



Planning and Urban Design

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To: City Planning Commission
From: Planning and Urban Design Staff
Date: September 13, 2021
Re: Petition SP2021-052

GENERAL INFORMATION

Applicant:
Corinna West

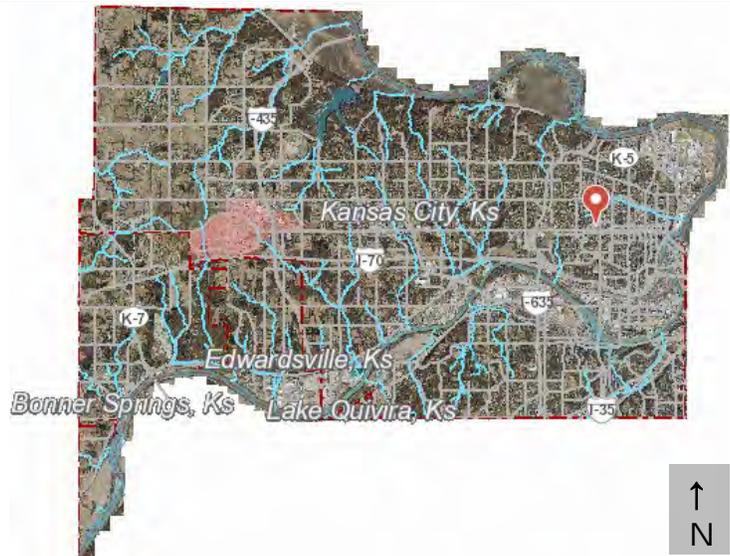
Status of Applicant:
Property Owner
1921 Nebraska Avenue
Kansas City, Kansas 66102

Requested Action:
Approval of a Special Use Permit.

Date of Application:
May 2, 2021

Purpose:
Special Use Permit for keeping more than six (6) ducks.

Property Location:
1921 Nebraska Avenue
Kansas City, Kansas 66102



| | |
|---------------------------------|---|
| Commission District: | Commissioner At Large: Melissa Bynum District #6 Commissioner: Harold Johnson |
| Existing Zoning: | R-1 Single Family District |
| Adjacent Zoning: | North: R-1 Single Family District South: R-2 Two Family District East: R-1 Single Family District West: R-1 Single Family District |
| Adjacent Uses: | North: Single-family residences South: Single-family residence East: Single-family residence West: Single-family residence |
| Total Tract Size: | 0.19 Acre |
| Master Area Plan: | The subject property is within the City-Wide Master Plan. |
| Master Plan Designation: | The City-Wide Master Plan designates this property as Urban Residential. The Urban Residential land use designation allows for detached single-family residences, attached residences such as townhomes, duplexes, triplexes, and fourplexes, institutional uses such as schools, places of worship, and libraries, and open spaces such as parks and plazas. Urban Residential allows a density of six (6) to 12 units per acre. All industrial uses, as well as business parks, drive-thru restaurants, car lots, and adult-oriented businesses are discouraged under the Urban Residential land use designation. |
| Major Street Plan: | The Major Street Plan classifies Nebraska Avenue as a Local/Neighborhood Street. |
| Required Parking: | Section 27-454(e) requires two (2) parking spaces for each single-family residence, at least one (1) of which must be in a garage or carport. The property has at least two (2) parking spaces available on the driveway but has no garage. |
| Advertisement: | <u>The Wyandotte Echo</u> – June 17, 2021 Letters to Property Owners – June 17, 2021, July 6, 2021, and July 30, 2021 |
| Public Hearing: | September 13, 2021 |
| Public Support: | None to date. |

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Corinna West, is requesting a Special Use Permit to keep 12 breeding ducks and an unknown number of ducklings on a residential property. A Special Use Permit is required for more than six (6) fowl kept on a residential property. The applicant has requested to continue keeping ducks at their primary residence.

