

CITY PLANNING COMMISSION

MARCH 14, 2022

MINUTES

The City Planning Commission met in regular session on Monday, March 14, 2022, at 8:13 p.m. (2:12:35), (via Zoom Webinar (and the City Hall Lobby was open) with the following members present: Mr. Jeff Carson, Chairman Presiding, Mrs. Karen Jones, Vice Chairman, Ms. Brandie Armstrong, Mr. James Connelly (left at 10:54 p.m.), Mr. James Ernst, Mr. Mark Mohler, Mr. Joseph Straws III and Mr. Aaron Ward (Absent: Miller and Pauley). Mr. Gunnar H. Hand, AICP, Director of Planning, Ms. Janet L. Parker, CSC/APC, Executive Assistant, Mr. Patrick Waters, Senior Counsel, and Ms. Kallie McLaughlin, Planner (located in the City Hall Lobby) were also present.

Chairman Carson called the meeting to order at 8:13 p.m.

Recording Secretary Parker welcomed Mr. Aaron Ward to the Planning Commission.

Recording Secretary Parker stated that an error was discovered on the agenda after the packets were sent out on Friday. On page 9, Item D.4. PLAT2022-006 is a Final Plat and should be moved to the Consent Agenda if no objections from the Commission.

Recording Secretary Parker read the **Planning Commission Statement**: “We would like to welcome those participating to the meeting of the City Planning Commission. Due to COVID-19, the members are participating remotely by Zoom Webinar. 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 need to recuse or if you need a personal break, use the raise your hand feature.
3. For those in attendance, 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.
4. If you have called in by telephone only or if you are having trouble logging into the Zoom meeting, please email planninginfo@wycokck.org as Secretary Parker is monitoring that email.
5. 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, March 31, 2022**. 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 applicant will then answer questions and make a closing statement.
6. 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.
7. 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 and Urban Design Department at 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.

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. In addition, those who received notices for this hearing will again receive them for the hearing on **Thursday, March 31, 2022, at 7:00 p.m.**

I will now read the items on the **Consent Agenda at 2:20:41:**

CONSIDERATION OF FEBRUARY 14, 2022, CITY PLANNING COMMISSION SPECIAL HEARING AND REGULAR HEARING MINUTES.

PLAT APPLICATION PLAT2022-006 – ALEX HOWE/HEARTLAND VENTURES, LLC - SYNOPSIS: Final Plat for 25 townhouse units in three (3) buildings (Mission Cliffs Replat) at 3845 South Thompson Street.

Detailed Outline of Requested Action: The applicant, Alex Howe with Heartland Ventures, Inc., is requesting to replat twelve (12) attached single-family lots to facilitate the construction of a fire access lane to comply with the KCKFD regulations at 3845 Thompson Street.

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

PLAN REVIEW APPLICATION PR2022-007 – NATHAN HAGEDORN/NP TURNER INDUSTRIAL, LLC – SYNOPSIS: Final Plan Review for Turner Industrial Complex, Building 7, at 725 North 74th Drive.

Detailed Outline of Requested Action: The applicant, NP Turner Industrial, LLC has filed a Final Development Plan to build one (1) 202,526 square foot industrial building (Building 7) on 15.46 acres as part of the Turner Logistics Center West business industrial park at 725 North 74th Drive.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765

PLAN REVIEW APPLICATION PR2022-010 – MICHAEL BERENBOM/HUDSON APARTMENTS LLC - SYNOPSIS: Final Plan Review for 228-unit complex (Hudson Apartments) at 3600 Rainbow Boulevard.

Detailed Outline of Requested Action: The applicant, Michael Berenbom with Hudson Apartments, LLC, is requesting to build a three (3) story apartment complex to build a 228-unit, five (5) story over two (2) story parking garage apartment building on 2.66 redeveloped acres.

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 March 14, 2022;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and,
6. The notices to property owners.

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 any member of the Commission, staff or public wished to remove an item from the Consent Agenda. Mr. Michael Berenbom, Lane4 Properties on behalf of Hudson Apartments, requested that PR2022-010 be removed from the Consent Agenda.

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

Carson	Chairman
Armstrong	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye

Motion to APPROVE Passed: 7 to 0
Subject to:

PLAT2022-006:

1. **Prior to submitting two (2) mylars to be recorded with the Register of Deeds, please make sure that the name on the Dedication and Acknowledgement is printed and notarized. The Register of Deeds will not accept illegible writing.**
 - a. **When the mylars are submitted, please submit the following checks:**
 - **\$32.00 per page payable to the Register of Deeds; and,**
 - **\$7.00 per lot payable to the Unified Treasurer;**
2. **The patio for the end unit will be confined to the west side of the building. Mechanical equipment will not be allowed on the north side of the building. Foundation planting will be installed along the entire north side of the**

- building. An evergreen tree line will be installed along the north property line;
3. There will be no curbs to be installed for the twenty (20) feet wide fire lane. The fire lane will be centered in the new setback along landscaping on both sides;
 4. Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten (10) feet wide. The required ten-foot width may be provided through five (5) foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;
 5. Utility easements shall connect with easements established in adjoining properties;
 6. Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
 7. Previously approved stipulations associated with PR2021-025:
 - a. The connection to the Rosarks Nature Trail through Common Tract I from the pedestrian trail shall be constructed during the first phase and prior to TCO of the first building that is constructed. The approximate location of the trail shall be shown on the site plan at the Development Review Committee (DRC);
 - b. Shade trees shall be at least two (2) inch caliper when planted within the tree wells in the rear of Buildings D and F;
 - c. Preserve the existing tree stands along South Minnie Street;
 - d. Build and connect a sidewalk along the rear of Buildings D and F. This must be accomplished prior to TCO to occupy these two buildings;
 - e. The air conditioning units on the east side of Buildings D and F shall be screened by six (6) foot shrubs from Minnie Street;
 - f. Separate pedestrian access from all driveways on Buildings D and F, and connect directly into the development's sidewalk networks;
 - g. Per Business Licensing Division: Contractors involved in this project will need to file and maintain a current business occupation tax application with this office;
 - h. Per Building Inspection Division: A building permit via the Development Review Committee (DRC) is required. Please contact the Building Inspection Division at (913) 573-8620 to begin that process;
 - i. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government, and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sec. 8-610 through Sec. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,

- j. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, as applicable.

PR2022-007:

1. Manufacturing uses are permitted on the property that are restricted to the MP-1 use regulations and shall comply with Sec. 27-468(c)(3) No use shall be permitted or so operated as to produce or emit:
 - a. Smoke, dust, fly ash, gas, or odorous emission not in compliance with Chapter 3 (Code of the Unified Government of Wyandotte County/Kansas City, Kansas, Chapter 3 – Air Pollution);
 - b. Vibration or concussion perceptible without instruments at the property line;
 - c. Noise greater than 75dB(A) at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night noise level average to exceed 65 dB(A) for any residence for a sustained period; and,
 - d. Industrial waste which may overburden the public sewage facilities or produce odor or unsanitary effects beyond the property line.
2. Per Business Licensing Department: All occupying businesses will need to file and maintain the occupation tax application with our office for their business activity;
3. Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
4. The sidewalk shall be a minimum the (10) feet in width along the south side of Tauomee Avenue. A minimum of a three (3) foot grass median shall be between the back of curb and front edge of the sidewalk. Plant the median with trees;
5. Crosswalks shall be added to all driveways and intersections where sidewalks are connected along and across Tauomee Avenue and North 72nd Street. The site plan does not depict crosswalks as previously stipulated;
6. Add a crosswalk on North 72nd Street between the sidewalk on the south side of the Tauomee Avenue and across the northern and south entrance/exit on North 72nd Street;
7. Add crosswalks in the parking lot from perimeter sidewalks along Tauomee Avenue and North 72nd Street to the internal sidewalks around the perimeter of the building;
8. Add a crosswalk in the parking lot between the sidewalk off Tauomee Avenue to the front door. Additionally, add a similarly designed sidewalk/pedestrian pathway across the southern edge of the customer parking lot from North 72nd Street to the front door(s) and sidewalk of the future tenant spaces, as it is presumed that this building will be subdivided;
9. The approximate location of the trail crossing from Mill Creek to the south side of the development will be determined by staff when the Building 7 Final Development Plan is submitted.

- The site and landscape plans do not depict the trail on the north side of Tauromee Avenue. Indicate the approximate location of the trail along Mill Creek north of Tauromee Avenue and where it will cross to connect the south half of the development, which should connect to North 72nd Street sidewalk on the south of the southern entry/exit drive;
10. For your information, all infrastructure – sidewalk, trails and transit stop shall be constructed during the first phase – as part of Building 9.
 - a. A transit shelter should be constructed, similar Turner Logistics Center East. Contact Justus Welker, Kansas City ATA at (913) 573-6798 or jwelker@wycokck.org;
 11. Sec. 27-469(c)(1)d. No use shall be permitted or so operated as to produce or emit: Noise greater than 80 decibels at repeated intervals for a sustained length of time at any point on the property line or noise which causes the day-night level average to exceed 65 decibels for any residence for a sustained period;
 12. No truck traffic on North 74th Drive, North 72nd Street or on Tauromee Avenue, west of Building 8. All truck traffic shall be adequately signed routed on Tauromee Avenue via College Parkway/Turner Diagonal.
 - a. No truck signage should go all the way both to 78th Street and State Avenue – posted north of the northern entrance/exit on North 74th Drive and west of the North 74th Drive and Tauromee Avenue intersection on Tauromee Avenue;
 - b. No left turn on Tauromee Avenue; and,
 - c. No right turn on North 72nd Street.
 13. Downspouts shall be recessed in corners of the building and in locations that do not draw a person’s eye visually. The downspouts shall be painted to match the building;
 14. The loading dock doors shall be painted to match the building or a complimentary color as the primary building;
 15. For context, currently residents do not have access to College Parkway from Tauromee Avenue, but with this proposal, a throughway will be achieved. As stated previously, residents should not have to drive through an industrial business park (in form and function) to access I-70 via Tauromee Avenue and College Parkway. By constructing taller berms and planned more evergreen trees along Tauromee Avenue and around the corners of the detention basins and parking lots, the visual quality of Tauromee Avenue will be enhanced and the appearance of the logistics park along this previously rural-like residential street will be minimized;
 16. Street trees and berms will be installed along Tauromee Avenue and North 72nd Street to screen the expansive employee parking lot and truck docks;
 17. Maintain existing tree stands, as existing trees provide an enhanced buffer between the edge of the parcels Tauromee Avenue, North 72nd Street, and College Parkway/KDOT ROWs;
 18. How will the appearance of the loading docks (southeast corner) of Building 7 be softened along Interstate 70? There has been some effort made to save some existing tree line within the development, but this overall development will be grubbed and graded to the property line.
With the existing heavily forested area, staff does not want to see a site with sparsely planted two (2) inch caliper trees. Trees must be planted on top of the existing ridge line; trees shall be infilled on the downward slope to increase the screening along Interstate 70;

19. Relandscape the north slope of Building 7 and remaining void areas throughout the development site, not limited to: the east property line and south of the southern entrance/exit abutting Interstate 70;
20. Trees shall densely wrap around the perimeter of all detention basin slopes, be planted at the top and on slopes, and always seek to replant those trees lost due to the development;
21. Sec. 27-469(g) Trees are required to be provided at not less than one per 10,000 square feet of site area. Based on the total tract size, 67 trees are required to be planted. This does not include the street trees to be planted along North 72nd Street, Tauromee Avenue, or parking lot island trees;
22. One (1) street tree shall be planted per thirty (30) feet of frontage along North 72nd Street and Tauromee Avenue for Building 7;
23. The truck storage should be screened from public view (I-70) and the same screening methods shall be used. This is different than the building along I-70 in Turner Logistics Center East because the front of building faces the interstate;
24. Trash compactors shall be screened from public view;
25. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
26. Privacy fencing eight (8) feet in height shall have masonry columns every 32 feet running;
27. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;
28. All parking lot islands shall be curbed and landscaped. Painted, hatched islands are not permitted. For the parking lots that are used by passenger cars that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area, provide one (1) shade tree for each twenty (20) parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements. For design comparison, review parking islands at Amazon Fulfillment Center, located at 6925 Riverview Avenue;
29. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);
30. All landscaping shall be irrigated;
31. 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;

32. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable; and,
33. 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.

PLAN REVIEW APPLICATION PR2022-010 – MICHAEL BEREBOM/HUDSON APARTMENTS LLC - SYNOPSIS: Final Plan Review for 228-unit complex (Hudson Apartments) at 3600 Rainbow Boulevard.

Detailed Outline of Requested Action: The applicant, Michael Berenbom with Hudson Apartments, LLC, is requesting to build a three (3) story apartment complex to build a 228-unit, five (5) story over two (2) story parking garage apartment building on 2.66 redeveloped acres. City Ordinance Requirements: *Article VIII Sections 27-340 – 27-765*

Mr. Michael Berenbom, Lane4 Properties on behalf of Hudson Apartments, requested that PR2022-010 be held over until he April 11, 2022 meeting. There was one (1) item in the staff report that they need to discuss with staff.

