

# CITY PLANNING COMMISSION

MAY 9, 2022

## MINUTES

The City Planning Commission met in regular session on Monday, May 9, 2022, at 8:04 p.m., (2:04:00) (via Zoom Webinar and the Commissioner Chamber of the Municipal Office Building), with the following members present: Mr. Jeff Carson, Chairman Presiding (Zoom – left at 11:00 p.m.), Mrs. Karen Jones, Vice Chairman (Zoom), Mr. Duane Beth (Commission Chamber), Mr. Jim Ernst (Zoom), Mr. Jake Miller (Zoom), Ms. Susannah Pauley (Zoom), and Mr. Aaron Ward (Commission Chamber) (Absent: Armstrong, Connelly, Mohler and Straws). Mr. Gunnar H. Hand, AICP, Director of Planning + Urban Design (Commission Chamber), Ms. Janet L. Parker, CSC/APC, Executive Assistant (Zoom), Mr. Patrick Waters, Assistant Counsel (Zoom), Mr. Byron Toy, AICP, Lead Planner (Zoom), and Mr. James Molloy, Planning Intern (Commission Chamber), were also present.

Chairman Carson called the meeting to order at 8:04 p.m.

Recording Secretary Parker read the **Planning Commission Statement**: “We would like to welcome those participating to the meeting of the City Planning Commission. Members are participating either in-person in the Commission or 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 via Zoom or telephone, use the “raise your hand” feature when you want to speak on an issue. The Chairman will recognize you when it is your time to speak, unmute your microphone and state your name and address before giving your comments. If you are attending in person, please come to the microphone at the front of the room and Direct Hand will inform the Chairman of those person that wish to speak.
4. Proper meeting decorum is expected of all participating in the meeting and anyone who fails to act properly may be removed from the meeting. The City reserves the right to discontinue a meeting if any improper behavior occurs which prevents the uninterrupted conduct of business.

The Planning Commission is a voluntary body of citizens, which will review each zoning proposal. For all change of zones, special use permits, vacations, and preliminary plan reviews on tonight's agenda, the Planning Commission makes recommendations to the Unified Government Board of Commissioners, who will then make the final decisions on **Thursday, May 26, 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](mailto:planninginfo@wycokck.org) tomorrow morning. Any application receiving a unanimous vote of recommendation by the Planning Commission will appear on the consent agenda of the Unified Government Board of Commissioners. Unless there is a request to remove an item from the consent agenda by the applicant, a member of the Unified Government Commission, or other interested parties, the Planning Commission's recommendation will be adopted. The consent agenda is heard at the beginning of the meeting at 7:00 p.m.

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

I will read a list of agenda items on the Consent Agenda, and when I have completed the list, the Chairman will ask if there are any requests to remove items. This is your time to use the raise your hand feature or come to the microphone in the Commission Chamber, 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, May 26, 2022, at 7:00 p.m.**

I will now read the items on the **Consent Agenda at 2:07:35:**

**SPECIAL USE PERMIT APPLICATION SP2022-035 – BRETT EPP WITH HICKORY UNION MOTO - SYNOPSIS:** Renewal of a Special Use Permit (SP-2019-70 – expired 1/30/2022) for live entertainment at a community motorcycle garage at 10 South James Street.

Detailed Outline of Requested Action: The Applicant, Brett Epp with Hickory Union Moto, is seeking the renewal of a Special Use Permit for the subject property at 10 South James Street. The Applicant is requesting the Renewal of Special Use Permit which expired January 30, 2022 so that they may continue to have community events that feature live entertainment and alcohol consumption and to continue to operate a community motorcycle repair garage. Community garage members receive educational guidance on motorcycle repair and are provided with shared-use spaces to repair and build their personal motorcycles, similarly to a trade or craft guild. The garage's community members gather periodically for events to showcase their work to other members or the public and have smaller, less-public events such as barbeques or watch parties throughout the year to foster the sense of community among members. The prior Special Use Permit was for two (2) years and the Applicant is seeking a five (5) year renewal term.

**SPECIAL USE PERMIT APPLICATION SP2022-040 – CLIFFORD DALE JR. WITH MASON JAR, INC. - SYNOPSIS:** Renewal of a Special Use Permit (SP-2020-1, expired 1/29/2022) for live entertainment in conjunction with restaurant at 941 North 74th Drive.

Detailed Outline of Requested Action: The applicant, Clifford Dale Jr. with Mason Jar LLC, requests renewal of a Special Use Permit, SP2020-1 (expired on 1/29/2022), in order to continue to conduct live entertainment events, specifically outside within the fenced area on the east side of the building in conjunction with a restaurant at 941 North 74th Drive.

**SUBDIVISION APPLICATION PLAT2022-008 – CURTIS PETERSEN WITH POLSINELLI SYNOPSIS:** Final Plat for athletic fields (Homefield Perfect Game) at 1501 North 90th Street (in conjunction with PR2022-016).

**PLAN REVIEW APPLICATION PR2022-016 – CURTIS PETERSEN WITH POLSINELLI - SYNOPSIS:** Final Plan Review for athletic fields (Homefield Perfect Game) at 1501 North 90th Street (in conjunction with PLAT2022-008).

Detailed Outline of Requested Action: The applicant, Curtis Petersen with Polsinelli PC, has filed a Final Development Plan and Final Plat to subdivide the property into one (1) lot to build a multi-field baseball/softball complex, development center, scouting tower and

parking on 49.47 acres at 1501 North 90<sup>th</sup> Street.

**SUBDIVISION APPLICATION PLAT2022-009 - CURTIS PETERSEN WITH POLSINELLI**

**- SYNOPSIS:** Final Plat for a training facility (Homefield Training Center) at 9020 State Avenue (in conjunction with PR2022-017 and PR2022-018 for Homefield Training Center and for athletic fields and parking for Homefield Baseball).

**PLAN REVIEW APPLICATION PR2022-017 - CURTIS PETERSEN WITH POLSINELLI -**

**SYNOPSIS:** Final Plan Review for Homefield Training Center at 9020 State Avenue (in conjunction with PLAT2022-009 and PR2022-018).

**PLAN REVIEW APPLICATION PR2022-018 - CURTIS PETERSEN WITH POLSINELLI -**

**SYNOPSIS:** Final Plan Review for athletic fields and parking (Homefield Baseball) at 9020 State Avenue (in conjunction with PLAT2022-009 and PR2022-017).

Detailed Outline of Requested Action: The applicant, Curtis Petersen with Polsinelli PC, on behalf of the property owner, HFS KCK, LLC, has filed a Final Plat and Final Development Plan to subdivide the property into two (2) lots to build a 162,065 square foot indoor/outdoor multi-use sports complex, training center, two (2) baseball fields and parking on 37.39 acres at 9020 State Avenue.

**SUBDIVISION APPLICATION PLAT2022-010 – JOE MCLAUGHLIN WITH BHC**

**RHODES - SYNOPSIS:** Final Plat for one (1) single-family lot (Davis Gardens) at 5917 North 123rd Street.

Detailed Outline of Requested Action: The applicant, Joe Mclaughlin, has submitted a Final Plat for one (1) residential lot. This is a replat of a reserve lot of Hansen Hills. This replat will flip the location of the public right-of-way and the reserve lot of Hansen Hills, and combine the reserve lot into Lot 11 in order to maintain future access to the parcel to the east. The applicant changed the name of the plat during review to Davis Garden.

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 May 9, 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 publications in The ECHO for the Special Use Permits; and,
7. The notices to property owners.

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

Chairman Carson asked if any member of the Commission, staff or public wished to

remove an item from the Consent Agenda. Planning Director Hand requested that SP2022-040 be removed from the Consent Agenda. Planning Commissioner Miller requested that PLAT2022-010 be removed from the Consent Agenda.

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

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

**Motion to APPROVE Passed: 6 to 0**

**Subject to:**

**SP2022-035:**

- 1. Hours of operation are to remain consistent with previously stated operational use;**
- 2. All entertainment must cease by 1:30 AM;**
- 3. Alcohol consumption must remain on the subject property and not continue onto overflow parking;**
- 4. Security and staffing during events must follow the ratios outlined in Section 4-104(f);**
- 5. 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;**
- 6. 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;**
- 7. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also**

- be subject to enforcement actions and administrative citations;
8. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
  9. 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,
  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.

