                  | \$1,676,619  |
| Total Construction Costs: | \$41,402,876 |

# Development Partners

**Building Attainable Housing in Kansas City, KS**



# Development Partners

Home Manufacturer



Nonprofit Partner



General Contractor



CoBuild

Property Manager



# Construction Timeline

**Building Attainable Housing in Kansas City, KS**

# Estimated Construction Timeline

| <u>Item</u>              | <u>Estimated Date</u> |
|--------------------------|-----------------------|
| Land Bank Application    | 5/6/2024              |
| Full Commission Meeting  | 6/27/2024             |
| Option Granted           | 7/1/2024              |
| Application for 4% LIHTC | 7/26/2024             |
| LIHTC Awarded            | 10/18/2024            |
| Loan & Funding Closing   | 1/1/2025              |
| Construction Start Date  | 2/1/2025              |
| First Home Delivered     | 5/1/2025              |
| Final Home Delivered     | 8/1/2026              |

If LIHTC 2024 application deadline is missed

| <u>Item</u>              | <u>Estimated Date</u> |
|--------------------------|-----------------------|
| Application for 4% LIHTC | 2/9/2025              |
| LIHTC Awarded            | 5/3/2025              |
| Loan & Funding Closing   | 7/1/2025              |
| Construction Start Date  | 8/1/2025              |
| First Home Delivered     | 11/1/2025             |
| Final Home Delivered     | 2/1/2027              |

*The construction timeline is subject to change due to unforeseen circumstances. Developer will do their best to maintain the estimated schedule.*

# Team Experience

**Building Attainable Housing in Kansas City, KS**

# Project Example in Johnson County

## CrossMod Single Family Home Subdivision



**Address:** 13600 W 177<sup>th</sup> Street, **Overland Park**, KS 66062

- 209 home, traditional subdivision, built using Claytons' CrossMod home
- Homes on individually platted, single family home lots
- \$72MM project cost





# Project Example in Petersburg, VA

## Factory Built homes infill on 47 vacant land bank lots

**Address:** 1000 Diamond Street, Petersburg, VA

- 47 vacant lots owned by the local land bank are being redeveloped
- Factory built homes will provide housing to families earning 60% or less of AMI
- Project was financed using Low Income Housing Tax Credits





# Impact by the Numbers

## Building Attainable Housing in Kansas City, KS



# Financial Impact of the Development

## By the Numbers

New Single-Family Homes

166



Population Increase

452



Annual Taxes Collected

\$450,000



Total Investment in the Community

\$41,402,000

## Contact Information

**Name:** Eric Domino

**Address:** 6639 Floyd Street, Overland Park, KS

**Phone Number:** 734-649-7052

**Email:** [eric@burchamresidential.com](mailto:eric@burchamresidential.com)



## Report to

| MEETING DATE                                                                                                                                                                                                                                                                                                                                                                                                                     | PRESENTER                                                             | DEPARTMENT          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------|
| JUN 03 2024                                                                                                                                                                                                                                                                                                                                                                                                                      | Jud Knapp, Acting Land Bank Manager<br><br>jknapp@wyckok.org<br>x5472 | Land Bank Approvals |
| AGENDA ITEM #                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                       |                     |
| LAND BANK PROPERTY TRANSFERS                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                       |                     |
| BACKGROUND                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                       |                     |
| <p>The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed items and forward it to the Land Bank Board of Trustees for final consideration, submitted by Jud Knapp, Land Bank Manager.</p> <p>Please visit the site to review the applications below.</p> <p><a href="https://gisapp.wyckok.org/Landbank.html">https://gisapp.wyckok.org/Landbank.html</a></p> |                                                                       |                     |
| 1 Transfer from UG to Land Bank                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                       |                     |
| RECOMMENDATION                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                       |                     |
| Approve                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                       |                     |
| BUDGET IMPACTS / FINANCIAL CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                        |                                                                       |                     |
| IT/POLICY CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                       |                     |
| PROCUREMENT CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                       |                     |
| LEGAL CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                       |                     |
| ATTACHMENTS                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                       |                     |
| NCD Memo Land Bank Property Transfers 06.03.24                                                                                                                                                                                                                                                                                                                                                                                   |                                                                       |                     |

Approved by Mayor and/or Chair and Administrator to add to agenda.

*[Signature]* 5/17/2024

*Approved by Mayor and Administrator to add to agenda 5-20-24*



**Wyandotte County Land Bank**  
Economic Development Department  
Jud Knapp, Manager

701 North 7<sup>th</sup> St., 4th Floor  
Kansas City, Kansas 66101

Phone: (913) 573-5472  
Fax: (913) 573-5745  
Email: [jknapp@wycokck.org](mailto:jknapp@wycokck.org)

## **M E M O R A N D U M**

**TO:** Full Commission  
**FROM:** Jud Knapp, Land Bank Manager  
**DATE:** May 17, 2024  
**SUBJECT:** Property Transfers applications for consideration

The following **property transfers application(s)** will be presented at the 06/03/24 standing committee meeting:

Please visit the new site to review the applications below  
<https://gisapp.wycokck.org/Landbank.html>

**PT – Property Transfers**

1. UG to Land Bank - 1
  - i. 529 Garnett Ave – 154812







Report to

| MEETING DATE                                                                                               | PRESENTER                                                          | DEPARTMENT          |
|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|---------------------|
| JUN 03 2024                                                                                                | Jud Knapp, Acting Land Bank Manager<br>jknapp@wycokck.org<br>x5472 | Land Bank Approvals |
| AGENDA ITEM #                                                                                              |                                                                    |                     |
| LAND BANK POLICY UPDATE                                                                                    |                                                                    |                     |
| BACKGROUND                                                                                                 |                                                                    |                     |
| Request consideration of the following Land Bank policy updates, submitted by Jud Knapp, Land Bank Manager |                                                                    |                     |
| RECOMMENDATION                                                                                             |                                                                    |                     |
| For information only                                                                                       |                                                                    |                     |
| BUDGET IMPACTS / FINANCIAL CONSIDERATIONS                                                                  |                                                                    |                     |
| IT/POLICY CONSIDERATIONS                                                                                   |                                                                    |                     |
| PROCUREMENT CONSIDERATIONS                                                                                 |                                                                    |                     |
| LEGAL CONSIDERATIONS                                                                                       |                                                                    |                     |
| ATTACHMENTS                                                                                                |                                                                    |                     |
| June 3rd Land Bank Policy                                                                                  |                                                                    |                     |

Approved by Mayor and/or Chair and Administrator to add to agenda.

*Approved - [Signature] 5/17/2024*  
*Approved - [Signature] 5-20-24*

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING THE REVISED LAND BANK POLICY**

WHEREAS, the State of Kansas has provided that a county may establish a Land Bank in K.S.A. 19-26,104; and

WHEREAS, K.S.A. 19-26,104 further mandates that the county land bank is to be governed by a Board of Trustees; and

WHEREAS, Unified Government of Wyandotte County/Kansas City, Kansas Ordinance 2-173 established the Wyandotte County Land Bank as well as the Land Bank Board of Trustees which consists of the Mayor/CEO and the Commissioners of the Unified Government; and

WHEREAS, Unified Government of Wyandotte County/Kansas City, Kansas Ordinance 2-173 states that the Land Bank staff shall be furnished by the Unified Government; and

WHEREAS, the Board of Trustees may appoint such officers, agents and employees as required to perform its duties per K.S.A. 19-26,106; and

WHEREAS, the Board of Trustees requires a policy to provide guidance to the Land Bank Manager as well as the Land Bank staff and employees appointed by the Board of Trustees.