City Ordinance Requirements: Article VIII Sections 27-592 through 27-606

Code Enforcement History: There is one (1) outstanding violation recorded at the subject property. The subject property was cited on January 28, 2021 for keeping more than six (6) fowl on a residential property. The subject property has been previously cited by Code Enforcement:

- August 20, 2019- Weeds
- June 18, 2019- Weeds
- March 16, 2019- Other Multiple Violations
- April 3, 2013- Inoperable and/or Untagged Vehicles
- April 3, 2013- Debris

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is within the Kensington Statistical Neighborhood and is within the Historic Westheight Neighborhood Group boundary. The property is also within the Westheight Manor Historic District, one (1) of the County's several historic districts. The neighborhood consists of winding streets and single-family residences in several different architectural styles.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The surrounding properties are single-family residences, although the property to the south is allowed by right to be used as a duplex due to its R-2 zoning. The applicant has already been keeping ducks on the property, which has resulted in complaints from at least one (1) neighbor. The applicant must provide sufficient information, as requested by Staff in the "Staff Comments" section of this report, in order for Staff to determine if the proposed use is compatible with the nearby properties.

3. The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?

Due to its size and proximity to other parcels, the subject property may not be suitable for over a dozen ducks. The applicant must provide more information about the coop or structure the ducks shelter in, including quantities and dimensions. If there is more than one (1) accessory structure within the parcel, then the applicant will need to request a variance for a second accessory structure if they desire to keep more than one (1) accessory structure. Any coop or structure should be at least 10 feet from the property boundary line and at least 25 feet from any neighboring structure. The applicant will need to provide a site plan to verify the existence and location of any and all accessory structures.

4. *The length of time the property has remained vacant as zoned.*

The subject property is the applicant's primary residence.

5. *The degree of conformance of the proposed use to the Master Plan.*

Special Use Permits are not addressed in the City-Wide Master Plan. According to the City-Wide Master Plan, the Urban Residential land use designation allows for residential, institutional, and recreational uses. The recommended density for Urban Residential is six (6) to 12 dwelling units per acre, which may not allow for proper space to keep fowl in a manner than promotes public health. It is unclear if the proposed use conforms with the City-Wide Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

There is record of the applicant selling ducks and/or duck eggs that were raised on their property. Such sales, while required to be conducted under a business license, may also lead to increased vehicular traffic into the neighborhood. The streets in the Westheight neighborhood were constructed about 100 years ago and were not designed in anticipation of large vehicles nor great amounts of vehicular traffic beyond residential uses. Keeping ducks for personal purposes, however, will not result in increasing the amount of vehicular traffic because there would be no possibility of sales conducted on the subject property. Therefore, the keeping of ducks without associated sales would not result in an increase in the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The applicant has stated that the ducks will be raised for eggs and meat in an effort to address food shortages. While the applicant's intentions appear to be in the right place, the location where they are raising ducks and the number of ducks being raised at once is apparently causing injury to neighboring properties. Mitigation measures, such as limiting the number of ducks allowed, keeping all shelters at least 10 feet from the property boundary and at least 25 feet from any

neighboring habitable structure, and installing other buffering, landscaping, or screening, help keep such use from substantially or permanently injuring the appropriate use, visual quality, or marketability of adjoining properties.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Ducks are known for their quacking, and with each duck added to a flock the amount of noise would presumably increase. When submitting information about the ducks, the applicant may want to note if that species is known for quacking and/or making other noises.

9. *Whether the proposed use will pollute the air, land or water.*

Ducks, or rather the waste produced by ducks, has the potential to pollute the air, land, and water through smell and biological contamination. It is unclear how the applicant will address the waste produced daily by 12 ducks and an unknown number of ducklings. The applicant must create a Conservation Management Plan with the Wyandotte County Conservation District—which includes a waste plan—before this Special Use Permit can be finalized before for hearing.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

As mentioned previously, duck waste could be a problem if not handled correctly. The Wyandotte County Conservation District has recommended that 12 breeding ducks not be kept on the subject property, for a variety of reasons, including the impact duck waste can have on the land. These reasons are noted in *Wyandotte County Conservation District Letter, Dated June 15, 2021* in the “Attachments” section of this report.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

While the applicant would personally benefit from keeping ducks, the relative gain to the public health, safety, and welfare may be outweighed by the hardships imposed on the individual landowner or landowners if the ducks proved to be loud, smelly, polluting, or kept in poor conditions. Any issues created by ducks are scaled by magnitudes when there are more and more ducks in question. The applicant has not provided the locations or dimensions of the duck coop/shelter. Therefore, Staff cannot determine if the relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners. Staff will also take this moment to remind the applicant, public, and all recommending and deciding bodies that a Special Use Permit can be revoked at any time if conditions of approval are not satisfied.

12. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

The applicant is proposing to have more than 12 ducks on a parcel measuring 0.51 acre in size. The applicant has not provided any further details beyond this statement. The applicant must demonstrate that the location of the duck coop/shelter meets the 10-foot and 25-foot setbacks as defined in Section 27-593(a)(10)a. With this limited information, Staff cannot determine if the proposed use would result in overcrowding of land or cause undue concentrations of population.

PREVIOUS ACTIONS

N/A

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting at 6:00 PM on July 28, 2021, at 1921 Nebraska Avenue. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant (see the “Attachments” section of this report).

KEY ISSUES

Distance from the Boundary Line
Noise
Overcrowding of the Land
Property Maintenance Compliance Citations
Screening/Buffering
Smell
Waste Disposal Plan

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

General

- 1) 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. Submit a site plan, showing the distance between the proposed accessory structure (duck coop/shelter) and the side boundary lines.

Applicant Response: Coop has been moved to a location 25 feet away from all neighbor's houses. Old coop locations have been de-commissioned or removed.

- 2) How many ducks will be kept on the property? The applicant identified 12 ducks for breeding and an undisclosed number of ducklings. Identify the maximum number of ducks proposed to be kept on the property.

Applicant Response: # of ducks on property will include 12 adults and no more ducklings than allowed by the conservation plan.

- 3) Provide photographs of the property, with emphasis on the area that the ducks will roam in and the coop/structure in which they will shelter.

Applicant Response: C

- 4) Provide scaled elevation drawings of the duck coop/structure. Include in the elevations a floor plan of the coop, demonstrating the structure's dimensions and total floor area.

Applicant Response: Photos of property are provided.

Staff Response: Photos have been received and can be found in "Photographs of the Property Provided by the Applicant" in the Attachments section of this report.

- 5) Create a Conservation Plan with the Wyandotte County Conservation District. Among other objectives, the Conservation Plan will define the appropriate number of ducks that can be kept on the subject property, establish a waste plan, and mitigate damage to the land.

Applicant Response: Conservation plan has not been provided to me yet, however, all concerns raised during their site review have now been addressed.

- 6) Unless otherwise covered in the Conservation Plan, provide a waste plan for handling the biological waste produced by the ducks. The plan must meet all standards of the Wyandotte County Conservation District. Per the Conservation District, using all the duck waste for fertilizer on the property is an insufficient plan, as the amount of daily waste produced by 12 ducks and numerous ducklings will overburden the soil with nutrients and damage and plants or crops planted in such soil.

Applicant Response: Waste plan has been created.

- 7) No ducks or eggs may be commercially sold, whether on site or off site, without a) registering and maintaining a business license with the Business License Office, and b) requesting and receiving a separate or combined Special Use Permit for a home occupation.

Applicant Response: Business license application attached. No home occupation is needed as the business is a farm. Farms are exempt from business licensing requirements in the state of Kansas. No combined special use permit is needed for a farmhouse.

Staff Response: The Special Use Permit requirement stems from the zoning district of the subject property, and therefore is applicable and enforceable. Section 27-609(1) states that “[c]ustomary home occupations may be allowed subject to the issuance of a home occupation permit” by the Department of Planning & Urban Design. Furthermore, the Legal Department has offered guidance that the exemptions claimed by the applicant do not apply and that a Special Use Permit for a home occupation can be required by the Board of Commissioners.

- 8) Will any of proposed accessory structure(s) be visible from any neighboring property?

Applicant Response: The accessory structure is not visible to neighbors.

- 9) Will any proposed accessory structure(s) have lights or be illuminated in any way?

Applicant Response: The accessory structure will not have lights.

- 10) The color and material of any accessory structure must match the color and material of the primary residence, unless the materials of the primary residence are materials not allowed on an accessory structure, as defined by Section 27-609(2)(a)-(b).
- a) Exterior wall materials are limited to customary residential finish materials, which include horizontal clapboard siding of all materials; wood and plywood siding; stone and brick, both actual and artificial; and textured finishes such as stucco and stucco board which visually cover the underlying material regardless of the underlying material.
 - b) Specifically excluded materials are preformed, corrugated or ribbed metal, fiberglass or plastic sheets or panels, unless the metal has a factory-applied finish that closely matches the color of the primary structure.
 - c) Standard concrete masonry units are excluded unless the walls of the building are painted the exact color of the primary structure.
 - d) The exterior roofing materials for roofs sloped more than two in 12 shall be shingles or tiles and not metal, fiberglass or plastic sheets, unless the metal roof has a factory-applied finish that closely matches the roof color of the primary structure or closely matches the color of the primary structure itself if the roof and walls of the accessory structure are to be the same color.