On motion by Mr. Ernst, seconded by Ms. Armstrong, the Planning Commission voted as follows to **HOLD OVER PR2022-010 until the April 11, 2022 meeting:**

Carson	Chairman
Armstrong	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye

Motion to HOLD OVER Passed: 7 to 0

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

Hearing starts at 2:28:50:

MASTER PLAN AMENDMENT MPL2021-028 – MARK MOBERLY WITH SUFLOWER DEVELOPMENT GROUP – SYNOPSIS: Master Plan Amendment from Urban Density to High Density Residential (Central Area Master Plan at 10 South Hallock Street, 525 and 529 Central Avenue.

CHANGE OF ZONE APPLICATION COZ2021-051 – MARK MOBERLY WITH SUNFLOWER DEVELOPMENT GROUP – SYNOPSIS: Change of Zone from R-1(B) Single Family District and C-O Non-retail Business Districts to RP-6 Planned High-rise Apartment District for a 148-unit apartment complex at 10 South Hallock Street, 525 and 529 Central Avenue.

VACATION APPLICATION VAC2022-001 – MARK MOBERLY WITH SUNFLOWER DEVELOPMENT GROUP – SYNOPSIS: Vacation of right-of-way at 10 South Hallock Street and 525 Central Avenue.

Detailed Outline of Requested Action: The applicant, Mark Moberly, with Sunflower Development Group, wants to rezone 525 Central Avenue, 529 Central Avenue and 10 South Hallock Street from R-1(B) Single Family and CP-0 Planned Nonretail Business Districts to RP-6 Planned High-Rise Apartment District to build a 142-unit, six (6) story over two (2) story parking garage apartment building (eight (8) stories total) on 1.09 acres at 10 South Hallock Street, 525 and 529 Central Avenue.

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

Detailed Outline of Requested Action: The applicant, Mark Moberly with Sunflower Development Group, wants to vacate a portion of right-of-way along the south and west side of Hallock Street in order to build a 142-unit, six (6) story over two (2) story parking garage apartment building (eight (8) stories total) on 1.09 acres at 10 South Hallock Street, 525 and 529 Central 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 March 14, 2022;
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 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:

- Mark Moberly, applicant, Sunflower Development Group
- Tom Proebstle, Generator Studio, 1615 Baltimore, Kansas City, Missouri 64108
- Mike Pearce, Slap’s BBQ, 453 Central Avenue, Kansas City, Kansas

- Greg Kindle, President of Wyandotte County Economic Development Council
- Keeley Hanson, 400 North 17th Street, Kansas City, Kansas, 66102
- Wesley and Laura Summa, owners of Chicago's, 534, 530, 526 Central Avenue, Kansas City, Kansas 66101
- Steve Sessions, 541 Central Avenue, Kansas City, Kansas 66101
- Connie Cervantes, 605 Central Avenue, Kansas City, Kansas 66101
- Adam Wittmer, 541, 548, 553 and 556 Central Avenue and 12 South 6th Street, Kansas City, Kansas 66101

Present in Opposition:

- Rose Eilts, 506 North 4th Street, Kansas City, Kansas 66101
- Steve Kucharo, 48 South Pyle Street, Kansas City, Kansas 66101
- Karrin and Brad Huhmann, 23 South 6th Street, Kansas City, Kansas 66101
- Pat Lawson, 207 South Tremont, Kansas City, Kansas 66101, President of St. Joseph Watchdogs
- Edgar Galicia, Director of Central Area Betterment Association
- Buck and Geri Moulder, 31 South Hallock, Kansas City, Kansas 66101
- Marge Gasnick, 3322 North 54th Street, Kansas City, Kansas 66104
- Anna Cole, 245 Orchard Street, Kansas City, Kansas 66101

Staff Recommendation starts at 3:48:10: Planning Director Hand stated that the applicant is requesting a Change of Zone, Master Plan Amendment and Vacation. The property is on Russian Hill in the Central Area Master Plan. He further stated that the vacation application is for leftover right-of-way from the freeway acquisition. Additionally, there are two (2) parcels on Hallock that crossover the right-of-way and the location effectively results in a mapping error. In the Central Area Master Plan, 7th and Central Avenue was designated for a catalytical project, which has been a vacant lot for many years. This project is one block away and will be a catalytical project albeit it is a different project than was envisioned when working on the Central Area Master Plan. The sight lines was an issue for Staff as the view up to the Russian Church was to be protected. Staff requested that the applicant look at different scenarios and those sight lines have been addressed. The neighbors on 6th Street mentioned the sight lines and staff did its own analysis. There are different sight lines such as of the overgrown vacant lot or the Kansas City, Missouri skyline. Staff believes that the only property owner where view of Kansas City, Missouri will be affected by the sight lines of this project are the Mr. and Mrs. Huhmann. All of the other neighbors (three or four) that currently has views of the wooded hill will now look at the apartments if this project moves forward. Director Hand stated that a third party analysis was done as it relates to traffic. He stated that 6th and Central will require a redesign. Staff has a condition of approval that these public improvements will be part of the development agreement with the Unified Government. One of the other primary issues regarding the Central Area Master Plan is that this area is a primary gateway to the city. There are two (2) flagpoles and staff believes that the redesign of this intersection should allow for the redesign of said gateway as per the Master Plan. Regarding affordable housing, he stated that it is how you advance a mixed-use community as it has many opinions and potential approaches. Some people believe that a mixed income community is developed one (1) project at a time and others believe that it is an aggregate set of developments. Director Hand stated that there is a need for market rate housing Staff has added another condition of approval to address affordable housing as a part of any future development agreement and community benefit package during negotiations with the Unified Government's

Economic Development Department. He further stated that the applicant has been responsive to staff's questions, comments and suggestions. They did change their unit mix and that is one way to address affordability. Staff has worked through several designs with the applicant regarding the Multi-Family Design Guidelines for parking and walkability. The massing and step back of the building on 6th Street could be increased as one potential solution. The applicant will be required to come back before the Commission with a final development plan at which time any remaining urban design issues could be addressed. Staff received letters in support and letters/petition in opposition. The support mostly came from the businesses and the opposition from the neighbors and the Central Avenue Betterment Association. There are no Notices of Violation on this property. Staff recommends approval subject to the conditions in the staff report.

The Planning Commission addressed comments and questions to staff.

Motion and Vote starts at 4:02:18:

On motion by Mr. Mohler, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Master Plan Amendment MPL2021-028:**

Carson	Chairman
Connelly	Aye
Ernst	No
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 1

Subject to:

- 1. This City Planning Commission case is being heard in conjunction with BOZA2022-016. Approval of these petitions (Change of Zone and Master Plan Amendment) are contingent upon the decision of the Board of Zoning Appeals for variance BOZA2022-016;**
- 2. As a part of the development agreement, the applicant will work with UG staff to address the issue of traffic, safety, transit enhancements, on-street parking, and a revitalized neighborhood gateway for the 6th and Central/6th and Hallock intersections as a proposed neighborhood benefit per the Central Area Master Plan;**
- 3. As a part of the development agreement, the applicant will support the work of UG staff create a mixed-income community as a proposed neighborhood benefit per the Central Area Master Plan;**
- 4. A replat of this property is required to vacate existing utility easements, dedicate new easements, vacate right-of-way, and consolidate parcels;**
- 5. Sec. 27-461(c)(3) Lot area shall not be less than 1,500 square feet per dwelling unit; provided however, that an area equal to at least 40 percent of the site area is maintained as nonvehicular open space;**

6. **Sec. 27-461(c)2.e. For parking and other paved areas: Not less than 25 feet from any street line and not less than six (6) feet from any other property line;**
7. **Relocate the four (4) ADA spaces to the southern side of the surface parking lot and install a sidewalk that leads occupants to the front door;**
8. **Relocate the bike rack to the green wall next to the secondary entrance along 6th Street;**
9. **Add a pedestrian door at all garage entries;**
10. **Add a sidewalk to the new garage entrance/parking doors on the east side of the building to Hallock Street;**
11. **In addition to establishing greater pedestrian connectivity throughout the development, where there are major parking lot crossings, crosswalks and/or other traffic calming devices shall be painted in the drive aisles, so residents and guests are alert to look for pedestrians;**
12. **Relocate the crosswalk that extends south of the law office, in front of the head-in parking on the west side of 6th Street to the north, aligning with Hallock Street and create a new crosswalk parallel with 6th Street on Hallock Street to the northwest corner of the building;**
13. **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;**
14. **Lighting cannot exceed one (1) footcandle at the property line. Uplighting is discouraged;**
15. **Interior parking lots lights must also be well lit without creating glare to the surrounding neighborhood;**
16. **Sec. 27-461(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 1.09 acres, which requires eleven (11) trees, nineteen (19) additional shade trees and 148 shrubs per the zoning district;

17. **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;**
18. **All landscaping shall be irrigated;**
19. **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;**
20. **Additional landscaping is necessary to screen the surface parking lot from South 6th Street;**
21. **The bulb-out on South 6th Street should incorporate a bioswale;**

22. 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;
23. All electrical meter banks, typically on the side of the building shall be screened from public view;
24. BPU transformer pad shall be completely screened on three (3) sides with 6-foot junipers setback (3) feet from the pad and ten (10) feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer;
25. 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;
26. Satellite dishes shall not be erected on the exterior of patios and decks. 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;
27. 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;
28. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,
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. Mohler, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application COZ2021-051:**

Carson	Chairman
Connelly	Aye
Ernst	No
Jones	Aye

Miller Not Present
Mohler Aye
Pauley Not Present
Straws Aye
Ward Aye
Armstrong Aye

Motion to recommend APPROVAL Passed: 6 to 1
Subject to the above conditions

On motion by Mr. Mohler, seconded by Mr. Connelly, the Planning Commission voted as follows to recommend APPROVAL of Vacation Application VAC2022-001:

Carson Chairman
Connelly Aye
Ernst No
Jones Aye
Miller Not Present
Mohler Aye
Pauley Not Present
Straws Aye
Ward Aye
Armstrong Aye

Motion to recommend APPROVAL Passed: 6 to 1
Subject to:

1. A replat of this property is required to vacate existing utility easements, dedicate new easements, and consolidate parcels;
2. As part of Planning staff's ongoing discussion with Planning Engineering and Public Works Department regarding the traffic study, improvements to the 6th Street and Central Avenue will be reviewed by a third party. Installation of a roundabout will be topic of discussion, as this area is the southern terminus of the bike boulevard along 6th Street – earmarked from Central Avenue to Ann Avenue along North 6th Street;
3. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing, or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated;
4. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Hearing starts at 4:05:55: and the applicant was not present, so the item was moved to the end of the agenda. The application was recalled at Tape 2 – 2:45:30: and the applicant was not present.

CHANGE OF ZONE APPLICATION COZ2021-054 – RIAD BAGHDADI – SYNOPSIS:

Change of Zone from C-1 Limited Business District to CP-2 Planned General Business District to add fueling pumps at the existing gas station at 1313 Quindaro Boulevard.

Detailed Outline of Requested Action: The applicant, Riad Baghdadi, with RB Architecture, on behalf of the property owner, Sabiha Tariq, wants to rezone the property from C-1 Limited Business and R-1 Single Family Districts to CP-2 Planned General Business District to expand the convenience store and add a future tenant space and construct a new gas canopy with six (6) fuel pumps on 0.41 acre at 1313 Quindaro Boulevard.

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

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 March 14, 2022;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners.