**NOW, THEREFORE BE IT RESOLVED BY THE WYANDOTTE COUNTY LAND BANK BOARD OF TRUSTEES:**

1. The proposed revisions to the Wyandotte County Land Bank Policy are hereby adopted.

2. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

3. This Resolution shall become effective upon passage by the Wyandotte County Land Bank Board of Trustees.

**ADOPTED BY THE WYANDOTTE COUNTY LAND BANK BOARD OF TRUSTEES, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024.**

---

Tyrone Garner  
Mayor/CEO

Approved as to form:

/s/ Wendy M. Green

Wendy M. Green

Deputy Chief Counsel

# **WYANDOTTE COUNTY LAND BANK (WCLB)**

## **ADMINISTRATIVE POLICY**

**UPDATED TBD 2024**

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- 9.2 Requirements for Community Gardens
- 9.3 Urban Farm



Wyandotte County Land Bank  
Administrative Policy and Procedure Guidelines  
As approved and adopted by the Board of Trustees  
on xxxx xx, 202x.

These policy and procedure guidelines are a consolidation and codification of all prior policies and procedures of the Wyandotte County Land Bank (WCLB) and supersede all such prior policies and procedures.

## **Section 1. Purpose**

### **1.1 Neighborhood and Land Use Planning Conformance.**

The WCLB's purpose is to return tax delinquent, distressed and unwanted property to productive use that benefits the community. In doing so, the WCLB will prioritize the following:

- a. Encourage the development and reuse of vacant properties consistent with the WCLB goals, and any City adopted Master Plan.
- b. Strengthen the County's tax base by returning property to a productive tax paying status.
- c. Support and preserve open space, stormwater management, environmental remediation, community gardens, urban farming, and other agricultural production.
- d. Convey land through a predictable, timely and transparent process.
- e. Encourage timely development and discourage real estate speculation.
- f. Assemble land for economic development.

### **1.2 Guiding Principles.**

This policy is intended to create a unified and consistent approach to the disposition of real property owned by the WCLB.

In the interest of providing predictability and transparency to the sale and reuse of property, this policy will provide guidance to the WCLB in all transactions involving property as well as information to individuals and organizations considering the acquisition of property owned by the WCLB.

The goals of this policy and the disposition of WCLB owned property are to:

- a. Preserve existing stable and viable neighborhoods.
- b. Engage with neighborhoods that have historically and/or are currently experiencing rapid decline or deterioration to support community development and revitalization efforts.

- c. Utilize strategic planning as well as long term planning in the disposition of property.
- d. Maintain flexibility and transparency in all transactions.
- e. Comply with and support the implementation of the Citywide Comprehensive Master Plan, Area Plans, Corridor Plans, and other Community Plans.
- f. Eliminate blight and revitalize neighborhoods.
- g. Prevent speculation.
- h. Ultimately dispose of all WCLB parcels.

The WCLB will aspire to meet these goals when making decisions regarding the disposition of its property.

The WCLB will remain responsible for its own decision-making and adherence to this policy during the disposition process. The WCLB will make available to the public all property in its inventory; however, properties which are being used by the Unified Government for public purposes or being reserved for City-desired programs or projects, will be identified as unavailable for disposition by the Land Bank Manager in coordination with staff from the Unified Government.

## **Section 2. Authority and Role**

### **2.1 Establishment.**

The Wyandotte County Land Bank (WCLB) was established by the Unified Government of Wyandotte County/Kansas City, Kansas (UG) by the power vested in it by K.S.A. 19-26,103 et. seq.

### **2.2 Governance.**

The WCLB is governed by a Board of Trustees comprised of the Mayor/Chief Executive and the UG's Board of Commissioners (BoC). The Wyandotte County Land Bank Manager is charged with its administration.

### **2.3 Review of Proposed Land Bank Transactions.**

All proposed WCLB transactions shall be submitted by the Land Bank Manager to the Staff Advisory Team, the Land Bank Advisory Board and WCLB Board of Trustees for review, consideration, and recommendation.

The Staff Advisory Team is composed of the Director/Manager and/or designee from the following UG Departments: *Administration, Community Development, General Services, Economic Development, GeoSpatial Services, Neighborhood Resource Center, Public Works,*

*Treasury, and Planning and Urban Design.* The Staff Advisory Team shall evaluate applications based on UG policies and priorities, and future infrastructure and development plans. The Staff Advisory Team shall serve solely in an advisory capacity.

The membership of the Land Bank Advisory Board shall consist of representatives from each Neighborhood Business Revitalization organizations (NBR), two (2) representatives from the Executive Board of the Livable Neighborhoods Task Force, who shall be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force, and an additional member which shall be a registered Neighborhood Association President within the NBR area containing the most WCLB parcels, who shall also be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force. This additional member is subject to change with the disposition of WCLB property and shall be recalculated on a biannual basis. The Land Bank Advisory Board shall serve solely in an advisory capacity.

The Staff Advisory Team and Land Bank Advisory Board shall review all application(s) presented by the Land Bank Manager for consideration. Any application(s) that needs further investigation will be referred to the Land Bank Manager until all necessary information has been provided, at which time it will be brought to the Staff Advisory Team and Land Bank Advisory Board for further review.

The recommendations of the Staff Advisory Team and the Land Bank Advisory Board will be presented at the BoC's Neighborhood and Community Development Standing Committee where the Committee will make a recommendation to approve the applications that will advance to the WCLB Board of Trustees for final approval.

#### **2.4 Governing Authority.**

The core governing documents of the WCLB are the applicable state statutes and the Unified Government Code of Ordinances. The policies and procedures set out in this document constitute guidelines only and the Board of Trustees reserves discretion to deviate therefrom when it deems appropriate.

#### **2.5 WCLB Board of Trustees Approval.**

Under the applicable State law, the conveyance of property by the WCLB, must be approved by the WCLB Board of Trustees before the property can be conveyed.

#### **2.6 WCLB Right to Accept or Reject.**

The WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In case of multiple applications for the same properties, the WCLB will give precedence to the application submitted first and, should this application not be accepted, the next application submitted will be brought before the WCLB Board of Trustees

**2.7 Role of Land Bank Manager.**

The Land Bank Manager shall have the following responsibilities:

- a. Help applicants with where and what they want to build;
- b. Administer the Land Bank process including public notification;
- c. Identify which properties are available for disposition;
- d. Determine when an application is ready to be submitted to the WCLB Board of Trustees;
- e. Engage and educate the community on Land Bank opportunities;
- f. Be a resource for the community;
- g. Set protocols for Land Bank procedures;
- h. Work with the WCLB Board of Trustees on a strategy for disposition of Land Bank properties; and
- i. At a meeting of the BoC's Neighborhood and Community Development Standing Committee in the Spring of every year, provide an update on the progress of approved option agreements and hold areas showing how many option agreements were successful, how many failed and the status of any hold areas beginning the development process.

**2.8 Staffing.**

In addition to the Land Bank Manager, it is recommended that there is at least one staff member for every 1,000 parcels in the Land Bank inventory.

## **Section 3. Priorities for Transfer of Land Bank Properties.**

**3.1 Priority Transfers.**

Except where limited by the terms of the acquisition of a property, the WCLB may, at its discretion, give priority to:

- a. Government entities;
- b. Individuals, entities, and non-profits seeking to obtain the property for housing or commercial development;
- c. Entities that are a partnership, limited liability corporation or joint venture comprised of a private non-profit corporation and a private for-profit entity;
- d. Individuals who own residential property that qualify for the Yard Extension Disposition Program; and
- e. Non-profit institutions such as academic and religious institutions.

### **3.2 Transferee Qualifications.**

All applicants seeking to acquire property from the WCLB, or to enter into transaction agreements with the WCLB, are required to provide as part of their application information regarding, but not limited to:

- a. The legal status of the applicant, its organizational and financial structure;
- b. Its prior experience in developing and managing housing;
- c. The financial health and resources of the applicant;
- d. Sufficient plans for development; and/or
- e. Proof that the applicant is current on their property taxes and has no outstanding code violations on any property within the County.