Applicant Response: The accessory structure matches the house and meets construction material requirements.

Standard Conditions

- 1) A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process.
- 2) 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.

- 3) 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.
- 4) 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 Code of Ordinances. 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; and 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.
- 5) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Planning Engineering Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval:
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Wyandotte County Conservation District Comments:

- 1) There are comments incorporated herein by the Wyandotte County Conservation District. For a full list of the Conservation District comments, see the “Conservation District Letter, Dated June 15, 2021” and “Conservation Plan for 1921 Nebraska Avenue” in the *Attachments* section of this report.

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 recommend **APPROVAL** of Petition **SP2021-052** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

- 1) **Per the conservation plan, up to eight (8) mature ducks may reside on the subject property. There may also be a revolving number of ducklings, based on the breeding and incubation patterns of those eight (8) ducks;**
- 2) **Per the conservation plan, the applicant must maintain the existing shelter for all ducks to get out of the weather and nest;**
- 3) **Per the conservation plan, the applicant must utilize the beds to the west side of the backyard for rotational grazing. The applicant can use the existing fencing covering over the beds to making moveable fences, which will allow grasses time for regrowth;**
- 4) **Per the conservation plan, the lagoon in the rear yard will need to be cleaned out on a minimum monthly, or as needed to maintain a healthy environment. With the current number of ducks, it would be suggested to be cleaned out every two (2) weeks. Once the number is brought down to eight (8) ducks with short-term ducklings monthly clean out should suffice. Waste from the lagoon can be composted with plant or grasses to be used as fertilizer for crop plants in front yard;**
- 5) **Per the conservation plan, the area around the lagoon must be fully seeded with grass in order to provide the best ground cover slow runoff and prevent erosion of the soil across the property. A combination of straw and seeding of grasses along the manmade channels in the yard would also help prevent soil loss and filter nutrients;**
- 6) **Per the conservation plan, fencing the ducks out of areas allowing seed to grow will be necessary, subject to the following conditions:**
 - a) **Fencing should be placed along the south part of the backyard to create a buffer and filter area along the property line. The area created should be three (3) to five (5) feet in width and seeded with grasses and plants tolerant to stand in wet conditions and handle high nutrient levels. Native grasses such as little blue stem, western wheat grass, and Indian grass can provide vital root systems to help infiltrate runoff. Forbs can be added to mix to provide more variety and berries;**
 - b) **Fencing should also be added to the east side of the property with another three (3)-foot filter strip to help protect the soil and slow runoff. Cardboard was observed on this path when visited demonstrating the need for seeding and soil protection. The area could also be mulched if it is to be used as pathway only. Mulched path would still need to be**

- about two (2) feet wide and regularly maintain to prevent it from becoming to compacted and no longer slow water movement; and,
- c) Most to the above can be completed by repurposing materials on the property;
- 7) A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Department to begin that process;
 - 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 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;
 - 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 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 Code of Ordinances. 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; and 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; and,
 - 11) Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Urban Planning and Land Use Department (check made payable to the Unified Treasurer) immediately following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

ATTACHMENTS

Land Use Map
Aerial Map
Zoning Map
Photographs of the Property Submitted by Staff, Dated June 20, 2021
Photographs of the Property Submitted by the Applicant
Additional Information Provided by the Applicant
Property Maintenance Compliance Email, Dated May 16, 2021
Wyandotte County Conservation District Letter, Dated June 15, 2021
Conservation Plan for 1921 Nebraska Avenue
Neighborhood Meeting Materials, Dated June 28, 2021

REVIEW OF INFORMATION AND SCHEDULE

| <u>Action</u> | <u>Planning Commission</u> | <u>Unified Government Commission</u> |
|----------------|----------------------------|--------------------------------------|
| Public Hearing | | |
| Special Use | September 13, 2021 | September 30, 2021 |

STAFF CONTACT: **Michael Farley**
 mfarley@wycokck.org

MOTIONS

I move the Kansas City, Kansas City Planning Commission recommend **APPROVAL** of Petition **SP2021-052** to the Unified Government Board of Commissioners 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. _____;
2. _____; And
3. _____.

