To: City Planning Commission
From: City Staff
Date: October 14, 2019
Re: Petition #PR-2019-24

GENERAL INFORMATION

Applicant:
Diane Evers

Status of Applicant:
Representative
DP Evers Architecture
P.O Box 703
Rehoboth, MA 02769

Requested Action:
Approve final development plan

Date of Application:
August 30, 2019

Purpose:
Final development plan for Lao Buddhist Temple, Monks Residence, shrine, and parking.

Property Location:
1315 North 139th Street

Commission Districts:
Commissioner At-Large: Tom Burroughs

#PR-2019-24
November 12, 2019
District Commissioner: Jim Walters

**Existing Zoning:** CP-3 (Wyco) Planned Commercial District

**Surrounding Zoning:**
- **North:** Public right-of-way
- **South:** R-1 (Wyco) Large Lot Single Family District
- **East:** CP-3 (Wyco) Planned Commercial District
- **West:** A-G (Wyco) Agriculture District

**Existing Uses:**
- **North:** Vacant land, Highway 73/ K-7/ 139th Street
- **South:** Vacant land, State Avenue/ Highway 40
- **East:** Highway 73/ K-7/ 139th Street
- **West:** Vacant land

**Total Tract Size:** 4.58 acres

**Master Plan Designation:** The Prairie Delaware Piper Master Plan designates this property as Planned Commercial District.

**Major Street Plan:** The City-Wide Master Plan classifies North 139th Street as a local Street.

**Advertisement:** Property Owner Letters – September 12, 2019
- Wyandotte Echo – September 19, 2019

**Public Hearing:** October 14, 2019

**Public Opposition:** None to date

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**PROPOSAL**

*Detailed Outline of Requested Action:* This application has been submitted to build a 5,315 square foot temple, 800 square foot shrine, and 2,410 square foot monks’ residence for the Lao Buddhist Temple on property located at 1315 North 139th Street. There is an existing 7,540 square foot metal church building at the site, approved for Final Development Plan in 2017.

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

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**FACTORS TO BE CONSIDERED**

1. **Neighborhood character.**

   The neighborhood is primarily agriculture and undeveloped land. The existing intensity of use is very low, despite commercial zoning.
2. The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.

The applicant will likely need to increase the amount of parking being provided to accommodate the additional structures.

3. The degree of conformance of the proposed use to the Master Plan.

The proposed use conforms to the Master Plan.

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

   a. Water service

      Available

   b. Sanitary sewer service

      Not available. The site does not have sanitary sewer service. The existing church and proposed structures would use a septic system.

   c. Storm water control

      To be designed to meet City Code

   d. Police

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

   e. Fire

      Fire service is provided by Station #8

   f. Transit

      Kansas City ATA does not provide transit service near this property.

   g. Schools

      Bonner Springs USD 204

5. The capability of the proposed use to meet applicable ordinance and other requirements.

The proposed plan will need modification to meet applicable ordinance and other requirements.
PREVIOUS ACTIONS


NEIGHBORHOOD MEETING

Not required for a final plat.

KEY ISSUES

Parking
Landscaping
Architectural Details and Materials not provided

STAFF COMMENTS AND SUGGESTIONS

Fire Department Comments:

1. Provide a truck turning exhibit to verify the proposed parking lot meets access requirements for fire truck access.

   
   **Applicants Response:** The parking lot was laid out using the UG standard dimensions for parking. A truck turning exhibit was added to sheet C01 using a SU-30 vehicle template.

Urban Planning and Land Use Comments:

1) Provide updated usage numbers to Wyandotte County Health Department prior to initiating Construction and complete the following as necessary after Health Department Review:

   A. Owner shall contract with a septic tank contractor, and coordinate with Wyandotte County Health department to obtain soil tests and data for design and sizing of proposed septic tank and lateral field.
   B. The A/E shall coordinate with the County Health department regarding septic tank and lateral field sizing and show applicable information on plans for review and approval by Wyandotte County Health department.
   C. Obtain and provide copy of septic system approval and permit from Wyandotte County Health department, which shall be prior to construction permit acquisition.
   D. Construction plans shall meet UG standards and criteria, and shall be reviewed and approved by UG prior to construction permit acquisition

1. Review and respond to the attached Conservation District Comments.
**Applicants Response:** The document has been reviewed and acknowledged and items are addressed on sheet C06 Erosion and Sediment Control Plan.

