

# CITY PLANNING COMMISSION

JULY 10, 2023

## MINUTES

The City Planning Commission met in regular session on Monday, July 10, 2023, at 7:58 p.m., (1:45:54) (via Zoom Webinar and Commission Chamber of the Municipal Office Building) with the following members present: Mr. Jeff Carson, Chairman Presiding (Commission Chamber), Mrs. Karen Jones, Vice Chairman (Zoom), Ms. Brandie Armstrong (Zoom), Mr. Duane Beth (Commission Chamber), Mr. James Connelly (Zoom – left at 10:00 p.m.), Ms. Rose Elites (Commission Chamber), Mr. Jim Ernst, (Zoom), and Mr. Aaron Ward (Commission Chamber). (Absent: Miller, Mohler, and Straws). Mr. Gunnar H. Hand, AICP, Director of Planning + Urban Design, Ms. Janet L. Parker, CSC/APC, Executive Assistant to the Director of Planning + Urban Design (Zoom), and Mr. Jeff Conway, Assistant Counsel (Commission Chamber), were also present.

Chairman Carson called the meeting to order at 7:58 p.m.

Recording Secretary Parker read the Planning Commission Statement: “We would like to welcome those participating to the meeting of the City Planning Commission. The members are participating remotely by Zoom Webinar or in-person in the Commission Chamber. Mr. Jeff Carson is serving as chairman this evening.

Please note the following instructions for the meeting:

1. If you are joining by Zoom Video, please make sure you have an appropriate background and plan to stay visible during the meeting.
2. Planning Commission Members - Use the raise your hand feature to speak, after Chairman Carson recognizes you, unmute your microphone and please state your name when you begin to speak. If you are in-person in the Commission Chamber, when Chairman Carson recognizes you, please state your name before speaking.
3. For those members of the public in attendance via Zoom or telephone, use the “raise your hand” feature when you want to speak on an issue. The Chairman will recognize you when it is your time to speak, unmute your microphone and state your name and address before giving your comments. If you are attending in person, please come to the microphone at the front of the room when the application is called, and the Chairman will recognize you when it is your time to speak.
4. Proper meeting decorum is expected of all participating in the meeting and anyone who fails to act properly may be removed from the meeting. The City reserves the right to discontinue a meeting if any improper behavior occurs which prevents the uninterrupted conduct of business.

The Planning Commission is a voluntary body of citizens, which will review each zoning proposal. For all change of zones, special use permits, vacations, and preliminary plan reviews on tonight’s agenda, the Planning Commission makes recommendations to the Unified Government Board of Commissioners, who will then make the final decisions on **Thursday, July 27, 2023**. For final plats and final plan reviews heard tonight, the Planning Commission’s decision is final and there will not be another hearing. The format for this evening’s meeting is as follows:

1. The applicant will make the opening statement explaining the proposal. Please note that the applicant will be given fifteen (15) minutes to present their case. The fifteen (15) minutes includes the applicant, consultants, and other members of the applicant's team.
2. Members of the Planning Commission will then address any questions they may have to the applicant. Any persons wishing to speak in favor will be called upon and allowed to do so at that time.
3. Then those persons in opposition will be called upon and allowed to make their statements and ask questions. Please note that each member of the public who wishes to speak will be given five (5) minutes to express their opinions. Time may not be shared between speakers.
4. A speaker may request to extend their time and the Planning Commission may by two-thirds (2/3) majority vote extend any speaker's time in five (5) minute increments.
5. The Chairman will ask for a show of hands of those persons in support and in opposition that do not wish to speak.
6. The applicant will then answer questions and make a closing statement.
7. The public hearing portion of the meeting will be closed, and the public will only be allowed to address the Commission if a question is directed to them.
8. The Planning Commission will discuss the application and make their recommendation.

If persons in opposition want to formally protest a change of zone or special use permit, a means is available by a legal protest petition which can be obtained along with the necessary instructions, by emailing the Planning + Urban Design Department at [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org) tomorrow morning. Any application receiving a unanimous vote of recommendation by the Planning Commission will appear on the consent agenda of the Unified Government Board of Commissioners. Unless there is a request to remove an item from the consent agenda by the applicant, a member of the Unified Government Commission, or other interested parties, the Planning Commission's recommendation will be adopted. The consent agenda is heard at the beginning of the meeting at 7:00 p.m.

The Planning Commission will also have a consent agenda as part of their meeting this evening. The Consent Agenda is the first part of the agenda. Items on the Consent Agenda are Final Plats, Final Plans or Special Use Permit Renewals that have received a staff recommendation to approve. Unless there is a request to **REMOVE** an item from the Consent Agenda by the applicant, a member of the staff, a member of the Planning Commission or other interested parties, the staff recommendation on all the items on the Consent Agenda will be adopted by the Planning Commission at one time.

I will read a list of agenda items on the Consent Agenda, and when I have completed the list, the Chairman will ask if there are any requests to remove items. This is your time to use the raise your hand feature, be recognized, and request that an item be removed from the Consent Agenda if you do not agree with the staff's recommendation. If you are in the Commission Chamber, please come to the microphone, state your name and address and the item you want to remove from the Consent Agenda.

The Planning Commission is required to disclose contacts about any item on the Planning Commission Agenda. Before each item I will ask if any contacts have been made and members of the Commission will be asked to disclose those contacts.

Please note that your opinions will be forwarded to the Governing Body for their consideration in making a final decision on **Thursday, July 27, 2023, at 7:00 p.m.**

I will now read the items on the **Consent Agenda**:

## **CONSIDERATION OF THE JUNE 12, 2023, PLANNING COMMISSION MINUTES**

### **SPECIAL USE PERMIT APPLICATION SP2023-028 – MICHAEL GEKAS – SYNOPSIS:**

Renewal of a Special Use Permit (SP2021-012 – expired 6/3/2023) for a Short-Term Rental at 2716 North 119<sup>th</sup> Street. Detailed Outline of Requested Action: The Applicants, Michael and Andrea Gekas, is requesting a renewal of a Short-Term Rental Special Use Permit SP2021-012 (which expired 6/3/2023) to operate a short-term rental at 2716 North 119<sup>th</sup> Street. This is not the owner's primary residence; however, they live on the adjacent property. This would be the first and only permitted short-term rental on the block.