## **Section 4. Conveyances to the WCLB**

### **4.1 Sources of Property Inventory.**

Sources of real property inventory of the WCLB include, but are not limited to, the following:

- a. Transfers from local governments;
- b. Acquisitions at tax foreclosure sales;
- c. Donations; and
- d. Market purchases.

### **4.2 Policies Governing the Acquisition of Properties.**

In determining which, if any, properties might be acquired, the WCLB may consider the following circumstances and factors:

- a. Proposals and requests by individuals or entities in which specific properties are identified for ultimate acquisition and redevelopment;
- b. Residential properties that are available for immediate occupancy without need for substantial rehabilitation;
- c. Improved properties that are the subject of an existing order for demolition of the improvements and/or meet the criteria for demolition of improvements to determine if the property can be put into the rehab program described in Section 7;
- d. Vacant properties that are appropriate for the yard extension disposition program;
- e. Properties for which reutilization would be in support of adopted plans;
- f. Properties that would form a part of a land assemblage development plan; and

- g. Properties that would allow for the creation or expansion of community gardens, urban farming, environmental remediation, stormwater management, and/or open space preservation.

#### **4.3 Donations to WCLB.**

WCLB reserves the absolute right to accept or reject any and all donation requests. The WCLB will only accept donated property(ies) that will advance the goals of the WCLB. The WCLB will only present requests to the Board of Trustees, for approval, when at least one or more of the following conditions are met:

- a. The property owner does not have the resources to properly care for the property or to comply with orders to correct code violations that are present, and evidence of the hardship has been presented;
- b. The property is located in an area targeted for redevelopment efforts or in a neighborhood with a large number of existing WCLB property;
- c. The property is a candidate for the WCLB Rehab Program without any conditions that would prohibit a donation;
- d. The property could be utilized for the WCLB garden program; and
- e. The property could be used for UG purposes.

Property(ies) with adverse environmental conditions or maintenance requirements will not be accepted without a satisfactory plan and funding in place for remediation, as determined by the UG. Regarding additional requirements for donations of property to the WCLB:

- a. WCLB requires that donated property(ies) be conveyed with clear and marketable title;
- b. Property(ies) that are occupied may not be accepted as donations;
- c. WCLB shall not determine donation value for the purpose of tax benefits; and
- d. Any exceptions to the provisions of the above must come before the Board of Trustees.

Any property that is conveyed by donation to the WCLB will not be available for sale/transfer until the meeting following the approval of the donation by Board of Trustees.



Any property that is rejected for donation but is tax sale eligible, will be referred for an upcoming tax sale by the WCLB. The WCLB will send a letter to the requestor with that information.

Nothing in this section precludes acceptance of a donation of a tax sale eligible property.

**4.4 Transaction Agreements.**

In most cases, a transaction agreement must be approved in advance by the Board of Trustees and executed by the WCLB and the grantor of the property. These transaction agreements shall be in form and content as deemed by the WCLB Manager to be in the best interest of the WCLB and shall include to the extent feasible specification of all documents and instruments contemplated by the transaction as well as the rights, duties and obligations of the parties.

**4.5 Environmental Concerns.**

The WCLB reserves full and complete discretion to require that satisfactory evidence or assurances be provided that the property is not affected by or subject to environmental contamination. The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use.

**4.6 State of Kansas Set Off Program.**

Property that has been placed in the State of Kansas Set Off Program may be deemed ineligible for conveyance to the WCLB.

**4.7 Timing.**

Any property that is conveyed in or out of the WCLB will not be available for sale/transfer until approved by the Board of Trustees.

The Land Bank Manager is authorized to accept property conveyed from the UG that is a result of property being obtained from a recent County Tax Sale. The Land Bank Manager will then report the conveyance(s) at the next BoC Neighborhood and Community Development Standing Committee meeting.

## **Section 5. Conveyances from the WCLB**

**5.1 Covenants, Conditions and Restrictions.**

All conveyances by the WCLB to third parties shall include such covenants, conditions and restrictions as the WCLB deems, in its sole discretion, necessary and appropriate to ensure the use, rehabilitation

and redevelopment of the property in a manner consistent with the public purposes of the WCLB.

**5.2 Deed Without Warranty.**

All conveyances by the WCLB to third parties shall be by quitclaim deed.

**5.3 Conveyances requiring Board of Trustees Approval.**

All transfers of WCLB property shall require the approval of the Board of Trustees.

**5.4 Conveyances pursuant to WCLB Rehab Program.**

The Land Bank Manager shall seek prior approval from the WCLB Board of Trustees for all properties entering and exiting the WCLB Rehab Program.

**5.5 Conveyance Time Allowance.**

All undeveloped Land Bank property shall be conveyed, and deed recorded within 180 days of Award and approval of the Land Bank Board of Trustees. Any property not conveyed within the above time period, and without a written extension from the Land Bank Manager, will have Award voided and property returned to the Land Bank Inventory. For any property awarded pursuant to a development/rehab agreement, the terms of said agreement shall control when such property will be conveyed.

**5.6 Appropriate and Timely Development of Properties.**

The WCLB expects that properties will be developed in a timely manner according to a written agreement or as specified in the deed of conveyance. Generally, construction should commence within three (3) months from the date of conveyance and should be completed as defined by the agreement or contained in the deed. To ensure that these expectations are met, the WCLB will place conditions or restrictions on property it conveys to achieve the agreed upon outcome and will monitor these agreements until construction is complete. Proposed uses must be consistent with the UG's Master Plans, Zoning, Code, and other approved and accepted policy or be able to obtain the necessary land entitlements within the option term. All new owners are required to comply with all State, City and Federal codes, regulations, and statutes.

**5.7 Holds.**

Holds for economic development projects are allowed pending the approval of the Wyandotte County Land Bank Board of Trustees. Each year that land bank parcels are in a hold, an update must be provided by the awardee regarding the status of the economic development project to the Neighborhood and Community Development Standing

Committee. The WCLB will require the awardee to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code provisions, and the sidewalk space must be maintained including snow removal.

**5.8 Pricing.**

The WCLB will generally price vacant land by the greater of:

- a. The Appraised Value of property set by County Appraiser as of January 1<sup>st</sup> of current year or
- b. The value of the property's frontage times \$10.00.

The WCLB has the right to determine the asking price for each property and further has the right to decline any counteroffer.

## **Section 6. Yard Extension and Commercial Lot Extension Program**

**6.1 Application.**

Yard Extensions shall only be applied for by abutting homeowners.

Commercial Lot Extensions shall only be applied for by abutting commercial property owners.

**6.2 Qualifications.**

An applicant for a yard extension must be the owner of the abutting property and must be using that property as their primary residence at the time of application. An applicant for a commercial lot extension must be the owner of abutting commercial property and must be using that property as a legally operating business. Further, the applicants for both types of extensions must be current on all property taxes and not have any active code violations. The property to be acquired must share a common boundary at either side of the applicant's property and share the same street name and/or be a contiguous land locked parcel. The property sought to be acquired for a yard or commercial lot extension must be a vacant lot; properties with permanent structures are not eligible for this program.

**6.3 Limitations.**

Applicants can only acquire one (1) property for a yard extension from the WCLB for each home they own as their primary residence and only one primary lot can seek a yard extension, except if there are contiguous undevelopable parcels that can be obtained. Applicants can only acquire one (1) property for a commercial lot extension from the WCLB, except if there are contiguous undevelopable parcels that can be obtained. The WCLB property must be consolidated with the applicant's property after acquisition into a single parcel. The Land

Bank Manager will track such extension acquisitions to ensure these limitations are adhered to in perpetuity.

**6.4 Pricing.**

The price of any yard extension shall be \$0.10 per square foot.

The price of any commercial lot extension shall be \$0.25 per square foot.

