

# CITY PLANNING COMMISSION

JUNE 12, 2023

## MINUTES

The City Planning Commission met in regular session on Monday, June 12, 2023, at 6:35 p.m., (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), Ms. Rose Elites (Commission Chamber), Mr. Jim Ernst, (Zoom), Mr. Jake Miller (Zoom), Mr. Mark Mohler (Zoom), Mr. Joseph Straws (Zoom), and Mr. Aaron Ward (Commission Chamber). (Absent: Connelly). Ms. Janet L. Parker, CSC/APC, Executive Assistant to the Director of Planning + Urban Design (Zoom), Mr. Byron Toy, AICP, Lead Planner (Commission Chamber), Mr. James Molloy, Planner (Commission Chamber), and Mr. Jeff Conway, Assistant Counsel (Commission Chamber), were also present.

Chairman Carson called the meeting to order at 6:35 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, June 29, 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, June 29, 2023, at 7:00 p.m.**

I will now read the items on the **Consent Agenda (41:20):**

## **CONSIDERATION OF THE MAY 8, 2023, PLANNING COMMISSION MINUTES**

**SPECIAL USE PERMIT APPLICATION SP2023-016 – TYLER REYNOLDS AND JUSTINE ROBLES – SYNOPSIS:** Renewal of a Special Use Permit (SP2022-012) for a Short-Term Rental at 827 Tenny Avenue. Detailed Outline of Requested Action: The Applicants, Tyler Reynolds and Justine Robles, are request a renewal of a Special Use Permit to operate a short-term rental at 527 Tenny Avenue. The subject property has been used as a rental periodically since 2001 or earlier.

**PLAT APPLICATION PLAT2023-019 – AUSTIN THOMPSON WITH ATLAS LAND CONSULTANTS – SYNOPSIS:** Final Plat of Walker’s 2<sup>nd</sup> Addition to create two (2) residential lots at 325 Franklin Avenue. Outline of Requested Action: The applicant, Austin Thompson, is requesting a Final Plat for Walker’s 3<sup>rd</sup> Addition to replat and create two (2) residential lots at 323 and 325 Franklin Avenue.

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? Planning Commissioner Eilts stated that she had contact with a neighbor concerning a party at this property last Friday night.

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 12, 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. Commissioner Eilts requested that SP2023-016 be removed from the Consent Agenda. Secretary Parker read a letter in opposition to SP2023-016 from Anna Cole.

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

<b>Carson</b>	<b>Chairman</b>
<b>Beth</b>	<b>Aye</b>
<b>Connelly</b>	<b>Not Present</b>

Eilts Aye  
Ernst Aye  
Jones Aye  
Miller Aye  
Mohler Aye  
Straws Aye  
Ward Aye  
Armstrong Aye  
Motion to APPROVE Passed: 9 to 0  
Subject to:

**PLAT2023-019:**

1. All code enforcement violations and stop work orders must be addressed by completing the building permits for ELE22-1119, RES23-0011, PLU23-0004, and MEC23-0001;
2. Any future development of Lot 2 shall adhere to the Narrow Lot Design Guidelines;
3. All future development shall meet UG Zoning Code requirements. No future development may violate the setback requirements or other design requirements without a variance;
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. 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;
6. All existing and future driveways must feature curb cuts that are constructed to UG standards; and,
7. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located.

Recording Secretary Parker stated that the Commission will now consider the application removed from the Consent Agenda.

**SPECIAL USE PERMIT APPLICATION SP2023-016 – TYLER REYNOLDS AND JUSTINE ROBLES – SYNOPSIS:** Renewal of a Special Use Permit (SP2022-012) for a Short-Term Rental at 827 Tenny Avenue. *Detailed Outline of Requested Action:* The Applicants, Tyler Reynolds and Justine Robles, are request a renewal of a Special Use

Permit to operate a short-term rental at 527 Tenny Avenue. The subject property has been used as a rental periodically since 2001 or earlier.