### **SPECIAL USE PERMIT APPLICATION SP2023-029 – ABDUL MAZID WITH A+ AUTO SALES – SYNOPSIS:**

Renewal of a Special Use Permit (SP2021-016 – expired 6/3/2023) for used car dealership at 1010 Merriam Lane. Detailed Outline of Requested Action: The applicant, Abdul Mazid, has applied to renew a Special Use Permit (expiration on June 3, 2023) to operate a used car dealership at 1010 Merriam Lane. This property was operated as an antique car sales business from 1987 to 2001. Since that time, it has been operated as a variety of businesses, including an automobile repair business from 2004 – 2005 and a retail market (Kimo's Market) from 2005 – 2008. In September 2017, Mr. Mazid was issued a Special Use Permit, and A+ Auto Sales Inc was opened in April 2018. The site has been cleaned and maintained, new landscaping has been implemented in accordance with the plans submitted in 2017 and 2021. The property was listed for sale, but there were no prospective buyers.

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

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 10, 2023;
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 publication in The Echo for the Special Use Permit; 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. Eilts, seconded by Ms. Armstrong, the Planning Commission voted as follows to **APPROVE** the items on the Consent Agenda:

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Aye</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

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

**Subject to:**

**SP2023-028:**

- 1. Any additional repairs not addressed prior to approval of SP2023-028 outlined within the provided home inspection report shall be performed prior to renewal of this Special Use Permit.**
- 2. The applicant shall pave the driveway apron to UG standard.**
- 3. 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.**
- 4. Maximum number of guests shall be seven (7).**
- 5. All parking must be off-street, maximum number of vehicles is three (3). No parking is allowed on-street for STR renters or any guests.**
- 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 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
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.
  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.

**SP2023-029:**

1. Because there is no trash receptacle on site, the applicant shall remove all trash for disposal offsite. Trash bags shall not be left on-site for pickup;
2. If the property is sold, the associated Special Use Permit cannot be transferred;
3. BOZA 2268, approved on December 17, 2017, was for Mr. Abdul Mazid and this specific used car sales lot only. If there is a change of use, that use must meet the zoning district's parking regulations;
4. Because the variance was approved to reduce off-street parking, the second floor shall remain unused;
5. No inoperable vehicle allowed on site;
6. Per the Business License Division:
  - a. The applicant has filed and maintained a current business occupation tax application;
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. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
9. 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. 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. 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;
12. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; 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.

Chairman Carson stated that the Special Use Permit applications will be heard by the Unified Government Board of Commissioners on July 27, 2023, at 7:00 p.m.

Recording Secretary Parker stated that the Consent Agenda is now complete, and the Commission will consider the Non-Consent Agenda.

**Hearing starts at 1:58:58:**

**CHANGE OF ZONE APPLICATION COZ2023-005 – ANDREA WEISHAUBT WITH ATLAS LAND CONSULTING - SYNOPSIS:** Change of Zone from R-1 Single Family District to A-G Agriculture District to utilize the property for agricultural uses and to keep livestock at 5744 Tauomee Avenue. Detailed Outline of Requested Action: The applicant,

Andrea Weishaubt, is requesting a change of zone from R-1 Single Family District to A-G Agriculture District to utilize the property to keep animals at 5744 Tauromee 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 July 10, 2023;
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:**

- Austin Thompson, applicant, Atlas Land Consulting, 14500 Parallel Avenue, Unit R, Basehor, Kansas 66007

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 2:02:35:** Planning Director Hand stated that this property was before the Board of Zoning Appeals earlier this year for a variance for an accessory structure larger than the ordinance requirements. This Change of Zone request is from R-1 Single Family District to A-G Agriculture District. The property is in the City-Wide Comprehensive Plan in the Midtown (South of I-70) area. Staff has received no letters in support nor in opposition. There are some older Notices of Violation for maintenance when this property was vacant. Staff recommends approval subject to the conditions in the staff report. One (1) of the conditions is maintaining the conservation plan with the Conservation District, which currently specifies up to five (5) cattle or one (1) horse. A stream buffer that the property be fenced so the cattle will not leave the property, and enhanced landscaping and buffering for the abutting single-family homes as other notable conditions.

**Motion starts at 2:05:50:**

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zone Application**

**COZ2023-005:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Aye</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>



**Straws**                      **Not Present**  
**Ward**                        **Aye**  
**Armstrong**                **Aye**  
**Beth**                         **Aye**

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

**Subject to:**

- 1. The applicant shall be limited to up to five (5) cattle or one (1) horse on the property to allow for rotational grazing and adequate manure spread.**
- 2. Cattle waster and chicken waste shall be separated to avoid burning the soil.**
- 3. The applicant shall not store materials, construct a structure, or allow animals within the floodway that runs through the property.**
- 4. The applicant shall fence off the property. This fencing shall not consist of barbed wire.**
- 5. The applicant shall maintain a 50-foot buffer from the stream that runs across the north side of the property for any and all agricultural use or structure.**
- 6. Animals on the site shall be kept away from the timber stand and the stream buffer.**
- 7. Animals shall be kept away from the front of the property, where the property borders two (2) single-family residences.**
- 8. Additional trees shall be planted on site, particularly around the property boundaries that are shared by a neighboring residence.**
- 9. A sacrifice lot will be needed for winter protection of the pasture. Livestock should not be on the pasture when ground is frozen or very wet.**
- 10. Shelters need to be planned and built in level locations to provide protection for animals.**
- 11. There needs to be fencing all along the steep wooded area to keep livestock out of these areas, including the Brenner Heights Creek. These areas are extremely vulnerable to erosion when livestock destroy the ground cover mulch. This fencing shall not be barbed wire.**
- 12. The applicant must continue to work and obtain a Conservation Plan from the Wyandotte County Conservation District. Cheri Miller, Conservation District director can be reached at [wyco.conservation@gmail.com](mailto:wyco.conservation@gmail.com).**
- 13. 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:**
  - a. 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;**
  - b. Construction with materials resistant to flood damage;**
  - c. Utilization of methods and practices that minimize flood damages;**
  - d. 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;**
  - e. 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,**

- f. **Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that**
  - g. **All such proposals are consistent with the need to minimize flood damage;**
  - h. **All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;**
  - i. **Adequate drainage is provided so as to reduce exposure to flood hazards; and,**
  - j. **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.**
- 14. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for the Storage of Materials and Equipment:**
  - a. **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.**
  - b. **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.**
- 15. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure.**
- 16. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinance. This shall include all ordinance sections that relate to the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services.**
- 17. 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.**

18. 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.
19. 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.
20. All existing and future driveways must feature curb cuts that are constructed to UG standards.
21. Lighting shall be installed to have a 90-degree cutoff.
22. 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.
23. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.
24. 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.
25. 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.