2. Provide approvals from Wyandotte County Health Department for expansion of the septic system.

**Applicants Response:** We have coordinated with Rollin Sachs at the Wyandotte County Health Department to develop an acceptable solution for the septic system. Agreed to revisions are shown on this submittal and we will forward approval notice once received.

**General Planning**

1. The aerial image of the site on the cover page appears to show the wrong site. Correct to show the actual site.

**Applicants Response:** To which image are you referring? The aerial image is the correct site, just upside down. However, this image was removed in order to incorporate the Engineering comments for requested information to be added to the cover sheet. If you are referring to the site perspective image, it has been updated to convey the current proposed plan.

2. Parking must also be provided for the existing metal building. A previous plan review was completed for development of the metal building and it was determined that 70 spaces were required, this was based on an occupancy of 417, with 1 space required per 6 seats.
   a. Temple: 1 space per 6 seats; occupancy of 200= 34 spaces
   b. Shrine 800 SF= As the shrine is to be used as a place of worship for the monks only, who will live on site, staff believes the parking designated for the Monk Residence would be enough.
   c. Existing metal building: 1 space per 6 seats; occupancy of 417= 70 spaces
   d. Monk Residence: 4 bedrooms + 2 employees = 6 spaces
   e. Total Parking: 110 spaces

**Applicants Response:** The previous plan for the existing building is no longer valid. The congregation is moving in a different direction with the proposal of the new buildings and site plan. The existing building will NOT have an occupancy of 417. The existing metal building will be used for storage of ceremonial items/artifacts, classrooms, restrooms, and a small open assembly space. See proposed floor plans and cover sheet of calculation of required parking.

**Staff Response:** The proposal meets code.

3. Parking lot must be paved and striped

**Applicants Response:** As proposed, the parking lot is to be asphalt paving with painted striping as indicated on sheet C01.
4. Accessible spaces shall be ADA compliant.
   a. Symbols shall be painted on the ground.
   b. Sign placards shall be installed in front of the stall at 60” above the finished floor or ground surface measured to the bottom of the sign.
   c. Access aisle shall be a minimum of 60” wide and extend the full length of the parking stall.
   d. One (1) in every six (6) accessible spaces shall be designated as “Van Accessible”

Applicants Response: Understood. The ADA spaces shown meet the criteria listed above. See sheet C01. A label was added to call out the proposed signage.

5. Provide interior sidewalks in front of buildings and connections to accommodate pedestrian activity for that use and for movement between uses. Internal pedestrian walkways within parking lot or drive area must be distinguished from other surfaces.

6. Pedestrian connections must be clearly defined in a combination of two or more of the following ways:
   a. Six-inch vertical curb
   b. Trellis
   c. Special railing
   d. Bollards
   e. Special paving
   f. Low seat wall or other architectural features
   g. Pedestrian scale lighting
   h. Traffic calming devices

Applicants Response: The buildings do have sidewalks along the front shown on the plan with a concrete stipple pattern. These walkways are curbed 9itema 8a) and have pedestrian level lighting (item 8.g) from the list of required feature options. Walkways thru the center of the parking lot are not desirable and would be a waste of resources and impervious pavement area in this scenario. The way the congregation functions is they will either have a function/ event in the existing building nor the Temple. There are no scheduled events for both the exiting building and Temple at the same time. The monks are the only ones allowed in the shrine area and a connection from the Monks residence to the shrine is provided.

Building Architecture

1. Design standards for the existing metal building, as laid out by PR-2017-5 shall remain.

Applicants Response: Existing building shall remain. No work had been done since previously proposed for building renovation, only water was connected.

2. Provide elevation plans and materials for the shrine building.
Applicants Response: See enclosed revised plans with elevations with building materials included.

3. Provide a material listing and material palette for the temple, shrine, and Monks residence. Building materials must meet the Commercial Design Guidelines.

Applicants Response: See enclosed revised plans with elevations with building materials indicated on A2.1
- Existing Building- Metal building to remain as existing
- Monks Residence- Brick (Front) and Stucco on cementitious board (rear and sides) on wood studs framing
  - Wall Types - Wood studs framing with R-Value insulation to meet the energy code.
- Temple- Lower elevation concrete foundation wall
  - Main floor- stucco on cementitious board backing on metal stud framing or on cmu masonry walls. Stucco on all sides with cementitious board
  - Wall types - metal studs framing with R-Value insulation to meet energy code
- Shrine- Concrete base 4 feet high, and stucco on CMU masonry walls.
  - Wall Types - Masonry backing and metal studs framing with R-value insulation to meet energy code.