**PLAT2022-008/PR2022-016:**

1. As stipulated by the City Planning Commission, further evaluation of splitting the traffic northbound and southbound on North 90<sup>th</sup> Street is required. This may result in a redesign of the northern most entrance/exit.
2. Prior to issuance of a building permit (i.e., for vertical construction), the applicant will provide an updated Traffic Study addressing staff's previous written comments to the Traffic Study. Following staff's review of the updated Traffic Study, applicant and staff will mutually determine if any improvements should be incorporated into the construction drawings based on the updated Traffic Study's recommendations;
3. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
4. Site design should integrate and facilitate access to public transit by creating pedestrian connections, crosswalks internal to the development and adjacent pedestrian systems;
5. Minimum 4-foot pedestrian path with landscape buffer and pedestrian lighting from parking areas to buildings;

6. **Install crosswalks throughout the parking lot linking parking lot medians and islands connecting to the interior sidewalk around the perimeter of the fields;**
7. **Add painted crosswalks through the parking lot linking the pedestrians to the internal sidewalk network;**
8. **Establish a mid-block pedestrian crossing to the sidewalk on the west side of North 90<sup>th</sup> Street along the property boundary of Compass Minerals Soccer Complex across the street at 1500 North 90<sup>th</sup> Street by installing a solar-powered, push-button strobe crosswalk signal. Developer is responsible for installing the system and crosswalk;**
9. **Over the road trucks shall not be parked on the property overnight;**
10. **Buses and larger vehicles shall not block fire lanes and drive aisles;**
11. **Install a publicly accessible bicycle rack for bicyclists in the entry plaza area;**
12. **The proposed concrete blocks need to be integrally-color and textured;**
13. **Smooth- face concrete masonry units are not permitted as an exterior building material per the Commercial Design Guidelines;**
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. Overflow drains shall be at grade and hidden by vegetation;**
15. **All concrete shall be integrally-colored – no paint;**
16. **A six (6) foot privacy fence with masonry columns every thirty-two (32) along the portion at the Southwest of the property adjacent to the southernmost main entrance to the project and abutting 90<sup>th</sup> 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;**
17. **The parking lot must be screened where proposed grades allow by berms and landscaping from North 90<sup>th</sup> Street and the residence immediately abutting the entrance along the south property line.**

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

18. **Install trees around the slopes of the detention basins throughout the development and at the north, east and south ends of the internal walkway corridors to block visitors from looking directly at the end of the corridor into a resident's rear yard;**
19. **Add a note or cloud indicating the preservation of existing tree stands around the perimeter of the development;**
20. **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;**
21. **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;**
22. **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;**
23. **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;**
24. **All landscaping shall be irrigated along North 90<sup>th</sup> Street, within the**

- landscaped parking lot islands and landscape beds adjacent to the perimeter of the entrance;
25. 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;
  26. 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;
  27. Mechanical equipment and other utility hardware whether mounted on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building and design and materials;
  28. 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.
    - a. 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;
  29. There are lighting and glare issues that were raised in the past with the soccer fields directly west of this site. We want to make sure the applicant aware of these issues and want to ensure that the exterior lighting (parking lot lights and field lights) adhere to the one (1) footcandle at the property line. This includes light that is cast vertically and horizontally.
    - a. 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;
  30. Only decorative lighting can be used on the exterior of the building(s). No pack lights or flood lights are allowed;
  31. The dumpster will need to be screened with an architectural wall that matches the materials of the primary building and heavily landscaped;
  32. All rooftop mechanical screen walls may not be perforated metal. The screen wall shall be solid;
  33. 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;
  34. No outside storage of materials, equipment or ancillary items associated with the day-to-day operation for Homefield complex unless they are completely screened from and all abutting property lines and the public right-of-way;
  35. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division



- shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
36. If approved, the Applicant may need additional licenses or permits for safe and proper operation (i.e., Wyandotte County Health Department and/or KDHE). The approval of this application does not mitigate the need for additional licenses as this application is for zoning approval only;
  37. All final public improvement plans, including plans for sidewalks and streets, and stormwater sewer and sanitary sewer, must be reviewed, approved, and signed by the County Engineer prior to the issuance of a building permit;
  38. All existing and future driveways must feature curb cuts that are constructed to UG standards;
  39. A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
  40. 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,
  41. Shall comply with Planning Engineering Comments regarding General Engineering, Erosion Control, Sanitary and Storm Sewer, Stormwater Quality, Storm Sewer, and Retaining Walls, if applicable.

**PLAT2022-009/PR2022-017/PR2022-018:**

1. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
2. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their number is (913) 573-8780;
3. If approved, the applicant may need additional licenses or permits for safe and proper operation (i.e., Wyandotte County Health Department and/or KDHE). The approval of this application does not mitigate the need for additional licenses as this application is for zoning approval only;
4. Site design should integrate and facilitate access to public transit by creating pedestrian connections, crosswalks internal to the development and adjacent

- pedestrian systems;
5. Install a pedestrian pathway from the parking lot directly west of the Homefield Training Center building to the front of the building;
  6. Add crosswalks where sidewalks and pedestrian pathways/crossings cross drive aisles in both parking lots, Homefield Training Center and Homefield baseball fields;
  7. As a condition of approval with the preliminary plat, dedicate North 92<sup>nd</sup> Terrace cul-de-sac right-of-way;
  8. Minimum 4-foot pedestrian path with landscape buffer and pedestrian lighting from parking areas to buildings.
    - a. Depending on the slope of the along State Avenue, the pedestrian connection from State Avenue to the front door of the training center may need to shift to the west;
  9. Indicate the approximate location of the Kansas City ATA transit stop along State Avenue. A four (4) foot sidewalk shall be constructed from the transit stop, through the parking lot, to the front door of the building.
    - a. A transit shelter should be constructed, similar to Urban Outfitters. Contact Justus Welker, Kansas City ATA at (913) 573-6798 or [jwelker@wycokck.org](mailto:jwelker@wycokck.org).
    - b. The enhanced bus shelter along State Avenue should be constructed to align with the pedestrian walkway with the pedestrian route in the surface parking lot;
  10. Over the road trucks shall not be parked on the property overnight;
  11. Install a publicly accessible bicycle rack for bicyclists in the entry plaza area;
  12. Add painted crosswalks between the main access drive linking the parking lot islands and the internal sidewalk network to the training center and baseball fields;
  13. Buses and larger vehicles shall not block fire lanes and drive aisles;
  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;
  15. All concrete shall be integrally-colored – no paint;
  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. With the existing heavily forested area, Staff does not want to see a site with sparsely planted two (2) inch caliper trees. Trees must be planted on top of the existing ridge line; trees shall be infilled on the downward slope to

- increase the screening along North 94<sup>th</sup> Street, North 92<sup>nd</sup> Street and behind the building along North 90<sup>th</sup> Street;
22. The area in question shall have trees shall be planted along the southwest ridge line of the detention basin arcing south to State Avenue between the agriculturally zoned property (residential home) and the western access drive, as well as abutting the single-family homes to the northeast and east.
  23. Illustrate on the landscape plan the area east of North 92<sup>nd</sup> Street cul-de-sac as green space;
  24. Add a note or cloud indicating the preservation of existing tree stands around the perimeter of the development;
  25. All deciduous 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;
  26. All landscaping shall be irrigated;
  27. All disturbed areas within the development shall be brought to finished grade and seeded or sodded. There shall not be any exposed, bare ground unless the lot has an active building permit for building construction;
  28. Mechanical equipment and other utility hardware whether mounted on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building and design and materials;
  29. 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.
    - a. 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;
  30. There are lighting and glare issues that were raised in the past with the soccer fields directly west of this site. We want to make sure the applicant aware of these issues and want to ensure that the exterior lighting (parking lot lights and field lights) adhere to the one (1) foot candle at the property line. This includes light that is cast vertically and horizontally.
    - a. 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;
  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. 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;
  36. All final public improvement plans, including plans for sidewalks and streets, and stormwater sewer and sanitary sewer, must be reviewed, approved, and signed by the County Engineer prior to the issuance of a building permit;
  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](mailto:signpermits@wycokck.org) to begin this process;
  38. All existing and future driveways must feature curb cuts that are constructed to UG standards;
  39. A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly; and,
  40. Shall comply with Planning Engineering Comments regarding to General Engineering, Erosion Control, Sanitary and Storm Sewer, Stormwater Quality, and Retaining Walls, if applicable.

**SPECIAL USE PERMIT APPLICATION SP2022-040 – CLIFFORD DALE JR. WITH MASON JAR, INC. - SYNOPSIS:** Renewal of a Special Use Permit (SP-2020-1, expired 1/29/2022) for live entertainment in conjunction with restaurant at 941 North 74th Drive.