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

**Hearing starts at 2:06:55:**

**CHANGE OF ZONE APPLICATION COZ2023-009 – AUSTIN THOMPSON WITH ATLAS LAND CONSULTING - SYNOPSIS:** Change of Zone from R-1 Single Family District to A-G Agriculture District to raise fowl at 8910 Osage Drive. *Detailed Outline of Requested Action:* The applicant, Andrea Weishaubt, is requesting a change of zone from R-1 Single Family District to A-G Agriculture District to utilize the property for agricultural uses at 8910 Osage 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 July 10, 2023;
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:**

- Austin Thompson, applicant, Atlas Land Consulting, 14500 Parallel Avenue, Unit R, Basehor, Kansas 66007

The Planning Commission directed questions to the applicant.

**Present in Opposition:**

- Mary Martin, 804 South 89<sup>th</sup> Street, Kansas City, Kansas 66111
- Shirley Ikerd, 804 South 89<sup>th</sup> Street, Kansas City, Kansas 66111
- Don Carter, 8911 Kansas Avenue, Kansas City, Kansas 66111

**Staff Recommendation starts at 2:27:30:** Planning Director Hand stated that the request is from R-1 Single Family District to A-G Agriculture District. The property is in the City-Wide Comprehensive Plan in the Midtown South area. Staff has received no letters in support and there is opposition to this application. There are no Notices of Violation. Staff recommends approval subject to the conditions in the staff report including maintaining a

Conservation Plan. If this application is approved by the Board of Commissioners, typically A-G properties are not required to pave the driveway but the driveway apron must be paved in order to prevent dust as the driveway angles towards two (2) adjacent properties. The property is slightly over five (5) acres so it does meet the requirements of an A-G parcel. If there is a property dispute that is upheld, there could be a couple of feet across the entire southern boundary that may affect the total required acreage not being met. Director Hand stated that the Unified Government does not include itself in private property disputes; that is done through the District Court between these parties. He further stated that rosters are not allowed in the City Limits unless zoned agricultural and over five (5) acres.

The Planning Commission directed questions to Staff.

Chairman Carson asked the applicant if the vehicles on the property are related to the construction of the house. Mr. Thompson stated yes; once the work is done on the residential home, the commercial vehicles are to be removed. He stated that he does not know if the construction has been completed. Director Hand stated that a business cannot operate on this property at this time.

**Motion starts at 2:36:50:**

On motion by Mrs. Eilts, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **DENIAL** of **Change of Zone Application COZ2023-009 based on Factors to be Considered #5:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Aye</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>No</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>No</b>

**Motion to recommend DENIAL Passed: 5 to 2**

**Hearing starts at 2:44:30:**

**CHANGE OF ZONE APPLICATION COZ2023-014 – CHRISTOPHER HANDLIN-**

**SYNOPSIS:** Change of Zone from R-1 Single Family District to A-G Agriculture District for 30 chickens, bees, and farm at 3000 South 74<sup>th</sup> Street. *Detailed Outline of Requested Action:* The applicant, Christopher Handlin, is requesting a change of zone from R-1 Single Family District to A-G Agriculture District to utilize the property for agricultural uses at 3000 South 74<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 July 10, 2023;
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:**

- Christopher Handlin, applicant, 3000 South 74<sup>th</sup> Street, Kansas City, Kansas 66106

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 2:35:48:** Planning Director Hand stated that the request is to change the zoning from R-1 Single Family District to A-G Agriculture District. This property is in the City-Wide Comprehensive Plan in the Turner area. Staff has received no letters in support nor opposition. There are no Notices of Violation. Staff recommends approval subject to the conditions in the staff report. One of the conditions is that they maintain a conservation plan with the Conservation District as it relates to bees, fowl and other agricultural activities.

**Motion starts at 2:47:41:**

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zone Application COZ2023-014:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Aye</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

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

**Subject to:**

1. Applicant must ensure that the identified open areas are preserved for the keeping of bees.
2. No vehicles or trailers shall be parked on an unimproved surface. All parking must be on a paved surface.
3. All trees on the property shall be maintained. Any trees that are removed shall be replaced.

4. The applicant must continue to work and obtain a Conservation Plan from the Wyandotte County Conservation District. Cheri Miller, Conservation District director can be reached at [wyco.conservation@gmail.com](mailto:wyco.conservation@gmail.com).
5. The applicant must strictly adhere to the submitted waste disposal plan.
6. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure.
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. 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.
9. Lighting shall be installed to have a 90-degree cutoff.
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. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.
14. 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.

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.

**Hearing starts at 2:48:50:**

**CHANGE OF ZONE APPLICATION COZ2023-016 – RHIANNON CABALLERO -**

**SYNOPSIS:** Change of Zone from R-1 Single Family District to A-G Agriculture District for chickens and a garden at 3842 North 51<sup>st</sup> Street. *Detailed Outline of Requested Action:* The applicant, Rhiannon Caballero, is requesting a change of zone from R-1 Single Family District to A-G Agriculture District to utilize the property for agricultural uses at 3542 North 51<sup>st</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 July 10, 2023;
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:**

- Rhiannon Caballero, applicant, 3542 North 51<sup>st</sup> Street, Kansas City, Kansas 66104

Planning Commission directed questions to the applicant.

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 2:51:35:** Planning Director Hand stated that this is a request for a Change of Zone from R-1 Single Family District to A-G Agriculture District. The property is in the City-Wide Comprehensive Plan in the north Mid-Town area close to Sorter Drive. Staff has received no letters in support nor in opposition. There are no Notices of Violation. Staff recommends approval subject to the conditions in the staff report including paving of the driveway apron and maintenance of a Conservation Plan with the Conservation District.