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

Present in Support:

- No one appeared

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 2:46:08: Planning Director Hand stated that the request is for a Change of Zone from C-1 Limited Business District to CP-2 Planned General Business District to add fueling pumps at the existing gas station and convenience store. They would have a total of three (3) pumps and six (6) hoses. The property is in the Northeast Area Master Plan. Staff has received no letters in support nor opposition. There are a history of Notices of Violations on this property. Staff is requesting that the applicant comply with the Commercial Design Guidelines. The applicant has made improvements to the pedestrian connectivity, and it is at the location of a transit stop, which should be enhanced as another condition of approval. Staff has asked that the applicant wrap the canopy in masonry to meet the Commercial Design Guidelines. Director Hand stated that this is also an expansion for a retail space, and the use is unknown at this time. If it is a liquor store, restaurant, or take-out, the liquor store would need a variance as it would be within the required buffer of adjacent churches/parks/schools and the other two (2) uses would need a variance for parking. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at Tape 2 – 2:48:29:

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application COZ2021-054:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1. Because this is a planned district, a Final Development Plan is required to be submitted following this entitlement process. Final architectural and civil drawings are required to be submitted at such time;**
- 2. Per Business Licensing Division:**
 - a. If approved, tenants will need to file and maintain a current occupation tax application.**
- 3. Based on the proposed parking layout, there is not enough parking to accommodate any other uses than those that require four (4) spaces per 1,000 square feet of building area. Uses that require parking based on Sec. 27-668 will require a variance from the Board of Zoning Appeals before applying for a building permit for a tenant finish with the Building Inspection Department;**
- 4. Remove bars on the windows per Criminal Prevention Through Environmental Design (CPTED);**
- 5. Hours of operation: 6:00 AM to 12:00 AM Monday through Saturday and 6:00 AM to 11:00 PM on Sunday;**
- 6. Underground fuel tanks will be filled after 9:00 PM;**
- 7. Parking lot shall be repaved and striped;**
- 8. Sec. 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements;**
- 9. Sec. 27-575(d)(9) To the maximum extent possible, there shall be pedestrian circulation from the perimeter of the site to the principal customer entrance to all buildings. Within the site, there shall be pedestrian connections provided to all pedestrian activities, including transit stops, street crossings, open space, building and store entry points, and adjacent pedestrian systems.
Paint a crosswalk across the driveway aprons between the sidewalks to illustrate a pedestrian path;**
- 10. Sec. 27-575(d)(11) Internal pedestrian walkways within the parking lot or drive area must be distinguished from other surfaces.
The sidewalk on the west side of the parking lot and drive aisle provides this access to the building;**
- 11. Sec. 27-575(d)(13) Site design should integrate and facilitate access to public transit.**

Show the transit stop in front of the property on the site plan. A bus shelter and bench may be warranted. Further discussion with KCATA is necessary. Contact Justus Welker, Director of Transportation at (913) 573-6798 or jtvelker@wycokck.org;

12. A Special Use Permit is required for the use and a variance from the Board of Zoning Appeals is required because the property is within 1,300 feet from three (3) churches;
13. Gas canopy columns shall be wrapped in masonry;
14. Keep existing full growth trees along the southeast property line, which effectively screens a portion of the parking lot and building from the single-family residences across the alley. Add additional landscaped bioswale to provide stormwater infiltration behind the building and the green space, south of parking space 13;
15. All screening is to be maintained to minimize impacts of conflicting uses;
16. Sec. 27-466(g) Trees are required at not less than one (1) per 7,000 square feet of site area. Six (6) foot high architectural screening in combination with a landscaped buffer area is to be provided alongside and rear property lines common to or across an alley from residentially zoned property. The architectural screen can either be fencing or landscaping. The fence shall be comprised of wood with masonry columns every thirty-two (32) feet running.
The privacy fence shall extend along the south property line and wrap the east and west property lines to completely shield headlights shining into the rear windows of the residences south of the alley. The masonry columns on the fence shall match the brick on the building. Trees and shrubs shall be installed on the outside of the fence, facing the single-family homes and residential zoning;
17. Install a security fence parallel with the existing sidewalk on the east side of the building, south to the rear property line to prevent loitering behind the building;
18. Per Sec. 27-277(a)(5) Landscaping shall exceed the typical code requirements by a least 75 percent. The site for the proposed development is 0.41 acres, five (5) trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lots zoned CP-2 Planned General Business District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands;
19. Sec. 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of thirty (30) inches at maturity;
20. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every thirty (30) feet of street easement or frontage; and,
 - b. Street trees should be planted no closer than fifty-five (55) feet and no more than sixty-five (65) feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees;
21. 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;
22. All landscaping shall be irrigated;
 23. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and the trash enclosure.
 - c. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;
 24. BPU transformer pad shall be completely screened on three (3) sides with six (6) foot junipers setback (3) feet from the pad and ten (10) feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer;
 25. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view the parapet;
 26. 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;
 27. Rooftop mechanical equipment must be screened by the parapet of the building;
 28. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. In addition to vertical glare, lighting may not cast horizontally on adjacent properties;
 29. All lighting whether mounted on the building or installed in the parking lot shall have 90-degree cutoff fixtures. Additionally, this includes lighting installed underneath the canopy. Lights mounted on to the building wall shall be decorative in appearance;
 30. Shall comply with the sign code; and,
 31. 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 4:09:45:

MASTER PLAN AMENDMENT MPL2022-001 – TIM KATES/REMCO DEMOLITION LLC – SYNOPSIS: Master Plan Amendment from Planned Commercial (Prairie

Delaware Piper Master Plan) to Industrial (City-Wide Master Plan) at 14140 State Avenue.

CHANGE OF ZONE APPLICATION COZ2022-001 – TIM KATES/REMCO

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

Detailed Outline of Requested Action: The Applicant, Tim Kates of Remco Demolition, is requesting a Change of Zone for the subject property at 14140 State Avenue. The Applicant is requesting a Change of Zone from CP-3 Planned Commercial District to MP-2 General Industrial District. The Change of Zone has been requested so that the prospective buyer can use the site as a construction equipment storage and staging area. The subject property is currently vacant with two (2) large farm outbuilding structures and two (2) smaller accessory storage buildings with a total building square footage of 10,484 square feet. The applicant wishes to use the current buildings and add an asphalt area for materials and equipment storage on the rear of the property. A Master Plan Amendment has been included with this application to amend the land use from Commercial to Industrial.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-454 – 27-457, Sections 27-592 – 27-606.

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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.

Secretary Parker stated that this application was heard in February and recommended for approval with conditions and the Board of Commissioners remanded the application back to the City Planning Commission for rehearing. Planning Director Hand stated this case was remanded back to the Planning Commission for staff to have further discussions with surrounding jurisdictions regarding this application and to further review the traffic/parking impacts of this project.

Present in Support:

- Tim Kates, Remco Demolition LLC, applicant
- Andrea Weishaubt, Atlas Surveyors

Present in Opposition:

- Bill Hutton, 13939 Parallel Parkway, Kansas City, Kansas

- Jeremy Unruh, 1506 North 142nd Street, representing eight (8) neighbors on the west side of 142nd Street (spoke after Director Hand's recommendation)

Staff Recommendation starts at 4:26:16: Planning Director Hand stated that he will address the reasons the applications were remanded back to the Planning Commission. Staff spoke to the City of Basehor and their policy is not to comment on applications in other jurisdictions. They did state that one (1) of their constituents on the other side of 142nd Street was in opposition. Staff spoke to the City of Bonner Springs, and there are two (2) properties that are industrial on Minnesota Avenue and the third, undeveloped property is zoned residential, and they felt that this project would be commensurate with their development. He stated that the applicant notified staff with an additional exhibit that they would have six (6) vehicles stored on the property and estimate that they will have a maximum of five (5) vehicles out every day which is ten (10) vehicle trips per day. Director Hand stated that staff spoke to the County Engineer and 142nd Street and Nebraska Avenue are improved streets. State Avenue is a concrete street and Staff does not believe that improvements are needed for this proposed Special Use Permit. The County Engineer said that while ten (10) trips is not a large amount, 12,000 pounds trucks do have a greater potential for damage to public rights-of-way than other vehicles. The County Engineer stated that these are public roads that are built to handle this traffic. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at 4:32:37:

On motion by Mr. Mohler, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Master Plan Amendment MPL2022-001:**

Carson	Chairman
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	No
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 1

Subject to:

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

4. If approved, screening on the property's perimeter shall be maintained and enhanced where appropriate.
5. Trees shall densely wrap around the perimeter of all sides of the property, be planted at the top and on slopes, and always seek to replant those trees lost due to the development. Trees shall be replanted where needed along the corner of State Avenue and North 142nd.
6. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers).
7. Any equipment visible from the public right of way or near fencing shall be removed or relocated to where fully concealed from public view.
8. Existing fencing and gated entrance shall be maintained.
9. The apron shall be continuously maintained as an improved surface of asphalt or concrete. Please contact the Public Works Department for more information at Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700.
10. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures.
11. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspecton@wycokck.org to confirm if they need a building permit, and if so must take it upon themselves to initiate the building permit process accordingly.
12. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government, and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sec.8-610 through Sec.8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.

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

On motion by Mr. Mohler, seconded by Mr. Connelly, the Planning Commission voted as follows to **recommend APPROVAL of Change of Zone Application COZ2022-001:**

Carson	Chairman
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	No
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 1
Subject to the above conditions

Hearing starts at 4:34:39:

MASTER PLAN AMENDMENT MPL2022-008 – JUSTIN TODD WITH APR KANSAS CITY LLC – SYNOPSIS: Master Plan Amendment from Planned Mixed Residential (City-Wide Master Plan) to Medium Residential (City-Wide Master Plan) at 2300 North 99th Street.

CHANGE OF ZONE APPLICATION COZ2022-009 – JUSTIN TODD WITH APR KANSAS CITY LLC – SYNOPSIS: Change of Zone from A-G Agriculture District to RP-4 Planned Garden Apartment District to construct an eight (8) building apartment complex at 2300 North 99th Street.

Detailed Outline of Requested Action: The applicant, Justin Todd, with APR Kansas City, LLC, wants to rezone 2300 North 99th Street, 2314 North 99th Street, 2250 North 99th Street, 10108 R Parallel Parkway, and 10020 Parallel Parkway from A-G Agriculture District to RP-4 Planned Garden Apartment District to build a 224-unit, three (3) story apartment complex on 16.35 acres.

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

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 March 14, 2022;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;

7. The Notices to property owners; and,
8. The testimony at the Board of Zoning Appeals meeting earlier this evening.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Chairman Carson stated that he was contacted by several neighbors in the Windhill Subdivision,.

Curtis Peterson, representing the applicant, Polsinelli, 900 West 48th Street, Suite 900, Kansas City, Missouri, stated that the applicant would like to withdraw these applications.

Hearing starts at Tape 1 - 4:38:38 and continues on Tape 2:

CHANGE OF ZONE APPLICATION COZ2022-011 – ANGELA M. TURNER –
SYNOPSIS: Change of Zone from R-1 Single Family District to R-2(B) Two Family District to bring existing duplex into compliance at 428 North 5th Street.

SPECIAL USE PERMIT APPLICATION SP2022-032 – ANGELA M. TURNER –
SYNOPSIS: Renewal of a Special Use Permit (SP-2020-18) to operate a security company office at 428 North 5th Street.

Detailed Outline of Requested Action: The applicant, Angela Turner with Simmons Security & Protection Services, Inc., is requesting a Change of Zone from R-1(B) Single Family District to R-2(B) Two-Family District. The Change of Zone has been requested so that the non-conforming use becomes conforming. The subject property was originally constructed as a duplex but was downzoned with the adoption of the Central Area Master Plan. The subject property is a duplex and a long-term tenant lives upstairs while the applicant’s business is run in the downstairs unit. The applicant rents the upstairs unit and rental licensing requires the zoning to reflect the building’s physical condition. As part of the Change of Zone approval, a variance is requested for setbacks of the R-2(B) Two-Family Residential District requirements.

This application is being heard adjacent to BOZA2022-014 for setback variances and SUP2022-032 for a Home Occupation Special Use Permit to continuously operate the Applicant’s private security business in the lower unit.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-454 – 27-457, Sections 27-592 – 27-606.

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo;
7. The Notices to property owners; and,
8. The testimony at the Board of Zoning Appeals meeting earlier this evening.

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

Planning Director Hand excused himself from the proceedings on this case as he is in the 200' buffer area and did not have any input in this application during staff review and the staff report. Planner Kallie McLaughlin took over as staff.

Present in Support:

- Angela Turner, applicant

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 2:27: Planner McLaughlin stated that the applicant filed her Special Use Permit renewal, and this would be the third renewal. She is requesting a five (5) year renewal period. During the review period, it was discovered that she has a duplex with single family zoning. This property has always been a duplex as far back as the staff could research. Staff is not sure when the property was rezoned to residential. The parking variance was approved by the Board of Zoning Appeals earlier this evening.

Motion and Vote starts at Tape 2 – 4:44:

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application COZ2022-011:**

Carson	Chairman
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

- 1. This City Planning Commission case is being heard in conjunction with BOZA2022-014. 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 BOZA2022-014 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
- 2. If approved, rental licensing shall be maintained on any non-owner occupied unit;**
- 3. If approved, any use as a short-term rental or non-owner occupancy for a period of less than 30 days shall require a Special Use Permit;**

4. If Approved, the Applicant shall make repairs to the rear sidewalk and driveway to UG Standards, possibly requiring a Right of Way Permit from Public Works;
5. A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly; and,
6. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application SP2022-032 for five (5) years:**

Carson	Chairman
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

1. House of Operation shall remain Monday thru Friday 8:00 am to 5:00 pm.
2. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that as both the property owner and the business owner that they are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
3. 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,

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

The Commission took a break from 10:47 p.m. to 10:54 p.m. (Tape 2 – 6:36 to 12:50) – Mr. Connelly did not rejoin the Commission at 10:54 p.m.

Hearing starts at Tape 2 – 12:50:

SPECIAL USE PERMIT APPLICATION SP2022-004 – JEFF SALTER WITH KANSAS GAS SERVICE - SYNOPSIS: Renewal of a Special Use Permit (SP-2019-10 – expired 5/20/2021) for two (2) concrete pits/sampling of a variety of pipes for training at 8535 Riverview Avenue.