**Appeared in Support:**

- Tyler Reynolds, applicant, 536 Tauromee Avenue, Kansas City, Kansas 66101
- Justine Robles, applicant, 536 Tauromee Avenue, Kansas City, Kansas 66101

The Planning Commission directed questions to the applicants.

**Appeared in Opposition:**

- Anna Cole

**Staff Recommendation:** Planner Toy stated Staff would like to add a condition 21 that the property owner provide their name, address, and telephone number to the individuals that are on the 200' buffer list provided to them by the Staff via letter so the neighbors can contact them if there is an issue. Staff also recommends that the applicants provide their contact information to the Strawberry Hill Neighborhood Association. Staff recommends approval subject to the condition in the staff report.

Commissioner Eilts directed questions to Staff. The applicant responded to the questions by Commissioner Eilts and Staff.

**Motion:**

On motion by Mr. Ward, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL** of **SP2023-016 for one (1) year:**

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

**Motion to APPROVE Passed: 8 to 1**

**Subject to:**

- 1. This Special Use Permit shall comply with Sections 27-214 and 27-623;**
- 2. Maximum number of guests shall be six (6);**
- 3. All parking must be off-street, maximum number of vehicles is two (2);**
- 4. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
- 5. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**

6. Applicant is to maintain liability insurance;
7. The property must remain in proper maintenance and free of hazards, pests, or infestations;
8. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
9. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and [www.hostcompliance.com/tips](http://www.hostcompliance.com/tips) (website);
10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
11. If approved, occupying businesses must file and maintain a current business occupation tax application with 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](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
13. All existing and future driveways must feature curb cuts that are constructed to UG standards;
14. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
15. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
16. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

17. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
18. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
19. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
20. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit; and,
21. Applicant will send a letter to the property owners within 200 feet and the Strawberry Hill Neighborhood Association with the Applicants' contact information.

Chairman Carson stated that the Special Use Permit application will be heard by the Unified Government Board of Commissioners on June 29, 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 1:05:15:**

**MASTER PLAN AMENDMENT APPLICATION MPL2023-006 – AARON MOORE WITH KAW VALLEY ENGINEERING - SYNOPSIS:** Master Plan Amendment from Low-Medium Density Residential to Medium Density Residential (Northeast Area Plan) to convert a church into apartments at 2508 North 12<sup>th</sup> Street and 1208 Cleveland Avenue.

**CHANGE OF ZONE APPLICATION COZ2023-011 – AARON MOORE WITH KAW VALLEY ENGINEERING - SYNOPSIS:** Change of Zone from R-2 Two Family District to RP-5 Planned Apartment District to convert a church into apartments at 2508 North 12<sup>th</sup> Street and 1208 Cleveland Avenue.

**PRELIMINARY PLAT APPLICATION PLAT2023-016 – AARON MOORE WITH KAW VALLEY ENGINEERING - SYNOPSIS:** Preliminary Plat of KCK Church Apartments to combine two (2) residential lots into one (1) lot at 2508 North 12<sup>th</sup> Street and 1208 Cleveland Avenue.

Detailed Outline of Requested Action: The applicant and representative, Aaron Moore with Kaw Valley Engineering, wants to rezone 2508 North 12<sup>th</sup> Street and 1208 Cleveland Avenue from R-2 Two Family District to RP-5 Planned Apartment District to convert a vacant church into a two and one-half (2-½) story, 12-unit multi-family apartment building on 0.428 acres.

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 12, 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;
7. The Notices to property owners;
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:**

- Aaron Moore, applicant, Kaw Valley Engineering, 8040 North Oak Trafficway, Kansas City, Missouri 64118
- Andrew Tanner, developer, 7411 Kansas City, Missouri
- Matt Cross, Kaw Valley Engineering, 8040 North Oak Trafficway, Kansas City, Missouri 64118

The Planning Commission directed questions to the applicant.