Planning Director Hand stated that staff removed this item from the Consent Agenda to add an additional condition of approval for this application:

1. Applicant address the items required to close the original building permit.

**Present in Support:**

Adriane Dale, representing the applicant

**Present in Opposition:**

No one appeared

**Staff Recommendation:** Director Hand stated staff recommends approval with the additional condition.

On motion by Mr. Miller, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL:**

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

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

**Motion to APPROVE Passed: 6 to 0**

**Subject to:**

- 1. All entertainment must cease by at least 1:30AM. As a C-1 zone, per code Section 27-464 (c)(9) "Retail businesses with parking areas or other outside customer-oriented areas within 100 feet of any residence shall restrict hours of operation to between 6:00 a.m. and 1:00 a.m. of the following day";**
- 2. Doors and windows must stay closed during any entertainment performance;**
- 3. All entertainment must cease by at least 1:30AM Doors and windows must stay closed during any entertainment performance; Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:**
  - A. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;**
  - B. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;**
  - C. An I.D. scanner will be used at all times; and,**
  - D. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles.**
  - E. No amplified speakers or entertainment is allowed in outdoor spaces; and, any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;**
- 4. Must comply with Unified Government Security Ordinance (Chapter 4, Article III, Division 1, Sec 4-104, f) Including: Number of security officers. The number of licensed security officers that shall be required are as follows:**
  - A. For any number of persons present within the building numbering from one to 125, none.**
  - B. For any number of persons present within the building numbering from 125 to 250, two security officers.**
  - C. For gatherings or groups of persons in excess of 250, two additional security officers for each 100 persons.**

**The number of security officers required may be modified by the order of the business license and occupation tax division or the chief of police when there are reasonable grounds to believe that a larger or smaller number of officers shall be needed to protect the public health and/or safety. This subsection shall have application only to those permits issued on a per theme basis;**

- 5. No amplified speakers or entertainment is allowed in outdoor spaces except**

- for live entertainment events;
6. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
  7. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
  8. If approved, the applicant must file and maintained a current business occupation tax application and entertainment license;
  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 [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so must take it upon themselves to initiate the building permit process accordingly;
  10. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
  11. The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a building permit;
  12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
  13. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
  14. Applicant address the items required to close the original building permit.
  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.**

**SUBDIVISION APPLICATION PLAT2022-010 – JOE MCLAUGHLIN WITH BHC**

**RHODES - SYNOPSIS:** Final Plat for one (1) single-family lot (Davis Gardens, 2nd PLAT) at 5917 North 123rd Street.

**Present in Support:**

- Joe McLaughlin, applicant, BHC Rhodes, 712 State Avenue, Kansas City, Kansas 66101
- Brent Thompson, Acting County Surveyor

**Present in Opposition:**

- Dirk Hanson, 11901 Marxen Road, Kansas City, Kansas 66109 (He submitted a four (4) page letter to staff today).

**Staff Recommendation:** Director Hand stated this is a replat of a residential lot that will effectively flip the location of the public right-of-way and the reserve lot of Davis Garden. It will combine the reserve lot into Lot 11 in order to maintain future access to the parcel to the east. Staff has received no letters in support and until today had not received any letters in opposition. There are no Notices of Violation on this property. Staff recommends approval subject to the conditions in the staff report.

On motion by Mr. Ernst, seconded by Mrs. Jones, the Planning Commission voted as follows to **APPROVE PLAT2022-010 subject to the conditions in the staff report and continued cooperation of the Unified Government with Mr. Hansen:**

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

**Motion to APPROVE Passed: 6 to 0**

**Subject to:**

- 1. All future development shall meet UG Zoning Code requirements. No future development may violate the setback requirements or other design requirements;**

2. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
3. 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;
4. Comply with the County Surveyor and GeoSpatial Services Department comments;
5. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
6. All existing and future driveways must feature curb cuts that are constructed to UG standards; and,
7. 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.

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

**Hearing starts at 2:40:00:**

**CHANGE OF ZONE APPLICATION COZ2021-048 – BLAIR TANNER - SYNOPSIS:**

Change of Zone from C-1 Limited Business and R-1 Single Family Districts to RP-6 Planned High Rise Apartment District for a multi-family residential apartment complex and parking garage at 4601 Rainbow Boulevard. *Detailed Outline of Requested Action:* The applicant, Blair Tanner with Tanner & White Properties, Inc. applied for a Change of Zone from C-1 Limited Business and R-1(B) Single Family Districts to RP-6 Planned High-Rise Apartment District to build a seven (7) story, 171-unit apartment building on 1.89 acres located at 4601 Rainbow Boulevard.

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 May 9, 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 the following letters/emails were submitted today in support:

1. Topher Philgreen, Topher Enterprises, LLC
2. Mike King, President/CEO of Youthfront
3. Jason Grill, JGrill Consulting

**Present in Support:**

- Bob Johnson, applicant, Polsinelli, 900 West 48<sup>th</sup> Place, Suite 900, Kansas City, Missouri 64112
- Amy Grant, Polsinelli, 900 West 48<sup>th</sup> Place, Suite 900, Kansas City, Missouri 64112
- Aaron Mesmer, Block Real Estate Services
- Matthew Hufft, owner and operator of Hufft Architects
- Blair Tanner, Tanner and White Properties, Inc.
- Greg Kindle, President of Wyandotte Economic Development Council

At 9:10 p.m. the applicant was given an additional 5 minutes to speak by the Planning Commission.

**Present in Opposition:**

- Mr. Baker, 2400 block of Rainbow Boulevard, Kansas City, Kansas 66103
- Dr. Shelly Cooper, 4526 Francis, Kansas City, Kansas 66103
- Valerie Wells Fenton, 4430 State Line Road, Kansas City, Kansas 66103
- Kellie White, 4410 Francis, Kansas City, Kansas 66103
- Gil Pintar, 4178 Cambridge, Kansas City, Kansas 66103
- Becky Paulsen, 4418 Francis, Kansas City, Kansas 66103
- Rose Eilts, 506 North 4<sup>th</sup> Street, Kansas City, Kansas 66102
- Chris Steineger, 4529 Francis, Kansas City, Kansas 66103
- Sheri Wilson, 4529 Francis, Kansas City, Kansas 66103

**Staff Recommendation starts at 3:53:35:** Planning Director Hand stated that this application was heard in conjunction with BOZA2022-016, which was denied earlier this evening. This request is for a change of zoning from C-1 Limited Business and R-1(B) Single Family Districts to RP-6 Planned High-Rise Apartment District for a seven (7) story, 171-unit apartment building on 1.89 acres. The applicant has requested multiple deviations from the Multi-Family Guidelines and the Rosedale Area Master Plan. If this application is approved, the applicant will need to submit a final development plan for review and consideration. Staff has received letters in support and more letters in opposition. There are no Notices of Violation on this property. Applicant has worked with Staff through the process and taken into account the comments of the community regarding height and massing. There are several conditions of approval. One condition is that a FEMA standard safe room will need to be provided. Director Hand stated that he would like to address some of the concerns of those in opposition this evening. The traffic

study was reviewed by the County Engineer and a third-party engineering consultant as the UG does not currently have a Traffic Engineer on staff. They found no adverse impact related to this project. They tiered off of the traffic study that was originally done when this property was proposed to be developed as an office building, which is standard practice. Commercial developments produce more traffic than multi-family developments. Director Hand stated regarding massing of the project, adding density and height, is the best practice for urban design. Regarding traffic calming and 46<sup>th</sup> Avenue, this project does not change the width of 46<sup>th</sup> Avenue. Adding the street parking will serve as a buffer for the sidewalk that is being added as a public amenity on the South side of 46<sup>th</sup> Avenue. He stated that the bump out and other public realm enhancements closes the pedestrian gap on Francis Street. This application does not seek a Master Plan Amendment, so Staff believes it complies with the Rosedale Master Plan with the exception of the deviations being requested. The Master Plan does speak to creating mixed-income community and affordability. Staff recommends approval subject to the conditions in the staff report.

Chairman Carson allowed the applicant to address the questions/comments raised by the opposition.

Legal Counsel Waters stated that since the City does not have a City-Wide Affordably Housing Policy, that should not be considered as a factor during deliberations on this application.

Director Hand stated that if approved, the project proposed tonight cannot be the one that will come forward at the final plan review as the variance was denied this evening. It will require a redesign of the project.

**Motion starts at 4:12:50:**

On motion by Mr. Miller, seconded by Mr. Ward, the Planning Commission voted as follows to recommend **DENIAL of COZ2021-048 due to the Factors to be Considered 1 through 6 and 12:**

<b>Carson</b>	<b>Chairman – left at 9:55 p.m. and resumed chair at 10:03</b>
<b>Armstrong</b>	<b>Not Present</b>
<b>Beth</b>	<b>Aye</b>
<b>Connelly</b>	<b>Not Present</b>
<b>Ernst</b>	<b>Aye</b>
<b>Jones</b>	<b>No – Took over as Chairman at 9:55 p.m. and relinquished the</b>
<b>chair at 10:03 p.m.</b>	
<b>Miller</b>	<b>Aye</b>
<b>Mohler</b>	<b>Not Present</b>
<b>Pauley</b>	<b>No</b>
<b>Straws</b>	<b>Not Present</b>
<b>Ward</b>	<b>Aye</b>

Motion to recommend **DENIAL** Passed: 4 to 2

**Hearing starts at 4:20:50:**

**CHANGE OF ZONE APPLICATION COZ2022-006 – VERNON HOPKINS - SYNOPSIS:**

Change of Zone from C-1 Limited Business District to CP-2 Planned General Business District to operate a sports bar and grill with event space at 2724 North 13th Street.

**SPECIAL USE PRMIT APPLICATION SP2022-018 - VERNON HOPKINS - SYNOPSIS:**

Special Use Permit to operate a sports bar and grill with event space at 2724 North 13th Street.