## **Section 7. Land Bank Rehab Program**

**7.1 Purpose.**

The WCLB Rehab Program provides Qualified Rehabbers access to a pipeline of distressed properties in the Wyandotte County area. The WCLB may facilitate the sale of property at a reduced price to selected qualified rehabbers. This program allows the purchase of vacant, blighted homes once they are available in the WCLB inventory.

**7.2 Goals.**

The WCLB Rehab Program supports efforts to stabilize and strengthen neighborhoods through collaboration between public, private and nonprofit development partners. Through the program and working with development partners to rehabilitate blighted property, the WCLB will:

- a. Save existing housing stock from demolition and return the property to the tax roles;
- b. Create affordable ownership opportunities to stabilize neighborhoods; and
- c. Improve the health, safety, durability, and energy - efficiency of rehabilitated properties.

**7.3 Qualified Rehabber.**

A Qualified Rehabber is defined as an individual or organization who must not:

- a. Own any real property that is subject to any violations of State and/or local laws, codes or ordinances;
- b. Own any real property that is tax delinquent;
- c. Be barred from transactions with local government entities;
- d. Have demonstrated lack of capacity to perform in accordance with the requirements of the WCLB;
- e. Have defaulted in prior agreements with the WCLB; and
- f. Currently be banned from bidding at the tax sale.

All Qualified Rehabbers must submit their intended use for the property(ies) as required by the WCLB. Failure to submit intended usage or to provide accurate information in the form requested may result in the denial of the application.

#### **7.4 Qualified Offer.**

A Qualified Offer is an application that:

- a. Adequately describes the purchaser's plans for the property (i.e. intended use) and is aligned with the purpose of the WCLB;
- b. The intended use must be consistent with applicable WCLB goals and all Master Plans, Zoning Ordinances, and/or other policy, or be able to obtain the appropriate land entitlements; and
- c. The applicant must demonstrate financial and operational capacity to carry out the plans.

Plans that require various land entitlements may be processed as a Qualified Offer, only if the underlying project proposal is supported by the city it is in. The detail required of the applicant will be different depending on the proposed use, as defined later in this document under various usages.

#### **7.5 Housing Stock.**

All residential property with improvements that are transferred to the WCLB will be boarded, secured, and inspected to identify its place in the program. There are two (2) recommendations that these properties will fall under:

- a. Rehabilitation – properties that show rehab potential will be made available to qualified rehabbers in the program; or
- b. Demolition – properties that are a danger to the public will be recommended to the UG Demo Department to be razed.

#### **7.6 Commercial Property.**

Any commercial property received by WCLB will be evaluated in the same manner as in Section 7.5.

#### **7.7 Rehabber Qualifications.**

All interested rehabbers must go through a qualification process that includes submission of WCLB Rehab Program Application. The program will have two (2) Tiers of qualified rehabbers:

- a. Tier I – rehabber must be a formed company/corporation or identify as an investor. In order to qualify as a Tier 1 rehabber, the following must be provided:
  1. Copy of their current year Occupational Tax Receipt from the Unified Government of Wyandotte County / Kansas City, Kansas Business License Department

2. Must carry the appropriate amount of Insurance coverage, as outlined in the application, from a licensed Insurance provider and have the Wyandotte County Land Bank named as a Certificate Holder.
- b. Tier II – if a rehabber cannot provide the requirements for a Tier I rehabber, then they must sign a Hold Harmless Waiver and must show proof of funding for the rehab to qualify for a house to rehab.

#### **7.8 Availability for Rehabbers.**

Any house that is identified as a rehab will be made available for all Tier I rehabbers. The WCLB will schedule open houses for the rehabbers to attend to assess each property identified. All rehabbers will be sent offer packets with house information and a deadline to submit their offer. Any house that does not have an offer submitted by the deadline by a Tier I rehabber will then be offered to the Tier II group.

Any house that does not have an offer submitted by either group will be available for a later offer or any new Tier I or Tier II qualified rehabber.

#### **7.9 Rehab Agreements.**

The WCLB will review all offers received based on criteria maintained by the Land Bank Manager to determine the highest and best offer. The WCLB will negotiate with the offeror and put an agreement together. If approved, the awarded offeror will be sent an award letter and any non-offerors will be sent a non-award letter.

#### **7.10 Filings.**

A Sale Contract with Land Use Restrictions detailing the terms of the rehab agreement will be recorded with the Wyandotte County Register of Deeds office. The house will stay in the name of the WCLB until the passing of the final inspection from the Land Bank Manager.

#### **7.11 Inspections and Permits.**

The WCLB will require copies of all inspections conducted by the UG Building Inspection Department, which will perform progress inspections throughout the rehab.

Any Tier I rehab will consist of four (4) inspections:

- a. Initial Inspection – house is cleared of debris and any demo is complete prior to any repairs or rehab starts;
- b. Rough-In – staff has received an approved Building Inspection rough-in slip and any other pulled permits (Mechanical/Electrical/Plumbing);
- c. Progress – drywall is hung, and all other repairs are completed; and



- d. Final - house has passed all final inspections and copies have been received by the WCLB, the Land Bank Manager will do the final walk thru.

Any Tier II rehab will consist of monthly inspections done by Land Bank Manager (or designee) and will incorporate the Tier I inspections but also allow the WCLB to closely monitor the progress.

When the Land Bank Manager has verified the house has passed WCLB final inspection, a Quit Claim Deed (QCD) will be filed with the Register of Deeds office.

All applicants who have successfully purchased WCLB-owned property must fulfill their commitments to the WCLB and to their neighbors, which includes paying property taxes and maintaining properties in accordance with all municipal codes and ordinances.

#### **7.12 Extensions and Penalties.**

If the rehab completion date stipulated in the agreement cannot be met, the rehabber may request an extension of the completion date. Extensions of time to complete the rehab are at the Land Bank Manager's discretion and, if granted, will be under the following guidelines:

- a. The request for extension must be made to the Land Bank Manager in writing. The request must include the cause of the delay and plan to complete the rehab within the time requested.
- b. The request for extension must be received by the Land Bank Manager no later than five (5) calendar days prior to the expiration date of the WCLB Rehab Program Extension Request Form given at the beginning of the project.
- c. The extension will be granted for a maximum of 90 calendar days.
- d. The granting of an initial extension period does not obligate the WCLB to grant additional extensions.

#### **7.13 Tier I Rehabber Threshold.**

Any Tier I rehabber may make no more than three (3) offers on any newly acquired rehab houses. The maximum number of houses a Tier I may be rehabbing at any given time is six (6). If a Tier I rehabber has 6 open rehabs and submits an offer for new houses, their offer will not be accepted. A Tier 1 rehabber may make the proper number of offers that could reach this threshold.

## **Section 8. Option Agreements**

### **8.1 Site Control: Options and Property Reservations.**

The WCLB recognizes that developers often require legally recognizable site control as part of the development process. The WCLB may execute property option agreements to allow developers to pursue financing and other approvals necessary for development.

Agreements for this purpose must meet the following conditions:

- a. The applicant must be a Qualified Applicant, which has the same requirements as in Section 7.3.
- b. The Option Agreement must be executed by the applicant within forty-five (45) days of approval by the WCLB Board of Trustees.
- c. For each proposed project, the WCLB will allow one (1) year for that agreement, which begins on the date of approval by the WCLB Board of Trustees and may renew the agreement for up to two (2) years at the Land Bank Manager's discretion. Any further extensions must be approved by the WCLB Board of Trustees.
- d. The applicant may not occupy or use the property unless approved in writing by the WCLB.
- e. A fee will be due upon execution and an additional fee will be imposed for extension of the agreement or contract. This fee is non-refundable.
- f. A first-time applicant will be charged an additional fee which will be held in escrow during the term of the Option Agreement and will be refunded upon disposition of the property.
- g. The WCLB will require the requestor to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code and the sidewalk space must be maintained including snow removal.
- h. The WCLB shall provide written notice of its intent to terminate the agreement to the applicant within thirty (30) days of said termination.