Detailed Outline of Requested Action: The applicant, Jeff Salter, is requesting a renewal of Special Use Permit (SP-2019-10) to continue to use the property for backhoe training for new hires at the Kansas Gas Service. This property was approved for a Special Use Permit in 2016 (SP-2016-86), which was renewed in 2019 (SP-2019-10).

City Ordinance Requirements: 27-592 through 27-606

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the 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:

- Jeff Salter, applicant, Kansas Gas Service

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 16:13: Planning Director Hand stated that this property is in the Riverview area and is used as a training ground for the Kansas Gas Service. Staff has received no letters in support nor in opposition. Staff has conditions in the staff report that address the replanting of existing and proposed landscaping. Staff recommends approval subject to the conditions in the staff report,

Motion and Vote starts at Tape 2 – 17:10:

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-004 for two (2) years:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1. The applicant proposes operating from 9:00 AM to 1:00 PM. Hours of operation shall begin no earlier than 8:00 AM and no later than 3:00 PM;**
- 2. The culvert that runs west of the property must be cleaned regularly and kept clean;**
- 3. Section 27-675(a) states that “all parking, loading and maneuvering areas except those serving single-family dwellings or agricultural uses shall be graded and surfaced with a permanent bituminous or concrete pavement”. The applicant shall pave the parking lot and mark four (4) parking spaces, including one (1) ADA parking spaces;**
- 4. The applicant shall install new landscape screening along the northwest corner of the lot, matching the current screening. Additionally, existing screening that has died shall be replaced;**
- 5. All existing and future driveways must feature curb cuts that are constructed to UG standards. The applicant shall install a new driveway curb cut to match the new paved parking;**
- 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; and,**
- 7. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
- 8. Shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining walls, as applicable;**

9. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government, and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sec. 8-610 through Sec. 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
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 two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
12. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Hearing starts at Tape 2 – 18:20:

SPECIAL USE PERMIT APPLICATION SP2022-009 – FREDERIC

NTAKIRUTIMANA/F&A LLC - SYNOPSIS: Special Use Permit for a liquor store/convenience store at 901 Minnesota Avenue.

Detailed Outline of Requested Action: The Applicant, Frederic Ntakirutimana, is seeking approval to expand operations of a convenience store with cereal malt beverage sales to include alcoholic liquor sales at 901 Minnesota. The subject property is currently in use as a convenience store and neither the building's ownership nor tenancy has not changed but the tenant is requesting to expand product sales to include liquor.

This application is being heard in conjunction with BOZA2022-013 as the subject property is within 1,300 feet of an elementary school, public parks, and/or other retail

establishments selling liquor. feet. New Life Christian Community Church is located at 841 H Minnesota Avenue, parcel number 081323.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-454 – 27-457, Sections 27-592 – 27-606.

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the property owners; 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:

- No one appeared

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 20:05: Planning Director Hand stated the variance for the distance from a church was approved by the Board of Zoning Appeals earlier this evening. This property is in the Downtown Area Master Plan. Staff has received no letters in support nor opposition. There have been numerous Notices of Violation on this property as the ownership changes regularly. Staff is requesting a curb, landscaping and median to prevent cars from pulling directly onto the property at the side of the building off of 91st Street. Staff recommends approval, subject to the conditions in the staff report. The applicant has six (6) months to comply with the conditions of approval.

Motion and Vote starts at Tape 2 – 22:15:

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-009 for two (2) years with the applicant completing the landscaping, curb and median within six (6) months of approval:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present

Straws Aye

Ward Aye

Armstrong Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1. This City Planning Commission case is being heard in conjunction with BOZA2022-013. 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 BOZA2022-013 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
- 2. Alcoholic liquor, CMB, non-alcoholic malt beverage, and any other goods or services may be sold in a retail liquor store. Lottery tickets and cigarette and tobacco products with proper licensure may be sold in a retail liquor store. Sales of other goods and services must not exceed 20% of total gross sales. The 20% excludes lottery, CMB and cigarette and tobacco product sales. If sales of other goods and services from a licensed retailer premise exceeds 20% of total gross sales, all sales of other goods and services exceeding 20% will have to be made from a separate, unlicensed premises. If each premise does not have a separate outside entrance, a vestibule is required;**
- 3. Section 27-467(g) requires that trees are required at not less than one (1) per 7,000 square feet of site area. The subject property has 12,300 square feet, requiring one (1) tree be provided on the site plan.;**
- 4. Section 27-702(1)(a-d) states that shade trees shall be at least two (2) inch caliper when planted as measured 12 inches above the ground. All ornamental deciduous trees shall be at least two (2) inch caliper when planted as measured 12 inches above the ground. All evergreens shall be 5 to 6 feet in height when planted as measured 12 inches above the ground. Ornamental deciduous trees shall be 6 to 8 feet when planted as measured 12 inches above the ground;**
- 5. The property's frontage on North 9th Street shall be updated to include greenspace as indicated in the photo in the attachments at the end of this report;**
- 6. 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 to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;**
- 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 buildinginspecton@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 to begin this process.

9. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
10. 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; and,
11. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Hearing starts at Tape 2 – 23:20:

SPECIAL USE PERMIT APPLICATION SP-2022-011 – BLAKE LOSTAL WITH HILLSIDERS LLC – SYNOPSIS: Special Use Permit for a sports bar/drinking establishment at 403 North 5th Street.

Detailed Outline of Requested Action: The applicant, Blake Lostal with Hillsiders LLC, has applied for a new Special Use Permit for the liquor sales at 403 North 5th Street. The subject parcel has two buildings, and the building addressed in this permit is the North Building, a single level row-style store with approximately 1,250 square feet. The applicant is planning some building upgrades to open a new sports bar and its projected alcohol sales will exceed food sales, requiring the Special Use Permit. The South building, a two-story mixed-use building, will be addressed in future renovations and is outside the scope of this permit. This application is being heard in conjunction with BOZA2022-003 for a variance for minimum required parking.

City Ordinance Requirements: Municipal Code Sections 27-592 through 27-606 and 27-593.

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 March 14, 2022;
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 the property owners; and,
8. The testimony at the Board of Zoning Appeals meeting earlier this evening.,

Present in Support:

- Blake Lostal, applicant, Hillsiders LLC

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 25:22: Planning Director Hand stated that the parking variance was approved by the Board of Zoning Appeals earlier this evening. The Special Use Permit is for a sports bar/drinking establishment. Staff has received a large amount of support and opposition (as evidenced at the Board of Zoning Appeals meeting this evening) on this application. This property is in the Central Area Master Plan and specifically in the Strawberry Hill neighborhood. Staff discussed with the applicant that no live entertainment is allowed (Staff discussed the various types of live entertainment that requires a Special Use Permit). Staff is requesting the applicant to obtain a right-of-way permit and install bike parking at the curb extension in front of the property on 5th Street. Director Hand stated Staff recommends approval for two (2) years subject to the conditions in the staff report.

Motion and Vote starts at Tape 2 – 26:55:

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-011:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

1. **This City Planning Commission case is being heard in conjunction with BOZA2022-003. 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 BOZA2022-003 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
2. **Should any live entertainment be desired, a Special Use Permit is required.**

3. Any illumination that results shall not be seen or otherwise impact adjacent residential uses;
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 to begin this process.
5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspecton@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
6. If approved, the Applicant shall install bike racks on the property. Contact the Public Works Department to determine appropriate placement.
7. A Right of Way Permit is Required. Please contact the Public Works Department at (913) 573-5311 to begin this process;
8. This permit approval is for zoning clearance only. Additional liquor licensing and other County or State Licenses may be required before operation;
9. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
10. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that as both the property owner and the business owner that they are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
11. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved, and;
12. 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 Tape 2 – 27:48:

SPECIAL USE PERMIT APPLICATION SP2022-013 – AURANGZEB KHAN/JAHAN ENTERPRISES, LLC – SYNOPSIS: Renewal of a Special Use Permit (SP-2019-77 – expired 10/31/2021) for a dirt fill at 1215 Merriam Lane.

Detailed Outline of Requested Action: The applicant, Aurangzeb Khan with Jahan Enterprises, LLC, is requesting the renewal of a Special Use Permit for the importing of earthen material to the subject property at 1215 Merriam Lane. The applicant intends only to export—not import—earthen material from the subject property under this renewal case. This Special Use Permit initially arose as the result of a joint Building Inspection and Zoning Enforcement action beginning in 2018.

City Ordinance Requirements: Article VIII, Sections 27-592 – 27-606

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the property owners.

Present in Support:

- Aurangzeb Khan, applicant

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 29:22: Planning Director Hand stated that the request is for renewal of a Special Use Permit for a dirt fill. When the application was approved in 2018, they requested approval to bring dirt onto the property. They are now requesting that some of the dirt be removed from the site. The property is in the Rosedale Area Master Plan on Merriam Lane. Staff stated that Turkey Creek is to the south and southwest of this property. Staff has received no letters in support or opposition. There have been numerous Notices of Violation on this property. One of the conditions of approval is for a landscaping plan to be submitted showing the final landscaping once the pile of dirt has been removed. Staff is also requesting mitigation measures to prevent tracking of dirt/mud onto Merriam Lane which is right-of-way that has been upgraded by the Unified Government recently. Director Hand stated that staff recommends approval for one (1) year subject to the conditions in the staff report.

Planning Commissioner Jones asked why this renewal is late. Planning Director Hand stated that the application was held over several times as staff was requesting information.

Motion and Vote starts at Tape 2 – 32:15:

On motion by Ms. Armstrong, seconded by Mr. Ward, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-013 for one (1)**

year:

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1) A landscaping plan compliant with Section 27-464(g) must be submitted to Staff by March 23, 2022;**
- 2) The landscaping demonstrated on the submitted landscaping plan, including all trees and seeding, must be properly installed within 60 days of the completion of final grading;**
- 3) The hours of operation shall be 7:00 AM to 5:30 PM, Monday through Friday. Contact the neighborhood group and the surrounding residences at least 24 hours in advance of performing work on the weekend;**
- 4) There shall be full compliance with the comments from the Wyandotte County Conservation District contained herein;**
- 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 to begin this process;**
- 6) Rumble strips and/or other mitigation measures must be installed on the subject property in order to prevent dirt, rubble, and other fill material from being tracked by work trucks onto and damaging the public right-of-way;**
- 7) 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;**
- 8) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges**

that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

- 9) 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,
- 10) The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

Hearing starts at Tape 2 – 33:15:

SPECIAL USE PERMIT APPLICATION SP2022-020 – JOE HEIDRICK WITH CACTUS BED PROPERTIES, LLC – SYNOPSIS: Special Use Permit for a Short-Term Rental at 4309 Rainbow Boulevard.

Detailed Outline of Requested Action: The Applicant, Joe Heidrick DBA Cactus Bed Properties, is seeking approval to operate a short-term rental at 4309 Rainbow Boulevard. The subject property is on the Rainbow Boulevard commercial corridor. The applicant has recently purchased the property and is in the process of a renovation. The applicant owns the property next door which has also been in use as a permitted short-term rental.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-454 – 27-457, Sections 27-592 – 27-606.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the property owners.

Present in Support:

- Joe Heidrick, applicant, 525 West 58th Terrace, Kansas City, Missouri

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 36:00: Planning Director Hand stated the request is for a short-term rental and would be the first request for this property. The property is located in the Rosedale Area Master Plan. As the applicant stated, he has a short-term rental directly abutting to the south of this property. Staff has received no letters in support nor opposition. There are no Notices of Violation on this property. As the applicant is going to consolidate trash collection of this property and his commercial short-term rentals, Staff is requesting a trash enclosure with a wooden gate around the dumpster. Staff is also requesting improvements to the driveway in a manner that does not require another variance for open space in the rear yard. This property is just inside the environs of an Historic Landmark and staff noticed at their site visit that the windows were being replaced, which will require an Environs Review. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at Tape 2 – 37:55:

On motion by Mr. Mohler, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-020 for one (1) year:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1. 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;**
- 2. Applicant shall provide the following documents and/or information:**
 - a) Applicant shall post a Lead-Based Paint Notice and Asbestos Notice (if necessary) in the guest book or tenant guide.**
 - b) Applicant shall provide a copy of the site plan indicating parking and common areas**
 - c) Applicant shall provide a floor plan.**
 - d) Applicant shall provide a copy of liability insurance.**

- e) Applicant shall provide a Welcome Packet or Guest Book stating rules and regulations;
3. If Approved, Applicant shall obtain and/or maintain a business license from the Wyandotte County Business License office;
 4. Applicant shall remove any debris piles in the rear yard;
 5. Applicant shall improve the parking in the rear to ensure no more than 30% of the rear yard is utilized for parking;
 6. The trash enclosure shall be screened from street view via gated enclosure;
 7. Exterior repairs need approval from the Landmarks Commission, as the parcel is within the Environs of a Historical Landmark, "Old Fire Station No. 12." Please contact the Department of Planning & Urban Design for this information;
 8. Should a second dwelling unit in the property, including a basement conversion to a dwelling unit, a Change of Zone is required. The Special Use Permit must be amended to reflect the additional dwelling unit. A home inspection may be required upon the completion of a significant renovation of change in the property's use of occupancy;
 9. 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 buildinginspecton@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;
 10. Maximum number of guests, which has been deemed appropriate for the available accommodations shall be eight (8) adults;
 11. Guest parking must be provided off-street. Maximum number of guest vehicles shall be three (3);
 12. Parking must take place off-street;
 13. Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
 14. 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;
 15. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy. Include the contact information for Host Compliance: 913-246-5133 www.hostcompliance.com/tips ;
 16. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 17. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and

Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

- 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.**

Hearing starts at Tape 2 – 38:49:

SPECIAL USE PERMIT APPLICATION SP2022-023 – DESIREE MONIZE WITH AVENUE OF LIFE – SYNOPSIS: Renewal of a Special Use Permit (SP-2019-100) for transitional housing for youth (16+) and young adults (18-24) at 3535 Wood Avenue.