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 1:15:21:** Lead Planner Toy stated that the proposal is for a conversion of a church to apartments. There will be 8 one-bedroom units and 4 two-bedroom units, with a dog park and fitness center in the basement with parking in the rear as required by the Multi-Family Guidelines. A Final Plan Review and Final Plat will need to be filed in the future. Staff recommends approval subject to the conditions in the staff report.



**Motion starts at 1:16:35:**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL** of **Master Plan Amendment MPL2023-006**:

<b>Carson</b>	<b>Chairman</b>
<b>Beth</b>	<b>Aye</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>Aye</b>
<b>Mohler</b>	<b>Aye</b>
<b>Straws</b>	<b>Aye</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>

**Motion to APPROVE Passed: 9 to 0**

**Subject to:**

1. Because this is a planned district (proposed), a Final Development Plan is required to be submitted prior to obtaining a building permit. Final architectural and civil drawings are required to be submitted at such time;
2. If historic designation is sought by the applicant, contact Randy Greeves, Historic Preservationist to begin that process at (913) 573-5763 or [jlgreeves@wycokck.org](mailto:jlgreeves@wycokck.org);
3. Per the Multi-Family Residential Design Guidelines:
  - a. Pedestrian walkways and sidewalks shall be a minimum of six feet (6') wide.
  - b. All pedestrian walkways shall be designed to provide direct access and connections to and between the following:
    - i. The primary entrance or entrances to each principal multi-family building; and,
    - ii. To any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the multi-family development.
  - c. Exterior building materials shall not include the following:
    - i. Board and batten wood;
    - ii. Smooth-faced or grey concrete block;
    - iii. Painted concrete block;
    - iv. Tilt-up concrete panels;
    - v. Field painted or pre-finished standard corrugated metal siding;
    - vi. Standard single or double tee concrete systems; and,
    - vii. Vinyl siding.
  - d. Landscaping is required to screen all parking areas and service entries;
4. Sec. 27-575(c)(3) Use of stepped retaining walls is necessary along public streets or other visible areas of the site to reduce the steepness of manmade slopes and to provide pockets or terraces for revegetation and landscaping. Every wall over six (6) feet in height must be "stepped". Four (4) feet of terrace is required every 8 feet of wall;
5. Relocate the second pole west on Cleveland Avenue due to the potential parking lot curb cut;

6. The sidewalk along Cleveland Avenue shall extend from the intersection west to the edge of the property line.
  - a. Uncover and clean existing sidewalks. Make repairs or install new extensions where necessary;
7. All dwelling units within a new development must be provided with a basement or with a FEMA standard safe room constructed to tornado standards for the protection of the occupants (FEMA Publication 320 or 361).

Multi-family apartments are required to have a storm shelter either in a basement or community shelter that can accommodate all residents within the multi-family units;

8. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
9. Interior parking lots lights shall have 90-degree cutoff fixtures;
10. Install bike racks near the front door or a high trafficked entrance/exit; The proposed building will need to match the building and use similar materials as the existing church;
11. Downspouts shall be painted to architecturally blend into the building and recessed into the corners of building as not to be in plain view of the public;
12. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
13. Maintain and prune existing trees along the north and west property lines;
14. Sec. 27-460(f) A reasonable amount of landscaping is required on all projects with emphasis on softening the visual impact of parking areas and enhancing the overall appearance. Trees are required at not less than one (1) per 4,500 square feet of site area.

Sec. 27-700(b)(1) All multi-family residential projects shall include at least one (1) shade tree per eight (8) dwelling units and one (1) shrub per dwelling unit in addition to the tree requirement, but not in addition to the buffer plantings, if required.