**Detailed Outline of Requested Action:** The Applicant, Vernon Hopkins, is requesting a Change of Zone for the subject property at 2724 North 13th Street. The Applicant is requesting a Change of Zone from C-1 Limited Business District to C-2 General Business District. The Change of Zone has been requested so that the applicant can begin operation of a sports bar and grill with special gathering events within a 2004 square foot masonry building. The Applicant is the new property owner and is in the process of renovating the building to include a small kitchen. A Special Use Permit is required for any food service establishment in which alcohol sales is expected to surpass food sales and for live entertainment during events. This application is being heard in conjunction with BOZA2022-022 for variances pertaining to setbacks and minimum required parking.

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 May 9, 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 from 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:**

- Vernon Hopkins, applicant, 7861 NW Roanoke Road, Kansas City, Missouri

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:23:51:** Planning Director Hand stated that this case was heard in conjunction with Board of Zoning Appeals case BOZA2022-022, which was approved earlier this evening. The property is in the Northeast Area Master Plan. Staff has received no letters in support nor opposition. There are some Notices of Violation that will be resolved with this redevelopment project. Staff has included several conditions of

approval. Staff recommends approval of the Change of Zone and Special Use Permit subject to the conditions in the staff report.

**Staff Recommendation starts at 4:25:16**

On motion by Mrs. Jones, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend **APPROVAL of COZ2022-006:**

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

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

**Subject to:**

1. **This City Planning Commission case is being heard in conjunction with BOZA2022-022;**
2. **Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;**
3. **All entertainment must cease by at least 1:00 AM;**
4. **No outdoor loitering in alleyways or behind the building;**
5. **Tash must be maintained at the rear of the building;**
6. **Doors and windows must stay closed during any entertainment performance;**
7. **Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104(f), including:**
  - a. **Security guards may be required depending on the building capacity;**
  - b. **Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;**
  - c. **An I.D. scanner will be used at all times when alcohol is served;**
  - d. **At closing time, all security personnel will move patrons towards the exit and then to their vehicles;**
8. **No amplified speakers or entertainment is allowed in outdoor spaces;**
9. **Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;**
10. **If approved, the applicant must file and maintain a current business occupation tax application;**
11. **A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit,**

- and if so, must take it upon themselves to initiate the building permit process accordingly;
12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
  13. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
  14. The Special Use Permit shall be valid for 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.

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of SP2022-018:**

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

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

**Subject to the above conditions**

**Hearing starts at 4:27:00:**

**CHANGE OF ZONE APPLICATION COZ2022-007 – MARICELA ZAMORA - SYNOPSIS:**

Change of Zone from C-1 Limited Business District to CP-3 Planned Commercial District for auto repair services at 4639 Parallel Parkway (in conjunction with SP2022-022 and BOZA2022-007).

**SPECIAL USE PERMIT APPLICATION SP2022-022 - MARICELA ZAMORA -**

**SYNOPSIS:** Special Use Permit for auto repair services at 4639 Parallel Parkway.

*Detailed Outline of Requested Action:* The applicant, Maricela Zamora with Pardo Automotive, is requesting a Change of Zone and a subsequent Special Use Permit. The requested Change of Zone is from C-1 Limited Business District to CP-2 Planned General Business District. This district is requested in order to meet the zoning district requirement for a Special Use Permit for light automotive service and maintenance. The subject property has had a light automotive service and maintenance use on the subject property since 2017; this Special Use Permit has been triggered by an expansion of uses on the subject property due to an expansion of the existing building by an additional 1,241 square feet.

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 May 9, 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; and,
8. The testimony at the Board of Zoning Appeals 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:**

- Juan Pardo, representing his wife, the applicant, 4639 Parallel Parkway, Kansas City, Kansas 66104

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:29:45:** Planning Director Hand stated these applications are being heard in conjunction with BOZA2022-007, which was approved by the Board of Zoning Appeals earlier this evening. The request is to change the zoning from C-1 Limited Business District to CP-2 Planned General Business District for automotive service and maintenance. The property is in the mid-town area in the City-Wide Master Plan. Staff has received no letters in support nor in opposition. The project will be required to follow the Commercial Design Guidelines and the conditions in the staff

report including the position of ADA parking stalls. Staff recommends approval subject to the conditions in the staff report.

**Motion starts at 4:30:57:**

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of COZ2022-007:**

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

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

**Subject to:**

- 1) **Per Section 27-576(c)(1), commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of a building;**
- 2) **Per Section 27-576(e)(1), building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality prestressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials;**
- 3) **Per Section 27-576(e)(2), exterior building materials shall not include the following: split shakes, rough sawn, or board and batten wood; vinyl siding; smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels; field painted or prefinished corrugated metal siding; standard single-tee or double-tee concrete systems; or EIFS at the ground level or comprising more than 15 percent of any façade;**
- 4) **Per Section 27-576(e)(3), exterior building material must be continued down to within nine inches of finished grade on any elevation. Exterior masonry materials must be continued to the top of grade;**
- 5) **Per Section 27-576(e)(4), all building facades shall be at least 50 percent masonry. Cementitious siding may be used to meet 50 percent of the total masonry requirement;**
- 6) **Per Section 27-576(f)(2), all building projections shall match or complement in color the permanent color of the surface from which they project;**
- 7) **Per Section 27-577(f)(1), all new development landscaping must be irrigated with an automatic system approved by the planning department;**
- 8) **Any approval by the City Planning Commission of this case, and the conditions of approval contained herein, are contingent upon and shall only go into effect upon the approval of Appeal BOZA2022-007 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**

- 9) This City Planning Commission case is being heard in conjunction with BOZA2022-007. The following are conditions for BOZA2022-007 and are stated here for reference only, as COZ2022-007 and SP2022-022 are solely for a Change of Zone from C-1 Limited Business District to CP-2 Planned General Business District and Special Use Permit for light automotive repair and maintenance, respectively;
- 10) The applicant has filed and maintained a current business occupation tax application;
- 11) A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so must take it upon themselves to initiate the building permit process accordingly;
- 12) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
- 13) 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;
- 14) 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;
- 15) 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;
- 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](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
- 17) Per Section 27-466(g), trees are required at not less than one (1) per 7,000 square feet of site area. The subject property measures 11,519 square feet, requiring two (2) trees be provided on the site plan, in addition to any trees required by other landscaping or screening conditions;
- 18) Section 27-466(g) requires that a six (6) foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property. Additional screening or buffering may be required to soften the visual impact of parking or unsightly areas; and,



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

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL** of **SP2022-022**:

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

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

**Subject to:**

- 1) **Per Section 27-576(c)(1), commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of a building;**
- 2) **Per Section 27-576(e)(1), building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality prestressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials;**
- 3) **Per Section 27-576(e)(2), exterior building materials shall not include the following: split shakes, rough sawn, or board and batten wood; vinyl siding; smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels; field painted or prefinished corrugated metal siding; standard single-tee or double-tee concrete systems; or EIFS at the ground level or comprising more than 15 percent of any façade;**
- 4) **Per Section 27-576(e)(3), exterior building material must be continued down to within nine inches of finished grade on any elevation. Exterior masonry materials must be continued to the top of grade;**
- 5) **Per Section 27-576(e)(4), all building facades shall be at least 50 percent masonry. Cementitious siding may be used to meet 50 percent of the total masonry requirement;**
- 6) **Per Section 27-576(f)(2), all building projections shall match or complement in color the permanent color of the surface from which they project;**
- 7) **Per Section 27-577(f)(1), all new development landscaping must be irrigated with an automatic system approved by the planning department;**
- 8) **Any approval by the City Planning Commission of this case, and the conditions of approval contained herein, are contingent upon and shall only go into effect upon the approval of Appeal BOZA2022-007 by the Unified**

- Government Board of Zoning Appeals and upon any ordinance publications required by law;**
- 9) This City Planning Commission case is being heard in conjunction with BOZA2022-007. The following are conditions for BOZA2022-007 and are stated here for reference only, as COZ2022-007 and SP2022-022 are solely for a Change of Zone from C-1 Limited Business District to CP-2 Planned General Business District and Special Use Permit for light automotive repair and maintenance, respectively;**
  - 10) The applicant has filed and maintained a current business occupation tax application;**
  - 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 [buildinginspector@wycokck.org](mailto:buildinginspector@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) ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;**
  - 13) 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;**
  - 14) 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;**
  - 15) 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;**
  - 16) 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;**
  - 17) A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to**

- confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
- 18) Per Section 27-466(g), trees are required at not less than one (1) per 7,000 square feet of site area. The subject property measures 11,519 square feet, requiring two (2) trees be provided on the site plan, in addition to any trees required by other landscaping or screening conditions;
  - 19) Section 27-466(g) requires that a six (6) foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property. Additional screening or buffering may be required to soften the visual impact of parking or unsightly areas;
  - 20) 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;
  - 21) 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;
  - 22) 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,
  - 23) 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 4:32:40:**

**CHANGE OF ZONE APPLICATION COZ2022-014 – REGINA COMPERNOLLE -**

**SYNOPSIS:** Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 4141 Joyce Drive (in conjunction with SP2022-042 - Renewal of a Special Use Permit - SP-2019-23 - for the Temporary Use of Land for “You Pick Berries”, host classes, apprentices and a farm stand).