Detailed Outline of Requested Action: The applicants, Desiree Monize, CEO and Cameron Erlandson, COO of Avenue of Life are seeking a renewal of a Special Use Permit (SP-2019-100) to continue to operate a transitional housing for homeless teens that are referred by the Kansas City Kansas Public Schools USD 500.

The facility had previously been approved for a Special Use Permit for two (2) years in 2019 under the current ownership by Avenue of Life. Before that, the home had been operated by a different owner and was approved for a Special Use Permit for two (2) years in 2016 and in 2018 (SP-2016-37 and SP-2018-46).

City Ordinance Requirements: 27-592 through 27-606

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the property owners.

Present in Support:

- Cameron Erlandson, representing the applicant, 5025 Northwest 83rd Terrace, Kansas City, Missouri
- Dr. Evelyn Hill

Planning Commissioner Ernst asked why the Special Permit lapsed before it was renewed. Mr. Erlandson stated that he takes responsibility for the application being filed late. He works at another location on 7th Street and the notice would have been sent to the address of this operation.

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 45:50: Planning Director Hand stated that this is a group home for students and other young adults. The information staff has is that the capacity is for 30 people (staff and residents) at any one time. This property is located in the Northeast Area Master Plan. The fence for this property crosses over onto the church’s property and Staff has requested that the applicant initiate and record a cross-access agreement with the church so they can use the enclosed rear yard property that goes onto the church’s property. There are numerous Notices of Violation and one (1) can be addressed tonight. A field inspector did not realize that the property received a variance for fence height in the 1990s. It does not have a variance for the spikes at the top of the fence and one (1) of the conditions of approval is that the spikes be removed. Another condition is that there will be no more than eight (8) guests at a time. The parking is designated for parallel parking and has been inappropriately striped for diagonal parking. One of the conditions is that a right-of-way permit be acquired from the Public Works Department, the parking is restriped for parallel parking and that it be constructed to allow handicap access. Staff recommends approval for two (2) years subject to the conditions in the staff report.

Mr. Erlander stated that they do have a parking lot and shared agreement with Grace Lutheran Church, and it has been submitted to staff which was verified by Mr. Molloy of Staff. He did reach out to Andrew Roddy of the Public Works Department for the right-of-way agreement, and he told him to wait until the application is approved. Mr. Roddy stated that they have a 21-day permit they can issue during construction.

Motion and Vote starts at Tape 2 – 50:37:

On motion by Ms. Armstrong, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-023 for two (2) years:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1) Outside guests are not permitted to randomly visit the property without prior authorization by Avenue of Life. The residents of Avenue of Life are allowed visitors that are cleared by the resident’s case manager;**
- 2) The building shall be staffed by Avenue of Life 24 hours a day, seven (7) days a week;**

- 3) **Maximum number of guests shall not exceed thirty (30) at any point. The average total number of guests range between six (6) and eight (8);**
- 4) **Avenue of Life shall install ADA compliant curbing, sidewalks, and signage;**
- 5) **The parking in-front of the Avenue of Life facility shall be oriented as parallel parking, rather than diagonal pull in parking, as the space provided current does not meet the Code of Ordinances Section 27-669(a)(5-6) for the 45-degree parking space dimension. The spaces marked for parallel parking should include one (1) ADA parking space and shall by 9' x 23' to meet Section 27-669 (7);**
- 6) **The applicant shall flatten and/or remove the tips of the fence surrounding the site, as they are prohibited per the Code of Ordinances Section 8-225;**
- 7) **A Right-of-Way Permit is Required. The applicant is required to contact Andrew Roddy with the Public Works Department at (913) 573-5310 or by email at aroddy@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;**
- 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 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. No flood lights are allowed;**
- 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 buildinginspecton@wycokck.org to confirm if they need a building permit, and if so must take it upon themselves to initiate the building permit process accordingly;**
- 11) **Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
- 12) **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;**
- 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) 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; and,
- 15) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Hearing starts at Tape 2 – 52:25:

MPL2022-006 – CURTIS PETERSEN WITH POLSINELLI – SYNOPSIS: Master Plan Amendment from Low Density Residential (City-Wide Master Plan) to Planned Entertainment (City-Wide Master Plan) at 1501 North 90th Street.

SP2022-024 – CURTIS PETERSEN WITH POLSINELLI – SYNOPSIS: Special Use Permit for privately owned athletic fields (Homefield Perfect Game) at 1501 North 90th Street.

PLAT2022-04 – CURTIS PETERSEN WITH POLSINELLI – SYNOPSIS: Preliminary Plat for six (6) lots for Homefield Perfect Game at 1501 North 90th Street.

PR2022-008 – CURTIS PETERSEN WITH POLSINELLI – SYNOPSIS: Preliminary Plan Review for Homefield Perfect Game Fields at 1501 North 90th Street.

Detailed Outline of Requested Action: The applicant, Curtis Petersen with Polsinelli PC, has filed a Preliminary Plan, Preliminary Plat, Special Use Permit and Master Plan Amendment to subdivide the property into one (1) lot to build a multi-field baseball/softball complex, development center, scouting tower and parking on 49.98 acres at 1501 North 90th Street.

City Ordinance Requirements: 27-592 through 27-606, Article XXI Sections 27-502 – 27-709 and Article VIII Sections 27-340 – 27-765.

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 March 14, 2022;
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 the property owners.

Present in Support:

- Curt Petersen, applicant, Polsinelli, 900 West 48th Place, Suite 900, Kansas City, Missouri 64112
- Amy Grant, Polsinelli, 900 West 48th Place, Suite 900, Kansas City, Missouri 64112

Present in Opposition:

- John Cummings, 8720 Walker Avenue, Kansas City, Kansas 66112
- Jeff Letterman, 1323 North 90th Street, Kansas City, Kansas 66112
- Sharleen Lehotsky, 8808 State Avenue, Kansas City, Kansas 66112
- Paula Owen, 1322 North 90th Street, Kansas City, Kansas 66112
- Kelle Steineger, 8721 Walker, Kansas City, Kansas 66112
- Carol Zugecic, 8846 State Avenue, Kansas City, Kansas 66112

Staff Recommendation starts at Tape 2 – 1:29:04: Planning Director Hand stated that the request is for a Special Use Permit, Master Plan Amendment, Plan Review and Plat. This property is just outside the Prairie-Delaware-Piper Master Plan. Prior to tonight staff had received no letters in support nor opposition to this application. He further stated there are no Notices of Violation. As this is a commercial use, Staff is conditioning that they meet the Commercial Design Guidelines. Staff has worked with the applicant on increased connectivity and pedestrian pathways. Staff has requested a mid-block crossing between the sports complex and the soccer complex access 90th Street. Staff is requesting no truck parking, a bike rack, trash enclosure, downlighting, that existing tree stands be identified for preservation and enhanced landscaping/screening. A final development plan will be required, and all these items can be addressed before then if this application moves forward. Director Hand addressed the requested deviations that the applicant requested:

Item #2 - Sec. 27-575(e)(1) The majority of all surface parking and all drive through facilities should be located to the maximum extent possible behind the buildings or in the interior of the block. Director Hand stated this is similar to the deviation granted to Homefield on 90th Street. Although Staff does not agree, Staff in principle is agreeable to the deviation.

Item #5 - Install crosswalks throughout the parking lot to linking parking lot medians and islands connecting to the interior sidewalk around the perimeter of the fields. Director Hand stated that Staff would amend this condition to the crosswalks going through the drive aisles of the parking lot. The mid-block crossing would be determined prior to the final development plan. Staff would amend the condition to state that wherever the mid-block crossing is located there is a pedestrian throughway to connect into the internal circulation of this site.

Item #7 - Due to the proximity the Perfect Game championship fields located at 9020 State Avenue, a trail needs to be established to connect the two developments together. Director Hand stated that this is a condition that was removed last month from the Homefield Phase 1 application that is going to be heard next on the agenda. Staff does not object to the removal of this condition.

Item #14 - Sec. 27-576(e)(2) Exterior building materials shall not include the following: f. EIFS at the ground level or comprising more than fifteen (15) percent of any façade. Metal paneling may only account for 15% of the exterior building material per façade on the Homefield multi-purpose sports complex. Incorporate different exterior building materials that comply with Sec. 27-576(e)(1). The City Planning Commission must give a deviation from the Commercial Design Guidelines. Director Hand stated that he can understand the applicant requesting removal of this condition as this is a ballfield and not a traditional commercial building. The Planning Commission will need to approve this deviation.

Item #16 - Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened, and all downspouts shall be internalized. Overflow drains shall be at grade and hidden by vegetation. Planning Director Hand stated that Staff would request an amendment to this condition with the removal of “**and all downspouts shall be internalized.**” Staff will work with the applicant before final plan review to ensure the downspouts are screened to meet the intent of the guidelines.

Item #19 - As discussed during the pre-application meeting, screening like Turner Logistics Center East at College Parkway and Orville Avenue and Walmart at Plaza at the Speedway should be installed adjacent to the residence along the southernmost entrance and the rear yards abutting the fields in the northeast corner of the site. A six (6) foot privacy fence with masonry columns every 32 feet running should be installed along common property lines. The single-family homes that abut the ball fields should have additional screening above and beyond what is proposed. Planning Director Hand stated that staff would request that this condition be amended to state that “**A six (6) foot privacy fence with masonry columns every 32 feet along the portion at the Southeast of the property adjacent to the Southernmost main entrance to the project and abutting 90th Street. The fence screening the residents to the Northeast of the project would be a wood screening fence as it is at the rear of these abutting properties.**”

Item #27 - Junipers and other coniferous trees should be planted throughout the site, specifically around the perimeter of all detention basin slopes. This should not cause issues for the synthetic fields as leaves will not clog the infiltration drainage system. These trees should be planted at the ends of the concourses along the north, east and south property lines. Director Hand stated Staff would request that this condition be amended: “**Junipers and other coniferous trees should be planted, around the perimeter of all detention basin slopes.**”

Staff recommends approval subject to the amended conditions. The Planning Commission will need to make a recommendation on the two (2) requested deviations. He stated that the County Engineer and Planning Engineering agreed with the findings of

the third party review of the traffic study. Further consideration can be given before the final plan review regarding design changes in and out of the project.

The Planning Commission addressed comments and questions to Staff.

Motion and Vote starts at Tape 2 – 1:41:10:

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to recommend **APPROVAL of Master Plan Amendment MPL2022-006:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-024:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1. A building permit is required. Please contact the Building Inspection Department to begin that process;**
- 2. Sec. 27-575(e)(1) The majority of all surface parking and all drive through facilities should be located to the maximum extent possible behind the buildings or in the interior of the block. **The City Planning Commission granted the deviation requested by the applicant;****
- 3. Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted street right-of-way abutting the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning**

Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided;

- 4. Minimum 4-foot pedestrian path with landscape buffer and pedestrian lighting from parking areas to buildings;**
- 5. Wherever the mid-block crossing is located there is a pedestrian throughway to connect into the internal circulation of this site;**
- 6. Install a sidewalk along the northern entrance/exist of the site and connect to the interior sidewalk network;**
- 7. Establish a mid-block trail connection and pedestrian crossing to the pedestrian sidewalk entrance at Compass Minerals Soccer Complex across the street at 1500 North 90th Street.**

The sidewalk should extend from the concourse between the two-most western fields, through the parking lot and berm and connect to the existing sidewalk on North 90th Street.