The site is 0.428 acres, which requires four (4) trees, two (2) additional evergreen or shade trees and 12 shrubs for buffering per the zoning district;

15. All overstory trees shall be at least two (2) inch caliper when planted. All ornamental trees shall be at least two (2) inch caliper when planted. All evergreens shall be at least six (6) feet when planted. All shrubs shall be five (5) gallons when planted;
16. All landscaping shall be irrigated;
17. All trash and recycling receptacles shall be enclosed on all sides with an opaque wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides. When possible, the enclosure's gate shall face away from streets or adjacent land uses. All screening materials must be well maintained at all times;
18. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to

- match the building. Rooftop mechanical equipment shall be screened from public view by an architectural screen;
19. All electrical meter banks, typically on the side of the building shall be screened from public view;
  20. Regarding BPU transformer screening, the following applies:
    - a. Gate doors are required for all types of screening that are placed in front of the transformers.
    - b. Fences shall be installed two (2) feet off the ground and have adequate clearance to open gate doors at 180° and have 10 feet clearance from pad when gate doors open.
    - c. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.
    - d. For slat fences, customer shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.
    - e. Customer must take account of the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity. (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking account the growth of saplings).
    - f. Pad must have a minimum clearance of six (6) feet on each side, six (6) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open;
  21. Mechanical equipment or other utilities whether on the ground or mounted on the building shall be screened from public view. The screening shall either be dense landscaping with a minimum of six-foot (6') evergreens or an architectural wall constructed from the same materials as the main building;
  22. Satellite dishes shall not be erected on the exterior of windowsills. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets and the public;
  23. The Department of Planning + Urban Design shall not give approval for any temporary certificate of occupancy (TCO) or final certificate of occupancy (CO) before the completion of all required work. For any project that requires a certificate of occupancy, prior to requesting for any certificate, the applicant, permit holder, and/or property owner shall complete all items required by: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, 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;
  24. All existing and future driveways must feature curb cuts that are constructed to UG standards. Existing paved areas are in rough shape;

25. 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;
26. 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;
27. 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;
28. 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; and,
29. 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.

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL** of **Change of Zone COZ2023-011**:

<b>Carson</b>	<b>Chairman</b>
<b>Beth</b>	<b>Aye</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>Aye</b>
<b>Mohler</b>	<b>Aye</b>
<b>Straws</b>	<b>Aye</b>
<b>Ward</b>	<b>Aye</b>

**Armstrong           Aye**  
**Motion to recommend APPROVAL Passed: 9 to 0**  
**Subject to the above conditions**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to **APPROVE PLAT2023-016**:

<b>Carson</b>	<b>Chairman</b>
<b>Beth</b>	<b>Aye</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>Aye</b>
<b>Mohler</b>	<b>Aye</b>
<b>Straws</b>	<b>Aye</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>

**Motion to APPROVE Passed: 9 to 0**  
**Subject to the above conditions**

**Hearing starts at 1:19:34:**

**SPECIAL USE PERMIT APPLICATION SP2023-020 SHAYMOND JANES - SYNOPSIS:**

Special Use Permit for a Short-Term Rental at 2737 South 53<sup>rd</sup> Terrace. Detailed Outline of Requested Action: The Applicant, Shaymond Janes, is requesting a Special Use Permit to operate a short-term rental at 2737 South 53<sup>rd</sup> Terrace. This is not the owner's primary residence. This short-term rental has been operating without proper permitting since at least June 2022. This is the first and only non-owner occupied, short-term rental permitted on the 2700 block of South 53<sup>rd</sup> Terrace.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 12, 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; and,
8. An email in opposition from Turner Connection Inc. that Secretary Parker read into the record.

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

**Present in Support:**

- Shaymond Janes, applicant, 9625 Lamar Avenue, Overland Park, Kansas 66207

**Present in Opposition:**

- Michael Castro, 2730 South 53<sup>rd</sup> Street, Kansas City, Kansas 66106
- Alex Craddock, 3009 South 53<sup>rd</sup> Street, Kansas City, Kansas 66106
- Barb Kill, 5548 Pawnee Avenue, Kansas City, Kansas 66106
- Jamie and Derrick Shipley, 5311 Hagemann Street, Kansas City, Kansas 66106