## **SPECIAL USE PRMIT APPLICATION SP2022-042 – REGINA COMPERNOLLE -**

**SYNOPSIS:** Renewal of Special Use Permit (SP-2019-23, expired 03/28/2021) for the Temporary Use of Land for “You Pick Berries”, host classes, apprentices, and a farm stand at 4141 Joyce Drive.

*Detailed Outline of Requested Action:* The Applicant, Regina Compernelle OBA Sacred Earth Arts, is requesting a Change of Zone and a renewal of a Special Use Permit for the subject property at 4141 Joyce Drive. The Applicant is requesting a Change of Zone from R-1 Single Family District to AG Agricultural District. The Change of Zone has been requested so that the property's agricultural activity can continue. It is unclear if the property was formerly zoned for Agricultural, however the parcel size and rural nature of the properties indicate that there was a possible rezone from Agricultural in the past. The Applicant currently uses the property for a multitude of agriculturally related activities including educational classes on topics such as herbalism, edible plant identification, nature-based spirituality, nature-inspired art, self-pick orchards, the production of farm-goods such as soaps, jellies, salves, oil infusions, incenses, and personal homesteading and would like the zoning to reflect the property's intended use. The property owner maintains a number of agricultural related accessory structures such as high-tunnels and an equipment storage barn. The Special Use Permit has been requested so that the applicant may continue to utilize the commercial activity of the educational classes and you-pick berry sales and the industrial activity of food product production.

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 May 9, 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:**

- Rick Mareske, representing the applicant, 4141 Joyce Drive, Kansas City, Kansas

### **Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:35:50:** Planning Director Hand stated that this is the third renewal of the Special Use Permit. Staff is honoring past Temporary Uses of Land Special Use Permits as per the Director's current interpretation of the zoning code that Temporary Use of Land applications are only for two (2) years total. This request is for homesteading classes, berry picking and other agricultural uses on the property. He stated that the Change of Zone will legalize the additional accessory structures on the property

and allow for other agricultural uses of the land. Director Hand stated that this property is in the north Midtown area. Staff is requesting that the driveway aprons be built to UG standards and notes that there are several notifications in the conditions of approval as it relates to additional agricultural uses that require a plan from the Conservation District. If that were to happen, it would trigger an updated Special Use Permit. Staff recommends approval of the Change of Zone and Special Use Permit subject to the conditions in the staff report.

**Motion starts at 4:37:23:**

On motion by Mrs. Jones, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of COZ2022-014:**

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

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

**Subject to:**

- 1. If approved, the drive aprons shall be upgraded to an improved surface with repaired aprons and as required and approved by the UG Building Inspection Division and Public Works;**
- 2. A right of way permit is required. Please contact the Public Works Department at (913) 573-5311 to begin that process;**
- 3. The applicant will need to continuously maintain the agricultural exemption and occupation taxes licenses with the business office;**
- 4. Should any of the orchard or vined plants be used for the purposes of a farm winery, the regulations set forth in Section 4-9 and Section 34-78 shall be followed. A Special Use Permit is required to operate a farm winery per Section 27-593(9);**
- 5. Should any produce or homemade goods be sold, the regulations in Chapter 32 and Chapter 16 shall be followed. Additional requirements by the Department of Agriculture such as a Food Handlers, Food Processors, or other licensing may be required. See Farmers' Market and Similar Food Sales (ks.gov) and MF3138 Foods Sold Direct to Consumers in Kansas (Farmers Markets): Regulations and Food Safety Best Practices (ksu.edu) for more information;**
- 6. If approved and should livestock be introduced to the property or timber stand improvements to be made, the applicant should contact the Conservation District for technical assistance per the comments below to update their Conservation District Plan accordingly;**
- 7. Commercial Activity on the property shall be by appointment only with no open picking by the public;**

8. All class participants shall continue to park off-street in the designated parking area;
9. The FSMA Producer Certificate shall be renewed when required;
10. If there are still four (4) dogs on the property, an additional Special Use Permit is required;
11. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
12. 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;
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. 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;
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.**

On motion by Mrs. Jones, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL** of **SP2022-042**:

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

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

**Subject to:**

- 1. If approved, the drive aprons shall be upgraded to an improved surface with repaired aprons and as required and approved by the UG Building Inspection Division and Public Works;**
- 2. A right of way permit is required. Please contact the Public Works Department at (913) 573-5311 to begin that process;**
- 3. The applicant will need to continuously maintain the agricultural exemption and occupation taxes licenses with the business office;**
- 4. Should any of the orchard or vined plants be used for the purposes of a farm winery, the regulations set forth in Section 4-9 and Section 34-78 shall be followed. A Special Use Permit is required to operate a farm winery per Section 27-593(9);**
- 5. Should any produce or homemade goods be sold, the regulations in Chapter 32 and Chapter 16 shall be followed. Additional requirements by the Department of Agriculture such as a Food Handlers, Food Processors, or other licensing may be required. See Farmers' Market and Similar Food Sales (ks.gov) and MF3138 Foods Sold Direct to Consumers in Kansas (Farmers Markets): Regulations and Food Safety Best Practices (ksu.edu) for more information;**
- 6. If approved and should livestock be introduced to the property or timber stand improvements to be made, the applicant should contact the Conservation District for technical assistance per the comments below to update their Conservation District Plan accordingly;**
- 7. Commercial Activity on the property shall be by appointment only with no open picking by the public;**
- 8. All class participants shall continue to park off-street in the designated parking area;**
- 9. The FSMA Producer Certificate shall be renewed when required;**
- 10. If there are still four (4) dogs on the property, an additional Special Use Permit is required;**
- 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 [buildinginspector@wycokck.org](mailto:buildinginspector@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, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
  13. 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. 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;
  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 4:38:15:**

**MASTER PLAN AMENDMENT APPLICATION MPL2022-010 - SAM LORING WITH GOULD EVANS - SYNOPSIS:** Master Plan Amendment from Nothing to Regional Commercial, Public-Semi-Public and Park/Open Space (Armourdale Area Master Plan) at 0 Kansas Avenue (557 River Park Drive).

**CHANGE OF ZONE APPLICATION COZ2022-016 – SAM LORING WITH GOULD EVANS - SYNOPSIS:** Change of Zone from No Zoning to CP-2 Planned General Business District to construct the Rock Island Bridge Entertainment Venue at 0 Kansas Avenue (557 River Park Drive).

**SPECIAL USE PERMIT APPLICATION SP2022-044 - SAM LORING WITH GOULD EVANS - SYNOPSIS:** Special Use Permit for an entertainment venue for the Rock Island Bridge at 0 Kansas Avenue (557 River Park Drive) MPL2022-010, and PR2022-019).

**PLAN REVIEW APPLICATION PR2022-019 - SAM LORING WITH GOULD EVANS - SYNOPSIS:** Preliminary and Final Plan Review for an entertainment venue for the Rock Island Bridge at 0 Kansas Avenue (557 River Park Drive).

*Detailed Outline of Requested Action:* The representative, Sam Loring with Gould Evans on behalf of the property owner, Flying Truss LLC, requests to rezone the Rock Island Bridge from unzoned to CP-2 Planned General Business District, amend the Armourdale Master Plan from no designation to Park/Open Space, Public/Semi-Public, and Regional Commercial, obtain a Special Use Permit for a drinking establishment(s), private event space and ancillary uses that may include live entertainments, other public/private promotional events, a Preliminary Development Plan for the parking lot at 557 River Park Drive and Preliminary and Final Development Plan for the bridge.

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 May 9, 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.

**Present in Support:**

- Sam Loring, applicant, Gould Evans, 4200, Kansas City, Missouri
- Sarah White, UG Public Works Engineering
- Mike Ledden, 6513 Barton Circle, Shawnee, Kansas

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:44:00:** Planning Director Hand stated the applicant and developer have been working with the Unified Government for quite some time on this project. The project is located in the Armourdale Area Master Plan. There will be a plat submitted later as part of the conditions of approval for these applications. The proposal is over the Kansas River. Staff has received no letters in support nor in opposition. There are no Notices of Violation. The Final Development Plan will be for the parking to the west which is part of the levee enhancement project. They are working closely in partnership with HNTB and others all jointly and collaboratively on this project. These applications are being heard in conjunction with the Appeal that was heard and approved earlier this evening. Staff recommends approval subject to the conditions in the staff report.