Option Agreements will be issued only for those projects which the WCLB deems feasible and which the WCLB can recommend for approval by WCLB Board of Trustees after the developer secures the necessary entitlements, financing, tenants and/or approvals.

All WCLB Option Agreements must be approved by the WCLB Board of Trustees.

### **8.2 Disposition.**

Upon the applicant providing proof of funding for their proposed development and acquisition of all required land entitlements and permits, the WCLB shall convey the property.

## **Section 9. WCLB Garden Program**

### **9.1 Community Gardens and Community-Managed Open Spaces.**

The WCLB recognizes that community gardens encourage the productive use of vacant land, provide spaces for community building, socialization, educational, recreation and food production activities. The WCLB will support existing and established gardens that have the capacity to sustain and maintain the land to ensure its viability.

A community garden is defined as one or more properties managed and maintained by a group of individuals to grow and harvest food or non-food items (such as flowers) for personal or group consumption, for donation, or for sale that is incidental in nature (i.e. not an Urban Farm). A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (such as hand tool storage sheds) maintained and used by the group. Community gardens may be used for recreational purposes, and improvements to facilitate such purposes may be allowed on a case-by-case basis upon review by the Land Bank Manager and with community support. Community-managed open spaces are spaces available to the public and may be used for recreational purposes or passive activities. All necessary entitlements must still be obtained in accordance with the Unified Government Code of Ordinances as well as the ordinances for the Cities of Bonner Springs and Edwardsville.

Gardens and Open Space requests must demonstrate how their project supports the public priorities of:

- a. Eliminating blight; and/or
- b. Fostering neighborhood cohesion and a sense of community.

Upon approval by the WCLB Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed by deed with restrictions as set forth above if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use. Users are encouraged to reference federal and state requirements for contaminants in the soil before growing or consuming produce grown on site.

## **9.2 Requirements for Community Gardens.**

All WCLB property approved for a community garden must adhere to the following criteria:

- a. Entity must work with the WCLB and Staff Advisory Team to determine where the garden will be located within the boundaries of a neighborhood;
- b. Entity must provide a site plan;
- c. Entity must provide a maintenance and use plan which demonstrates its obligation to maintain the lot in a clean, safe, secure and sanitary condition, free of weeds, trash, debris, garbage, and vermin;
- d. Entity must comply with all existing codes and rules regarding vacant lots;
- e. Entity must obtain and pay for any and all permits and approvals required by all relevant agencies to construct or operate the site;
- f. Lot cannot be used to park, keep or store any motor vehicle, trailer, or boat at any time;
- g. Entity must comply with all State and/or local laws, codes or ordinances;
- h. Entity must maintain the area within the public right-of-way, including both snow removal and removal of trash and debris to allow for passable sidewalks;
- i. Entity must agree not to grow any plants regulated or prohibited by federal laws on the lot;
- j. Entities must agree to use the property at their own risk and accept the property “as-is”; and
- k. Report on the performance of the community garden, including any code violations, how close they are to other gardens and overall contribution to the wellbeing of the neighborhood.

## **9.3 Urban Farm.**

An urban farm is the cultivation of land for the purpose of income creation related to urban agriculture.

An applicant for a parcel(s) to be used as an urban farm must provide proof of relevant education, certification or comparable relevant experience that proves they have the ability to operate and maintain a successful urban farm. Applicants must meet all the requirements of a Community Garden listed in Section 9.2 above. Upon approval by the Land Bank Board of Trustees, the

property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

# **WYANDOTTE COUNTY LAND BANK (WCLB)**

## **ADMINISTRATIVE POLICY**

**UPDATED TBD 2024**



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Wyandotte County Land Bank  
Administrative Policy and Procedure Guidelines  
As approved and adopted by the Board of Trustees  
on xxxx xx, 202x.

These policy and procedure guidelines are a consolidation and codification of all prior policies and procedures of the Wyandotte County Land Bank (WCLB) and supersede all such prior policies and procedures.

## **Section 1. Purpose**

### **1.1 Neighborhood and Land Use Planning Conformance.**

The WCLB's purpose is to return tax delinquent, distressed and unwanted property to productive use that benefits the community. In doing so, the WCLB will prioritize the following:

- a. Encourage the development and reuse of vacant properties consistent with the WCLB goals, and any City adopted Master Plan.
- b. Strengthen the County's tax base by returning property to a productive tax paying status.
- c. Support and preserve open space, stormwater management, environmental remediation, community gardens, urban farming, and other agricultural production.
- d. Convey land through a predictable, timely and transparent process.
- e. Encourage timely development and discourage real estate speculation.
- f. Assemble land for economic development.

### **1.2 Guiding Principles.**

This policy is intended to create a unified and consistent approach to the disposition of real property owned by the WCLB.

In the interest of providing predictability and transparency to the sale and reuse of property, this policy will provide guidance to the WCLB in all transactions involving property as well as information to individuals and organizations considering the acquisition of property owned by the WCLB.

The goals of this policy and the disposition of WCLB owned property are to:

- a. Preserve existing stable and viable neighborhoods.
- b. Engage with neighborhoods that have historically and/or are currently experiencing rapid decline or deterioration to support community development and revitalization efforts.

- c. Utilize strategic planning as well as long term planning in the disposition of property.
- d. Maintain flexibility and transparency in all transactions.
- e. Comply with and support the implementation of the Citywide Comprehensive Master Plan, Area Plans, Corridor Plans, and other Community Plans.
- f. Eliminate blight and revitalize neighborhoods.
- g. Prevent speculation.
- h. Ultimately dispose of all WCLB parcels.

The WCLB will aspire to meet these goals when making decisions regarding the disposition of its property.

The WCLB will remain responsible for its own decision-making and adherence to this policy during the disposition process. The WCLB will make available to the public all property in its inventory; however, properties which are being used by the Unified Government for public purposes or being reserved for City-desired programs or projects, will be identified as unavailable for disposition by the Land Bank Manager in coordination with staff from the Unified Government.

## Section 2. Authority and Role

### 2.1 Establishment.

The Wyandotte County Land Bank (WCLB) was established by the Unified Government of Wyandotte County/Kansas City, Kansas (UG) by the power vested in it by K.S.A. 19-26,103 et. seq.

### 2.2 Governance.

The WCLB is governed by a Board of Trustees comprised of the Mayor/Chief Executive and the UG's Board of Commissioners (BoC). The Wyandotte County Land Bank Manager is charged with its administration.

### 2.3 Review of Proposed Land Bank Transactions.

All proposed WCLB transactions shall be submitted by the Land Bank Manager to the Staff Advisory Team, the Land Bank Advisory Board and WCLB Board of Trustees for review, consideration, and recommendation.

The Staff Advisory Team is composed of the Director/Manager and/or designee from the following UG Departments: *Administration, Community Development, General Services, Economic Development, GeoSpatial Services, Neighborhood Resource Center, Public Works,*

*Treasury, and Planning and Urban Design.* The Staff Advisory Team shall evaluate applications based on UG policies and priorities, and future infrastructure and development plans. The Staff Advisory Team shall serve solely in an advisory capacity.

The membership of the Land Bank Advisory Board shall consist of representatives from each Neighborhood Business Revitalization organizations (NBR), two (2) representatives from the Executive Board of the Livable Neighborhoods Task Force, who shall be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force, and an additional member ~~from the which~~ shall be a registered Neighborhood Association President within the NBR area for the area containing the most WCLB parcels, who shall also be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force. This additional member is subject to change with the disposition of WCLB property and shall be recalculated on a biannual basis. The Land Bank Advisory Board shall serve solely in an advisory capacity.