**Staff Recommendation starts at 1:45:31:** Lead Planner Toy stated that this is a difficult application as if it was a long-term rental and these issues the Commission is hearing tonight, there is nothing they can do. If this Special Use Permit is approved, there is a revocation process in place directly to the Board of Commissioners if there are issues. Staff would like to add an additional stipulation related to the basketball court. Netting should be installed behind the basketball goal that will prevent the balls from going onto the neighbor's property and becoming a nuisance. There are to be no parties and no loud music on the back patio after 10:00 p.m. Staff understands, as stated by one resident, that calls for service for this type of nuisance are not the top priority, but they will make a complaint and that is something that can be tracked and can be a reason for consideration of revocation. There is a three (3) car maximum with all cars parked in the driveway and no cars on the street. The Short-Term Rental would be unoccupied and would be the only one on the block if the application is approved. He further stated that revocation could be considered at any time during the approval period. Staff recommends approval for one (1) year subject to the revised conditions.

Commissioner Eilts asked if the city would have any liability if this application were approved and something horrible happens. Legal Counsel Conway stated that the approval would not have any liability for the Unified Government.

**Motion starts at 1:50:24:**

On motion by Ms. Eilts, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **DENIAL** of Special Use Permit **SP2023-020 as the proposal does not conform to the single-family neighborhood:**

<b>Carson</b>	<b>Chairman</b>
<b>Beth</b>	<b>No</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>No</b>
<b>Mohler</b>	<b>No</b>
<b>Straws</b>	<b>No</b>
<b>Ward</b>	<b>No</b>
<b>Armstrong</b>	<b>Aye</b>

**Motion to recommend DENIAL Failed 4 to 5**

On motion by Mr. Ward, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2023-020:**

<b>Carson</b>	<b>Chairman</b>
<b>Beth</b>	<b>Aye</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Eilts</b>	<b>No</b>

Ernst	No
Jones	Aye
Miller	Aye
Mohler	Aye
Straws	Aye
Ward	Aye
Armstrong	No

**Motion to recommend APPROVAL Passed 6 to 3**

**Subject to:**

- 1. This Special Use Permit shall comply with Sections 27-214 and 27-623;**
- 2. All critical repairs outlined by staff shall be repaired prior to operation;**
- 3. The remaining non-life safety repairs as described within the home inspection report shall be completed by the applicant's next renewal period;**
- 4. The applicant shall withdraw their rental license and instead obtain a business license, as a short-term rental is considered a business within the Unified Government;**
- 5. Maximum number of guests shall be seven (7);**
- 6. All parking must be off-street, maximum number of vehicles is three (3);**
- 7. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
- 8. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**
- 9. Applicant is to maintain liability insurance;**
- 10. The property must remain in proper maintenance and free of hazards, pests, or infestations;**
- 11. The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
- 12. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy 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);**
- 13. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;**
- 14. If approved, occupying businesses must file and maintain a current business occupation tax application with this office;**
- 15. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org)**

to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.

16. All existing and future driveways must feature curb cuts that are constructed to UG standards;
17. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
18. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
19. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
20. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
21. The Special Use Permit shall be valid for 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;
22. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper;



- 23. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit;
- 24. Install netting around the basketball court to prevent basketballs from leaving the property onto the neighboring properties; and,
- 25. No loud music on the back patio after 10:00 p.m.

**Hearing starts at 1:57:31:**

**SPECIAL USE PERMIT APPLICATION SP2023-022 – CURTIS PETERSON WITH POLSINELLI PC - SYNOPSIS:** Special Use Permit to operate a retail shooting range at 10000 France Family Drive. *Detailed Outline of Requested Action:* The applicant, Amy Grant with Polsinelli, requests a Special Use Permit for a commercial retail space with a firearm training facility and shooting range at 10000 France Family Drive. This property had received an indefinite Special Use Permit in September 2016; however, the ownership of the business has changed, which necessitates a new Special Use Permit.

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

- 1. The City’s currently adopted zoning and subdivision regulations;
- 2. The official zoning map for the area in question;
- 3. The City’s currently adopted Master Plan for the area in question;
- 4. The staff report and attachments dated June 12, 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.