**Motions starts at 4:45:46:**

On motion by Ms. Pauley, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL of MPL2022-010:**

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

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

**Subject to:**

- 1. These entitlements are being heard in conjunction with BOZA2022-024, which is seeking a variance for parking reduction for 76 spaces for the overall development, a violation of 106 spaces. This parking total does not include parking provided to the public at the Yards II mixed-use development project and the West Bottoms Garage located in Kansas City, MO;**
- 2. A Final Development Plan is required to be submitted for the parking lot, which is being designed by others. A TCO to occupy the bridge will not be issued until the parking lot is completed, as the off-street parking is connected to this development;**
- 3. The proposed parcel is over the Kansas River and thereby is within the regulatory floodplain. The parcel must be removed from the regulatory floodplain through FEMA.**

**The applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a**

- building permit;
4. Proposed hours are 8:00 AM – 1:00 AM (Friday/Saturday) and 8:00 AM – 9:00 PM (Sunday through Thursday);
  5. There will be security cameras covering all of the bridge included event space with proximity detectors and AI for identifying unwanted behaviors. There will also be professional security personnel throughout the bridge on busy nights. There are chain link gates at the end of the bridge which will be kept open during business hours, but will be shut and locked nightly;
  6. The crossing will be open daily (365 days per year) from at least dawn until dusk (during the “off season”. During the open season – the crossing will be open until the bridge closes for the evening;
  7. Bikeshare hub will be located on the west bank in the “trailhead amenity zone” as shown on the preliminary design plans attached;
  8. Kansas City ATA has a bus route adjacent to the bridge on American Royal Way;
  9. 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 facade. Metal paneling and may only account for 15% of the exterior building material per facade on the exterior buildings. The City Planning Commission must give a deviation from the Commercial Design Guidelines for corrugated metal paneling (similar to Yards II building) and semi-transparent cladding. Staff will not ask for the deviation;
  10. Sec. 27-576(g)(3) Sloped roofs or canopies shall be covered with high quality roofing material such as approved by the director. Metal roofing is preferred, especially for small articulations. Asphalt is discouraged and wood roofing materials are prohibited;
  11. The western parking lot shall have landscaped islands with at least one (1) shade tree planted within each island;
  12. All landscaping must be irrigated;
  13. 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 three (3) gallons when planted;
  14. 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;
  15. All lighting, whether installed in the parking lot on the exterior of bridge abutments and trusses shall have 90-degree cutoff fixtures. No wall pack lights or flood lights;
  16. If applicable, all BPU transformer pads and/or generators shall be completely screened on three (3) sides with 6-foot junipers setback three (3) feet from the pad and ten (10) feet from the door opening. Additionally, if the louvered transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the louvered gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary;
  17. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;

18. If approved, the applicant may need additional licenses or permits for safe and proper operation (i.e., Wyandotte County Health Department and/or KDHE). The approval of this application does not mitigate the need for additional licenses as this application is for zoning approval only;
19. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division office. Their number is (913) 573-8780;
20. If approved, the applicant must file and maintained a current business occupation tax application and entertainment license with the Business Licensing Division office. Their number is (913) 573-8780;
21. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
22. 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;
23. A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
24. All existing and future driveways must feature curb cuts that are constructed to UG standards;
25. 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;
26. 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;
27. 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 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;

28. The Special Use Permit shall be valid indefinitely from the publication of the associated Ordinance. Special Use Permits are non-transferable, therefore if there is a new operator, the applicant is solely responsible for obtaining a new Special Use Permit. All operations must cease until such time as a new Special Use Permit is approved; and,
29. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Departments (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. Pauley, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL of COZ2022-016:**

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

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

**Subject to the above conditions**

On motion by Ms. Pauley, seconded by Mrs. Jones, the Planning Commission voted as follows to recommend **APPROVAL of SP2022-044:**

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

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

**Subject to the above conditions**

On motion by Mr. Ernst, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend **APPROVAL of PR2022-019:**

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

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

**Subject to the above conditions**

Chairman Carson left the meeting at 10:55 p.m. and Vice Chairman Jones assumed the chairmanship.

**Hearing starts at 4:50:22:**

**SPECIAL USE PRMIT APPLICATION SP2021-069 – PRABHJOT SINGH PADDA WITH UNITED TRUCK REPAIR - SYNOPSIS:** Special Use Permit to operate an inspection/light maintenance facility for United Truck repair at 451 South 14<sup>th</sup> Street (SP-2019-82 expired 9/26/2021).

Detailed Outline of Requested Action: The applicant, Prabhjot Singh Padda, Business owner of United Truck Repair, is requesting to renew a Special Use Permit to continue operation of a Light Repair Business on semi-trucks and Repair Shop Parking.

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 May 9, 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:**

- Wil Anderson, representing the applicant, BHC Rhodes, 712 State Avenue, Kansas City, Kansas 66101 and requested a holdover of this case.

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 4:54:22:** Planning Director Hand stated that this application was continued from the meeting in April. The application was filed in September of 2021. If the Commission wants to grant another continuance, the applicant can have a total of 90 days continuance and has therefore used 30 days since the hearing was opened in April. They have 60 days left and he would request that the Chairman ask the applicant’s representative how much time they need. He stated staff has had minimal contact with the applicant since the April hearing and no additional information has been submitted. That is the reason Staff is recommending denial of this application.

Mr. Anderson stated that he would request a 60 day hold over.

**Motion starts at 4:56:22:**

On motion by Ms. Pauley, seconded by Mr. Ernst, the Planning Commission voted as follows to **HOLD OVER SP2021-069 until the July 11, 2022 meeting:**

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

Motion to **HOLD OVER** Passed: 5 to 0

**Hearing starts at 4:57:14:**

**SPECIAL USE PERMIT APPLICATION SP2022-007 – DEAN MICHAEL WITH SHARON LEE FAMILY HEALTH CARE, INC. - SYNOPSIS:** Special Use Permit for health clinic serving uninsured and under-insured people at 2002 South 51st Street.

*Detailed Outline of Requested Action:* The Applicants, Dean Michael with Sharon Lee Family Healthcare LLC, is seeking approval to operate a health and dental clinic at 2002 South 51<sup>st</sup> Street. The subject property was a former church and includes a single- family residence utilized for the former pastor. The clinic intends to operate in the basement of the single-story church building and each level of the church has 2,800 square feet. The annex building is a single-family residence of 2,758 square feet. The applicants have recently purchased the property and it has proposed plans for renovation.

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 May 9, 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:**

- Dean Michael, COO for Sharon Lee Family Healthcare, LLC
- Lisa Harvey, CEO for Sharon Lee Family Healthcare, LLC
- Shawn Moser, construction manager

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 5:02:50:** Planning Director Hand stated that this request is for a Special Use Permit for a health care clinic in a R-1 District. The property is in the Turner area and is part of the City-Wide Master Plan. Staff received no letters in support nor in opposition. There are some old Notices of Violation and Staff believes this redevelopment will address those violations. There are several conditions of approval in the staff report. Staff recommends approval subject to the conditions in the staff report.

**Motion starts at 5:03:32:**

On motion by Mr. Ernst, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of SP2022-007:**

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

Motion to recommend **APPROVAL** Passed: 5 to 0

**Subject to:**

1. This application is for zoning clearance only and does not replace the need for any other permits or licensing;
2. ADA compliant parking proximate to the entrance must be installed, including the required graphics and sign placards;
3. In lieu of a renewal of the Special Use Permit, a Change of Zone and/or Master Plan amendment shall be applied for to achieve higher zoning



- conformance, as the building is no longer a religious institution with associated accessories, but rather a medical office with storage annex;
4. Renovation work on the property must include a Change of Occupancy for the church building. When the Change of Zone is attempted, the accessory residence being used as storage shall also undergo a change of occupancy from a residential dwelling to a commercial use;
  5. Upon the future application of the Change of Zone, the parking lot shall be improved per plan provided;
  6. Upon the future application of the Change of Zone, the exterior parking lot lighting and landscaping shall be completed;
  7. 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;
  8. Section 27-696(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;
  9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;
  10. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so must take it upon themselves to initiate the building permit process accordingly;
  11. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
  12. 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
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.

The Commission took a break from 5:04:36 to 5:11:52

**Hearing starts at 5:11:52:**

**SPECIAL USE PRMIT APPLICATION SP2022-021 – MELISSA HERR WITH HERR HUT LLC - SYNOPSIS:** Home Occupation Special Use Permit to sell novelty toy and gift items at 2618 South 48th Terrace.

*Detailed Outline of Requested Action:* The Applicant, Melissa Herr of Herr Hutt LLC, is seeking approval to operate a home occupation out of their property at 2618 South 48<sup>th</sup> Terrace. The applicant plans to sell toys, gifts, and similar merchandise and deliver the orders which are placed virtually. The applicant plans on keeping a small amount of inventory on the property but does not plan on having any on-site sales or visiting customers. The Applicant wishes to use the sales proceeds as an investment to fund a future restaurant business.

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 May 9, 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:**

- Melissa Herr, applicant/owner 2618 South 48<sup>th</sup> Street, Kansas City, Kansas 66106

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 5:14:35:** Planning Director Hand stated that the request is for a Home Occupation Special Use Permit for internet sales. The property is located in the Turner area and is part of the City-Wide Master Plan. Staff has received one (1) letter in support and no letters in opposition. There are some old Notices of Violation, along with other code violations Staff observed on their site visit, that Staff is requesting be rectified

as conditions of approval. There will be no on-site sales; the applicant will deliver or mail to their customers. Staff is also requesting that they upgrade their driveway to UG standards. Staff recommends approval subject to the conditions in the staff report.