The Staff Advisory Team and Land Bank Advisory Board shall review all application(s) presented by the Land Bank Manager for consideration. Any application(s) that needs further investigation will be referred to the Land Bank Manager until all necessary information has been provided, at which time it will be brought to the Staff Advisory Team and Land Bank Advisory Board for further review.

The recommendations of the Staff Advisory Team and the Land Bank Advisory Board will be presented at the BoC's Neighborhood and Community Development Standing Committee where the Committee will make a recommendation to approve the applications ~~and that will~~ advance to the WCLB Board of Trustees for final approval.

#### **2.4 Governing Authority.**

The core governing documents of the WCLB are the applicable state statutes and the Unified Government Code of Ordinances. The policies and procedures set out in this document constitute guidelines only and the Board of Trustees reserves discretion to deviate therefrom when it deems appropriate.

#### **2.5 WCLB Board of Trustees Approval.**

Under the applicable State law, the conveyance of property by the WCLB, must be approved by the WCLB Board of Trustees before the property can be conveyed.

#### **2.6 WCLB Right to Accept or Reject.**

The WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In case of multiple applications for the same properties, the WCLB will give precedence to the application submitted first and, should this application not be accepted, the next application submitted will be brought before the WCLB Board of Trustees

## **2.7 Role of Land Bank Manager.**

The Land Bank Manager shall have the following responsibilities:

- a. Help applicants with where and what they want to build;
- b. Administer the Land Bank process including public notification-~~of neighborhood groups~~;
- c. Identify which properties are available for disposition;
- d. Determine when an application is ready to be submitted to the WCLB Board of Trustees;
- e. Engage and educate the community on Land Bank opportunities;
- f. Be a resource for the community;
- g. Set protocols for Land Bank procedures; ~~and~~
- h. Work with the WCLB Board of Trustees on a strategy for disposition of Land Bank properties; ~~and~~;
- i. At a meeting of the BoC's Neighborhood and Community Development Standing Committee in the Spring of every year, provide an update on the progress of approved option agreements and hold areas showing how many option agreements were successful, how many failed and the status of any hold areas beginning the development process.

## **2.8 Staffing.**

In addition to the Land Bank Manager, it is recommended that there is at least one staff member for every 1,000 parcels in the Land Bank inventory.

# **Section 3. Priorities for Transfer of Land Bank Properties.**

## **3.1 Priority Transfers.**

Except where limited by the terms of the acquisition of a property, the WCLB may, at its discretion, give priority to:

- a. Government entities;
- b. Individuals, entities, and non-profits seeking to obtain the property for housing or commercial development;
- c. Entities that are a partnership, limited liability corporation or joint venture comprised of a private non-profit corporation and a private for-profit entity;
- d. Individuals who own ~~and occupy~~ residential property that qualify for the Yard Extension Disposition Program; and
- e. Non-profit institutions such as academic and religious institutions.



### 3.2 Transferee Qualifications.

All applicants seeking to acquire property from the WCLB, or to enter into transaction agreements with the WCLB, are required to provide as part of their application information regarding, but not limited to:

- a. The legal status of the applicant, its organizational and financial structure;
- b. Its prior experience in developing and managing housing;
- c. The financial health and resources of the applicant; ~~and/or~~
- d. Sufficient plans for development; and/or
- d.e. Proof that the applicant is current on their property taxes and has no outstanding code violations on any property within the County.

~~In addition, all applicants must be current on their property taxes and have no outstanding code violations on any property within the County.~~

## Section 4. Conveyances to the WCLB

### 4.1 Sources of Property Inventory.

Sources of real property inventory of the WCLB include, but are not limited to, the following:

- a. Transfers from local governments;
- b. Acquisitions at tax foreclosure sales;
- c. Donations; and
- d. Market purchases.

### 4.2 Policies Governing the Acquisition of Properties.

In determining which, if any, properties might be acquired, the WCLB may consider the following circumstances and factors:

- a. Proposals and requests by individuals or entities in which specific properties are identified for ultimate acquisition and redevelopment;
- b. Residential properties that are available for immediate occupancy without need for substantial rehabilitation;
- c. Improved properties that are the subject of an existing order for demolition of the improvements and/or meet the criteria for demolition of improvements to determine if the property can be put into the rehab program described in Section 97;
- d. Vacant properties that are appropriate for the yard extension disposition program;
- e. Properties for which reutilization would be in support of adopted plans;

- f. Properties that would form a part of a land assemblage development plan; and
- g. Properties that would allow for the creation or expansion of community; gardens, urban farming, environmental remediation, stormwater management, and/or open space preservation.

#### 4.3 Donations to WCLB.

WCLB reserves the absolute right to accept or reject any and all donation requests. The WCLB will only accept donated property(ies) that will advance the goals of the WCLB. The WCLB will only present requests to the Board of Trustees, for approval, when at least one or more of the following conditions are met:

- a. The property owner does not have the resources to properly care for the property or to comply with orders to correct code violations that are present, and evidence of the hardship has been presented;
- b. The property is located in an area targeted for redevelopment efforts or in a neighborhood with a large number of existing WCLB property;
- c. The property is a candidate for the WCLB Rehab Program without any conditions that would prohibit a donation;
- d. The property could be utilized for the WCLB garden program; and
- e. The property could be used for UG purposes—~~such as stormwater management, public works projects, etc.~~

Property(ies) with adverse environmental conditions or maintenance requirements will not be accepted without a satisfactory plan and funding in place for remediation, as determined by the UG. Regarding additional requirements for donations of property to the WCLB:

- a. WCLB requires that donated property(ies) be conveyed with clear and marketable title;
- b. Property(ies) that are occupied may not be accepted as donations;
- c. WCLB shall not determine donation value for the purpose of tax benefits; and
- d. Any exceptions to the provisions of the above must come before the Board of Trustees.

~~WCLB reserves the absolute right to accept or reject any and all donation requests.~~

Any property that is conveyed by donation to the WCLB will not be available for sale/transfer until the meeting following the approval of the donation by Board of Trustees.

Any property that is rejected for donation but is tax sale eligible, will be referred for an upcoming tax sale by the WCLB. The WCLB will send a letter to the requestor with that information.

Nothing in this section precludes acceptance of a donation of a tax sale eligible property.

#### **4.4 Transaction Agreements.**

In most cases, a transaction agreement must be approved in advance by the Board of Trustees and executed by the WCLB and the grantor of the property. These transaction agreements shall be in form and content as deemed by the WCLB Manager to be in the best interest of the WCLB and shall include to the extent feasible specification of all documents and instruments contemplated by the transaction as well as the rights, duties and obligations of the parties.

#### **4.5 Environmental Concerns.**

The WCLB reserves full and complete discretion to require that satisfactory evidence or assurances be provided that the property is not affected by or subject to environmental contamination. The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use.

#### **4.6 State of Kansas Set Off Program.**

Property that has been placed in the State of Kansas Set Off Program may be deemed ineligible for conveyance to the WCLB.

#### **4.7 Timing.**

Any property that is conveyed in or out of the WCLB will not be available for sale/transfer until approved by the Board of Trustees.

The Land Bank Manager is authorized to accept property conveyed from the UG that is a result of property being obtained from a recent County Tax Sale. The Land Bank Manager will then report the conveyance(s) at the next ~~Board of County Commissioners~~BoC Neighborhood and Community Development Standing Committee meeting.

## **Section 5. Conveyances from the WCLB**

### **5.1 Covenants, Conditions and Restrictions.**

All conveyances by the WCLB to third parties shall include such covenants, conditions and restrictions as the WCLB deems, in its sole discretion, necessary and appropriate to ensure the use, rehabilitation and redevelopment of the property in a manner consistent with the public purposes of the WCLB.