Staff would like to continue to work with the applicant and development team to see if a mid-block crossing is possible between Perfect Game and Compass Minerals Soccer Complex;

- 8. Over the road trucks shall not be parked on the property overnight;**
- 9. Buses and larger vehicles shall not block drive aisles and/or fire lanes;**
- 10. Install a publicly accessible bicycle rack for bicyclists in the plaza area;**
- 11. Outdoor speakers should be oriented away from the single family residences;**
- 12. The outdoor scoreboard lumens shall be oriented away from the single family residences;**
- 13. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
 - f. EIFS at the ground level or comprising more than fifteen (15) percent of any façade. Metal paneling may only account for 15% of the exterior building material per façade on the Homefield multi-purpose sports complex. Incorporate different exterior building materials that comply with Sec. 27-576(e)(1). The City Planning Commission must give a deviation from the Commercial Design Guidelines. The City Planning Commission granted the deviation requested by the applicant;****
- 14. The proposed concrete blocks need to be integrally-color and textured. Smooth-face concrete masonry units are not permitted as an exterior building material per the Commercial Design Guidelines;**
- 15. Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened. Overflow drains shall be at grade and hidden by vegetation;**
- 16. All concrete shall be integrally-colored – no paint;**
- 17. What will the residences see of this development from the north, south and east? For the FDP, provide sight line cross sections illustrating what the residents will see from their properties;**
- 18. A six (6) foot privacy fence with masonry columns every 32 feet along the portion at the Southeast of the property adjacent to the Southernmost main entrance to the project and abutting 90th Street. The fence screening the**

residents to the Northeast of the project would be a wood screening fence as it is at the rear of these abutting properties

19. Based on the landscaping requirements in the A-G Agriculture District (one (1) tree per 7,000 square feet of site area), the number of trees is required for the following lots (not inclusive of the street trees along a major street and parking lot island requirements):
 - a. Overall site – 308 trees.
 - b. Street trees – 39 trees.
 - c. Parking lot islands – 35 trees.
20. The parking lot must be screened by berms and landscaping from North 90th Street, and the residence immediately abutting the entrance along the south property line.

The existing slope along North 90th Street should be preserved as the natural feature screens a substantial portion of the site from the street;

21. Add a note or cloud indicating the preservation of existing tree stands around the perimeter of the development;
22. Sec. 27-576(e)(2) Parking lot landscaping should reinforce pedestrian and vehicular circulation, especially parking lot entrances, end of drive aisles, and pedestrian walkways leading through parking lots;
23. Sec. 27-576(e)(3) Groups of parking of between forty (40) and fifty (50) space must be separated by a ten (10) foot wide landscape median or berm, or pedestrian walkway within a landscaped median;
24. Sec. 27-576(e)(4) Parking areas that cannot be grouped must include one landscaped island the side of one stall separating each twenty (20) spaces;
25. Sec. 27-699(a)(6) Non-industrial and non-structure parking lots that have been paved area wider than a double-loaded aisle and more than 20,000 square feet in area shall provide one shade tree for each 20 parking spaces on the interior of the parking lot. Interior tree plantings are in addition to the landscaping requirements;
26. Junipers and other coniferous trees should be planted throughout the site. Specifically, around the perimeter of all detention basin slopes. This should not cause issues for the synthetic fields as leaves will not clog the infiltration drainage system;
27. All landscaping shall be irrigated along North 90th Street, within the landscaped parking lot islands and landscape beds adjacent to the perimeter of the entrance;
28. All shade trees shall be at least two (2) inch caliper. All evergreens shall be at least six (6) feet in height. All shrubs shall be five (5) gallons, external to the site and three (3) gallons internal to the development when planted;
29. All disturbed areas within the development shall be brought to finished grade and seeded or sodded. There shall not be any exposed, bare ground unless the lot has an active building permit for building construction;
30. All lighting, whether mounted on the exterior of parking deck or within the structure shall have 90-degree cutoff fixtures. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent

property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one foot candle as measured from said property line. This includes light that is cast vertically and horizontally;

31. Only decorative lighting can be used on the exterior of the building(s). No pack lights or flood lights are allowed;
32. The dumpster will need to be screened with an architectural wall that matches the materials of the primary building and heavily landscaped;
33. All rooftop mechanical screen walls may not be perforated metal. The screen wall shall be solid;
34. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
35. All BPU transformer pads and/or generators shall be completely screened on three (3) sides with 6-foot Junipers setback 3 feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;
36. No outside storage of materials, equipment or ancillary items associated with the day-to-day operation for Homefield complex unless they are completely screened from and all abutting property lines and the public right-of-way;
37. 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;
38. 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;
39. 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;
40. 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;

41. The Special Use Permit shall be valid indefinitely 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. Special Use Permits are nontransferable, therefore, all operations must cease until such time as a new Special Use Permit is approved; and,
42. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to **APPROVE PLAT2022-004**:

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0
Subject to the above conditions.

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to recommend **APPROVAL of Plan Review Application PR2022-008**:

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0
Subject to the above conditions.

Hearing starts at Tape 2 – 1:47:08:

MPL2022-007 – CURTIS PETERSEN WITH POLSINELLI – SYNOPSIS: Master Plan Amendment from Low-Density Residential (City-Wide Master Plan) to Planned Entertainment (City-Wide Master Plan) at 9020 State Avenue.

SP2022-025 – CURTIS PETERSEN WITH POLSINELLI – SYNOPSIS: Special Use Permit for privately owned athletic fields at 9020 State Avenue

PR2022-009 – CURTIS PETERSEN WITH POLSINELLI – SYNOPSIS: Preliminary Plan Review for Homefield Training Center at 9020 State Avenue.

Detailed Outline of Requested Action: The applicant, Curtis Petersen with Polsinelli PC, on behalf of the property owner, HFS KCK, LLC, has filed an indefinite Special Use Permit, Preliminary Development Plan and Master Plan Amendment to build a 1,300 square foot ticketing/entry building, multi-use baseball/softball field complex and parking on 13.88 acres at 9020 State Avenue.

City Ordinance Requirements: 27-592 through 27-606 and Article VIII Sections 27-340 – 27-765.

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 March 14, 2022;
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 the property owners.

Present in Support:

- Curt Petersen, applicant, Polsinelli, 900 West 48th Place, Suite 900, Kansas City, Missouri 64112
- Amy Grant, Polsinelli, 900 West 48th Place, Suite 900, Kansas City, Missouri 64112

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 1:54:48: Planning Director Hand stated that these applications are Phase II of the Homefield project on State Avenue. This property is in the Prairie-Delaware-Piper Master Plan. Staff has received no letters in support nor opposition. There are no Notices of Violation on this property. Staff would request that the applicant must comply with the Commercial Design Guidelines. Staff has worked with the applicant on pedestrian connectivity and crosswalks within the property, and Staff is also requesting a bike rack as well as a connection to an enhanced transit facility as discussed during the plan review last month. Staff has asked for enhanced landscaping. Director Hand addressed the requested deviations by the applicant.

Item #2 - Sec. 27-575(e)(1) The majority of all surface parking and all drive through facilities should be located to the maximum extent possible behind the buildings or in the interior of the block. The City Planning Commission must grant these deviation requests by the applicant. Director Hand stated that this condition has been approved for deviation on all the other projects for this development.

Item #6 - Due to the proximity the Perfect Game multi-field baseball/softball fields located at 1501 North 90th Street, a trail needs to be established to connect the two developments together. Director Hand stated that this trail has been eliminated from all other applications. Staff does not object to its deletion.

Item #12 - Sec. 27-576(e)(2) Exterior building materials shall not include the following: f. EIFS at the ground level or comprising more than fifteen (15) percent of any façade. Metal paneling may only account for 15% of the exterior building material per façade on the Homefield multi-purpose sports complex. Incorporate different exterior building materials that comply with Sec. 27-576(e)(1). The City Planning Commission must give a deviation from the Commercial Design Guidelines. Director Hand stated that Staff does not object to this deviation as these are not traditional commercial buildings.

Item #14 - Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened, and all downspouts shall be internalized. Overflow drains shall be at grade and hidden by vegetation. Director Hand stated staff would request that this item be amended and eliminate **“and all downspouts shall be internalized.”**

Item #16 - As discussed during the pre-application meeting, screening like Turner Logistics Center East at College Parkway and Orville Avenue and Walmart at Plaza at the Speedway should be installed adjacent to the residence along the rear yards abutting the fields in the eastern corner of the site. A six (6) foot privacy fence with masonry columns every 32 feet running should be installed along common property lines. Director Hand stated he agrees with the applicant that a fence is not needed here. The tree stand will serve as a better screen than a fence. He further stated that the facility is already enclosed by a fence, and that other conditions of approval requesting enhanced landscaping will suffice.

Item #24 - Junipers and other coniferous trees should be planted throughout the site, specifically around the perimeter of all detention basin slopes. This should not cause issues for the synthetic fields as leaves will not clog the infiltration drainage system. Director Hand stated that staff would request that this item be amended “from throughout the site” and include “around the perimeter of all detention basin slopes.”

Staff recommends approval subject to the revised conditions.

Motion and Vote starts at Tape 2 – 1:58:00:

On motion by Mr. Straws, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Master Plan Amendment MPL2022-007:**

Carson Chairman

Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

On motion by Mr. Straws, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-025:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

1. A building permit is required. Please contact the Building Inspection Department to begin that process;
2. Sec. 27-575(e)(1) The majority of all surface parking and all drive through facilities should be located to the maximum extent possible behind the buildings or in the interior of the block. **The City Planning Commission granted this deviation request by the applicant;**
3. Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted street right-of-way abutting the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided;
4. Minimum 4-foot pedestrian path with landscape buffer and pedestrian lighting from parking areas to buildings;
5. Add a crosswalk for enhanced pedestrian connection and transit connectivity across the drive aisle linking the sidewalk from State Avenue along the east side of the easternmost entry/exit to the sidewalk near the baseball fields;

6. Over the road trucks shall not be parked on the property overnight;
7. Buses and larger vehicles shall not block drive aisles and/or fire lanes;
8. Install a publicly accessible bicycle rack for bicyclists in the plaza area;
9. Outdoor speakers should be oriented away from the single family residences;
10. The outdoor scoreboard lumens shall be oriented away from the single family residences;
11. Sec. 27-576(e)(2) Exterior building materials shall not include the following:
 - f. EIFS at the ground level or comprising more than fifteen (15) percent of any façade. Metal paneling may only account for 15% of the exterior building material per façade on the Homefield multi-purpose sports complex. Incorporate different exterior building materials that comply with Sec. 27-576(e)(1). The City Planning Commission must give a deviation from the Commercial Design Guidelines. Staff will not ask for the deviation.

The City Planning Commission granted this deviation request by the applicant;

12. The proposed concrete blocks need to be integrally-color and textured. Smooth-face concrete masonry units are not permitted as an exterior building material per the Commercial Design Guidelines;
13. Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened. Overflow drains shall be at grade and hidden by vegetation;
14. All concrete shall be integrally-colored – no paint;
15. Based on the landscaping requirements in the A-G Agriculture District (one (1) tree per 7,000 square feet of site area), the number of trees is required for the following lots (not inclusive of the street trees along a major street and parking lot island requirements):
 - a. Lot 2 – 83 trees;
16. The parking lot must be screened by berms and landscaping from State Avenue, and all residences on the south side of State Avenue;
17. Sec. 27-576(e)(2) Parking lot landscaping should reinforce pedestrian and vehicular circulation, especially parking lot entrances, end of drive aisles, and pedestrian walkways leading through parking lots;
18. Sec. 27-576(e)(3) Groups of parking of between forty (40) and fifty (50) space must be separated by a ten (10) foot wide landscape median or berm, or pedestrian walkway within a landscaped median;
19. Sec. 27-576(e)(4) Parking areas that cannot be grouped must include one landscaped island the side of one stall separating each twenty (20) spaces;
20. Sec. 27-699(a)(6) Non-industrial and non-structure parking lots that have been paved area wider than a double-loaded aisle and more than 20,000 square feet in area shall provide one shade tree for each 20 parking spaces on the interior of the parking lot. Interior tree plantings are in addition to the landscaping requirements.
21. Trees shall be preserved around the perimeter of the site as shown on Sheet L1.00;
22. Junipers and other coniferous trees should be planted throughout the site, specifically around the perimeter of all detention basin slopes. This should not cause issues for the synthetic fields as leaves will not clog the infiltration drainage system;

23. All landscaping shall be irrigated along State Avenue, within the landscaped parking lot islands and landscape beds adjacent to the perimeter of the entrance;
24. All shade trees shall be at least two (2) inch caliper. All evergreens shall be at least six (6) feet in height. All shrubs shall be five (5) gallons, external to the site and three (3) gallons internal to the development when planted;
25. All disturbed areas within the development shall be brought to finished grade and seeded or sodded. There shall not be any exposed, bare ground unless the lot has an active building permit for building construction;
26. All lighting, whether mounted on the exterior of parking deck or within the structure shall have 90-degree cutoff fixtures. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one foot candle as measured from said property line. This includes light that is cast vertically and horizontally;
27. Only decorative lighting can be used on the exterior of the building(s). No pack lights or flood lights are allowed;
28. The dumpster will need to be screened with an architectural wall that matches the materials of the primary building and heavily landscaped;
29. All rooftop mechanical screen wall may not be perforated metal. The screen wall shall be solid;
30. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
31. All BPU transformer pads and/or generators shall be completely screened on three (3) sides with 6-foot Junipers setback 3 feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;
32. No outside storage of materials, equipment or ancillary items associated with the day-to-day operation for Homefield complex unless they are completely screened from and all abutting property lines and the public right-of-way;
33. 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;
34. 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;

- 35. **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;**
- 36. **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;**
- 37. **The Special Use Permit shall be valid indefinitely 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. Special Use Permits are non-transferable, therefore, all operations must cease until such time as a new Special Use Permit is approved; and,**
- 38. **Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

On motion by Ms. Armstrong, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL of Plan Review Application PR2022-009:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

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

Hearing starts at Tape 2 – 2:01:44:

SPECIAL USE PERMIT APPLICATION SP2022-026 – ADAM AND LAURA JOHNSON
– **SYNOPSIS:** Special Use Permit to keep twenty-five (25) fowl on the property at 3030 South 63rd Street.