4. Provide dimensions on the elevation plans for each building.

Applicants Response: Dimensions have been added to the plans.

5. EIFS is not allowed at ground level or comprising more than 15% of any façade

Applicants Response: No EIFS, it is stucco on cementitious boards on temple and monk’s residence. Shrine is stucco on the CMU Masonry walls.

6. All building facades shall be at least 50% masonry. Cementous siding may be used to meet 50% of the total masonry requirement.

Applicants Response: See answers on question 11. All walls are cementitious board and finished with stucco. Except Shrine, stucco on masonry.

Landscaping and Screening

1. Trees are required at a ratio of 1 per 7,000 sf of site area. Based on the site area of 122,613 sf, 18 trees are required. The Commercial Design Guidelines requires in addition a 75% multiplier on tree count (13 additional trees). In total 30 trees are required.

Applicants Response: Understood. 13 trees were added to comply with this criterion. One of which is existing.

2. Previous screening required on the southern property line must remain.
Applicants Response: Understood

3. At least 75 percent of the length of the building foundations must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials and ground covers.

Applicants Response: Understood. We have revised the plans to add landscaping per the requirement at the Monks Residence and the Temple. NOTE: At the Temple the building includes a covered walkway along the entire front façade, therefore the landscape plantings have been located just outside the covered area.

We ask for this requirement to be waived for the shrine as it would interfere with the religious ceremonial operations. The base of the shrine includes religious sculpture/art and is used in the meditation and interactive prayer rituals of the Monks. The Monks are the only allowed users of this building and immediate surrounding area. It is considered a sacred area.

4. Utility connections (including transformer boxes) shall be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building. All rooftop mechanical equipment shall be screened from public view on all sides by a parapet.

Applicants Response: Understood. Any ground mounted utility boxes shall be screened as described. A note was added to sheet L01 and on the architectural plans to note this as the actual location of this equipment is unknown at this time.

5. BPU Transformer pad shall be completely screened on all sides with 6’ junipers setback 10 feet from the door opening and 3 feet from the remaining three sides of the pad.

Applicants Response: Understood

6. Trash receptacle shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six feet in height on all sides and designed with the gate facing away from streets or adjacent land uses.

Applicants Response: Understood. See Sheet C01 for location and additional note.

Public Works Comments:

A) Items that require plan revision or additional documentation before engineering can recommend approval:
   1) None.
B) Items that are conditions of approval (stipulations):
1) Please submit a copy of the septic system approval from the Wyandotte County Health Department based on the proposed changes to the existing septic sewer system.

2) Prior to construction permit acquisition, a valid private on-site wastewater permit is required to be obtained from the Wyandotte County Health Department for construction, alteration, extension, or replacement of private on-site wastewater system.

3) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

C) Comments that are not critical to engineering’s recommendations for this specific submittal, but may be helpful in preparing future documents:
1) None

STAFF RECOMMENDATION

Staff recommends that the City Planning Commission make the findings contained within the staff report related to Factors to be Considered, and Key Issues and APPROVE Petition #PR-2019-24 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

Conservation District Comments
Site Plan detail
Landscape Plan
Elevation Plans

REVIEW OF INFORMATION AND SCHEDULE

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STAFF CONTACT: Kimberly Portillo
kportillo@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission APPROVE Petition #PR-2019-24 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements of the Kansas City, Kansas City Planning Commission:

1. __________________________________________________________; And

2. __________________________________________________________; And
3. ________________________________________________________.

OR

I move the Kansas City, Kansas Planning Commission **DENY** Petition #PR-2019-24, as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.
Wyandotte County Conservation District
1204 N. 79th Street - Kansas City, KS 66112 - Phone (913)-334-6329 - wyco.conservation@gmail.com

Rob Richardson
Director of Planning
701 North 7th Street Rm. 423
Kansas City, KS 66101
913-373-5750

September 17, 2019

RE: PR-2019-24 1315 North 139th Street

Dear Mr. Richardson:

The Wyandotte County Conservation District, with technical assistance from the Natural Resources Conservation Service, has completed an environmental review of the Plan Review for 1315 North 139th Street.