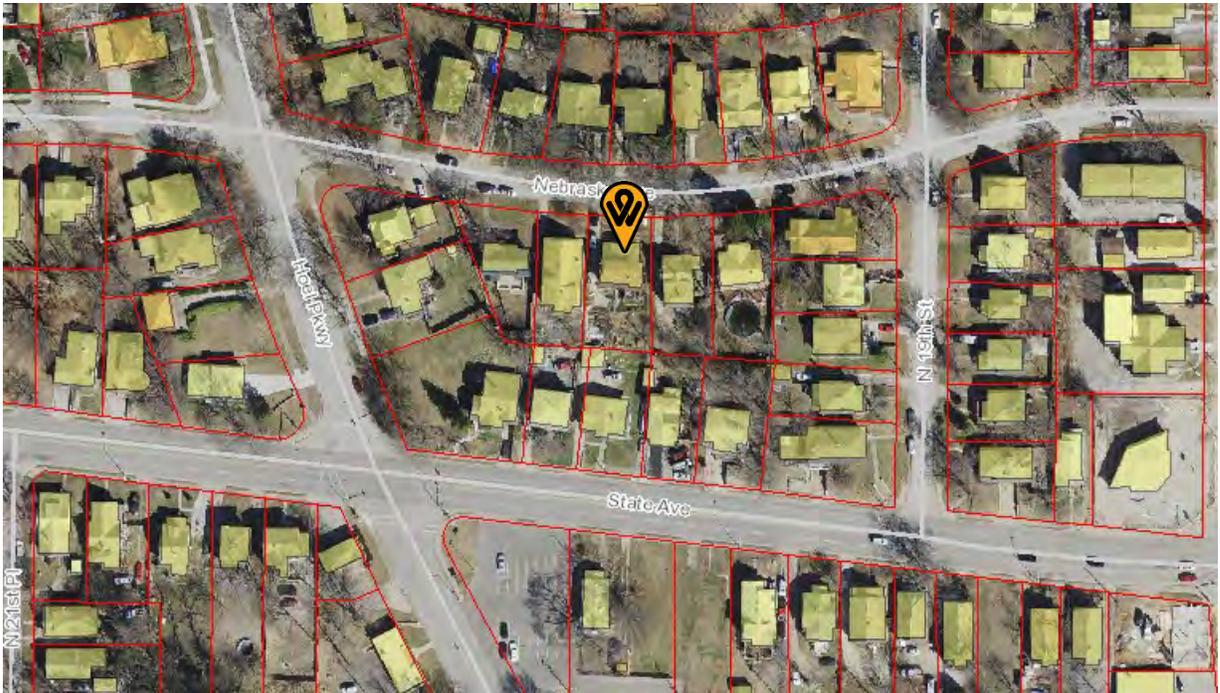
OR

I move the Kansas City, Kansas City Planning Commission **RECOMMEND DENIAL** of Petition **SP2021-052**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

LAND USE MAP



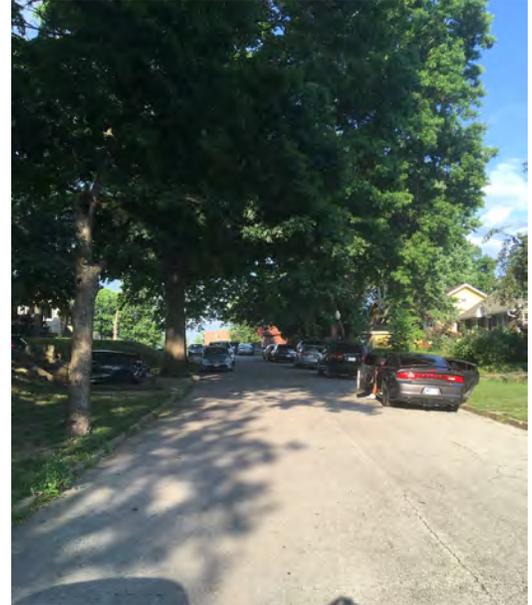
AERIAL MAP



ZONING MAP



PHOTOGRAPHS OF THE PROPERTY SUBMITTED BY STAFF, DATED JUNE 20, 2021



PHOTOGRAPHS OF THE PROPERTY PROVIDED BY THE APPLICANT



ADDITIONAL INFORMATION PROVIDED BY THE APPLICANT

9. Additional Information Please note any additional information that may assist staff in reviewing this request.

We are asking for permission to keep extra ducks at my house because I am working with various

nonprofit entities to find solutions to food security. Ducks provide better nutrition and more

production per acre than chickens. We are providing starter ducks to low income families in Kansas

since ducks are a good solution to reducing hunger in America.