### **5.2 Deed Without Warranty.**

All conveyances by the WCLB to third parties shall be by quitclaim deed.

### **5.3 Conveyances requiring Board of Trustees Approval.**

All transfers of WCLB property shall require the approval of the Board of Trustees.

### **5.4 Conveyances pursuant to WCLB Rehab Program.**

The Land Bank Manager shall seek prior approval from the WCLB Board of Trustees for all properties entering and exiting the WCLB Rehab Program.

### **5.5 Conveyance Time Allowance.**

All undeveloped Land Bank property shall be conveyed, and deed recorded within 180 days of Award and approval of the Land Bank Board of Trustees. Any property not conveyed within the above time period, and without a written extension from the Land Bank Manager, will have Award voided and property returned to the Land Bank Inventory. For any property awarded pursuant to a development/rehab agreement, the terms of said agreement shall control when such property will be conveyed.

### **5.6 Appropriate and Timely Development of Properties.**

The WCLB expects that properties will be developed in a timely manner according to a written agreement or as specified in the deed of conveyance. Generally, construction should commence within three (3) months from the date of conveyance and should be completed as defined by the agreement or contained in the deed. To ensure that these expectations are met, the WCLB will place conditions or restrictions on property it conveys to achieve the agreed upon outcome and will monitor these agreements until construction is complete. Proposed uses must be consistent with the UG's Master Plans, Zoning, City Code, and other approved and accepted plans-policy or be able to obtain the necessary land entitlements within the option term, and all All new owners are required to comply with all State, City and Federal codes, regulations, and statutes.

### 5.7 Holds.

Holds for ~~large~~ economic development projects are allowed pending the approval of the Wyandotte County Land Bank Board of Trustees. Each year that land bank parcels are in a hold, an update must be provided by the awardee ~~must be made~~ regarding the status of the economic development project to the Neighborhood and Community Development Standing Committee. The WCLB will require the awardee to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code provisions, and the sidewalk space must be maintained including snow removal.

### 5.8 Pricing.

The WCLB will generally price vacant land by the greater of:

- a. ~~the~~ The Appraised Value of property set by County Appraiser as of January 1<sup>st</sup> of current year or
- b. ~~the~~ The value of the property's frontage times \$10.00.

The WCLB has the right to determine the asking price for each property and further has the right to decline any counteroffer.

## Section 6. Yard Extension and Commercial Lot Extension Program

### 6.1 Application.

Yard Extensions shall only be applied for by abutting homeowners.

Commercial Lot Extensions shall only be applied for by abutting commercial property owners.

### 6.2 Qualifications.

An applicant for a yard extension must be the owner of the abutting property and must be using that property as ~~his/her~~ their primary residence at the time of application. An applicant for a commercial lot extension must be the owner of abutting commercial property; ~~however, the commercial property must be a storefront and must be using that property as a legally operating business.~~ Further, the applicants for both types of extensions must be current on all property taxes and not have any active code violations. The property to be acquired must share a common boundary at either side of the applicant's property and share the same street name and/or be a contiguous land locked parcel. The property sought to be acquired for a yard or commercial lot extension must be a vacant lot; properties with permanent structures are not eligible for this program.

### **6.3 Limitations.**

Applicants can only acquire one (1) property for a yard extension from the WCLB for each home they own as their primary residence and only one primary lot can seek a yard extension, except if there are contiguous undevelopable parcels that can be obtained. Applicants can only acquire one (1) property for a commercial lot extension from the WCLB, except if there are contiguous undevelopable parcels that can be obtained. The WCLB property must be consolidated with the applicant's property after acquisition into a single parcel. The Land Bank Manager will track such extension acquisitions to ensure these limitations are adhered to in perpetuity.

### **6.4 Pricing.**

The price of any yard extension shall be \$0.10 per square foot.

The price of any commercial lot extension shall be \$0.25 per square foot.

## **Section 7. Land Bank Rehab Program**

### **7.1 Purpose.**

The WCLB Rehab Program provides Qualified Rehabbers access to a pipeline of distressed properties in the Wyandotte County area. The WCLB may facilitate the sale of property at a reduced price to selected qualified rehabbers. This program allows the purchase of vacant, blighted homes, once they are available in the WCLB inventory.

### **7.2 Goals.**

The WCLB Rehab Program supports efforts to stabilize and strengthen neighborhoods through collaboration between public, private and nonprofit development partners. Through the program and working with development partners to rehabilitate blighted property, the WCLB will:

- a. Save existing housing stock from demolition and return the property to the tax roles;
- b. Create affordable ownership opportunities to stabilize neighborhoods; and
- c. Improve the health, safety, durability, and energy - efficiency of rehabilitated properties ~~through the WCLB~~ Housing Standards.

### **7.3 Qualified Rehabber.**

A Qualified Rehabber is defined as an individual or organization who must not:



- a. Own any real property that is subject to any violations of State and/or local laws, codes or ordinances;
- b. Own any real property that is tax delinquent;
- c. Be barred from transactions with local government entities;
- d. Have demonstrated lack of capacity to perform in accordance with the requirements of the WCLB;
- e. Have defaulted in prior agreements with the WCLB; and
- f. Currently be banned from bidding at the tax sale.

All Qualified Rehabbers must submit their intended use for the property(ies) as required by the WCLB. Failure to submit intended usage or to provide accurate information in the form requested may result in the denial of the application.

#### 7.4 **Qualified Offer.**

A Qualified Offer is an application that:

- a. Adequately describes the purchaser's plans for the property (i.e. intended use) and is aligned with the purpose of the WCLB;
- b. The intended use must be consistent with applicable WCLB goals and all ~~UG Plans~~ Master Plans, Zoning Ordinances, and/or other policy, or be able to obtain the appropriate land entitlements; and
- c. The applicant must demonstrate financial and operational capacity to carry out the plans.

Plans that require various land entitlements may be processed as a Qualified Offer, only if the underlying project proposal is supported by the city it is in. The detail required of the applicant will be different depending on the proposed use, as defined later in this document under various usages.

#### 7.5 **Housing Stock.**

All residential property with improvements that are transferred to the WCLB will be boarded, secured, and inspected to identify its place in the program. There are ~~three-two~~ (32) recommendations that these properties will fall under:

- a. Rehabilitation – properties that show rehab potential will be made available to qualified rehabbers in the program; or
- b. Demolition – properties that are a danger to the public will be recommended to the ~~Unified Government~~UG Demo Department to be razed; or

#### 7.6 **Commercial Property.**

Any commercial property received by WCLB will be evaluated in the same manner as in Section 7.5.

### **7.7 Rehabber Qualifications.**

All interested rehabbers must go through a qualification process that includes submission of WCLB Rehab Program Application. The program will have two (2) Tiers of qualified rehabbers:

- a. Tier I – rehabber must be a formed company/corporation or identify as an investor. In order to qualify as a Tier 1 rehabber, the following must be provided:
  1. Copy of their current year Occupational Tax Receipt from the Unified Government of Wyandotte County / Kansas City, Kansas Business License Department
  2. Must carry the appropriate amount of Insurance coverage, as outlined in the application, from a licensed Insurance provider and have the Wyandotte County Land Bank named as a Certificate Holder.
- b. Tier II – if a rehabber cannot provide the requirements for a Tier I rehabber, then they must sign a Hold Harmless Waiver and must show proof of funding for the rehab to qualify for a house to rehab.

### **7.8 Availability for Rehabbers.**

Any house that is identified as a rehab will be made available for all Tier I rehabbers. The WCLB will schedule open houses for the rehabbers to attend to assess each property identified. All rehabbers will be sent offer packets with house information and a deadline to submit their offer. Any house that does not have an offer submitted by the deadline by a Tier I rehabber will then be offered to the Tier II group.

Any house that does not have an offer submitted by either group will be available for a later offer or any new Tier I or Tier II qualified rehabber.