In addition to the site review the following reports were generated from the Wyandotte County Soil Survey to assess the limitations for development and/or natural resources concerns for this site.

MAPS AND REPORTS

Soils Map
Soils Inventory Report
Map Unit Description (Brief)
Soil Features

In summary, the following limitations and resource concerns were noted for this plat:

- There are four soil types that were identified: Pawnee clay loam 4 to 8 percent slopes, eroded. Sharpburg silty loam 1 to 4 percent slopes, Sharpburg silty loam 4 to 8 percent slopes, eroded, and Shibleyville loam 5 to 7 percent slopes, eroded. These soil types are considered highly erodible when the surface is denuded of a protective cover.
- The topsoil needs to be saved and stock piled for use after grading is complete.
- The detention basin is the first thing to be built and the area seeded and mulched as soon as the grading is completed.
- When the rest of the grading is completed, the area needs to be mulched and seeded within one week.
- If the parking area is not paved immediately, it needs to be mulched and seeded as well.
• All erosion control measures need to be check weekly and after each rain event. Any gully erosion needs special attention to protect the area.
• The Best Management Practice in this report can help solve any erosion problems that might occur.
• Shrink Swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to buildings, roads and other structures and to plant roots. Special design commonly is needed.

The following Best Management Practices are recommended for this plat:

* **Access Road** – Temporary entrance/exit pads should be constructed of a stone base design to provide a buffer area where construction vehicles can drop their mud to avoid transporting it onto public roads. See the Protecting Water Quality Field Guide pages 27-29 for Temporary Gravel Construction Entrance/Exit Pad.

* **Dust Control** – Any combination of the following may be used to help reduce the dust and air pollution at a construction site; vegetative cover, sprinkling, barriers, street cleaning and mulching. See the Protecting Water Quality Field Guide pages 89-92 for Dust Control information.

* **Critical Area Planting** – After final grade has been completed permanent vegetation will be established. See the Protecting Water Quality Field Guide pages 35-54 for Temporary, and Permanent Seeding.

* **Filter Strips** – During development, strategic non disturbance of existing perennial grass vegetation can function as filter strips. See the Protecting Water Quality Field Guide pages 195-200 for Filter Strip.

* **Silt Fences** – Temporary sediment barrier consisting of a geotextile fabric which is attached to supporting posts and trenched into the ground may be substituted for vegetative strips. Install on the contour, where fence can intercept runoff as a sheet flow; not located in crossing channels, waterways or other concentrated flow paths. See the Protecting Water Quality Field Guide pages 175-181 for Sediment Fence.

* **Sediment Trap** – Temporary catch basins consisting of a row or more of entrenched and anchored straw bales can be utilized in minor swales with less than 2 acres of drainage. See the Protecting Water Quality Field Guide for Straw Bale Sediment Trap.

* **Mulching** – Mulch can be applied to seeded areas to help establish plant cover. It can also be used in unseeded areas to protect against erosion over the winter or until final grading and shaping can be accomplished. See the Protecting Water Quality Field Guide pages 61-66 for Mulching.

* **Precision Land Forming** – Keep disturbed areas small; open only the land that is minimally necessary to perform the intended construction activities; and only for the minimum duration of time necessary to complete construction. Permanent or temporary soil stabilization should be applied to denuded areas that will remain undisturbed for longer than 60 days.
*Sediment Basins* – This best management practice should be utilized in the natural concentrated flow areas to protect adjacent property and meet the National Pollution Discharge Elimination Systems Permit (NPDES). See the Water Quality Field Guide pages 201 – 208 for Temporary Sediment Trap and pages 209-216 for Sediment Basin.

Technical assistance is available from our office. Limitation maps, detail soil reports and a conservation plan can also be requested for this site from our office.

The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological investigation may be needed. The natural soils and drainage pattern have been changed in this area due to previous urban development. Therefore, the physical composition influencing the structure of the natural soil has already been altered; however, some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineations on the maps include soils that differ from the named soil. Soil lines may not be exact therefore; on site investigation is needed for site specific planning.

If you have any comments or questions, please do not hesitate to call me.

Sincerely,

Cheri Miller
District Manager

enclosures