PROPERTY MAINTENANCE COMPLIANCE EMAIL, DATED MAY 16, 2021

From: Raven Rose Bourgeois <meganr.bourgeois@hotmail.com>
Sent: Sunday, May 16, 2021 10:57 AM
To: Ingrid Garrison [KDHE] <Ingrid.Garrison@ks.gov>
Subject: Public Health Safety Warning

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

I need your help. This lady lives in Kansas City, Kansas by the name of Corinna West that is breeding and selling ducks and ducklings in absolutely unsanitary and unsafe conditions in her own backyard. Her backyard isn't even 0.5 acres and she has over 60 ducks and ducklings.

I have reported her for animal abuse but it seems nothing was done because she's still operating as normal and now has even more ducks. This is animal cruelty she has ducks covered in mud on a constant there is no ground cover because there is too many ducks in too small of space and they were eating all of it. It is also a public health safety concerns due to the fact that this is a lot of birds confined in a small space pooping everywhere and not getting treated for any of their health issues.

She's also selling the ducks for their meat without a permit as well as selling their eggs for food.

The cages and shelters that she has for these ducks not only are not up to par but they are dangerous she has heat lamps inside of their cages which is a fire hazard.

On top of all this she forces the ducklings to run on concrete for videos she calls "duckling runs" which can cause bumble foot which is a staph infection in the foot which can cause death if not properly treated or cared for and in the conditions that these ducklings are in I doubt that they are being properly cared for.

I have reported this lady to animal control in Kansas but nothing has been done.

Please help me spread the word and hopefully get this situation handle as well as finding better homes for these animals as it is most definitely a hoarder situation.

Her address is 1921 Nebraska Kansas City, Kansas, 66102.

Her business Facebook page is
<https://www.facebook.com/duckteamusa/>

And you can clearly see the conditions that these poor animals are in from the images she's posted.



Wyandotte County Conservation District
1204 N. 79th Street - Kansas City, KS 66112 - Phone (913)-334-6329 -
wyco.conservaion@gmail.com

Gunnar H. Hand
Director of Planning
701 North 7th Street Rm. 423
Kansas City, KS 66101
913-573-5750

June 15, 2021

RE: SP2021-052 Corinna West 12 breeding ducks at 1921 Nebraska Avenue

Dear Mr. Hand:

The Wyandotte County Conservation District has completed an environmental review of the: SP2021-052 Corinna West 12 breeding ducks at 1921 Nebraska Avenue.

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 is one major soil type identified: Ladoga silt loam, 3 to 8 percent slopes. This soil type is considered highly erodible when the surface is denuded of a protective cover.
- **We would not recommend is site for 12 breeding ducks for the following reasons:**
- With breeding ducks there are more ducks creating more waste to dispose of. This is too small of an area which can cause health issues for the ducks.
- There needs to be a waste disposal plan. Waste needs to be cleaned up daily and disposed of in a safe manner off site so that neighborhood properties are not contaminated.
- The storm water can be contaminated with waste materials that flow off the property. This could cause health issue off site.
- From a visual stand point, the property appears to be overrun with plants in the front yard.

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 may 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 delineation on the maps includes 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

CONSERVATION PLAN FOR 1921 NEBRASKA AVENUE



Wyandotte County Conservation District

1204 N. 79th Street - Kansas City, KS 66112 - Phone (913)-334-6329 - wycoco.conservations@gmail.com

SP2021-052

Ms. West

1921 Nebraska Ave

Kansas City, KS

The following suggestions and plans are based on an onsite visit, discussion with the Landowner and best management practices used by the Natural Resources Conservation Service. .

The area could be used to sustainably house 8 ducks with revolving ducklings by including the following conservation practices to protect animals, water, soil, and people.

Continue:

Having soil and water tested as you have been doing, to record any changes in respective health.

Maintain the existing shelter for all ducks to get out of the weather and nest.

Utilize the beds to the West side of the backyard for rotational grazing. You can use the existing fencing covering over the beds to making moveable fences. This will allow grasses time for regrowth.