**Motion starts at 5:15:33:**

On motion by Ms. Pauley, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of SP2022-021:**

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

Motion to recommend **APPROVAL** Passed: 5 to 0

**Subject to:**

1. If approved, the driveway and apron shall be upgraded to an improved surface such as asphalt or concrete. The amount of improved surface in the front yard shall not exceed 30% of the open space;
2. If approved, the applicant shall perform repairs to remove the fallen rear tree and repair the rear corner soffit;
3. If approved, the applicant must file and maintain a current business occupation tax application with this office;
4. A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
6. 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. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking must

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

8. The Special Use Permit 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,
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.

**Hearing starts at 5:16:45:**

**SPECIAL USE PRMIT 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 with ESI Group, LLC, is requesting a Special Use Permit. 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.

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 May 9, 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 5:18:03:** Planning Director Hand stated that Staff is recommending denial of this application. This application was continued from last month's meeting. The applicant is requesting to provide only on-line automobile sales at this location; no storage of vehicles. The property is located in the Turner area and is part of the City-Wide Mater Plan. It co-locates with a contractor business. Staff has not received any communication in months from the applicant and he was not in attendance at the previous meeting. The Commission held over the application for Staff to contact the applicant, which Staff was unable to do. Staff has received no letters in support nor opposition. There are some Notices of Violation on the property. Staff recommends denial due to inactivity on the part of the applicant.

**Motion starts at 5:19:22:**

On motion by Mr. Ernst, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **DENIAL of SP2022-027 due to failure of the applicant to comply with Staff requirements:**

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

Motion to recommend **DENIAL** Passed: 5 to 0

**Hearing starts at 5:20:30:**

**SPECIAL USE PERMIT APPLICATION SP2022-038 – MATT BRENTANO WITH TANNERS BAR AND GRILL - SYNOPSIS:** Special Use Permit (SP-2018-71– expired 9/27/2020) to continue live entertainment in conjunction with restaurant/drinking establishment at 3900 Rainbow Boulevard.

**Detailed Outline of Requested Action:** The applicant, Matt Brentano, is requesting a Special Use Permit for a drinking establishment, restaurant, and live entertainment venue at 3900 Rainbow Boulevard. This property was approved for a Special Use Permit for two (2) years in 2018 (SP-2018-71), however, did not renew upon expiration of the permit. As such, a new Special Use Permit is required.

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 May 9, 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:**

- Matt Brentano, applicant, 3900 Rainbow Boulevard, Kansas City, Kansas 66103

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 5:22:50:** Planning Director Hand stated that this request is for live entertainment and not a drinking establishment as they serve food at Tanner's restaurant. This property is in the Rosedale Area Master Plan. Staff has received no letters in support nor in opposition. There have been a couple of police calls and Staff reviewed this application with the Kansas City, Kansas Police Department accordingly. There are no additional conditions above and beyond Staff's standard security conditions. One of the conditions of approval is that live entertainment end at 1:00 a.m. Another condition is that there is no outdoor live entertainment. Staff recommends approval subject to the conditions in the staff report.

Commissioner Ernst asked if this is a new Special Use Permit (as the previous permit had expired.) Director Hand stated yes.

**Motion starts at 5:24:34:**

On motion by Ms. Pauley, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of SP2022-038:**

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

Motion to recommend **APPROVAL** Passed: 5 to 0

**Subject to:**

- 1. All entertainment must cease by at least 1:00AM;**
- 2. Doors and windows must stay closed during any live entertainment performance;**
- 3. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:**
  - a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;**
  - b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;**
  - c. An I.D. scanner will be used at all times;**
  - d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles.**
- 4. No amplified speakers or entertainment is allowed in outdoor spaces;**
- 5. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;**
- 6. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only.**
- 7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;**
- 8. The applicant must file and maintain a current business occupation tax application;**
- 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. 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;**
- 11. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of**

**the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**

**12. The Special Use Permit shall be valid for 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,**

**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.**

**Hearing starts at 5:25:19:**

**SPECIAL USE PERMIT APPLICATION SP2022-039 – MOE THU - SYNOPSIS:** Special Use Permit to keep 40 chickens at 13024 Leavenworth Road.

*Detailed Outline of Requested Action:* The Applicant, Moe Thu, is seeking approval to own 40 chickens. The Applicants currently own six (6) chickens and four (4) ducks, but wish to expand the amount they own beyond this number, requiring a Special Use Permit. The applicant keeps the chickens and ducks for egg and meat production and some entertainment and education for their children. The Applicant is a graduate of the New Roots for Refugees program through the non-profit Cultivate KC and has worked extensively with the organization to participate in agriculturally based commercial growing and urban farming. A portion of the products may be sold at farmer's markets throughout the Kansas City metropolitan region. The applicants have extended family and wish to increase their food supply, respectfully. The applicants recently purchased the property and are making substantial agricultural improvements.

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 May 9, 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:**

- Amanda Lindell, representing the applicant
- Moe Thu, applicant

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 5:28:15:** Planning Director Hand stated that this Special Use Permit is for 40 fowl. This application is in the Prairie Delaware Piper Master Plan. Staff has received no letters in support nor in opposition. There is one (1) Notice of Violation for parking in the lawn and Staff has been working with the applicant to rectify this issue. There is a condition of approval for the fowl/chicken coop as it will need to meet the setback requirements from the property line and adjacent buildings, as well as match the materials of the primary structure. Staff recommends approval subject to the conditions in the staff report.

**Motion starts at 5:29:20:**

On motion by Mr. Miller, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend **APPROVAL of SP2022-039:**

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

Motion to recommend **APPROVAL** Passed: 5 to 0

**Subject to:**

1. **Building modifications over 120 square feet require a building permit. The modified chicken coop is proposed to be 144 square feet, therefore, the chicken coop must be modified to be 120 square feet or less or a building permit must be acquired. Staff does not conclude the run is an accessory;**
2. **No roosters of crowing age shall be kept on the property. Once a male chicken (cockerel) gains the ability to crow, it must be culled, harvested, or relocated;**
3. **The applicant must continue to communicate with code enforcement on property progress and if materials on-site have a homesteading purpose;**
4. **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;**
5. **Any property owner or business owner that is required to obtain a Special**

- Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27- 593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinance. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
6. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
  7. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;
  8. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
  9. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
  10. 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 5:30:05:**

**SPECIAL USE PERMIT APPLICATION SP2022-043 – LISA K. PATTERSON -**

**SYNOPSIS:** Special Use Permit to operate a short-term rental at 422 Sandusky Avenue.

*Detailed Outline of Requested Action:* The applicant, Lisa Patterson, is seeking approval to operate a short-term rental at 422 Sandusky. The subject property is in the Strawberry Hill neighborhood. The applicant purchased the property within the last year and completed a full property renovation after the property was deemed uninhabitable. A Certificate of Appropriateness was approved for a partial demolition of the rear porch as part of the renovation.

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 May 9, 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:**

- Lisa Patterson, applicant, 21433 227<sup>th</sup> Street, Tonganoxie, Kansas 66086

**Present in Opposition:**

- Jess Sturgis, 411 Sandusky Avenue, Kansas City, Kansas 66101
- Nick Tomasic III, 518 North Thompson, Kansas City, Kansas 66101
- Lindsey Malling, 419 Sandusky, Kansas City, Kansas 66101
- Rose Eilts, 506 North 4<sup>th</sup> Street, Kansas City, Kansas 66101
- Artie Scholes, 525 North Thompson, Kansas City, Kansas 66101

**Staff Recommendation starts at 5:54:45:** Planning Director Hand stated that this property also applied for a Certificate of Appropriateness last year before the ordinance was changed. It was in the environs of an Historic Landmark as they had proposed to

demolish a previous rear addition to the house. The applicant did receive the Certificate of Appropriateness. The current request is a Special Use Permit for a short-term rental. It is in the Central Area Master Plan in the Strawberry Hill neighborhood. Staff has received no letters in support and multiple letters in opposition. The applicant has rectified several Notices of Violation as part of this project. One of the conditions of approval is a maximum of five (5) people and two (2) cars parked off-street. The applicant received a right-of-way permit from the Public Works Department for a second driveway off Thompson in order to provide a third parking space. If the Commission recommends approval, Staff requests that the second drive, although already approved, be part of the conditions of approval. Staff recommends approval with the conditions in the staff report and condition concerning the second drive off Thompson Street.

The Commission directed questions to Staff concerning short-terms rental in the county.

**Motion starts at 5:59:33:**

On motion by Mr. Beth, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **DENIAL of SP2022-043 due to the negative impact of the amount of people that will come through the neighborhood:**

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

Motion to recommend **DENIAL** Passed: 5 to 0

**Hearing starts at 6:02:10:**

**SPECIAL USE PERMIT APPLICATION SP2022-046 – BLAKE LOSTAL - SYNOPSIS:**

Special Use Permit for live entertainment in conjunction with an existing drinking establishment at 322 North 6th Street.

Detailed Outline of Requested Action: The applicant, Blake Lostal with the Easy Inn, has applied for a new Special Use Permit for live entertainment at 322 North 6th Street. The subject property is a single level row-style store with approximately 1,260 square feet of building space with an additional outdoor patio and was formerly known as the Colonial Club. The Applicant has operated the subject property since 2018.