**Motion starts at 2:53:05:**

On motion by Mr. Ernst, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zone Application COZ2023-016:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Aye</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

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

**Subject to:**

1. The applicant shall ensure that all chicken waste is disposed of via compost or used as fertilizer to prevent contamination of the drainageway and stormwater run-off.
2. The applicant shall ensure that any garden areas are kept well maintained to prevent contamination of the drainageway and stormwater.
3. The applicant will be required to install a paved driveway apron.
4. The applicant must continue to work and obtain a Conservation Plan from the Wyandotte County Conservation District. Cheri Miller, Conservation District director can be reached at [wyco.conservaion@gmail.com](mailto:wyco.conservaion@gmail.com).
5. All trespass on the property shall be maintained. Any trees that are removed shall be replaced.
6. The "Windstream" RV shall not be used as a dwelling unit.
7. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure.
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, 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. Lighting shall be installed to have a 90-degree cutoff.
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. No vehicles or trailers shall be parked on an unimproved surface.
  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. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.
  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 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.
  16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

**Hearing starts at 2:54:20:**

**SPECIAL USE PERMIT APPLICATION SP2023-019 – TIMOTHY OKEOWO WITH REDEEMED CHRISTIAN CHURCH OF GOD - SYNOPSIS:** Special Use Permit to keep a shipping container in the parking lot of a church at 8155 Parallel Parkway. *Detailed Outline of Requested Action:* The applicant, Timothy Okeowo, is requesting a Temporary Use of Land Special Use Permit to keep a shipping container in the parking lot of the Redeemed Christian Church of God at 8155 Parallel Parkway. The applicant intends to store furniture in the container for this church as well as potentially for other church locations. This Special Use Permit is the result of an active Notice of Violation.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;

4. The staff report and attachments dated July 10, 2023;
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:**

- Timothy Okeowo, applicant, Redeemed Christian Church of God, 8155 Parallel Parkway, Kansas City, Kansas 66112

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 3:01:16:** Planning Director Hand stated that the request is for a Special Use Permit for the Temporary Use of Land and by ordinance can only be approved for a two-year period maximum. A Temporary Use of Land Special Use Permit is non-renewable. The request is to keep a storage container on the property to store furniture for church operations. This case is a result of a zoning enforcement action on the container, as well as other issues with the property. The property is in the City-Wide Comprehensive Plan in the Mid-Town area. Staff has received no letters in support nor in opposition. Staff did not hear from the applicant on any requests for information until the application was recommended for denial. The applicant has not held a neighborhood meeting. Director Hand stated Staff would be amenable to holding over this application to allow Staff to work with the applicant on the needed information and for the applicant to hold a neighborhood meeting. This application could not be recommended for approval at this hearing as a neighborhood meeting has not been conducted.

**Motion starts at 3:04:05:**

On motion by Mr. Ernst, seconded by Mrs. Jones, the Planning Commission voted as follows to **HOLD OVER** Special Use Permit **SP2023-019 to the September 11, 2023, meeting for the applicant to submit the requested information by Staff and for a neighborhood meeting to be conducted:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Aye</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

**Motion to HOLD OVER Passed 7 to 0**

**Hearing starts at 3:05:25:**

**SPECIAL USE PERMIT APPLICATION SP2023-025 – WATHIQ KASSIM - SYNOPSIS:**

Renewal of a Special Use Permit (SP2020-102 – expires 8/5/2023) for an auto body repair shop at 744 Kansas Avenue. Detailed Outline of Requested Action: The applicant, Wathiq Kassim, is requesting renewal of a Special Use Permit to continue to operate (expires on August 5, 2023) an auto body shop at 744 Kansas Avenue. This auto body shop is an expansion of KCK Automotive at 716 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 July 10, 2023;
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:**

- Wathiq Kassim, applicant, 744 Kansas Avenue, Kansas City, Kansas 66105

The Planning Commission directed questions to the applicant.

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 3:12:05:** Planning Director Hand stated that the request is for renewal of a Special Use Permit for a body shop. This would be the third renewal and fourth approval. He stated that throughout these approvals the applicant has made efforts to meet the conditions of approval relating to the property such as improving the building and screening/landscaping. He further stated that there have been some issues as it relates to the operation of the business and that is predominately a function of the size of the property. This property is in the Armourdale Area Plan. Staff has received no letters in support nor in opposition. There are no Notices of Violation on the property. Staff is recommending denial of the application as per protocol because one of the previous conditions of approval has not been completed. Staff would be amenable to a hold over to allow Mr. Kassim to meet the previous condition related to the sidewalk repair. There is a curb that needs to be level on the sidewalk. The storage area is mostly screened. In the previous approval, Staff worked with the applicant on the designated parking spaces. Some were designated for employees, some for customers and very few were designated for business operations. Director Hand stated that he understands that there is a certain amount of turnaround, but it is obvious that the vast majority of the parking lot is used for storage and queuing of vehicles needing repair. The condition of approval was that all

inoperable vehicles were to be stored inside the building. Director Hand understands this is a small building on a small site. Staff would be amendable to a hold over to allow Mr. Kassim to find someone to do the flat work and then the application could be heard at a later date. If the Commission wishes to move forward with a recommendation of approval, Staff has included conditions of approval in the staff report and all Special Use Permits have to meet the conditions within six (6) months. Staff believes that the best way to move forward is to hold over the application for this item to be completed. The Commission held over another case for a Short-Term Rental to allow some flat work in the rear yard to be completed. He stated that there is some screening from view of the inoperable vehicles and Mr. Kassim could possibly keep the inoperable vehicles inside the building. Based on the site inspection when Staff viewed the site, the majority of the parking is for the business and not for customers or staff.

The Planning Commission directed questions to Staff.

Mr. Kassim addressed comments from the Staff's recommendation.