Conservation additions:

The created drainage area in the backyard being referred to as a wetland would be classified as a lagoon. It is not a wetland because it does not have a hydric soil or wetland vegetation.

As used by the USDA-Natural Resources Conservation Service (NRCS), “wetland” is defined in regulations, [16 U.S.C. Section 3801\(a\)\(27\)](#) : “as land that has –

1. Has a predominance of hydric soils
2. Is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions
3. Under normal circumstances supports a prevalence of such vegetation.

The lagoon will need to be cleaned out on a minimum monthly, or as needed to maintain a healthy environment. The current number of ducks it would be suggested to be cleaned out every two weeks. Once the number is brought down to six ducks with short term ducklings monthly clean out should suffice. Waste from the lagoon can be composted with plant or grasses to be used as fertilizer for crop plants in front yard.

Ground cover to slow runoff and prevent erosion of the soil across the property needs to be addressed. Currently the minimal coverage by “micro-greens” and a small amount of straw are insufficient to handle exposure from wind, water, and animals. Additional straw could be used if it fully covers the bare ground. It could be composted with the lagoon waste. A combination of straw and seeding of grasses along the manmade channels in the yard would help prevent soil loss and filter nutrients. The best plan for protecting against soil

CONSERVATION PLAN FOR 1921 NEBRASKA AVENUE, CONT.

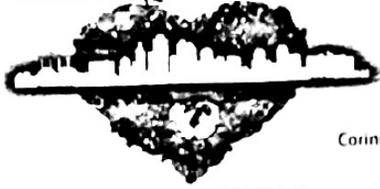
loss into the lagoon would be to fully seed the area with a grass. Fencing the ducks out of areas allowing seed to grow will be necessary.

Fencing should be placed along the South part of the backyard to create a buffer and filter area along the property line. The area created should be 3-5 feet in width and seeded with grasses and plants tolerant to stand in wet conditions and handle high nutrient levels. Native grasses such as little blue stem, western wheat grass, Indian grass can provide vital root systems to help infiltrate runoff. Forbs can be added to mix to provide more variety and berries.

Fencing should also be added to the East side of the property with another 3-foot filter strip to help protect the soil and slow runoff. Cardboard was observed on this path when visited demonstrating the need for seeding and soil protection. The area could also be mulched if it is to be used as pathway only. Mulched path would still need to be about two feet wide and regularly maintain to prevent it from becoming to compacted and no longer slow water movement.

Most to the above can be completed by repurposing materials on the property.

URBAN WILDFINDS



Corinna West

816 726 9626
CorinnaWest816@gmail.com

FARM AND FORAGE

Date:

June 19, 2021

Name Corinna West
Address 1921 Nebraska Ave
City/State/Zip KC K 66102

SUBJECT: Neighborhood Meeting

I/We have filed an application with the Department of Urban Planning and Land Use # SP2021-052 The purpose of this:
(please use all that applies)

- change of zone
- special use permit
- preliminary plan review

is for a special use permit

at the following address: 1921 Nebraska Ave

I/We am having a neighborhood meeting on June 28 at 6 p.m. at the following address West height Park Shelter House

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact me at the address/phone number listed below.

Sincerely,

Corinna

1921 Nebraska
816-726-9626
corinnawest816@gmail.com

ACTUAL

④

~~SAMPLE~~ MINUTES:

Application Number SV-2021-052

Date and Location: June 28 6 or 7 pm 1 target

Meeting called to order at: June 28 7 pm
6 or 6 pm

Names of people in attendance:

Introductions: ① Covinna West
② the homeless guy who lives there

Presentation by applicant and/or team (explain what information was given to those in attendance and a summary of what the speaker said).

Questions and answers (include the following):

- > Who asked question or gave comment
- > What was the question or comment
- > Who answered the question/comment
- > What was the answer given

Covinna talked about ducks

Homeless guy talked about racism in Wyo

Covinna talked about ducks some more

Homeless guy talked about racism more

Meeting adjourned at: 6:30 pm or 7:30

Minutes taken by: Covinna West

Neighborhood meeting

5

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

Comes now Covinna West, of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # SP 2021-052
2. That I conducted a neighborhood meeting on June 28 2021
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Covinna West
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this _____ day of _____, 20__.

My commission expires _____ of _____, 20__.

* Notarization not required per instructions.

Notary Public