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 May 9, 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:**

- Blake Lostal, applicant, 1919 Federal, Kansas City, Kansas 66103
- Mary Beth Swartz, 604 North Thompson, Kansas City, Kansas 66101

**Present in Opposition:**

- Nick Tomasic III, 518 North Thompson Street, Kansas City, Kansas 66101

**Staff Recommendation starts at 6:09:02:** Planning Director Hand stated that this is a request for a Special Use Permit for live entertainment at the Easy Inn. It is important to note that this is a continuation of a historical use, so the Special Use Permit is not for the bar itself, but only for the live entertainment. He further stated that live entertainment is anything from a karaoke machine to a jukebox to live bands. This property is in the Central Area Master Plan on Strawberry Hill. Staff has received multiple letters in support and one (1) letter in opposition in addition to the comments this evening. There are multiple Notices of Violation associated with this property, all of which have been rectified by the property owner. Staff has attached all the standard conditions of approval to this case along with conditioning that no amplified music be played outside on the patio or outside in general. That does not mean that patrons will not be outside, but there will be no amplified background music. Staff recommends approval for two (2) years subject to the conditions in the staff report.

**Motion starts at 6:13:07:**

On motion by Mr. Ward, seconded by Ms. Pauley, the Planning Commission voted as follows to recommend **APPROVAL of SP2022-046:**

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

Motion to recommend **APPROVAL** Passed: 4 to 1

**Subject to:**

1. Any illumination that results shall not be seen or otherwise impact adjacent residential uses;
2. All entertainment must cease by 1:00 AM;
3. Doors and windows must remain closed during any entertainment performance;
4. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec 4-104,f), including:
  - a. Must have at least one (1) security personnel or staff member available at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
  - b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
  - c. An ID scanner will be used at all times;
  - d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles;
5. No amplified speakers or entertainment is allowed in outdoor spaces;
6. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent residential uses;
7. Any proposed signage requires a sign permit. Please contact the Department of Planning & Urban Design to begin that process)
8. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
9. This permit approval is for zoning clearance only. Additional liquor licensing and other County or State Licenses may be required before operation,
10. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
11. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that 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;
12. 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,
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.**

**Hearing starts at 6:13:57:**

**VACATION APPLICATION VAC2022-002 – JOE MCLAUGHLIN WITH BHC RHODES -**

**SYNOPSIS:** Vacation of right-of-way at 205 North Orchard Street.

*Detailed Outline of Requested Action:* The Applicant, Joe McLaughlin with BHC Rhodes, is seeking approval for the vacation of the Right-of-Way at 205 Orchard Street. The subject property is a vacant lot with a proposal of a new home site. The Vacation has been requested to increase the lot size of the future property on its frontage and side yards. The applicant represents a group of students and instructors in the KU Architecture Program, in which students undertake a development process and execute building plans for a home that will be for sale.

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 May 9, 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:**

- Joe McLaughlin, applicant, BHC Rhodes, 712 State Avenue, Kansas City, Kansas 66101

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 6:16:48:** Planning Director Hand stated that the request is to vacate right-of-way to make a larger lot. The property is in the Central Area Master Plan in the Strawberry Hill neighborhood. Staff has received no letters in support nor in opposition. There are no Notices of Violation. When KDOT built the highway, they acquired a larger amount of right-of-way than needed, and the applicant is asking for a small portion to be vacated so a single-family home can be built. Director Hand stated that KDOT was contacted and has no objections. Staff recommends approval subject to the conditions in the staff report.

**Motion starts at 6:17:56:**

On motion by Mr. Ward, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of VAC2022-002:**

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

Motion to recommend **APPROVAL** Passed: 5 to 0

**Subject to:**

- 1. A Right of Way Permit is Required. Please contact the Public Works Department at (913) 573-5311 to begin this process;**
- 2. building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
- 3. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
- 4. The City of Kansas City, Kansas reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that portion of said tract of land hereby vacated for the purpose of repairing installing, constructing or reconstructing any public utilities, including, but not limited to sewers, conduits, electric light pole lines, etc. that are now or may hereafter be installed in the tract of land hereby vacated; and,**
- 5. 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 6:18:45:**

**PLAN REVIEW APPLICATION PR2022-015 – WENDELL HARKINS - SYNOPSIS:**

Preliminary Plan Review for construction of a new entrance, truck scale and stormwater facilities at 2140 South 88<sup>th</sup> Street.

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

- 1. The City's currently adopted zoning and subdivision regulations;**

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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 May 9, 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:**

- Wendell Harkins, applicant, Fuchs Lubricants

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 6:33:31:** Planning Director Hand stated that the application is a preliminary plan review for site improvements. A final plan review will be required. The property is not zoned as a planned district, but there is a section in the code that requires a plan review for facilities that contain or utilize hazardous materials. The property is in the City-Wide Master Plan in the Riverview neighborhood. Staff has received no letters in support nor in opposition. There are no Notices of Violation on the property. Staff has included conditions of approval, which are included in the proposed project plans and details. Staff recommends approval subject to the conditions in the staff report.

**Motion starts at 6:23:45:**

On motion by Mr. Ward, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of PR2022-015:**

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

Motion to recommend **APPROVAL** Passed: 5 to 0

**Subject to:**

1. **The proposed Preliminary Development Plan may require civil drawings to be submitted, which may result in submitting additional revisions as part of Final Development Plan.**

2. The following items are necessary to achieve compliance on a Final Development Plan:
  - a. The square footage of all structures and buildings shall be indicated on the site plan
  - b. Parking spaces shall be added to the site plan to demonstrate an accurate number of spaces are maintained.
  - c. Traffic control striping and/or directional arrows shall be provided for increased safety on site
  - d. No additional gravel can be added to the site
  - e. All material must be stored in approved storage areas
  - f. Debris along the fence and property lines shall be remedied
  - g. Fencing on the South 88<sup>th</sup> Street Frontage shall be upgraded to match the black iron fencing near the office gate. Barbed wire shall be adjusted to be directed inward
  - h. Asphalt and Concrete surfaces, curbs, gutters, and/or drains shall be repaired in various areas on the site as necessary.
  - i. Additional landscaping and/or screening shall be required where the industrial zone is adjacent to any residential zone or where shipping containers or box trucks or similar storage faces the South 88<sup>th</sup> Street Frontage.
  - j. An updated inventory of structures and their status with flood zone or floodway exemptions shall be provided.
  - k. Please provide copies of the geotechnical reports when obtained for grading and erosion.
3. A building permit is required. Please contact the Building Inspection Department to begin that process at (913) 573-8620.
4. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process.
5. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only.
6. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
7. 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. A Right-of-Way Permit is Required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by [info@wycokck.org](mailto:info@wycokck.org) to

- confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly.
9. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located.
  10. The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a building permit.
  11. The Subject Property is within a 100-year Special Flood Hazard Area (SFHA). A SFHA is defined as the area that would be inundated by the flood event having a 1 percent chance of being equaled or exceeded in any given year. Before the alteration to or construction of any new structure on the subject property, the applicant shall submit the following required information for review:
    - a. A Survey shall be provided showing the property lines, setbacks, proposed and existing building elevations, 100-year floodplain and/or floodway shall be designated, the base flood elevation provided, FIRM panel number, and effective date shall be included. The Survey is required to be signed and sealed by and Kansas licensed surveyor or engineer.
  12. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for all new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other development:
    - a. Design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
    - b. Construction with materials resistant to flood damage;
    - c. Utilization of methods and practices that minimize flood damages;
    - d. All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
    - e. New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination from them during flooding; and,
    - f. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that

- g. All such proposals are consistent with the need to minimize flood damage;
  - h. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
  - i. Adequate drainage is provided so as to reduce exposure to flood hazards; and,
  - j. All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.
13. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for the Storage of Materials and Equipment:
- a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
  - b. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.
14. The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for Construction Elevation Inspections when the project is approved for construction:
- a. Certificate of elevation shall be provided when the top of the first floor has been constructed.
  - b. Final certificate of elevation shall be provided when the structure is completed and prior to the request for a final inspection (TCO/CO).

**Hearing starts at 6:24:55:**

**RESOLUTION TO SUPPORT THE MARC KC REGIONAL CLIMATE ACTION PLAN -**

**SYNOPSIS:** Consideration of a resolution to support the Mid-America Regional (MARC) Council's KC Regional Climate Action Plan and for UG staff to conduct a Citywide Risk and Vulnerability Assessment in order to encourage greater community resiliency.

**Present in Support:**

- Gunnar H. Hand, AICP, Director of Planning (presentation is part of this Zoom meeting).

**Present in Opposition:**

- No one appeared

**Staff Recommendation starts at 6:34:45:** Planning Director Hand gave a presentation after reviewing the document as instructed by the Planning Commission and stated Staff

recommends approval of the resolution. He stated that the presentation/resolution will go before the Board of Commissioners on June 30, 2022.

**Motion starts at 6:38:15:**

On motion by Ms. Pauley, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL of this resolution:**

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

Motion to recommend **APPROVAL** Passed: 5 to 0

There being no further business, the meeting adjourned on Tuesday, May 10, 2022 at 12:39 a.m.