**Motion starts at 3:27:23:**

On motion by Mr. Ernst, seconded by Ms. Armstrong, the Planning Commission voted as follows to **HOLD OVER** Special Use Permit **SP2023-025 to address the sidewalk repair condition until the October 9, 2023, meeting:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Aye</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>No</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

**Motion to HOLD OVER Passed 6 to 1**

**Hearing starts at 3:29:42:**

**SPECIAL USE PERMIT APPLICATION SP2023-026 – ASHLEY GARZA - SYNOPSIS:**

Special Use Permit for a Short-Term Rental at 31 South Tremont. Detailed Outline of Requested Action: The Applicant, Ashley Garza, is requesting a Special Use Permit to operate a short-term rental at 31 South Tremont Street. This is not the owner's primary residence. This short-term rental has been operating without permits since July 2022. This would be the first and only permitted short-term rental on the 100 block on South Tremont.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 10, 2023;
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:**

- Ashley Garza, applicant, Air Haven LLC, 14512 Leavenworth Road, Basehor, Kansas 66007

The Planning Commission addressed questions to the applicant.

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 3:38:01:** Planning Director Hand stated that the request is for a Special Use Permit for a Short-Term Rental and would be a non-owner-occupied property. The property is in the Central Area Plan in the Russian Hill neighborhood. Staff has received no letters in support. There was opposition at the neighborhood meeting and there is a Notice of Violation for operating a Short-Term Rental without a Special Use Permit. Director Hand stated that this application is the first of several Short-Term Rental applications on the agenda this evening. This month represents the first month after the Short-Term Rental ordinance was adopted in May 2023. There were Short-Term Rentals submitted by first-time operators that did not previously have a Special Use Permit. There were a couple that wanted to become legal, like this case, and others that are striving to be the first on their block in accordance with the new policy. Staff believes that the response from the ordinance is happening as they thought it would. Sixteen (16) is a lot of Short-Term Rentals on one agenda and Staff is not certain how long this is going to last, but this does represent an above average amount of Short-Term Rental Special Use Permits in a normal application cycle. If this application moves forward with a recommendation of approval by the Planning Commission and the Board of Commissioners approve the application, there will be Short-Term Rentals on this block that will need to be closed. Staff recommends approval of this application subject to the conditions in the staff report.

**Motion starts at 3:40:37:**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2023-026 for one (1) year:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Aye</b>
<b>Eilts</b>	<b>No</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>

Ward                      Aye  
Armstrong              Aye  
Beth                      Aye

Motion to recommend APPROVAL Passed 6 to 1  
Subject to:

1. Any additional repairs not addressed prior to approval of SP2023-026 outlined within the provided home inspection report shall be performed prior to renewal of this Special Use Permit.
2. Maximum number of guests shall be six (6).
3. All parking must be off-street, maximum number of vehicles is two (2). No parking is allowed on-street for STR renters or any guests.
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 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
  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.
  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.



**Hearing starts at 3:41:47:**

**SPECIAL USE PERMIT APPLICATION SP2023-027 – JOSHUA ROSE - SYNOPSIS:**

Special Use Permit for a Short-Term Rental at 4610 Lloyd Street. *Detailed Outline of Requested Action:* The Applicant, Joshua Rose, is requesting a Special Use Permit to operate a short-term rental at 4610 Lloyd Street. This is not the owner’s primary residence. This would be the first and only permitted short-term rental on the 4600 block of Lloyd 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 July 10, 2023;
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:**

- Maria Landoni de Rose, applicant, 3334 Campbell Street, Kansas City, Missouri 64109

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 3:46:07:** Planning Director Hand stated that this is a request for a non-owner-occupied Short-Term Rental Special Use Permit. This property is in the Rosedale Area Plan. Staff has received no letters in support nor opposition. There is an old Notice of Violation on the property related to property maintenance, which would be addressed through the Short-Term Rental project. Staff recommends approval for one (1) year subject to the conditions in the staff report. Staff would add a condition of approval. The driveway must be upgraded to an improved surface (asphalt, concrete or pavers), and the driveway apron must be concrete from the curb to the property line (within the right-of-way).

**Motion starts at 3:47:15:**

On motion by Mr. Ward, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2023-027 for one (1) year:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Aye</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>

Jones	Aye
Miller	Not Present
Mohler	Not Present
Straws	Not Present
Ward	Aye
Armstrong	Aye
Beth	Aye

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

**Subject to:**

1. Any additional repairs not addressed prior to approval of SP2023-027 outlined within the provided home inspection report shall be performed prior to renewal of this Special Use Permit.
2. Maximum number of guests shall be seven (7).
3. All parking must be off-street, maximum number of vehicles is three (3). No parking is allowed on-street for STR renters or any guests.
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 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**
- 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.**
- 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.**

- 20. The driveway must be upgraded to an improved surface (asphalt, concrete or pavers), and the driveway apron must be concrete from the curb to the property line (within in the right-of-way).**

**Hearing starts at 3:48:20:**

**SPECIAL USE PERMIT APPLICATION SP2023-030 – ALEXANDRA SALES -**

**SYNOPSIS:** Special Use Permit for a Short-Term Rental at 2602 Essex Avenue. *Detailed Outline of Requested Action:* The Applicant, Alexandra Sales, is requesting a Special Use Permit to operate a short-term rental at 2602 Essex Ave. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 2600 block of Essex Street. If this case is permitted, there are two (2) non-compliant short-term rentals on the block that would be required to cease operation. The subject property has been operating as an unpermitted short-term rental since November 2021.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 10, 2023;
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:**

- Alexandra Sales, applicant, 3430 Galt Ocean Drive #1210, Fort Lauderdale, Florida 33308
- Willis Kessler, representing BearBNB KC

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 3:55:48:** Planning Director Hand stated that this is a request for a non-owner-occupied Short-Term Rental Special Use Permit. This property is in the Rosedale Area Plan. Staff has received no letters in support nor opposition. There are no Notices of Violation. Staff recommends approval of this application for one (1) year subject to the conditions in the staff report. Director Hand stated regarding the fence, it has to be four (4) feet in the front yard which is everything from the building façade to the street. Staff is not conditioning that the whole fence height has to be reduced; only from the building façade to the front yard needs to be brought down to four (4) feet. Condition #18 should indicate a recommendation of one (1) year for the Special Use Permit. Staff

would like to add a condition of approval that the driveway must be upgraded to an improved surface (asphalt, concrete or pavers) and the driveway apron must be concrete from the curb to the property line (within the right-of-way) and fix/repair all broken sidewalk sections.

Planning Commission directed questions to staff.