Detailed Outline of Requested Action: The Applicants, Adam and Laura Johnson, are seeking approval to own 25 chickens. The Applicants currently own six (6) chicken, but wish to expand the amount of chicken they own beyond this number, requiring a Special Use Permit. The applicant keeps the chickens for egg and meat production and some entertainment. The applicants have extended family moving into the property and wish to increase their food supply, respectively. The applicants own and reside at the property.

This Application is being heard in conjunction with BOZA2022-10 for multiple accessory use buildings and for maximum allowable square footage of accessory uses.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-454 – 27-457, Sections 27-592 – 27-606.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the property owners; and,
8. The testimony at the Board of Zoning Appeals meeting.

Present in Support:

- Adam Johnson, applicant, 3030 South 63rd Street, Kansas City, Kansas 66106

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 2:03:50: Planning Director Hand stated that this case is being heard in conjunction with BOZA2022-10, which was approved earlier this evening. This property is in the Turner area. Staff received one (1) letter in support and no letters in opposition. There are Notices of Violation on the property related to this project. He stated that no roosters are allowed in Wyandotte County. Another condition is compliance with the Conservation District comments. No sale of eggs can be sold off site without a Special Use Permit for commercial use. He further stated that staff is requesting that the driveway be improved to UG standards with a concrete apron. Staff recommends approval for two (2) years subject to the conditions in the staff report.

Motion and Vote starts at Tape 2 – 2:05:10:

On motion by Mr. Mohler, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-026 for two (2) years:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1. This City Planning Commission case is being heard in conjunction with BOZA2022-010. 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 BOZA2022-010 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
- 2. No eggs, meat, feathers, or produce shall be sold on or off-site without the approval of a Special Use Permit for Home Occupation;**
- 3. No roosters may be kept on site. Any cockerel must be culled or relocated when it reaches crowing capability and its sex is determined;**
- 4. Composting and site preservation methods shall be utilized to minimize any nuisance;**
- 5. Driveway and Parking shall be upgraded to an improved surface. If the Applicant continues with the home addition, it shall be made a part of their building permit. If the renovation is not commenced, the Applicant shall complete the improvements to the driveway and parking prior to permit renewal;**
- 6. Per Section 27-593(a)(10)a, fowl must be kept no closer than 25 feet to the nearest portion of any building occupied by or in any way used by human beings, other than the dwelling occupied by the owner or keeper of the animals or fowl, or closer than ten feet to the property line of the lot;**
- 7. 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;
8. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Division at (913) 573-8620 to begin that process;
 9. 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;
 10. If approved, the driveway, apron, and approach shall be upgraded to an improved surface of asphalt or concrete;
 11. A Right of Way permit is required. Please contact the Department of Public Works to begin that process;
 12. 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;
 13. 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;
 14. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 15. The Special Use Permit shall be valid for 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; and,
16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Hearing starts at Tape 2 – 2:06:20:

SPECIAL USE PERMIT APPLICATION SP2022-027 – EMMANUEL IGBINOSUN – SYNOPSIS: Special Use Permit to operate used auto sales business at 5520 Inland Drive.

Detailed Outline of Requested Action: The applicant, Emmanuel Igbinosun, is requesting a Special Use Permit for used auto sales. The applicant will be using the subject property as an office for the used auto online sales business; there will be no inventory kept, stored, or maintained on site. Additionally, there will be no automotive repair or maintenance use associated with the subject property.

City Ordinance Requirements: Article VIII, Sections 27-592 – 27-606

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the property owners.

Present in Support:

- No one appeared

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 2:07:25: Planning Director Hand stated that staff intended to remove this item from the agenda and recommends a hold over until the April 11, 2022 City Planning Commission meeting.

Motion and Vote starts at Tape 2 – 2:07:58:

On motion by Mrs. Armstrong, seconded by Mr. Mohler, the Planning Commission voted as follows to **HOLD OVER Special Use Permit SP2022-027 until the April 11, 2022 meeting:**

Carson Chairman

Connelly Not Present
Ernst Aye
Jones Aye
Miller Not Present
Mohler Aye
Pauley Not Present
Straws Aye
Ward Aye
Armstrong Aye
Motion to HOLD OVER Passed: 6 to 0

Hearing starts at Tape 2 – 2:08:30:

SPECIAL USE PERMIT APPLICATION SP2022-030 – NANNETTE AND LYDIA THACKER – SYNOPSIS: Home Occupation Special Use Permit to operate an apparel printing business at 4011 Independence Avenue.

Detailed Outline of Requested Action: The applicants, Nannette Thacker and Lydia Thacker, are requesting a Home Occupation Special Use Permit to operate a custom t-shirt printing business. Nannette is the property owner, and Lydia is the business owner; both parties are residents of the subject property. The applicants have stated that no customers will be visiting the subject property, and no signage will be erected on site. The t-shirt inventory will be stored at the subject property.

City Ordinance Requirements: Article VIII, Sections 27-592 – 27-606

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

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the property owners.

Present in Support:

- Nannette and Lydia Thacker, applicants, 4011 Independence Boulevard, Kansas City, Kansas 66109

Present in Opposition:

- Lynn Melton, 4028 Independence Boulevard, Kansas City, Kansas 66109

Staff Recommendation starts at Tape 2 – 2:15:08: Planning Director Hand stated that this property is in the Prairie-Delaware-Piper Master Plan. This application was triggered by a Business License request that indicated materials were being stored on the property. He stated that Staff received no letters in support nor opposition until this evening (Ms. Melton’s letter was in the staff report and Staff incorrectly made this statement on the record.) There is an old Notice of Violation on this property not related

to the proposed use. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at Tape 2 – 2:16:25:

On motion by Ms. Armstrong, seconded by Mr. Mohler, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-030 for two (2) years:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1) This is a Special Use Permit for a home occupation for a t-shirt printing business. All future home occupations that do not fulfill all the requirements of Section 27-609(1) must receive a separate Special Use Permit;**
- 2) Consistent with the applicants' written statements, no customers may visit the subject property;**
- 3) If approved, the applicant must file and maintain a current business occupation tax application with this office;**
- 4) All business activity shall remain within the residence;**
- 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 to begin this process;**
- 6) The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 7) The Special Use Permit shall be valid for 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; and,

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

Hearing starts at Tape 2 – 2:17:30:

SPECIAL USE PERMIT APPLICATION SP2022-031 – AUSTIN LAGE WITH BHC

RHODES – SYNOPSIS: Special Use Permit for truck maintenance facility at 700 Kindelberger Road.

PLAN REVIEW APPLICATION PR2022-011 – AUSTIN LAGE WITH BHC RHODES –

SYNOPSIS: Preliminary Plan Review for truck maintenance facility at 700 Kindelberger Road.

Detailed Outline of Requested Action: The applicant, Austin Lage with BHC, is requesting a Preliminary Plan Review and a Special Use Permit. The Preliminary Plan Review is for the proposed development on the subject property: a fueling station open to the public and a private truck maintenance facility. The Special Use Permit is for heavy automotive/truck services, repair, and mechanic, which will allow for the operation of a truck maintenance facility, in conjunction with a fueling station.

City Ordinance Requirements: Article VIII, Sections 27-592 – 27-606

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the property owners.

Present in Support:

- Austin Lage, applicant, BHC Rhodes, 7101 College Boulevard, Suite 400, Overland Park, Kansas 66210

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 2:20:17: Planning Director Hand stated that this property is in the Northeast Area Master Plan in the Fairfax Industrial District. Staff received no letters in support nor opposition. There are old Notices of Violation from when the property was vacant and will be remedied through this development. One of the conditions of approval is the applicant will comply with the Commercial Design

Guidelines. There are deviations to the guidelines requested in the Special Use Permit conditions. He further stated that staff will work with the applicant on the conditions of approval prior to the hearing on the final development plan. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at Tape 2 – 2:21:59:

On motion by Mrs. Jones, seconded by Ms. Armstrong, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit SP2022-031 for two (2) years:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1) The applicant is requesting a Special Use Permit for heavy vehicle/truck service, repair, and maintenance. Any additional uses not included in this Special Use Permit SP2022-031 and not otherwise allowed by the Zoning Code in the M-3 District must receive a separate Special Use Permit;**
- 2) A five (5)-foot sidewalk along the Kindelberger Road right-of-way must be installed and tied into both the existing sidewalk along Kindelberger Road and the intersection at North 7th Street Trafficway and Kindelberger Road. The sidewalk must have all relevant curb cuts, marked crosswalks, and landscaping demonstrated in the submitted site and landscaping plans;**
- 3) In addressing the building materiality requirements in Section 27-576(e)(1)-(2), the applicant may have a metal building, but must cover the outside metal façade in stucco or another qualifying masonry material;**
- 4) Per Section 8-249(b), any fence not otherwise prohibited and no more than eight (8) feet in height is permitted within an area demarcated by the property side line from the front and/or corner side yard required setback to the rear property line and across the rear property line;**
- 5) Per Section 27-470(d)(2), no equipment, material or vehicles, other than motor passenger cars, may be kept, parked, stored or displayed closer than 25 feet to a street line unless such area is screened from the street by a solid fence or other obstruction, set back not less than six (6) feet from the street line and not less than three (3) feet in height;**
- 6) Per Section 27-577(f)(2), plants that die must be replaced as quickly as possible, but in no event longer than four (4) months;**
- 7) The requirements of the Commercial Development Guidelines Overlay District that have been met or will be met are listed under Comment #2 in the “Planning and Urban Design Comments: Commercial Development**

- Guidelines Overlay District” subheading of the *Staff Comments and Suggestions* section of this report;**
- 8) The requirements of the Commercial Development Guidelines Overlay District that have not been met are listed under Comment #3 in the “Planning and Urban Design Comments: Commercial Development Guidelines Overlay District” subheading of the *Staff Comments and Suggestions* section of this report;**
 - 9) It is unclear if some of the requirements of the Commercial Development Guidelines Overlay District have been met or not. In the Final Plan Review, the applicant should provide further explanation or demonstration for the requirements listed under Comment #4 in the “Planning and Urban Design Comments: Commercial Development Guidelines Overlay District” subheading of the *Staff Comments and Suggestions* section of this report;**
 - 10) There are comments incorporated herein by the Wyandotte County Conservation District. For a full list of the Conservation District comments, see the “Wyandotte County Conservation District Letter, Dated February 20, 2022” in the *Attachments* section of this report;**
 - 11) If approved, the applicant must file and maintain a current business occupation tax application with this office;**
 - 12) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**
 - 13) 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 buildinginspecton@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) 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 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) 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;**

- 17) Should the predicted amount of traffic increase by more than twenty (20%) percent, a traffic impact study shall be required;
- 18) 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;
- 19) Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
- 20) Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
- 21) 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;
- 22) 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;
- 23) 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;
- 24) 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; and,
- 25) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

On motion by Mrs. Jones, seconded by Mr. Straws, the Planning Commission voted as follows to recommend **APPROVAL of Plan Review Application PR2022-011:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

- 1) This petition is for a Preliminary Plan Review. The applicant must submit an application and supporting materials for Final Plan Review, subject to Section 27-212(g);
- 2) Any amendments to the conditions or plans approved under PR2022-011 made in the Final Plan Review are subject to Section 27-210(h)(2)a and 27-211(g)(1). If the amendments do not meet these requirements, a new Preliminary Plan Review must be approved by the Board of Commissioners before a Final Plan Review can be approved;
- 3) A five (5)-foot sidewalk along the Kindelberger Road right-of-way must be installed and tied into both the existing sidewalk along Kindelberger Road and the intersection at North 7th Street Trafficway and Kindelberger Road. The sidewalk must have all relevant curb cuts, marked crosswalks, and landscaping demonstrated in the submitted site and landscaping plans;
- 4) So long as all trucks under repair are stored inside the building, Section 27-593(b)(20) will be satisfied. If the applicant or property have a revised