### **7.9 Rehab Agreements.**

The WCLB will review all offers received based on criteria maintained by the Land Bank Manager to determine the highest and best offer. The WCLB will negotiate with the offeror and put an agreement together. If approved, the awarded offeror will be sent an award letter and any non-offerors will be sent a non-award letter.

### **7.10 Filings.**

A Sale Contract with Land Use Restrictions detailing the terms of the rehab agreement will be recorded with the Wyandotte County Register of Deeds office. The house will stay in the name of the WCLB until the passing of the final inspection from the Land Bank Manager.

### **7.11 Inspections and Permits.**

The WCLB will require copies of all inspections conducted by the UG Building Inspection Department, which will perform progress inspections throughout the rehab.

Any Tier I rehab will consist of four (4) inspections:

- a. Initial Inspection – house is cleared of debris and any demo is complete prior to any repairs or rehab starts;
- b. Rough-In – staff has received an approved Building Inspection rough-in slip and any other pulled permits (Mechanical/Electrical/Plumbing);
- c. Progress – drywall is hung, and all other repairs are completed; and
- d. Final - house has passed all final inspections and copies have been received by the WCLB, the Land Bank Manager will do the final walk thru.

Any Tier II rehab will consist of monthly inspections done by Land Bank Manager (or designee) and will incorporate the Tier I inspections but also allow the WCLB to closely monitor the progress.

When the Land Bank Manager has verified the house has passed WCLB final inspection, a Quit Claim Deed (QCD) will be filed with the Register of Deeds- office.

All applicants who have successfully purchased WCLB-owned property must fulfill their commitments to the WCLB and to their neighbors, which includes paying property taxes and maintaining properties in accordance with all municipal codes and ordinances.

#### **7.12 Extensions and Penalties.**

If the rehab completion date stipulated in the agreement cannot be met, the rehabber may request an extension of the completion date. Extensions of time to complete the rehab are at the Land Bank Manager's discretion and, if granted, will be under the following guidelines:

- a. The request for extension must be made to the Land Bank Manager in writing. The request must include the cause of the delay and plan to complete the rehab ~~in~~ within the time requested.
- b. The request for extension must be received by the Land Bank Manager no later than five (5) calendar days prior to the expiration date of the WCLB Rehab Program Extension Request Form given at the beginning of the project.
- c. The extension will be granted for a maximum of 90 calendar days.
- d. The granting of an initial extension period does not obligate the WCLB to grant additional extensions.

### **7.13 Tier I Rehabber Threshold.**

Any Tier I rehabber may make no more than three (3) offers on any newly acquired rehab houses. The maximum number of houses a Tier I may be rehabbing at any given time is six (6). If a Tier I rehabber has 6 open rehabs and submits an offer for new houses, their offer will not be accepted. A Tier 1 rehabber may make the proper number of offers that could reach this threshold.

## **Section 8. Option Agreements**

### **8.1 Site Control: Options and Property Reservations.**

The WCLB recognizes that developers often require legally recognizable site control as part of the development process. The WCLB may execute property option agreements to allow developers to pursue financing and other approvals necessary for development.

Agreements for this purpose must meet the following conditions:

- a. The applicant must be a Qualified Applicant, which has the same requirements as in Section 7.3.
- b. The Option Agreement must be executed by the applicant within forty-five (45) days of approval by the WCLB Board of Trustees.
- c. For each proposed project, the WCLB will allow one (1) year for that agreement, which begins on the date of approval by the WCLB Board of Trustees and may renew the agreement for up to two (2) years at the Land Bank Manager's discretion. Any further extensions must be approved by the WCLB Board of Trustees.
- d. The applicant may not occupy or use the property unless approved in writing by the WCLB.
- e. A fee will be due upon execution and an additional fee will be imposed for extension of the agreement or contract. This fee is non-refundable.
- f. A first-time applicant will be charged an additional fee which will be held in escrow during the term of the Option Agreement and will be refunded upon disposition of the property.
- g. The WCLB will require the requestor to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code and the sidewalk space must be maintained including snow removal.
- h. The WCLB shall provide written notice of its intent to terminate the agreement to the applicant within thirty (30) days of said termination.

Option Agreements will be issued only for those projects which the WCLB deems feasible and which the WCLB can recommend for approval by WCLB Board of Trustees after the developer secures the necessary entitlements, financing, tenants and/or approvals.

All WCLB Option Agreements must be approved by the WCLB Board of Trustees.

## **8.2 Disposition.**

Upon the applicant providing proof of funding for their proposed development and acquisition of all required ~~permits and~~ land entitlements and permits, the WCLB shall convey the property.

# **Section 9. WCLB Garden Program**

## **9.1 Community Gardens and Community-Managed Open Spaces.**

The WCLB recognizes that community gardens encourage the productive use of vacant land, provide spaces for community building, socialization, educational, recreation and food production activities. The WCLB will support existing and established gardens that have the capacity to sustain and maintain the land to ensure its viability.

A community garden is defined as one or more properties managed and maintained by a group of individuals to grow and harvest food or non-food items (such as flowers) for personal or group consumption, for donation, or for sale that is incidental in nature (i.e. not an Urban Farm). A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (such as hand tool storage sheds) maintained and used by the group. Community gardens may be used for recreational purposes, and improvements to facilitate such purposes may be allowed on a case-by-case basis upon review by the Land Bank Manager and with community support. Community-managed open spaces are spaces available to the public and may be used for recreational purposes or passive activities. All necessary entitlements must still be obtained in accordance with the Unified Government Code of Ordinances as well as the ordinances for the Cities of Bonner Springs and Edwardsville.

Gardens and Open Space requests must demonstrate how their project supports the public priorities of:

- a. Eliminating blight; and/or
- b. Fostering neighborhood cohesion and a sense of community.

Upon approval by the WCLB Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed by deed with restrictions as set forth above if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use. Users are encouraged to reference federal and state requirements for contaminants in the soil before growing or consuming produce grown on site.

## **9.2 Requirements for Community Gardens.**

All WCLB property approved for a community garden must adhere to the following criteria:

- a. Entity must work with the WCLB and Staff Advisory Team ~~of the Unified Government~~ to determine where the garden will be located within the boundaries of a neighborhood;
- b. Entity must provide a site plan;
- c. Entity must provide a maintenance and use plan which demonstrates its obligation to maintain the lot in a clean, safe, secure and sanitary condition, free of weeds, trash, debris, garbage, and vermin ~~and rats~~;
- d. Entity must comply with all existing codes and rules regarding vacant lots;
- e. Entity must obtain and pay for any and all permits and approvals required by ~~the Unified Government or City's~~ all relevant agencies to construct or operate the site;
- f. Lot cannot be used to park, keep or store any motor vehicle, trailer, or boat at any time;
- g. Entity must comply with all State and/or local laws, codes or ordinances;
- h. Entity must maintain the area within the public right-of-way, including both snow removal and removal of trash and debris to allow for passable sidewalks;
- i. Entity must agree not to grow any plants regulated or prohibited by federal laws on the lot; ~~and~~
- j. Entities must agree to use the property at their own risk and accept the property "as-is"; ~~and~~



- k. Report on the performance of the community garden, including any code violations, how close they are to other gardens and overall contribution to the wellbeing of the neighborhood.

### **~~9.3~~ Personal Garden.**

~~An application for a personal garden shall be treated in the same manner as an application for a yard extension.~~

### **~~9.4.3~~ Urban Farm.**

An urban farm is the cultivation of land for the purpose of income creation related to urban agriculture.

An applicant for a parcel(s) to be used as an urban farm must provide proof of relevant education, certification or comparable relevant experience that proves they have the ability to operate and maintain a successful urban farm. Applicants must meet all the requirements of a Community Garden listed in Section 9.2 above. Upon approval by the Land Bank Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.