**Motion starts at 3:59:26:**

On motion by Mr. Ward, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2023-030 for one (1) year:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present (left at 10:00 p.m.)</b>
<b>Eilts</b>	<b>No</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

**Motion to recommend APPROVAL Passed 5 to 1**

**Subject to:**

- 1. The fence identified in the staff report shall be reduced to four (4) feet in the front yard.**
- 2. Any additional repairs not addressed prior to approval of SP2023-030 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 five (5).**
- 4. All parking must be off-street, maximum number of vehicles is two (2). No parking is allowed on-street for STR renters or any guests.**
- 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 to begin this process.**
- 11. If approved, occupying businesses must file and maintain a current business occupation tax application with this office.**
- 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 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 (x) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their**

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

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.
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.
21. Driveway must be upgraded to an improved surface (asphalt, concrete or pavers) and the driveway apron must be concrete from the curb to the property line (within the right-of-way) and fix/repair all broken sidewalk sections.

**Hearing starts at 4:00:47:**

**SPECIAL USE PERMIT APPLICATION SP2023-031 – ALEXANDRA SALES -**

**SYNOPSIS:** Special Use Permit for a Short-Term Rental at 2602 North 107<sup>th</sup> Terrace.

Detailed Outline of Requested Action: The Applicant, Alexandra Sales, is requesting a Special Use Permit to operate a short-term rental at 2602 North 107<sup>th</sup> Terrace. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 2600 block of North 107<sup>th</sup> Terrace. The subject property has been operating as an unpermitted short-term rental since December 2021.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 10, 2023;
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:**

- Alexandra Sales, applicant, 3430 Galt Ocean Drive #1210, Fort Lauderdale, Florida 33308
- Willis Kessler, representing BearBNB KC

The Planning Commission addressed questions to the applicant.

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:06:46:** Planning Director Hand stated that this is a request for a non-owner-occupied Short-Term Rental Special Use Permit. This property is in the Prairie-Delaware-Piper Area Plan. Staff has received no letters in support and one (1) letter in opposition. There are no Notices of Violation. Staff recommends approval of this application for one (1) year, subject to the conditions in the staff report.

**Motion starts at 4:07:30:**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2023-031 for one (1) year:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

**Motion to recommend APPROVAL Passed 6 to 0**  
**Subject to:**

- 1. Any additional repairs not addressed prior to approval of SP2023-031 outlined within the provided home inspection report shall be performed prior to renewal of this Special Use Permit.**
- 2. Maximum number of guests shall be seven (7).**
- 3. All parking must be off-street, maximum number of vehicles is three (3). No parking is allowed on-street for STR renters or any guests.**
- 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 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
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.
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.

**Hearing starts at 4:08:40:**

**SPECIAL USE PERMIT APPLICATION SP2023-032 – TRISTIN PERKINS - SYNOPSIS:** Special Use Permit for a Short-Term Rental at 1945 Lawrence Court. Detailed Outline of Requested Action: The Applicant, Tristan Perkins, is requesting a Special Use Permit to operate a short-term rental at. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 1900 block of West Lawrence Court.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 10, 2023;
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:**

- Tristan Perkins, applicant, 1945 West Lawrence Court, Kansas City, Kansas 66103

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:12:57:** Planning Director Hand stated that this is a request for a non-owner-occupied Short-Term Rental Special Use Permit. This property is in the Rosedale Area Plan. Staff has received no letters in support nor opposition. There are no Notices of Violation. Condition #17 should indicate a recommendation of one (1) year for the Special Use Permit. Staff recommends approval of this application for one (1) year subject to the conditions in the staff report.

**Motion starts at 4:14:15:**

On motion by Mr. Ward, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2023-032 for one (1) year:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

**Motion to recommend APPROVAL Passed 6 to 0**

**Subject to:**

- 1. Any additional repairs not addressed prior to approval of SP2023-032 outlined within the provided home inspection report shall be performed prior to renewal of this Special Use Permit.**
- 2. Maximum number of guests shall be six (6).**
- 3. All parking must be off-street, maximum number of vehicles is two (2). No parking is allowed on-street for STR renters or any guests.**
- 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 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
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.
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.

**Hearing starts at 4:15:14:**

**SPECIAL USE PERMIT APPLICATION SP2023-033 – SANGEETH AND REBEKAH SAMUEL - SYNOPSIS:**

Special Use Permit for a Short-Term Rental at 4016 Springfield Street. *Detailed Outline of Requested Action:* The Applicants, Sangeeth and Rebekah Samuel, are requesting a Short-Term Rental Special Use Permit to operate a short-term rental at 4016 Springfield. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 4000 block of Springfield.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 10, 2023;
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:**

- Sangeeth and Rebekah Samuel, applicants

The Planning Commission directed questions to the applicant.

**Present in Opposition:**

- Megan Ford, owner of 4015 Springfield, Kansas City, Kansas 66103
- Joy McCann, 4017 Springfield, Kansas City, Kansas 66103

**Staff Recommendation starts at 4:23:30:** Planning Director Hand stated that this is a request for a non-owner-occupied Short-Term Rental Special Use Permit. This property is in the Rosedale Area Plan. Staff has received no letters in support nor opposition until this evening. There are no Notices of Violation. If this application is recommended for approval tonight and is subsequently approved by the Board of Commissioners, the unlicensed Short-Term Rentals on the block will need to cease, and Zoning Enforcement will follow accordingly. Staff recommends approval of this application for one (1) year subject to the conditions in the staff report. Staff would like to add a condition that the driveway must be upgraded to an improved surface (asphalt, concrete or pavers) and the driveway apron must be concrete from the curb to the property line (within the right-of-way).

Commission Eilts directed questions to Staff.

**Motion starts at 4:25:30:**

On motion by Mr. Ward, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2023-033 for one (1) year:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

**Motion to recommend APPROVAL Passed 6 to 0**

**Subject to:**

1. Any additional repairs not addressed prior to approval of SP2023-033 outlined within the provided home inspection report shall be performed prior to renewal of this Special Use Permit.
2. Maximum number of guests shall be six (6).
3. All parking must be off-street, maximum number of vehicles is two (2). No parking is allowed on-street for STR renters or any guests.

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 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
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.
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.
20. Driveway must be upgraded to an improved surface (asphalt, concrete or pavers) and the driveway apron must be concrete from the curb to the property line (within the right-of-way).