- parking plan based on additional parking needs, it must be submitted for the Final Plan Review and, per Section 27-210(h)(2)a and 27-211(g)(1);
- 5) In addressing the building materiality requirements in Section 27-576(e)(1)-(2), the applicant may have a metal building, but must cover the outside metal façade in stucco or another qualifying masonry material;
 - 6) Per Section 8-249(b), any fence not otherwise prohibited and no more than eight (8) feet in height is permitted within an area demarcated by the property side line from the front and/or corner side yard required setback to the rear property line and across the rear property line;
 - 7) Per Section 27-470(d)(2), no equipment, material or vehicles, other than motor passenger cars, may be kept, parked, stored or displayed closer than 25 feet to a street line unless such area is screened from the street by a solid fence or other obstruction, set back not less than six (6) feet from the street line and not less than three (3) feet in height;
 - 8) Per Section 27-577(f)(2), plants that die must be replaced as quickly as possible, but in no event longer than four (4) months;
 - 9) The requirements of the Commercial Development Guidelines Overlay District that have been met or will be met are listed under Comment #2 in the “Planning and Urban Design Comments: Commercial Development Guidelines Overlay District” subheading of the *Staff Comments and Suggestions* section of this report;
 - 10) The requirements of the Commercial Development Guidelines Overlay District that have not been met are listed under Comment #3 in the “Planning and Urban Design Comments: Commercial Development Guidelines Overlay District” subheading of the *Staff Comments and Suggestions* section of this report;
 - 11) It is unclear if some of the requirements of the Commercial Development Guidelines Overlay District have been met or not. In the Final Plan Review, the applicant should provide further explanation or demonstration for the requirements listed under Comment #4 in the “Planning and Urban Design Comments: Commercial Development Guidelines Overlay District” subheading of the *Staff Comments and Suggestions* section of this report;
 - 12) There are comments incorporated herein by the Wyandotte County Conservation District. For a full list of the Conservation District comments, see the “Wyandotte County Conservation District Letter, Dated February 20, 2022” in the *Attachments* section of this report;
 - 13) If approved, the applicant must file and maintain a current business occupation tax application with this office;
 - 14) All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
 - 15) 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 buildinginspecton@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) 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 to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
- 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) 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;
- 19) Should the predicted amount of traffic increase by more than twenty (20%) percent, a traffic impact study shall be required;
- 20) 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;
- 21) 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;
- 22) Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall.

Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;

23) 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; and,

24) 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.

Hearing starts at Tape 2 – 2:23:40:

VACATION APPLICATION VAC2021-011 – RACHEL BICHARA WITH GOOD NEWS RENTALS LLC – SYNOPSIS: Vacation of an alley to add residential parking at 731 Tenny Avenue.

Detailed Outline of Requested Action: The Applicant, Rachel Bichara, is requesting a Vacation of the alleyway adjacent to the subject property at 731 Tenny Avenue. The Applicant previously requested a Change of Zone from R-1(B) Single Family District to R-2(B) Two-Family District. The Vacation has been requested so that the legal non-conforming use becomes conforming. The subject property was originally constructed as a duplex with a carriage-house style garage and third living unit above the garage. The previous owner has demolished the carriage house garage, leaving only the duplex and driveway. The Applicant desired the rezone to complete appropriate renovations and to obtain a rental license, which requires the zoning to reflect the building's physical condition. The driveway access was at some time subdivided from the subject property and adjacent parcel to grant right-of-way utility access, leaving the subject property without access to the parking and without the use of the intended shared drive with the adjacent parcel (731 H Tenny Avenue). The applicant must obtain off-street parking to meet the zoning requirement.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765 and Article VII Sections 27-454 – 27-457, Sections 27-592 – 27-606.

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

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated March 14, 2022;
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 the property owners.

Present in Support:

- No one appeared

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 2:24:50: Planning Director Hand stated that this case is related to Change of Zone COZ2021-042 approved a couple of months ago from R-1 Single Family District to R-2 Two Family District. This property is in the Central Area Master Plan and was originally planned to have a “T” alleyway. He further stated that the street did not connect because of the overgrowth and slope to the rear of the property. There are utilities behind these properties. There is a “T” alley across Tenny to the north. This has always, fictionally served as the property’s driveway. It is adjacent to a Landbank property that was originally platted as a pocket park. The applicant is going to use this property for rentals. Director Hand stated that there are conditions of approval including one (1) that he would like to add by motion this evening. Staff has conditioned that the applicant reset the brick sidewalk, build a concrete apron to UG Standards and improve the driveway that is currently gravel. Staff would ask the applicant to secure a letter from the Landbank stating that they do not object to them receiving the entire vacated property. When property is vacated typically half goes to each owner. Staff has a verbal agreement with the Landbank Manager in the Economic Development Department, but would like the commitment in writing. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at Tape 2 – 2:27:45:

On motion by Ms. Armstrong, seconded by Mr. Mohler, the Planning Commission voted as follows to recommend **APPROVAL of Vacation Application VAC2021-011:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to:

1. The vacation must be entirely gained to the property of 731 Tenny and not split amongst 731 Tenny and 731 Tenny H;
2. If approved, the applicant shall reset the brick sidewalk, repair the curb and driveway apron in accordance with UG Standards. The driveway must be an

- improved surface, staff recognizes a permeable pavement drive to the grade;
3. A building permit is required. Please contact the Building Inspection Division at (913) 573-8620 to begin that process;
 4. Provide curb and five (5) foot wide public sidewalk in accordance with UG standards and criteria. See UG detail i.e., UG 4100-O;
 5. Applicant agrees to maintain erosion during construction of sidewalk and curb and apron repairs;
 6. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition;
 7. 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 to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly.
 8. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated;
 9. Applicant secures a letter from the Landbank stating that they do not object to them receiving the entire vacated property; and,
 10. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper
- The applicant has filed and maintained a current business occupation tax application

Hearing starts at Tape 2 – 2:28:40:

PLAT2021-031 – JOHN KELLY – SYNOPSIS: Preliminary and Final Plat for one (1) lot at 1818 South 59th Street.

PLAN REVIEW APPLICATION PR2021-039 – JOHN KELLY – SYNOPSIS: Preliminary and Final Plan Review for Pierson Park Fire Station #16 (Turner) at 1818 South 59th Street.

Detailed Outline of Requested Action: The applicant, John Kelly, with the Unified Government – Building and Logistics Department, seeks to build a 15,737 square foot KCKFD fire station and plat one (1) lot on 2.95 acres located at 1818 South 59th Street.

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

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 March 14, 2022;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and,
6. The notices to the property owners.

Present in Support:

- Kile Morrison, Architect representing the applicant Archimages, Inc., 14205 West 95th Street, Lenexa, KS 666215

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 2:37:24: Planning Director Hand stated that this property is in the Turner area off 55th Street. The Unified Government is proposing to use part of Pierson Park for a new fire station at the end of Douglas Avenue. Staff has received no letters in support nor in opposition. There are no Notices of Violation. He further stated that staff would like to retain the berm and enhanced landscaping conditions in the staff report. There were numerous trees removed with the grading and staff would like the flexibility to enhance landscaping in the future. Staff does not oppose the removal of Condition #2 related to the crosswalks as they are shown on the site plan meets the code’s intent. Staff recommends approval subject to the revised conditions.

Motion and Vote starts at Tape 2 – 2:39:26:

On motion by Mr. Straws, seconded by Mr. Mohler, the Planning Commission voted as follows to **APPROVE PLAT2021-031:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to APPROVE Passed: 6 to 0

Subject to:

1. **Prior to submitting two (2) mylars to be recorded with the Register of Deeds, please make sure that the name on the Dedication and Acknowledgement is printed and notarized. The Register of Deeds will not accept illegible writing.**
 - a. **When the mylars are submitted, please submit the following checks:**
 - **\$32.00 per page payable to the Register of Deeds; and,**
 - **\$7.00 per lot payable to the Unified Treasurer;**
2. **Extend the east/west sidewalk west from the rear of the building (the sidewalk exiting past Bunk Room #6 and Chief’s Bunk) to the edge of the**

parking lot and paint a pedestrian path leading to the parking spaces along the western property line;

3. Per Sec. 27-574(c)(3) any retaining wall over six (6) feet in height must be terraced. Four (4) feet of terrace is required for every eight (8) feet of wall.

The four (4) foot terrace shall be landscaped with shrubs and maintained annually;

Utility easements shall be provided along each side of the lot to form a continuous utility easement. All easements shall be at least ten (10) feet wide. The required ten (10) foot width may be provided through five-foot easements on either side of lot or parcel lines when lines do not form, in whole or in part, the outside boundaries of the plat;

4. Utility easements shall connect with easements established in adjoining properties;
5. Per Sec. 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided.
6. Downspouts shall be internalized;
7. Add a considerable amount of more trees around the northwest and south portion of the site due to the large mature tree stand that is proposed to be removed due to influx of fill needed to raise and make the site developable. Reforest the slopes. Maintain a true visual separation to keep a park like setting near the entrance of Pierson Park. Referencing sheets C401 and L01;
8. The road around Pierson Park is being reconnected due to the location of the fire station. As a result, off-site grading due to the road reconstruction is necessary. In the areas that currently have mature trees, preserve as many as possible to be replanted and plant new trees southwest of the retaining walls along the park road. Referencing sheets C402 and L01;
9. Landscape the side door entrance – show on all plans;
10. Sec. 27-700(a) In the R-1, R, A-G, R-1(B), R-2, and R-2(B) districts, one (1) tree per 7,000 square feet of site area for uses other than residences. Based on the total tract size, eighteen (18) trees are required to be planted. This does not include the street trees to be planted along South 55th Street, or parking lot island trees. Maintain existing tree stands, as existing trees provide an enhanced buffer; One (1) street tree shall be planted per thirty (30) feet of frontage along South 55th Street;
12. Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials;
13. All utility connections (including BPU transformer boxes) shall be screened with landscaping. All utilities mounted on the wall shall be painted to match the building.
 - a. BPU transformer pad shall be completely screened on three sides with 6-foot junipers setback 3 feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;
14. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged to deflect light away from any adjoining

residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line. All lighting on the property, both on the buildings and in parking lots shall have 90-degree cutoff fixtures;

15. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);
16. All landscaping shall be irrigated;
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 to begin this process;
18. 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 buildinginspecton@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;
19. 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 to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
20. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable; and,
21. 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.

On motion by Mr. Straws, seconded by Mr. Mohler, the Planning Commission voted as follows to recommend **APPROVAL of Plan Review Application PR2021-039:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to recommend APPROVAL Passed: 6 to 0

Subject to the above conditions.

Hearing starts at Tape 2 – 2:42:02:

PLAT2022-005 – MATT FRANCIS – SYNOPSIS: Preliminary and Final Plat for six (6) single-family lots (Riverview Acres) at 150 North 86th Street.

Outline of Requested Action: The applicant, Matt Francis, has submitted a Preliminary and Final Plat for six (6) agricultural lots. The platted agricultural lots will subdivide the existing agricultural parcel into six (6) lots. The subject property – Lot 6, is currently addressed at 150 North 86th Street. The remaining lots will be addressed with a separate address number along Riverview Avenue.

City Ordinance Requirements: Article XXI Sections 27-502 – 27-709

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 March 14, 2022;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and,
6. The notices to the property owners.

Present in Support:

- Andrea Weishaubt, Atlas Surveyors, 2300 Hutton Road, Kansas City, Kansas
- Matt Francis, Applicant

Present in Opposition:

- No one appeared

Staff Recommendation starts at Tape 2 – 2:43:40: Planning Director Hand stated that this property is in the Riverview area. This is a 30-acre parcel that will be divided into six (6) lots. Staff received no letters in support nor opposition. There are no Notices of Violation on this property. Staff recommends approval subject to the conditions in the staff report.

Motion and Vote starts at Tape 2 – 2:44:31 :

On motion by Mr. Straws, seconded by Ms. Armstrong, the Planning Commission voted as follows to **APPROVE PLAT2022-005:**

Carson	Chairman
Connelly	Not Present
Ernst	Aye
Jones	Aye
Miller	Not Present
Mohler	Aye
Pauley	Not Present
Straws	Aye
Ward	Aye
Armstrong	Aye

Motion to APPROVE Passed: 6 to 0

Subject to:

- 1) **Prior to submitting two (2) mylars to be recorded with the Register of Deeds, please make sure that the name on the Dedication and Acknowledgement is printed and notarized. The Register of Deeds will not accept illegible writing.**
 - a. **When the mylars are submitted, please submit the following checks:**
 - **\$32.00 per page payable to the Register of Deeds; and,**
 - **\$7.00 per lot payable to the Unified Treasurer;**
- 2) **All future development shall meet UG Zoning Code requirements. No future development may violate the setback requirements or other design requirements;**
- 3) **Any future development shall work with the Wyandotte County Conservation District and develop a Conservation Plan to address concerns noted by the Conservation District;**
- 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 buildinginspecton@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) **Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building**

**Inspections Division, Neighborhood Resource Center, 4953 State Avenue,
Kansas City, KS 66102, (913) 573-8620; and,**

- 7) All existing and future driveways must feature curb cuts that are constructed to UG standards.**

There being no further business, the meeting adjourned on Tuesday, March 15, 2022 at 1:30 a.m.