Planner Molloy asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

**Present in Support:**

- Amy Grant, representing the applicant, Polsinelli PC, 900 West 48th Place, Kansas City, Missouri

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 2:00:15:** Planner Toy stated that Staff recommends approval subject to the conditions in the staff report.

**Motion starts at 2:00:19:**

On motion by Mr. Ward, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL** of **Special Use Permit SP2023-022:**

**Carson** Chairman

Beth	Aye
Connelly	Connelly
Eilts	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Mohler	Aye
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 9 to 0

Subject to:

1. Shall comply with local, State and Federal laws, as applicable;
2. The parking lot shall be restriped, as the striping has faded;
3. All dead landscaping must be replaced in-kind, as demonstrated in the landscaping plan from 2017;
4. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
5. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division office located at 4953 State Avenue, Kansas City, KS 66102 – (913) 573-8780 [businesslicense@wycokck.org](mailto:businesslicense@wycokck.org);
6. All existing and future driveways must feature curb cuts that are constructed to UG standards;
7. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
8. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
9. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;
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. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
12. The Special Use Permit shall be valid indefinitely from the publication of the associated Ordinance;
13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
14. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

**Hearing starts at 2:01:24:**

**SPECIAL USE PERMIT APPLICATION SP2023-023 – MARIBEL SANTA ANNA WITH A+M UNLIMITED - SYNOPSIS:** Special Use Permit to operate an event space at 6300 Parallel Parkway. *Detailed Outline of Requested Action:* The applicant, Maribel Santa Anna, is requesting a Special Use Permit to operate an event space with offices at 6300 Parallel Parkway. The applicant is converting a former funeral home into an event space.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 12, 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.

Planner Molloy asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

**Present in Support:**

- Maribel Santa Anna, applicant

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 2:03:45:** Planner Toy stated that this building is a former funeral home that is proposed to be converted to offices with an event space. Staff is requiring a 10-foot sidewalk on the east side of the property, but the west side of 63<sup>rd</sup> Street is part of the GoDotte Mobility Plan. There have been similar projects with Special Use Permits but also redevelopment projects putting in sidewalks to comply with the plan. Staff recommends approval for two (2) years subject to the conditions in the staff report.

**Motion starts at 2:04:40:**

On motion by Mr. Ward, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit **SP2023-023**:

<b>Carson</b>	<b>Chairman</b>
<b>Beth</b>	<b>Aye</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>Aye</b>
<b>Mohler</b>	<b>Aye</b>
<b>Straws</b>	<b>Aye</b>
<b>Ward</b>	<b>Aye</b>
<b>Armstrong</b>	<b>Aye</b>

**Motion to recommend APPROVAL Passed: 9 to 0**

**Subject to:**

- 1. Per the goDotte County-Wide Mobility Plan, North 63rd Street is identified as a priority sidewalk, which requires a 10-foot-wide sidewalk to be installed along 63rd Street on the east side of the property;**
- 2. A tree shall be planted within the existing planters along the south side of the property along Parallel to meet the code standard set by Section 27-463(g);**
- 3. Additional landscaping or a six (6) foot tall opaque fence shall be constructed on the north and west property lines screening the parking lot and vehicle headlights from the parsonage and single-family homes;**
- 4. All entertainment must cease by at least 1:00 AM;**
- 5. Doors and windows must stay closed during any entertainment performance;**
- 6. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:**
  - a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;**
  - b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;**
  - c. An I.D. scanner will be used at all times;**

- d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
7. No amplified speakers or entertainment is allowed in outdoor spaces;
  8. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
  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. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
  11. 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. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division office located at 4953 State Avenue, Kansas City, KS 66102 – (913) 573-8780 [businesslicense@wycokck.org](mailto:businesslicense@wycokck.org);
  13. All existing and future driveways must feature curb cuts that are constructed to UG standards;
  14. 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.
  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. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;
  17. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

18. **Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
19. **The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved**
20. **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,**
21. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

There being no further business, the meeting adjourned at 8:11 p.m.