**Hearing starts at 4:27:30:**

**SPECIAL USE PERMIT APPLICATION SP2023-035 – MARY MELOT AND ROBBIN BEEBE - SYNOPSIS:** Special Use Permit for a Short-Term Rental (SP2020-080 expired 11/5/2022) at 3716 Springfield Street. *Detailed Outline of Requested Action:* The Applicants, Mary Melot and Robin Beebe, are requesting a Short-Term Rental Special Use Permit to operate a short-term rental at 3716 Springfield Street. This is not the owner's primary residence. The applicant had previously had a Special Use Permit (SP-2020-80), however, that permit expired on November 7, 2022, in which the operator then operated



without proper permitting. This would be the first and only permitted short-term rental on the 3700 block of Springfield 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 July 10, 2023;
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:**

- Mary Melot and Robin Beebe, applicants

The Planning Commission directed questions to the applicants.

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:36:10:** Planning Director Hand stated since the Special Use Permit lapsed, they are now under the new ordinance and the application can only be approved for one (1) year as this is a new application. He stated that this is a request for a non-owner-occupied Short-Term Rental Special Use Permit. This property is in the Rosedale Area Plan and would be the only Short-Term Rental on this block. Staff has received no letters in support nor opposition. There are no Notices of Violation. Staff recommends approval of this application for one (1) year subject to the conditions in the staff report. Director Hand stated that he would like to make a change to Condition #2 and allow a maximum of three (3) cars off-street and on-site

**Motion starts at 4:37:56:**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2023-035 for one (1) year:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>

Armstrong  
Beth

Aye  
Aye

Motion to recommend APPROVAL Passed 6 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 parking is allowed on-street for STR renters or any guests.
3. 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;
4. Applicant is to maintain liability insurance.
5. The property must remain in proper maintenance and free of hazards, pests, or infestations.
6. The granting of this Special Use Permit does not transfer with a change of ownership of the property.
7. 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).
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. 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. 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
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.
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.

**Hearing starts at 4:39:15:**

**PLAT APPLICATION PLAT2023-018 – AUSTIN THOMPSON - SYNOPSIS:** Preliminary and Final Plat of Hollingsworth's Hutton Estates to create five (5) residential lots at 10551 Hollingsworth Road. **Detailed Outline of Requested Action:** Applicant, Austin Thompson with Atlas Land Consulting, is requesting a Preliminary and Final Plat for the subdivision of

one (1) agricultural parcel into five (5) agriculturally zoned parcels. The A-G Agriculture District allows for enumerated agricultural uses, as well as for a single-family residence. While all aforementioned uses are allowed, Applicant has indicated that the proposed Preliminary and Final Plat is intended to created parcels to be sold and developed for residential, rather than agricultural, use.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated July 10, 2023;
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 Notices to property owners; and,
7. The testimony at the Board of Zoning Appeals meeting earlier this evening.

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

**Present in Support:**

- Austin Thompson, applicant, Atlas Land Consulting, 14500 Parallel Road, Unit R, Basehor, Kansas 66007

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:41:12:** Planning Director Hand stated that this case is being heard in conjunction with BOZA2023-020, which was approved earlier this evening. This request is for five (5) residential parcels on agriculturally zoned properties. This is in the Prairie-Delaware-Piper Area Plan. Staff has received no letters in support nor opposition. There are some older Notices of Violation related to the maintenance of the property, which is currently open space. Staff recommends approval subject to the conditions in the staff report.

The Commission directed Staff to reach out to the Applicant regarding the design of the sidewalk on Hutton Road.

**Motion starts at 4:41:52:**

On motion by Mr. Ward, seconded by Mr. Ernst, the Planning Commission voted as follows to **APPROVE PLAT2023-018:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>

Ward                      Aye  
Armstrong              Aye  
Beth                      Aye

Motion to APPROVE Passed 6 to 0

Subject to:

1. This City Planning Commission case is being heard in conjunction with BOZA2023-020. Any approval by the City Planning Commission or Board of Commissioners of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of BOZA2023-020 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law.
2. The applicant shall construct a five (5) foot sidewalk in accordance with the goDotte Mobility Plan in the Hutton Road right-of-way, from the front yard line of Lot 1 to level with the southern side yard line of Lot 5 .
3. Two (2) ADA-compliant ramps serving the new sidewalk must be installed at the southeast corner of the Hollingsworth Road-Hutton Road intersection.
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](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.
5. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process.
6. 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.
7. All existing and future driveways must feature curb cuts that are constructed to UG standards.
8. 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.
9. 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.

10. 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.
11. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) Permit. Any improvements to, construction or alteration of sanitary systems, stormwater systems, public or private streets, sidewalks, or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by [info@wycokck.org](mailto:info@wycokck.org) prior to construction to arrange this meeting.
12. 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 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.

**Hearing starts at 4:42:46:**

**PLAT APPLICATION PLAT2023-020 – AUSTIN THOMPSON - SYNOPSIS:** Preliminary and Final Plat for two (2) single-family lots at 4111 North 97<sup>th</sup> Street. *Detailed Outline of Requested Action:* Applicant, Austin Thompson with Atlas Land Consulting, is requesting a Preliminary and Final Plat for the subdivision of one (1) single-family residential parcel into two (2) residentially zoned parcels (thereafter “Lot 1” and “Lot 2”). The creation of Lot 1 and Lot 2 would result in violations by both parcels of both Section 27-280(b)—the maximum depth-to-width ratio—and Section 27-280(f)—minimum frontage adjacent to a major street. BOZA2023-024 is a simultaneous variance request intended to address these violations.

Director Hand stated that as the associated Board of Zoning Appeals case was held over for 30 days, Staff recommends that this application be held over for 30 days.

**Present in Support:**

- Austin Thompson, applicant, Atlas Land Consulting, 14500 Parallel Road, Unit R, Basehor, Kansas 66007 stated that they agree with the hold over.

**Present in Opposition:**

- No one appeared

**Motion starts at 4:43:11:**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to **HOLD OVER PLAT2023-020 until the August 14, 2023, meeting:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

**Motion to HOLD OVER Passed 6 to 0**

**Hearing starts at 4:44:03:**

**MASTER PLAN AMENDMENT MPL2023-009 – JOSE YEPAZ WITH WTF DEVELOPMENT, LLC – SYNOPSIS:** Master Plan Amendment from Parks and Open Space to Lower-Medium Density Residential (Northeast Area Plan) at 825 Parallel Avenue.

**PLAT APPLICATION PLAT2023-021 – JOSE YEPAZ WITH WTF DEVELOPMENT, LLC - SYNOPSIS:** Preliminary Plat for nineteen (19) multi-family lots and four (4) open area at 825 Parallel Avenue.

**PLAN REVIEW APPLICATION PR2023-020 – JOSE YEPAZ WITH WTF DEVELOPMENT, LLC - SYNOPSIS:** Preliminary Plan Review for townhomes at 825 Parallel Avenue.

*Detailed Outline of Requested Action:* The applicant, Jose Yepaz with WTF Development, LLC, is requesting a Comprehensive Plan Amendment, a Preliminary Plat, and a Preliminary Plan Review. The Preliminary Plat will create 23 single-family residential parcels, 19 of which will be for townhomes and four (4) of which are open space tracts. The Plat consists of current parcels #095055—095060, 095068, 095069, and a portion of 095070, which will result in three (3) blocks separated by public rights-of-way. The Preliminary Plan Review is for the proposed development on the subject property: 19 townhomes and four (4) open space tracts to support the residential development. Lastly, the Comprehensive Plan Amendment from Parks and Open Space to Lower-Medium Density Residential (both under the Northeast Area Plan) in order to be compatible with the proposed development. This project is being constructed on Land Bank property.

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;

4. The staff report and attachments dated July 10, 2023;
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 Notices to property owners;
7. The publication in The ECHO for the Master Plan Amendment, and,
8. The testimony at the Board of Zoning Appeals meeting earlier this evening.

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

**Present in Support:**

- Curt Peterson, attorney representing the applicant, 900 West 48<sup>th</sup> Place, Kansas City, Missouri

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:46:23:** Planning Director Hand stated that the 21 multi-family units has been revised after discussions with the applicant. There are now 19 units and parcels and four (4) open space tracts. Staff recommends approval subject to the conditions in the staff report.

**Motion starts at 4:47:30:**

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Master Plan Amendment MPL2023-009:**

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

**Motion to APPROVE Passed 6 to 0**

**Subject to:**

1. The applicant shall apply for the Narrow Lot Design Guidelines administrative review through the Department of Planning and Urban Design prior to the issuance of Building Permits.
2. Per Sections 27-699(b)(3), -699(b)(4), -700(b)(1), and -703, all landscaping must be completed in satisfaction of all landscaping requirements as part of the proposed site development, no landscaping may be delayed due to the zoning district or vacancy status of adjacent properties, and additional landscaping must be installed if current landscaping dies or adjacent development



- requires the subject property to add additional landscaping or screening.
3. **Submit hydrant locations for review per Sec.507, 2012 IFC. All houses should be within 600' of a hydrant. All buildings to be within 150' of code compliant access road(s) per Sec.503, 2012 IFC.**
  4. **Signs for "NO PARKING" shall be posted per Sec.D103.6, 2012 IFC.**
    - a. **Roads 20 to 26 feet wide (curb face to curb face) - NO on street parking either side.**
    - b. **Roads over 26 to 32 feet wide (curb face to curb face) - Parking on one side.**
    - c. **Roads over 32 feet wide (curb face to curb face) - on street parking allowed both sides.**
    - d. **Dead end access roads 150'+, SHALL comply with Sec. D103.4 and table D103.4, 2012 IFC for min. road width 26'(curb face to curb face) and min. cul- de-sac diameter of 96'.**
  5. **Fire access entrance roads must comply with Sec.D104.3 separated by min. 1/2 the diagonal of the area served, with two (2) minimum entrances for subdivisions with more than 75 units per City Ordinance Chapter 15, Article III-Sec.15.54, D107.1.**
  6. **Per Section 27-609(2), for any accessory buildings constructed the exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;**
  7. **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;**
  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. **All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
  10. **These City Planning Commission cases are being heard in conjunction with BOZA2023-029. Any approval by the City Planning Commission or Board of Commissioners of these cases, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of BOZA2023-029 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
  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. 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;
  14. Proposed development within this plat will require civil drawings to be submitted, which may result in submitting a revised replat;
  15. 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;
  16. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) Permit. Any improvements to, construction or alteration of sanitary systems, stormwater systems, public or private streets, sidewalks, or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by [info@wycokck.org](mailto:info@wycokck.org) prior to construction to arrange this meeting;
  17. BPU ground mounted transformers shall be screened on all four (4) sides from public view. Architectural screening walls are the preferred method, but landscape screening is an allowable alternative. Screening shall be designed to be solid to the view, and any designs incorporating air circulation shall not be visible. Screening height must be the greater of either six (6) feet tall or the height of the utility being screened. Designs shall show two (2) possible site orientations. Designs will also incorporate all BPU Engineering specifications and largest of all the required dimensions. Refer to attached BPU Engineering documents for details;
  18. 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
  19. District Requirements, Comprehensive 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;
20. All new rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building. Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines; and,
- a. 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;
  - b. Whether the change is consistent with the goals and policies of the comprehensive plan and/or any relevant corridor, neighborhood, or area plan;
  - c. Whether public and community facilities, such as utilities, sanitary and storm sewers, water, police and fire protection, parks and recreational facilities, roads, and others are adequate to serve development for the type and scope suggested by the proposed land use. If utilities are not available, whether they can be reasonably extended;
  - d. Whether the proposed amendment would result in comprehensive plan or regulatory conflicts;
  - e. 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; and
  - f. The impacts of the potential costs and benefits derived by the community or area by the proposed change.

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to **APPROVE PLAT2023-021**:

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

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

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Plan Review Application PR2023-020**:

<b>Carson</b>	<b>Chairman</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>Aye</b>
<b>Ernst</b>	<b>Aye</b>

<b>Jones</b>	<b>Aye</b>
<b>Miller</b>	<b>Not Present</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>
<b>Beth</b>	<b>Aye</b>

**Motion to recommend APPROVAL Passed 6 to 0**  
**Subject to the above conditions**

There being no further business, the meeting adjourned at 10:53 p.m.